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Preface

The aim of the **10th International e-Conference on Studies in Humanities and Social Sciences (10IeCSHSS)** was to bring together scholars, administrators and students from different countries, and to discuss theoretical and practical issues in different areas of Humanities and Social Sciences. The e-Conference was organized as a kind of a *multi-disciplinary forum* which provided the appropriate opportunities for *inter-disciplinary communications*.

The areas of study covered by the e-Conference were the following: Philosophy, Anthropology, Psychology, Science of Education, History, Linguistics, Arts, Sociology, Political Science, Law, and Economics.

The e-Conference was organized in cooperation with the COAS Partner Institutions: South-West University “Neofit Rilski”, Faculty of Philosophy, Blagoevgrad, BULGARIA, University of Ruse “Angel Kanchev”, Faculty of Business and Management, Ruse, BULGARIA, Albanian University, Tirana, ALBANIA, and Kaye Academic College of Education, Beersheba, ISRAEL.

The e-Conference was organized exclusively as an online conference, and the English was the only language of the conference.

The e-Conference had realized on **15-17 September 2024**, starting by exposing accepted abstracts at the COAS website (15 September 2024, 00:00 AM, GMT+01:00). It was followed by the posting at the COAS website different textual contents sent by the e-Conference participants, such as discussions, analyses, critics, comments, suggestions, proposals, etc., regarding exposed abstracts and other contents. All textual contents were reviewed and posted at the COAS website by the e-Conference moderators, appointed by the Scientific Committee.

All submitted abstracts/full texts went through two reviewing processes: (1) double-blind (at least two reviewers), and (2) non-blind (two members of the Scientific Committee). Thus, final decision for the presenting and publishing depended of these two kinds of reviews, in order to be accepted for presentation at the conference and to be published in the e-Conference Proceedings.

The Conference Proceedings will be submitted for indexing in different international databases.

Finally, we would like to thanks to all participants of the e-Conference, as well as to all reviewers and editors, for their efforts, which enable that the e-Conference was productive experience.

We are looking forward to the **11th International e-Conference on Studies in Humanities and Social Sciences (11IeCSHSS)** that will be held in **September 2025**, using the same online model. We hope that it will be an interesting and enjoying at least as the previous e-Conference.

Scientific Committee



Metaphorical Collocations Through the Prism of Language Teaching: Why and How They Should Be Included in ESP Vocabulary Instruction?

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Abstract

Figurative language is part of our everyday interactions to a much larger degree than we are probably aware. Metaphorical collocations (MCs) are a specific subset of figurative expressions and as such are currently deemed a necessary part of any language teaching curricula. In MCs, the base, which is usually a noun, retains its literal meaning whereas the collocator (e.g., an adjective or a verb) is used figuratively (Stojić & Košuta 2021). In this paper, the presence of English (L2) metaphorical collocations in a specific set of maritime newspaper articles is explored from the perspective of L2 corpus frequency and the existence of L1 equivalent expressions. Finally, teaching methods are proposed on how to include MCs in ESP vocabulary instruction in a learner-friendly manner that should yield better retention than the traditional approach to vocabulary instruction.

Keywords: metaphorical collocations, ESP, vocabulary instruction, corpus frequency.

1. Introduction

Figurative language (FL) in language instruction is no longer as neglected as it used to be in the past. Teaching material design has come a long way from including FL in “bonus” vocabulary exercises to dedicating entire teaching sections to FL vocabulary instruction. Collocations receive a special treatment in this regard due to its immense productivity which earns them the status of being “challenging” to teach and learn respectively. In Evert’s (2008: 1212) words, “the concept of collocations is certainly one of the most controversial notions in linguistics”, and, we might add, one of the most difficult categories to determine. Collocations are not exactly free combinations, but they are not as fixed as, for example, idiomatic expressions (see Moon, 1998). The Croatian Collocation Database (the Institute for the Croatian Language) defines collocations as word combinations with more restricted or specific meaning, as opposed to free combinations of words. Evert (2008) discusses collocations from the perspective of phraseological theory where collocations are viewed as a category on an imaginary continuum between completely opaque multiword expressions (MWEs) on the one end (e.g. idiom *gather rosebuds* ‘to act and enjoy oneself now, before one’s situation changes’) and semantically compositional, free word combinations on the other end (e.g. *gather pumpkins*, *gather everyone*, etc.). Macis and Schmitt (2016) mention the limited view of collocations from the perspective of teaching materials in which collocations are regarded as merely word partners that co-occur together. In this paper we adopt Mel’čuk et al.’s (1995) view of collocations that identifies them as word combinations in which one element, usually the base, retains its basic, i.e. literal, meaning, and the other element, usually the collocator, is used in its metaphorical sense. This definition goes in line with that of

Patekar (2022: 44) who identifies metaphorical collocations (MCs) as having only the collocator that is used metaphorically whereas collocations where the base is used in its metaphorical sense (e.g., *political suicide*) are referred to as simply “metaphorical expressions”. According to this view, instances of collocations where both the base and the collocator are used metaphorically are also classified as another type of metaphorical expressions, and not MCs (e.g., the adjective-noun collocation *green light* or the previously mentioned verb-noun idiom *gather rosebuds*). Grossmann and Tutin’s (2016) definitions of collocations seems to support this view; they identify them as “recurrent binary associations of meaningful words, which have a syntactic and a semantic relation” (p. 271). In these associations, the semantic meaning of the base can be interpreted outside its relation to the collocator and the semantic meaning of the collocator can only be constructed in cooccurrence with the base. In this way, collocations are basically expressions in which the meaning of one of the words has been modified to an extent. Evert (2008) labels them as “semi-compositional expressions”, i.e., word combinations that show a tendency to co-occur in natural language. Their meaning can be partially derived from the meanings of individual words (e.g., *heavy smoker*) unlike metaphorical expressions (e.g., *black sheep*) where the phrase meaning is far less transparent. Macis and Schmitt (2016) also draw attention to individual learner differences and not just the collocation’s semantic properties as playing a role in phrase comprehension. What Patekar (2022) refers to as “metaphorical expressions”, Macis and Schmitt (2016: 51) label “figurative expressions” whose meaning is non-compositional and cannot be deduced from the meanings of individual constituents (e.g., knowing that *black* stands for color and *sheep* for a domestic animal will not result in the meaning of the phrase *black sheep* “a member of a family or group who is regarded as a disgrace to it”). Macis and Schmitt (2016) also mention “duplex collocations” that have both literal and figurative interpretations (e.g., *green light* can literally refer to a traffic light or metaphorically to someone’s consent).

- Metaphorical collocations (MCs) are a specific subset of figurative expressions that are a necessary part of any language teaching curricula.
- Verb-noun collocation types are frequently included in common ELT exercise formats such as matching sets of verbs and nouns.
- Teaching material design is still lagging behind the current theoretical findings on figurative language, specifically collocations.
- L1 transfer should be utilized in vocabulary instruction of MCs whose identical expressions can be found in L1.
- If L1 equivalent expressions do not exist, conceptual metaphors should be used instead of L1 transfer to facilitate the teaching of MCs.

In this paper, we use the term *metaphorical collocation* to refer to those word associations where at least one constituent is used metaphorically. We further expand on the definitions proposed in literature and include collocations where both the base and the collocator are used metaphorically.

1.1 On teaching collocations

As with all other aspects of FL, collocations do not occupy a predefined space in vocabulary lessons. This is to say, they are normally introduced as “vocabulary boost” exercises and usually at a more advanced level of language learning (Doiz & Elizari, 2013; Forsberg, 2010). Figurative speech in L2 has long been deemed as a native or a near native-level skill (Charteris-Black, 2002). However, recent decades have seen a rise of interest in FL inclusion in language instruction even at lower levels of proficiency. Collocations are now an integral part of many EFL (English as a Foreign Language) textbooks with verb-noun collocation types frequently included

in common exercise formats such as matching sets of verbs and nouns (Boers et al., 2014). Recent awareness of the role of FL in everyday communication has incited a shift in focus that has almost exclusively resided on the literal use of L2. This came as a direct result of studies into the nature of FL instruction that revealed the use of figurative language helps overcome some of the difficulties an advanced language learner experiences (e.g. insufficiently motivating materials, reaching a vocabulary acquisition plateau, etc.) by expanding the learners' vocabulary (Danesi, 2008). The positive effect of FL instruction has also been discussed in relation to how learners "organize, learn and recall vocabulary, and have greater success in their on-line comprehension of previously unseen expressions" (Phillip, 2005:16). However, even if one is to acknowledge the beneficial effect of incorporating FL into vocabulary learning, we are faced with practical issues such as FL categorization, representation and teaching material design. This problem becomes even more evident in the field of ESP (English for Specific Purposes) where terminology bears much significance in vocabulary instruction. Kövecses (2012) discusses ways how idioms can be organized in a dictionary, that, we believe, can be applied to how collocations might be systematized in ESP teaching materials. In the case of FL in general, cognitive linguists suggest organizing vocabulary units in a way that reflects the presumed conceptual structuring in our minds should represent the most effective way of presenting FL to language learners. Kövecses (2012) examines three dominant ways FL is represented in dictionaries, namely idioms. As opposed to the traditional alphabetical order of entries, the key word-based arrangement, and the thesaurus-like arrangement, the author suggests a metaphor-based arrangement is the most effective method of organizing FL units. However, if "the number of metaphorical idioms produced by conceptual metaphors is quite large" (Kövecses, 2012: 93), imagine how great that number would be if we were to look at metaphorical collocations whose syntactic structure is far less salient than that of idiomatic expressions.

If figurative language is generally underrepresented in ELT materials, metaphorical collocations are even more seldomly included in the materials. Macis and Schmitt (2016) analyzed a set of collocations for their meanings with the end goal of providing directions for language instructors. In their study they tried to determine whether a pattern of co-occurrence or a pattern of meaning played a more significant role in language instruction. In their choice of collocations, they limited themselves to more frequently appearing collocations (since high frequency words are usually acquired faster than lower frequency words) and they only looked at three most common verb + noun collocations and the three most common adjective + noun collocations. Their study corroborated the existence of metaphorical collocations and accentuated the need for teachers to become familiar with the different types of collocations (Macis & Schmitt, 2016). Led by the assumption that L2 learners are prone to making errors in collocation use under the influence of their L1, Peters (2016) investigated the effects of L1 (the existence of literal translation equivalent in L1) and word class (adjective-noun, verb-noun, phrasal verb-noun collocations) on learners' learning collocations. She concluded the difficulty learners encounter with L2 collocations arises from the fact that they fail to notice formal differences between L1 and L2 collocations when the meaning is transparent.

Whatever the case, metaphorical collocations seem to elude not only categorization, but also any attempt at proposing effective methodology that would offer a helping hand to learners mastering their large number (Cheng, 2019). The effectiveness of any such methodology will be based on available databases and inventories of collocations, therefore, developing collocation resources is a necessary first step in MC research (Stojić & Košuta, 2022). In our study we will attempt to propose different approaches to MC instruction in the ESP context drawing on existing resources on collocations in English and Croatian.

2. Method

Authentic maritime text was scanned for collocations using the *Feedspot.com* platform. The platform features various written forms such as news articles and maritime blogs to

deliver the latest news to its readers. The top 10 maritime blogs are ranked on *Feedspot.com*¹ by relevancy, authority, social media followers and freshness. *The Maritime Executive* website was chosen since it also features recordings of its articles, which enables multiple ways of presenting authentic content to learners. The article authored by Euan Graham and titled *UK-Mauritius Chagos Deal Removes Risk for Diego Garcia Naval Base* (1,383 words in length) was chosen for its inclusion of different collocations that are the focus of this study.² Once the authentic text was selected, it was scanned for different types of verb-noun collocations. In the next step, the metaphoricality of selected MCs was established as well as the existence of L1 translational equivalents. Finally, a teaching method for each type of MC was selected based on their specific properties that are listed below:

- 1) *Strength of co-occurrence* (the collocational strength of verb and noun collocates expressed in relative corpus frequency);
- 2) *Degree of metaphoricality* (the degree of phrase meaning transparency, establishing the metaphorical use of the collocator and the base);
- 3) *L1 congruency* (existence of L1 equivalent expression).

Strength of co-occurrence was established using the Word Sketch query available through the *SketchEngine* (SkE) platform. The L2 corpus used was the *enTenTen21* corpus of English comprising 61,585,997,113 tokens (52,268,286,493 words) and covering the largest variety of text types and web sources. Every noun collocate from the selected text was run through SkE to see which verbs are the most frequent collocates in the *Verbs with “noun” as object* column. All the verb collocates were then filtered to see if there are any instances of the verb-noun combination from the selected text appearing in the corpus. If yes, relative frequency (RF) was registered for that specific verb-noun combination.

The second step entailed establishing whether the verb-noun collocation was metaphorical (MC) or non-metaphorical (nonMC) in nature. Following the methodology for identifying MCs established in previous studies (Macis & Schmitt, 2016; Cheng, 2019), the verb collocator in each collocation was manually evaluated for degree of semantic transparency, i.e., whether the collocator was used in its non-literal sense therefore rendering the meaning of the entire collocation non-compositional (or at least semi-transparent in meaning).

The third step included the assessment of the collocation's *L1 congruency* following Peters' (2016) methodology. Each collocation that was tagged as (partially) metaphorical in Step 2 was further analyzed for L1 equivalent expressions. Equivalent collocations were searched using the Croatian Collocation Database (CCD). When the search would yield no matches, the L1 corpus (*hrWaC* in SkE) was consulted. The corpus search was a necessary step because, even though the CCD is sourced from Croatian newspapers, contemporary lexicographic manuals, scientific journals from the linguistics field, and Croatian corpora (*HrWaC* and the Croatian National Corpus (HNK)), it only included the most represented word combinations in Croatian. That is why corpus search was done to provide a wider collocational sketch for each noun base included in this study.

Different teaching approaches are then analyzed and specific vocabulary teaching strategies are put forth depending on the nature of collocations included in vocabulary instruction.

¹ Available at: https://blog.feedspot.com/maritime_blogs/. Accessed Sept 10, 2024.

² MaritimeExecutive.com. Available at: <https://maritime-executive.com/editorials/uk-mauritius-chagos-deal-removes-risk-for-diego-garcia-naval-base>. Accessed Sept 15, 2024.

3. Results

In total, the scanning of text yielded 46 verb-noun combinations. The total figure does not include phrasal verb collocators (e.g., *give up territory*) or verb-noun collocations with adjectival collocates (e.g., *send mixed signals*). However, instances in which the verb-noun collocation also appeared without the adjectival collocate (e.g., *receive (keen) focus*) were not omitted from further analysis. All 46 examples were run through SkE in order to obtain data on their relative frequency of appearance in the L2 corpus (see Table 1).

Table 1. Verb + noun expressions (N = 46) and their relative frequencies (RF, number of hits per million tokens) from SkE

V+N	RF	V+N	RF
make way	17,830	obtain an opinion	0,150
take a role	4,880	receive (keen) focus	0,140
reach an agreement	3,710	undertake repairs	0,100
make a (financial) commitment	3,470	end uncertainty	0,090
release a statement	2,890	deepen partnership(s)	0,070
break (international) law	2,790	constitute a benefit	0,050
sign the deal	2,770	hamper operations	0,050
provide security	2,480	ratify the deal	0,050
maintain balance	1,300	preserve base	0,041
continue operation(s)	1,290	criticize a deal	0,040
strike a deal	1,030	endorse the deal	0,040
receive income	0,860	chart a pathway	0,020
announce a deal	0,820	preserve status quo	0,020
seek access	0,700	jeopardize access	0,020
give blessing	0,580	fan anxieties	0,010
prompt a question	0,440	govern a base	0,010
delay decision	0,410	vacate the base	0,010
gather momentum	0,290	gauge the deal	0,010
maintain agreement	0,240	administer island	0,002
cause uncertainty	0,220	kick-start negotiations	<0,01
disrupt operations	0,210	get sovereignty	0,000
end dispute	0,180	relinquish sovereignty	0,000
open negotiations	0,150		

The expressions (N = 26) that appeared in the corpus with a relative frequency equal or larger than 0.1 per million tokens were included in further analysis. Each verb-noun expression was manually evaluated for potential metaphorical use of either the verb collocator (Mv+NMn), or both the collocator and the noun base (Mv+Mn). No instances were recorded where the noun base was used metaphorically and the verb collocator literally. Of the total number of expressions included in the analysis of metaphoricity, seven were judged as non-metaphorical, i.e. neither the

verb nor the noun collocator were used in their metaphorical sense (NMv+NMn). These expressions were excluded from subsequent analysis (Table 2).

Table 2. Classification of verb+noun expressions according to the metaphorical status of verb and noun collocates

metaphorical verb + metaphorical noun (Mv+Mn)	
make way	give blessing
make a (financial) commitment	gather momentum
maintain balance	take a role
metaphorical verb + non-metaphorical noun (Mv+NMn)	
reach an agreement	maintain agreement
release a statement	open negotiations
provide security	obtain an opinion
strike a deal	receive (keen) focus
seek access	undertake repairs
prompt a question	break (international) law
delay decision	
non-metaphorical verb + non-metaphorical noun (NMv+NMn)	
sign the deal	cause uncertainty
continue operation(s)	disrupt operations
receive income	end dispute
announce a deal	

The expressions that were found to be metaphorical in nature (N = 19) were cross-compared to collocation sources for L1 (Croatian) - the Croatian Collocation Database (CCD) and hrWaC (Croatian web corpus). Table 3 shows L1 equivalent expressions for every L2 metaphorical collocation with respective sources named in parentheses.

Table 3. A list of metaphorical collocations (N = 19) with equivalent expressions in L1 and their sources

L2 collocation	L1 equivalent (source)
make way	<i>krčiti /komu/ put (CCD)</i>
make a (financial) commitment	<i>dati /komu/ obećanje (CCD) vezati se obećanjem (CCD)</i>
give blessing	<i>dati svoj blagoslov (CCD)</i>
gather momentum	<i>dobivati snagu (CCD) prikupiti snagu (CCD)</i>
take a role	<i>preuzeti ulogu (hrWaC)</i>
maintain balance	<i>održavati ravnotežu (CCD)</i>
reach an agreement	<i>postići dogovor (CCD) doseći dogovor (hrWaC)</i>
maintain agreement	<i>držati se dogovora (CCD) poštivati dogovor (hrWaC)</i>
open negotiations	<i>započeti pregovore (CCD) pristupiti pregovorima (CCD) otvoriti pregovore (hrWaC)</i>
obtain an opinion	<i>zatražiti mišljenje (hrWaC) pribaviti mišljenje (hrWaC)</i>
receive (keen) focus	<i>pokloniti /komu/ pažnju (CCD) posvetiti /komu/ pažnju (CCD)</i>
undertake repairs	<i>obavljati/ izvoditi/izvesti popravke (hrWaC)</i>
release a statement	<i>dati izjavu (CCD) objaviti/ predati izjavu (hrWaC)</i>
provide security	<i>osigurati sigurnost (CCD) pružati sigurnost (hrWaC)</i>
strike a deal	<i>postići dogovor (CCD)</i>
seek access	<i>tražiti pristup (hrWaC)</i>
prompt a question	<i>nametati pitanje (hrWaC)</i>
delay decision	<i>promišljati prije odluke (CCD) preispitati/ odgađati odluku (hrWaC)</i>
break (international) law	<i>kršiti zakon (CCD)</i>

L1 equivalent expressions were identified for all 19 L2 collocations, with structurally identical expressions recorded in 11 cases (give blessing - *dati blagoslov*, gather momentum - *prikupiti snagu*, take a role - *preuzeti ulogu*, maintain balance - *održavati ravnotežu*, reach an agreement - *doseći dogovor*, open negotiations - *otvoriti pregovore*, obtain an opinion - *pribaviti mišljenje*, provide security - *pružati sigurnost*, seek access - *tražiti pristup*, delay decision - *odgađati odluku*, break the law - *kršiti zakon*).

4. Discussion

Several factors should influence how metaphorical collocations are incorporated into vocabulary lessons. These, among others, include the collocation's degree of metaphoricity, its L1 congruency and, of course, collocation frequency. In ESP, learners are burdened with a lot of terminology that is essential to their passing the course, so additional vocabulary exercises should be carefully structured and aimed only at collocations they are more likely to encounter in everyday communication. That is why *break (international) law* (RF = 2,790) and *give blessing* (RF = 0,580) were chosen for inclusion whereas collocations such as *gauge the deal* (RF = 0,010) and *fan anxieties* (RF = 0,010) were not. In addition, the advantage of authentic texts lies in the fact that learners generally harbor positive attitudes to authentic teaching materials and are better motivated to learn from them (Elkasović & Jelčić Čolakovac, 2023). Apart from making sure our materials are relevant and up to date, L2 vocabulary should always be instructed bearing in mind the potential influence of L1. Following Irujo's (1986) conclusions, similar L1-L2 collocations are expected to be understood almost as well as MCs identical in structure, however, the similarities need to be accentuated in the instruction since L1 interference is usually prevalent in the production tests (Cooper, 1999). Furthermore, Irujo (1986) found that the easiest FL instances to remember were those whose literal meanings were closely related to their figurative meanings. This is why, in our study, special focus was given to the type of metaphorical collocation appearing in the text. Example (1) includes three instances of Mv + Mn collocations appearing in authentic context:

Example (1)

Mv + Mn

*India, Mauritius's de facto security guarantor, **has given** its tacit **blessing** to the sovereignty swap, which from its perspective is an optimal outcome.*

*Not everyone has been convinced of the validity of the Mauritian claim, despite its **gathering momentum** through international courts and the United Nations.*

*A carve-out for Diego Garcia that will preserve the administrative status quo for the base's operations on the island, with Britain effectively **taking a** caretaker **role** ...*

All three MCs (*give blessing*, *gather momentum*, *take a role*) have equivalent L1 expressions (*dati svoj blagoslov*, *prikupiti snagu*, and *preuzeti ulogu* respectively). As such, we argue that Mv + Mn collocations are included in vocabulary instruction along with their translational equivalents so as to allow for L1 transfer to be used as a learning strategy (see Koda, 1993; Cooper, 1999). One way of implementing this in a classroom is to present the collocations context-free and alongside L1 translational equivalents in order for the learners to focus solely on the comparable lexical structures of the collocations.

In Example (2) three Mv + NMn collocations are listed as they appear in the authentic text:

Example (2)

Mv + NMn

*Britain was in a losing legal position and that an 'inevitable' binding judgment would force it either to abandon the base or **break** international **law**.*

*A joint **statement released** on 3 October 2024 left basic questions about the deal unanswered.*

*The government apparently believed it had to **strike a deal** on the best possible terms as soon as possible.*

In Example (2), the verb collocators in all three MCs are used metaphorically while the noun base retained its basic, literal meaning. *Break (international) law* is the only collocation to have an L1 equivalent expression (*kršiti zakon*). In the case of L2 MCs *release a statement* and *strike a deal* the verbs 'release' (lit. 'to give freedom or free movement to someone or something') and 'strike' (lit. 'to deal a blow or stroke to (a person or thing)') are used with their metaphorical senses. In Croatian collocations these verbs are replaced by *dati* ('give') and *postići* ('succeed'). Following Kövecses' (2012) rationale, underlying conceptual metaphors could be employed in the instruction of such L2 MCs where L1 equivalents cannot facilitate vocabulary learning.

5. Conclusion

The role of figurative language in everyday communication has been recognized and its effect on overall linguistic competence of an L2 learner has been the subject of various studies in the field of both vocabulary instruction and acquisition. However, teaching material design is still lagging behind the current theoretical findings on FL, specifically collocations. Metaphorical collocations as a specific subset of collocations are particularly difficult to categorize and ultimately include in a language instruction lesson. In the field such as ESP where terminology takes precedence, collocational fluency has particularly been neglected. Therefore it was the aim of this study to offer ESP practitioners guidance on how to incorporate authentic texts and FL instruction into their vocabulary lessons. For this purpose, a pre-selected maritime text was scanned for all verb-noun occurrences regardless of their collocational status. The expressions were then run through the corpus and relative frequencies were obtained for each occurrence. Only the expressions that appeared in the corpus with a relative frequency equal or larger than 0.1 per million tokens were further analyzed for metaphoricality. The metaphorical uses of verb collocators and noun bases were manually determined in relation to sentential context. The occurrences in which both the base and the collocator were found to be used in their literal sense were omitted from further analysis. The final list of L2 metaphorical collocations was tested against L1 corpus and L1 equivalent expressions were found for all the MCs on our list. We propose that L1 transfer is utilized in vocabulary instruction of MCs whose identical expressions can be found in L1; on the other hand, if such expressions do not exist, conceptual metaphors should be used instead of L1 transfer to facilitate the teaching of MCs.

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Illocutionary Force Indicating Devices in Spoken Maritime Communications

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Abstract

The paper provides a corpus-driven analysis of different illocutionary force indicating devices (IFIDs) in a spoken corpus of maritime VHF communications. The study relies on the speech act theory (Austin, 1962) and the notion of IFIDs (Searle, 1969). IFIDs refer to various linguistic and non-linguistic devices that indicate the illocutionary force of an utterance, which might include lexical means (verbs, adverbs, etc.), word order, intonation and other means. The study is conducted on a spoken corpus which consists of about ten hours of communication between the ship and the shore. The analysis is performed by employing a combination of quantitative and qualitative approach. First, fifty exchanges are analyzed to identify possible IFIDs. This is followed by corpus analysis of the IFIDs identified in the previous stage. The aim is to shed light on the pragmatic aspect of maritime communications which are otherwise highly structured and institutionalized.

Keywords: illocutionary force indicating devices, maritime communication, spoken corpus, speech acts.

1. Introduction

The paper focuses on the specific way language is used in spoken maritime communications, a subvariety of Maritime English. This subvariety represents spoken interaction between interlocutors exclusively via VHF radio with the goal of exchanging information in a clear, fast, efficient and unambiguous way. In these specific circumstances, the paper analyses the linguistic effects achieved by participants in maritime communication exchanges considering their role and relation of power or solidarity, with particular consideration of illocutionary force indicating devices (IFIDs).

The research relies on the speech act theory and the pragmatic effects achieved through language. Speech act theory was posited in the mid-20th century by Austin (1962), who observed language from a pragmatic aspect, as actions that we perform with words. His theory has later seen some modifications and alterations, but the fact remains that Austin was the first to draw attention to this aspect of language and showed that the same utterance may have different meanings depending on the speech act in which it was uttered. Austin defined three basic dimensions of every speech act. One is the locutionary dimension, which refers to the actual production of an utterance that has its reference and meaning. The second, illocutionary dimension refers to the speaker's intention, i.e., the goal or purpose of the utterance which has a specific communicative force in the context of the situation. Furthermore, everything that the

speakers say in one turn may consist of several illocutions, where each illocution represents one move in the speech act (Ivanetić 1995). The third, perlocutionary dimension refers to the effect that the utterance had with the receiver of the message.

- VHF communications follow a standardized protocol of communication.
- VHF communications share some features of everyday spoken communication.
- Illocutionary force indicating devices can be found in this subvariety of Maritime English.
- IFIDs are one of the features that connect this subvariety to everyday spoken discourse.

Searle (1979) makes a difference between illocutionary purpose and illocutionary force, i.e., linguistic means used to provide the force of the utterance (Searle 1979). Illocutionary force is expressed and interpreted by means of various illocutionary force indicating devices (IFIDs), which is interpreted by the receiver using his pragmatic competence. These indicators might include performative verbs, mode, word order, intonation, tone, stress, adverbs, extralinguistic means and context. For example, the imperative conventionally has a primary function of giving orders or requesting, but in some other contexts it may be used to express an advice, a threat or an instruction. In cases where the situation clearly indicates the speaker's intention, it is not necessary to use IFIDs as indications.

In order to interpret the meaning, the receiver takes into consideration the conventional meaning of words, linguistic and extralinguistic context of the utterance and the knowledge of the world and acts in accordance with Grice's cooperative principle and conversational maxims. Briggs (2003) also noted that speech acts are all performative, but to a varying degree, while Yule (1996) differentiated between implicit and explicit performatives.

IFIDs are understood as linguistic units that indicate or restrict the illocutionary force of an utterance (Searle & Vanderveken, 1985; Stampe, 1975). There are three main indicators of IFIDs identified in research so far:

1. lexical indicators, e.g., explicit performatives (Condoravdi & Lauer, 2011; Jary, 2007) which includes verbs, adverbs and some other expressions that explicitly indicate the illocutionary force of a speech act;
2. syntactic indicators, e.g., the verbal mode, like the imperative;
3. prosodic indicators include, e.g., pitch.

The goal of the research was to identify IFIDs that appear in this specific kind of spoken interaction and to analyse the differences between two groups of participants, i.e. officers on board different ships and Vessel Traffic Service operators. In spite of their training, several studies (cf. Pritchard & Kalogjera, 2000, Bocanegra, 2011, Dževerdanović-Peجویć, 2013, Ahmmed, 2020, Jurković, 2022) have shown that participants in maritime communication do not adhere strictly to the protocol but they still achieve a high level of understanding, therefore this study aims to take into account one of the aspects of communication, so called "soft skills" aspect.

The analysis of linguistic devices used in such a way might have implications both in developing training programmes, as this will promote understanding of how linguistic resources may be used in different ways, and in developing operational protocols and technological systems as these communication strategies may influence on how the participants make judgements and decisions and how they approach certain issues.

2. Method

The spoken corpus of maritime communications MarCom underwent two stages of analysis. The first was a qualitative analysis that enabled a deeper insight into the issue of IFID in this particular specialized spoken corpus, focusing on individual instances important for understanding the speech act in each turn. This constituted a bottom-up approach to identifying and analyzing IFIDs in the corpus of spoken maritime communication exchanges. The qualitative analysis enabled the identification of unpredictable and unexpected linguistic elements in the corpus, understanding of the speech act and insight into the causes and links between individual speech acts. The analysis focused on the process, i.e., meaning and understanding of specific segments, which may be greater or smaller than a sentence. In that sense, the focus is on details that reveal patterns or models leading to conclusions.

2.1 Corpus MarCom

The research was carried out on a corpus of maritime communication exchanges, i.e., MarCom, consisting of 93,920 tokens, which corresponds to about 10 hours of conversations recorded in the area of the Adriatic Sea between the ships and the Vessel Traffic Service (VTS). The recordings were granted by the Maritime Safety Directorate of the Croatian Ministry of the Sea, Transport and Infrastructure provided that the recordings are treated in accordance with the EU General Data Protection Regulation. Therefore, during the transcription stage, the transcripts were anonymized to keep the confidentiality of the audio materials, which meant removing any personal information, e.g., ship names, place names, station names, from the transcribed corpus so that messages cannot be associated with specific ships or places. The transcriptions were performed by means of the speech-to-text application Transkriptor,¹ however, they had to be checked and corrected manually.

VHF maritime communication is a kind of spoken interaction regulated not only by conversational norms and expectations, but also by institutionalised norms and standards proscribed by the parent organization, the International Maritime Organization (IMO), and the International Association of Lighthouse Authorities (IALA) in different documents and regulations (cf. Regulation V/14.4 of the International Convention for the Safety of Life at Sea, IMO Resolution A.1158(32) Guidelines for vessel traffic services, IALA Recommendation R1012 VTS Communications, IALA Guideline G1132 VTS Voice Communications and Phraseology). The goal of this specific language policy was to ensure “precise, simple and unambiguous”² communication that is timely and clear as “ambiguous or non-standard phrases are frequent causal or contributory factors in marine casualty, incident and near miss situations.”³ This requirement would indicate that the utterances used in maritime exchanges are all explicit, but various research (cf. Johnson, 1994, Pritchard & Kalogjera, 2000, Kataria, 2011, Dževerdanović-Pejović, 2013; Jurković et al., 2019) have shown that this specific spoken interaction approximates to everyday spoken discourse in features such as omissions, greetings, addressing, etc. In that sense, this research aims to analyse the extent to which the utterances are explicit and the illocutionary force they achieve. It should also be mentioned that the corpus contains exchanges between ships and Vessel Traffic Service (VTS) operators, whereby the latter represent the authority. It is assumed that the role of the VTS operator will influence on the use of linguistic means and the illocutionary force of utterances.

¹ <https://transkriptor.com/>.

² IMO Resolution A.918(22) IMO Standard Marine Communication Phrases.

³ The IALA Guideline G1132 VTS Voice Communications and Phraseology.

2.2 Data collection and analysis

The analysis was conducted using a combination of qualitative and quantitative approach. First, a randomly selected sample of fifty maritime communication exchanges were selected from the corpus. Although the selection was random, care was taken to extract examples of various scenarios so the results would not be influenced by the same topic. The exchanges were divided into turns (cf. Pritchard & Kalogjera, 2000, Bocanegra, 2011) and then analysed qualitatively according to pre-set criteria, namely, illocutionary force of the utterance (strong, neutral, weak), IFIDs used, explicitness or implicitness of IFID, mitigation or reinforcement of utterance, the mitigation of reinforcement device used. The turns spoken by the ship crew were separated from those spoken by the VTS operators to analyse whether there are any differences in the use of language between the two groups, considering the difference in roles within the communicative context. The quantitative analysis was performed with specific linguistic elements identified in the first qualitative stage, e.g., “thank”, “please”, “sir”, in two subcorpora – the subcorpus of utterances by ship crew and subcorpus of utterances by VTS operators. Qualitative analysis helped to identify possible IFIDs that could be found in the corpus, while quantitative analysis showed their relevance in the corpus of exchanges and indicated differences in the use of particular IFIDs between the two groups of participants.

3. Results and discussion

The quantitative analysis encompassed 446 turns, 242 turns by ship crew and 224 turns by VTS operators recorded during 2023 in the area of the Adriatic Sea. The topics are standard, routine exchanges on anchoring, berthing, piloting, bunkering, maritime reports on approaching port and entering VTS sector. In the analysis, each turn was allocated a level of illocutionary force and then a linguistic item that served as illocutionary force indicating device was selected as key for identifying the force of the utterance.

3.1 Qualitative analysis

The first criterion that was observed was the illocutionary force of each turn, which was evaluated on a scale as strong, neutral or weak. The results are shown in Figure 1.

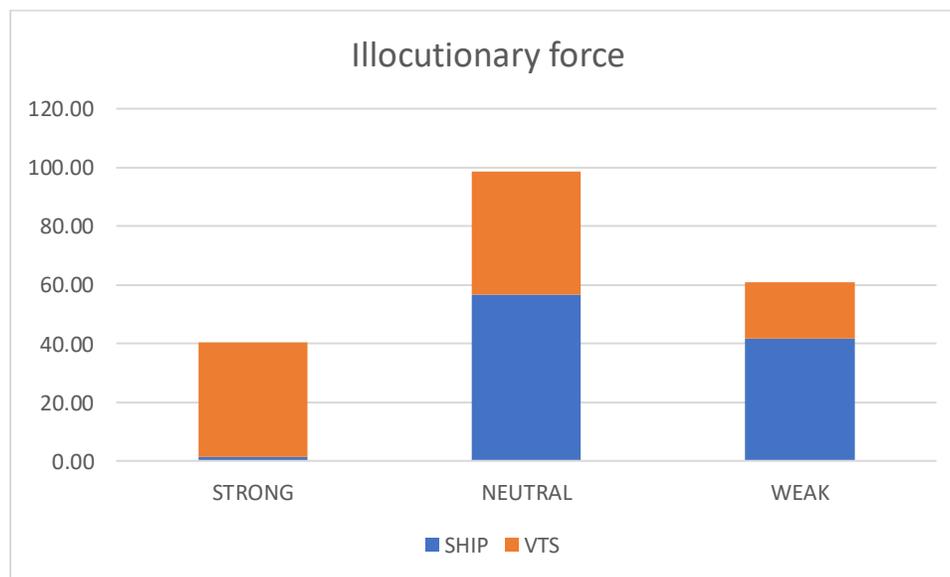


Figure 1. Illocutionary force of utterances by ship crews and VTS operators

The results have shown that most utterances are in the middle range of illocutionary force, while there were about 40% of utterances with a strong illocutionary force. A great majority of utterances with strong illocutionary force were produced by the VTS operators, while a majority of utterances with weak illocutionary force were produced by the ship crews. Considering the authoritative role of the VTS, this result was expected. The illocutionary force is also fine-tuned by various mitigation and reinforcement devices as shown below.

The following analysis included the various linguistic means used to achieve the mentioned illocutionary force, i.e. the illocutionary force indicating devices. The quantitative analysis of fifty sample exchanges showed a variety of IFIDs which included the following:

1. verbal mode, that includes imperative (e.g., *'Proceed all the time and when you approach City roads, contact Harbour Master'*), indicative (e.g. *'You're one cable east from Charlie three'*), questions (e.g. *'Have you received the ice waypoints?'*) and conditionals (e.g. *'If you have any update, just call us back'*),
2. adverbs, e.g., *'Yes Sir, please and please when you call me, before you call me set your AIS navigational status'*,
3. interjections, i.e. phrases that are grammatically independent from the rest of the sentence and mainly express emotions, e.g., *'Yes, master, good evening, last port and destination?'*,
4. performative verbs, e.g. *'you confirm you solve the problem in one hour'*,
5. modal verbs, e.g. *'Can you give me anchor position?'*,
6. repetition, e.g. *'I copy that but we didn't receive. Please resend it again because we didn't receive.'*,
7. intonation, and
8. context.

The results of the analysis are presented in Table 1, separately for the ship crew turns and VTS turns.

Table 1. Illocutionary force indicating devices

INDICATORS OF ILLOCUTIONARY FORCE	Mode – imperative	Mode – indicative	Mode – question	Mode – conditional	Adverb	Performative verb	Modal verb	Interjection	Repetition	Intonation	Context
SHIP	17	194	21	0	2	0	0	8	0	0	0
VTS	89	20	84	2	12	3	1	3	2	1	9

The results from Table 1 show that VTS operators mostly use the verbal mode, imperative or question, as IFIDs in their utterances. Both are considered to have strong illocutionary force, which is also in line with the authoritative role of the VTS. The context of the situation has also proved to be important in interpreting the illocutionary dimension of the utterance as it is also a crucial factor in understanding the intended message by the participants. It should also be noted that interjections can frequently be found in the role of IFIDs, which

together with repetitions, represent a way to modify the illocutionary force of a turn, both with ships crew and VTS.

When it comes to the explicitness or implicitness of utterances in the sample exchanges, the results shown in Figure 2, demonstrate that there have been more explicit utterances produced by ship crews than by VTS operators. The increased number of explicit utterances for ship crews might also be attributed to the fact that they are required to provide clear, precise and unambiguous factual information. It might also be due to the roles of participants, whereby VTS operators as authority tried to mitigate the force of their utterances, while ship crews having an inferior role in the conversation used more explicit phrases, thus both groups reduced the role distance.

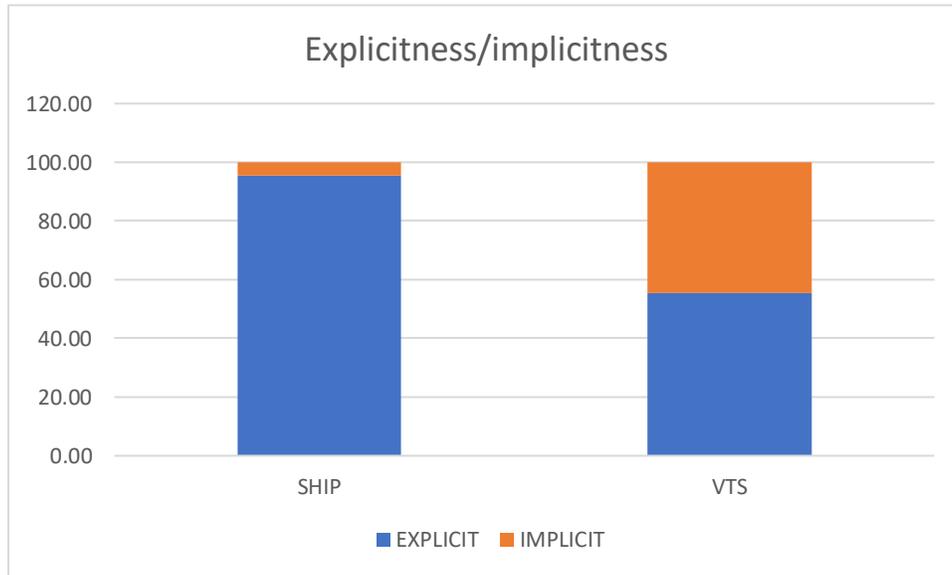


Figure 2. Explicitness/implicitness of the utterances by the ship crews and VTS operators

This also relates to the results of mitigation and reinforcement strategies shown in Figure 3.

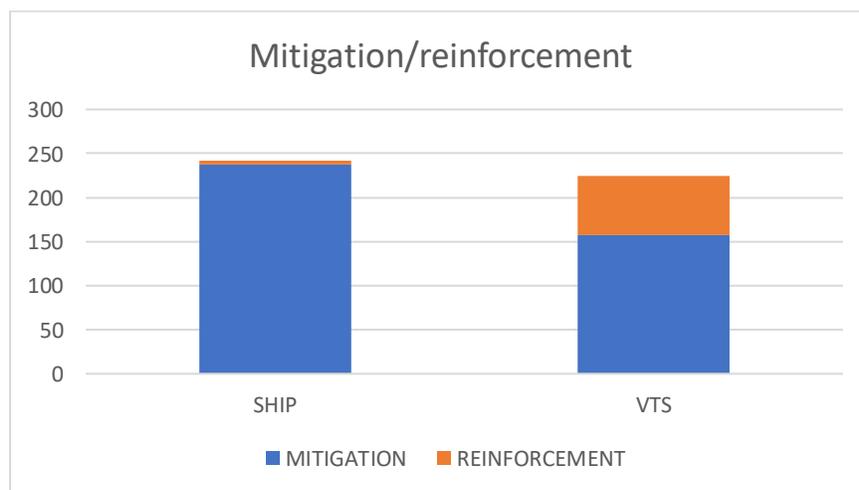


Figure 3. Mitigation and reinforcement strategies used in utterances by ship crews and VTS operators

The results show that the ship crews used more mitigation strategies (97.93%) probably owing to their inferior role in the conversation and the fact that their explicit utterances might come across as too authoritative, which does not correspond with their role in the communication. The VTS operators also use more mitigation strategies, although much less than the ship crews (69.2%), which might be attributed to their role, so these mitigation devices serve as solidarity-based face-saving strategies.

As mitigation and reinforcement devices, the participants used a range of linguistic means, shown in Table 2.

Table 2. Mitigation and reinforcement devices used in utterances

	Mitigating		Reinforcement	
	SHIP	VTS	SHIP	VTS
Verb	32	31	1	3
Adverb	31	24	0	0
Noun	21	0	0	0
Role	96	0	0	32
Repetition	2	0	3	9
Modal verb	7	18	0	1
Interjection	28	18	0	0
Ellipsis	4	41	0	0
Word order	2	6	1	0
Mode – question	1	2	0	11
Context	7	13	0	0
Intonation	4	3	0	0
Performative verb	0	1	0	1
Performative noun	0	0	0	5
Mode – imperative	0	0	0	3
Mode – conditional	0	2	0	0

The results show that overall the participants used more mitigation devices than reinforcement devices which is in accordance with the principle of cooperation and solidarity on communication. The mitigation and reinforcement devices range from syntactic (verbs, adverbs, nouns, modal verbs, verbal mode, word order, interjections) to discursive (repetition, ellipsis) and extralinguistic elements (context, role). The most frequent mitigation strategy by both ship and VTS is the verb ‘thank’, adverbs (e.g., ‘please’) and interjections (e.g., ‘good morning’). The role of the ship crew itself is a mitigating circumstance, as they are frequently found in the inferior position of the one that has to answer questions, obey orders or instructions. The use of interjections is found both in ship crew turns and in VTS turns as an illocutionary force mitigating device, which reduces the formality of conversation, reduces the role distance and represents one of the strategies that approximate this kind of spoken interaction to everyday spoken interaction. Another mitigating device frequently found in the VTS utterances is ellipsis, particularly in questions, which has not been identified so far as a mitigating device. This makes the conversation less formal and neutralizes the illocutionary force of direct questions, thus reducing the role distance between participants, as in the example:

(1) Can you tell me your bunker on departure?

And total number of persons on board?

And you are in ballast, is that correct?

Your cargo onboard?

Thank you for information. Standing by one four one six.

In this example, the VTS operator used several mitigation strategies, starting with the modal verb in the first question, then with ellipsis in the following questions, thus mitigating the authoritative role, making the conversation less formal, and ending with the mitigating verb ‘thank’ that is one of the most frequent mitigating strategies in the corpus.

Another frequent mitigating device in VTS exchanges is the use of modal verbs, e.g., ‘may’ and ‘can’, that reduce the illocutionary force of requests, orders or instructions given by the VTS.

3.2. Quantitative analysis

The results of qualitative analysis showed that the most frequent linguistic means of mitigating the illocutionary force of an utterance are the verb ‘thank’, the adverb ‘please’ and the noun ‘Sir’. This was further analysed in the entire corpus. The analysis was performed in the corpus analysis tool Sketch Engine. This showed that all three of those words appear very high on the word frequency list of both subcorpora within the first 100 most frequent word, ship crew turns and VTS turns: ‘thank’ is 20th most frequent word in VTS subcorpus and 26th most frequent in the ship crew subcorpus, ‘please’ is 29th most frequent word in VTS subcorpus and 91st most frequent in the ship crew subcorpus, ‘Sir’ is 71st most frequent word in VTS subcorpus and 14th most frequent in the ship crew subcorpus. According to the keyness score analysis, ‘Sir’ has a very high score in the ship crew subcorpus (368.08), alongside another way of addressing, ‘ma’am’ with the key score of 123.75. Those nouns indicate how frequently ship crews use this as strategy in their turns, acknowledging the authoritative role of the VTS.

Table 3. Absolute frequency, relative frequency and relative frequency in % for the verb ‘thank’, the adverb ‘please’ and the noun ‘Sir’ in the corpus MarCom

	SHIP			VTS		
	Abs. freq.	Rel. freq.	%	Abs. freq.	Rel. freq.	%
Thank	308	10002.27	1%	361	12584.54	1.3%
Please	65	2110.87	0.21%	213	7425.22	0.74%
Sir	447	14516.29	1.5%	95	3311.72	0.33%

The results in Table 3 show that the verb ‘thank’ and the adverb ‘please’ are more frequent in the utterances by the VTS operators, who use them as mitigating devices to reduce the illocutionary force of their requests or orders, while the noun ‘Sir’ is more frequently used by ship crews who thus acknowledge the authoritative role by the VTS which in turn also mitigates the illocutionary force of their utterances as it places them in inferior role.

It should also be mentioned that more than one IFID can be found in an utterance, each finely tuning the illocutionary force of the turn, as in examples (2) and (3):

(2) *Vessel – VTS station. Good morning again. I just checked the ice waypoints you've received earlier from the ice info and they were wrong.*

(3) *Yes Sir, if you switch off the nuke, nuke, AIS navigational status, please.*

Both turns were produced by the VTS operator who has authority and expresses an apology in the first example (because the information that they sent was wrong) and an order in the second example (to switch off the alarm). In the first case, there is the interjection (‘*Good morning*’) and the adverb ‘*just*’ that reduce the illocutionary force of the utterance, and in the second case both the conditional clause and the adverb ‘*please*’ reduce the force of the imperative. These examples show that illocutionary force in the corpus is defined by several IFIDs, each of

which contribute to a minor or lesser degree to the illocutionary force of the utterance, modifying it and adapting it to the context on a finer scale. These IFIDs complement each other, providing a common illocutionary force denominator to the entire utterance.

4. Conclusion

The study focused on the analysis of illocutionary force indicating devices in a spoken corpus of maritime VHF communications between shore stations as authority and ships as inferior participants in conversations. The study was conducted on a corpus of VHF maritime exchanges recorded in the area of the Adriatic Seas, specifically on its two subcorpora of exchanges by ships and exchanges by VTS operators. The communication takes place between two participants over the VHF radio, which means that the participants rely solely on linguistic devices as they cannot see each other or use extralinguistic devices such as gestures, facial expressions, etc. Maritime communication is highly institutionalized and standardized type of discourse which needs to follow certain regulations and is enforced through maritime education and training as obligatory part of the training. It takes place in a formal context with the main goal of exchanging information, providing requests, warnings or advice. However, despite of that fact, this specialized professional spoken discourse approximates to everyday discourse in some features, particularly illocutionary force indicating devices, or IFIDs. Standard maritime VHF communication should be clear, unambiguous and timely, which means it should have only the locutionary dimension of speech acts. However, it still shows illocutionary force in different scenarios, specifically aimed at reducing the role distance between the Vessel Traffic Services and ship crews and achieving solidarity.

The analysis showed that VTS operators produced more utterances with a strong illocutionary force, which is in line with their authoritative role. However, they also produced more implicit utterances which is in accordance with solidarity in communication, as this reduces the illocutionary force of their turns. The participants overall use more mitigation devices to bridge the gap between their roles. These devices encompass various linguistic elements, from verbs, verbal mode, nouns, adverbs and interjections to repetitions, ellipsis and context itself. VTS operators used less mitigation devices than the ship crews, but mostly with the goal of achieving solidarity and easing the formality of the conversation. The most frequently used reinforcement devices by the VTS operators were direct questions and performative nouns which combined with their authoritative role made the illocutionary force of their turns quite strong. Besides the conventional IFIDs found in previous studies, this analysis showed that performative nouns, repetitions and ellipsis also have quite an impact on the strength of illocutionary force, particularly when paired with the role of the speaker, like in VTS turns. The results of quantitative analysis of the most prominent devices identified in the qualitative analysis showed that VTS operators as authority used 'thank' and 'please' more frequently, as mitigating devices, but ship crews used 'Sir' and 'ma'am' more frequently, as devices that indicated their inferior role and were used as expressions of respect towards VTS as authority.

The analysis showed the particular features of VHF maritime communications as being on a borderline between everyday informal spoken telephone conversations and highly specialized standardized formal exchange. The study presented specific linguistic devices used to achieve a specific effect, negotiating the role distance or proximity, exerting authority or communicating solidarity. This kind of analysis might influence on future education, training or refreshment courses of seafarers in the area of VHF communications as it provides a better understanding of the way this kind of communication exchange evolves. As opposed to aviation operators, seafarers have frequently demonstrated resistance towards such strict limited protocol of communication, the reasons for which may be found in pragmatic analysis of authentic communication, which in turn may serve to adjust the standards and the protocol. All participants

in VHF communication make decisions and judgements based solely on linguistic strategies used, which therefore highlights the importance of understanding these strategies.

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From Multicultural Pluralism to Multicultural Egoism

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Abstract

This study aims to recall the ideas and activities of multiculturalism. In what form is multiculturalism possible today? Is it model, which is trying to establish itself in the societies of Europe? It is a fact that today globalization has covered all social spaces in which globalization processes are manifested depending on the readiness to accept its aspects. The fact is that it happens for this reason at “different speeds.” And, it is a fact that globalization is “shifting” as a global process from the West to the Southeast. The conclusion that can be drawn is that, despite all possible integration policies and ideological postulates, the current model of multiculturalism in Europe has minimized the possibilities and attempts of social dialogues through which we can try to perform, express and discuss deep social and cultural issues and to solve problems.

Keywords: multicultural pluralism, multicultural egoism, globalization.

“To live and letting someone to live is a relatively easy maxim when living on both sides of a clearly marked line.”

Michael Walzer

1. Introduction

This thought of Michael Walzer will be used in this text to outline various processes that occur in our lives, parallel to the positive elements of globalization – on the one hand, this is evidence of how multi-layered Walzer’s thought is.

On the other hand, I will discuss how current the issues are analyzed and summarized. Here, in this analysis, based on this thought, several theses will be derived, which are partly related to the other hand, I will discuss how current the issues are analyzed and summarized as about the mobile person and the limits he faces in his everyday life, as well as the societies he forms, and the fate of modern man in the world – in a globalized world, in which the problems of tolerance are increasingly beginning to gravitate around the problematic situations in and with multiculturalism, transforming from multiculturalism into multi egoism.

2. The social situating of tolerance

The social positioning of tolerance, like globalization itself, does not first occur somewhere else, but in people's heads, as well as the fact that tolerance as a category has been and is the subject of countless analyses and those who have tried to analyze its existence or note its lack, in different individuals, societies or cultures.

The tolerance has many dimensions, but by its very nature, it is always pluralistic, implying consent, freedom, continuity, understanding, equality, etc. It is a segment of achieving interpersonal, group, intergroup, inter-societal and international relations. As well as a statement about the existence or non-existence of this pluralistic tone in the relations between people, groups, societies, and even of the person himself/herself towards himself/herself (Galily, 2023).

This means that tolerance is always an intention that is charged with finding an adequate path to "Otherness" or "Diversity" not to dodge it, but to illustrate it, translate it and make it understandable and accessible, i.e. to adapt it. That is, tolerance appears in different forms: ethnic, religious, national, cultural, etc., but at its core lies its main task, to accept differences as natural and necessary for individualities. These differences are evaluated through intolerance as unique qualitative characteristics that enrich the human species and knowledge.

Tolerance is a priori – the essence of globalization. Today, globalization is everywhere; it is part and parcel of human behavior and existence. Thanks to this idea, today's human population lives in more inclusive and open spaces (Digital-virtual communications can help people communicate with all of their fellow humans without having to consider the notion of physical space). And precisely because of this familiarity, today's man is forced to be globally tolerant at every level (Petkova, Galily, Pilyavsky & Fuchs, 2024).

Thus, the most visible fact of globalization has turned out to be multiculturalism, which in a specific way has been expected by humanity throughout its entire development to date. The process of multiculturalism would be impossible without the rapid processes of globalization.

But the global process of inclusion has allowed suppressed and concealed tendencies in different societies on different continents to surface, allowing us to think about multipolarity and multi-egoism in multiculturalism... What does all this mean?

The simplest explanation of tolerance is tolerating the other person next to you, despite the dislike you feel towards him/her.

This thesis is embedded as a foundation in all human relationships. It is as if today, in our multicultural societies, the Christian principle "To love your neighbor, so that you may be one with him in God," could be translated into the language of modern man as "To bear the other, so that you may live undisturbed." – or as Koprinarov writes "... more tolerance in interpersonal relationships" (Koprinarov, 2010: 139).

The migration processes after the "Arab Spring" have taught Europeans that the presence of immigrants in a certain way in some societies around the world is becoming a problem today. The mobile person today has not proven to be sufficiently prepared for multiculturalism: in all its forms; in all places around the world; and he/she is not ready to defend the pluralism of multiculturalism at all costs in the social spaces in which he/she lives.

It is a fact that today globalization has encompassed all social spaces in which the processes of globalization manifest themselves depending on the readiness to accept its individual aspects. It is a fact that it occurs for this reason at "different speeds." It is a fact that globalization is also "shifting" as a global process from the West to the Southeast. The perception that globalization is a process that is useful only for rich countries and is detrimental to the poor was a leading statement in the last decades of the twentieth century. These perceptions predicted an increasing depopulation of ever larger regions of the world, for economic reasons – huge waves of

immigrants to the Western world, which has already established itself as an economic and political civilization model. But thanks to the incredible development of information technology and capital markets, which served as catalysts for more progressive development in third countries, we are witnessing rapid economic development, transformation and liberalization of markets, as well as increased political interest in what was until recently perceived as poor – the Southeast.

Koprinarov writes: “Expert forecasts are unanimous that this process will accelerate, forming and consolidating new centers of power in the world. According to these forecasts, the economies of the G-20 countries will grow by an average of 3.5% over the next four decades, reaching values from 38.3 trillion US dollars. in 2009 to 160 trillion US dollars. in 2050. However, over 60% of this growth will be the result of the economic expansion of six countries: Brazil, Russia, India, China, Indonesia and Mexico. The GDP of these countries will grow almost twice as fast as that of the other G-20 countries. The share of the six countries in the G-20 GDP will increase from 19.6% (2009) to 50.6% in 2050. At the same time, the most developed countries such as the USA, Japan, Germany, Great Britain, France, Italy and Canada (the so-called G-7), whose GDP is currently about 72.3% of that of the G-20, will not exceed 40.5%. The investment bank Goldman Sachs predicts a “dramatically different world” in 2050 – India’s GDP will be equal to the size of the US economy, while China’s will be twice as large (Koprinarov, 2010: 136).

The changes that are about to occur, both in macroeconomic terms and in microeconomic terms – within the economies of societies themselves – will to some extent balance the standard of living throughout the world – or the difference between the so-called “starving countries” and “rich countries” will at least slightly decrease: “Although not on such a scale, extreme poverty will also decrease in Africa. Therefore, the thesis about the losers and winners from globalization should be reconsidered” (Koprinarov, 2010: 136).

Against this backdrop of numerical realities and forecasts, it is visible that Europe and the Western economic model in general seem to be slowing down. Frequent financial crises and fears of a prolonged recession on the Old Continent, as well as in the USA - with its bad mortgage loans, huge external and internal debt, cause investors who wish to make long-term investments to look for their partners in other parts of the planet. Countries such as India, China, Brazil, Indonesia, etc., in addition to being able to offer huge commodity markets due to their large state population, can offer cheaper labor and most importantly – their population due to the high birth rate in these social spaces is also younger, which is a guarantee that these economies, with appropriate investments made in them, will develop – unlike Europe, which has been experiencing an ever-increasing demographic crisis and aging population for nearly 20 years. The population decline will also have a serious impact on the levels of quantitative purchasing and selling, labor productivity and employment. The EU’s annual reports state that between 2009 and 2030 the EU will lose 20.8 million people or 6.8% of its working-age population, with the number of people over 65 increasing by more than 50% and the number of people aged 17 to 65 decreasing by 7%. Immigration thus appears to be the only thing helping the EU’s population to grow (Bianchi, 2009).

It is no coincidence that we have made this introduction of numbers about the real state of global civil society against the backdrop of increasingly intensifying sporadic crises in the sphere of world perception – the world perception of the other.

In what form is multiculturalism possible today? Is its model, which it tries to impose on societies only for Europe, not in question?

Let us summarize in general phrases the main points in a multicultural model, which in our global societies presents important aspects of human existence in the social space such as:

3. Multiculturalism

1. It appears in its most important perspective as a bearer of tolerance, in all its possible manifestations in the socio-eventual existence of man and other people around him.

2. There is an attempt to understand and accept the specifics of the Other, the awareness of our mutual dependence, which leads to the penetration of different cultures even in the most remote points of the globe.

3. It helps to transform the world into a global village, in which the manifestations of the various forms of human creativity and human scientific thought reach the widest circle of consumers.

4. Multiculturalism opens the paths to the realization of material independence and a dignified life for more people around the world, because its foundations are based on the principle of respect for equality.

Somehow, just as globalization slows down in Europe, perhaps to gather new forces for movement forward, the same is happening with multiculturalism on the Old Continent.

Globalization in all historical periods has tried to impose itself through tolerance towards the Other. And the face of this tolerance most often bore the face of pluralism. It turned out that this face of pluralism presented by multiculturalism managed to find ground on other continents, but in its birthplace in Europe, as it turned out that multiculturalism has been quite problematic since the middle of the first decade of the 21st century. This does not mean that multiculturalism has no place on the Old Continent, quite the opposite. It was assumed that Europe, as the birthplace of the nation-state and modern nationalism from the end of the 18th century, would become their burial place at the beginning of the 21st century. After the changes and the first waves of accession of the countries of Eastern Europe to the European Community in the early 90s of the 20th centuries, the European Union was created.

At the beginning of 1991, Europe showed a supranational face that was in tune with the world trends towards globalization. A face that was commensurate with the maxim: “Unity in diversity” – which has become the logo of the EU. But against the backdrop of increasingly frequent financial crises and bankruptcies, the strict economic and monetary criteria of the Maastricht Treaty of 1992, the economic and social coexistence of the countries of Western, Central and Eastern Europe in the EU is becoming increasingly difficult to achieve. With its request for political and economic unification, the EU has also become a huge multicultural space, in which, along with the traditional population of European countries, Europe has turned out to be a center of attraction for many immigrants from all over the world. Although it has already been noted so far in the text, for the sake of the theses that will be presented later, we will note again that with the enlargement of the EU and the processes of the entry of large masses of immigrants into it, the European Union is becoming an increasingly multicultural and multireligious area in which conflict processes are intensifying. Every year, about 500 thousand immigrants and about 400 thousand refugees arrive in Western Europe, a large part of whom are Muslims, coming mainly from Algeria, Morocco, Turkey and the Middle East. Therefore, in a number of European countries, words such as “Muslim” and “immigrant” are often perceived as equivalent. In the period after the fall of the Berlin Wall in 1989, Muslims in Western Europe have grown six times faster than in North America. Their increase is particularly sharp in countries such as Austria, Denmark, the Netherlands, Norway, and Sweden, which are characterized by the greatest tolerance, developed social state policy, and liberal attitude towards minorities. However, as a result of the huge waves of immigrants, there is a particularly sharp change in the attitude of the local population towards Muslims.

The birth rate of Muslims in Western Europe is three times higher than that of non-Muslims, and already about 25% of children and young people in the EU are from Muslim families.

As a result, Muslim communities in Europe are much younger overall compared to non-Muslims, whose populations are aging. One third of Muslims in France are under the age of 20, while only 21% of the French population as a whole is of this age; one third of Muslims in Germany are under 18, while only 18% of the German population as a whole is under this age; a third of Muslims in Britain are under 15, while for the British population as a whole only 20% are under that age; a third of Muslims in Belgium are under 15, while for the population as a whole only 18% are under that age.

If the current demographic trend continues, then even without Turkey having joined the EU, the Islamic population in it, according to low estimates, will be at least 15% by 2020, and 30% by 2050, and this could cause emigration of Christians and Jews from Europe. Against this background of figures, today in Europe we are talking about a second, and already a third generation of Muslims, who are less integrated into Western society. The discussions that have unfolded in France,

Spain, Belgium and other countries on the issue of the official ban on wearing the burqa (or hijab) and led to changes of a prohibitive nature in state legislation, are obviously only the beginning of possible public conflicts (Caldwell, 2005).

The fact is that Western European countries feel vulnerable to the unceasing waves of immigrants from all over the world. In this direction, the EU in 2010 signed with Libya a decision on cooperation and combating illegal migration from North Africa to Europe, which would limit the access of a large foreign population to Europe to permanently settle on its territory and include in its economic system and social life, which Europe is not ready to welcome. The agreement was unilaterally terminated temporarily by Libya due to the political and economic problems that occurred there.

On the other hand, the legal elimination of ghettoization would lead to an increase in the levels of distrust and fear, a process that will only deepen the divisions within and between communities, because different communities themselves in most cases seek self-isolation. In such a situation, the culture of political correctness becomes an instrument of social control for the short-term prevention of social disintegration. Having a more politically correct society does not mean that people are becoming more tolerant. The merit of tolerance is that it prevents exclusion and self-isolation, which are natural processes for individual communities, no matter how large they are. Of course, no tolerant society based on liberal principles would ever try to standardize subcultures and impose uniformity.

What are the alternatives for a possible future Europe: to preserve its unity and multicultural pluralistic tolerance; or to become an economically problematic multi-egoistic community? Is it possible for an old national Europe to outlive its nationalistic complexes and regional horizons, and will it really succeed in becoming an ideological and territorial cosmopolitan, as it has been in human history so far? Will the multicultural spirit of the societies of Latin America (e.g., the Colombian Constitution explicitly states that Colombia is a multi-ethnic and multicultural state) and North America (the 14th Amendment to the US Constitution) succeed in combating national egoism and ethnocentrism in Europe (an example is the attack in Oslo on July 22, 2011)?

4. Conclusion

Rhetorical questions that time will answer. We can try to look for possible options for the eventual situating of Europe in the context of the thought of: Rogers Brookbaker: “More importantly, the spectacular reconfiguration of political space along national lines in Central and Eastern Europe and Eurasia suggests that history – at least European history – is far from moving beyond the nation-state, but is moving back towards the nation-state” (Brookbaker, 2004: 16).

Or as Michael Walzer concludes about United Europe, that after all the vicissitudes a Euro-multiculturalism will still be achieved: “Of course, the member states will still be nation states: no one expects the Dutch or the Danes to accept so many immigrants that they become a minority, one group among many, in their own country. Nevertheless, the states will be obliged to tolerate newcomers (not all of whom will be ‘Europeans’, because any immigrant naturalized in the member states is admitted to all the others) whom they did not choose to accept. They will adapt peacefully to these newcomers and to their cultural and religious practices, family arrangements and political practices (...) It seems that the European Community will bring to all its member states the advantages and tensions of multiculturalism” (Walzer, 2007: 64-65).

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Building and Maintaining Learning Ecosystems in Alignment with the Digital and Green Transition

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Abstract

In an era of rapid technological advancements and the need for continuous learning, creating and maintaining effective learning ecosystems is essential for fostering adaptive, lifelong learning. This paper explores the theoretical foundations and practical strategies for building learning ecosystems that are sustainable, inclusive, and responsive to diverse learner needs. A learning ecosystem integrates various elements – such as digital tools, physical spaces, pedagogical approaches, and community involvement – to support formal, non-formal, and informal learning. Drawing on interdisciplinary research from education, technology, and systems theory, this paper presents a framework for designing learning ecosystems that promote learner autonomy, collaboration, and adaptability. It also examines key challenges, such as scalability and evolving learner expectations, and proposes strategies for maintaining these ecosystems over time.

Keywords: learning ecosystems, double transition, formal education, non-formal education, informal education.

1. Introduction

The Covid-19 pandemic significantly accelerated the digital and green transitions across nearly every dimension of contemporary life. This shift was particularly pronounced within Europe, where an array of policies actively encouraged and facilitated the adoption of sustainable practices across public institutions, private enterprises, and individual households alike. These policies underscored an urgent imperative for sustainability, fostering a collective move towards digital and ecological resilience as central pillars of post-pandemic recovery. Many of the concepts underpinning these initiatives were not entirely novel; indeed, ideas surrounding digitalization and sustainability had been progressively gaining traction on both political and social agendas well before the pandemic. However, the unprecedented constraints imposed by Covid-19, particularly the widespread necessity for social distancing and remote operation, catalyzed a swift reconfiguration of social and economic activities. For instance, the rapid pivot to online platforms within education underscored the potential of digital tools to not only maintain continuity but also introduce more efficient, flexible modes of learning. This transition to digital infrastructures, which had previously been approached incrementally, was expedited out of necessity, bringing a host of sustainable and environmentally considerate practices to the fore. As a result, what had initially been tentative steps towards digital and green transformation evolved into a comprehensive reimagining of traditional systems, each of which now incorporates an additional digital layer to varying degrees.

- Successful transitions require active collaboration among educators, learners, industry, and government.
- Educational institutions should adopt digital tools thoughtfully, ensuring they align with sustainability goals for long-term impact.
- Effective digital platforms must be inclusive, addressing disparities in digital literacy and access.
- Organizations should cultivate a culture of continuous learning and adaptability, fostering innovation and enhancing responsiveness to emerging challenges.

This increasing interconnectedness of systems, coupled with the rapid pace of transformations, has intensified the demand for more efficient and inclusive approaches to lifelong learning. This urgency is particularly evident across three distinct demographic groups: young people preparing for future employment, the current workforce seeking to maintain relevance and competitiveness, and, often less discussed, the elderly population whose adaptation to these changes is crucial for their autonomy and quality of life.

Firstly, there is a critical need to equip the younger generation with the skills, knowledge, and competencies essential for navigating the complexities of the modern world. Beyond basic literacy and numeracy, contemporary education must incorporate digital literacy, environmental awareness, and adaptability to prepare young people not only to succeed in the workplace but also to contribute meaningfully to an increasingly complex society.

For those of working age, the rapid evolution of technologies and job market requirements necessitates continuous professional development to ensure sustained employability. Workers are now expected to engage in ongoing skills acquisition, often in the form of digital and technical upskilling, to remain aligned with industry standards and competitive pressures.

Finally, and often under-emphasized in policy discussions, is the imperative to support older adults in adapting to technological and social changes that impact their daily lives. These demographic faces unique challenges as they navigate shifts in communication, healthcare, transportation, and essential services that increasingly rely on digital platforms. Ensuring the inclusion of older adults in the digital and green transitions is not only a matter of equity but also one of social cohesion and individual well-being.

Meeting those diverse educational needs necessitates the provision of robust resources and comprehensive approaches that empower individuals with the tools and competencies required for lifelong learning. To achieve this, it is essential to develop and implement adaptable learning frameworks that foster not only foundational skills but also the critical, digital, and environmental literacies increasingly indispensable in a rapidly evolving world which is the aim of the following paper.

2. Method

The methodology adopted for this research employs a mixed-methods approach designed to thoroughly examine contemporary developments, systematically map existing models, and identify exemplary practices in the field. By integrating both quantitative and qualitative techniques, this mixed-methods framework provides a comprehensive view of the current landscape and offers valuable insights into the applicability and effectiveness of emerging models.

To begin, a literature review was undertaken to build a theoretical foundation for the study, concentrating on selected scholarly articles, and recent publications. This review fulfilled

two key objectives: it offered a critical synthesis of predominant theories and frameworks related to learning ecosystems, and it enabled the identification of common themes, trends, and recurring challenges within existing research.

Building on the insights derived from the literature review, the research incorporated case study analyses of three trending digital platforms. These cases were selected based on their innovations, as well as their practical relevance within the current market. Each case study involved an examination of the product's design, implementation, and user impact. Data for these analyses were gathered through secondary sources, product documentation, user feedback, and, where possible, insights from industry reports. This method enabled a detailed exploration of best practices, as well as a nuanced understanding of the conditions and strategies contributing to the success or challenges of these digital products.

The triangulation of findings from the literature review and case studies facilitated a holistic perspective on the state of building and maintaining personal learning ecosystems. Moreover, this methodology allowed for the identification of specific "blind spots" in the field, which represent areas of significant potential for future research. These gaps, observed across both theoretical and practical domains, underscored the need for additional empirical studies to further refine and adapt models in response to evolving technological and environmental contexts.

3. Results

Integrating digital and green transitions into learning ecosystems presents a complex, multifaceted challenge that necessitates a comprehensive and holistic approach. The following insights delineate several critical features essential for their successful implementation and sustainability based on the literature review.

3.1 *Stakeholder inclusion and resilience in formal education and beyond*

Effective digital transformation in educational institutions, especially schools, relies on the inclusion of multiple stakeholders, robust resilience to potential disruptions, and the establishment of internal networks for sharing practices and knowledge. This development of sustainable educational reform is closely linked to building capacity through professional learning communities. They can foster continuous learning by enhancing motivation, skill development, and supportive organizational conditions. To ensure this, a strong support infrastructure is essential for professional learning communities, as it allows educators to engage in reflective practices, develop new skills, and implement effective instructional strategies (Stoll, Bolam, McMahon, Wallace & Thomas, 2006). Schools, as core engines to formal education, must strategically balance current technological needs with long-term developmental goals, incorporating technology in a way that is both adaptive and forward-looking (Jeladze & Pata, 2018). Here the idea of "mass collaborative" learning that moves beyond traditional, teacher-centric approaches toward self-directed models, where learners actively participate in creating and sharing knowledge has a core role. For these systems to succeed, organizational structures must support collaborative techniques and facilitate technology adoption. By empowering participants as co-creators, mass collaboration can enhance learning outcomes and strengthen community engagement within the ecosystem (Zamiri & Camarinha-Matos, 2019). This includes also focusing on design literacy and participatory co-design processes that are fundamental to the development of smart learning systems that prioritize human well-being and social innovation. By integrating digital technologies with co-design principles, learning ecosystems can align with the United Nations Sustainable Development Goals (SDGs), enabling learners and communities to address social and environmental challenges innovatively (Giovannella & Manca, 2019). To ensure the successfulness of the digital and more precisely e-learning dimension, it's required a nuanced

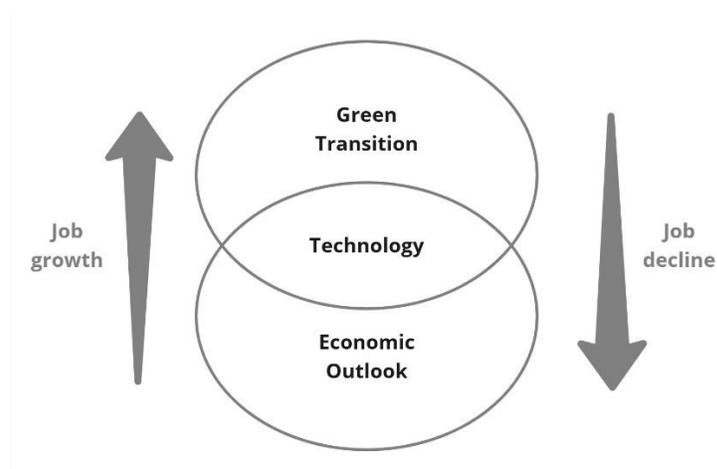
comprehension of principles, methodologies, processes, systems, and content that collectively support effective learning. Addressing barriers, such as gaps in technological literacy, is essential to enable seamless implementation and ensure accessibility. Effective e-learning environments are designed to foster engagement and adaptability by mitigating technological obstacles and supporting users with varied levels of digital proficiency (Sridharan, Deng & Corbitt, 2010).

Following the traditional formal education pathways universities are also worth noting. They can play a pivotal role structurally building upon school education towards developing entrepreneurship ecosystems by bridging academia, industry, and government to foster knowledge exchange and economic advancement. This tripartite collaboration is instrumental in supporting regional economic growth, as it facilitates the commercialization of academic knowledge and strengthens the integration of innovative research into practice, ultimately advancing entrepreneurship and regional development (Belitski & Heron, 2017; Bedó, Erdős & Pittaway, 2020). This leads the way to an ecosystem approach to education that promotes lifelong learning through active cooperation between educational institutions, businesses, and governmental bodies. This model supports the cultivation of a generation equipped to lead and sustain digital and green transitions, fostering resilience, adaptability, and a culture of continuous learning critical for addressing future challenges (Kanke & Eremina, 2022). When contextualizing in the surrounding public area, all stakeholders must develop dynamic capabilities to identify, seize, and reconfigure opportunities effectively. This type of ecosystem orchestration requires configuring strategic partnerships, developing cohesive value propositions, and establishing governance structures that align stakeholder objectives, ensuring agility and responsiveness in rapidly changing environments (Linde, Sjödin, Parida & Wincent, 2021). Here it's worth mentioning the digital ecosystems and the Digital Twin paradigm that offer a flexible, integrated framework that can inform and accelerate responses to global sustainability challenges. Digital Twins, representing physical assets in a digital format, provide decision-makers with actionable insights into environmental impacts and sustainability goals, allowing for more efficient planning, monitoring, and adaptation (Nativi, Mazzetti & Craglia, 2021). They also enable dynamic, real-time sustainability assessments in educational buildings, optimizing energy efficiency and environmental quality throughout the building's lifecycle. Such continuous assessment supports environmentally sustainable practices, contributing to the operational and ecological efficiency (Tagliabue, Cecconi, Maltese, Rinaldi, Ciribini & Flammioni, 2021).

3.2 Organizational learning and learning-driven organizations

For organizations to sustain innovation and creativity, learning should be embedded at every level—individual, team, and organizational. Achieving this involves reconfiguring organizational structures to prioritize continuous learning and encourage adaptation to new technologies. This approach supports the development of a learning-driven culture that integrates knowledge-sharing practices, enhances responsiveness to industry shifts, and promotes collective knowledge growth (Garad & Gold, 2019). Addressing the challenges in large-scale skill development requires a focus on innovation and coordinated stakeholder involvement. Frameworks such as TRIZ (Theory of Inventive Problem Solving) offer structured approaches to creating integrated skill-development ecosystems that enhance employability and workforce quality. These models promote collaborative problem-solving, ensuring that skill-development initiatives are both relevant and responsive to evolving industry demands (Shrotriya & Dhir, 2018). And also, in response to the key drivers of job change which are interconnected to the dual transition as well (World Economic Forum, 2023). While the green transition has a higher impact on job growth, the technology development has a controversial effect with initiating job growth for some and job decline for others.

Figure 1. Impact on job growth and decline



3.3 Pathways for digital and green transition

Public authorities and businesses should prioritize the identification of ecosystems and the adoption of platform-based transitions to facilitate large-scale industrial transformations within cities and regions. This strategic approach enables radical innovation, particularly through “leapfrogging,” where technological advancements can help cities bypass outdated practices and accelerate progress toward digital and green goals (Komninos, 2022). Here open innovation frameworks can be instrumental in enhancing sustainable learning ecosystems by fostering a dual emphasis on digital transformation and green governance. Public policy should aim to create an environment that nurtures open innovation, with a particular focus on engaging diverse stakeholders – including community members, academia, industry, and government – to fully harness collective expertise and potential for sustainable growth (Costa & Matias, 2020).

3.4 Digital platforms as a bridge for addressing the skills gap

Increasingly, digital learning platforms are evolving to address the needs of both individual learners and business enterprises, positioning themselves as integral resources for personal and professional development. Notable platforms, such as Coursera, FutureLearn, and Udemy, exemplify this dual-focus approach by strategically catering to diverse stakeholders while maintaining relevance and usability. Established as a leader in online education, Coursera partners with renowned universities and institutions worldwide to offer a wide range of courses, specializations, and degree programs. The platform leverages its affiliations with academia to provide rigorous, research-based content, catering to both individual learners seeking personal development and businesses aiming to upskill their workforce. Coursera’s model prioritizes accessibility and scalability, allowing learners across various fields to gain credentials from reputable institutions and stay competitive in a rapidly changing job market (Coursera, 2024). FutureLearn, takes a collaborative approach to online learning by engaging with universities, cultural institutions, and industry partners. The platform emphasizes the integration of social learning, encouraging interaction among learners to deepen understanding and foster collaborative skills. FutureLearn’s offerings range from short courses to full degrees, with a curriculum that reflects both academic rigor and practical relevance (FutureLearn, 2024). Udemy distinguishes itself as a more open, market-driven platform that enables a vast network of individual instructors and industry experts to create and share courses across diverse subjects. While less academically structured, Udemy’s model facilitates rapid course development and a

highly responsive curriculum that adapts to trending skills and emerging fields. Udemy's accessibility and broad subject range make it a valuable resource for lifelong learners and organizations seeking cost-effective, on-demand training solutions, thereby supporting a continuous learning culture in both personal and professional contexts (Udemy, 2024).

4. Discussion

Building learning ecosystems in alignment of digital and green transitions underscores the critical need for adaptability, sustainability, and cross-sectoral collaboration, aiming to foster responsive and future-ready organizations and individuals. This comprehensive approach situated learning not merely as a process of knowledge acquisition but as an adaptive ecosystem capable of navigating and addressing multifaceted societal and environmental challenges. A key insight centers on the importance of stakeholder inclusion, particularly in formal education. Engaging diverse groups within professional learning communities builds resilience and supports innovation, which are essential for navigating disruptions. By actively participating as co-creators, stakeholders cultivate shared ownership over educational outcomes, aligning with broader social and environmental goals. The concept of “mass collaboration” is pivotal here, as it shifts learning away from teacher-centered models, empowering learners to participate in a more democratic, self-directed process of knowledge creation and application. Such an approach does not only enhance engagement but also fortifies a culture of adaptability and collaboration critical for long-term sustainability. Further, the interconnection between educational institutions, industry, and government in developing entrepreneurial ecosystems reveals the role of universities as pivotal agents of regional development. By facilitating the commercialization of academic knowledge and embedding digital and environmental considerations into entrepreneurial curricula, these institutions cultivate a workforce attuned to the needs of evolving economies. This triadic collaboration model strengthens the educational ecosystem's capacity to support sustainable development by enabling continuous, lifelong learning pathways. The resulting ecosystem supports individuals in acquiring competencies, encouraging resilience and regional adaptability.

Organizational structures that prioritise continuous learning further illustrate the shift towards learning-driven organizations. Such entities are designed to integrate change as a foundational component, rather than a response to external pressures. Through structured knowledge-sharing practices and frameworks like TRIZ (Theory of Inventive Problem Solving), organizations develop skill ecosystems that respond dynamically to industry changes, ensuring that skill development is not only up-to-date but also anticipatory. These organizations model resilience, as they can recalibrate quickly in response to shifts brought on by digital and green imperatives, positioning themselves advantageously within competitive, innovation-driven landscapes.

In addition, the introduction of digital platforms as vehicles for addressing skills gaps speaks to the growing reliance on technology to democratize access to education and meeting formal, non-formal and informal education at one place. Platforms like Coursera, FutureLearn, and Udemy exemplify different models of online learning, each of which strategically meets the needs of various learner demographics and industry demands. By offering scalable, accessible learning opportunities, these platforms allow users across diverse socioeconomic backgrounds to upskill and reskill, thereby bridging the digital divide. This model is particularly valuable in the context of rapid technological change, where accessibility and agility are paramount.

In a larger public context, the orchestration of dynamic capabilities – such as identifying, seizing, and reconfiguring opportunities – forms the backbone of an ecosystem's resilience. The integration of tools like Digital Twins into this structure provides not only real-time data insights but also a robust framework for monitoring and refining sustainable practices. These digital models enhance decision-making by providing an ongoing assessment of environmental

impact, which is particularly relevant for educational buildings. Here, the continuous optimization of energy efficiency and environmental quality exemplifies how digital solutions can facilitate green transitions within learning ecosystems, grounding them in a practical, data-driven context.

Still, there are a lot of areas that may be overlooked or inadequately addressed due to assumptions, limitations in current practices, or unresolved contradictions within the framework. These blind spots can hinder the effectiveness, inclusivity, and sustainability of such ecosystems if not critically examined. One of the major ones is the *overemphasis on technology as a solution*. There is a tendency to view technology as a panacea for educational and environmental challenges. However, this perspective can obscure the fact that technology alone cannot address the root causes of issues like inequality, learner disengagement, or environmental degradation. Over reliance on technological solutions risks overshadowing the need for systemic changes in pedagogy, policy, and community engagement. Also, the *environmental impact of digital technologies*, such as the energy consumption of data centers, electronic waste, and resource-intensive production of devices, is often downplayed. There is a paradox in promoting green transitions through digital platforms that themselves contribute to carbon emissions. Without a clear commitment to sustainable practices within the digital infrastructure – such as low-energy data centers, sustainable device lifecycles, and carbon offsetting – digital learning ecosystems may inadvertently undermine their environmental objectives. Then, there is also the *neglect of socioeconomic and cultural barriers*. Although there is a recognized need for accessibility, discussions around scaling digital and green transitions often inadequately address the deep-rooted socioeconomic and cultural barriers that affect access and engagement. For instance, assumptions around learner readiness or technological access may ignore the realities of under-resourced communities, where infrastructure, digital literacy, and even electricity are inconsistent. Additionally, cultural differences in learning approaches and attitudes toward environmental sustainability may limit the effectiveness of one-size-fits-all models. And then there are the *assumptions about learner autonomy and motivation*. The push for personalized, self-directed learning models assumes that learners are motivated, self-disciplined, and equipped to navigate complex digital environments independently. However, many learners, particularly those without prior digital learning experience, may struggle with these demands. The risk is that those who lack intrinsic motivation or digital literacy skills may be left behind, resulting in a widening educational gap.

5. Conclusions

A framework for designing learning ecosystems aligned with digital and green transitions requires a comprehensive, multi-dimensional approach. By embedding principles of open innovation, adaptive technology, sustainability assessment, lifelong learning, and dynamic ecosystem management, learning environments can become resilient, adaptive, and responsive to regional and global needs. This framework can not only support the current digital and green imperatives but also positions learning ecosystems as integral components in advancing sustainable development, equipping individuals of all ages and organizations alike to thrive within an increasingly complex world.

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Socio-pedagogical Challenges and Prospects for Interdisciplinary and Integrated Support to Families and Children in the Early Years

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Abstract

The present report delves into the socio-pedagogical challenges and prospects for interdisciplinary support of education, social, and healthcare services to families and children in yearly years – from birth to first grade in Bulgaria. The analysis explores the adoption of related strategic documents in recent years in Bulgaria and examines indicators for the quality of ECEC in Bulgaria. A review of specialized literature, scientific studies, international reports, and analyses was conducted, with data spanning ten years, from 2014 to 2024. The study reveals that Bulgaria needs to place additional effort into a unified and consistent policy and regulatory framework for interdisciplinary educational, healthcare, and social services support for families and young children. However, our analysis showed that socio-pedagogical instruments must be implemented to improve the integration of the three service areas and to broaden the implementation of educational innovations to enhance the quality of ECEC in Bulgaria.

Keywords: early childhood development (ECEC), socio-pedagogical challenges and perspectives, Bulgaria.

1. Introduction

Social pedagogy supports individuals and communities in achieving successful joint social functioning. “The basic idea of social pedagogy is to promote people’s social functioning, inclusion, participation, social identity, and social competence as members of society” (Hämäläinen, 2003: 76). With its wide-ranging toolkit, social pedagogy fosters successful integration and interactions among individuals while facilitating their overall development within society. It empowers each person to find their place in the social environment. Conceptually, the socio-pedagogical perspective traditionally emphasizes those aspects of social support related to the goals and meanings of human development (Николаева, 2005: 162-163). As Caride (2004) notes, in social pedagogy, “much more emphasis was placed on the ‘social’ of education than on the ‘educational’ of the social” (p. 64).

“Social support” (Николаева, 2005) seeks to preserve the uniqueness of each individual while simultaneously promoting the inclusion of all who aspire to be active creators and innovators within their societies. “Social pedagogy aims to recreate society by producing citizens with a new vision of social justice and inclusion – learning to live together and influencing the social policies of their countries...” (Beazidou, 2023: 2). The motivation of those working with young children serves as an engine for social change, particularly when supported by early childhood development experts, the civil sector, and state administration – especially when they collaborate towards a common goal, as seen in Bulgaria. This unity among individual members of

society and institutions is essential for realizing interdisciplinary and integrated support for early years services.

- In Bulgaria, work is being done in the direction of interdisciplinary and integrated socio-pedagogical support by the three sectors that offer support to children and their families in the early years – health, social and education.
- The practices are considered, on the one hand, as the socio-pedagogical strategies themselves, related to the interdisciplinary and integrated support of services for children and their families from the three sectors – education, health and social services.
- On the other hand, they are considered as the process of coordination and collaboration between individual stakeholders through the excellent practice of uniting formal and informal civil organizations that work together to achieve a common goal.
- High-quality Early Childhood Education and Care (ECEC) plays a crucial role in supporting children in their early years and, including their families. However, educational innovations must be further supported in Bulgaria to realize this potential fully.
- The analysis found that the country has taken the first steps. However, a unified, harmonized, consistent policy and regulatory framework for interdisciplinary and integrated support of early childhood educational, health, and social services still needs to continue developing.

In this article, we examine the socio-pedagogical challenges and perspectives related to integrated support for families in early childhood from two distinct angles. On one hand, we explore processes related to the integration of support services for children across the three sectors: education, health, and social services. On the other hand, we analyze the coordination and collaboration processes among individual stakeholders to achieve common goals for social change. Thus, strategies related to socio-pedagogical challenges and perspectives are employed “for the prevention and correction of social problems and for engaging in the regulation of social distress” (Николаева, 2005: 162-163).

2. Method

A comprehensive review of specialized literature, scientific studies, international reports, and analyses was conducted, with data spanning ten years, from 2014 to 2024.

3. Results

3.1 *National context of interdisciplinary and integrated socio-pedagogical support in early childhood in Bulgaria*

Bulgaria, located in the southeastern Balkans, has a thousand-year history. In 2007, the country joined the European Union and has since synchronized its national policies according to European recommendations. Analyses indicate that Bulgaria is the poorest country in the European Union (First Year’s First Priority, 2021), with the highest number of children living in poverty and at risk of social exclusion; one-third of children in Bulgaria face similar risks compared to fewer than 20% across the EU. Furthermore, nearly 10% of the children are of Roma origin (whereas the EU average is 3%), and about 25% have at least one parent who works abroad (European Commission, 2021). Preliminary data from the monitoring report “Notebook 2024: What Is the Average Success of the State in Childcare?” corroborates these trends, indicating that “nearly 61% of adults in Bulgaria believe that child poverty is increasing” (National Network of Children, 2024).

To address this situation, efforts should be directed toward providing supportive and attentive care in early childhood—nurturing care, the components of which are central to the global strategy aimed at achieving the 17 United Nations Sustainable Development Goals (United Nations, n.d.). This can be realized by synchronizing policies and socio-pedagogical practices (health, education, and social services) aimed at children and families in their early years.

In a 2021 report, the European Commission provided a definition specifically for Bulgaria, stating that *early childhood development* “refers to the process of human development, which covers the period from birth to the mandatory age for starting primary school, includes all important phases of development, takes place in any environment, has a strong influence on the next phases of a person's life, and requires the greatest possible support for the child and their family from the entire society and every public institution” (Европейска комисия, 2021: 25). In contrast, Bulgarian pedagogical theory and practice typically define early childhood as a stage of development covering the age from birth to three years (Пенева, 2015; Даскалова, 2019). However, Article 6 of the *Law on Preschool and School Education* mentions that “the system of preschool and school education provides conditions for: 1. early childhood development and preparing children for school” (Закон за предучилищното и училищното образование, 2015). We consider it a positive development that the legislation acknowledges the importance of early education, specifically from three years until the first grade. However, there are few further references in legislation regarding preschool education.

In another strategic document adopted in 2021 – *the Strategic Framework for the Development of Education, Training, and Learning in the Republic of Bulgaria (2021-2030)* (Министерство на образованието и науката, 2021) – early childhood development is recognized for the first time as a separate priority area. This advancement is attributable to the collaborative efforts of professionals and organizations to address socio-pedagogical challenges and outline perspectives for interdisciplinary support in integrating social, health, and educational services. More than 50 parent organizations, civil sector organizations, experts in early childhood development, and others have united in an informal network called the Early Childhood Development Alliance, established in 2018 in Sofia, Bulgaria. This informal coalition exemplifies how the fundamental ideological paradigm of the civil movement is put into practice – “the implementation of socially significant innovations through the unification (coordination) of the voluntary efforts of various individuals and institutions” (Николаева, 2001: 27).

The first official statement of the Early Childhood Development Alliance from 2020 on integrating health, social, and educational services sent to government institutions states: “Our society needs a common national framework to support parents, better health and education for children, social support for all parents and children, secure housing and living environments, reducing inequalities, poverty, and violence against children. Because we all know that investing in children is the best investment for the prosperity of Bulgaria” (Алианс за ранно детско развитие, 2020). The Early Childhood Development Alliance has also submitted several statements with a similar message regarding the public discussion of national programs and strategies (Министерство на образованието и науката, 2021; Министерство на образованието и науката, 2020a). All of these emphasize the need for integrated services in the health, social, and educational sectors (Алианс за ранно детско развитие. Становища и позиции., n.d.).

Efforts toward establishing a constructive inter-institutional dialogue in Bulgaria aimed at integrating health, social, and educational services for children and families in the early years achieved significant success during one of the caretaker governments that ruled the country in recent years. In 2024, an *interdepartmental and interdisciplinary working group* was formed to plan and coordinate policies for early childhood development. This group includes representatives from the Ministry of Education and Science, the Ministry of Labor and Social Policy, the Ministry of Health, other governmental institutions, non-governmental organizations

(including representatives from the Early Childhood Development Alliance), as well as professionals, experts, and researchers.

The interdisciplinary group developed the Annual Plan for the Promotion of Early Childhood Development for 2024, which was adopted by the Government of Bulgaria under Decision No. 260 of the Council of Ministers (Министерски съвет на Република България, 2024). The purpose of the plan is to provide “an opportunity to implement a complex and integrated approach in childcare and development of cross-sectoral services to support parents and children in the period of early childhood” (Министерство на образованието и науката, 2024). This plan is the first national document focused entirely on early childhood development, proposing measures organized into five areas of impact: (1) Health and nutrition; (2) Early learning, education, and early childhood care; (3) Child protection, safety, and security; (4) Social protection and parenting support; and (5) Early childhood intervention. Specific measures and activities for their implementation are detailed for each impact area (*Ibid.*). The plan is a vital document that lays the foundation for interdisciplinary and integrated policies and practices regarding health, social, and educational services for children and their families.

3.2 Socio-pedagogical challenges and prospects for services for children and their families in the health service area

In the health sector, the Annual Plan for the Promotion of Early Childhood Development outlines various socio-pedagogical strategies for the period before, during, and after pregnancy. These strategies aim to improve the *physical and mental health* of parents and children, promote *childhood nutrition*, and encourage *healthy screen usage* (Министерство на образованието и науката, 2024).

Specific socio-pedagogical measures are planned to increase awareness and provide access to digital programs and applications for parents. These measures also include conducting studies, developing and disseminating scientifically based recommendations and health information materials, training health professionals, facilitating expert dialogue and discussions on critical topics, preparing proposals for educational programs, and developing models for professional development. Additionally, the plan emphasizes the creation of mechanisms to promote interaction and collaboration among stakeholders and other relevant parties (*Ibid.*).

3.3 Socio-pedagogical challenges and prospects for services for children and their families in the social service area

The Annual Plan for the Promotion of Early Childhood Development also includes socio-pedagogical practices and policies aimed at enhancing support for children and their families within the social service sector. These practices are focused on three aspects: (1) child protection, security, and safety; (2) social protection for parenthood; and (3) early childhood intervention (*Ibid.*).

In the area of child protection, security, and safety, the report emphasizes the prevention of all forms of violence against children, including domestic violence. It also highlights the importance of child protection measures, increasing parents' capacity to provide responsive care, creating a secure and safe environment, and teaching children how to protect themselves and engage in safe interactions with others (*Ibid.*).

Regarding social protection and parenting support, the plan emphasizes assistance for families living in extreme poverty, reducing poverty and social exclusion, and facilitating coordinated action across various sectors and levels of government, both national and local. Early childhood intervention calls for an interdisciplinary, cross-sectoral, and coordinated system of

individualized and intensive services for parents and caregivers of young children who are at risk, have developmental difficulties, disabilities, behavioral problems, or mental health support needs.

In these three areas of the social service sector, the implementation of various socio-pedagogical measures is anticipated, contributing to interdisciplinary and integrated support, including the following: conducting an analysis of existing practices in social services; providing reliable data; discussing proposals; creating cross-sectoral teams; collecting data; developing programs; establishing a council; undertaking activities to overcome challenges; improving staff capacity through qualification programs; analyzing and measuring effectiveness and impact; discussing measures; presenting service models; and providing support, consultation, and information through the national telephone line for children, as well as preparing a roadmap and developing programs and mechanisms (*Ibid.*).

The plan is beginning to effect substantial changes in the early years of health and social services. It lays the foundation for a transformational process, underscoring the ongoing need to upgrade the plan to support continued efforts. Additionally, work is needed in the third area of impact – education and care in the early years.

3.4 Socio-pedagogical challenges and perspectives of services for children and their families in the field of early childhood education and care

The current article focuses on the socio-pedagogical challenges and prospects for early childhood education services in Bulgaria. We have chosen to explore this area because we believe that socio-pedagogical tools can significantly improve social inclusion, enabling children and their families to break the cycle of poverty, reduce inequality, and support social integration (Esping-Andersen & Palier, 2010: 85), which is crucial for the future of both children and society. Public sector support for early education is a social investment that yields multiple returns for individuals, society, and the economy (European Commission, 2022). This is especially significant for Bulgaria, as it is the only country in the European Union where “the percentage of students who have few educational opportunities in the family is so high – 18% (for comparison, no more than 7% of students in other European countries)” (Център за оценяване на предучилищното и училищно образование, 2020). Furthermore, the increase in “educational poverty” – defined as the inability of a 10-year-old child to read and understand a short text appropriate for their age – raises additional concerns. “The level of educational poverty in Bulgaria is 12 percent, which is almost double the EU average (6%) and four percentage points higher than the OECD average (8%)” (Европейска комисия, 2021: 68).

Active participation in high-quality early childhood education and care (ECEC) can effectively provide socio-pedagogical support to children and their families in the early years. ECEC is one component of nurturing care in early childhood, primarily related to Sustainable Development Goal 4 (SDG 4): “Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all” (World Economic Forum, n.d.; Department of Economic and Social Affairs, 2021), with a particular emphasis on education during the early years (UNESCO, 2023).

ECEC is defined as “any regulatory mechanism that provides children with education and care from birth to compulsory school age” (Европейска комисия, 2021; World Bank, 2020a; Национална мрежа на децата, 2014). The concept encompasses all regulated services supporting children from birth until they enter primary school. In Bulgaria, only licensed nurseries (for children aged 10 months to 3 years) and kindergartens (for children aged 2 years to 6 or 7 years—the start of primary school) are recognized as regulated services (Наредба 26 за устройството и дейността на детските ясли и детските кухни и здравните изисквания към тях; Закон за предучилищното и училищното образование, 2015). Many children’s centers, parent

cooperatives, and home-based playgroups remain outside the scope of ECEC and are not legally regulated.

The importance of Early Childhood Education and Care has been increasing in Bulgaria in recent years, especially following the adoption of three national strategic documents: the Strategic Framework for the Development of Education, Training, and Learning in the Republic of Bulgaria (2021-2030) (Министерство на образованието и науката, 2021) and the Implementation of the National Framework for the Quality of Education and Early Childhood Care (Министерство на образованието, 2020a). Emphasis on early childhood development and care is also included in the Annual Plan for the Promotion of Early Childhood Development (Министерство на образованието и науката, 2024). Additionally, several national and international analyses and reports have been considered concerning the quality of ECEC in Bulgaria (World Bank, 2020a; World Economic Forum, 2019; European Commission, 2022; Европейска комисия, 2021; Министерство на образованието и науката, 2020a; Национална мрежа на децата, 2023).

3.4.1 *Early childhood education and care for the ages 0 to 3 years*

According to Montessori early years researcher Dr. Silvana Montenaro, “the importance of education is greater the younger the child” (Монтенаро, 2018). Additionally, UNESCO defines the age from 0 to 3 years as “Level 0 – the basic level of the educational level” (Пенева, 2015: 19). However, there is not a single word related to education in the legislation governing Early Childhood Education and Care (ECEC) for children under three years in Bulgaria (Наредба 26 за Устройството и дейността на детските ясли и детските кухни и здравните изисквания към тях, 2008). In a report, the European Commission emphasized that “nurseries do not follow any standard protocol that is coordinated with preschool curricula and existing programs” (Европейска комисия, 2021: 65-66).

3.4.2 *Early childhood education and care for the age of 3 years to entering primary school*

Bulgaria has significantly more legal and by-law regulations governing preschool education compared to the limited regulations under which nurseries operate. The Preschool and School Education Act is the principal legal framework (Закон за предучилищното и училищното образование, 2015), setting goals for both preschool and school education that align with international recommendations (European Union, 2006), emphasizing the holistic development of the child and the achievement of competencies necessary for life (*Ibid.*).

The state educational standard for preschool education outlines the educational goals, which are achieved through “pedagogical interaction” between teachers and children. This interaction is intended to facilitate the compilation of results from preschool education (Наредба № 5 от 3 юни 2016 г. за предучилищното образование). Furthermore, “pedagogical interaction” aims to support “the overall development of the child” and the “acquisition of competencies – knowledge, skills, and attitudes” (*Ibid.*). This interaction occurs through “pedagogical situations” across seven educational areas: Bulgarian Language and Literature, The Surrounding World, Mathematics, Visual Arts, Music, Physical Education, and Construction and Technology (*Ibid.*).

A report from the European Commission asserts that the Law on Preschool and School Education only “hints at the competencies... and there are no further references in the legislation determining the content of preschool programs in Bulgaria.” Additionally, there is a lack of “assessment tools to measure whether and how competencies are acquired” (Европейска

комисия, 2021: 77-78). The competencies are “defined as expected results... in educational fields” (*Ibid.*), which, in reality, “represent educational subjects traditionally associated with the system (for example, Bulgarian language, Mathematics, etc.)” (*Ibid.*).

Despite the good intentions of the Law on Preschool and School Education (Закон за предучилищното и училищното образование, 2015), the actual achievement of the educational goals is partial, primarily focusing on “the child’s successful transition to school education” (*Ibid.*). In reality, the Ministry of Education and Science acknowledges shortcomings in the preschool education standard concerning the expected results of children (Министерство на образованието и науката, 2020b). The discussion thus far is closely related to the quality of early childhood education and care.

3.4.3 Challenges and prospects to the quality of early childhood education and care (ECEC) in Bulgaria

3.4.3.1 Challenges to the quality of ECEC

The quality of Early Childhood Education and Care (ECEC) faces significant hurdles that must be addressed for the benefit of future generations. In September 2020, the World Bank published the 2020 Human Capital Index, which states that “the human capital index measures the amount of human capital that a child born today can expect to have by age eighteen. It conveys the productivity of the next generation of workers against a benchmark of complete education and total health” (World Bank, 2020b). In Bulgaria, “a child born ... immediately before the pandemic will be 61 percent as productive when they grow up as they could be if they enjoyed complete education and total health” (*Ibid.*). According to the report, students in Bulgaria scored 441 points on harmonized tests, where 625 represents advanced proficiency and 300 indicates minimum achievements (*Ibid.*). Furthermore, the Global Competitiveness Report 2017-2018 from the World Economic Forum ranks Bulgaria 83rd in the world and 26th in the European Union regarding the quality of its education system, placing it at the bottom compared to other EU member states (World Economic Forum, 2019).

3.4.3.2 Prospects for improving the quality of ECEC

We examined the understanding of quality within the legal framework for Early Childhood Education and Care (ECEC) in Bulgaria, specifically concerning preschool education, as this topic is not addressed in the legislation regulating nurseries. Our findings indicate that the quality of preschool education is primarily linked to the state’s overall policy for quality improvement, the continued professional development of pedagogical specialists, the responsibilities of the public council, and mechanisms for school development. Additionally, there is a vision for comprehensive quality management and a kindergarten strategy (Закон за предучилищното и училищното образование, 2015). Unfortunately, the legislation does not provide any documents related to assessment criteria or indicators for measuring the quality of ECEC.

In 2020, Bulgaria introduced a document in line with an initiative from the European Union – the “Implementation of a National Framework for the Quality of Early Childhood Education and Care” – which establishes goals for quality ECEC in five areas: access, staff, educational content, and monitoring and evaluation (Министерство на образованието и науката, 2020a). This project will continue, as an interdepartmental working group is set to be established in the winter of 2024, focusing on “improving the quality of early childhood education and care by strengthening governance, monitoring, and evaluation,” funded through the European

Commission Technical Support Instrument (DG REFORM) (Национален инспекторат по образованието, 2024). This document aims to further enhance the quality of ECEC.

Another important document for ECEC quality is the “Annual Plan for the Promotion of Early Childhood Development” (Министерство на образованието и науката, 2024). The quality of ECEC is considered within the impact area of “early learning, education, and early childhood care,” which includes measures such as: providing support to improve early learning and care; ensuring a sufficient number of qualified specialists in ECEC services; offering general and additional support for personal development in the ECEC system; implementing effective early education programs for children from small towns and marginalized communities; assisting parents in providing early learning opportunities and creating a stimulating home environment; introducing modern requirements for the physical environment in ECEC services; and, most significantly, expanding the scope of ECEC by fostering improved interaction between health, educational, social, and other systems (*Ibid.*).

The implementation of various socio-pedagogical measures is planned within these areas of ECEC, contributing to interdisciplinary and integrated support for services aimed at young children and their families. These measures include: the qualification of pedagogical and non-pedagogical staff; conducting discussions with the deans of pedagogical and medical faculties; planning and organizing ongoing qualification for non-pedagogical specialists in ECEC services; performing analyses and evaluations; increasing access to education and participation for children with special educational needs through complementary and alternative communication methods; providing professional development by creating supportive professional communities for mutual learning; establishing a National Team of Trainers; preparing to create early childhood development resource centers; mapping small communities; launching programs within social services to support children’s early learning at home; and promoting partnerships with parents to change attitudes towards education (*Ibid.*).

The existing legal and strategic documents suggest that Bulgaria is making efforts to enhance the quality of ECEC. However, the lack of assessment tools provides only a partial picture of the outcomes resulting from the implementation of these measures. Educational innovations represent another crucial aspect to consider for improving the quality of ECEC.

3.4.3.3 *Innovations as a powerful tool to elevate the quality of ECEC*

Embracing innovations as a powerful tool to elevate the quality of Early Childhood Education and Care (ECEC), we can envision a future in which ECEC in Bulgaria reaches new heights of excellence. One possible direction for improving the quality of early childhood education is to introduce policies that support innovations in ECEC. Considering the components of nurturing care, which are central to the global strategy aimed at achieving the 17 United Nations Sustainable Development Goals (UNICEF et al., 2018), five strategic steps related to ECEC and Goal 4 are as follows: (1) Lead and invest; (2) Focus on families and their communities; (3) Strengthen services; (4) Monitor progress; and (5) Use data and innovate (UNICEF et al., 2018: 27).

The European Commission also emphasizes the importance of supporting innovations in Bulgaria, specifically referring to the “introduction of innovative forms of management, educational environments, and learning, as well as the use of innovative teaching methods, development of innovative educational content, curricula, and educational plans” (Европейска комисия, 2021: 134). The implementation of educational innovations in ECEC is further supported by official statements from non-governmental organizations, including the Early Childhood Development Alliance (Алианс за ранно детско развитие, 2021).

While Bulgaria's regulatory framework encourages the implementation of innovations, it also presents significant obstacles. This contradiction underscores the need for more precise policies to facilitate the integration of innovative practices in early childhood education.

Aspects of the legal framework promoting the implementation of educational innovation

The act regulating preschool education emphasizes, in Article 3 (1) 8, the importance of “innovativeness and effectiveness in pedagogical practices and in the organization of the educational process based on scientific validity and the forecasting of the results of innovations” (Закон за предучилищното и училищното образование, 2015). This can be realized, according to Article 69 (3), through the development of “innovative educational programs” (*Ibid.*). Support for educational innovations is also outlined in the Strategic Framework for the Development of Education, Training, and Learning in the Republic of Bulgaria (2021-2030), which includes the sub-goal of “creating regulatory conditions for the functioning of innovative kindergartens” and advocating for the “application of an individual approach to the child in all early childhood education services” (Министерство на образованието и науката, 2021). Furthermore, the Annual Plan for the Promotion of Early Childhood Development for 2024 states the goal of “supporting the implementation and sharing of experiences related to innovative practices in kindergartens” (Министерство на образованието и науката, 2024).

Despite these provisions, numerous legal aspects continue to hinder the implementation of educational innovations in the country.

Aspects of the legal framework limiting the implementation of educational innovations

In Bulgaria, kindergartens face legal restrictions that hinder the implementation of educational innovations. Although they are theoretically granted the right to pursue innovative approaches (Art. 72 (3)), practical obstacles arise from the requirement that all innovative programs must align with the state educational standard known as the DOS for preschool education (Закон за предучилищното и училищното образование, 2015). This presents a significant barrier to adopting comprehensive, internationally recognized alternative approaches, such as Montessori pedagogy, Waldorf pedagogy, Reggio Emilia, as well as some Bulgarian pedagogical systems like Solar Pedagogy (founded by Petar Danov) and Sugesto Pedagogy (founded by Dr. Lozanov).

The need for reform is urgent, especially as the number of kindergartens implementing these approaches, particularly Montessori education, is on the rise—especially in state-funded kindergartens located in Sofia, Plovdiv, Stara Zagora, Vratsa, and other regions (Азбуки, 2024). In Montessori education, work with children predominantly occurs in individual or small group settings (Стоева, 2020: 202) rather than in whole groups, as mandated by Ordinance 5 (Наредба 5 за предучилищното образование, 2016). The duration of individual presentations in Montessori varies according to each child's specific needs and interests (Стоева, 2020: 202). Conversely, the legal framework for preschool education sets fixed durations and numbers for group pedagogical situations (Наредба 5 за предучилищното образование, 2016). In a Montessori kindergarten that adheres to high professional standards, children are provided with approximately three hours of continuous work and play in a supportive educational environment using multi-sensory, didactic materials, including those specially developed by the teachers (Стоева, 2020: 200-202). In contrast, within the traditional preschool system, engagement

typically occurs through educational books and less frequently with teaching aids (Наредба 5 за предучилищното образование, 2016).

There is still much work to be done to establish a legal framework conducive to comprehensive educational innovations and to elevate the quality of early childhood education and care (ECEC). In 2021, the European Commission's report highlighted that Bulgaria was not prioritizing early learning sufficiently (Европейска комисия, 2021: 68). Nevertheless, significant efforts have been made in the country. Our analysis of strategic and legal documents indicates that support for children and their families in their early years can be achieved through engagement in high-quality ECEC. We believe that fostering educational innovations, which still require further support, could transform the educational landscape, inspiring and motivating policymakers and educators in Bulgaria.

4. Discussion and conclusions

The Annual Plan for Promoting Early Childhood Development (Министерство на образованието и науката, 2024) enhances integrated and interdisciplinary support for young children and their families during the early years. This plan outlines activities categorized according to internationally recognized standards in early childhood development. It establishes an initial framework for data collection to track outcomes across the three service areas: health, education, and social services. Additionally, it introduces a minimum package of activities aimed at transforming the approach, management, and decision-making concerning policies that promote early childhood development. The integration of these policies with national strategic planning guidelines is also described (*Ibid.*).

As the Plan is annual, the proposed interdisciplinary socio-pedagogical measures must still demonstrate their effectiveness in yielding sustainable results for the integration of educational, health, and social services. Potential enhancements could include adopting modern approaches, such as establishing a Ministry for Children and Families or creating local structures that provide integrated services for children and families.

These efforts depend on the collective actions and collaboration of engaged communities, such as the informal Early Childhood Development Alliance in Bulgaria. As noted, “the protection and support of families and those who care for them depend on the resilience of communities and systems, which, in turn, result from coordinated action among different sectors and levels of government – both national and local” (Министерство на образованието и науката, 2024). Although initial steps have been taken, our analysis underscores the need for a more unified, harmonized, and consistent policy and regulatory framework to support interdisciplinary and integrated early childhood education, health, and social services in Bulgaria.

Some countries in the Balkans are making significant strides toward service integration. For example, programs in North Macedonia often involve collaboration between local health clinics and kindergartens or community centers to support families in their regions (OpenAI ChatGPT, November 3, 2024). Similarly, Montenegro is working on implementing shared data systems to monitor the well-being of children and families (*Ibid.*).

Research emphasizes the need to address various aspects of integration among education, health, and social services, particularly focusing on integrated services for Roma children in Europe and early childhood education and care (ECEC) (Klaus & Marsh, 2014), which is a pertinent issue in Bulgaria as well. Other researchers have expressed particular interest in social policy in the Balkans (Angelaki, 2024). Additionally, some articles highlight the importance of ECEC for lifelong learning and social inclusion, especially for migrant families and their children (Messetti & Dusi, 2015). We believe it is essential to conduct more in-depth research on

the integration of social, health, and educational service areas, not only in Bulgaria and the Balkans but worldwide.

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Mapping Educational Ecosystems in Bulgaria: Types and Trends

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Abstract

The paper presents the current results of a long-term research project focused on mapping educational ecosystems in Bulgaria. Based on a conceptual analysis of ecosystemic paradigm in formal and non-formal education the paper presents a classification of identified types of educational models and practices with ecosystemic features. The qualitative research is based on case studies of the 6 administrative regions of the country with the aim to map the typical educational ecosystems. The data show that their features and dynamics reflect the reached balance between proactive local culture(s), context and leadership, on one side, and the supportive external priorities and policies at regional, national and international level, on the other. This explains why some ecosystems are internally focused and resilient while others' sustainability is seriously affected by the external context and dynamics.

Keywords: educational ecosystem, mapping, case study, Bulgaria.

1. Introduction

The widespread processes of educational globalization and integration not only require ongoing alignment of development goals and priorities but also facilitate the exchange of concepts, ideas, and models from various scientific and practical domains – including natural and information sciences, economics and sociology, social and human medicine, and organizational and management studies. This dynamic interplay has significantly restructured both scientific systems and their applied fields, underscoring the profound interdisciplinary trends that emerge from the blending, enhancement, complementation, and integration of these fields. A notable impact of these shifts is the increasing adoption of unified conceptual frameworks that aim to comprehensively represent, explain, and develop complex realities.

A key element in this trend is the evolution of the ecosystem paradigm, which has expanded from the natural sciences into social and educational theory and analysis. In educational contexts, the ecosystem paradigm typically emphasizes a holistic approach to the interconnected, adaptable, and complementary nature of educational goals, curricula, environments, methods, participants, resources, processes, technologies, and management practices. Through this lens, proponents of ecosystem-based critical thinking seek solutions for 21st-century education that maximize the use of all available resources, experiences, and pathways to support optimal learning and development for every learner.

- Three core dimensions of educational ecosystems in Bulgaria: personal and social development, vocational training, and social support.
- Structural mapping shows strong spatial and regulatory connections among entities focused on personal development and inclusion, often facilitated by local administrations.
- Vocational schools and training centers generally align well with local labor market demands.
- Minimal resource-sharing among institutions constrains the broader connectivity required for a cohesive educational ecosystem.
- A region-specific approach is necessary for balanced educational development across Bulgaria, highlighting the need for further research.

Learning ecosystems thus encompass diverse models and practices that thrive in both formal and informal contexts, integrating analog and digital subsystems, as well as internal and external resources, supports, and elements. Many contemporary educational practices incorporate these elements, though some traditional educational system models still partially represent educational realities by focusing predominantly on formal systems and institutions, despite policies or legislation that advocate ecosystemic approaches.

In this context, Bulgaria's Education Act of 2016 marked a pivotal shift, opening the historically centralized and insular educational system to active collaboration with institutional and social partners. This reform restructured the school network, expanded the role of out-of-school institutions, and integrated the socio-pedagogical capacities of specialized units and professionals to better support vulnerable student groups. By engaging key institutional partners – such as health and social services, employers, civil society organizations, and various government ministries – Bulgaria aims to foster inclusive educational policies and practices. The intended outcome is a balanced integration with other economic and social sectors, creating favorable conditions for sustainable ecosystem-based education.

Eight years later, a critical question arises: has this substantial legislative shift, rooted in a profound paradigm transformation, effectively transitioned Bulgarian education from a systemic to an ecosystemic model? To explore this, the research presented in this paper seeks to identify and analyze ecosystemic dynamics within Bulgarian education, mapping the primary ecosystem profiles and developmental trends shaping the educational landscape.

2. Conceptual framework

An earlier paper (Nikolaeva, 2024), based on a systematic analysis of 74 thematically selected publications in Scopus, identified two main conceptual approaches to defining and classifying educational ecosystems.

The first approach is rooted in traditional views of biological ecosystems, defined by the integration of biotic and abiotic elements through ecosystem functions that support their co-evolution (Bronfenbrenner & Morris, 2007; Railean, 2022). This approach primarily examines the relationships between biological, social, and psychological actors and elements in education, linked by values, structural-functional ties, and territorial complementarity. Educational ecosystems are classified by levels of connectivity and complementarity, including micro- (participants), meso- (organizations, institutions, communities), exo- (state institutions, media, professional organizations), and macro-levels (cultural and subcultural systems encompassing the micro-, meso-, and exo-levels) (Bronfenbrenner, 1976). Additionally, value-functional typologies have emerged, shaped by current global and regional educational priorities. Examples include theories of ecosystems designed for sustainable development education (Deev et al., 2020), inclusive education (Anderson, Boyle & Deppeler, 2014), and lifelong learning (Chiappe et al.,

2020). An updated version of this approach reflects post-COVID digital trends, emphasizing personalized learning in digital environments (Nguyen & Tuamsuk, 2022). Proponents of this paradigm argue it facilitates analysis of hybrid functions and relationships between traditional educational settings and those mediated by modern technological platforms and tools (Mart et al., 2008). This trend has further expanded with the rise of accessible artificial intelligence applications in education (Rojas & Chiappe, 2024).

The second approach, based on business modeling theories, conceptualizes ecosystems as non-hierarchical networks of organizations that interact and complement each other in modular, multilateral ways through specific, non-generic dependencies (Jacobides, Cennamo & Gawer, 2018; Shipilov & Gawer, 2019; Adner, 2017). Business ecosystem modeling posits that such configurations enhance the value pathway or final output of products or services by enabling effective adaptation to external conditions. This adaptability is achieved through autonomous, non-hierarchical complementarity of resources, technologies, markets, and environments within the ecosystem (Jacobides et al., 2018). Structurally, business ecosystems emphasize inter-agent flows based on complementary, autonomous roles that align with desired client utility and performance (Adner, 2017). Co-evolutionary approaches emphasize agents' affiliation with a community, often organized around a central actor that supports mechanisms for both macro- and micro-level co-evolution within the ecosystem (Moore, 2006).

Building on the well-established systemic paradigm in educational and social research, the ecosystem perspective enhances it by integrating key system levels in line with ecological principles. System analysis is a powerful tool in scientific research, enabling the description, clarification, and construction of multilayered, holistic models that integrate a system's foundational elements with its goals, functions, strategies, and processes. As such, system modeling and analysis serve as key methodological foundations for studying and forecasting formal educational systems. However, a primary limitation of this approach is that activities and elements outside a system's organizational boundaries are often difficult to identify or analyze. Within national, regional, and local educational layers, parallel, non-systemic, and informal practices often go unrecognized, despite their quality, utility, impact, and contributions.

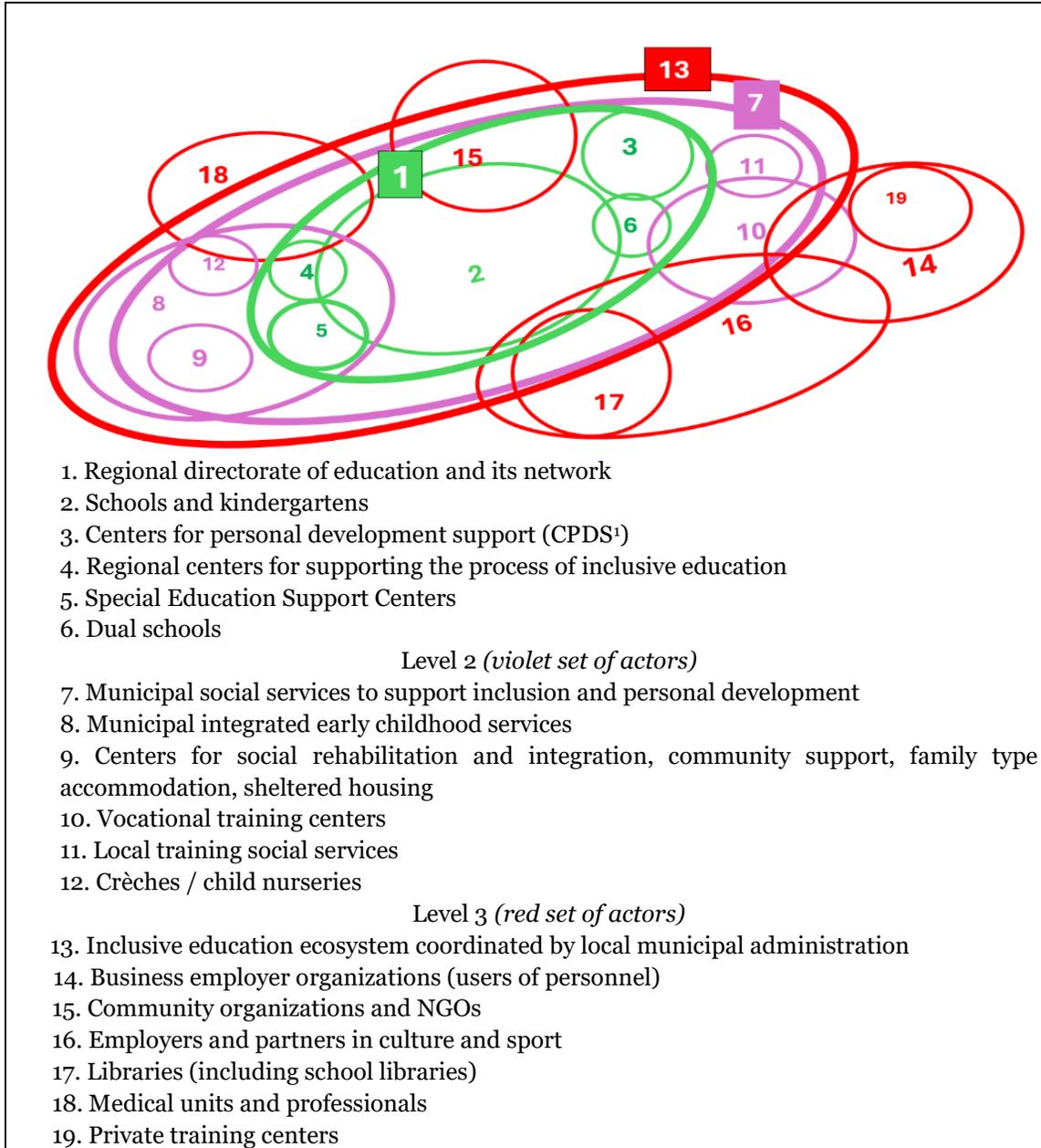
For ecosystem analysis, understanding the parallelism between organized (institutionalized), partially institutionalized, and spontaneous educational flows is essential to capture the holistic structure and functional dynamics of learning and education as a continuum. Ecosystem models thus examine interactions among systems and subsystems with varied levels of structure, intentionality, and sustainability, extending to human, social, socio-cultural, socio-economic, as well as natural, technological, and material contexts. The ecosystem paradigm is reshaping learning and educational systems and practices by:

- Stimulating greater connectivity, inclusivity, partnerships, and sustainability for lifelong learning.
- Supporting holistic personal and social development by drawing on diverse incentives, resources, environments, and tools.
- Emphasizing the interconnectedness of all elements in the learning environment, beyond formal limitations, spatial boundaries, institutional regulations, or socio-cultural or age-based participant profiles.

While educational ecosystems are not inherently sustainable, they can be intentionally designed and managed to achieve sustainability through strategic planning, resource management, adaptability, and stakeholder engagement. A balanced ecosystem harmonizes innovation with stability, inclusivity with efficiency, and a long-term vision with immediate needs, to remain impactful and relevant over time.

In accordance with the current Education Act (2015), educational ecosystems in Bulgaria operate across at least three levels of functional coexistence and structural complementarity (Fig. 1).

Figure 1. Connectivity between levels of functional coexistence and structural complementarity between actors in educational ecosystems in Bulgaria



The foundational level comprises organizations and agents that, under the current Preschool and School Education Act, are part of Bulgaria’s formal education system. This includes

¹ The abbreviation for the Center for Personal Development Support used in this paper is CPDS. According to Bulgarian law, five types of institutions hold the formal status of CPDSs: CPDS - cultural centers for children and students, CPDS - career centers, CPDS - observatories, CPDS - student hostels, and CPDS - sports centers.

the Regional Directorate of Education (Fig. 1, #1), which coordinates activities across municipal and private kindergartens and schools (Fig. 1, #2), centers for personal development support (Fig. 1, #3), special education support centers (Fig. 1, #4), regional centers for inclusive education (Fig. 1, #5), and vocational schools (Fig. 1, #6). Together, these entities form a core network that provides interdisciplinary and inter-institutional support for the social and academic inclusion of every child and student in the education system.

This network's interactions are coordinated by the Regional Education Offices (REOs), which ensure the quality of individual and group support for students. Schools and kindergartens, responsible for outreach, retention, and the social and academic development of children and students, act as main coordinators within their local ecosystems, ensuring their structure and functionality align with the inclusive goals of the system.

The second level of functional coexistence and structural complementarity within the local Bulgarian context incorporates social services and activities that support social and educational inclusion and integration (Fig. 1, #7). This level typically includes integrated social services that support early childhood (Fig. 1, #8) and are closely connected to integrative social services such as Social Rehabilitation and Integration Centers, Community Support, Family Accommodation, Sheltered Housing (Fig. 1, #9), Vocational Training Centers (Fig. 1, #10), Local Educational Social Services (Fig. 1, #11), and Nurseries (Fig. 1, #12). Their support for inclusive education takes the form of statutory inter-institutional procedures and protocols for shared responsibility and care.

The third level of structuring an educational ecosystem in Bulgaria integrates local actors, resources, spaces, and activities coordinated by the municipal administration (Fig. 1, #13). This level shapes the external environment of the inclusive education ecosystem, which, while not formally part of the internal structure, provides it with additional resources and support for regular functioning. At the municipal level, this typically includes business organizations (potential employers) (Fig. 1, #14), reading and civic organizations (Fig. 1, #15), cultural institutions (Fig. 1, #16), libraries (including school libraries) (Fig. 1, #17), medical units, centers, and specialists (Fig. 1, #18), and private training centers (Fig. 1, #19).

This paper presents the findings from a cumulative case study on the first level of functional coexistence and structural complementarity among actors, their environments, resources, and actions within a local Bulgarian educational context. The analysis identifies and examines key ecosystemic characteristics and trends, integrating concepts from both biological and business ecosystem theories. This hybrid approach reflects the mixed nature of educational functions, environments, actors, resources, and impacts, highlighting trends in sustainability, inclusion, and market orientation.

3. Method

The cumulative case study employs various research techniques to identify profiles, generalize findings, and compare different cases to increase the robustness of conclusions.

3.1 Data aggregation

The aggregated data covers selected cases from all six regions and 28 districts, representing all core types of institutional and functional entities, participants, environments, and communities involved by law as supporting entities for the formal educational system (Table 1).

Table 1. Types of aggregated data and entities

Key types of aggregated data	Key entities integrated into educational ecosystems
<ul style="list-style-type: none"> - Number of entities by type - Number of entities by districts and regions. - Core share functions of each type of entity (qualitative data). - Core share activities & services of each type of entity (qualitative data). 	<ol style="list-style-type: none"> 1. Centers for personal development support (CPDSs) <ol style="list-style-type: none"> 1.1 Children’s centers for culture, art and education 1.2 Observatories 1.3 Student hostels 1.4 Career centers 2. Regional centers for supporting the process of inclusive education 3. Special Education Support Centers 4. Vocational training centers

3.2 Generalization

The goal is to generalize findings from multiple cases, ultimately identifying typologies and trends within educational systems by region and district (see Fig. 1).

Figure 2. Regions and districts addressed by cumulative case study

NORTHWESTERN REGION <i>Montana, Vratsa, Vidin, Lovech, Pleven</i>	NORTHERN CENTRAL REGION <i>Russe, Gabrovo, Veliko Tarnovo, Razgrad, Silistra</i>	NORTHEASTERN REGION <i>Varna, Targovishte, Shumen, Dobrich</i>
SOUTHWESTERN REGION <i>Sofia City, Sofia district, Kyustendil, Blagoevgrad,</i>	SOUTHERN CENTRAL REGION <i>Ploudiv, Pazardjik, Smolyan, Haskovo, Kardzhali</i>	SOUTHEASTERN REGION <i>Stara Zagora, Yambol, Burgas, Sliven,</i>

3.3 Comparative analysis

The classified case studies are compared to examine differences, commonalities, and patterns. This analysis integrates both qualitative and quantitative data to uncover key ecosystem features of local educational entities, including their components, actors, contexts, and resources, evaluated through structural and functional connectivity.

Functional ecosystem connectivity – centered on biotic actors and their value-oriented actions – is analyzed using four key indicators:

- Teaching and learning agents and actors (e.g., teachers and trainers, children, students, learning groups, educational teams, etc.).
- Vocational training agents and actors (e.g., vocational students and teachers, employers, social partners, career counselors, etc.).
- Consultation and orientation agents and actors (e.g., counselors, mentors, students, parents, families, special education teachers, students with disabilities, gifted students, etc.).
- Personal development and inclusion agents and actors (e.g., children, students, teachers, psychologists, mentors, special education teachers, students with disabilities, gifted students, parents, local and micro-cultural community groups, etc.).

Structural ecosystem connectivity – based on abiotic components and tools that enable connectivity – is evaluated through conceptual content analysis of documents, products, websites, and media publications. Four main indicators are used:

- Normative, regulated, and empowered connectivity, based on educational acts and normative regulations.
- Territorial connectivity, based on spatial connectivity and the complementarity of spaces, resources, and support structures.
- Formal (institutional) connectivity, based on organizational affiliation and belonging.
- Resource-based connectivity, based on the complementarity of physical, natural, educational, digital, and technological resources.

4. Results

The study's key results are presented in two segments. The first segment maps quantitative data on the co-evolutional dissemination and typology of the addressed educational entities (3.1). The second part focuses on connectivity between these entities based on accumulated qualitative data about their shared values and roles (3.2).

4.1 Mapping the distribution and typology of educational ecosystems across regions and districts in Bulgaria

Mapping educational ecosystems by regions and districts highlights three primary structural dimensions: (1) practices for personal and social development, (2) vocational training and career guidance, and (3) social protection and support.

Data aggregation and generalization provide insight into the current state of structural and functional connectivity among local ecosystem entities that support the school and kindergarten systems. This analysis begins with an examination of Centers for Personal Development Support (CPDSs), a network of training and educational units that address the three primary structural dimensions of open ecosystems. CPDSs are accessible to all children and students within local municipalities and districts, regardless of social origin, economic background, or academic performance, making them vital components of local educational ecosystems. However, previous research suggests that inclusiveness can vary depending on socio-cultural factors and conditions (Nikolaeva, 2024).

Local authorities establish and maintain various types of CPDSs based on evaluations of complementary educational needs, which accounts for the notable quantitative disparities in CSPD distribution across districts and regions (Table 2).

Table 2. Typology of CPDSs

Joint children centers for culture, arts and education	87
Career centers (out of the structure and functionality of the joint children's centers)	6
Students' hostels	22
Observatories	8
Sport clubs	5
Speech therapy center	1

The largest subgroup of Centers for personal development support (CPDSs) includes 87 local centers dedicated to out-of-school learning activities in areas such as arts, culture, languages, science, and, more recently, youth work, psychological support, and career counseling. The next largest group consists of 22 student hostels across 16 of the country's 28 districts, offering affordable housing for students from vulnerable backgrounds who attend local schools. Additionally, while United Children's Centers can develop sports programs and provide

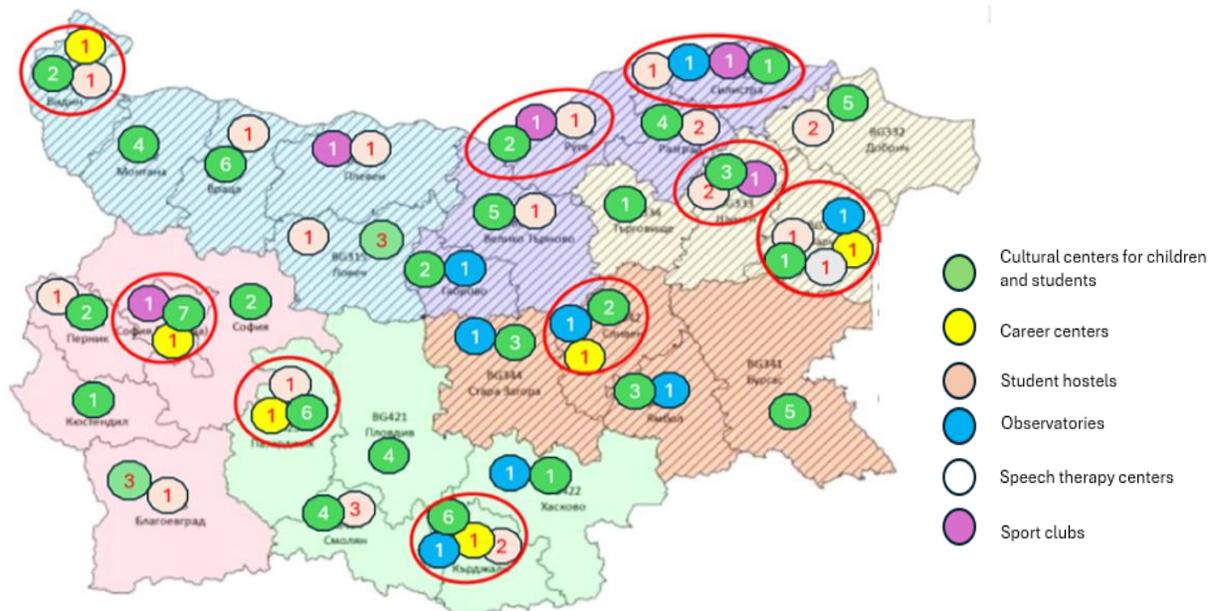
counseling and guidance, there are also six independent career centers and five sports clubs, all offering free, universally accessible services to children, students, and young people. Among the most innovative types of personal development centers are the observatories, now established in eight districts, along with one speech therapy center in Varna district.

The distribution of different types of Centers for Personal Development Support (CPDSs) varies significantly across the country and does not correlate directly with the proportion of young people under 19 in each district and municipality. Notably, some large districts with average youth populations (18-20%) and numerous regional towns lack a diverse array of CPDSs (Fig. 2).

However, functional analysis of ecosystem connectivity among local CPDSs reveals different trends. Some of the most populated and economically advanced districts, such as Varna (5 types), Sofia City (3 types), and Ruse (3 types), offer a broader variety of CPDSs. Interestingly, some districts with lower GDP and smaller populations—such as Kardzhali (4 types), Silistra (4 types), Vidin (3 types), Shumen (3 types), and Pazardzhik (3 types)—also show a good variety of out-of-school educational services (Fig. 2).

Cultural centers for children and students are the most widely distributed type of CPDSs across regions and districts. Virtually every district has at least one such center, with some districts hosting multiple centers across different municipalities (e.g., Vratsa - 6, Pazardzhik - 6, Kardzhali - 6, Sofia - 7, Burgas - 5, Veliko Tarnovo - 5, Dobrich - 5, Plovdiv - 4, Smolyan - 4, Montana - 4, Razgrad - 4).

Figure 2. Distribution of CPDSs Across 28 Districts and 6 Regions in Bulgaria

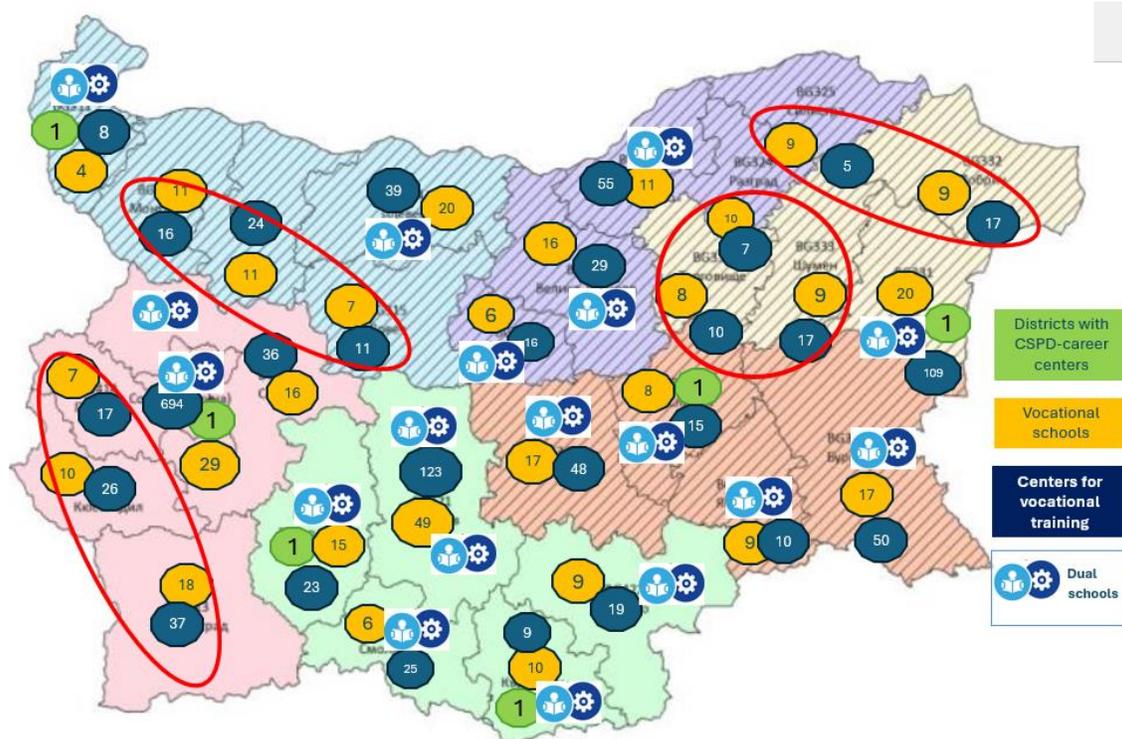


Like the CPDS – cultural centers for children and students, the CPDS - observatories and CPDS – sports centers are also vital parts of the local open ecosystem, as they provide specialized learning environments and support for children and students with unique talents or interests in sports and science. There are eight observatories across the country, most of which are in central districts such as Gabrovo, Stara Zagora, Sliven, Yambol, Haskovo, and Kardzhali. Only two observatories are found in the northeastern districts (Varna and Silistra). The five sports centers with CPDS status include one in the capital, Sofia, and the others in semi-rural districts (Pleven, Ruse, Razgrad, and Shumen).

When considering the structural distribution of CPDS career centers, the limited number (only six across the country) stands out. A comparison of vocational school and career center distribution with the proportion of residents under 19 by district does not reveal a clear trend. For instance, Vidin district, with one of the lowest percentages of young residents, has four vocational schools and one career center, whereas Veliko Tarnovo district, also with a relatively low youth population, has 16 vocational schools.

This analysis reveals that CPDS – cultural centers for children and students in some districts lacking independent career centers have adapted by integrating career guidance activities into their regular offerings. However, in certain cases, these centers are housed in buildings with special regulations (e.g., municipal buildings), which imposes restrictions on service accessibility. Announced activities do not include outreach options outside official locations, such as municipal visits or community sessions. Additionally, the websites rarely provide resources for young people or parents, unlike some regional centers for inclusive education support. There is also limited data on partnerships with other social organizations or educational institutions (Fig. 3.).

Figure 3. Comparative analysis of structural distribution between CPDS - Career Centers, Local Vocational Schools, Vocational Training Centers, and Dual Schools

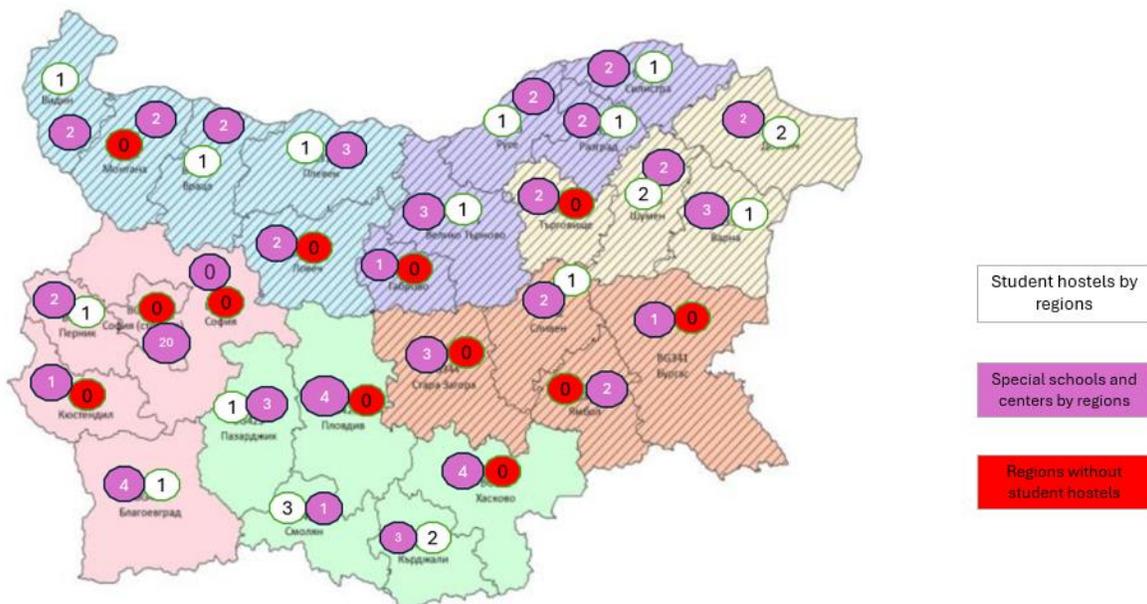


The comparative analysis also indicates a positive correlation between the number of vocational schools and training centers and the local labor market's demand for skilled workers. Districts with high personnel demand, such as Sofia City (29 vocational schools and 694 training centers), Plovdiv (49 and 123), Varna (20 and 109), Ruse (11 and 55), Burgas (17 and 50), Stara Zagora (17 and 48), and Blagoevgrad (18 and 37), tend to have a greater number of these institutions. Among these districts, only Sofia City and Varna have independent career centers. The remaining centers are typically located in regions with lower socio-economic development and a smaller youth population, such as the northwestern (Vidin, Montana, Vratsa, Lovech), southeastern (Ruse, Silistra, Shumen, Targovishte), central northern (Gabrovo), central southern (Kardzhali), and southeastern (Stara Zagora and Yambol) regions (Fig. 3.).

Additionally, dual schools – which offer vocational training are integrated into standard curricula available in 19 of the 28 districts, further supporting vocational and training functions within the educational ecosystem. Over the last decade, these schools have adopted international practices tailored to the Bulgarian context.

The distribution of CPDSs, including residential schools, special schools, and centers for supporting students with disabilities and those from vulnerable backgrounds, does not permit definitive conclusions due to their limited numbers. This situation largely stems from the country’s long-standing social policy aimed at closing specialized educational institutions for these groups, a process known as the deinstitutionalization of specialized educational support. Over time, alternative family-based models have emerged to replace these institutions, such as foster care, daycare centers, and family-type accommodation centers (see Fig. 4).

Figure 4. Comparative data on the distribution of CPDS – Student hostels and Special Education Centers by Districts and Regions



A strong national and regional network for interdisciplinary support of students and children with special educational needs is provided by district-based Regional Centers for Support of Inclusive Education. These centers are coordinated by a national agency that facilitates their collaboration with CSPD student hostels and special education centers by district and region.

4.2 Mapping connectivity between educational entities based on structural and functional complementarity

To better understand the distribution and complementarity of educational ecosystem agents, structural and functional connectivity mapping was conducted based on qualitative data regarding four structural and four functional dimensions (Table 4). Official documents, projects, media publications, and public data on organizational activities were analyzed in order to identify existing connectivity and complementarity relations between core educational actors included in the research model.

Results on Dimensions of Vertical Structural and Functional Connectivity and Compatibility Between Educational Actors (Table 4):

- Normative conditions have been established to promote ecosystemic coherence and complementarity among all agents within the education system, facilitating sustainable partnerships and encouraging collaboration (A).

Table 4. Mapping structural and functional connectivity between pairs of agents

Table 4	Structural (abiotic) ecosystemic connectivity				Functional (biotic) ecosystemic connectivity				
	N	T	F	R	TL	PD	VT	CO	
Schools and kindergartens									Centers for personal development support
Schools and kindergartens					F				Regional centers for support of the process of inclusive education
Schools and kindergartens									Special Education Support Centers
Schools and kindergartens					G				Dual schools
Centers for personal development support	A	B	D			C			Regional centers for support of the process of inclusive education
Centers for personal development support									Special Education Support Centers
Centers for personal development support									Dual schools
Regional centers for support of the process of inclusive education					E				Special Education Support Centers
Regional centers for support of the process of inclusive education									Dual schools

- Strong foundations exist for sustainable spatial connectivity among educational organizations and units, supported by the efforts of regional, district, and municipal administrations, as well as social partners (B).
- Connectivity across the ecosystem for shared goals of personal and social development (C) is extensive, encompassing a wide range of collaborative initiatives.

- Resource connectivity within the ecosystems currently prioritizes institutional needs over shared ones. While this arrangement fosters a sense of ownership within each organization, it limits opportunities for shared resource utilization, thereby lacking the characteristics of vertically sustainable ecosystem connectivity (D).

Results on Dimensions of Horizontal Structural and Functional Connectivity and Compatibility Between Educational Actors (Table 4):

- The only sustained and comprehensive horizontal connectivity exists between regional centers for inclusive education support and special education centers, effectively integrating their work, provisions, and management (E).
- A partially sustainable linkage exists between the network of schools and kindergartens and the regional centers supporting inclusive education. Both types of institutions are heavily involved in policies and tools for social-pedagogical work with children and students with special educational needs, attracting key stakeholders, including targeted children, their families, and professionals in special education support, social protection, and welfare (F).
- Partial connectivity is also evident in the partnership between the school network and emerging dual schools (G).

5. Discussion

The study presents a two-part analysis: the first part maps the typology and distribution of educational entities across Bulgaria, while the second examines their connectivity. Educational ecosystems are categorized based on three primary structural dimensions – personal and social development, vocational training, and social support. Key findings reveal disparities in distribution, with some regions lacking various types of Centers for Personal Development Support (CPDS) despite a strong demand for these services. For example, while joint cultural centers for children are widely available, career centers remain scarce and unevenly distributed.

Moreover, vocational schools and training centers tend to align with local labor market needs, showing a positive correlation between the number of these institutions and regions with higher demand for skilled labor, such as Sofia and Plovdiv. However, public-private partnerships in vocational education are limited, with dual schools being a notable exception.

The study also investigates connectivity between these entities. Structural mapping indicates that certain ecosystems, particularly those focused on personal development, benefit from strong spatial and normative connections facilitated by local administrations. However, resource-sharing practices are minimal, which limits broader ecosystemic connectivity. Functional mapping identifies robust partnerships between regional inclusive education centers and special education support centers. There are also partially sustainable connections between schools and dual education programs, indicating potential for expanded inter-institutional cooperation.

The analysis of the case data suggests that, in the Bulgarian context, national-level strategic directions and regulatory frameworks can encourage the formation of ecosystem interactions among educational actors at the district and regional levels. This process is further supported by territorial connectivity, which serves as a fundamental abiotic factor facilitating ecosystem functionality. However, local functionality depends significantly on socio-economic and institutional characteristics specific to each area, rather than demographic factors alone. Central to this ecosystem is a shared focus on personal development and inclusion, as established by Bulgaria's 2017 Inclusive Education Regulation, which outlines general and additional support mechanisms aimed at assisting students facing diverse challenges.

The regulation specifies two types of support mechanisms for the personal development of children and students within the national and municipal networks of educational organizations and units. The first mechanism, termed general support, encompasses a wide range of temporary academic assistance activities for students facing learning difficulties due to unequal starting points or status within the education system. For instance, it provides additional Bulgarian language classes for students encountering language barriers, such as those who do not speak Bulgarian at home. The second type, additional support, aims to foster personal development for three main student groups: students with disabilities and corresponding educational challenges, students with exceptional talents, and those from socially vulnerable families and communities.

To implement inclusion policies and practices through personalized support, the regulation mandates interdisciplinary partnerships among a wide range of specialists and institutions. This ensures that all parties are incorporated into a unified network at the municipal or district level, which includes schools, kindergartens, personal development support centers, regional inclusive education support centers, special education centers, and various social and educational services at the local level.

At the same time, an analysis of inter-institutional interactions among various educational actors reveals that, despite favorable structural and regulatory conditions and shared value-oriented functionalities in supported personal development, the degree of role-based integration varies significantly across different regional and district contexts. The data gathered at this stage of the study does not allow for definitive conclusions regarding the reasons for this variability. However, it warrants special attention and further in-depth research.

The results of the structural-functional analysis of the territorial distribution of educational actors involved in vocational education, training, and counseling raise several questions regarding the ecosystemic potential of current conditions and factors influencing their connectivity and complementarity. As indicated by the accumulated quantitative data, their distribution across regions and districts is quite uneven. Furthermore, the analysis of regional and municipal strategies for educational development and support for personal growth does not clearly identify factors that drive local dynamics and synchronization. Notably, models of public-private partnership are still applied sporadically in the field of vocational education and training. Dual schools are an exception, while most vocational training centers operate as independent private initiatives, often lacking direct connections to subsequent employment opportunities in the field. However, there are some exceptions to this trend, such as partnership practices in ICT training exemplified by SoftUni and Telerik Academy.² This finding underscores the need for expanded collaborative frameworks to enhance connectivity and complementarity across regions.

6. Conclusion

This paper emphasizes the potential of a cumulative case study approach to understanding regional educational systems through an ecosystemic lens. It offers a comprehensive view of how various regions adapt and evolve under different pressures. By identifying the interrelations among educational models and practices in Bulgaria, it explores not just isolated teaching methods but also the interactions among different educational entities within broader socio-political and cultural contexts. The focus on biotic components (living elements, such as communities and stakeholders) and abiotic components (non-living elements,

² SoftUni and Telerik Academy are leading Bulgarian training organizations that offer certified IT programs for further education.

such as policies and infrastructure) reflects a nuanced perspective on educational connectivity and resilience.

The findings regarding balance – where some ecosystems are more internally focused and resilient, while others depend on external support – underscore the complexity of maintaining sustainability in education.

The study reveals both structural strengths and gaps in Bulgaria's educational ecosystem, particularly concerning inclusivity, connectivity, and alignment with local labor needs. At the national level, strategic regulations like the 2017 Inclusive Education Regulation provide a framework that supports ecosystem interactions among educational institutions. This regulatory support, coupled with territorial connectivity, establishes a solid foundation for regional and district cooperation aimed at fostering personal development and inclusion.

Moreover, the study reveals significant variability across regions in terms of both resource distribution and role-based integration. For example, Centers for Support of Personal Development (CPDSs) vary widely in accessibility, especially career centers, which are unevenly distributed and limited in number. Disparities in CPDSs' availability highlight a lack of coherence in addressing local needs comprehensively, impacting certain regions more than others.

The educational ecosystem also faces challenges in vocational training. Despite alignment between vocational schools and labor market demands in populous districts, public-private partnerships are limited, with dual education programs being a rare exception. Most vocational training centers are privately managed and often lack direct ties to employment pathways, underscoring the need for a stronger, collaborative framework to link training with job opportunities.

In conclusion, while Bulgaria's educational ecosystem benefits from a regulatory framework that promotes connectivity and inclusivity, the effectiveness of these policies varies by region. Addressing the gaps in inter-institutional cooperation and expanding public-private partnerships, especially in vocational training, could significantly enhance the ecosystem's functionality and responsiveness to regional needs. Further in-depth research could help uncover the factors underlying these regional discrepancies and identify targeted strategies to support balanced educational development across the country.

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Features in Constructing Drama Context for the Application of Theatre in Education (TiE)

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Abstract

The author’s concept is based on sociological ideas concerning the challenges of forming personal identity in contemporary society and theatrical and drama practices that can accelerate these processes. The focus is on creating a dual drama context: the first around the central storyline and main conflict, defined as the stage context, and the second arising from group interactions, defined as the group context. In the educational environment of Theatre in Education, three different profiles of learners emerge as they reflect within the group: analysts, experience-sharers, and those seeking self-identification. Learners are examined and categorized through expert analyses in a specific qualitative study. The significance of establishing these profiles for training in the dual context of TiE and achieving personal development and identity goals is critically assessed.

Keywords: Context, drama, personal identity, learner profiles, reflection.

1. Introduction

Theatre in Education (TiE) has always been viewed as a forum for personal development within a specific group and drama (stage-oriented) context (Vasileva, 2020). In this study, the focus is on personal and social experimentation in groups that, during TiE and Drama in Education (DiE) training sessions, start through connections and relationships in an imagined context, ultimately reaching each participant on a highly personal level by the end of the training, influencing the formation of ideas about their personal identity, development potential, and self-improvement. In this article, we use the terms Theatre in Education (TiE) and Drama in Education (DiE) interchangeably, among others, to denote the varied use of techniques from theatre, such as images, scripts, dramaturgy, role-playing contexts, stage processes, and more, to present their specific application and significance in an educational setting.

This theatrical training format is explored for its potential to transform social experiences into personal experiences and group dialogue into an individual conversation with oneself. TiE can accelerate the transformation of the stage-projected position of playwrights working in the educational context of TiE into personal concepts about oneself and society, as well as into sustainable perceptions of the learners about the importance of communicating with others.

We will examine and analyze this dual process of functioning for learners – the group interaction context and the dramaturgical performance as a stage process that can stimulate conscious individualization and integrate learners into positive social values. We will not attempt to theoretically define the concept of an educational context in its numerous meanings but will apply it in its practical understanding as a dynamic network of direct and feedback interactions between learners within a group training meeting.

We offer an optimistic view of the reflective, self-aware learners who seek their identity and new behavioral solutions, which emerge in the dramatic interaction of the specific theatre-oriented educational practice that is educational drama and Theatre in Education.

2. Methods

The empirical study involved a total of five experts from the fields of student education in humanities and experts from the fields of theater and acting. Their original analytical texts, created as written analytical texts, form the basis of the qualitative research.

2.1 *Research procedure*

We tasked the experts with writing narratives about the development of interactions between learners in the groups they work with and how they assess the individual behavior and communication of students during group reflective sessions. The analysis of key words and phrases in their narratives was applied as important categories that could define the profile categories of the learners. Their expert experience will be projected into a limited number of profile components, which we will include in the study of TiE in the educational environment of bachelor's and master's programs where humanities students are trained. What will outline the different profiles of the learners will be projected from how the learners' individual narratives are substantively constructed, according to the experts during the reflections. We will be interested in what are the main themes, the main conflicts, the key images they generate, and how they relate to themselves and the culture they embrace through the thoughts, feelings, and experiences they share with other learners or project in their behavior. It will be important for us to identify several leading profiles of the learners through the characteristics of their narratives and the perspective in which they direct the analysis and reflections.

2.2 *Empirical analysis of data from the experts' evaluations*

For the processing and analysis of data obtained from expert evaluations, a web-based application called Taguette is used. This software tool is designed for qualitative analysis of various textual data collected in a specific way from the study participants. It is suitable for analyzing large volumes of information presented to researchers in written or spoken form, such as specialized texts, interviews, focus groups, and other qualitative data. Taguette applies an open coding process performed by the study authors, where text excerpts are marked with codes or categories created for specific purposes, resulting in a research report. The program is especially useful for identifying patterns and relationships in large datasets of texts that need to be analyzed. The goal of the research in this case is not to quantify the number of codes or organize them into specific numerical data but rather to reach the meaning and significance attributed by experts through open interpretation. The analysis aims to reveal the profiles of students as reflective learners by interpreting the subjective analyses and evaluations of the experts.

Discourse analysis is one of the methods used in the research. This approach focuses on examining how students' communication is interpreted in the text.

The object of the study is the expert analysis provided by experts in theater and drama education after they have been introduced to the concept of a dual context in which the learners work.

Research process. The expert texts are imported into the Taguette program, where open codes are identified based on keywords, sentences, and phrases shared by the experts involved in the research. Through discourse analysis, the written language is examined.

The main goal of discourse analysis is to explore the issue of learner profiles during reflection as a component of training based on the provided expert evaluations in text format. Open coding is used, containing key elements of the specific profiles, which in this case are: analytical, sharing, and self-identifying. The table below (Table 1) presents the open codes created for each of the different profiles. The positions in the open codes related to learner profiles aim to assess the experts' evaluations.

The research aims to analyze the characteristics of the proposed main profiles and their potential to seek their identity through the processes taking place in Theatre in Education (TiE). It will be beneficial for education and educators to identify different learners and be prepared to accept the challenges presented in each of their profile categories as reflective learners.

3. Discussion

3.1 *Constructing a dual context within Theatre in Education (TiE)*

The characteristics of constructing a dual drama context will be presented within the framework of a session in the specific format of Theatre in Education (TiE). These two processes, which outline the dynamics of relationships within the drama group, are interdependent but have their own life, characteristics, and effects on learners' cognitive, affective, and psychomotor development.

As the first context we will present the one that is formed through the dynamics of relationships within the plot of the drama, which is developed by the authors of drama texts and scripts for TiE, with new ideas being introduced during the learners' performances. Learners can alter the stage action to achieve the educational goals. This opportunity for learners to become co-writers, actors, or set designers in drama sessions is designed not only to provide knowledge in fields taught through theatre but also to immerse them in the world of theatre and its expressive means. This context can be defined as the stage context.

The second context is formed through the dynamics of relationships that develop within the training group itself, which, by engaging in the stage context, also enters the realm of specific group interactions. This second context can be defined as the group context. It is also constructed sequentially throughout all components of the drama session, beginning with the motivation of learners for collaborative work, continuing through joint activities based on the plot and dramatic conflicts of the stage context, accelerating the frequency of direct and feedback interactions during group analysis, and individualizing participation during reflection. Young people develop their knowledge by creating "new content," building, and transforming themselves through interactions with others, immersing themselves in various symbols and social meanings. They do not merely form within the social context; they actively create the context together with other participants in the interaction (Varbanova, 2021: 48). In the search for personal identity, they create multiple narratives within a single drama session that, while constructing the group context, also generate new knowledge as a type of "discourse" (ways of constructing knowledge about the world that create their own "truths") (Atkinson, 2017: 303).

In examining this context, we will adopt the idea of a so-called flexible construct in the search for identity, which continuously evolves and changes due to the influence of new cultural trends that are increasingly distant and different from traditional sources of meaning and impact.

3.2 Why is individualization so significant?

In the early and later studies of Ulrich and Elisabeth Beck, shared in their concepts of reflexive modernity, the idea of the importance of love as an emotional fulfillment in people's lives is developed. According to them, love is something irresistible as an attraction and forms the basis of a new society, with a new order emerging due to the breakdown of traditional social and gender identities. This leads to what they term the entirely normal chaos, which we understand as love. Other social researchers express ideas questioning traditional values, which, on one hand, must be upheld to prevent societal collapse (Charles & Herrnstein, 1996), but on the other hand, egalitarian relationships should be supported, with their main feature being the transformation of intimacy (Giddens, 1992). Precisely The concept of "intimacy" appears as the most appropriate term to designate personal relationships (Jamieson, 2005). It becomes clear that contemporary society creates many risks for the individual and their pursuit of happiness, but also offers many opportunities for its discovery, realization, and future development.

What specific aspects can we extrapolate from social research in the context of TiE?

We will adopt the idea that there is an increasingly acute social sense of finding a suitable individual identity for each person. This will become more important for analysis against the backdrop of the increasing unpredictability in the development of life scenarios due to dynamic changes in technology and society. There was a time when personal attitudes became prominent, imposed as insistent advertising appeals like "do it yourself" or "don't rely on others," as noted in Ulrich Beck's studies (Beck, 2013). Analyzing human maturation from this perspective, many sociologists see the increasing speed and enriching content of individualization, which seemingly offers opportunities for new forms of personal and social experimentation. The ideas of A. Giddens are adopted regarding the construction of identity as an autonomous process rather than one of socio-cultural inheritance (Giddens, 1992). In this perspective, other researchers have found that the reasons individuals enter or leave partnerships are increasingly less related to material interest or traditional social coercion, but rather to the sense of happiness they want to feel or lose, regardless of status, gender, culture, religion, or other factors.

Modern young people already view partnerships as an important content and process mechanism in the search for their own identity, not only in intimate relationships but also in professional relationships. Today's world offers much more opportunity for anyone, regardless of their status, to shape their life. The so-called "right path" in life is being sought (Beck, 2013). Individualization increasingly appears desirable due to overcoming the confusion in the chaos of numerous appealing possibilities.

3.3 Individualization as a life choice?

Individualization can serve as a liberating mechanism from tradition, which continues to impose limiting rules on personal choice. It stands in opposition to the natural necessity of group cohabitation in our lives. Achieving it, however, becomes a criterion for both social well-being and a measure of personal satisfaction.

However, individualization can also be a counter-version of the modern product approach, which frames the contemporary person as a successful and marketable brand within a specific culture – that is, as an escape from the smart modernity of the fast-paced business world of buying and selling, and competition for happiness and prosperity.

According to social researchers, a new process has begun involving the search for an emotionally satisfying individualized profile and dyadic relationships. This has led therapists to consult their clients individually, while existing couples are guided in the pursuit of new emotional experiences. Young individuals experiencing personal crises are beginning to turn to therapeutic writing or intimate-romantic sharing in various role-play scenarios, which can become reality if played according to newly invented rules that continually redirect focus to the self as a supreme value.

Frequent relationship breakups continue to develop as a process of experimentation rather than a dramatic experience of final dissolution, which has the power to radically transform people's behavior or personality. They continue to analyze the broken relationships, creating new ones and accumulating what is called experiential knowledge. Nothing is considered permanent, but it is also not rejected through ritualistic ostracism. Life flows in ever-changing contexts of instability, creation and dissolution, entry and exit, shared analysis, and introspection. The labyrinth in which the modern young person finds themselves resembles an experimental field for laboratory mice, where the goal is not to find an exit, but to enjoy the process of searching for it and entering a new, more exciting labyrinth. Sociologists like Ulrich Beck join the contemporary version that the great social freedoms in today's society provide the right to one's own life or one's own ideas of how to live, but people continue to "yearn for stable, emotionally satisfying relationships" (Atkinson, 2017: 321).

3.4 Theatre in Education, Edward Bond, research, and analysis of educational practice

TiE, as an approach in education, possesses the potential to be this dramatically constructed labyrinth for experimenting with ideas that can serve as personally discovered new entrances and exits in a series of hierarchically dramatized, non-linear situations and staged events. The analysis will be based on Edward Bond's extensively varied experimental dramatic practice and theory. We will draw upon analytical studies by some of the best researchers in Bondian drama education, such as D. Davis, P. Billingham, and A. Bethlenfalvy (Davis, 2007; Billingham, 2014; Bethlenfalvy, 2013).

At the core of Bond's plays lies morality, which is why he is often described as an ethical and educational utopian. Drama in education is presented as created to help learners find their own interpretation of what it means to be human. In this sense, theatre as a performing art with educational purposes can help people confront evil. Playwright Edward Bond believes that contemporary people are confused in their search for the good because evil dominates. According to him, people are born "radically innocent," but society, through the ideologization of their imagination, causes them to lose this innocence. If there is a worthy task for playwrights and drama educators, it is to help people regain "autonomy," as Bond defines it. Without being a professional sociologist, he also raises the issue of the search for identity through individualization in the educational process, which has already been corrupted by the ideologization in which people are immersed from birth. Since "radical innocence," as he puts it, can never be completely lost, active work can be done to achieve "autonomy."

The sociological approach of Ulrich Beck and the Bondian theory, as his researchers call it, are similar in their desire to analyze and discover this eternal and idealized pursuit of a personally meaningful life within the context of society. Social researchers place happiness at the center of the search for identity, while Edward Bond focuses on the pursuit of autonomy by aligning the good, yet ideologically corrupted, individual with the good. Bond's work, according to A. Bethlenfalvy, is one of the possible ways to set new directions in education overall. Bondian drama identifies gaps for young people in which they need to analytically enter and, through a specifically constructed dramatic process, attempt to recreate themselves (Bethlenfalvy, 2013).

This is so because Bond's dramas are structured around the abyss between the established model of the surrounding environment and the acceptance and understanding of this environment in the minds of learners. Fictional dramatic situations that do not spare the learners' sensitivity are used. Bond does not fear revealing reality and confronting participants dramatically. Only in this way can young people begin to understand that the world exists outside of them and gain experience by changing their own sensations and experiences provoked from the outside. The awareness they achieve is related to penetrating and understanding the influential power of the context in which they live, which has the authority to represent them despite themselves (Billingham, 2014).

If there is any special meaning in TiE, it is that Bondian dramatic education seeks to give a new, personal meaning to things and events by recreating the images that construct it. In E. Bond's theory, misconceptions arise along the line of reality and the image of it. He defines this dependency as a fiction that we ourselves continually create. However, this imagined world of images, although fictional, forms the foundation of our connection with the world. It shapes our self and what we perceive as our actions and attitudes toward it. Since humans have the ability to anthropomorphize (in the sense of attributing human essence to things) in the material world, i.e., to perceive it as alive, this is why we create stories that imbue us with meaning. However, each of us tells a different story about the same thing. The stories we tell resemble each other, which may classify them as a shared fiction that becomes representative of the culture of a community or group of people. Alongside our stories, ideologies also offer explanations in the form of narratives, using imagination to stimulate thinking in a chosen direction and guiding people on how to understand things, what to accept as a norm, and what to reject.

The problem arises when this socially constructed fiction starts to have a significant influence and gains the authority to become increasingly resilient as social, ideological, or economic power. We begin to need individualization, which makes us distinct through our personal attitudes towards everything surrounding us. Parts of our self are our own subjective experiences that require differentiation, while other parts are based on social integration. According to Bond, the boundaries blur, and the possibility of self-manipulation through our own culture becomes immense. Culture becomes part of the imaginary production of ideas, which we use to understand our environment and ourselves.

Bond's theory and dramatic practice are, of course, much richer in ideas than their theoretical justification. They are also far more illustrative for many perspectives in understanding ourselves through a sequence of plots rather than just words and interpretations, as is the usual psychotherapeutic practice. Davis, as one of the most insightful analysts of Ed. Bond, reveals his idea of the "artificiality of human behavior" (Davis, 2007). He sees it in the fact that we, as thinking beings, accept different things as natural, which actually originate from the culture in which we live, in the sense of the described artificial human behavior. Thus, we reach the so-called dramatized human paradox – people need the narratives of the culture in which they live to feel at home, but they also need their own narrative of what is happening, which also creates rules that are part of their behavior. These two narratives come into conflict, generating dramatic sketches in which everyone is the main character.

3.5 Questions posed by learners during the implementation of TiE

Learners face questions with existential and moral aspects: Does this happen to each one of us? Are we also searching for ourselves in the depths of what has happened, as if outside the visible situations in our lives? Do we need a vivid and sharp conflict to delve into the unconscious, which would give us an idea of our identity? Is it important to know it to truly reveal who we are? Can education play a role in the process of uncovering the "truth" through the revelation of everything we can know about ourselves? Important questions arise about what

problems drama lessons should focus on. The real question is, what is the purpose of these sketches in drama? Do they have the potential to create creative tension that generates ideas for the personal narrative? Can they provoke a new understanding of the human situation in the already established culture of happiness and morality? Do they allow us to observe the cultural imprint within ourselves? Will they really help the learners, and in what direction will they guide them? How do learners process what happens in the stage and group context? Do learners form a specific research profile during the TiE training, which helps them in their search?

4. Results

Presentation and analysis of the results of the empirical study

Participants in the study and scope of the research

4.1 Data analysis and formation of profile categories

To construct the learner profiles during reflection, open codes registered as a result of the discourse analysis of the experts' texts are used, with the number of mentions recorded against each (Figure 1).

Figure 1. Open codes of reflective learner profile categories

Rationality, Cognitive Orientation, Achievements	Affective Orientation, Integration, Belonging	Intimacy, Individualization, Self-Identification
Discovery 6 Expression, Presentation 8 Reflection 9 Realism 4 Experience 2 Rationality 3 Analysis 3 Categorization 2 Definition 8 Comprehension 7 Knowledge 3 Acquisition 6 Evaluation 7 Responses 6 Logic 2	Sharing 5 Confidence 2 Participation 5 Excitement 7 Friends 6 Family 5 Communication 8 Group 5 Interaction 7	Feeling 3 Grandeur 5 Growth 3 New Abilities 5 Fear 2 Pleasure 4 Emotions 3 Experience 3 Depth 3 Confession 5 (personal, intimacy) Insecurity 3 Individuality 3 Independence 3 Memory 4 Personal History 5 Detachment 3 Timidity 3 Appearance 5 Self-Reflection 7 Self-Anger 3 Sadness 4

In the separate profiles, experts comment on various cognitive, affective, and highly individualized verbal and non-verbal communicative judgments that learners use during reflection in theater and drama education. More than 76 cognitively oriented judgments used by learners during the reflection circle are identified. Judgments identified as affective aspects in learners' reflections number 50, while 79 individualized judgments fall under the self-identification profile category. The research also discusses sensations and perceptions related to

participants' emotional states, level of interest, satisfaction, and enjoyment, though these are not the main focus of the study.

These data provided the basis for creating three distinct learner profiles during reflection:

1. *Analytical Learners* - Focused on analyzing the context of stage action and group interaction. They concentrate on understanding central elements in the dramatic context, identifying main characters and conflicts, and seeking solutions. In group settings, they define occurrences to gain knowledge about the process.

○ Expert Quotes:

- M. "They attempt to distance themselves from previous experiences through rational analysis." (realism, knowledge)
- E. "Sharing is combined with rational analysis and emotional reflection." (experience, rationality)
- S.C. "Evaluating events is important to students." (evaluation, meaning)
- P. "The process always starts with analysis." (analysis, categorization)
- S.B. "Curiosity, discovery, expression, and communication are fostered." (discovery, expression)

2. *Sharing Learners* - Defined by their integration with the group, sharing experiences and feelings associated with group interaction. Communication and sharing are highly emphasized by experts. They make efforts to identify with the central theme in the drama and recognize shared conflicts.

○ Expert Quotes:

- M. "Participation frequency gradually increases." (participation, communication)
- E. "Reflection is significant because it is a group process." (group, sharing)
- S.C. "Students are concerned about how they performed." (concern, sharing)
- P. "Trust in the group is crucial for theater in education." (trust, engagement)
- S.B. "End-of-session reflections always include freedom, cooperation, and self-knowledge." (confidence, friends)

3. *Self-Identifying Learners* - Reveal personal thoughts, feelings, or behaviors for the therapeutic effect of expression. They seek unknown truths about themselves through deep analysis of dramatic details.

○ Expert Quotes:

- M. "They share personal memories and experiences." (personal story, confession)
- E. "Recurring themes involve insecurity and anxiety." (individuality, sadness)
- S.C. "Expressions like 'I felt sad' are common." (confession, self-reflection)

- P. “They analyze but often end up moralizing.” (morality, satisfaction)
- S.B. “Initially scared, then discovered new abilities.” (new skills, fear)

5. Conclusions and summaries

The theoretical-research approach allows for the following conclusions:

1. Three main learner profiles are identified: analytical, sharing, and self-identifying learners.
2. Learners analyze cultural components they belong to, which experts recognize as cultural resemblance.
3. Learners aim to create a unique culture that allows for different actions. Experts note highly individualized reflections.
4. Different reflection profiles in TiE formats can help educators refine reflective components in education.
5. Stimulating students from various profiles to engage in comprehensive analysis can enrich their development.
6. Learners may not reach cultural attitude changes but start awareness of issues due to the dual context in training and real-life situations.

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Human Evolution Between Darwin and Blavatsky

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Abstract

The article reviews the common and different positions in Charles Darwin's theories of human evolution and Helena Blavatsky's on this fundamental issue. Both the common and overlapping elements in the statements of the two, as well as the differences, are emphasized. Until today sensational point of view on the development of man as a being and essence in his connections, influences and interactions with the surrounding world on Earth is presented. A hypothesis is formed about the evolutionary development of man as a support, as a foundation for the positive growth of human civilization.

Keywords: evolution, man, theories, Blavatsky, Darwin, matter, spirit, body, psyche, races.

1. Introduction

Much is known today about man, his origin and development. However, not everything is known, and the most popular theory of human evolution, that of Charles Darwin, is regularly criticized and even denied. In this regard, the theosophical understanding of the origin and evolution of man is revealing, different and highly debatable in terms of modern understandings. It is presented in Helena Blavatsky's major studies *Isis Unveiled* and *The Secret Doctrine*.

The reasons for the topic of the article are primarily justified by the fact that Blavatsky herself does not deny Charles Darwin's theory of evolution. She points out common elements between Darwin and theosophy in terms of evolution and explains why the theosophical doctrine of the origin and development of mankind is different.

The leading difference is dictated by different approaches to human evolution. For Darwin evolution is a material process, for Blavatsky it is primarily a spiritual process. While Charles Darwin's basic idea is that the life and development of man and all creatures on earth are the result of purely material natural selection, according to Blavatsky the leading role in the terrestrial evolution of all living and non-living things is played by energies and forces of a higher than terrestrial order, or to put it simply, they have both terrestrial and extraterrestrial origins. It is these higher entities that use natural selection, enrich it and develop it to create the being man, the evolution being first spiritual and then material.

These are spiritually, mentally, and physically advanced entities that have surpassed man's development many times over. Their existence is conditioned by the very nature of the universe, which Blavatsky explains in relative detail and in a very fragmentary manner in the two volumes of his *Secret Doctrine* (Blavatsky, 2005, I-II). All nature, animate and inanimate, and according to Blavatsky there is no inanimate nature, is part of the infinite impersonal essence, mind, called noumenon, Absolute or Brahman in Indian philosophy. Periodically – about 4 billion

years – phenomena manifest from it. These are the galaxies, the planets, their inhabitants. After another 4 billion years, all these merges, dissolve and “fall asleep” in the Absolute for another 4 billion years to be reborn on a higher plane of existence. In Indian philosophy these periods are known as Manvantara, the period of activity, and Pralaya, the period of the universe falling asleep. Life is eternal, and the basic laws by which it evolves, including in the solar system, are free will and rebirth in a week world where everything is a circle and each successive round of evolution takes place on a higher spiritual, mental and physical plane. The law of cause and effect, known in the East as karma, also operates for the evolution of the Earth according to the Secret Doctrine.

Helena Blavatsky recognized the evolutionary line outlined by Charles Darwin in *The Origin of Species* (Darwin, 1950: 751), but only up to the emergence of mammalian species. From there on, the split in the positions of Darwinists and theosophists began. In *The Secret Doctrine*, the evolution of life on Earth is seen as a set of natural selection resulting from the action of natural forces, combined with the movement of monads into different forms and states, and inextricably linked to the development of the mind, to psychic evolution. Blavatsky argues that man as he appears today in outward features appeared 18 million years ago, that he is the result of a threefold evolutionary process-spiritual, mental, and physical, that man gave rise to the great apes, and that he appeared on Earth before mammals.

2. Evolution according to Charles Darwin

Charles Darwin’s theory of evolution, known as the Theory of Natural Selection, explains how species, including humans, evolve and adapt over time. According to Darwin, organisms have variations in their traits that can affect their ability to survive and reproduce. Those that have favorable traits are more likely to survive and pass those traits on to the next generation. The process of natural selection leads to the accumulation of variation, which eventually leads to the development of new species. Darwin postulated that modern man, *Homo sapiens*, is the result of a long evolutionary process in which ancestors adapted to a changing environment. His theory laid the foundations of modern biology and remains a fundamental principle for understanding biodiversity on Earth.

3. Other theories of evolution

In addition to Charles Darwin’s theory, there are other important theories of human evolution. The theory of “multiregional evolution” proposed by Richard Leakey (Leakey, 1994: 171) and others argues that modern humans arose independently in different regions of the world, with interbreeding between different hominid species. Another theory, known as “source Africa” (Tuttle, 2024), supports the idea that modern man arose in Africa and then spread to the rest of the world, replacing local hominid populations. The “explosive evolution” hypothesis (Colbert, 1953) emphasizes the rapid changes in genetic code and adaptive traits that lead to the emergence of modern man. Some contemporary research emphasizes the importance of epigenetics (Ashe, Colot, Oldroyd, 2021) and the influence of the environment on human evolution.

4. Human evolution according to the Secret Doctrine

The Secret Doctrine describes three directions of evolution or manifestation of the phenomenal universe from the noumenal world of the Absolute. In this eternal and unknowable entity, ideas arise, and then manifest cosmic matter evolves from eternal matter. Atoms and materials are formed around which cosmic bodies, including the planet Earth, are created at the next stage. The third evolutionary stream is connected with the evolution of self-consciousness, of humanity.

The evolution of man, as Blavatsky repeatedly stresses, is monadic or spiritual, psychological and physical. This totality of evolutionary directions is unified by thought and could be described as the evolution of the noumenal thought of the Absolute, of reason in the Divine reality in the manifold phenomena of the manifested world. Hence the main principles of Helena Blavatsky's theosophical doctrine – all phenomena in the manifested universe are related and unified in their origin, material basis and development; every phenomenon in the manifested universe has its prototype in the noumenal essence of the Absolute. Manifestation passes through seven periods – seven eternities. From our point of view, we are really talking about eternities, since each of the seven periods is very long. In each, activity alternates with rest, as in daily human life day alternates with night and work with rest.

5. Blavatsky quotes Darwin

Helena Blavatsky's two major studies, *Isis Unveiled* (Blavatsky, 2005, I-II) and *The Secret Doctrine*, can be seen as a kind of dialogue between Blavatsky and Darwin, and between Blavatsky and the defenders of Charles Darwin's theory. Repeated acknowledgements and references are made to controversial and uncontroversial tenets of evolutionary theory in *The Origin of Species*, emphasizing their differences and similarities with the theosophical understanding of evolution.

Blavatsky points out that “the idea of evolution-analogous, if not identical, to Darwin's evolution, the idea of the struggle for existence and primacy and the ‘survival of the fittest’ among the Multitudes at the top as well as among the Multitudes in the lowlands, runs like a red thread through the two volumes of our earlier work written in 1876 (Blavatsky is referring to *Isis Unveiled* – *my note*). But this idea is not ours; it belongs to the deepest antiquity. Even the Puranic writers have wittily interwoven allegory with cosmic facts and human events. And he who studies symbology can discern their astro-cosmic hints, even if he cannot grasp their full meaning. The “Great Wars of Heaven” in the Puranas, the “Wars of the Titans” in Hesiod and other classical writers, also the “struggle” between Osiris and Typhon in the Egyptian myths, and even the battles in the Scandinavian legends, all refer to the same theme. Norse mythology refers to this as the battle of the Plamen, sons of Muspel, who fought on the field of Vigred. They all refer to the Heavens and the Earth, and have an ambiguous and even a threefold meaning and esoteric application to what is on the summit as well as to what is in the lowlands. In particular, they refer to astronomical, theogonic and human struggles, to the adjustment of the heavenly bodies and the primacy among nations and tribes. The “struggle for existence” and the “survival of the fittest” have prevailed from the moment of the manifestation of the Cosmos in being, and, of course, these facts could not have escaped the observant eyes of the ancient sages(...) As we wrote long ago, “This is the basic and cornerstone of the secret cycles. It proves that the Brahmins and the Tanaim... reasoned about the creation and development of the world perfectly according to Darwin's method, anticipating his school as far as natural selection, gradual development and transformation of species were concerned” (Blavatsky, 2005, II-260).

Such “admissions” by Blavatsky are not one and two in both *Isis Unveiled* and *The Secret Doctrine*. But, as she herself admits, “Darwin's theory of the transmission of acquired abilities is not only not taught, it is not accepted by occultists” (Blavatsky, 2005, I-236). Blavatsky explains why and where and in fact the dividing line between Darwinists and occultists: “physical evolution according to esoteric teaching develops gradually from spiritual, mental and psychic evolution. It is this inner soul of the physical cell, the 'spiritual plasma,' that dominates the seminal plasma and is the key that in time should open the biologist's door to the terra incognita now called the deep secret of embryology (Blavatsky, 2005, I-236).

According to theosophical doctrine, “all things have their origin in Spirit – evolution initially begins at the top and follows a downward arc, not the other way around as Darwin's theory

teaches. In other words, a gradual materialization of forms takes place until finally the final abasement is reached. This is the point from which the modern theory of evolution enters into speculative hypotheses” (Blavatsky, 2005, I-134).

In both *Isis Unveiled* and *The Secret Doctrine*, Helena Blavatsky provides a detailed analysis of Darwin’s and Darwinists’ attitudes and claims about the evolution of the Earth and human evolution specifically. In fact, this is the main thread in these two voluminous books, so a complete analysis would take up space no less than at least one of Blavatsky’s volumes. One of the purposes of this “dialogue” between Blavatsky and Darwin is to substantiate the theosophical doctrine of the seven races of man.

6. The seven human races

Evolution is summarized by Blavatsky with the following clarification: “Man was not ‘created’ the complete being he is now, however imperfect he still remains. There was a spiritual, a psychic, an intellectual, and an animal evolution, from the highest to the lowest, as well as a physical development – from the simple and homogeneous, up to the more complex and heterogeneous; though not quite on the lines traced for us by the modern evolutionists. This double evolution in two contrary directions, required various ages, of divers natures and degrees of spirituality and intellectuality, to fabricate the being now known as man” (Blavatsky, 2005, II-117).

“Race” in *The Secret Doctrine* does not mean skin color and other physical marks, but a person’s belonging to a certain period of development on Earth, to a mode of reproduction, a set of physical, mental and spiritual abilities. The beginning is set in the First race, when the lunar rulers Barhishadi – the monads of the subtle world of the Moon or Pitris, in their own image and likeness gave the first forms to the most developed earthly beings. These are not the forms of man today, but his forerunners, consisting of lunar monads. In *The Secret Doctrine* it is written about this that the Great Chohans called the Lords of the Moon, of the airy bodies. “Bring forth men, men of your nature. Give them their forms within. She (the Nature of the Earth – *my note*) will build coverings without” (Blavatsky, 2005, II-101). These forms are “bodies” of finer and less dense matter than present matter. The first race on Earth is described in *The Secret Doctrine* as chhaya, shadows of the lunar Pitris, without mind and physical body, “a monstrous creation of indescribable beings” (Blavatsky, 2005, II-152). The other group of lunar rulers, the Agnishwata Pitris, do not create earthly “people” because they are too divine and belong to the higher fiery world, and the likenesses of men in the first race are not physically ready to accept the fiery fifth principle of the higher manas. Regarding the consent of some and the refusal of others, in the Book of Dzian, to which Blavatsky claims to refer, it is noted: “They (Barkhishadi Pitris – *my note*) went, each to his appointed land; seven of them, each in his part. The Flame Lords stayed behind. They didn't want to go, they didn't want to create” (Blavatsky, 2005, II-104).

The nature of the Earth is gradually creating around the monads of the lunar Pitris denser bodies, which are not yet the present dense bodies, but only ethereal forms. The “people” of the first race have a third human principle – an etheric body. They have no physical and astral body – first and second principle, no feeling and desire body – kama rupa or fourth principle. They do not have a fifth principle – manas, and the monad embodied in them – the sixth and seventh principles or atma and buddhi, is a pure spiritual essence. This likeness of men has no relation to climate: “Being so ethereal and so little human in their constitution, they could not be damaged by any element – neither water nor fire,” “they could not be destroyed by death” (Blavatsky, 2005, II-181). In describing the first race, Blavatsky compared people to huge monsters that could fly and walk. They are the subject of legends such as that of Lilith or the wife of the Sun, Sanjna, the daughter of Vishwakarma in the Vishnu Purana.

The First Race gives birth to the Second Race from people dissolved and absorbed by their own “afterborn” offspring: “They developed the Second Race unconsciously, as some plants do. Or perhaps similar to the amoeba, only on a more ethereal, significant and large scale” (Blavatsky, 2005, II-153-154). Blavatsky points out and emphasizes that this process of “Buddling”, as it is called in ancient books, has long been absent in higher animals and humans. “But there are analogies” Blavatsky points out, pointing to “the first stages of germ cell development” (Blavatsky, 2005, II-153-154) as one possible analogy.

In the Second race or the race of the Afterborn, in which the first race “disappears”, the construction of a denser body begins. But it is also not the dense physical body of today's man, but only a denser ethereal body or even more precisely - an astral body or second human principle. “They became the second humanity – composed of the most diverse giant half-human monsters - the first attempts of material Nature in the construction of human bodies” (Blavatsky, 2005, II-181). Again, so-called “human beings” are not affected by climate. For the second race, Blavatsky already speaks of gender, but only to point out that the second race is an asexual, sexless race of hermaphrodites. Several examples from ancient works are listed in confirmation. Aristophanes is quoted as saying of Plato's *Pyrrhus*: “In ancient times our nature was not as it now appears. She was bisexual; the form and name corresponded and equally belonged to both the male and the female principle... Their bodies... were round and their mode of motion was whirling. They were terrible in their strength and endurance, and possessed a monstrous lust for power. Because of this, Zeus split them in two and thus made them weaker” (Blavatsky, 2005, II-175-176). Aristophanes' passage refers to both the second and the third human race, at the end of which there is a separation of the sexes, Blavatsky clarifies.

The Second race lives on a continent of eternal spring around the present North Pole, but “in consequence of the displacements of the great waters of the planet, the oceans changing their beds, the majority of the second race perished in this first spasm of evolution and the hardening of the Planet during the human age” (Blavatsky, 2005, II-181). In the first sub-races of the Second race, reproduction takes place by budding and separating the grown embryo from the parental aura. In the last sub-races of the second and in the first sub-races of the third race, another process of reproduction begins – birth through “drops of sweat.” “The early Third Race was formed from drops of ‘sweat’ which, after repeated transformations, developed into human bodies. This is no more difficult to imagine and understand than the growth of the fetus from an elusive embryo and its subsequent development as a child and then into a strong and heavy man” (Blavatsky, 2005, II-229).

Helena Blavatsky does not specify the duration of the existence of the First and Second races of likenesses of human beings, justifying the silence by saying that “the true duration of the first two and a half races is hidden from all but the High Initiates.” In the early 30s of the 20th century, Nikolai Roerich revealed: “The first and second races existed for 300 million years” (Roerich, 1997: 40).

If the first sub-races of the third race are formed from “drops of sweat”, then in the subsequent sub-races the reproduction changes. The drops of sweat turned into “large drops that grew, expanded, and became globular bodies - huge eggs. In these eggs, the human fetus grew over the course of several years” (Blavatsky, 2005, II-229). The human being “hatches” from the egg and immediately begins to walk, much like birds do today. Almost until the end of the third race, beings are hermaphrodites, androgynous. People's bodies are getting denser. At the end of the third race, the sexes separated and reproduction began to take place as it does today – through birth. This happened 18 million years ago, Helena Blavatsky repeatedly emphasized, arguing with her contemporary scientists – Darwinists, who categorically do not accept such an origin and development of humanity on Earth.

The still greater “event” in the Third race is the endowment of human beings with intelligence. It is performed by the sons of fire and wisdom, who refuse to create at the beginning of the First race. In *The Secret Doctrine*, Helena Blavatsky explains their refusal with humanistic motives: “they did not want to create unwilling, irresponsible people, as the ‘obedient’ angels did; but they could not bestow upon human beings (of the First race – *my note*) even temporary reflections of their personal merits, for even these merits, as belonging to another and much higher plane of consciousness, would leave all again man irresponsible, therefore this would prevent any possibility of further progress. No spiritual and psychic evolution is possible on earth – on the lowest and material plane – for the one who on this plane is inherently perfect and cannot accumulate merits or vices” (Blavatsky, 2005, II-312). In the Third race man acquires a formed physical body – first principle, astral body – second principle, ethereal body – third principle, already has desires and feelings – kama rupa, fourth body or principle, and the Divine Monad in him – his seventh and sixth principles, atma and budhi “waits” to be “fertilized” by consciousness and self-awareness. This is done by bestowing the Divine Spark on man from seven sons of wisdom, of fire, known in the East as Kumaris. To them is due to man’s acquisition of the third race of the fifth principle, of manas, reason. This “gifting” with the Divine Spark does not happen simultaneously and does not cover all people of the third race. Some of the sons of wisdom choose to bestow the Divine Spark only on humanity in the fourth race.

In the third race, only the people of the Third race with the readiest principles receive a higher rational essence. In some human beings, only a spark is sent, and others are neglected as most unprepared. They become “low-brow” though they speak, and it is they who initiate sexual intercourse with animals to give birth to the human-like apes - the true original sin, or the first fall of man, according to theosophical doctrine. It is only when the other sons of wisdom also endow men in the fourth race with the reason that human beings understand the sin of intercourse with animals and cease it.

The other great crime against humanity, or great sin, was created during the Fourth race, when the then developed spiritual senses, the third eye, were used for harm, murder, and all kinds of evil influences. The Third race lives on the continent of Lemuria, notes *The Secret Doctrine*, specifying that the boundaries of this vast land stretch over more than half the globe – above all where the world’s oceans are today. Helena Blavatsky emphasizes that on this continent, at the end of the Third race, the so-called Golden Age developed, which remained a legend in the traditions of the peoples of the world. Then the society is harmonious and happy, based on the principles of universal brotherhood, equality, love and mutual aid. At the beginning of this century the supreme sons of wisdom themselves rule mankind, teaching them agriculture, arts, construction, and how to live. When the third race reaches the apogee of its development, its decline began, and with it the demise of the continent of Lemuria. The continent and the race perish from volcanoes, and the fourth race – the Atlanteans and their continent Atlantis perish from floods and storms.

The Fourth human race began about 5 million years ago. The height of people decreases from 7-8 to 3-4 meters, and at the end of the race to 2.5-2 meters. The Atlantean civilization is of people with a red-brown skin color, who are also in the beginning directly led by the sons of wisdom. But gradually the Atlanteans split into two main groups, commented Blavatsky and added that the spiritual and psychic abilities that the Atlanteans possessed, thanks to their developed third eye, began to be used for murder, subjugation and glorification of the human ego. This lets to the demise of the Atlantean civilization, regardless of its extremely high achievements. Blavatsky points out that the Atlanteans achieved a lot in the arts, construction, flying. According to her account, the people of the fourth race were far ahead of today’s humanity in terms of technology. Atlantis and the fourth race gradually perished, with only the last island, Poseidonis, submerged by natural cataclysms in three days.

The beginning of the Fifth human race, to which today's humanity belongs, according to theosophical doctrine, was established by the Divine Egyptian dynasties about 80 thousand years ago and continues to the present day. In this fourth round of Earth evolution, the development will continue in two more races – the Sixth and Seventh, before humanity, the entire animal, vegetable, and mineral world pass to a higher spiritual, mental and physical plane – the fifth round of the Septenary Earth Circuit.

7. Conclusion

Although Blavatsky's theory was created in the 19th century, it still awaits its researchers. The goal is clear – what is the origin and essence of man on planet Earth, why does humanity exist and what is its place in the infinite universe.

The theory of the seven races, set forth by Helena Blavatsky in her writings, has attracted interest from a variety of researchers. However, it still awaits its serious investigators, even though it has met only criticism from modern science, whose representatives claim that it lacks empirical evidence. In spite of these claims, a thorough acquaintance with and analysis of Helena Blavatsky's writings reveals a vast field for in-depth work by any well-meaning researcher. Helena Blavatsky's theosophical doctrine affirms that the world is knowable in its diversity and unity, and knowledge has no limits. This gnoseological optimism is an important prerequisite for overcoming pessimism and denial towards the world, society and man in the present problematic world reality.

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How Did the 1980s British Political Satire Series “Yes, Mr. Prime Minister” Criticize the Social Democratic Policy in Great Britain?

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Abstract

This study aims to recall the ideas and activities in the field of political satire. A great example in this direction is the British series “Yes, Mr. Prime Minister.” It is considered by many to be the best series of its time in Britain and one of the best satirical series of all time made on British television. The series was made in the years 1985-1987 and is a continuation of the satirical comedy series “Yes, Mr. Minister” which was made between the years 1980-1984. The series shows the silent struggle that was going on in the 1980s between the politicians and civil service officials. The political satire is a complex genre, a field that requires deep knowledge of socio-cultural, economic-political and historical facts so that the satirical conclusions drawn are meaningful and not parodic.

Keywords: British, political satire, social democratic policy.

1. Introduction – The comedy series “Yes, Mr. Prime Minister”

“Yes, Mr. Prime Minister” is considered by many to be the best series of its time in Britain and one of the best satirical series of all time made on British television. The series was made in the years 1985-1987 and is a continuation of the satirical comedy series “Yes, Mr. Minister” which was made between the years 1980-1984.

The series shows the silent struggle that was going on in the 1980s between the politicians and civil service officials.

The series follows Prime Minister James Hacker who tries to bring organizational order to the clerical system of the British Civil Service while pushing a personal and promotional agenda.

Throughout his career, he faces the head of the British Civil Service, Sir Humphrey Appleby, who is considered a symbol of the wind of the British clerical machine.

Hacker’s policy is expressed in the desire to cut public costs and streamline the bureaucracy. His desires to undermine the skills of the official, Sir Humphrey, who is considered Machiavellian, are often hindered by complicated sentences designed to confuse Hacker. Sir Humphrey is considered a snob, elitist and blind to any move that does not go through Whitehall

(the government building and the Cabinet Offices), which is considered the symbol of the British state.

Hacker’s political path is not clear and dogmatic enough to be considered a Labor or Conservative policy.

The purpose of this lack of clarity is to show the two characters represented by Hacker and Humphrey appear in the worst possible way – Hacker’s corruption and instability in the face of Humphrey’s arrogance and manipulateness. “Yes, Mr. Prime Minister”, is still considered as a series that symbolizes the transition to Thatcherite politics of Britain at the time.

The main characters in the series have become icons in the history of British television. The three stars of the show are: Sir Nigel Hawthorne (regarded as one of the greatest actors of all time on British television) who plays Sir Humphrey, Paul Addington plays James Hacker and Derek Fold who plays the private secretary of Rohm on behalf of the Civil Service – Bernard Wiley.

“Yes, Mr. Prime Minister,” which was the favorite series of the Prime Minister of England Margaret Thatcher, is considered to be a breakthrough in that it was the first to show that a comedy series can deal with serious issues on the agenda and express opinions about them.¹

2. Understanding the mood in Britain during the production of the series

During the 1980s in Britain, the legitimacy of the welfare state was contested among the British public. The welfare state was financed through taxes that had to increase following the demographic changes and the increase in the number of workers in government jobs. When growth slowed due to the increase in taxes, the legitimacy of the welfare state was damaged due to the high tax burden.

In the UK, in those years when the series was produced, significant privatization processes were carried out. The term privatization entered the English language during the days of the Thatcher government. The Thatcher and Major governments, which lasted until 1997, privatized most of the services and industries that were under government control, including transportation, gas, electricity, water and communication services. According to estimates, the value of privatizations in Great Britain in the years 1980-2000 is about 153 billion, which is about 15% of the total value of all privatizations in the world during this period.^{2, 3}

Until those years, the Keynesian ideology advocated maximum government intervention in the economy. This ideology was created to a large extent due to the economic crisis of 1929 which is considered as an expression of the failure of the free market. But in those years, economists began to challenge Keynesian economics and sought to return to the free market ideology.^{4,5}

The most prominent school of thought for this is the Chicago school, from which the thinker Milton Friedman came, who advocated a neoliberal economy that advocates minimal state

¹ BBC Comedy Guide. Archive: <http://www.bbc.co.uk/comedy/yesminister/index.shtml>.

² Hetis-Rolf, Sheila, 2004, The effect of privatization on employees and labor relations, on prices and the level of service – a global overview, Knesset – the research and information database.

³ Shapira Assaf, 2010, Privatization – a theoretical and historical review, “Parliament” Journal, issue 64, from the website of the Israel Democracy Institute.

⁴ Megginson, William L. and Jeffrey M. Netter, 2001. “From State to Market: A Survey of Empirical Studies on Privatization,” *Journal of Economic Literature*, 39(2): 321-389.

⁵ Shapira Assaf, 2010, Privatization – a theoretical and historical review, “Parliament” Journal, issue 64, from the website of the Israel Democracy Institute.

intervention in the economy while monitoring and regulating to prevent a collapse similar to the crisis in 1929.^{6,7}

3. “National Education Service” – Season 2 Episode 7

This episode deals with the British education system in the 1980s and its low performances. At the beginning of the episode the prime minister met with the chairman and the leader of the Conservative Party faction in the British parliament (Also known as the “chief whip”). During the conversation, both try to clarify to the Prime Minister the state of the British education system and the public demand to improve the system. To clarify the importance of the issue, both expressed their concern to the Prime Minister that if he does not find a way to improve the education system, the Conservative Party is likely to lose the next elections.

In the second scene of the episode, a conversation takes place between the head of the Civil Service Commission (Sir Humphrey) and the personal secretary of the Prime Minister on behalf of the Civil Service (Bernard Wiley). The topic of the conversation is about the public education system that exists in Britain called the “comprehensive education system.”

Bernard: But comprehensive education was an experiment, surely it should be validated.

Sir Humphrey: Yes, of course, but not invalidated.

Bernard: But if it was introduced to improve the educational standards...

Sir Humphrey: What ever gave you that idea?

Bernard: You mean; it was to get rid of class distinction?

Sir Humphrey: Precisely!

Bernard: So that all the children...

Sir Humphrey: Children? Who mentioned children? The Department of Education never mentioned children! No no no Bernard, it was to get rid of class distinction in the teaching professions! Improve the living standards of teachers not the education standards of children. Bring the NUT teachers in the primary and secondary modems up to salary levels of the rivels in the National Association School Masters in the grammar schools.

Bernard: But the department...

Sir Humphrey: Bernard, when there is a Labor government the Education Department says that comprehensive abolish the class system, and when there is a Tory government they say that it is the cheapest way to provide mass education. To Labor we explain that selective education is divisive and to the Tories we explain that it is expansive. That way we have a happy relationship with the NUT and we educate our own children privately.

Bernard: But if the government wants change...

Sir Humphrey: The teachers' unions don't.

Bernard: But isn't it our job (the civil service) to persuade the unions to accept government's policy?

⁶ Friedman, Milton, (1992). Capitalism and Freedom. University of Chicago Press (2002 Edition).

⁷ Shapira Assaf, 2010, Privatization – a theoretical and historical review, “Parliament” Journal, issue 64, from the website of the Israel Democracy Institute.

*Sir Humphrey: No Bernard, it is our job is to get the government to accept union's policy. And sense governments change their policy all the time and unions never change their policy at all, in practice common sense requires that it is the government who must be brought in-line with the unions.*⁸

4. Analysis of the scene

The purpose of the scene is to point an accusing finger at the labor unions and accuse them of the negligence that characterizes a government system. It can be learned from the script alone that the idea of fair work for everyone and not a process of “natural selection” in workplaces resulting from “supply and demand” and free competition, is the one that creates a low level of learning. This can be seen in Sir Humphrey's statement which claims that government education was built not to improve education but to improve the employment of teachers.

During most of the scene, Sir Humphrey is photographed from below, which enhances his words and his dominance in the conversation and Bernard is photographed at a right angle of 90 degrees and in the opposite angle, which shows his lack of dominance and innocence in the conversation and his opposing opinions.

5. Second scene

During the same episode dealing with education, the prime minister tries to find ways to show the public that he is bringing British education to the top of the government's political agenda. His political advisor suggests that he visit a school in the north of England called St. Margaret that has opened a workshop for creating chairs and tables that he sells in the market. After the visit, the prime minister sits with his wife and political advisor at his home and watches the news broadcast about the visit.

After the viewing, the prime minister's political advisor tries to convince him that the solution to the education problem in the UK is to transform the education system from a socialist one (in which the state determines which school each child will go to) to a liberal system (in which parents will be allowed to decide where to send their children) similar to the British national health service. According to political advisor, after giving authority to the parents regarding their children's education, the level of education will improve by itself through a process of “supply and demand.”

The prime minister's wife: Why can't more parents send their children there?

The prime minister: No room

The political advisor: There is room actually, school numbers are falling.

The prime minister: Yes, but that would mean poaching the other schools.

The prime minister's wife: What's wrong with that?

The prime minister: The other schools wouldn't have enough pupils; they will have to close.

The prime minister's wife: Great! so Saint-Margaret can take over their buildings.

The prime minister: Darling, they couldn't do that, it wouldn't be fair.

⁸ The movie site – veoh.com – an episode from the series “Yes, Mr. Prime Minister” titled – “National Education Service,” clips from 04:15 and 14:15.

<http://www.veoh.com/watch/v22901234xA9xT6WY?h1=Yes+Prime+Minister+2.7+-+The+National+Education+Service>.

The prime minister's wife: Who to?

The prime minister: The teachers in the schools that will have to close.

The prime minister's wife: But the good teachers will be taking over by the popular schools, they will be needed.

The prime minister: But what about the bad teachers? It wouldn't be fair on them!

The prime minister's wife: What about being fair on the children? Or the bad teacher's jobs are more important?

The prime minister: Who's to say who are the bad teachers? It just wouldn't work.

The prime minister's wife: Why not?

The prime minister: Well...it wouldn't work

The political advisor: Why not?

The prime minister: What do you mean?

The political advisor: Well, suppose schools would like doctors. I mean after all within the National Health Service, you can choose whatever doctor you would like to go to, can't you?

The prime minister: Yes

The political advisor: And he gets paid per patient. So why don't we do the same with schools? Have a national education service, the parents can choose the school and the school get paid per pupil.

The prime minister's wife: Exactly!⁹

6. Analysis of the scene

The purpose of the scene is to criticize the organized power of the teachers' unions. The clear statement from the scene is that the level of education in Britain stems from the power of the teachers' organizations that do not promote teachers and schools based on abilities and results but based on membership in one or another trade union. This can be seen in the words of the Prime Minister's wife talking about the exaggerated importance of teachers' workplaces.

The original shooting distance was a "long-shot" photographing the body in its entirety, but when the director wanted to emphasize lines from the script, he made sure to move the shooting distance to a "medium-shot" photographing the chest and head. This distance is a reasonable distance for highlighting lines from the script, which does not create too much distance or too close. Shooting at this distance is reflected when the Prime Minister's wife expresses her views against the teachers' organizations and when the political consultant brings her proposals, and both receive exclusiveness in the frame.

In terms of the location of the actors on the set, there is a clear statement, the Prime Minister and the political advisor sit on the couch together and the Prime Minister's wife sits on a separate couch.

This separation in the seats is intended to imply that later in the conversation his wife will be out of the picture and the conversation will focus between the prime minister and the political advisor.

⁹ YouTube – an excerpt from the series "Yes, Mr. Prime Minister", <http://www.youtube.com/watch?v=oDIy-C4cQ-M>.

7. “The tangle web” – Season 2, Episode 8

During the episode, the head of the British Civil Service Commission, Sir Humphrey, is invited to an interview on a BBC radio program hosted by journalist Ludwick Kennedy. The topic of the interview is reasons for the high level of unemployment in Britain and ways to reduce it.

During the interview, Sir Humphrey avoids directly answering Ludwick Kennedy’s questions and tries throughout the interview to give answers related to other topics. After the interview is over,

Sir Humphrey and Ludwick Kennedy have a personal conversation that is considered “off the record” about unemployment in Great Britain.

Sir Humphrey: Was I all right?

Ludwick Kennedy: Couldn’t you said a bit more, especially about unemployment?

Sir Humphrey: Such as?

Ludwick Kennedy: The truth.

Sir Humphrey: Ha ha ha

Ludwick Kennedy: Why do you laugh?

Sir Humphrey: My dear Ludo, nobody tells the truth about unemployment.

Ludwick Kennedy: Oh? Why not?

Sir Humphrey: Because everyone knows it can be halved in a few weeks.

Ludwick Kennedy: But how?

Sir Humphrey: Cut off all social security to any claimers who refuse two job offers. There is genuine unemployment in the north but the south is a wash of layabouts, many of them graduates living from the housing benefits, plus allot of cash they pick-up without telling anybody.

Sir Humphrey: frankly this country can have as much unemployment as it would prepare to pay in social security and no politician has got the guts to do anything about it!¹⁰

8. Scene analysis

The purpose of the scene is to criticize the phenomenon of unemployment benefits in the UK. Although not about the phenomenon itself, but about the fact that receiving allowances without strict conditions does not encourage going to work places, especially by young people.

An expression of this can mainly be found in Humphrey’s statement when he stated that in his opinion the state can receive an amount of unemployment in relation to the amount of unemployment insurance benefits it is willing to pay.

Most of the dialogue is shot at a “medium shot” distance (chest and face) and at an angle of 30 degrees. The camera angle is normative for a dialogue scene in order to feel close to the conversation but not to feel part of it (if they would like the viewers to think part of the reason

¹⁰ The movie site – veoh.com – an episode from the series “Yes, Mr. Prime Minister” titled – “The tangle web” segment from 4:30 p.m.

<http://www.veoh.com/watch/v22901235RdNHTxY8?h1=Yes+Prime+Minister+2.8+-+The+Tangled+Web>.

was the director was there the camera would be pointed directly at the interlocutors and they would talk to the camera).

The purpose of the shooting distance is to emphasize the content of the conversation, but also not to create an emotional close-up (which would come through a “close-up” photographing only the head) and not to create distance from the words of the conversation (which would come through a “long-shot” photographing the entire body of the interlocutors)

9. Conclusions

It is important to note that the series was filmed in the mid-1980s during the tenure of Margaret Thatcher, which was characterized by many controversial economic reforms that aimed to reduce the power of the trade unions that expressed socialist policies and increase the power of the private sector in Britain that expresses capitalist policies.

After the time of Thatcher in the UK and Reagan in the USA, a consensus was formed in the West regarding the free market economy (in Israel after July 1985). This consensus claims that even when the government wants to encourage a welfare policy, it still needs to adhere to a neoliberal economy and a free market, and this on. In order to maintain an adequate level of economic growth, an expression of this could be seen during the reign of Tony Blair.

In my opinion, the analysis of these scenes shows a critical expression of the creators of the series against elements of a long-standing socialist policy that was conducted in England by the public service until the mid-1980s of the 20th century while proposing capitalist economic solutions.

In the series, you can see an expression of opposition to welfare policy by saying that the worst education in Britain in those years was due to the power of the teachers’ unions, which, according to the creators of the series, created a system that is not based on achievements and efficiency in teaching and education, but on an equal number of jobs for all workers in the teaching professions through centralized management by the state. Meaning, that the policy in Britain preferred the benefit of the working class in the field of teaching over the effectiveness of results and the will of the students’ parents within the entire educational system.

Another objection to the British welfare policy was expressed in an interview given by the head of the British Civil Service Commission to the BBC radio program in which he says that the high unemployment figures in Britain in the 1970s and 1980s were mainly due to high social security payments and the lack of strict standards for receiving them, and they were a substitute for young academics in southern Britain for regular jobs.

In my opinion, the series definitely criticizes social democracy as a method that is not based on efficiency. This can be clearly seen in the chapter on the English education system.

The creators of the series tried to convey a message to viewers that an economy that is not based on efficiency and the will of the citizens cannot grow productively. Therefore, they will have to use the very sharp criticism of this series (which was very successful in the UK) to understand how to create a balance between the basic rights of workers and the effectiveness and efficiency of the mechanism in which they work and between the rights of citizens to receive unemployment benefits and the application of strict criteria for receiving them.

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<http://www.veoh.com/watch/v22901234xA9xT6WY?h1=Yes+Prime+Minister+2.7+-+The+National+Education+Service>.

YouTube – an excerpt from the series “Yes, Mr. Prime Minister,” <http://www.youtube.com/watch?v=oDIy-C4cQ-M>.

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Psychosomatics of Children's Lying in Preschool Children

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Abstract

Children's lying is often a defense mechanism of children. Adolescents are afraid of the authority of significant people around them – parents, grandparents, aunts, uncles, older brothers and sisters. These fearful experiences develop into a psychosomatic expression of the children's experiences, emotions and feelings. They are unable to process this emotional burden and react with a somatic disorder. The children's lie is an occasion to try to look into the world of the child in his growing up process from the 3rd to the 7th year. In this period of development, many new impressions, observations, sensations suddenly invade the child's world intensively and from everywhere. With each new day, the child discovers more new things, some of which he learns from his parents, others – from his older brother and/or sister, third – from children's movies, fourth – from fairy tales, fifth – from movies, sixth – from walks in the park, etc. When the child's psyche is overwhelmed by so many new impressions, and when the child at the same time does not have the resources to deal with the arrangement of the newly received information from the surrounding world, confusion occurs; to mixing real with imaginary/fantasy; of what happened to me now with what happened to my comrade; of what happened to me now in this way with the way I wanted it to happen (as in the fairy tale or in the movie). The lack of ability to make such a difference between a reality and an imagined situation leads to qualifications as a "childish lie." Usually, the adult closest to the child, who spends most of the time during the day with the adolescent, knows his mental world and could act as a "translator" of what the child really means. It is crucial to give the necessary time and attention, and for the child to be listened to, the parent should make for himself a distinction between fiction and a lie, and only then should a distinction be made between reality and a lie.

Keywords: psychosomatics, children, adolescents, children's lie.

1. Introduction

Children's lying is often a defense mechanism of children. Adolescents are afraid of the authority of significant people around them – parents, grandparents, aunts, uncles, older brothers and sisters. These fearful experiences develop into a psychosomatic expression of the children's experiences, emotions and feelings. They are unable to process this emotional burden and react with a somatic disorder.

The children's lie is an occasion to try to look into the world of the child in his growing up process from the 3rd to the 7th year. In this period of development, many new impressions, observations, sensations suddenly invade the child's world intensively and from everywhere. With each new day, the child discovers more new things, some of which he learns from his parents, others – from his older brother and/or sister, third – from children's movies, fourth – from fairy tales, fifth – from movies, sixth – from walks in the park, etc. When the child's psyche is overwhelmed by so many new impressions, and when the child at the same time does not have the

resources to deal with the arrangement of the newly received information from the surrounding world, confusion occurs; to mixing real with imaginary/fantasy; of what happened to me now with what happened to my comrade; of what happened to me now in this way with the way I wanted it to happen (as in the fairy tale or in the movie).

The lack of ability to make such a difference between a reality and an imagined situation leads to qualifications as a “childish lie.” Usually, the adult closest to the child, who spends most of the time during the day with the adolescent, knows his mental world and could act as a “translator” of what the child really means. It is crucial to give the necessary time and attention, and for the child to be listened to, the parent should make for himself a distinction between fiction and a lie, and only then should a distinction be made between reality and a lie.

2. Methods

In my psychotherapy practice, for the past 8 years, I have worked with hundreds of children with psychosomatic symptoms, coming from disharmonious families (families with dominant only primary or only secondary abilities; with the inability to integrate a balance between them in the conceptual framework of the family environment). My observations date back to January 2016 up to date.

Dealing with precisely defined test methodologies is not cost-effective and does not produce results. The method of working with adolescents should be based on the individual needs of the child (Gieler, 1987).

I conducted each therapy session using art therapy tasks for the child to complete. I also emphasized the product of the child’s activity. Each of the above ways of determining the function of a child’s lie leads the adult on the right path. Many children are called liars when they dream or fantasize. Labeling the child a liar could not have the educational effect that the parent aims for with this qualification, but the opposite effect – the child really hides from the adult and turns lying into his daily routine (Jores, 1981). But even then one must observe what lies behind the untrue statement itself.

3. Results

The results of my work were already visible on the fifth meeting with the children. In that short period of time they had learned how to distinguish between fantasies, dreams, untruths and outright lies.

In this line of thought, it is important to note that it is not enough to ask the question “Why?”, which by presumption automatically leads to the activation of the defense mechanisms of the other person. The emotional status of the parent and the child would change if the question took the following form: “For what?” For what purpose?”, which implies reintegration and a tendency towards unity and further development and expansion of the goals in the direction of improving the family environment (Cobb, 1974).

In the psychotherapist’s office, parents often appear with a request to work with the child’s lie: “He started lying”, “He tries to lie to me, but I always catch him”, “How did he learn to lie?” are the most common responses, with which guardians enter the therapy studio. In fact, 90% of the time, parents target children’s imagination, especially fiction. The sharp prohibition expressed by the line “I forbid you to lie” is actually a breakdown in the system of imagination and creative activity in the child, since he does not distinguish between a lie and a fiction.

4. Discussion

Parents also use lies – knowingly, deliberately and by the same means. They do it because their parents and everyone around them allowed such psychological experience to accumulate, but it brought its added value through sayings like “A lie has short legs.” One of the good methods that the therapist brings is related to the implementation of fairy-tale therapy in psychoanalytic psychotherapy. The story of Pinocchio gives a visual explanation to children regarding lying, and their imagination should NOT be limited in the construction of the image of Pinocchio and his long nose (Benedetti, 1983).

Sometimes the first children’s fictions, mistaken for “lies”, are a copy of what was said by an adult. In such cases, the child’s performance gives rise to affection, because the adult realizes how out of place this lie appeared. The child should hear: “You are too young to do as I do; like mom, dad, dad, etc. As you grow up there will be times when you will need to do this. Now – no!”

The function of the resulting lie is: “to try to do things like the big ones; to show that I am ready to learn from them.” The failure of children’s behavior comes from the lack of social experience (it only makes sense within the school environment and after that) and undoubtedly mostly from the child’s poor ability to differentiate between goal and means; mine and foreign; suitable now and suitable for the future, as well as due to the lack of sense of time and space.

This function of lying is inherent in the 2-3-year-old child, when he very intensively begins to accumulate behavioral experience through speech. He does it on the model of the adults around him, but without the ability to distinguish the details of the situation (Kinzl, 1989).

Around the age of 4, the child has become independent in many ways, but not always successfully. In the child’s soul, emotions begin to accumulate from experiences that he has the need to share with someone. The parent often does not have the time or resources; he cannot allow that the given situation will create reluctance and even fear in the child to be alone. At such a moment, the child could hardly help himself just to gain the emotional comfort of the adult. Here comes a different function of lying. Thanks to the already good enough opportunities, the child fantasizes pictures of his fears and projects them on the screen of his mind. He dresses them now in characters from fairy tales, now in actors from movies, now in unpleasant psychosomatic sensations (“I’m scared, I want to sleep with you,” “My stomach hurts,” etc.

Adolescents use lying as a tool to deal with conflicts. This function comes down to the first age crisis (the crisis of resentment), the child learns his first psychological experience of winning in a conflict situation, because he will “serve”, i.e., will bring part of the truth or his fiction (Boncheva, 2013: 15-18). This is a necessary protective reaction of the child, as specified above. It has its good side - to achieve satisfaction of one’s own desires and intentions at any cost: to provoke the adult into unraveling, getting to know children’s needs.

5. Conclusion

Whatever the child may have provoked with his fantasy untruths, it is not permissible to impose punishment, which in any case risks harming the mental world of the adolescent – including insulting qualifications such as “liar” and remarks such as “You can’t you can be trusted are detrimental to children’s peace of mind” (Klein; 2002: 11-15).

Denial, untruthfulness, fantasy become harmful to the child when it is very difficult for him to part with his fantasy constructions, when they occupy a large part of the time of waking consciousness. Thus, the child’s “lie” ceases to be associated with fantasy images and becomes “automaticity and compulsiveness” (Freud, 2000: 150-160).

We are entering an era in which new ideas, new methods and new understandings are emerging regarding the perception of children's personality. Science eradicates established habits and traditions. The knowledge we acquire creates new responsibilities for the parent, but in compensation allows him a better insight into childhood problems, and for the therapist the added value is obtaining greater opportunities to help the children entrusted to him (Fosha, 2000: 18-22). It is very important as psychotherapists and psychoanalysts to convince ourselves that the individual manifestation considered in the overall appearance of the personality has no meaning, and we can only appreciate it if we analyze it in relation to the child's personality as a whole (Frijda, 2009: 264-271).

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Empowering Educators: The Interplay of Self-Efficacy and Professional Identity During Challenging Times

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Abstract

In an era of increasing global challenges including pandemics, natural disasters, and geopolitical conflicts, the education sector has been forced to adapt and change rapidly. Teacher self-efficacy and professional identity are crucial constructs that significantly influence educators' ability to manage crises. This article explores the relationship between these two concepts and their collective impact on teachers' resilience, adaptability, and problem-solving abilities. Teachers with high self-efficacy and strong professional identity demonstrate flexibility and leadership, which are crucial for personal and professional growth. The article also discusses strategies for fostering these qualities in educators to better equip them for challenges in the future.

Keywords: teacher self-efficacy, professional identity, crisis teaching, resilience, entrepreneurship education.

1. Introduction

Within the confront of rising worldwide issues such as pandemics, natural catastrophes, and geopolitical pressures, the educational sector has been forced to adjust rapidly and inventively (Schleicher, 2020). In this system, the concepts of educator self-efficacy and proficient personality have risen as basic components affecting educators' capacity to viably explore and address emergencies (Bandura, 1997; Beijaard et al., 2004).

Teacher self-efficacy – the teacher's belief in his or her capability to influence student learning and achievement – has repeatedly been associated with desirable outcomes related to teaching effectiveness and student outcomes (Tschannen-Moran & Hoy, 2001; Klassen & Tze, 2014). In a similar vein, professional identity, defined as the collection of values, beliefs, and practices that influence a teacher's self-perception in relation to their professional duties, has been demonstrated to be pivotal in determining both teacher effectiveness and the duration of their careers (Beauchamp & Thomas, 2009; Day et al., 2006).

The relationship between these two concepts becomes especially prominent in times of crisis, as educators must exhibit resilience, adaptability, and problem-solving abilities when confronted with extraordinary challenges (Gu & Day, 2013). Recent research has highlighted that it is those teachers with high self-efficacy and professional identity who were best able to adapt to remote instruction as a result of the COVID-19 pandemic, showing greater flexibility in their

teaching practices and maintaining higher levels of student engagement in the face of unfavorable circumstances (Kraft et al., 2020).

This literature review tries to explore how teacher self-efficacy and professional identity are interrelated and how their combination impacts the resilience, adaptability, and problem-solving abilities of teachers in times of crisis. From a close analysis of the interrelatedness of these constructs and their involvement in crisis management, this review is likely to bring to light some insights that will help guide teacher education curricula, professional development initiatives, and educational policies designed to enhance the capacities of teachers to successfully negotiate and thrive in challenging environments.

2. Teacher self-efficacy

Albert Bandura's theory of self-efficacy (1977) states that self-efficacy is a person's belief in their ability to succeed in a particular task or situation. It is a key factor in determining how people approach challenges, set goals, and persevere in the face of setbacks. In the context of teacher education, self-efficacy is seen as an important predictor of success in the classroom. Teacher self-efficacy, as concept rooted in Bandura's social cognitive theory, refers to teachers' beliefs in their capacity to influence student learning and achievement (Bandura, 1997). Bandura's social cognitive theory posits that self-efficacy is a key factor in determining an individual's behavior. He found that people with high self-efficacy are more likely to persist in the face of challenges, while those with low self-efficacy are more likely to give up.

Moreover, it is a key factor in determining how teachers approach challenges, set goals, and persevere in the face of setbacks (Tschannen-Moran & Woolfolk-Hoy, 2001). The same authors (2001) define it as "a teacher's judgment of his or her capabilities to bring about desired outcomes of student engagement and learning, even among those students who may be difficult or unmotivated" (p. 783).

Several studies have found that preservice teachers with high self-efficacy are more likely to be effective teachers. For example, a study by Tschannen-Moran and Woolfolk-Hoy (2001) found that self-efficacy was a significant predictor of teacher effectiveness, even after controlling for other factors such as experience and training. Other studies have found that preservice teachers with high self-efficacy are more likely to take on challenging tasks, persevere in the face of difficulties, and be successful in their teaching.

More research has also consistently shown that high levels of teacher self-efficacy are associated with numerous positive outcomes. Klassen and Tze (2014) conducted a meta-analysis revealing a significant positive relationship between teacher self-efficacy and both teacher performance evaluations and student achievement. Moreover, Zee and Koomen (2016) found that teachers with high self-efficacy demonstrate greater job satisfaction, lower burnout rates, and increased commitment to the profession.

In the context of crisis management, Kraft et al. (2020) observed that teachers with higher self-efficacy were better equipped to adapt to remote teaching during the COVID-19 pandemic. They displayed greater flexibility in instructional strategies and maintained higher levels of student engagement despite the challenging circumstances.

All of the above underscores the importance of fostering self-efficacy in preservice and in-service teachers, it could be done through targeted interventions, supportive environments, and professional development opportunities.

3. Professional identity

“Real knowledge comes from those in whom it lives.” – John Henry Newman

Conversely, professional identity consists of a set of values, beliefs, and practices that define a teacher’s self-conception of themselves within the framework of their professional roles (Beijaard et al., 2004). This construct is inherently dynamic, evolving throughout a teacher’s career and shaped by individual experiences, societal norms, and the contexts provided by institutions (Day et al., 2006).

Erikson (1968), being a pioneer in this field, defined professional identity as an individual’s sense of personal and social identity within the context of their chosen profession. It involves the integration of professional roles, values, and commitments into one’s self-concept.

Later, Ibarra (1999), described professional identity as a dynamic and evolving sense of self that emerges through engagement in professional roles and activities. It involves the internalization of professional values, beliefs, and norms, and the alignment of personal identity with the expectations of the profession.

Furthermore, research by Pratt and Rafaeli (2001) talks about professional identity as the meanings, feelings, and behaviors associated with being a member of a particular profession. It includes the adoption of professional roles, internalization of professional norms, and identification with the values and goals of the profession.

Overall, professional identity as a concept, refers to the self-perception, beliefs, values, and sense of belonging that individuals develop about their chosen profession. It is the understanding and internalization of what it means to be a professional in a specific field or occupation. Professional identity encompasses how individuals view themselves about their professional role, the knowledge, and skills they possess, and the attitudes and behaviors associated with their profession (Gardner & Shulman, 2005).

In the educational context, Beauchamp and Thomas (2009) argue that a strong professional identity is a key element in creating effective educators and in sustaining their careers. Teachers with a strongly developed professional identity demonstrate greater levels of commitment to their work, are better at decision-making, and are clearer about the purpose of their teaching practices (Flores & Day, 2006).

During times of crisis, teachers’ professional identity significantly influences how they respond to different situations. According to Hong in 2010, teachers with strong professional identities demonstrated higher levels of resilience and were more likely to persevere under difficult conditions. This type of resilience becomes particularly important during times of turbulence in education, such as when learning rapidly shifted online during the COVID-19 pandemic as shown by Schaefer et al. (2020).

4. The Interconnectedness of teacher self-efficacy and professional identity

The interdependence between teachers’ self-efficacy and their professional identity is a complex and dynamic relationship that has important implications for teacher performance, especially during times of adversity.

This interdependence becomes particularly evident during times of crisis when teachers must rely on both their self-efficacy and their sense of professional mission to effectively navigate adversity.

Gu and Day (2007) found that teachers who maintained a strong sense of professional identity during challenging times were more likely to exhibit high levels of self-efficacy in their ability to overcome obstacles. Their research highlighted how a strong professional identity acts as a resource for teachers, allowing them to maintain confidence in their abilities even in the face of adversity.

Another study by Canrinus et al. (2012) demonstrates that teachers' sense of self-efficacy significantly contributes to their overall professional identity. This study found that self-efficacy, along with job satisfaction and motivation, were key indicators of teachers' professional identity.

Similarly, Lasky (2005) observed that teachers with high self-efficacy were better able to maintain their professional identity in the face of educational reforms and policy changes. This suggests that self-efficacy acts as a protective factor, helping teachers to preserve their sense of professional self even when external factors threaten to undermine it.

Furthermore, Hong (2010) discovered that early-career teachers with a more developed professional identity and higher self-efficacy were less likely to leave the profession. This research underscores the importance of nurturing both constructs in teacher education programs and early career support systems to promote teacher retention and resilience.

These studies collectively highlight the symbiotic relationship between teacher self-efficacy and professional identity. They suggest that efforts to enhance one construct are likely to have positive effects on the other, creating a virtuous cycle that can help teachers navigate the challenges of their profession more effectively. This interdependence underscores the importance of nurturing both constructs in teacher education programs and ongoing professional development to promote teacher resilience, effectiveness, and retention.

5. Crisis management and teaching

The concept of crisis teaching has been very relevant in the past couple of years with what the world has gone through, not only due to the COVID-19 pandemic but also because of ongoing wars and conflicts around the world.

Crisis teaching is defined as the “rapid transformation of educational practices in response to emergency conditions” by Hodges et al. (2020). Much of this often involves a shift from traditional face-to-face teaching toward online or hybrid learning environments.

Tschannen-Moran and McMaster, 2009, found that highly self-efficacious teachers are most likely to implement new teaching methods and technologies within the platform of educational disruption. It simply means that teachers with high self-efficacy and strong professional identity are better at handling the challenges associated with crisis teaching. On the other hand, Beijaard et al. (2000) found that teacher educators with a strong professional identity had a better sense of pedagogical values and practices, which remained firm, even in unknown pedagogical contexts.

Davies and Talbot (2008) also highlight the critical role of education in conflict-affected areas, not just for academic purposes, but also for promoting peace and stability. They argue that teachers in these contexts need to be equipped with skills to address conflict-related issues and promote social cohesion.

Notably, MacIntyre et al. (2020) established that higher levels of self-efficacy for educators were related to improved flexibility and coping mechanisms in reaction to fast-tracked changes in online instruction caused by the COVID-19 pandemic. It paid emphasis to how self-

efficacy stood out in the teachers' capacities to cope under stress and maintain well-being during times of educational crisis.

In the latest research, Kraft et al. (2020) found that teachers reporting stronger professional identity indicated a higher likelihood of using innovative pedagogies and maintaining higher levels of student engagement for longer during remote learning. Their study highlighted the role of professional identity in motivating teachers to transcend the crisis teaching challenges while managing to continuously deliver quality education.

In the context of war and conflict, Winthrop and Kirk (2008) emphasize the importance of teachers' ability to provide psychosocial support to students, in addition to academic instruction. This aligns with the concept of teacher self-efficacy and professional identity, as teachers must adapt their roles to meet the complex needs of students in crises.

All the above, points to the critical need for teacher self-efficacy and professional identity in the framework of crisis management at a school. Moreover, they suggest that their development in teachers might strongly improve educators' capability to respond effectively to unexpected situations without detriment to quality education, even in very difficult times.

6. Cultivating self-efficacy and professional identity

Given the critical role of self-efficacy and professional identity in crisis management, it is essential to consider strategies for cultivating these qualities in teachers. Based on the previous review, there are several strategies that can be implied to foster self-efficacy and professional identity among teachers.

Darling-Hammond et al. (2017) emphasize the importance of comprehensive professional development programs that address both pedagogical skills and teachers' sense of professional purpose. Their research highlights the need for teacher training that goes beyond just imparting technical skills and also focuses on developing teachers' professional identity and sense of mission.

According to Darling-Hammond et al. (2017), professional development should combine instruction in specific teaching strategies with broader discussions about educational philosophy and purpose. Such as collaborative programs that foster a sense of community among teachers, allowing for peer learning and support.

Moreover, teachers should engage in the same style of learning they are expected to practice with their students. This is why training should be directly relevant to the subjects and grade levels teachers are teaching, this process must be ongoing, not just a one-off workshop. This comprehensive approach would address both the practical skills teachers need to manage crisis teaching situations and support their development of a strong professional identity, which is crucial for resilience and effectiveness in challenging times.

More research suggests that mentoring and collaborative learning communities have been shown to be particularly effective in enhancing both self-efficacy and professional identity among teachers. Avalos (2011) found that teachers who participated in collaborative professional development activities reported higher levels of self-efficacy and a stronger sense of professional identity.

It could be done in several ways:

(a) PLC communities provide a platform for teachers to share experiences, discuss challenges, and collaboratively develop solutions, strengthening their professional identity. Vescio et al. (2008) reviewed research on PLCs and found that well-

developed PLCs have positive impacts on both teaching practice and student achievement.

(b) Mentoring Programs: Ingersoll and Strong (2011) reviewed 15 empirical studies and found that support and mentoring for beginning teachers have a positive impact on three sets of outcomes: teacher commitment and retention, teacher classroom instructional practices, and student achievement. This suggests that mentoring not only enhances self-efficacy but also contributes to the development of a strong professional identity.

(c) Trust et al. (2016) explored how participation in online professional learning networks can enhance teacher self-efficacy and professional identity. They found that these networks provide opportunities for continuous learning, reflection, and collaboration that contribute to teachers' professional growth. It could be also done in a cross-school collaboration. Rempe-Gillen (2018) studied cross-school teacher collaborations and found that they can significantly enhance teacher self-efficacy and professional identity, particularly when teachers from different contexts share and learn from each other's experiences.

These studies collectively underscore the value of collaborative and mentoring approaches in teacher professional development. They suggest that creating opportunities for teachers to work together, share experiences, and learn from each other can be a powerful way to enhance both self-efficacy and professional identity. This is particularly relevant in the context of crisis teaching, where collaborative problem-solving and peer support can be crucial for navigating challenges effectively.

7. Conclusion

The interdependence of teacher self-efficacy and professional identity plays a crucial role in educators' ability to manage crises effectively. Teachers who possess high levels of self-efficacy and a strong professional identity demonstrate greater resilience, adaptability, and problem-solving skills in the face of challenging circumstances. As the education sector continues to navigate an increasingly complex and unpredictable landscape, fostering these qualities in teachers becomes necessary.

Future research should focus on developing targeted interventions to enhance teacher self-efficacy and professional identity, particularly in the context of crisis preparedness. Additionally, longitudinal studies examining the long-term impact of these constructs on teacher effectiveness and student outcomes during periods of educational disruption would provide valuable insights for policy-makers and educational leaders.

By recognizing and nurturing the interconnected relationship between self-efficacy and professional identity, we can better equip teachers to not only survive but thrive in times of crisis, ultimately ensuring the continuity and quality of education for all students.

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Understanding the Educational Philosophy of John Dewey

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Abstract

John Dewey published many articles and books on various evolutionary, psychological, and philosophical topics. His influence was evident in the fields of philosophy and educational thought, but the differences of opinion regarding the extent of his actual influence on educational practice, and he was even received throughout his life with very extreme views, ranging from admiration to ridicule and reprimands. Several concluding statements can be made regarding Dewey's influence on educators during the first half of the twentieth century. First, Dewey was often used by his contemporaries to reconcile positivist social science with pragmatist philosophy. Second, although Dewey's book *Democracy and Education* has been identified as the “Bible of the then-emerging educational reform,” there were many Dewey texts quoted, often without any reference to others. Third, Dewey's philosophy was used to support purposive reform agendas. To social control and social adjustment and also to social reconstruction and social justice.

Keywords: John Dewey, pragmatism, educational philosophy.

1. Introduction

John Dewey was an American philosopher, psychologist, and educator, whose thoughts had a great influence in the United States and around the world. He is considered one of the founders of the philosophical school called pragmatism (alongside Charles Pierce and William James), a pioneer in functional psychology, and a leading representative of the progressive movement in American education in the first half of the 20th century.

John Dewey published many articles and books on various evolutionary, psychological, and philosophical topics. His influence was evident in the fields of philosophy and educational thought, but the differences of opinion regarding the extent of his actual influence on educational practice, and he was even received throughout his life with very extreme views, ranging from admiration to ridicule and reprimands (Ryan, 1995).

He dealt with almost all branches of philosophy but believed that the philosophy of education was the most important of them because everyone depended on it. He was a naturalistic philosopher in that he sought explanations in terms of natural phenomena accessible to the senses and rejected explanations involving supernatural sources. Therefore, among other things, he leaned more toward evolution than towards God. It is difficult to define his style: some have called him a behaviorist because he rejected supernatural explanations and focused on behavior, but this is not a very accurate definition; He was called a pragmatist and disowned it, and instrumentalism and experimentalism didn't catch on either. Recently, writers have compromised on pragmatic naturalism, which expresses the supernatural emphasis along with the focus on specific results.

The meaning of education and its goals – Dewey did not see the creation of an ideal person or a way of life as the goal of education, rather he saw education as a synonym for growth and saw growth as a goal in itself. Just as from the point of view of evolution, the purpose of life is to create more life, so from the point of view of Dewey, the purpose of education is growth that leads to further growth. This view of Dewey's was controversial in the eyes of many of the philosophers of education, who argued, for example, about a child who wants to learn mathematics more than anything, but only mathematics, or about a person who is focused on obtaining financial wealth only and not on intellect. Do they open doors and relationships for themselves? This caused Dewey to refine the preoccupation with the concept of growth not as an operational definition but as an actual goal, just as creating more life is not always the right thing to achieve the goal (for example, for fear of a population explosion).

In Dewey's eyes, the goal of education is more education, therefore it is both a means and an end alternately and by our choice. Sometimes it is possible to change the means to achieve a certain educational goal, and sometimes the right thing is to change it fundamentally. Peters refined Dewey's use of the words "intention" and "goal" and treated them differently – in his opinion, an intention is related to action, while a goal implies something distant to strive towards. Dewey believed that not only teachers are responsible for designing goals for student activities, but also the students themselves. This, in the spirit of Plato's words, is because "a slave is a person who carries out the intentions of another."

1.1 *Dewey's psychology*

Dewey strongly opposed the stimulus-response psychology advocated by behaviorists and showed in one of his articles that man not only responds to external stimuli but actively chooses responses that fit with his intentions and goals. He also showed this about the phenomenon of imitation in children and showed that children do not imitate everything they see but choose from it, and from this, he concluded that imitation promotes their current goal.

Dewey described four interests of children – to make things (build), to discover (to explore), to express themselves artistically, and to communicate – some argue that they can replace the format of dividing studies into subjects in elementary schools today (although some areas, such as mathematics, are necessarily incremental).

In addition, Dewey developed a model of thinking or problem-solving. According to him, a thought begins with a disturbing feeling, and an initial examination of the situation gives rise to a hypothesis that requires testing. Now the thinker prepares a plan to test the hypothesis and considers alternatives for implementing it. He then reviews the results formulates his conclusions, and constantly examines the process.

Beyond dealing with thought processes, Dewey placed experience in a central place in education. According to Dewey, there are at least two important characteristics to experience: one is the emphasis on meaning and emotion in the person experiencing it. The second, experience is social and cultural. Dewey believed that the experience should be built on previous experience, and even today teachers make sure that they know the previous experience of their students and start from where they are, but at the same time direct their students towards a more sublime goal than the one they have already reached. Beyond the importance of continuity, as mentioned, meaning is required for experience, which is achieved by interaction between the students and the object of their study – something that is a weak point in traditional and old education.

He is seen as leading "child-centered education," but this is not very accurate. On the one hand, he strongly supported interactive activities, and on the other hand, he wanted to make sure that the internal and external aspects of each experience were achieved and were not satisfied only with activities to bring pleasure or amusement to children (Caspary, 2000).

1.2 Dewey's theory of knowledge

Many have dealt with the theory of knowledge. Socrates claimed that a knowledge claim involves the truth of what is claimed, that is, the group of claims that we claim to know is a subset of all true claims, and in particular the truth precedes human inquiry and knowledge in terms of time, which simply discover an existing truth and add it to the pool of human knowledge.

Dewey, on the other hand, stated that knowledge is greater than truth. He argued that knowledge is the collection of skills and information we use when investigating, and that the final product of the investigation, after testing all our hypotheses, is something resembling the truth. Knowledge, in his eyes, was the material that guided the investigation.

His approach was, as usual, the object of objections, but it must be remembered that he came with a naturalistic approach and sought to avoid unobservable entities, including the absolute truth. Now the question arises, will the knowledge remain intact even if some of it turns out to be wrong? The answer is that there is no need to name it because we will simply delete it from our databases, and it will stop being used by us for investigating the truth. This means using previous experience (and growth) to increase our knowledge, and it is important here to fully investigate the conclusions by the learner, without shortcuts in the experience itself.

It is important to note that many teachers are against allowing their students to use incorrect rules, fearing that this will lead them to practice applying their mistakes. This is especially true in physical skills (playing the piano or tennis, for example) (Ward, 1977).

1.3 Democracy and education

Dewey also delved into the study of democracy and education as part of social philosophy. Dewey believed that humans desire to communicate which leads to the creation of shared values (after all, in his naturalistic view primary shared values can't exist), and this leads to a very different position from the traditional positions, which claimed the existence of a universal culture. On the other hand, as mentioned, Dewey claimed that shared values and knowledge are created from investigation and social interactions, and we build them and do not start with them. Therefore, the schools should not be required to inundate the students with the values of culture and knowledge, but rather encourage them to communicate and investigate so that they can build values and knowledge on their own (Dewey, 1916).

The "language as a whole" approach is a good example of a contemporary pedagogical method that implements Dewey's ideal – we do not deal with teaching segments such as sound, spelling, etc., but help children realize their goals in communication and understand each other at the given moment. Similarly, according to Dewey, to learn about democratic life it is necessary to experience it in practice – in cooperation, evaluation, etc. Participation is both a means to achieve a mature democratic life and an end in itself.

For Dewey, democracy was not just a system of government but a way of life in which decisions were made. Not a state, but a process subject to change and re-creation. Democracy was defined by him as one that "has many common interests that pass between the members of the association consciously, and also that there are varied and free points of contact with other forms of association," where in his eyes the second rule is the more significant.

Dewey also believed, in contrast to Rousseau, that between the individual and the state, there is an ideal relationship of mutual support, and there is no need to match each other. This is also how he saw the relationship between the student and the school and therefore wanted to create a democratic mini-society in the school, where the children would learn a way of doing things to promote the growth of society as a whole.

The place of study subjects – Dewey defined “study subjects” as the materials used to solve problematic situations. He did not recommend abandoning the traditional subjects in the curriculum (remaining from Plato’s time) but asked to deal with them if they are used by the students in practice in research, in the curriculum that is collected and built during the year. He saw, among other things, geography, and history as important subjects of study from the understanding of human activity and social relationships and not as a set of facts to be memorized.

Dewey’s approach regarding the participation of students in democratic frameworks as well as the postponement of absolute goals and achieving certainty in short periods – are still supported today among many educators. However, even today there is controversy and fog about its basic concepts (Westbrook, 1993).

2. Pragmatism in education

The principle that Dewey proposes is called pragmatism. According to this view, the content of the concepts is not achieved only through the senses (Rousseau) nor through the purely intellectual intellect (Plato), but that intellectual knowledge is intrinsically linked to physical activity. You learn by doing, learning through experience. Knowing the world in this sense is not based on observation but on experience. This is how you learn the connection between things and understand the world. Knowledge is fundamentally related to activity. There must be a connection between the criteria of abstract concepts such as truth and justice and the criteria of activity (examples below). The more the concept is based on rich and practical experience, the truer and richer the concept becomes (Galily, 2023).

Pragmatism is a basis for educational action. Dewey has an almost biological view of life - a process of continuous internal renewal that takes place in interaction with the environment. Life has an inner value – and it is the renewal. This is the essence of life and should be the essence of educational activity – a process of constant development and growth. Hanukkah has a self-sustaining purpose – there are no external goals just as life has no external goals. Education should continue as long as a person lives. The question is what the criterion for a successful experiment will be, and the answer is – an experiment that encourages further experiments and even a higher order – and this process is dialectical – the goals get stronger as they progress. Where does this put secondary education in today’s normal schools, where after the matriculation exam the children swear by their mother It’s theirs and that they won’t touch that stuff again? It doesn’t make them want more. The targeting method is a practice that kills curiosity and desire. The kids who hate school are followers of the Dewey method.

If experience is the most significant internal element of the educational action, what is the best space for the establishment of the educational action as an action of experience?

Yes, Dewey introduces the element of democracy and inaugurates in this spirit – progressive education.

Dewey talks about democracy in the good American sense, not only as a system of government but as a way of life. It should be remembered that Dewey worked in an era where democracy was seen as outdated – fascism and communism were modern. Today, democracy is much less challenged.

Dewey talks about how democracy is based on faith in human nature – the same faith that individualization is based on (children are good and curious and want to learn). Democracy allows everyone to develop according to his ability, detached from a priori restrictions of class affiliation and attribution – the American ethos. Dewey says that democracy is an anti-static system – it is constantly in motion, changing and progressing according to concrete needs (=pragmatism). If you understand that the political tensions of democracy are immanent to it,

then legislations that are considered anti-democratic (reduce diversity) harm the dynamism of democracy. The best thing about a dynamic method is that it increases human experience, and consequently human development. The opposite of utopian concepts, assumes that a theoretical criterion of truth can be reached and then everything will be perfect, and there will be no movement. According to Dewey, this point is death (Rudd, Garrison & Stone, 2009).

3. Traditional education versus progressive education

The fundamental dichotomy in education theory: progressive education - advocates a natural development from within the student; Traditional education – advocates overcoming natural tendencies by external pressure. The basics of traditional education: (1) Transferring knowledge and skills that were formed in the past; (2) Passing standards and rules of conduct that were formed in the past; (3) The unique institution of the school. These three features determine the goals of education (training young people to accept responsibility and success in life), the teaching methods (imparting knowledge, skills, and rules of conduct), and the discipline of the school (obedience to teachers who carry on the tradition).

Progressive education's main criticism of traditional education is that it is based on external coercion. The adults force the adult world on the children, a world they are not yet ready for. Since the children are not yet ready for the world of adults, they purchase their creations as finished and signed products.

The characteristics of progressive education are: (1) Cultivating the individual's personality; (2) Free activity; (3) Learning from experience; (4) Acquisition of skills within the framework of achieving purposes of essential and direct interest; (5) Taking advantage of the present opportunities; (6) The recognition of a changing world. Dewey points out that the formulation of the above principles was done by negating the following principles of traditional education respectively: (1) Coercion from above; (2) External discipline; (3) Learning from books and from teachers; (4) Acquisition of skills in isolation; (5) Preparation for a distant future; (6) Static targets and materials exist.

4. The need for a theory of experience

Experience and education are not identical. An experience can even damage the nature of continuing to learn from the experience, and this is if it develops indifference, insensitivity, idleness, narrowing the experiencer's world, splitting his power, and more. Dewey emphasizes even in traditional schools there are trials (after all, trials exist always and everywhere), but these trials are of a bad and flawed nature – “flawed and bad in terms of their effect on the experience that will follow” (p. 22). A good experience is tested by two tests: the immediate test – and the immediate effect on the student. If a student shies away from the experience, he will not be able to benefit from it. The immediate effect should be one of pleasure, interest, and attraction. However, one should not be satisfied with immediate pleasure, but rather examine the experience in terms of its effect on future attempts (= “the principle of continuity” or: “the principle of the continuity of the experience”) – on the attempts to activate the student's talents and stimulate him towards creative and fruitful dealing with additional attempts. If so, the educator must “produce” good experiences for his students in both above-mentioned respects.

If indeed “education means development in the field of experience, by experience and for the sake of experience” (p. 23) it is important that educators deeply understand what experience is. Based on this understanding, the characteristics of the education components can be determined: the study material, the teaching methods, the discipline, and the school pattern. In other words: based on the philosophy of experience it will be possible to build the philosophy

of education. Dewey emphasizes that the people of progressive education sinned in that they believed that if they changed the principles of traditional education that would be enough to create a different education. From his words, it appears that innovative education must be structured in an infrastructural, systematic, and coherent manner, out of an awareness of problems and a conscious formulation of solutions.

5. Standards of experience

Progressive education with a democratic tone (as opposed to traditional education with an oppressive autocratic tone) better fulfills the principle of the continuity of experience: democratic social arrangements help the existence of a better human experience – the person who experiences is placed in a sequence of experiences that build him significantly. Every attempt is influenced by the previous attempts, affects the person and his subsequent attempts.

Dewey identifies the educational process with growth, not only physical but also mental and moral. It is also possible to grow in “negative” ways, therefore Dewey claims that only a process that helps long-term and multi-directional growth will be considered education. From his words, it appears that one should pay attention to whether the attempts are good or negative, whether one develops curiosity, initiative, abilities, etc., or one develops laziness, spoiled Ness, reduction of abilities and interest, etc. The role of the educator is to anticipate in advance which direction this or that experience will have an effect. This is not an easy position and therefore it is simpler to maintain the autocratic traditional education system.

The experience is not something completely private. The experience operates within some kind of environment: primitive, modern, in some geographical space, etc. Therefore, the educator must distinguish which environments are conducive to the acquisition of growing experiences. He must use the factors of the environment to achieve beneficial attempts. Considering the environment is not important in traditional education. This is another reason why progressive education is more difficult to manage.

Traditional education emphasized the external (objective) conditions – the teacher, the books, the equipment, and everything that represents the experience of the adults, but it sinned by underestimating the importance of the internal conditions – the immediate inclinations and feelings of the young. Progressive education emphasized the internal conditions but sinned by underestimating the importance of the external conditions. According to Dewey, there must be an interaction, a reciprocal action, between the external conditions and the internal conditions (= principle of reciprocity). The meaning of the interaction is some sort of balance between them. Dewey gives an example of raising a baby: there must be a balance between the baby's demands and the determination of his habits from the outside. The external conditions are those under the control of the educator. The external conditions must be determined considering the strengths and abilities of certain students at certain times. No study material is good if it is not related to the particular stage of the student's growth.

The meaning of the principle of continuity is that at every stage of the educational process, the future must be taken into account, but it does not mean that preparing for the future is a guiding and practical purpose (studying certain contents as preparation for the future). The intention is to extract from the present all that it has to offer.

So, in conclusion, the two criteria by which it is possible to distinguish between nurturing and educational experience and non-educative and anti-educational experience are the “principle of the continuity of experience” and the “principle of reciprocal action” (Dewey, 1916).

6. Social control

Social supervision exists on every person and citizen and yet a significant part of this supervision is not seen as limiting individual freedom. Social control is created by a situation shared by several people and within which they influence each other. In the family, for example, there is social supervision, but it does not arise from one personality but from the “living spirit” of the group. Even on those occasions when the parent directly determines what happens in the family, this is directed to the benefit of the family and not to his benefit. Social supervision that is not directed to the benefit of the group but to the benefit of the supervisor and stems from the will of the team is considered an arbitrary action, while social supervision that is directed to the general good is considered a just and fair action. The teacher in the traditional school often acts arbitrarily and this fact is due to an objective reason, namely that in the traditional school the focus is not on a group that works together. The progressive school is a social enterprise whose essence is a group working together and this fact allows for just and fair social supervision. In cases where social supervision fails, individual action must be taken. Weakness in supervision (perhaps better: the failure of social supervision) does not result only from exceptional students (problematic students), but also from the fact that the teacher did not plan the activity in such a way as to create social supervision. Dewey emphasizes that in planning the educational activity, the educator must strive for social activity within the framework of which social supervision will be exercised. He must consider the needs and abilities of his students and give them an answer. Planning must be intentional but allow freedom.

7. The essence of freedom

The significant freedom according to Dewey is the freedom of thought. Physical limitation leads to mental limitation. The traditional schools are limited physically and therefore limited intellectual, spiritual, and moral freedom. External freedom is a means and therefore its existence is not enough we must find out to what purpose it leads, that is, what are its results. If external freedom is seen as a goal, there is a danger that it will be a negative thing. The advantages of external freedom: (1) Allows students to discover their true nature and thereby allows the teacher to adapt his work methods to his students; (2) A means for the health of the body and mind and a means for inner freedom (thought, judgment, aspiration, fulfillment). True freedom includes the reshaping of the immediate impulses and aspirations, that is, the exercise of discretion over the impulses and aspirations. External freedom is not enough to carry out this redesign, but internal consideration must be exercised. A person who does not exercise internal consideration on his immediate impulses and ambitions is not free.

8. The meaning of purpose

There is a close connection between freedom and the ability to design purposes and realize them – a person is not free if he does not design purposes for himself and works to fulfill them. Dewey emphasizes the importance of the student's participation in creating purposes that guide his activities. In this section, Dewey clarifies what purpose is since this meaning is not self-evident. Purpose originates in impulse, but the purpose is not impulse. The impulse becomes a purpose when three conditions are met: observing with the help of the mind the objective circumstances of the action; knowledge of what happened in similar situations in the past by personal recollection or from the information of another; judgment that combines observation and recall understanding their meaning. The purpose translates the drive into a plan of action. The educational problem is how to postpone the action according to the impulse until observation and judgment also intervene. Acting on impulse is not freedom. The impulse must be translated into a purpose and only then act wisely to achieve it (Rockefeller, 1994).

9. Advanced organization of the study material

The teaching material of experience-based education should initially derive from facts that appear in the field of ordinary life experience. Next, the experience must be developed, that is, the experience must be expanded and organized systematically. The educator must expand the student's field of experience in such a way that there is a connection between the previous experience and the new experience, a connection that will lead to the development of the student's ways of observation and judgment. The educator must be interested in long-term vision. Education must maintain a connection between the past, the present, and the future: the goals of education are in the future. The learning material is the present experience. "Experience can grow towards the future only if it is expanded to include the past as well" (p. 73). Traditional education placed the past as an end in itself: the child must know areas of knowledge that were effective for people who lived in the past. Dewey suggests instead that the past is an important means of understanding the present. Only in this way will it be possible to deeply understand the present, its problems, and their solutions. Another important characteristic of the study material is its organization: learning based on experience includes many unexpected opportunities. The opportunities must be taken advantage of while maintaining a clear line of activity. "The basis for the study material should not be collected randomly and arbitrarily" (p. 75). The experience should lead to an unknown field that will cause problems since these are the real stimulus for thought. The problems must be adapted to the students, that is, problems that the students can overcome with the power of their minds, and the problems must also arouse in the students a desire to learn and create. Dewey gives as an example the studies of science: it can be based on the daily experience of the students in the present; They are related to the past and clarify the present and its problems; Based on the understanding it is even possible to influence the future - solving the problems of the present; Present experience can be systematically organized into science. In learning that is based on experience, organized knowledge should not be presented, but the contents of the experience should be organized. Dewey especially emphasizes the need to organize the contents of the experience, otherwise the activity will cease to be educational and will become a blind activity.

This section can be summed up in one sentence by Dewey in which he characterizes teaching and learning as "an ongoing process of reshaping experience" (p. 85). The process begins with the daily experience of the student and moves to the systematic organization of the experience. This process is possible out of an essential connection between the past, present, and future. The teacher must direct the student to the organization of the experience by finding unknown problems that are according to the student's strength and stimulate him to continue the sequence of organizing experimental learning.

10. Experience is a means and an end of education

Dewey points out what is the great danger of the new, progressive, experience-based education: "The greatest danger facing, in my opinion, its future is the perception that this path is easy to follow; so easy, that its course can be determined – if not without any preparation, After all, at least almost from one day to the next and from week to week" (p. 87). If I understand correctly, Dewey here comes out as a buffer against educational approaches of "let the child experiment and don't interfere." The acceptance of such an approach can indeed led to an education that is easy to operate, but according to Dewey, its failure is certain. According to Dewey, experience-based education is much more difficult to implement than traditional education. Experience-based education is not amorphous and open: "You have no discipline in the world more severe than the discipline of experience, which is subordinated to the test of intelligent development and guidance" (Dewey, 1916).

11. Dewey's main conclusions following his philosophical discussion:

- The educator must check the nature of the experience for the first time from two points of view, from the immediate point of view, namely whether its effect arouses interest and pleasure, and from the point of view of the positive effect of the experience on the continuation of the student's educational experience.
- The educator must constantly check whether the experience is positive or negative. A positive experience is an experience that contributes to the growth of the student: and develops curiosity, initiative, abilities, etc.
- The educator must anticipate what the effects and results of the educational experience will be.
- The experience will only be positive if there is a balance between the external conditions (the environment the student is in) and the internal conditions (the student's current strengths and abilities). The educator should adapt the environment to the student.
- The educator must design collaborative activities in such a way that just and fair social supervision is created.
- External freedom is a means and not an end. Its purpose is to bring inner freedom – freedom of thought. With the help of freedom of thought, the student will be able to reach true freedom – shaping the immediate impulses with consideration and turning them into workable purposes.
- The educational process is an ongoing process of reshaping the experience of the present in an organized and systematic manner, by harnessing the past to understand the present to plan the future (Martin, 2003).

12. John Dewey's influence on educational research

Determining the exact influence of John Dewey on civics and social education in the early twentieth century is one of the most perplexing issues facing historians of curriculum. In general, interpretations of Dewey's work and influence are plagued by four recurring methodological limitations: First, historians tend to interpret Dewey's work philosophically rather than historically. Second, they use this philosophical interpretation of Dewey to test the fidelity of past educators against the scale of Dewey's "true" vision. Third, historians assume that since they read all of Dewey's major and obscure works on education, the reformers of the past must have (or should have) done so as well. Fourth, historians assume rather than demonstrate Dewey's direct influence on others.

To overcome these limitations, historical studies trace John Dewey's influence on civics and social education during the formative years of the progressive education movement by focusing on the conventional Dewey. By examining how Dewey's ideas were used by his contemporaries and peers, scholars show that Dewey's words were often used in different and contradictory ways to support several different curriculum agendas. Some argue that the divisions between advocates of social justice and social utility, which play such a central role in the historical literature of progressive education, were not necessarily apparent to Dewey's contemporaries who quoted him. Dewey's philosophy is often used specifically to bridge the gaps between these seemingly conflicting educational goals and objectives.

Several concluding statements can be made regarding Dewey's influence on educators during the first half of the twentieth century. First, Dewey was often used by his contemporaries to reconcile positivist social science with pragmatist philosophy. Second, although Dewey's book *Democracy and Education* has been identified as the "Bible of the then-emerging educational reform," there were many Dewey texts quoted, often without any reference to others. Third,

Dewey's philosophy was used to support purposive reform agendas. To social control and social adjustment and also to social reconstruction and social justice (Fallace, 2011).

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The Role and Importance of School Nurses in Greek Schools

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Abstract

The role of school nurses is pivotal in ensuring the health and the well-being of students. In Greek schools, the importance of a school nurse cannot be overstated. This article explores the multifaceted responsibilities of school nurses in Greek educational institutions, the challenges they face, and the impact they have on the school community.

Keywords: school nurses, role, students, responsibilities, challenges, impact.

1. Historical development of school nursing in Greece

The early initiatives and programs for school nursing in Greece were pivotal in laying the foundation for the comprehensive health services seen today. These initial efforts focused primarily on addressing the immediate health needs of students, such as providing first aid and managing minor illnesses within the school environment. This approach was crucial in establishing a baseline for health promotion and disease prevention in schools. As these programs gained traction, school nurses began to expand their roles to include health education, offering information on critical topics like nutrition and disease prevention to better equip students with the knowledge they need to make informed health decisions [1]. These early programs set the stage for a more integrated approach to student health, emphasizing the importance of a well-rounded education that includes physical and mental well-being.

Over time, the roles of school nurses in Greece have evolved significantly, reflecting changes in both healthcare and education. Initially, their responsibilities were fairly limited, focusing on basic healthcare tasks. However, as the understanding of student health broadened, so too did the scope of school nursing. School nurses became integral to the educational environment, taking on responsibilities that included not only health education but also the monitoring and support of students' overall well-being [1]. Their roles have expanded to encompass a more holistic approach to student health, considering factors such as mental and social development. This evolution highlights the dynamic nature of school nursing, adapting to the changing needs of the student population and the educational system.

The integration of school nurses into the Greek educational system has been a gradual yet transformative process. Initially, school nurses were primarily present in special education settings, often at the request of parents seeking additional support for their children [2]. This specific focus has gradually expanded as the value of having healthcare professionals within the school setting became more apparent. School nurses now play a key role in fostering an inclusive educational environment, ensuring that all students have equal access to learning opportunities

[3]. Their presence in schools not only supports students with special needs but also contributes to the overall health and safety of the entire student body. This integration underscores the importance of school nurses as vital members of the educational community, working collaboratively to enhance student outcomes.

2. Key responsibilities of school nurses

School nurses in Greece are pivotal in conducting health assessments and screenings, ensuring the well-being of students. They actively engage in the early detection of health issues, facilitating timely interventions that can significantly impact a student's academic and social development [4]. By performing regular health checks, such as vision and hearing tests, school nurses can identify potential barriers to learning and help create individualized care plans. This proactive approach not only addresses immediate health concerns but also contributes to the overall development of students, enabling them to thrive in a school setting [5]. Additionally, these assessments serve as a foundation for health education initiatives, guiding students towards healthier lifestyles.

Management of chronic conditions is another critical responsibility of school nurses in Greek schools. They closely monitor students with conditions such as asthma, diabetes, and epilepsy, ensuring that these students receive the necessary care and support during school hours [1]. School nurses collaborate with teachers and parents to develop comprehensive care plans tailored to each student's needs, ensuring a safe and inclusive environment for all [6]. Their role extends beyond mere supervision; they educate students about their conditions, empowering them to manage their health more effectively. This empowerment is essential for fostering independence and facilitating the active participation of students with chronic conditions in the educational process [7].

In the realm of emergency response and first aid, school nurses are indispensable assets to Greek schools. They are trained to handle a wide array of emergency situations, from minor injuries to more serious health crises, providing immediate care that can be life-saving [8]. Their presence in schools ensures that students receive prompt medical attention, minimizing the potential for complications and ensuring a safe learning environment. School nurses also play a key role in educating school staff and students about emergency preparedness, creating a culture of safety and readiness [2]. Through drills and training sessions, they help instill confidence and competence in handling emergencies, thereby reinforcing the overall security framework within the school community.

3. Impact on student health and well-being

The role of school nurses in promoting healthy lifestyles among students in Greek schools is crucial and multifaceted. These professionals are tasked with fostering a healthy school environment by encouraging students to adopt habits that contribute to their overall well-being. Despite the lack of specific studies from the nurses' perspectives, their involvement is significant in various areas [9]. School nurses engage in activities such as organizing health education sessions, where they discuss essential topics like nutrition, physical activity, and the importance of maintaining a balanced lifestyle [10]. By doing so, they help students understand the long-term benefits of making healthy choices early in life. Additionally, they serve as role models, exemplifying healthy behaviors and attitudes that students can emulate. Through these efforts, school nurses not only improve students' health but also contribute to their balanced physical, mental, and social development, which is a core aspect of their role in Greek public schools [10].

School nurses in Greek schools provide invaluable mental health support to students, addressing a critical aspect of their overall well-being. Their presence in educational institutions allows them to identify and address mental health issues early, offering a safety net for students who may be struggling [7]. By providing a listening ear and professional guidance, school nurses help students navigate the complexities of adolescence and the challenges that come with it. They offer counseling services, create awareness about mental health topics, and facilitate referral processes for students who require additional support from mental health professionals. This proactive approach not only aids in the management of existing mental health issues but also helps in reducing stigma associated with seeking help. The ability of school nurses to integrate mental health support into their daily interactions with students reinforces the importance of holistic health care within the educational setting.

The prevention of communicable diseases is another vital responsibility undertaken by school nurses in Greek schools. They play a pivotal role in managing and controlling outbreaks, ensuring the safety and health of the student population [1]. By maintaining confidential health records, school nurses can track the health status of students and quickly identify potential risks or emerging health issues. Their proactive measures include educating students about hygiene practices, implementing vaccination programs, and coordinating with local health authorities during outbreaks [11]. These preventive strategies are essential in minimizing the spread of infections within school communities and preserving a healthy learning environment. Through their diligent work, school nurses not only safeguard individual students but also protect the broader school community from potential public health threats.

4. Collaboration with educational staff

Training and workshops for teachers are essential components of the collaboration between school nurses and educational staff in Greek schools. School nurses play a vital role in equipping teachers with the knowledge and skills necessary to address the health needs of students effectively. Through these training sessions, teachers gain insights into important health topics, such as nutrition and disease prevention, which directly impact students' overall well-being [1]. These workshops provide teachers with practical strategies to incorporate health education into their daily interactions with students, fostering a healthier school environment. Moreover, the collaboration between school nurses and teachers helps to create a supportive network that addresses the diverse health needs of students, ensuring that children with chronic health conditions receive the necessary accommodations for effective learning [12]. By empowering teachers through training and workshops, school nurses contribute to the holistic development of students, promoting a balanced approach to education that prioritizes health and well-being.

The development of health policies is another critical area where school nurses collaborate with educational staff in Greek schools. School nurses are instrumental in crafting comprehensive health policies that address the unique needs of the school community. These policies encompass a wide range of issues, including emergency health care, mental health support, and chronic disease management [2]. By working closely with educational staff, school nurses ensure that health policies are aligned with the school's educational goals and the needs of the students. This collaboration results in policies that not only safeguard the health of students but also enhance their educational experiences. For example, health policies may include protocols for managing medical emergencies, guidelines for supporting students with special health needs, and strategies for promoting mental well-being. The active involvement of school nurses in policy development ensures that health considerations are integrated into the school's overall framework, creating a supportive learning environment for all students [3].

Communication with parents and guardians is a pivotal aspect of the collaboration between school nurses and educational staff in Greek schools. School nurses serve as a crucial link

between the school and families, ensuring that parents are informed and involved in their children's health care. Through regular communication, school nurses provide updates on students' health status, discuss any concerns, and offer guidance on health-related matters [3]. This open line of communication helps to build trust and fosters a strong partnership between the school and families, ultimately benefiting the students. School nurses also play a role in educating parents about health issues, empowering them to make informed decisions regarding their children's well-being. By maintaining consistent and effective communication with parents and guardians, school nurses contribute to a collaborative approach to student health, reinforcing the importance of community involvement in promoting the health and well-being of students [13].

5. Contribution to public health goals

Immunization programs in Greek schools are significantly bolstered by the presence of school nurses, who play a vital role in promoting public health goals. These healthcare professionals actively work to improve vaccine uptake among school-aged children, addressing both parental concerns and misconceptions about vaccinations. Research suggests that school nurses are instrumental in identifying children's attitudes towards vaccination, which helps in tailoring strategies to enhance immunization rates [14]. By ensuring that students are up-to-date with their vaccines, school nurses help to prevent the outbreak of infectious diseases within the school environment, thereby safeguarding not only the health of individual students but also the broader community.

In addition to managing immunization programs, school nurses are pivotal in integrating health education into the curriculum, thereby promoting a well-rounded understanding of health among students. Their primary responsibility involves the education and promotion of health standards, aiming to improve both the physical and mental well-being of the school population [8]. School nurses contribute to the development of a health education curriculum that encompasses a wide range of topics, including nutrition, mental health, sexual education, and substance abuse prevention. By embedding these critical health topics into the school curriculum, they empower students with knowledge that can lead to healthier lifestyle choices and improved long-term health outcomes.

Monitoring and reporting health trends is another crucial aspect of the role of school nurses in Greek schools, which supports public health initiatives by ensuring timely identification and response to emerging health issues. School nurses take on the responsibility of tracking the health status of students, including monitoring chronic health conditions and identifying any unmet needs [15]. This continuous monitoring allows for the early detection of potential health issues, enabling prompt intervention and support. Through collaboration with other school staff and public health officials, school nurses contribute valuable data and insights that help shape health policies and programs. By maintaining detailed records and reports, they ensure that the health needs of students are addressed efficiently and effectively.

6. Addressing health inequalities

School nurses in Greek schools play a pivotal role in supporting vulnerable and at-risk students by providing essential healthcare services and interventions tailored to their unique needs. They are often employed in special education schools, particularly at the request of parents who seek additional support for their children [2]. This targeted approach allows school nurses to address health disparities by ensuring that students with chronic health conditions receive the necessary care and attention. Furthermore, school nurses collaborate closely with educational staff to implement health-related initiatives, ensuring that these students can thrive in a supportive environment. By maintaining immunization compliance and monitoring the health

status of these students, school nurses contribute significantly to reducing health inequalities and promoting a healthier school population [1].

Access to healthcare resources is a critical aspect of the role of school nurses in Greek schools. They bridge the gap between students and the healthcare system, facilitating access to necessary medical attention and resources [16]. Despite the lack of school-based health services, school nurses ensure that students can connect with primary healthcare providers when needed. This connection is crucial for students who may not have the means or knowledge to seek medical care independently. School nurses also play a vital role in health education, providing information on essential topics such as nutrition and disease prevention, thereby empowering students to make informed health decisions [1]. By doing so, they help level the playing field for all students, regardless of their socio-economic background.

Advocacy for health equity is a fundamental responsibility of school nurses in Greece, as they strive to ensure that all students have equal opportunities to achieve optimal health outcomes. They actively participate in creating policies and programs that address the unique health needs of the school population, thereby fostering an inclusive and equitable educational environment [5]. School nurses are instrumental in raising awareness about the importance of equitable access to healthcare services within the school community. They work tirelessly to highlight the gaps in service provision, advocating for policies that ensure fair distribution of resources and services [7]. Through these efforts, school nurses contribute to the development of a more just and healthy school system, where every student has the chance to succeed and thrive.

7. Challenges faced by school nurses

School nurses in Greece face significant challenges due to limited resources and funding, impacting their ability to effectively support students' health and well-being. Despite their critical role in promoting pupils' balanced physical, mental, and social development, school nurses often operate within constraints that hinder their efforts [17]. Limited access to medical supplies and inadequate funding for health programs can restrict the scope of services they can provide. This scarcity of resources often forces school nurses to prioritize urgent health needs over comprehensive care, leaving gaps in preventive health measures and ongoing student support. These challenges underline the need for increased investment in school health services to empower nurses to fulfill their roles more effectively and contribute to a healthier school environment.

Another pressing challenge for school nurses in Greece is the high student-to-nurse ratio, which significantly affects their ability to manage students' health needs efficiently. With a limited number of nurses available, each professional is responsible for the health care of a large student population, leading to overextended workloads and reduced effectiveness in addressing individual student concerns [2]. This imbalance hampers the nurses' capacity to provide timely and personalized care, as they struggle to juggle numerous health assessments, treatments, and follow-ups within the confines of their limited time. Consequently, students may not receive the attention and care they require, which can impact their overall health and learning outcomes. Addressing this issue through the recruitment of additional nursing staff is essential to ensure that all students have access to the health services they need.

In addition to dealing with limited resources and high student-to-nurse ratios, school nurses in Greece must navigate the complexities of balancing multiple roles and responsibilities. Beyond their primary duty of managing students' health, school nurses are often tasked with administrative functions, health education initiatives, and collaboration with school staff on health-related programs [4]. This multifaceted role requires them to possess a wide range of skills and expertise, yet the demands of these diverse responsibilities can be overwhelming. The need to

shift focus between direct patient care and broader health promotion efforts can lead to burnout and decreased job satisfaction. It is crucial to provide school nurses with adequate support and resources, enabling them to manage their varied roles effectively and maintain high standards of student health care.

8. Professional development and training

Continuing education opportunities are crucial for school nurses, enabling them to stay updated with the latest advancements in child health care. In Greece, school nurses are responsible for promoting the health and well-being of students, and ongoing education is vital to fulfill this role effectively [5]. By participating in workshops, seminars, and online courses, nurses can enhance their skills and knowledge, which is essential for addressing the diverse health needs of students. Moreover, access to continuing education ensures that school nurses can implement evidence-based practices within their daily responsibilities. These opportunities not only improve the quality of care provided but also contribute to the professional growth and job satisfaction of school nurses.

Specialized training in child health is another key aspect of the professional development of school nurses in Greece. A comprehensive understanding of child health issues allows nurses to provide targeted interventions and support to students. Training programs focusing on areas like chronic health conditions, mental health, and developmental disorders equip nurses with the expertise needed to manage complex health situations [12]. This specialized knowledge is particularly important in special education settings, where nurses are often employed at the request of parents to address the unique health needs of their children [2]. As a result, specialized training helps school nurses to deliver personalized care and improve health outcomes for students.

Networking and community involvement are essential for school nurses to enhance their impact and effectiveness within Greek schools. By engaging with other health professionals and community organizations, nurses can create a supportive network that facilitates resource sharing and collaboration [18]. This involvement not only broadens their professional horizons but also helps them to stay informed about public health initiatives and policies that affect school health programs. Additionally, active participation in community events and health campaigns allows school nurses to advocate for children's health and well-being, thereby reinforcing their role as integral members of the school community. Networking also provides opportunities for mentorship and peer support, which are invaluable for professional development.

9. Technological advancements in school nursing

In recent years, the use of digital health records has become an integral part of school nursing in Greece. This technological advancement allows school nurses to efficiently manage and access student health information, which significantly enhances their ability to provide timely and accurate care [19]. By having a comprehensive view of a student's health history, school nurses can make informed decisions that contribute to improved health outcomes. The implementation of electronic health records (EHR) also facilitates better communication between school nurses and other healthcare providers, ensuring a coordinated approach to student health management. Additionally, digital records reduce the likelihood of errors associated with traditional paper-based systems, thereby increasing the overall efficiency of school health services.

Telemedicine services have revolutionized the way school nurses in Greece deliver healthcare, especially in remote or underserved areas [20]. This technology enables school nurses to consult with healthcare professionals and specialists without the need for students to leave the

school premises. Through video conferencing and other digital communication tools, students can receive medical advice and even diagnoses, which might not be readily available on-site. Telemedicine also supports the continuity of care for students with chronic conditions, as it allows for regular follow-ups and monitoring. The integration of telemedicine in schools not only expands access to healthcare but also empowers school nurses to address a broader range of health issues effectively.

The introduction of health monitoring devices in Greek schools marks another significant step forward in school nursing. These devices allow for continuous and real-time monitoring of students' health metrics, such as blood glucose levels for those with diabetes [21]. By utilizing wearable technology and other innovative health monitoring tools, school nurses can promptly identify any deviations from normal health parameters and take immediate action. This proactive approach to health management helps prevent complications and ensures that students remain healthy and ready to learn. Furthermore, the data collected from these devices provide valuable insights into students' health trends, enabling school nurses to tailor interventions and support to meet individual needs effectively.

10. Policy recommendations for enhancing school nursing

Increasing funding and resources for school nurses in Greece is paramount for enhancing their effectiveness and reach within educational institutions. Adequate funding allows for the hiring of full-time school nurses, which is essential for improving health outcomes, such as asthma management, particularly in underserved schools [7]. This improvement can significantly reduce school absenteeism, thereby promoting better educational engagement and academic performance. By securing more resources, schools can also provide the necessary medical supplies and equipment that enable nurses to perform their duties efficiently. Increased funding supports continuous professional development for school nurses, ensuring they are equipped with up-to-date knowledge and skills to address various health issues among students. Implementing these measures can help bridge the gap in health services available to students, fostering a healthier and more conducive learning environment.

Establishing standardized protocols for school nursing practices can significantly enhance the quality and consistency of care provided to students in Greek schools. Currently, nursing practice in Greece faces challenges related to nurse training and education, as well as the regulation of duties and professional development [22]. By developing and implementing clear, standardized guidelines, school nurses can provide consistent and reliable health services across different educational settings. Standardized protocols would also facilitate better documentation and communication, enabling nurses to efficiently share information with teachers, parents, and healthcare providers. These protocols can include specific procedures for managing common health issues, detailed emergency response plans, and guidelines for health education initiatives. Implementing standardized protocols ensures that all students receive equitable health care, regardless of their school or location, promoting overall student well-being and safety.

Strengthening interdisciplinary collaboration is vital for maximizing the impact of school nurses on student health and development in Greece. Active interaction with the educational community highlights the integral role of school nurses and underscores the importance of considering the socioeconomic context in health interventions [7]. By fostering collaboration between school nurses, teachers, and other health and social care professionals, schools can create a more holistic approach to student well-being. Multidisciplinary collaboration is particularly important for the education of pupils with special educational needs, as it ensures that all aspects of a student's health and educational requirements are addressed [22]. This collaborative approach can lead to more effective health education programs, improved management of health conditions, and better support for students facing social or emotional

challenges. Establishing strong interdisciplinary partnerships enhances the capacity of school nurses to contribute positively to the health and development of all students.

11. Conclusion

In conclusion, the role of school nurses in Greek schools is indispensable to the overall health and well-being of students. From their historical development to their integration within the educational system, school nurses have evolved into key figures responsible for a variety of essential health services, such as health assessments, chronic condition management, and emergency response. Their impact extends beyond individual student care to encompass the promotion of healthy lifestyles, mental health support, and the prevention of communicable diseases, thereby fostering a healthier school environment. Collaboration with educational staff, parents, and public health initiatives enhances their effectiveness in addressing student health inequalities and advocating for health equity. However, challenges such as limited resources and high student-to-nurse ratios hinder their ability to fully realize their potential. To bolster the contributions of school nurses, it is crucial to invest in their professional development, utilize technological advancements, and implement policy recommendations aimed at increasing funding and enhancing interdisciplinary collaboration. By prioritizing the role of school nurses, Greece can ensure a more comprehensive approach to student health that ultimately contributes to the well-being of the entire community.

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Israeli Law in Judea and Samaria: Areas B and C

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Abstract

In September 1995 the State of Israel signed the Oslo II Accords with the Palestine Liberation Organization, in which Judea, Samaria, and the Gaza Strip were divided into three areas: A, B, and C. Each of these areas has different administrative and security arrangements. These areas are typically separated, to a large extent, according to the degree of responsibility given to the Palestinian Authority, which was established by this agreement for the territories in question. Even today, after more than half a century in which the Israeli Supreme Court hears Judea and Samaria cases, it has not yet found a strong normative source on which to base its authority and continues to indicate the two shaky sources of authority that did not satisfy it back in the 1970s: the consent of the parties and the definition of military rule as ostensibly acting according to Israeli law. The Supreme Court is aware of the cloud hanging over its authority to hear Yesha cases, but in its view, “the humanitarian consideration must prevail in this case over the legal-technical consideration,” and therefore it hears those cases.

Keywords: Oslo Accords, the West Bank, Judea and Samaria, the Gaza strip, Israeli supreme court.

1. Introduction

In September 1995, the State of Israel signed the Oslo II Accords with the Palestine Liberation Organization, in which Judea, Samaria, and the Gaza Strip were divided into three areas: A, B, and C. Each of these areas has different administrative and security arrangements. These areas are typically separated, to a large extent, according to the degree of responsibility given to the Palestinian Authority, which was established by this agreement for the territories in question.

Area B refers to zones in which governmental authority is divided between the Palestinian Authority and the State of Israel – the civilian domains are under the authority of the Palestinian Authority. In contrast, the military and security domains are under Israeli rule. These areas include 440 rural communities, all of which are Palestinian, including nature reserves. The area occupies about 22% of Judea and Samaria.

In Areas B and C, the Palestinian Authority has no responsibility. Israel has civilian and security authority over them. The agreement stipulated that the division of areas would take place within five years, but in practice, it has remained as such ever since.

In the summer of 2005, Israel implemented its disengagement plan, withdrawing all its forces from the Gaza Strip and evacuating all the Jewish residents of Area C in the Gaza Strip.

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Since then, the entirety of Area C has been in Judea and Samaria, constituting about 60% of the territory. Area C in Judea and Samaria is contiguous, and Areas A and B are enclosed within it. In contrast, during the period when Israeli communities were living in the Gaza Strip, Area C was enclaved within Area A. Area C today includes over 100 settlements in which over 400,000 Israeli residents live, about 500 Palestinian communities (located wholly or partially in Area C) in which live between 230,000 and 300,000 Palestinians, Area C also comprises IDF's roads, bases and firing zones, nature reserves (managed by the Nature and Parks Authority) and uninhabited areas.

Areas B and C are governed by two different legal systems. By the Judea and Samaria Regulations, large parts of Israeli law are applied to Israeli residents of Area C, alongside special legislation by the military commander. The Palestinian residents living in these territories themselves are subject to Jordanian law, Palestinian law, and the legislation of the military governor that applies to them. In *Kav LaOved (Worker's Hotline)* (2007) case, it was ruled that in certain cases Israeli law will also apply to Palestinians working in the settlements.

2. Legislative differences between Israel and Judea and Samaria

The legislation in Judea and Samaria is substantially different from the existing legislation on the other side of the Green Line, and the laws enacted in the Israeli Knesset do not automatically apply to these territories (Eyal, 2023).

The residents of Judea and Samaria face a lack of clarity regarding the law that applies to them, and a situation has arisen in which different residents of the same area and citizens of the same country are subject to different laws.

First, the criminal law – the penal code and the criminal procedure were applied in Judea and Samaria by Major General's order, and therefore residents of Israel living in Judea and Samaria are bound by these laws. Laws that carry criminal penalties and were not applied by special order, such as the asbestos law mentioned below, do not apply in Judea and Samaria, nor are Israeli residents bound by them in Judea and Samaria.

Residents of the territories who are not residents of Israel are subject to Major General orders and pre-1967 Jordanian law.

Second, civil law is divided into two: the areas of Israeli settlement and the rest of the territory within the settlement areas were applied by the Major General orders of the Regulations of the Local Councils (1981) and the Regulations of the Regional Councils (1979), which apply a significant part of the laws applicable in Israeli law and which have been adapted to the area (sometimes called "enclaves' law").

In the rest of the territory outside the boundaries of Israeli settlement, Jordanian law from 1967 applies simultaneously as well as security legislation and sometimes even Ottoman law and international law according to the case and context.

In addition, it should be noted that there is a lack of legal clarity regarding the status of the territory, which creates many problems in defining the laws that apply to it, as mentioned and clarified in the Levy Committee report (2012).

Therefore, the special legal situation of Judea and Samaria effectively creates class differences between citizens who are residents of the territories and citizens who are residents of Israel, between settlers on one side of the Green Line and settlers on the other side. Moreover, unlike Israel's sovereign territory, where there are up-to-date, accessible, and expedient government legislative databases, in Judea and Samaria the only official database available on the MAG (Military Advocate General) Corps website is unorganized, inconvenient to use, and makes it difficult to find relevant current legislation. This fact constitutes an additional gap and creates

an added difficulty for residents of Judea and Samaria in searching for and locating the laws that apply to them in the area. This violates two basic principles of the principle of the rule of law, according to which the law must be open and equal to all. To illustrate the existing gaps, we will cite several examples

3. Planning and construction

Israeli land law and planning and building laws do not apply in Judea and Samaria and the existing laws are comprised of Ottoman, Mandate, Jordanian, and Israeli security legislation (Schwartz, Galily & Weidong, 2019).

The aforementioned Levy Committee report discusses the subject of planning and construction in Judea and Samaria in detail, addressing various issues and gaps between the legal situation in Israel and Judea and Samaria, including problems in approving access roads to communities, irregularities in appeals committees, problems in access to land registration (extracts), etc.

Property Tax – This is an annual tax levied on vacant land that is not agricultural and is collected for vacant land for which less than 30% of the building rights have been utilized. The purpose of this law is to encourage landowners to improve the land in their possession and build on it instead of leaving it empty. Amendment No. 45 to the Land Betterment Tax Law, which took effect from January 1, 2000, canceled its collection, and in its place, a purchase tax was established, which was also canceled with the government's approval of the Arrangements Law, and its application is retroactive from August 1, 2007. Therefore, there is no payment of property tax and/or sale in Israel on vacant land.

The situation in Judea and Samaria: There is a parallel payment to property tax unique to the area, and it is called "Local Real Estate Tax (Arnona) on building land". The authority to impose this tax is by Section 76(b) of the Local Councils Regulations.

This tax is a fee for vacant lots ("building land". This is land that is not agricultural land, not occupied land or building land), and it is paid to the local authority. Tax rates are set in the Arnona Order and vary from authority to authority. In February 2016, a bill was introduced to abolish this discriminatory tax. In the past, two petitions were filed with the High Court of Justice demanding the cancellation of this tax on the grounds of inequality in payments between residents of the territories and the rest of Israel, but these petitions were rejected because there were several differences between the taxes (2001).

Betterment Levy – originates in the Planning and Building Law, of 1965. The betterment levy is a mandatory payment required of a landowner or a lessee for generations, by the local committee and applies to a landowner whose rights have been improved due to the approval of a plan, the granting of an easement or deviating use, etc. (1981).

The situation in Judea and Samaria: Planning and building matters are regulated by the Jordanian Town, Village, and Building Planning Law (Temporary Law No. 79) of 1966 according to the principle of observance of laws. In 1967, Order No. 418 was issued regarding the planning of towns, villages, and buildings, in which adjustment provisions were established. Local councils in the area do not usually charge any levy or tax for improvements incurred due to plan approval, easement, or deviating use.

It should be noted that the state of property rights in land in Judea and Samaria is often different from those existing in Israel. A significant portion of landholders in Judea and Samaria have only the status of "licensee/entitled to use the land," especially in areas under military occupation, and therefore there is no justification for imposing the levy on them.

In addition, it should be pointed out that the betterment levy is money transferred to the local authority, and the economic damage caused in Judea and Samaria due to the failure to collect the levy is absorbed by the local and regional authorities.

4. Education

The Compulsory Education Law is a social law with many economic implications. It allows and requires parents to educate their children free of charge, from age 3 to age 18, and its goal is to give all children in Israel the opportunity to receive quality education free of charge.

The situation in Judea and Samaria: The Compulsory Education Law was applied in Judea and Samaria by an appendix order to the bylaws of the local councils, and hence, only in the areas of settlement and in an individual local manner. Therefore, there may be differences in the application of the law in various places, for example: in Beitar Illit, an order was issued ordering all application of the law from the age of 3, while in a list of other localities, an order was issued ordering the application of the law from the age of 4. Thus, the law is not automatically applied but requires individual application. It appears that without specific application of the law in the order, Localities to which the order has not been applied in detail will not be subject to the aforementioned government decision, and there is concern that they will be left behind without a binding law until an order is issued in their regard.

The Long School Day and Enrichment Studies Law (2015) – The law determines the number of study hours on weekdays and thus enables the provision of higher-quality education. The law stipulates that the long school day program will be implemented in schools gradually until final application in the 2018 school year.

The situation in Judea and Samaria: Only after applying the law in Israel will the Major General be required to issue an order and apply it explicitly, which may take many months and sometimes even more than a year. Students in the area may find themselves with different rights and fewer hours of study than their peers studying in the rest of Israel.

5. Health law

Pharmacists Regulations (Preparations) of 1986 – Regulations about health preparations, their import, marketing, and more. Regulation No.4 states that: “No person shall market a registered preparation that is not pre-packaged at the manufacturing plant, except with the approval of the Director and under conditions prescribed; Approval can be general or for a specific preparation.”

This means prohibiting any marketing of any registered medical preparation that is not pre-packaged in the factory that manufactures it unless special approval is given by the Director General of the Ministry of Health (who is responsible for the drugs).

The situation in Judea and Samaria: The Local Councils Regulations (Health Law), Section 4(b) (2) of Appendix 5, states that the above regulation will not apply in the area. This means that it is possible to market a medical product that is not pre-packaged in the manufacturing plant, which puts the safety factor for public health at risk.

6. The judicial system

An overview of the legal system in Judea and Samaria and the unique characteristics of the region. We shall not go into all the complexity and the various laws that apply to the matter of jurisdiction in every case.

Local Affairs Court – Article D of the Courts Law [Combined Version], 5744-1984 – defines the issues and powers of the Local Affairs Courts. The local courts were authorized to hear local matters and offenses according to defined laws such as the Municipalities Ordinance, the Local Councils Ordinance, the Planning and Building Law, the Business Licensing Law, and more. The judges of the local court are judges of the magistrate's court who have been authorized to do so by the Administration of Courts.

The situation in Judea and Samaria – the substantive jurisdiction of the Local Affairs Court was determined in Section 126 of the Regulations of the Local Councils (Judea and Samaria) and is quite a bit different from the “Israeli” one. First, judges (like the courts themselves) receive their appointments by order of a Major General and not by the appointment of the Administration of Courts. This fact creates several problems:

A situation has arisen in which there is only a limited number of judges “authorized” to hear in the local courts in Judea and Samaria, and sometimes even cause unreasonable situations, such as the one that occurred in the framework of the ruling in penal case 22/07, where a case was forced to move from Ma’ale Adumim to Jerusalem due to two judges who disqualified themselves. From there the case was moved to Ramle and due to lack of authority was returned to Jerusalem, all before a substantive hearing was held.

In addition, the Judea and Samaria Local Affairs Court was authorized by Section 138 of the Code to adjudicate as a juvenile court and as a small claims court. This means that the ideas behind the establishment of unique courts in Israel, in which judges become more professionalized, streamline proceedings, and increase protection of defendants and other users of the legal system - are flawed.

In addition, the Major General is the commander of the region and the legislative sovereign responsible for all laws, including the appointment of judges, and so, for example, when a judge draws the commander's attention to a deficiency, it may take many years before the issue is examined substantively. Thus, for example, as happened in the ruling in which the judge noted that the Major General must amend the bylaws and explicitly add authority to hear administrative petitions, this has never been done and petitions are still submitted to the Jerusalem District Court or the High Court of Justice according to the context.

7. Environmental law

The Packaging Regulation Law of 2011 – The purpose of the law, as outlined in the objectives of the law, is to reduce the amount of waste generated from packaging, prevent its burial, and encourage the reuse of packaging. The law promulgates regulations regarding the treatment of packaging using “green” methods and prohibits the burial of packaging in landfills out of an understanding of the damage inherent in the environmental quality due to failure to properly treat this waste.

The situation in Judea and Samaria: The law was applied by order as an appendix to the bylaws of the local councils and was subject to several changes. According to the law, it is forbidden to bury packaging waste only if it falls into one of the following categories: the waste was created in the local authority or “outside the area” (i.e., even if it was created abroad, the main thing is that it was not created in Judea and Samaria), the waste was created by a settler, the waste is packaging waste separated from various types of waste. This means that packaging waste that was not produced in the council territory or Israel and was not produced by an Israeli citizen can be buried in Judea and Samaria and even in a regional council.

The Clean Air Law of 2008 – According to the law, its purpose is to improve air quality, prevent and reduce air pollution, inter alia by establishing prohibitions and obligations by

the precautionary principle, all to protect human life, health, and quality of life in addition to protecting the environment, natural resources, ecosystems and biodiversity, for the benefit of the public and future generations while considering their needs. The law came into force on January 1, 2011.

The law uses various tools to prevent air pollution, such as: setting maximum values for air pollutants in the environment, consolidating air monitoring systems into a uniform system as well as issuing orderly publication of monitoring data to the public, and forecasting publications. The law empowers the Minister of Environmental Protection to order the establishment of monitoring systems and their operation for various entities. Hence, local authorities have also the power to act to reduce the pollution caused in their areas. The minister has also the authority to instruct pollution-affected localities to prepare and implement a plan to reduce pollution within their areas, as well as enforce the obligation of large factories to obtain emission permits as a condition for their continued activity. These emission permits will be based on the best available technologies that can be implemented.

The situation in Judea and Samaria – This law does not apply in Judea and Samaria (both inside and outside the settlements) since the order was not applied. There is old legislation in the area, such as Cleanliness Order 1160 of the year 1986, which prohibits air pollution in general and without the details and adjustments required for control and enforcement. This means that in Judea and Samaria, there is very limited protection regarding air pollution by old legislation that is not adapted to Israeli legislation and does not allow for sufficient enforcement (The Research and Information Center of the Israeli Parliament, 2014) (Schwartz, 2010).

The Prevention of Asbestos Hazards and Harmful Dust Law of 2011 – The purpose of the law is to prevent, reduce, and treat environmental and health hazards caused by asbestos. Thus, according to Israeli law, a contractor engaged in the dismantling and removal of an asbestos structure is required to undergo special certification. There are detailed rules that apply to public buildings whose roofs are covered with asbestos, it is forbidden to break and trade in asbestos, and more.

The situation in Judea and Samaria: There is no prohibition on any asbestos trade and there is no obligation to dismantle broken asbestos roofs. The danger exists and most councils made sure to dismantle the asbestos structures on their own, understanding the danger involved. In conversations and meetings of Green Now Organization representatives with a representative of the Attorney General of Judea and Samaria, the Organization was promised several times that an order would be issued to regulate the matter over two years ago.

8. Summary of legislative differences

As illustrated, the legislative differences that exist between Israel's sovereign territory and Judea and Samaria create a gap between the rights and obligations of Israeli residents and residents of Judea and Samaria and create a status of first-class citizens and second-class citizens. The same applies to health, planning and building matters, environmental matters, and other areas.

It is worth mentioning that only a few examples were presented, and as noted, there are additional gaps, both in the aforementioned areas as well as in other areas where legislation is lacking or there is no regulating legislation at all in Judea and Samaria - such as a law regulating the treatment of electronic waste. It is also worth remembering that the gap is even larger outside the boundaries of settlement. The democratic legislative process in sovereign Israel is substantially different from the procedure for issuing an order by a military commander. Therefore, comprehensive legislation must be adjusted to equalize the situation of residents of Judea and

Samaria with that of residents of Israel to prevent discrimination, preserve basic rights, maintain order, and protect animals and the environment.

9. Israeli High Court of Justice Authority in Judea and Samaria

With the influx of petitions against the military rule to the High Court of Justice, the need arose to determine whether the Israeli court has jurisdiction to hear them (Berlinger, 2024). It is reasonable to assume that if the State Attorney's Office had claimed this lack of authority, its claim would have been accepted (Negbi, 1981; Zilber, 2021). But the State Attorney's Office did not argue this, and in the early 1970s, the de-facto High Court of Justice ruled that the decisions of the military government were subject to judicial review (The Almaksada Affair, 1972; Israel Electric Corporation affair, 1972; Almasaulia affair, 1983). This decision is a novelty and a legal and historical precedent since Israel was the first and only country in the world in which its military government was subordinated to the authority and supervision of its Supreme Court (Adler, 2010). This decision of the court passed without much public scrutiny, mainly because the government did not oppose it, and over the years became a 'fait accompli'.

10. The first period – Discussion without authority

The first Supreme Court ruling published regarding Judea and Samaria was in March 1972 in the Almaksadeh case (Kretzmer, 2023), in which the issue of the High Court's jurisdiction was not mentioned. The issue of authority was ignored on the assumption that the authority exists. The court knew that its jurisdiction in the matter raised serious legal difficulties, and therefore consciously and deliberately refrained from discussing the issue.

In the rulings handed down after the Almaksadeh affair, the court no longer completely ignored the issue of authority, but still avoided substantive discussion of it, devoting only a few lines to it. This is the case, for example, in the Israel Electricity Corporation case, in which the court based its jurisdiction on the fact that state representatives did not claim the absence of such authority. This anchor raises two fundamental problems.

First, the parties' non-objection (as opposed to the consent of the parties) can confer jurisdiction on the court only in a specific case. It cannot confer jurisdiction on other cases in the future. This problem was addressed by the Honourable Justice Witkon (who presided over all the main petitions regarding Judea and Samaria in the 1970s) (The Abu Helou Case, 1972).

Second, a bigger problem, especially today, is that relying on the consent of the parties as a source of authority ostensibly contradicts Israeli law (Amir, 2006), meaning that even if the parties agree that the court will hear a particular case, the court does not acquire jurisdiction and is forbidden to hear the case, unless there is explicit authorization to do so by law. The court did not deal with this problem (Einhorn, 2013).

In conclusion, during the first years of Israel's control over Judea and Samaria, the Supreme Court began to look for a constitutional anchor for its authority to hear cases from these territories and indicated the consent of the parties as a possible source of authority. The court was aware of the problematic nature of this source and therefore explicitly refrained from ruling due to its lack of authority to hear cases from Judea and Samaria (The Kawasmeh Case, 1980). In some cases, the court deliberately ignored the question of authority, and in some of the cases, he decided that it would hear the petition despite the issue of authority. In practice, not a single case is known in which the court refrained from hearing a case due to a lack of jurisdiction stemming from the fact that it is a case from the Judea and Samaria area. The reality in which the court hears cases without being able to pinpoint a source of authority was a source of discomfort for it. Therefore, it

sought a stronger constitutional anchor to consolidate its authority, and for this purpose, it turned to administrative law.

11. The second period – Administrative hearing authority

In the second period, the court continued to note that the state's representatives did not claim a lack of authority, but added another argument: members of the military government in Judea and Samaria are part of the executive branch of the State of Israel, and, as such, their decisions are subject to the supervision and review of the court (Dinstein, 1972, 1974, 1980). The normative anchor for this argument was found by the Supreme Court in the Courts Law (1957).

At first glance, it seems that this is a solid normative anchor: the law (now the Basic Law) explicitly states that the High Court of Justice may criticize the decisions of anybody or a person playing a public role. Despite this, for many years, the court refrained from relying fully on this anchor and refrained from clearly stating that it is permitted to hear cases from Judea and Samaria.

The court refers to the court's Law but does not rule according to it, but rather "assumes" that it has authority and hears the case without questioning the authority. The court did not explain why it took this path, but it seems to be because this legislative anchor is also legally shaky.

The court's jurisdiction under the Section of the Courts Law applies only to persons "performing public functions by law," that is, persons acting by Israeli law (Interpretation Law, 1981). Military rule in Judea and Samaria does not operate according to Israeli law, but according to military law (security legislation) established by the military legislature in those areas (Proclamation, 1967)]. This was even stated explicitly years later by the Supreme Court (Amir case, 1999; M.R.M. case, 2005).

Despite the great problem in relying on an "administrative source," the Court sees it as a slightly stronger normative source than the source of "consent of the parties," and therefore in the second half of the 1970s it mainly emphasized it (the Alon Moreh Case, 1979). At the same time, throughout the 1970s, the court continued to refrain from explicitly stating that it indeed had the authority to hear those cases, and even most of the justices seriously and openly questioned the question of authority, and in the Alon Moreh case, one of the judges explicitly stated that this authority does not exist at all.

A change in this trend came in the 1980s.

12. The third period – Acquiring authority by inertia

In the third period, the Supreme Court upholds the words of the Sages that since "a year in it" it is "done to him as a permit" (Babylonian Talmud), and turned the "assumption" into "containment" and the doubt and "need of review" into "there is no doubt."

The High Court clearly states that it has jurisdiction to hear Yesha (Judea and Samaria) cases, but does not give a legal reason for the change in its approach. The Court does not explain why an issue that was "initially left in need of review" suddenly became a "no doubt" issue.

Although it notes that "over the years, the status of the military government has become clearer," it does not clarify what this new clarity is regarding the status of the military government in Judea and Samaria, and how this grants the High Court of Justice authority to hear Judea and Samaria cases. Ostensibly, the only thing that has changed during this period is the time, when the very fact that the High Court of Justice has heard Yesha cases for more than a

decade, was supposedly enough to grant jurisdiction. From a critical perspective, it can be said that since the court searched, unsuccessfully, for a stable constitutional anchor for its authority, it decided that the authority was vested in it “by inertia,” and its validity continues to be debated to this day. As it has done in other cases where there was a dispute over its authority, the High Court used the “phased method” (or “salami method”). In the early years, the Supreme Court heard cases from Judea and Samaria without deciding the question of authority. These are usually low-profile cases, the decision of which is in favor of the state. After several years in which the public has become accustomed to the High Court of Justice discussing the same issues, the Court clearly states that it has the authority to hear them, relying on past cases that it has already heard. It then opens the possibility of deciding on “high-profile” issues with broad political and social implications, such as evacuating settlements, as opposed to expelling Palestinian terrorists from their houses (Scharf, 2023; Berlinger, 2016).

13. Conclusion

Even today, after more than half a century in which the Israeli Supreme Court hears Judea and Samaria cases, it has not yet found a strong normative source on which to base its authority and continues to indicate the two shaky sources of authority that did not satisfy it back in the 1970s: the consent of the parties and the definition of military rule as ostensibly acting according to Israeli law. The Supreme Court is aware of the cloud hanging over its authority to hear Yesha cases, but in its view, “the humanitarian consideration must prevail in this case over the legal-technical consideration,” and therefore it hears those cases.

It should be reminded that even if the court should have the authority to review what is happening in Judea and Samaria, without going into the question of its scope, the authority has not yet been determined by the legislature and has not yet been determined using “judicial legislation”. How the authority is acquired, which is not based on stable legal sources, has opened the doors of the High Court wide without a guard at its doors to set up a border and barrier to some of the cases that wish to enter its gates, in doing so, it created political, social and legal “hazards”. Legislation granting the High Court of Justice the authority to hear Judea and Samaria cases will, on the one hand, give the Court legitimacy to hear those cases, and on the other hand, will enable the erection of barriers of “justiciability” and “standing (locus standi) right” at the gates of entry to the High Court.

The responsibility for the fact that the Israeli High Court of Justice hears thousands of Judea and Samaria cases each year, without a clear source of authority, lies with the three branches of government: the court that acquired jurisdiction without a clear legal source (and contrary to its rulings in other cases), the government whose representatives did not claim the lack of jurisdiction of the High Court of Justice and agreed (tacitly) that the court hear Yesha cases, and the Knesset, which did not regulate this important issue in law. After more than 50 years in which the High Court of Justice has heard tens of thousands of cases from Judea and Samaria, there is no political feasibility that the High Court will retract its authority position. The government can set the course about the courts operating in Judea and Samaria but cannot determine the jurisdiction of the High Court. Changing the current situation and regulating the powers of the High Court of Justice regarding Judea and Samaria is an action that lands on the Knesset's doorstep.

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Fostering Inclusive Teaching Practices: The Crucial Role of Social Philosophy in Developing Professional Identity

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Abstract

This article argues that social philosophy is key for teachers. It helps them create inclusive classrooms and develop a strong professional identity. By reflecting on social justice and cultural perspectives, teachers can refine their practices and make ethical decisions. This article also explores how social philosophy can prepare future teachers by examining how social factors shape their identity. Finally, it emphasizes the importance of a strong professional identity for teachers and highlights the role of social philosophy in teacher education programs.

Keywords: teacher, education, identity, social philosophy.

1. Introduction

Effective teachers do more than impart knowledge; they shape students' lives and influence society. This complex role requires a deep understanding of the principles that guide education and the development of a strong professional identity. This paper argues that social philosophy is key to achieving both.

Social philosophy provides a framework for teachers to navigate the ethical complexities of education. By emphasizing justice, equality, and cultural responsiveness, it helps teachers create inclusive classrooms. Understanding the social and historical context of education allows teachers to see the bigger picture and their role in achieving societal goals. It is also intertwined with professional identity. As teachers grapple with philosophical questions about social justice and diverse perspectives, they reflect on their own values and teaching methods. This reflection refines their professional identity and ensures their practices are inclusive. Furthermore, social philosophy equips teachers with the tools to critically examine and adapt their methods. By understanding cultural diversity, teachers can foster classrooms where every student feels valued. Furthermore, social philosophy guides teachers through ethical dilemmas. By grounding decisions in philosophical principles, teachers make informed choices that solidify their identity as ethical practitioners.

The importance of social philosophy grows as education adapts to changing societal needs. It empowers teachers to navigate new cultural, political, and economic landscapes. Moreover, it equips them to guide students in understanding the social and political dimensions of contemporary issues.

This article argues that social philosophy is a powerful tool for educators. It helps them create inclusive classrooms, develop strong professional identities, and navigate the complexities of the educational landscape.

2. Exploring the foundations of human interaction

Humans need each other for everything – from staying alive to growing and thriving. Social philosophy explores the fundamental rules that guide our interactions in society, trying to understand the true meaning of how we live together. As soon as a person is born, they start living in society, where constant interactions shape who they become. Society, described as a group of individuals with a shared purpose, serves as the nurturing ground for one's character. Social philosophy delves into the philosophy of human relations within this societal framework. It views society as a dynamic organization of purposeful individuals, with man at its core, and explores the principles that underlie social solidarity.

Mackenzie (1917), asserts that social philosophy seeks to explain the nature of society through the lens of social solidarity, emphasizing the importance of understanding the united forces that connect individuals. While Blackmar (1905) highlights the connection between social philosophy and the general facts of society, making overarching observations about societal nature.

Moreover, Bertrand Russell (1958), takes a broader perspective, stating that social philosophy seeks conditions conducive to directing all constructive tendencies of humanity, such as love and sympathy, within aspects like social marriage and education. The ultimate goal is to provide maximum opportunities for creating individuals capable of safeguarding the world from future catastrophes.

As an educator, I would like to take a closer look at social philosophy in the aspect of education and the aspect of professional identity formation as a socialization process of future teachers.

3. Perspectives on identity formation through socialization

Identity can be conceptualized as a process of socialization, wherein an individual's position within a community shape who they are perceived to be. Professional identity formation, therefore, is not merely an inherent quality but rather a process of assimilating into the professional culture. This entails learning to embody the practices deemed exemplary within the professional community.

The formation and growth of an individual's professional identity is a lengthy, continuous, and ongoing process that takes place within specific contextual environments. (Gardner & Shulman, 2005)

Another commonly acknowledged framework for understanding socialization is the Communities of Practice model, proposed by Lave and Wenger (1991).

According to this model, novices in a field progress from peripheral participation to full engagement primarily through social interaction. A community of practice comprises three essential components: mutual engagement, joint enterprise, and a shared repertoire. Mutual engagement refers to active participation and interaction within the community, while joint enterprise involves pursuing a common purpose or goal that unites members. A shared repertoire encompasses the tools, language, and resources collaboratively utilized by members to facilitate their collective learning.

Professional identity as a concept, refers to the self-perception, beliefs, values, and sense of belonging that individuals develop about their chosen profession. It is the understanding and internalization of what it means to be a professional in a specific field or occupation. Professional identity encompasses how individuals view themselves about their professional role, the knowledge, and skills they possess, and the attitudes and behaviors associated with their

profession (Gardner & Shulman, 2005). Before we deep dive into the idea of the professional identity of a preservice teacher, it's crucial to overview the formation of professional identity as a general concept .

Establishing a precise definition of professionalism has always been a challenging task, and there has never been a standardized approach to it. As it is hard to find one precise definition, let's take a look on how several notable researchers defined professional identity and the interpretations of professionalism in a broader sense.

The term “professional” encompasses several characteristics based on various definitions provided by reputable sources. According to Merriam-Webster’s online dictionary, (<https://www.merriam-webster.com/dictionary/professional10>) the word “professional” has multiple meanings, including engagement in a field of endeavor for gain or livelihood, being characteristic of a profession, following a line of conduct as though it were a profession, and engaging in a pursuit or activity professionally. These definitions align with the concept of professional identity overall described in a variety of research. Furthermore, the Cambridge Dictionary online (<https://dictionary.cambridge.org/dictionary/english/professional>) defines “professional” as relating to work that requires special training or education, possessing qualities associated with trained and skilled individuals, and having a job that commands respect due to high levels of education and training. Overall, according to these definitions being professional signifies being skilled, educated, effective, organized, and serious in manner, reflecting expertise and proficiency in a specific domain.

Erikson (1968), being a pioneer in this field, defined professional identity as an individual's sense of personal and social identity within the context of their chosen profession. It involves the integration of professional roles, values, and commitments into one’s self-concept.

Later, Ibarra (1999), describes professional identity as a dynamic and evolving sense of self that emerges through engagement in professional roles and activities. It involves the internalization of professional values, beliefs, and norms, and the alignment of personal identity with the expectations of the profession.

The latest research by Pratt and Rafaeli (2001) talks about professional identity as the meanings, feelings, and behaviors associated with being a member of a particular profession. It includes the adoption of professional roles, internalization of professional norms, and identification with the values and goals of the profession.

Gardner and Shulman (Gardner & Shulman, 2005) discussed the mutuality between professions and society, asserting that professions gain autonomy and prestige from societal recognition, and in exchange, perform services to society through their professional actions. They described six characteristics of a profession as a commitment to clients and society; the specialized body of knowledge; a specialized and unique set of skills; the ability to make judgments with integrity in environments of uncertainty; growing new bodies of knowledge through experience, community of professionals who perform oversight and monitoring of professional practice.

Finally, according to Beijaard, Meijer and Verloop (2004), professional identity development involves the internalization of professional norms, values, and beliefs, as well as the adoption of professional roles and responsibilities. It encompasses the development of a professional self-concept, including an understanding of one's professional strengths, values, and commitments.

Based on these highlights, professional identity comprises multiple dimensions, including cognitive, affective, and behavioral aspects, and it develops over time through interactions with various social contexts.

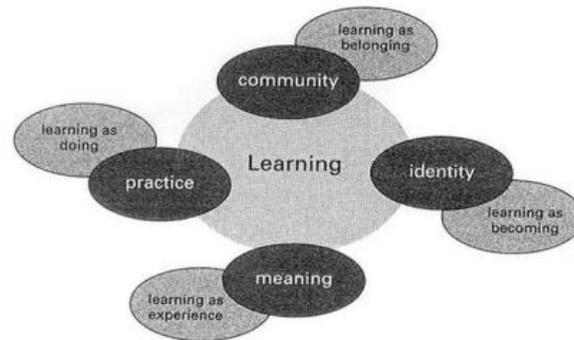


Figure 1. Wenger (1998): four factors of learning that contribute to identity formation

Furthermore, it is important to recognize that, professional identity is not static but evolves and develops over time as professionals gain more experience, knowledge, and expertise in their field. It is a dynamic process of self-reflection, growth, and aligning one's values and actions with the ideals of the profession (Burke, 2004).

These different theoretical perspectives on professional identity provide a rich and nuanced understanding of this complex construct. They highlight the importance of individual experiences, social context, and professional norms and values in shaping professional identity. They also emphasize the dynamic and evolving nature of professional identity, which is constantly being shaped by new experiences and challenges.

Overall, professional identity encompasses the individual's self-concept and understanding of themselves as professionals, including their role, values, beliefs, and commitment to their chosen field. It plays a significant role in shaping professional behavior, decision-making, and engagement in professional communities.

4. Professional identity development

Professional identity development is a complex process that encompasses the formation and integration of professional norms, values, roles, and self-concept. Theoretical perspectives provide valuable frameworks for understanding the factors that shape professional identity and the dynamics involved in its development

This overview explores three main theoretical perspectives in the context of social philosophy on professional identity development: social identity theory, professional socialization theory, and communities of practice .

The first one is the social identity theory, as proposed by Tajfel and Turner (1979), which emphasizes the influence of social groups on individuals' self-concept and identity formation. In the context of professional identity, this theory suggests that individuals' identification with a professional group, such as teachers, contributes to the development of their professional identity. It recognizes the significance of social categorization, social comparison, and group membership in shaping professional identity .

Another theory – Professional socialization, as discussed by Beijaard et al. (2004), focuses on the process of becoming a member of a profession and the socialization experiences that influence professional identity development. This theory highlights the role of formal and informal learning experiences, interactions with colleagues and mentors, and exposure to professional practices and values. It recognizes the dynamic and ongoing nature of professional

identity development as individuals navigate through different stages and contexts of their professional journey.

Beijaard et al. (2004) state that there are two types of professional identity:

Personal professional identity is the sense of who you are as a professional based on your values, beliefs, and experiences. It is shaped by your personal history, your education, and your work experiences.

Social professional identity is the sense of who you are as a professional based on the expectations of your profession and the people in your professional community. It is shaped by the norms, values, and practices of your profession.

These two types of professional identity are not mutually exclusive. They are often interrelated. For example, your professional identity may influence the way you interact with others in your professional community, and your social professional identity may influence the way you think about your values and beliefs.

The last one is the Communities of Practice, as theorized by Wenger (1998), which emphasizes the role of social participation and collective learning in shaping professional identity. According to this perspective, individuals engage in communities of practice where they interact with others who share similar professional interests, engage in joint activities, and collectively develop a shared set of knowledge, skills, and practices. These interactions within communities of practice contribute to the construction and negotiation of professional identities.

The development of professional identity is a complex process that is influenced by a variety of factors, including personal experiences, educational experiences, and professional experiences. It is a lifelong process that continues to evolve as we gain new experiences and insights. This is why I would like to take a closer look at Wenger's (1998) concept of identity as a social construct from the perspective of the concepts of social philosophy. Wenger (1998) introduces the concept of identity as a social construct that emerges through active participation in specific communities. He defines identity-in-practice as an action-oriented approach to understanding identity and identifies five key dimensions: negotiated experiences, community membership, learning trajectory, nexus of multi-membership, and the relationship between the local and global.

Wenger (1998) proposes that the formation of identity involves layering of participation and reification, where experiences and social interpretation continually influence one another. This implies that identity is a product of both social construction and negotiation, shaped through our interactions and experiences.

Wenger (1998) highlights four factors of learning that contribute to identity formation. These factors include meaning, practice, community, and identity itself. Meaning refers to the capability of perceiving the world as meaningful, while practice involves collective engagement in action through shared perspectives and social structures. Community refers to the social configurations that define our participation and recognize our capabilities. Identity, on the other hand, signifies how learning transforms who we are.

These four factors provide a framework for understanding the social proposition of identity formation. Wenger (1998) summarizes this framework in an illustration, which outlines the interplay between meaning, practice, community, and identity.

Overall, Wenger's theory emphasizes the social nature of identity formation, highlighting the role of active participation in communities of practice and the influence of learning experiences, community membership, and the negotiation of one's identity within various contexts .

These theories share a common focus on the influence of social factors, such as group membership, socialization experiences, and collective learning, in the development of professional identity. By considering these perspectives, we can gain a deeper understanding of the complex processes through which individuals form their professional identities.

Above all, developing a strong professional identity is essential for professionals as it provides a sense of purpose, belonging, and commitment to their chosen field. It helps individuals establish their professional reputation, establish professional relationships, and navigate ethical and decision-making dilemmas. Professional identity also influences how individuals approach their work, interact with colleagues and clients, and contribute to the advancement of their profession.

5. The importance of professional identity development in the context of teaching profession

Professional identity development in the teaching profession is of great importance for educators as it impacts their job satisfaction, commitment, and effectiveness in the classroom. A strong professional identity helps teachers develop a sense of purpose, belonging, and professional agency, which are crucial for navigating the challenges and demands of the profession (Beauchamp & Thomas, 2009).

The objective of my research is to study the development of professional identity among preservice teachers in their educational journey and the influence of pedagogical instructors on this process including various factors that influence this development. Subsequently, this paper concentrates on examining the concept of identity within the realm of education, with a specific focus on teaching and teacher education. Furthermore, it highlights the significance of fostering professional identity development within the preservice teaching framework.

Considering the intricate nature of identity, existing literature suggests that multiple factors play a role in shaping teacher identities. Nevertheless, Beauchamp and Thomas (2009) indicate that there is a research shortage on how teacher education programs promote preservice and in-service teachers in developing positive and reflective professional identities and emphasize the need for teacher education programs to support preservice teachers in developing positive and reflective professional identities. They suggest that teacher education should provide opportunities for self-reflection, collaborative learning, and engagement with the broader educational discourse.

Research has also shown that teachers with a well-developed professional identity are more likely to be resilient, adaptable, and reflective practitioners. They have a clearer understanding of their roles and responsibilities, leading to improved instructional practices and student outcomes (Goddard et al., 2004). Furthermore, a strong professional identity contributes to the formation of a supportive professional community where teachers can collaborate, share best practices, and engage in continuous professional development (Hargreaves & Fullan, 2012).

However, professional identity development is a complex and ongoing process that requires efforts from both individual teachers and the broader educational community. It involves self-reflection, self-evaluation, and a commitment to lifelong learning this is the reason teacher education programs and school practicum programs play crucial roles in fostering a positive professional identity by providing opportunities for pre-service and in-service teachers to develop their knowledge, skills, and pedagogical beliefs (Korthagen & Vasalos, 2005).

In conclusion, the development of a strong professional identity is essential for teachers' personal and professional growth, as well as for the advancement of the teaching

profession. It is a dynamic process that requires ongoing support, collaboration, and reflection to ensure that educators can thrive and make a positive impact on their students' lives.

6. Professional identity development of preservice teachers

As mentioned earlier, I, as a preservice teacher educator, consider the development of professional identity to be of the highest importance in the field of teacher education. Professional identity development in preservice teachers refers to the process through which individuals training to become teachers, develop a sense of professional identity, which includes their beliefs, values, attitudes, and roles as educators. This phase of development is crucial as it lays the foundation for their future teaching practices and influences their overall professional growth.

Professional identity development is a dynamic and ongoing process that occurs throughout a teacher's career, with initial stages typically occurring during preservice teacher education programs and continuing as teachers engage in reflective practice and in professional learning communities (Kelchtermans, 2009).

According to OECD Education Working Papers (No. 267), the development of a professional identity is particularly important for preservice teachers, who are individuals preparing to enter the teaching profession. The main reasons for developing a professional identity for preservice teachers is important, are the following: it provides clarity, commitment, and motivation, guides their professional preparation, enhances resilience and adaptability, supports networking and collaboration, and facilitates a successful transition into professional practice. It lays the groundwork for their future as educators and contributes to their effectiveness and fulfillment in the teaching profession. This process takes place mostly during preparation programs, preservice teachers engage in various experiences, such as coursework, field placements, and interactions with mentors and peers, which contribute to their professional identity development. These experiences provide opportunities for preservice teachers to reflect on their beliefs about teaching and learning, gain practical skills, and internalize the norms and values of the teaching profession.

Beijaard, Meijer and Verloop (2004), proposed a model that outlines the different stages of professional identity development among teachers. The stages they identified are as follows:

Exploration: In this initial stage, individuals are considering or entering the teaching profession. They explore their own motivations, values, and expectations related to teaching. They may have limited experience and knowledge about teaching but are curious and open to learning more.

Predisposition: This stage involves the formation of initial beliefs and attitudes towards teaching. Individuals start to develop a sense of what it means to be a teacher and how they fit into that role. They may base their perceptions on personal experiences, observations of others, or societal expectations.

Preparation: During this stage, individuals engage in formal teacher education programs. They acquire pedagogical knowledge, skills, and strategies. They learn about educational theories and research, and they start to connect theory with practice through classroom observations and practice teaching. Their professional identity begins to solidify through this formal preparation.

Induction: The induction stage occurs when individuals enter the teaching profession as beginning teachers. They confront the realities of the classroom, gain practical experience, and face challenges and successes. They further refine their professional identity through actual teaching practice and interactions with students, colleagues, and the school community.

Stabilization: In this stage, teachers have gained a level of competence and experience. They feel more secure and comfortable in their professional role. They develop a sense of personal style and adapt their teaching approaches based on their own reflections and ongoing professional development. They become more self-directed and confident in their abilities.

This model emphasizes the development of professional identity is not a linear process but rather a dynamic and ongoing journey. It is important to note that these stages are not strictly linear and may overlap or occur in different sequences for different individuals. Overall, the model proposed by Beijaard, Meijer and Verloop (2004) provides a framework for understanding the developmental trajectory of professional identity among preservice teachers and can be used by teacher educators to enhance the process of identity formation in preservice teachers

Therefore, teacher education programs need to prioritize the development of professional identity in preservice teachers. This can be achieved through a variety of approaches, such as reflective practices, mentoring and coaching, and targeted professional development programs. By supporting the development of a strong professional identity in pre-service teachers, teacher education programs can help prepare them for successful and fulfilling careers in education.

Furthermore, the intricate nature of teachers' professional identity is characterized by the incorporation of their past and current experiences during the practicum, as well as their personal beliefs, which have a lasting impact on their future activities, behavior, and decision-making as educators. (Chong, Choy & Wong, 2008). Due to the complex nature of this phenomenon, recent research suggests a need for further exploration into how the identity of preservice teachers is formed and transformed throughout their teacher education journey. Researchers argue that examining this process can enhance teacher trainers' (pedagogical instructors) understanding of the challenges faced by preservice teachers and enable them to select and develop materials that align with their needs in teacher education programs (Beijaard, Meijerp & Verloop, 2004).

7. Role of pedagogical guidance in professional identity development: a cross-cultural perspective in Israeli teacher education through the lens of social philosophy

As previously noted, as a preservice teacher's educator, I believe that the development of professional identity holds paramount importance in the field of teacher education. Consequently, in my current research I attempt to investigate the effect of pedagogical guidance models, incorporating feedback, encouragement to experiment, and self-monitoring skills, during internships on preservice teachers' self-efficacy and professional identity. While some studies have identified general factors associated with positive professional identity development, and have found general factors related to positive professional identity, more research is required to pinpoint specific pedagogical practices (Beijaard et al., 2004).

This study also addresses a critical issue in Israeli teacher education, where identity development is often overlooked. Neglecting identity can lead to a disconnect between personal and professional roles (Danielewicz, 2001). While most research on this topic has been conducted in Western countries, there is a need for a cross-cultural examination of pedagogical instructors' roles in professional identity development in the Israeli context .

This research advocates for the inclusion of reflective practices, feedback, and self-efficacy opportunities within teacher education programs to support identity development. This is why, understanding how pedagogical instructors influence professional identity formation and

identifying effective strategies are essential for enhancing teacher education practices (Zeichner, 2010).

In Israel, two mainstream models facilitated by pedagogical instructors are the PDS model and the academy-class model. In addition, this research aims to investigate preservice teachers' perceptions of pedagogical instructors' roles in their professional identity development and explore the long-term effects of this involvement. It addresses the gap in research on the specific impact of pedagogical instructors on identity development.

Understanding these factors will enable more effective guidance and support for preservice teachers, fostering a nurturing and empowering learning environment. The goal is to help preservice teachers become resilient, reflective, and impactful educators. Addressing the limited research on the specific impact of pedagogical guidance models, this study aims to contribute to teacher education program design and policymaking. It highlights the importance of supporting preservice teachers' professional identity development to reduce teacher attrition rates, especially in the critical early years of teaching.

Social philosophy is crucial in the context of current research, on the development of professional identity for several reasons. Firstly, as highlighted in this research, social philosophy provides a theoretical foundation for understanding the interconnectedness of individuals within the broader societal context. It emphasizes the importance of communal aspects, such as shared practices, values, and interactions, which play a significant role in shaping an individual's professional identity.

Secondly, social philosophy encourages a cross-cultural examination of pedagogical practices and their impact on professional identity development. By acknowledging the cultural nuances within teacher education, it promotes a more inclusive and diverse approach to understanding how individuals form their professional identities in various contexts.

Furthermore, social philosophy contributes to the advocacy for reflective practices, feedback mechanisms, and self-efficacy opportunities within teacher education programs. These elements align with the principles of social philosophy by emphasizing the collaborative and dynamic nature of learning within a community. In doing so, social philosophy supports the creation of learning environments that nurture the development of preservice teachers' identities.

In the Israeli context, where identity development in teacher education is often overlooked, social philosophy becomes a tool for addressing this critical issue. Neglecting identity can lead to a disconnection between personal and professional roles, emphasizing the need for a social philosophy lens to bridge this gap and facilitate a more holistic approach to teacher development.

By understanding how pedagogical instructors influence professional identity formation and identifying effective strategies, informed by social philosophy, this research aims to enhance teacher education practices. The ultimate goal is to empower preservice teachers, making them resilient, reflective, and impactful educators who contribute positively to the education system.

In conclusion, the incorporation of social philosophy in this research not only provides a theoretical framework but also emphasizes the importance of considering societal and cultural aspects in shaping professional identity. It aligns with the broader goal of fostering effective teacher education practices and reducing attrition rates by nurturing the development of preservice teachers in a socially and philosophically.

8. Conclusion

The ripple effect of social philosophy in education

This article has explored the transformative power of social philosophy in shaping educators and the educational landscape. We have seen how social philosophy equips teachers with a framework for fostering inclusive classrooms, developing a strong professional identity, and navigating ethical dilemmas.

The impact of social philosophy extends beyond individual educators. By fostering a generation of teachers grounded in social justice and cultural responsiveness, we contribute to a more equitable and inclusive educational system. This, in turn, has the potential to ripple outwards, shaping a more just and informed citizenry.

Furthermore, the application of social philosophy in teacher education programs offers a valuable tool for nurturing preservice teachers in the Israeli context, where identity development has been an under-addressed issue. By incorporating reflective practices, self-efficacy opportunities, and a cross-cultural lens, we can bridge the gap between personal and professional roles, empowering future educators to become resilient, reflective, and impactful changemakers.

Finally, social philosophy transcends theory. It serves as a practical guide for cultivating a more inclusive and socially responsible educational approach, ultimately preparing teachers to navigate the complexities of the contemporary world and empower future generations.

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Relations Between the Israel Police and Ethiopian Israelis: A Comparative Study with Police-minority Relations Worldwide

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Abstract

This study examines the complex relationship between the Israel Police and the Ethiopian-Israeli community, comparing it to police-minority relations in other countries. The research is based on historical, sociological, and psychological analysis of the relationship's development from the 1980s to the present. It explores the historical roots of existing tensions, the impacts of institutional and personal racism, and the unique challenges faced by the Ethiopian-Israeli community in the context of law enforcement. Through international comparison, the study identifies similar and different patterns in police-minority relations across countries, analyzing how global experience can contribute to solving challenges in Israel. It emphasizes the uniqueness of the Israeli case, particularly the complexity arising from the shared Jewish identity of the Ethiopian community and the majority in Israel. Finally, the study proposes a comprehensive set of solutions to improve relations between the police and the Ethiopian-Israeli community, emphasizing the utilization of the community's uniqueness as a national asset.

Keywords: Israel Studies, Ethiopian-Israelis, Israeli Police, Police-Minority Relations.

1. Introduction

The relationship between the Israel Police and the Ethiopian-Israeli community represents a complex and sensitive issue, reflecting broader challenges of integration and inclusion in Israeli society. This research seeks to examine this relationship in depth, comparing it to relations between police forces and minority communities in other countries worldwide.

The study is based on a historical, sociological, and psychological analysis of the development of relations between the Israel Police and the Ethiopian community, from the beginning of immigration in the 1980s to the present day. It examines the historical roots of existing tensions, the effects of institutional and personal racism, and the unique challenges facing the Ethiopian-Israeli community in the context of law enforcement.

Through international comparison, the research identifies similar and different patterns in police-minority relations in various countries, analyzing how global experience can contribute to solving challenges in Israel. At the same time, it emphasizes the uniqueness of the Israeli case, particularly the complexity arising from the shared Jewish identity of the Ethiopian community and the majority in Israel.

Finally, the study proposes a comprehensive set of solutions to improve relations between the police and the Ethiopian-Israeli community, emphasizing the utilization of the

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community's uniqueness as a national asset. The aim of the research is not only to offer practical solutions but also to contribute to the public and academic discourse on integration, identity, and law enforcement in a multicultural society.

2. Background of Ethiopian Israelis

The Ethiopian-Israeli community forms a unique and significant part of Israel's social and cultural mosaic. The roots of this community are deeply embedded in Jewish history, with a tradition dating back to the 4th century CE. According to (Corinaldi, 1998), Ethiopian Jewry, also known as "Beta Israel," was formed when community members refused to convert to Christianity when the Kingdom of Aksum adopted Christianity as the state religion. For centuries, the community maintained its unique Jewish identity in Ethiopia, preserving ancient traditions and customs, often under conditions of persecution and isolation.

The mass immigration of Ethiopian (Spector 2005) Jews to Israel represents a dramatic chapter in the history of the Jewish people and the state. It occurred mainly in two major waves: "Operation Moses" in 1984 and "Operation Solomon" in 1991. Operation Moses, which took place in secrecy, brought about 8,000 Jews from Ethiopia to Israel via Sudan, after years of persecution and severe economic distress under the Mengistu regime. Operation Solomon, which occurred seven years later against the backdrop of the Ethiopian coup, was even more dramatic. In just 36 hours, about 14,000 Jews from Ethiopia were airlifted to Israel in an emergency operation, using the largest transport planes of the Air Force. These operations, which received enormous media and cultural resonance, symbolized for many the realization of the Zionist vision of the ingathering of exiles and global Jewish solidarity.

However, the sharp transition from traditional village life in Ethiopia to life in a dynamic Western Israeli society created complex challenges of absorption and integration. The vast gap between the traditional way of life in Ethiopian villages and the demanding Israeli reality led to severe adjustment difficulties in the areas of employment, education, and housing. Many immigrants struggled to integrate into the modern labor market and had to settle for low-wage and low-status jobs (Schwartz & Galily, 2016). In the education system, immigrant children encountered significant learning gaps and language difficulties, which hindered their full integration.

Despite the progress made in recent decades, the Ethiopian-Israeli community still faces significant gaps in education, employment, and housing compared to the general population. Statistical data indicate higher poverty rates, underrepresentation in senior positions and higher education, and widespread feelings of discrimination and marginalization. According to data from the Central Bureau of Statistics from 2021, the poverty rate among Ethiopian families stands at about 23%, compared to about 18% in the general population. In the field of employment, despite significant improvement, there is still a gap in average wages: the average monthly salary of Ethiopian workers stands at about 8,000 NIS, compared to about 11,000 NIS in the general population.

The cultural identity of Ethiopian Israelis is characterized by a constant tension between preserving Ethiopian heritage and tradition and the desire to integrate into Israeli society. Many first and second-generation members experience difficulties adapting to the norms and values of the absorbing society, sometimes creating intergenerational conflicts and feelings of alienation. Studies indicate that young Ethiopian Israelis develop a hybrid identity, combining elements from Ethiopian and Israeli culture. This identity is characterized by duality: on one hand, pride in Ethiopian heritage and a desire to preserve customs and traditions; on the other hand, an aspiration to integrate into Israeli society and adopt the Western lifestyle.

Despite progress in many areas, the Ethiopian-Israeli community still faces manifestations of racism and discrimination in everyday life. Studies point to the existence of prejudices and stereotypical perceptions towards Ethiopians among parts of Israeli society, affecting life opportunities and the sense of belonging of community members. A survey conducted by the Adva Center in 2020 found that 41% of Ethiopians reported experiencing discrimination in the past year, compared to 13% in the general population (Kama & Ginzburg, 2018). The main areas of discrimination included employment, public services, and the education system.

3. Relations between Israel Police and Ethiopian Israelis: Historical development and current trends

The relationship between the Israel Police and the Ethiopian-Israeli community represents a complex and sensitive issue, reflecting broader challenges of integration and inclusion in Israeli society. This relationship has developed and changed over the years, from the beginning of Ethiopian Jewish immigration to Israel to the present day, influenced by various social, cultural, and institutional factors.

With the arrival of Ethiopian Jews in Israel during Operations Moses (1984) and Solomon (1991), significant challenges began to arise in the community's relationship with law enforcement authorities. During this period, the encounter between the immigrants and the police was mainly characterized by mutual cultural misunderstanding and communication difficulties. Many immigrants, coming from a rural and traditional background, struggled to understand the role of the police in a modern Western society. Studies from that period indicate low crime reporting rates among immigrants, partly due to lack of trust in the system and partly due to unfamiliarity with reporting procedures (Shabtay, 1999).

In the decade following the large-scale immigration, disturbing patterns began to emerge in police-community relations. Studies from this period point to growing feelings of discrimination and over-policing among young Ethiopian Israelis. For example, a 1997 survey found that 62% of young Ethiopian Israelis reported experiencing unjustified police stops or searches, compared to 28% among non-Ethiopian youth (Ben-David, 1999). Concurrently, reports of police violence against community members began to appear, contributing to deepening distrust and creating a narrative of hostility from the system.

A significant turning point in relations between the police and the Ethiopian-Israeli community was the 2006 protests in Kiryat Malachi. These demonstrations, which erupted following allegations of police violence against a young Ethiopian man, marked the beginning of organized and ongoing protests against perceived discriminatory treatment by the police. These events brought increased public attention to the issue and led to a series of commitments from the police to improve relations.

In response to protests and public criticism, the Israel Police began to take steps to improve relations. These included increasing the recruitment of Ethiopian police officers, providing training on cultural sensitivity, and establishing forums for dialogue with community leaders. However, the impact of these measures was limited, as evidenced by data on continued disparities in arrest and detention rates.

The year 2015 marks another breaking point in relations between the police and the Ethiopian-Israeli community. The release of a video documenting police violence against soldier Damas Pakada ignited a wave of widespread protests, culminating in mass demonstrations in Tel Aviv and Jerusalem. These protests exposed the depth of the crisis and the feelings of frustration and anger that had accumulated over years. Following the protests, an inter-ministerial committee

was established to combat racism against Ethiopians, and the police announced a series of additional measures to improve relations.

Despite declared efforts, statistical data from recent years continue to indicate significant gaps. According to Israel Prison Service data (2022), the rate of Ethiopian prisoners stands at about 3.5% of all inmates, while their share in the general population is about 1.7%. Israel Police data (2021) show that the arrest rate of young Ethiopian Israelis aged 18-25 is 2.5 times higher than their relative share in the population.

Regarding types of offenses, recent data indicate an overrepresentation of Ethiopians in violent and property crimes. According to a report by the Ministry of Public Security (2020), 18% of suspects in violent crimes and 15% of suspects in property crimes were of Ethiopian origin, rates significantly higher than their share in the population.

4. Police-minority relations worldwide: Historical development and causes of distrust

The relationship between police forces and minority communities around the world represents a complex global challenge, reflecting deep historical, social, and political processes. Throughout history, police in many countries have evolved not only as law enforcement bodies but also as tools for maintaining the existing social order, which often reflected and preserved structural inequality. This legacy continues to influence relations between police and minority communities today, creating ongoing challenges and raising fundamental questions about the role of police in modern democratic society.

The historical development of police-minority relations can be divided into several key periods.

Colonial and Slavery Era (16th to 19th centuries): The first roots of tension were formed. For example, in the United States, the first policing forces in the southern states developed from “slave patrols,” whose role was to enforce the slavery system. In South Africa, the police served as a central tool in maintaining the colonial order and later the apartheid regime. This legacy created a basis of deep distrust between minority communities and the police.

Segregation and Institutionalized Discrimination Era (late 19th to mid-20th century): Police in many countries served as a tool to enforce racial segregation laws and discrimination. In the United States, for instance, police enforced Jim Crow laws in the South, and in South Africa, the apartheid laws. In Australia, the police were involved in the “Stolen Generations” policy, which included separating Aboriginal children from their families. These actions deepened the distrust and hostility between minority communities and the police.

Civil Rights Struggles Era (1950s to 1970s): This period was crucial in police-minority relations. In the United States, violent confrontations between police and black protesters, such as in the Selma events of 1965, reinforced the perception of police as an oppressive body in the eyes of the African-American community. In Britain, the Brixton riots of 1981 exposed the deep tension between police and immigrant communities (Macpherson, 1999).

Modern Era (1980s to present): Attempts at reform and improving relations are evident, alongside continued tensions and confrontations. Events such as the 1992 Los Angeles riots following the acquittal of officers who beat Rodney King, or the death of George Floyd in 2020, continue to highlight the depth of the problem. Floyd's death, which was videotaped and disseminated worldwide, ignited an unprecedented wave of protests against police violence and racial discrimination. It exposed not only the brutality of a specific case but also the ongoing and systematic tension between police and minority communities.

Despite differences between countries, several common structural factors can be identified that contribute to ongoing inequality in police-minority relations:

1. Socioeconomic gaps often lead to minority communities being concentrated in areas with higher crime rates, increasing the likelihood of confrontations with police.
2. Stereotypes and prejudices influence police behavior, as demonstrated by a U.S. study that found officers tend to use more force against black suspects compared to whites in similar circumstances.
3. Historical legacy of discrimination and violence has created deep layers of distrust. For example, a 2020 survey in the U.S. found that only 36% of Black Americans believe the police treat them fairly, compared to 78% of White Americans (Edwards et al., 2020).
4. Over-policing and racial profiling deepen distrust. In New York, for instance, the “stop and frisk” policy led to 87% of those stopped in 2011 being Black or Hispanic, despite them making up only 53% of the city’s population.

Economic and social inequality plays a central role. In Britain, a 2017 study found that areas with high concentrations of ethnic minorities suffer from crime rates 25% higher on average compared to other areas.

5. Comparison between Israel Police-Ethiopian Israeli relations and Police-minority relations worldwide

5.1 *Similar characteristics*

The relationship between the Israel Police and the Ethiopian-Israeli community reflects patterns similar to those observed in police-minority relations in many countries worldwide. These characteristics stem from a variety of historical, social, economic, and cultural factors that influence interactions between law enforcement agencies and minority groups.

1. **Effects of Racism:** Institutional racism is a central factor in tensions between police and minorities worldwide, and Israel is no exception in this context. In the United States, studies show that African Americans experience a higher rate of police stops and use of force. A 2020 study found that blacks were 2.5 times more likely to be killed by police compared to whites (Edwards 2020).

Similarly, in Israel, Israel Police data (2020) show that the arrest rate of young Ethiopian Israelis is 1.5 times higher than their share in the population. A study by the Israel Democracy Institute (2019) found that 40% of young Ethiopian Israelis reported experiencing discrimination from the police, compared to 9% among non-Ethiopian Jewish youth.

2. **Historical Impacts:** Similar to countries like the United States or South Africa, relations between the Israel Police and the Ethiopian community are influenced by a historical legacy of discrimination. However, while in the U.S. the roots lie in slavery and segregation, in Israel they are more related to the absorption and integration processes of immigrants. For example, the difficulties in absorbing immigration in the 1980s and 1990s and the “melting pot” policy created feelings of alienation and cultural misunderstanding.
3. **Socioeconomic Status Effects:** Socioeconomic gaps play a central role in police-minority relations worldwide. In Britain, a 2017 study found that areas with high concentrations of ethnic minorities suffer from crime rates 25% higher on average compared to other areas. In Israel, a similar situation exists in neighborhoods where there are high concentrations of Ethiopian Israelis, leading to more frequent interactions with the police.

4. **Over-policing and Profiling:** Like African Americans in the U.S. or immigrants in France, Ethiopian Israelis report experiences of over-policing. In New York, the “stop and frisk” policy led to 87% of those stopped in 2011 being Black or Hispanic, despite them making up only 53% of the city's population. In Israel, similar patterns are observed, as reflected in the arrest and detention data of young Ethiopian Israelis.

5. **Key Events as Catalysts for Change:** Similar to the case of George Floyd in the U.S., which ignited a widespread wave of protests, in Israel, events such as the death of Solomon Teka in 2019 led to mass protests and demands for police reform. In both cases, the events exposed deep and long-standing tensions and sparked widespread public debate on police-minority relations.

6. **Perceptions of Racism:** Surveys show similarities in perceptions of institutional racism among minorities in different countries. In the U.S., a Pew Research Center survey (2020) found that 84% of African Americans believe that blacks are treated less fairly by the police. Similarly, in Israel, a Smith Institute survey (2021) found that 76% of Ethiopian Israelis believe they suffer from police discrimination on racial grounds.

5.2 Unique characteristics of the Ethiopian Israeli community

Despite the many similarities, the relationship between the Israel Police and the Ethiopian-Israeli community also presents unique characteristics, stemming from the specific historical, cultural, and social context of Israel and the Ethiopian community:

1. **Unique Historical Context:** Unlike minorities in many countries, the Ethiopian-Israeli community arrived in Israel as part of government-sponsored immigration operations (Operations Moses and Solomon). This creates a unique dynamic of expectations for integration and equality, which may not necessarily exist among other immigrant communities. The expectation of full acceptance as Jews and Israelis creates deeper frustration when faced with discrimination.

2. **Shared Religious Identity:** Unlike many other countries, the Ethiopian-Israeli community shares a religious identity with the Jewish majority. This creates additional complexity, as community members experience discrimination despite belonging to the majority religious group. A study by (Kama and Ginzburg 2018) found that 62% of Ethiopian Israelis feel “fully Israeli” but at the same time, 58% feel that Israeli society does not see them as equally Israeli.

3. **Shorter Time Frame:** While in many countries the relations between police and minorities have developed over hundreds of years, in Israel it is a process of only about 40 years. This affects the depth of the historical roots of distrust, but also allows for greater potential for rapid change.

4. **Identity Complexity:** Tajfel and Turner's (1979) theory of social identity gains additional validity in the Israeli-Ethiopian context. The complex identity of Ethiopian Israelis as both Jews and Black creates a unique tension. A study by Walsh and Tuval-Mashiach (2012) found that young Ethiopian Israelis experience ongoing identity conflict, affecting their perception of the police as a threatening “other”.

5. **Unique Social Capital:** Putnam's (2000) theory of social capital is uniquely expressed in the Ethiopian-Israeli community. The community demonstrates high levels of bonding social capital, which helps in coping with racism. A study by Sever (2007) found that Ethiopian community organizations serve as a protective factor against the effects of racism and assist in building trust with authorities, including the police.

6. Impact of the Israeli-Palestinian Conflict: In Israel, the tension between the police and the Ethiopian community exists in the context of broader social tensions, including the Israeli-Palestinian conflict. This creates a different dynamic from that existing in other countries, where tensions between police and minorities are often the central issue.

7. Relative Size of the Community: The Ethiopian-Israeli community comprises about 2% of Israel's population, a relatively small proportion compared to minorities in other countries. For example, African Americans make up about 13% of the U.S. population. The smaller relative size may affect the community's political and social influence capacity.

6. Recommendations for Improving Relations between Israel Police and the Ethiopian Community.

In light of the in-depth analysis of the relationship between the Israel Police and the Ethiopian community, and its comparison to police-minority relations worldwide, a comprehensive set of solutions is proposed below. The aim of the program is not only to improve relations between the police and the community but also to strengthen the status of the Ethiopian-Israeli community in Israeli society as a whole, while utilizing its uniqueness as a national asset.

Comprehensive Police reform:

1. Develop in-depth training programs for officers on the history, culture, and customs of the Ethiopian community, alongside workshops to raise awareness of unconscious biases.
2. Organize educational tours for officers to historical and cultural sites related to Ethiopian Jewry.
3. Increase the number of Ethiopian police officers, especially in senior ranks, and create dedicated promotion tracks for officers from diverse backgrounds.
4. Develop a unique career path focusing on international relations and cooperation with police forces in Africa.

Transparency and accountability:

1. Regularly publish data on police activity broken down by ethnic origin.
2. Establish an independent oversight body to examine complaints of discrimination and police violence.
3. Implement a zero-tolerance policy for racism, with clear procedures and strict enforcement at all levels of the police force.

Strengthening Police-community connection:

1. Establish regular forums for dialogue between police representatives and Ethiopian community leaders.
2. Collaborate with community organizations in planning and implementing police policy.
3. Expand the community policing model in neighborhoods with high concentrations of Ethiopian Israelis.
4. Develop dedicated crime prevention programs for Ethiopian youth, in cooperation with welfare and education agencies.
5. Create culturally adapted rehabilitation tracks for offenders from the community.

Empowering the Ethiopian-Israeli community:

1. Establish a national center of excellence for Ethiopian Jewish heritage.

2. Create a cultural ambassadors program to present the unique heritage to the wider public.
3. Organize an annual “Bridge of Worlds” festival to showcase Ethiopian-Jewish culture.
4. Integrate the history and tradition of Ethiopian Jewry into the general curriculum.
5. Develop educational programs for the general public on the Ethiopian community's contribution to Israeli society.

Leadership development and influence:

1. Create leadership programs that integrate youth from all Israeli communities.
2. Establish a unique Beit Midrash (study hall) combining the spiritual tradition of Ethiopian Jewry with classical Jewish studies.
3. Integrate Ethiopian Israelis into key roles in the Ministry of Foreign Affairs, especially in relations with African countries.

National and international initiatives:

1. Establish an “Ethio-Tech” innovation center to develop technological solutions for challenges in Africa.
2. Create a student exchange program between Israel, Ethiopia, and other African countries.
3. Make the Sigd holiday a national holiday celebrated by all of Israeli society.
4. Integrate Ethiopian Jewish traditions and ceremonies into national events.
5. Create media series telling the historical story of Ethiopian Jewry.
6. Utilize the knowledge and connections of the Ethiopian community to strengthen relations between Israel and Africa.
7. Organize joint roots journeys for Israelis from all communities, including visits to Ethiopia.

Implementation of the proposed set of solutions requires long-term commitment, appropriate resources, and close cooperation between the police, the Ethiopian community, and additional governmental and social factors. The program offers a holistic approach that addresses existing challenges while utilizing the uniqueness of the Ethiopian-Israeli community as a national asset.

6. Conclusion

This research has revealed the great complexity of the relationship between the Israel Police and the Ethiopian-Israeli community, placing it in a comparative international context. The analysis showed that while there are similar patterns of tension between police and minorities worldwide, the Israeli case presents unique characteristics stemming from the shared history, Jewish identity, and specific circumstances of the immigration and absorption of Ethiopian Jews in Israel.

The findings indicate that existing challenges stem from a combination of historical, social, economic, and cultural factors. Institutional racism, socioeconomic gaps, and deep-rooted stereotypes play a central role in shaping relations between the police and the community. At the same time, the research also uncovered the potential inherent in the uniqueness of the Ethiopian-Israeli community as a cultural and diplomatic bridge.

The research recommendations emphasize the need for a holistic and multi-systemic approach to rehabilitating trust and building positive relations. This includes comprehensive police reform, community empowerment programs, and national and international initiatives that leverage the uniqueness of the Ethiopian-Israeli community as an asset. The emphasis is on building trust, increasing transparency and accountability, and promoting meaningful dialogue between all involved parties.

The research concludes that improving relations between the police and the Ethiopian-Israeli community is not just a law enforcement challenge, but also an opportunity to strengthen Israel's social fabric and promote a new model of integration and inclusion. Success in this area can serve as a model for addressing similar challenges in multicultural societies worldwide.

Finally, the research calls for continued research and dialogue on the subject, with close cooperation between academia, government, police, and community. Only through a joint and ongoing effort can the existing challenges be overcome and a more just and equal society be built for all its citizens.

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The Impact of Immigrants on Political-legal and Legislative Processes in Israel

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Abstract

This article deals with illegal immigrants from Africa, specifically from Eritrea and Sudan to Israel between 2007 and 2018 (this is the focus group) and its influence on the immigration policy processes in Israel. The infiltration from Africa to Israel began in the mid-90s of the 20th century. It expanded considerably from 2007 until the end of 2012 when the project to build the border fence between Israel and Egypt was largely completed. Most of the infiltrators from Africa entered through the Israel-Egypt border, which was previously fenced or in parts that still needed to be fenced. However, the research may also involve refugees and migrant workers from those countries during this period as part of analyzing processes relevant to the research and the focus group. The data presented in this work and their analysis led to the general conclusion that the asylum seekers who infiltrate Israel from African countries are not refugees. The vast majority of the infiltrators arrive in Israel on their own, leaving their family members in their countries of origin. This fact is consistent with migration for work purposes, which is typical of the globalization process and does not indicate an attempt to save lives. Indeed, the factual data presented in the work show that Israel has become a destination for immigration from African countries. This immigration began in 1993 out of economic considerations and pressure from interested parties in the construction and agricultural sectors to obtain cheap labor to replace the Palestinian workers, whose entry into the country was prohibited for security reasons.

Keywords: immigration, migrant workers, refugees, asylum seekers.

1. Introduction

This article deals with illegal immigrants from Africa, specifically from Eritrea and Sudan, to Israel between 2007 and 2018 – this is the focus group – and its influence on the immigration policy processes in Israel. The infiltration from Africa to Israel began in the mid-90s of the 20th century. It expanded considerably from 2007 until the end of 2012 when the project to build the border fence between Israel and Egypt was largely completed. Most of the infiltrators from Africa entered through the Israel-Egypt border, which was previously fenced or in parts that still needed to be fenced. However, the research may also involve refugees and migrant workers from those countries during this period as part of analyzing processes relevant to the research and the focus group.

In the first decade of the 21st century, the State of Israel witnessed an increasing flow of infiltrators from African countries, mainly from Eritrea and Sudan, who entered its territory through the Egyptian border, most of them migrant workers. The impact of this immigration on Israel’s immigration policy, as well as on other areas of social life, is evident to this day. Sudan is defined as an “enemy country” and the human rights situation in Eritrea is difficult, so forced

removal of the infiltrators to the countries of origin was not possible. Bloody wars and extreme climate changes in Africa are causing many Africans to come en masse to Israel, usually through the border with Egypt. Dealing with the phenomenon was based on a policy of closing the border, deterring and encouraging voluntary departure. In addition, as part of this policy, agreements were signed with third African countries, allowing them to remove infiltrators, albeit on a limited scale. It should be emphasized that in the first years, Israel did not curb the phenomenon, which led to a considerable increase in scope. Several years later, it was decided to build the fence on the Israeli-Egyptian border. More important than that, within the framework of preventive and deterrence measures, was the legal framework formulated - prolonged detention for infiltrators. Later, an integrated policy was also adopted, designed to reduce the number of infiltrators in the city centers and Israel as a whole, as well as to encourage voluntary departure.

A central question in this context is: Are we dealing with emissions, or are we facing a completely different phenomenon that requires a different approach? Already at this stage, it should be noted that only when a few of those who knock on the state's gates are recognized as refugees at the end of the process. The bulk of them consist of immigrants who chose Israel as a preferred destination due to its economic and regime characteristics. Support for this claim can be found in the fact that Israel is not the closest destination to the countries from which the immigrants come. The focus of the country's attraction is that it is a relatively developed country, and no clear policy has been established. Therefore, no steps are being taken to stop the phenomenon.

2. The impact on civil society in Israel

In the Israeli discourse, it is customary to call the infiltrators “refugees from African countries.” This nickname affects Israeli society and creates confusion regarding the proper approach to the phenomenon. Some mention in this context the fact that various countries in the world refused to admit Jewish refugees who fled the terror of the Nazis. According to multiple elements in Israeli society, this historical event imposes on Israel a profound moral obligation towards the refugees, and therefore, Israel is faced with the necessity of dealing with complex questions concerning the national history of the Jewish people and Israeli society's perceptions of the fundamental state values and the state's identity – all this apart from Dealing with the practical problems caused by the phenomenon.

2.1 Data on the entry of asylum seekers and infiltrators

According to data from the Population and Immigration Authority from May 2016, 41,685 infiltrators who arrived in Israel illegally through the border with Egypt are staying in Israel. The total number of infiltrators who entered Israel from approximately 2006 until March 2016 is 64,371. The vast majority (83.15%) entered Israel by the end of 2012.

According to the Population and Immigration Authority's answer, at the end of May 2016, 2,939 infiltrators stayed in the “Holot” accommodation facility in the Negev-7% of all infiltrators. Countries of origin – according to the Population and Immigration Authority data from March 31, 2016, about 72% of the infiltrators staying in Israel came from Eritrea – 30,549 and about 20% – came from Sudan – 8,232. 7% of the infiltrators came from other African countries – 2,828 and an additional 1% – from the rest of the world – 535; this distribution has changed slightly over the years due to the voluntary departure process, among other things at the end of 2013 there were approximately 52,900 infiltrators in Israel, 68% of whom came from Eritrea, 24 % from Sudan and 8% from other countries.

Table 1. Entry of infiltrators and asylum seekers into Israel from 2006 to 2022 – the data was checked in May 2023

until 2006	2007	2008	2009	2010	2011	2012	2013	2014
2022	2265	8937	5368	14645	17199	10439	43	78
2015	2016	2017	2018	2019	2020	2021	2022	Total
255	21	9	8	8	4	3	1	64,273

According to these data, the policy that eventually led to the decision to build a system fence and, as a result, the creation of a physical obstacle along the Israel-Egypt border is undoubtedly the most effective policy that was followed.

Table 2. Infiltrators staying in Israel by selected countries of origin December 2022

	Eritrea	Sudan	other African countries	the rest of the countries of the world	Total
Absolute number	19142	3375	2103	375	24,995
Percent	77%	13%	8%	2%	100%

As of the end of 2022, the number of infiltrators staying in Israel is 24,995. This is a decrease of approximately 11.5% from the number of infiltrators in Israel at the end of 2021. This decrease is partly because starting at the end of 2021 and during 2022, approximately 3,000 asylum seekers who are citizens of Sudan were accepted a temporary residence permit (residence was granted following the Supreme Court's ruling in Tagal High Court 4630/17 and 7552/17, which stated that foreigners from Sudan who submitted their application for political asylum before the deadline – 11 June 2017 and who were found to be illegal aliens Darfur, the Nuba Mountains and the Blue Nile, a temporary residence permit of type A5) will be granted, subject to the absence of security and criminal impediments, until their request for political asylum or another decision in their case is decided.

Table 3. Voluntary departure of infiltrators from African countries, by years

Country of Origin	2019	2020	2021	2022
Eritrea	2239	606	1340	2195
Sudan	216	100	174	118
other African countries	268	112	174	171
Total	2723	840	1688	2484

The number of people leaving with the help of the Voluntary Departure Unit in 2022 increased by 47% compared to 2021, and it stood at 2,484 people. This is about a volume of people leaving that is approaching what it was in 2019, in the period before the outbreak of the coronavirus pandemic. In the first two months of 2022, still under the influence of the epidemic, the rate of voluntary departure was slow and stood at an average of 50 over a month, the rate of voluntary departures remained relatively low. On the other hand, in the following ten months of the year, voluntary departures increased to an average of about 240 departures per month. The table also shows the number of infiltrators in 2022, Eritreans who left voluntarily accounted for 88.4% of all infiltrators from African countries who left voluntarily (compared to 79.4% in 2021)

2.2 Immigration and emigration: Immigrant considerations, influencing factors, aspects of integration and their impact on the receiving country

The term immigration does not have one agreed-upon definition. The research approach to the phenomenon began in the field of geography, from the aspect of people moving from one place to another. Only in the 19th century did the phenomenon begin to be linked to economic and political phenomena, i.e., a social phenomenon with psychological effects, including tensions between groups competing for the same labor market.

Migration is a permanent move to a new place outside the nation-state. It has two main elements: migration outside the country of origin and within the destination country for its motives. Thus, the distinction was made between push factors and pull factors. Each type of factor involves a set of considerations that the immigrant makes before the decision, mainly political, economic, and environmental. Each of them requires the immigrant to make a different decision, which leads to different results from the immigrant's and the receiving country's point of view.

Political driving factors

Political instability, wars and internal struggles lead to emigration from the country of origin. Factors of this type include, among others, the refugees and asylum seekers. These are immigrants who are forced to leave their country of origin for political reasons. The U.N. Convention defines refugees as those who have been in danger in their country of origin and fled from it. They cannot return due to fear of persecution based on race, religion, nationality, membership in a social or political organization, or because of their political opinions. They are "homeless" until another country takes them in. Immigrants of this type usually move to the country closest to or most accessible to their country of origin without considering the possibilities of work and acceptance there.

Economic driving factors

The polarization caused by unequal economic development between countries leads people whose standard of living in their country is low to be displaced in a country that offers opportunities to improve it. Thus, for example, in the 20th century, about a quarter of the workforce and more than a tenth of the entire population emigrated from Ireland due to a natural disaster that destroyed their fields and food sources. Most immigrants were young and educated, and their education served as their exit ticket from their homeland.

Environmental driving factors

Environmental causes such as an unwanted lack of or excess water are common ecological threats. Many people live in flood-sensitive areas, to the extent that many countries suffer from drought. In places where the economy is based on agriculture, this leads to mass migration in search of food or to escape the floods. Some argue that climate change is the greatest threat to human society and may very shortly lead to a more significant population migration than ever before. A rise in the water level by only half a meter will flood deltas with millions of people in them (so in Bangladesh, Egypt, and the Netherlands).

Political pull factors

This is, first and foremost, a personal choice. People are attracted to democratic countries, which encourage individual choice in education, employment, and place of residence. An example of this can be found in Germany after the Second World War, whose eastern part was handed over to the control of the Soviet Union. Many Germans moved west until immigration was forcibly stopped. Another example is the migration from Eastern European countries to the West starting in 1989, the year of the collapse of the Soviet Union.

Economic attractive factors

People immigrate to places where they believe they will improve their quality of life and where jobs are available. Thus, Europe, the United States, and Canada are classic centers of attraction for immigrants.

Environmental pull factors

Favorable weather conditions are one of the attractive environmental factors. An example is the great migration from the eastern United States to western California and from the north of the cold continent to the south (the Sun Belt). A distinction must be made among immigrants between temporary labor migrants and permanent migrants (Ben-Dor, 2008; Galily, 2023).

Family immigration

Temporarily, migrant workers usually leave their families in their country of origin and intend to return there within a specific time. It is often a seasonal migration, such as working in agriculture during the burning seasons. In this case, the destination countries will be those where the wages paid are higher than those in the country of origin. Still, the immigrants understand that they will be placed in a job that requires cheap labor with no promotion possibilities. It is worth noting that, in many cases, contrary to their original intention, temporary migrant workers establish communities and seek to become permanent migrants or at least stay in the destination country for more extended periods than planned. Permanent immigrants – a phenomenon also known as family immigration (immigration families are immigrants who wish to improve their standard of living or the quality of their lives) – usually come with their families or bring them with them after they have established themselves in the new country. These immigrants seek to settle and assimilate into the receiving society and look for permanent work in the destination country and possibilities for promotion.

Integration aspects

The integration of immigrants is a complex process, but there is agreement regarding several vital aspects that measure integration processes of this type:

1. *The linguistic aspect:* knowing and using the local language is one of the most essential skills the immigrant acquires in absorption. It is expected to refer to personal characteristics (age at immigration, human capital, etc.) and group characteristics (group size and linguistic distance) as predictors of linguistic skill (knowledge and use of the language), that is, the higher the education and seniority in the country, the lower the age at immigration and the circle of friends. Including a small percentage of immigrants from the same country of origin, the higher the chances of mastering and widely using the language of the receiving country.
2. *The economic aspect:* studies that examined this aspect indicate that the socio-economic achievements of immigrants are measured according to three factors: participation in the labor market, salary, and establishment (employment status). These aspects depend on seniority in the host country, the characteristics of human capital (education, work experience, language skills), personal characteristics (age and gender), and the economic similarity between the country of origin and the country of destination. That is, the higher the human capital (education, work experience), the seniority in the country, and the mastery of the language of the destination country, the higher the active participation in the labor market, the employment establishment, and the salary.
3. *The social aspect and identity:* these are determined by group characteristics, such as cultural similarity between the immigrants and the natives and the sense of connection with the new social environment. Among the additional factors that influence the adoption of values should be the “pulling” or “pushing” motive, age at

the time of immigration, and the immigrants' education level. The influence of these factors creates conditions for accepting or rejecting the local identity or combining it with the ethnic identity. That is, those with linguistic skills and high seniority in the receiving country, those who came at a younger age and for important reasons, who feel a positive attitude from the natives of the country and are not surrounded by immigrants from their country of origin, will tend to assimilate into the general society.

2.3 *Legality of being an immigrant in the receiving country*

The issue of immigrants can also be examined according to the legality of your stay in the receiving country; the distinction is between immigrants who enter the destination country legally and immigrants who are illegal in the first place. Some immigrants enter the destination country lawfully and then violate the conditions of entry, for example, by exceeding the period of stay set for them, entering as tourists and starting to work, or being caught in criminal acts and the like. Some are those whose entry involves illegally sneaking into the country.

This distinction is of great importance both in defining the dimensions of the phenomenon and in ways of dealing with it, and not only from today. Studies done worldwide have led to an attempt to talk about a “model” of immigrant behavior since 1870-1880, and some of them are still relevant.

According to this model:

1. Most immigrants travel only a short distance to the destination country.
2. Those who travel long will usually prefer to move to a big city.
3. The migration movement from the country of origin to the final destination is done gradually geographically.
4. Most migration is from the village to the city.
5. Each wave of immigration creates another wave of immigration.
6. Most immigrants are relatively mature; only a few families immigrate from country to country.
7. Most of the international migration movement is of young people.

Later, appendices were added to the immigration model; *firstly*, the immigrants do not teach about the population composition in the country of origin. *Second*, most of the immigrant companies are young males, although there have been changes in recent years, the main one being a significant increase in female immigration.

It is worth noting that immigration, refugees, and the absorption of immigration are extremely complicated issues, and it is difficult to collect reliable data about them, especially when it comes to illegal immigration. The data are usually based on estimates and models with a relatively large possibility of statistical deviation. Therefore, one should focus on the general lines emerging from the data and treat the data themselves with due care. As mentioned, immigration is not a phenomenon that started in recent years; Huntington defined *demography* as fate and immigration and population movements as the engine of history. He explains that different growth rates, challenging economic conditions, and government policies have also caused waves of mass immigration in previous centuries.

Decolonization and modernization

However, the immigration wave of the 20th century is different and more significant than before, *it was partly* caused by decolonization and the establishment of new countries and

their government policies that encouraged and even forced people to leave, a process of negating colonialism. This process gradually led to the end of the superpowers' control of overseas colonies and the establishment of independent countries in these countries. This process started between World Wars and culminated after World War II, mainly in India, the Middle East, and later in North Africa.

In part, it is a result of modernization and technological development. The improvements in transportation made immigration easier, faster, and cheaper. Improvements in communication intensified the drive to take advantage of opportunities and helped immigrants maintain contact with their families in their countries of origin. The difficulties of economic development in non-western countries compared to the abundance in Western countries cause immigration from non-western countries, and this becomes a self-reinforcing process because once the immigration flow begins, it increases its flow.

According to one of the sources, at the end of 2004, there were 185 million immigrants, about 3% - of the total world population (Zabar, 2008). For example, the formation of social networks that operate in the receiving country and the country of origin and preserve the phenomenon of migration. Immigrants enable their friends and relatives in their country of origin to immigrate by providing information about immigration options, resources to ease the transition, and assistance finding work and housing in the destination country. The immigrant will prefer a place where he can find social networks that will not lead to his disconnection from the country of origin over a place where the salary is the highest. The power of social networks exists even when wage differences are reduced. Other parties are stakeholders of various kinds in the process, such as border smugglers, personnel companies, visa and passport forgers, and other parties with a financial interest in working to preserve the phenomenon of immigration.

As far as Israel is concerned, the claim from the above is that it is not a phenomenon of refugees but of immigrants only and that the Israeli phenomenon is not unique to Israel but integrates with the trends in the entire Western world and with Israel's integration into the global economy. The movement of workers from country to country has become a central aspect of globalization in recent years.

2.4 Israel - The impact of immigration on policy – The difficulty in designing Policy and the difficulty in implementing it

Considerations of Jewish tradition and human rights – Knesset Committee In the summary of the meeting of the Interior and Environmental Protection Committee of the Knesset (Israeli Legislature) Protocol No. 106 of 2007, a committee that deals with, among other things, political, policy, and security questions, in its summary the committee appealed to the Israeli government to treat the Sudanese refugees by Jewish tradition: “As a people persecuted for two thousand years of exile, we must be sensitive to the plight of refugees, whatever they may be. The committee appeals to the Minister of Defense, the Minister of Internal Security, and the Minister of the Interior to find appropriate solutions that will ensure Israel’s security on the one hand and fair conditions for the refugees who arrive on the other.”

The committee stated to the Knesset that public bodies in Israel, such as the Moshavim movement, the Kibbutz movement, and ordinary citizens, are ready to help find suitable solutions until the state reaches long-term agreements. The committee even appealed to the ministers responsible for solving the families' plight or for allowing them to stay together under reasonable conditions, to allow the granting of work visas with the assistance of government ministries to those released by the courts or the I.D.F., and to give an appropriate visa classification to the families' owners. The committee also appealed to the Service Commission. The prisons treat the

refugee detainees more humanely and give them the rights granted to detainees in the State of Israel.

Like many countries in the European Union, Israel also currently has a significant community of illegal immigrants from Africa. Their number is 34,000, not including about 8,000 – children born in Israel to immigrant parents. From the Population and Immigration Authority data published on the Authority's website, it appears that among the “infiltrators,” 63% are citizens of Eritrea, 26% are citizens of Sudan – and 11% are citizens of other countries, most of them arrived through the southern border with Egypt, and several thousand more are tourists who stayed after their visa expired.

Similar to Europe, the Israeli media often refers to these infiltrators as “refugees” or “asylum seekers” but these concepts are misleading, of course. There are clear signs that the vast majority of them came to Israel in search of economic well-being and that their lives were not in danger: about 80 percent of the immigrants are men of working age, who usually passed through other safe countries on their way to Israel, and of the small number of asylum applications that the Israeli authorities examined, less than one percent One was found to meet the requirements for receiving refugee status (deserters from conscription are not, according to the international convention, considered refugees unless additional circumstances justify it).

Hardening and “hot return” policy

The “*warm return*” policy – is mainly the deportation of refugees and asylum seekers from Israel to Egypt according to the “warm return” procedure – which means the immediate return of asylum seekers who cross the border from Egypt to Israel back to Egypt. The beginning of illegal immigration from Africa to the State of Israel was modest; in 2005, it increased from a trickle of individuals to dozens and then to hundreds who came from Sudan and crossed the border. Politicians from the political left argued that nothing should be done about a few hundred. Israel has no problem absorbing some of them and finding an adequate arrangement for the rest – a claim that will be repeated later regarding thousands. As for tens of thousands, the Israeli government headed by Prime Minister Ehud Olmert was less complacent even then. Prime Minister Olmert wanted to cut off the infiltration with hostility. He reached an understanding with Egypt on a “hot return” policy, meaning the immediate return to the Egyptian side of anyone caught crossing the border. In addition, Olmert established a prison facility for those caught inside Israel. The purpose of this policy was to send a clear message that Israel will not become the solution to Africa’s problems. About 600 people received temporary residency permits after the U.N. granted them refugee status.

The Commissioner of Prisons in Israel in the years 2015-2018 Adv. Ofra Klinger claims that until 2014, when Israel’s southern border was still breached, and the number of infiltrators was estimated at around 20,000, according to mapping of the phenomenon of infiltration, it was proven that the waves of immigration occurred mainly during periods convenient for a prolonged march in the Sinai desert, a fact that strengthens the claim that it is not a flight out of danger to life. In addition, Klinger used data from the Saharonim facility and proved that less than 20% of those imprisoned there infiltrated with their families - the great majority were adult men over 18. “In these numerical data,” she wrote, “There is something to support the claim that essentially this is work immigration and that the immigrants leave their family members behind in order to ensure income for the family or create an economic basis for bringing them to Israel.”

2.5 The influence of human rights organizations, media, politics, legislation, and law on government policy

Already at an early stage, many organizations defining themselves as human rights organizations came into action. They petitioned the courts against the hot repatriation policy, as

they have done against almost any policy – aimed at curbing illegal immigration. The court issued a conditional order until the matter was fully clarified, and even though the order did not have an immediate operative meaning, it had a chilling effect. The mainstream media, which mostly lean towards the Israeli left, also quickly mobilized for the campaign. The newspapers and news releases were filled with articles comparing today's African immigrants to the Jews who escaped from Hitler's Germany in the 1930s, and there were accusations of cruelty and racism on the part of the Israeli government. The government finally gave in and abandoned the "repatriation policy" after five organizations, including the Civil Rights Association, submitted a petition to the High Court against the deportation of refugees and asylum seekers to Egypt according to the "warm return" procedure – the petition was submitted through an assistance center for foreign workers and the refugee rights program at the University of Tel Aviv.

The central claims of the human rights organizations, supported by the media and the political left, was that the legislation on the issue of infiltrators was withdrawn before the court due to a severe violation of the hard core of human rights, denial of freedom, and restriction of freedom of movement. However, not only due to a purely economic matter, the Supreme Court preceded the legislature by proposing a mechanism of financial guarantees as an economic incentive for illegal residents to leave the country. Later, the court proposed to apply this to infiltrators, according to the words of Judge Edna Arbel at the Adam High Court: "The arrangement creates an economic incentive for the employee The infiltrators to leave the country, the continued settling in the cities and staying in Israel, strengthen the motivation of the infiltrators not to leave the country, even when this would be possible, in the face of this negative incentive, the deposit arrangement seeks to create a counter-incentive, proportionate, to encourage the departure from Israel, when it becomes possible to do so, and thus to fulfill the immigration policy of the Israeli government. Illegal infiltration – its damage Internal security is undermined, the sense of personal security is damaged, crime is increasing, residents of South Tel Aviv, downtown Netanya, Petah Tikva, districts in Eilat, District B in Ashdod, and other neighborhoods where there are concentrations of infiltrators – they suffer, the burden on the public coffers for welfare, medical, policing and education services, enforcement of civic obligations such as tax payments – is difficult."

Judicial activism

The Supreme Court's activist intervention is also reflected, for example, in its decision on a petition submitted by associations for the promotion of human rights, which deal, among other things, with the protection of the status of foreign workers given in 2011 and known as the High Court of Foreign Worker Procedure – a procedure based on a policy. The Ministry of the Interior states that an employee may stay in Israel with her child unless 63 months have passed since she arrived in Israel. In the latter case, the mother will be forced to leave the country with the child. If the employer wants to continue employing her, she must return to Israel. e. If the worker's spouse / the child's father is in Israel, one of the spouses will be forced to leave the country as a condition for regulating the status of the other spouse. The detention facilities where illegal immigrants were held according to Israeli law also became a target of the aid organizations for infiltrators. The petitions did their part – the Supreme Court once again overturned legislation designed to allow the detention of infiltrators in detention centers and finally reduced the time allowed for entire detention to three months. The facilities have become a roadblock, and not much else.

The policy of the perimeter fence and the tightening of the conditions of stay

However, the State of Israel began formulating its policy in the face of the phenomenon of immigration from Africa only years later, after the decision to build a perimeter fence. The construction of the perimeter fence on the Israel-Egypt border was only completed in December 2013. Following the construction of the obstacles and the establishment of the perimeter fence,

the burden was placed on those seeking to infiltrate Israel. On the other hand, we are witnessing the opposite phenomenon, which is a more significant number of infiltrators who will try to enter until the completion of the barrier's construction. The problem of illegal immigrants constituted a weighty national problem for the State of Israel; the number of 15,000 people entering the country per year may continue, and about 100,000 within three years and within five or ten years, close to 200,000 to 250,000 infiltrators who will constitute a demographic change, a social change, a change Economically, immigrants without an identity, without a name, and legal permission, this is about changing the reality in the State of Israel without Israel being prepared for it.

However, this is only one factor in the equation; to prevent the entry of asylum seekers, it is recommended to stop issuing permits to foreign workers as much as possible. Reducing the attractiveness of immigration should also be implemented through a policy of "hardening the conditions of stay, increasing access to welfare systems, and increasing the conditions for obtaining permanent status." The state began implementing this part in January 2012, with amendment No. 3 to the Infiltrators Law.

The Law for the Prevention of Infiltration (Crimes and Judging), 1954-57 is a law enacted by the Second Knesset on August 16, 1954, to deal with the infiltration (mainly of Palestinians) into Israel. As will be detailed, two amendments to this law, enacted in the second decade of the 20th century 21 and came to deal with the infiltration from Africa to Israel, were disqualified by the High Court of Justice because the clause of holding in custody for more than 12 months contradicts a fundamental law: human dignity and freedom. Additional amendments were enacted within the framework of the law to prevent infiltration and to ensure the departure of infiltrators from Israel.

The hardening policy, administrative arrests, and detention facilities

This policy, which led to the tightening of the employment conditions of the infiltrators, proved itself. The results could be seen about two years after the state began the legislative procedures. As of the end of 2013, the number of African infiltrators who voluntarily left Israel stood at 2,612. According to the Population and Immigration Authority data presented by Prime Minister Netanyahu, no less than 6,180 infiltrators have gone from the beginning of 2014 until today. An incredible achievement, an object of envy in Europe, is against the background of the massive waves of infiltration that plague the continent. The purpose of Amendment No. 3 is to deter asylum seekers from entering Israel, and this is using indefinite administrative detention of those who have no possibility of deportation due to the danger they face in their country of origin. The provisions of the law state that, except in the most exceptional cases specified in it, a person will not be released until at least three years have passed from the date of his arrest. In the absence of exceptional circumstances, the Custody Review Tribunal, which is supposed to conduct a quasi-judicial review of detention under the law, is not authorized to release a person. Therefore, the petitioners here and the other detainees under the law do not have any alternative remedy other than attacking the constitutionality of Amendment No. 3.

In October 2012, human rights organizations petitioned the High Court of Justice, demanding the law's repeal. The petition was submitted on behalf of the Immigrant Rights Clinic at the Academic Center for Law and Business, the Refugee Rights Program at the Faculty of Law at Tel Aviv University, the Civil Rights Association, the Foreign Workers Assistance Center, A.S.F. – An organization for aid to refugees and asylum seekers in Israel, the worker line and the center for the promotion of African refugees. The petition was also submitted on behalf of two Eritrean men, two Eritrean women, and a one-year-old baby, all of whom are being held for an indefinite period in detention camps, which were established to hold asylum seekers.

The petition claims that there is a prohibition in Israeli and international law on the detention of immigrants that is not for deportation, that the administrative detention of asylum

seekers who have experienced trauma, including children, increases the trauma and will harm the safety and health of the detainees, and that the purpose of administrative detention for deterrence is not proper. Therefore, because the law to prevent infiltration is contrary to a fundamental law: human dignity and freedom, the High Court of Justice was asked to cancel the law.

This is what is claimed in the petition: As early as June 2012, the state began to enforce the Amendment to the law to prevent infiltration, which allows administrative detention without trial for at least three years. By the law, mainly citizens of Sudan and Eritrea are primarily held in administrative detention, which the government itself recognizes that they should not be deported due to the fate expected of them there. The law to prevent infiltration is emptied of the right to freedom of many thousands of people, and they are deprived of any legal protection. This is an administrative detention whose purpose is not deportation but deterrence and “tiring the lives” of the asylum seekers, as the Minister of the Interior, Eli Yishai, said.

In the response, submitted by the State Attorney’s Office in May 2013, it is claimed that the law creates a “dynamic” mechanism that allows the release of detainees for a variety of reasons, that incarceration is required in order to maintain the sovereignty of the state and undermine the incentive to infiltrate, that most of the detainees are not refugees but “migrant workers” and more. The “dynamic” release mechanism that the state presented in its answer resulted in the release of less than 7% of the 2,000 detainees under the law, while all the rest are expected to be held in detention for at least three years. In 2014, despite the passage of time since the start of the implementation of the law, the examination of not even one asylum application was completed, with or without the law; the number of people entering Israel is minimal due to the construction of the fence on the Israel-Egypt border.

The answer also claims that the “custody facility” is, in fact, a prison for all intents and purposes, where harsh conditions and a system of administrative punishment, and above all - the law allows unlimited administrative detention of those for whom deportation proceedings are not held due to the danger they face if they are deported, the response opens by citing her answer of the Minister of Justice to the question submitted by the then MK Dov Hanin, in which she submits the position of the Attorney General, according to which the deportation of Sudanese and Eritrean citizens, who make up 90% of the imprisoned, is not on the agenda.

On September 16, 2013, the Supreme Court ruled in an expanded composition of 9 judges that the Amendment to the infiltration law was unconstitutional and void. The court ruled that administrative detention, as allowed by the Amendment to the law, is contrary to the provisions of the Basic Law: Human Dignity and Freedom, and that the state must examine the case of each of the detainees within 90 days and release them as long as there is a reason for release according to the Entry into Israel Law.

3. Conclusion

Summary of Judge E. Arbel’s opinion at the Adam High Court: The judge reviewed the infiltration phenomenon into Israel in recent years, noting that there are currently 55,000 infiltrators in Israel. The judge maintained that most of the infiltrators are from the countries of Eritrea and Sudan and emphasized the difficulties experienced by the residents of these countries. It also clarified that the state of Eritrea applies the international principle of “non-refoulement,” meaning that the state will not remove a person from a place where his life or freedom is in danger. As for the Republic of Sudan, a return there is impossible due to the lack of diplomatic relations with Israel. This is because the country is facing a significant phenomenon of tens of thousands of infiltrators entering its territory, and it is unable at this stage to expel from its territory in a practical or normative way.

Following the repeal of the Infiltration Prevention Law (Amendment No. 3) in September 2013 and the High Court's determination that those staying at the Saharonim facility must be released within ninety days, the Center for Israeli Immigration Policy submitted an urgent petition to the High Court in October 2013 demanding that the released infiltrators be prohibited from reaching South Tel Aviv. This is the first and only time that a petition has been submitted to the High Court on behalf of the residents of South Tel Aviv, demanding to impose restrictions on the phenomenon of infiltration into Israel.

The petition described the suffering of the residents of South Tel Aviv and cited quotes from Supreme Court judges who recognized this plight. For example, Judge Fogelman's statement at the Adam High Court: "The cry of the residents of South Tel Aviv about what is happening in their neighborhoods was heard loud and clear. This is a cry that comes from the heart, and you should not take it easy at all." The petition also presented crime data and affidavits of affected residents and described the violation of the right to life, dignity, property, freedom of occupation, and equality. The court will also be asked to compel the state to implement the government's decisions regarding the establishment of open residence facilities. On 10.12.2013, International Human Rights Day, the Israeli Knesset/Parliament passed a law in the second and third reading designed to bypass the High Court ruling and allow the state to continue imprisoning asylum seekers indefinitely.

After Amendment No. 3 to the law to prevent infiltration was invalidated by the Supreme Court in September 2013, about three months later, the Israeli legislator faced the court's review and established a new arrangement, Amendment No. 4 to the Infiltrators Law; this law allowed holding illegal infiltrators in custody without a sentence, meaning in a closed residence facility (facility: Saharonim) for up to a year, and then in an open residence facility (facility: 'Holot') where up to 3,300 infiltrators will stay. As stated above, within the framework of the law, the state undertook to provide the infiltrators with accommodation, food, drink, and basic health needs.

After the 4th Amendment to the Prevention of Infiltration Law was passed by the Knesset in its third reading on December 10, 2013, and the government established its policy of principle for the immigration of infiltrators from Africa, the state began sending summonses to the Holot facility also to infiltrators already residing in Israel. Following this, a massive departure of infiltrators from Israel began almost immediately. In January 2014, 765 infiltrators left, and in the following two months until the High Court's verdict, over 3,000 additional infiltrators left, most of whom decided to leave after receiving the summons to the open detention facility without spending even a single day there.

However, both about this legislative arrangement and in the additional hearing, the Supreme Court found that the arrangement was unconstitutional. As part of those influencing the government's immigration policy, the Center for Israeli Immigration Policy appeared in court alongside the residents of South Tel Aviv. The center also submitted a written response on its behalf to the petition of the aid organizations for infiltrators. As mentioned, despite the many efforts, on September 22, 2014, the judges of the High Court decided by a majority of 7 to 2 to cancel the sections of the law and amendment No. 4 to the law requiring infiltrators to stay in a sand facility and also to cancel the section of the law requiring infiltrators who entered Israel after the application of the law to stay in a closed detention facility for one year. The President of the Supreme Court, Judge Grunis, who was in the minority, rejected the petition of the Center (High Court of Justice) because he ruled that the law enacted by the Knesset met the test of legality and, therefore, the petition was unnecessary. On the other hand, most judges rejected the petition on behalf of the residents of South Tel Aviv, even though they ruled that the law should be repealed and those staying in the detention facilities should be released without bothering to justify it or provide an alternative remedy.

Paying attention to the court's position, the legislator created a new third mechanism, which includes a stay in custody for up to three months and the operation of a detention center where the infiltrator will be found for a maximum of 20 months. Even this arrangement – regarding the limit of stay at the residence center – was found to be unconstitutional, and the court ordered its cancellation. As mentioned, on August 11, 2015, the Supreme Court's judgment was given at the High Court of Dstta. The petition was discussed before nine judges who determined that the legality of the law to prevent infiltration is contrary to a fundamental law: human dignity and freedom.

The ruling stated that the arrangement according to which an "infiltrator" for whom a deportation order was issued will, as a general rule, be held in custody for three months from the date of his unauthorized entry into Israel is constitutional, despite his violation of the constitutional right to freedom (Section 5 of the Fundamental Law: Human Dignity and Freedom) since it meets the tests The limitation clause – Section 8 of the Basic Law). By this arrangement, which only applies to those who entered Israel after it entered into force, 41 infiltrators (according to Ministry of Interior data) located at the Egyptian border in the first half of 2015 were imprisoned in the Saharonim facility. In the centers of the cities," is a proper purpose, and the maximum delay period stipulated in the law is unconstitutional. Moreover, in the end, the court decided on the invalidity of the sections of the law that are the subject of the discussion because they are unconstitutional.

"Deposit Law" policy. It is worth noting that other policy initiatives were designed to emphasize the same message, one of which was the "Deposit Law," implemented by the only organization supporting the state's position – the Center for Israeli Immigration Policy. The idea is to keep part of the immigrants' salaries in a particular deposit, which will be returned to them when they leave Israel. However, this policy was also partially eliminated by the courts and then further diluted by the state, which hoped that a softened version would still pass with the judges.

Removal policy to a third country. The plan for removal to a safe third country, which for a while seemed to be successful, according to which the deportees were to receive an amount of \$3,500 each, four or five times the annual G.D.P. per capita in the destination countries, in addition to the compensation that Israel would transfer to the governments of these countries - Rwanda and Uganda. However, then a strong opposition erupted from the media, which claimed that the infiltrators were "deported to their deaths" and faced rape and torture, or at least arrest and confiscation of their documents in the countries above. Intellectuals and celebrities joined the protest, and stickers calling "stop the deportation" appeared in Tel Aviv cafes.

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Greek School Drama: Teachers vs. Headmasters in 2024

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Abstract

We all know how high school was basically one big popularity contest, the jocks, the nerds, the outcast, the cliques. Well, it turns out that the drama doesn't end after graduation and only to students. The struggles and conflicts are carried right over into the teachers' lounge and the headmaster's office. In this article we try to find the reasons for this conflict and strategies to improve their relationship.

Keywords: teachers, headmasters, school drama, strategies.

1. Historical context of Greek educational system

The evolution of roles within Greek schools has been a significant factor in shaping the current dynamics between teachers and headmasters. Traditionally, Greek schools operated under a hierarchical model where headmasters held authoritative control over administrative and educational decisions, while teachers were primarily responsible for classroom instruction. Over time, however, there has been a shift towards more collaborative and participatory roles for educators, encouraging teacher involvement in decision-making processes [1]. Despite these changes, the transition has not been smooth, as the legacy of rigid authority persists in many educational institutions. This evolution has created a backdrop for potential conflicts, as teachers now seek more autonomy and influence in areas previously dominated by headmasters.

The traditional authority dynamics between teachers and headmasters have historically been characterized by a clear hierarchy, with the headmaster positioned as the ultimate decision-maker. This structure, deeply rooted in the Greek educational system, has often led to tensions as teachers navigate their roles within this framework. The headmaster's leadership style plays a crucial role in either exacerbating or alleviating these tensions [2]. In many cases, a more authoritarian approach can stifle teacher creativity and collaboration, leading to dissatisfaction and conflict. Conversely, headmasters who adopt a more democratic and inclusive leadership style tend to foster a more harmonious working environment, encouraging open communication and shared decision-making.

The impact of historical changes on current conflicts within Greek schools is evident in the ongoing struggles between teachers and headmasters. The shift from a strictly hierarchical model to a more collaborative approach has not been universally accepted, resulting in clashes over roles and responsibilities. These conflicts are often exacerbated by external pressures, such as the crisis caused by the COVID-19 pandemic, which has further strained relationships and highlighted the need for effective conflict management strategies [3]. As schools continue to adapt to these historical changes, the ability of headmasters and teachers to work together harmoniously becomes increasingly vital to the overall success and stability of the educational environment.

2. Causes of tension

In 2024, policy changes continue to be a significant source of tension between teachers and headmasters, particularly in how they affect school governance. As educational reforms are implemented, headmasters often face the challenge of translating new policies into actionable strategies within the school environment. This can lead to conflicts as teachers may feel that these changes are imposed without adequate consultation or understanding of classroom realities. For instance, funds intended for teacher training might be reallocated to other areas deemed more critical by headmasters, leading to frustration among educators [4]. Such policy-driven decisions can create a disconnect between administrative expectations and teacher priorities, fostering an atmosphere of mistrust and resistance.

Differences in educational philosophies further exacerbate tensions between teachers and headmasters. Teachers often hold distinct beliefs about the best approaches to teaching and learning, which may not always align with the administrative vision of the school. This philosophical clash can manifest in disagreements over curriculum design, teaching methodologies, and student assessment practices. Studies have shown that these ideological differences are a common source of conflict in educational organizations, as each party seeks to assert their perspective as the most effective [5]. The lack of alignment in educational philosophies can lead to a fragmented school environment where collaboration is stifled, ultimately impacting student outcomes.

Economic pressures and resource allocation issues are another key factor contributing to the struggles between teachers and headmasters. Schools often operate under tight budget constraints, forcing headmasters to make difficult decisions regarding the distribution of limited resources. This can result in conflicts when teachers perceive that resources are not being allocated fairly or effectively, particularly in areas like classroom materials, technology, or professional development opportunities. The economic strain can be further compounded by external factors such as inflation or funding cuts, placing additional stress on school leadership to meet the demands of all stakeholders [6]. As financial pressures mount, the relationship between teachers and headmasters may become strained, highlighting the need for transparent communication and collaborative problem-solving.

3. Role of teachers in Greek schools

Teachers in Greek schools carry a significant burden of responsibilities and expectations, which are essential for the smooth operation and success of educational institutions. They are tasked with not only imparting knowledge but also shaping the moral and social values of their students. This dual responsibility can be overwhelming, as teachers must balance their instructional duties with the need to foster a supportive learning environment. Moreover, these expectations extend to their ability to manage classroom conflicts effectively, which is crucial for maintaining a harmonious educational setting [7]. Teachers are also expected to stay abreast of educational advancements and integrate innovative teaching practices into their curriculum, ensuring that students receive a comprehensive education that prepares them for future challenges. As a result, the role of teachers encompasses a wide range of duties that demand a high level of dedication, adaptability, and a commitment to continuous professional development.

Adapting to new policies presents a significant challenge for teachers in Greek schools, as these changes often require them to alter their established teaching methods and strategies. The introduction of new educational reforms or curricula can be a source of stress and uncertainty, as teachers must quickly familiarize themselves with new guidelines and expectations. This process is further complicated by the need to ensure that these changes do not disrupt the learning experience for students. Teachers may find themselves struggling to align their traditional

teaching practices with the new requirements, leading to frustration and potential conflicts with school administrators [6]. Additionally, the lack of adequate support and resources to implement these changes can exacerbate the situation, leaving teachers feeling overwhelmed and unsupported. This challenge highlights the importance of providing teachers with the necessary tools, training, and guidance to successfully navigate policy shifts and maintain the quality of education.

The influence of teachers' unions and associations plays a crucial role in shaping the professional landscape for educators in Greek schools. These organizations serve as advocates for teachers, striving to protect their rights and improve their working conditions. They engage in negotiations with school administrations and government bodies to secure fair wages, job security, and benefits for their members. Moreover, teachers' unions often provide a platform for educators to voice their concerns and collaborate on addressing common challenges [8]. Associations, on the other hand, focus on offering professional development opportunities and resources that support teachers in their careers [9]. By fostering a sense of community and solidarity among educators, these organizations can help mitigate conflicts and promote a more cooperative relationship between teachers and school leadership. However, the distinction between the interests of teachers and those of their unions can sometimes lead to political and conceptual disagreements, underscoring the complexity of these relationships [10].

4. Role of headmasters in Greek schools

In Greek schools, headmasters hold significant administrative duties and decision-making powers, which are crucial for the smooth operation of educational institutions. They are responsible for overseeing the implementation of educational policies and ensuring that schools adhere to national standards [6]. This role involves a multitude of tasks, including budgeting, resource allocation, and staff management. Headmasters must navigate the complex landscape of educational regulations while making decisions that impact both the quality of education and the school environment. Their ability to make informed and timely decisions directly influences the school's performance and reputation. However, the weight of these responsibilities can sometimes create tension between headmasters and teachers, as decisions made at the administrative level may not always align with the expectations or needs of the teaching staff.

Balancing policy implementation with staff management presents a significant challenge for headmasters. While they are tasked with enforcing educational policies, they must also maintain positive relationships with their staff, which can be a delicate balancing act [11]. The need to implement top-down policies can often lead to conflicts with teachers, who may feel that their autonomy in the classroom is being compromised. This tension is further exacerbated by the diverse personalities and perspectives within the teaching staff, which can lead to disagreements and misunderstandings. Effective communication and conflict resolution strategies are essential for headmasters to address these challenges and foster a collaborative work environment. By prioritizing open dialogue and mutual respect, headmasters can bridge the gap between policy demands and teachers' needs, ultimately enhancing the overall school climate.

The relationship between headmasters and education authorities plays a crucial role in shaping the dynamics within Greek schools. Headmasters act as intermediaries between the education authorities and the school staff, often finding themselves caught between the directives from above and the realities on the ground [12]. This dual role can create additional pressure as they strive to meet the expectations of both parties. The demands from education authorities may sometimes conflict with the practical needs of the school, leading to stressful situations for headmasters. To navigate this complex relationship, headmasters must develop strong negotiation and advocacy skills to represent their school's interests effectively. By establishing a transparent and cooperative relationship with education authorities, headmasters can better support their

staff and ensure that the educational objectives are met without compromising the well-being of the school community.

5. Case studies of recent conflicts

Recent years have witnessed several notable incidents of disputes between teachers and headmasters, highlighting the complex dynamics within educational institutions. One such incident involved a headmaster who enforced strict discipline measures, leading to discontent among teachers who felt their autonomy was being undermined [6]. This tension escalated when a group of teachers, possessing higher qualifications than the headmaster, openly challenged his decisions, resulting in a standoff that disrupted school operations [13]. Another case saw conflicts arise due to absenteeism, where teachers perceived the headmaster's punitive measures as unfair and demoralizing [13]. These incidents underscore the multifaceted nature of conflicts in schools and demonstrate how issues such as authority, qualifications, and disciplinary actions can become flashpoints for disputes.

The outcomes and resolutions of these conflicts varied, offering valuable insights into potential strategies for future disputes. In the case of the headmaster enforcing strict discipline, a resolution was reached through a series of mediated discussions where both parties expressed their concerns and reached a compromise on disciplinary practices [14]. This approach not only alleviated tensions but also fostered a more collaborative environment. In the instance of absenteeism, the headmaster implemented a system of incentives alongside disciplinary measures, which helped improve teacher morale and attendance [15]. These resolutions highlight the importance of open communication, negotiation, and the balancing of disciplinary actions with motivational strategies.

From these conflicts, several lessons can be gleaned that are crucial for improving the teacher-headmaster relationship. Firstly, conflicts need not be inherently negative; rather, they can serve as catalysts for constructive change when managed effectively [11]. The key lies in the headmaster's ability to employ conflict resolution skills, such as mediation and negotiation, to transform tensions into opportunities for growth [16]. Additionally, fostering an environment that encourages transparent communication and mutual respect between teachers and headmasters can prevent many disputes from escalating [17]. By embracing these strategies, educational institutions can create a more harmonious workplace, ultimately benefiting teachers, headmasters, and students alike.

6. Impact on students and learning environment

Conflicts between teachers and headmasters can significantly disrupt classroom dynamics, creating an environment that is not conducive to learning. When educators are embroiled in disputes, it often leads to a breakdown in communication and collaboration, essential components for a productive educational setting. As teachers may feel unsupported or undervalued, their motivation and enthusiasm can wane, adversely affecting their ability to engage students effectively. Consequently, this tension spills over into the classroom, where students might observe the discord and experience confusion or anxiety about the learning process. The atmosphere can become tense, leading to a lack of focus among students and a decrease in the overall quality of classroom interactions [18]. This disruption highlights the importance of resolving conflicts promptly to maintain a healthy learning environment.

Student performance and morale are particularly vulnerable during periods of conflict between teachers and headmasters. When educators are preoccupied with internal disputes, their ability to provide consistent and effective instruction diminishes, which can negatively impact

student achievement. For instance, teachers may be less inclined to dedicate additional time to student support or extracurricular activities, which play a crucial role in student development. Moreover, conflicts can lead to a lack of clear expectations and inconsistent enforcement of rules, causing confusion and reducing students' confidence in their educational experience. As a result, students may experience a decline in their academic performance and overall morale, feeling less motivated to participate actively in their education [19]. Therefore, addressing and managing these conflicts is crucial to ensuring that students remain engaged and successful.

The long-term implications of unresolved conflicts between teachers and headmasters can have a profound impact on educational quality. Prolonged disputes can lead to a toxic school culture, where mistrust and resentment become entrenched, further hindering collaboration and innovation in teaching approaches. This environment can deter talented educators from joining or remaining in the institution, leading to a potential shortage of skilled teachers and impacting the quality of education delivered to students. Additionally, a school plagued by ongoing conflict may struggle to implement new educational initiatives or improvements, as the focus remains on internal issues rather than student-centered goals [20]. Over time, this can result in a decline in the school's reputation and effectiveness, underscoring the need for proactive conflict resolution strategies to preserve the integrity and quality of the educational experience.

7. Proposed solutions and mediation efforts

Initiatives aimed at improving teacher-headmaster relations often focus on fostering a culture of mutual respect and collaboration. One effective approach is the implementation of regular dialogue sessions, where teachers and headmasters can openly discuss their concerns, expectations, and aspirations. These sessions provide a platform for both parties to understand each other's perspectives and work together towards common goals. Additionally, professional development workshops can be organized to enhance leadership and communication skills for headmasters, enabling them to manage conflicts more effectively [6]. By investing in such initiatives, schools can create an environment where both teachers and headmasters feel valued and supported, ultimately leading to improved school management and teacher performance [21].

Mediation strategies play a crucial role in resolving conflicts between teachers and headmasters, and their effectiveness can vary depending on the approach. Peer mediation, where neutral third parties from within the school facilitate discussions, can be particularly beneficial. This approach allows for a more empathetic understanding of the issues at hand, as mediators often have firsthand experience with the school environment [22]. Moreover, structured mediation processes, such as those involving external mediators or conflict resolution experts, can offer unbiased perspectives and solutions. These strategies not only help in resolving immediate disputes but also contribute to building a more harmonious and cooperative school climate in the long term [23].

The role of external bodies in facilitating dialogue between teachers and headmasters is pivotal in promoting a constructive relationship. Organizations such as educational boards, unions, and professional associations can provide frameworks and guidelines for effective communication and conflict resolution [3]. These bodies can also organize workshops and training sessions that focus on collaborative leadership and team-building exercises. By acting as mediators, they can ensure that both teachers' and headmasters' voices are heard, leading to more equitable and fair outcomes. Furthermore, external bodies can offer resources and support systems that empower schools to address conflicts proactively, thereby fostering a positive educational environment [1].

8. Future outlook for Greek school governance

In the evolving landscape of Greek school governance, predictions for policy changes are poised to significantly impact the dynamics between teachers and headmasters. These changes often stem from the need to address the persistent struggles and conflicts that infiltrate the teachers' lounge and the headmaster's office [1]. Policy amendments could introduce frameworks that promote clearer hierarchical structures and communication channels, thereby reducing misunderstandings and tensions. Additionally, implementing policies that encourage professional development for both teachers and headmasters might lead to more effective conflict resolution strategies. By fostering an environment where both parties are equipped with the skills to manage disagreements constructively, schools can enhance their overall academic performance and teacher satisfaction [6].

Emerging trends in educational management highlight a shift towards more collaborative and inclusive approaches, aiming to bridge the gap between teachers and headmasters. These trends often involve integrating technology and innovative pedagogical methods that require joint efforts and mutual understanding [24]. Schools are increasingly recognizing the importance of building a digital literate community among educators, which can facilitate smoother communication and collaboration. Moreover, the emphasis on shared leadership models is gaining traction, encouraging teachers to participate in decision-making processes and thereby reducing feelings of disenfranchisement. This collaborative spirit, when effectively nurtured, can transform the traditionally hierarchical relationship into a more cohesive partnership, ultimately benefiting the school environment as a whole [25].

Taking steps towards a more collaborative school environment requires deliberate efforts and strategic planning. One effective approach is to establish regular team-building activities and workshops that focus on conflict resolution and communication skills [26]. These initiatives can help break down barriers and foster a sense of camaraderie between teachers and headmasters. Another critical step is the adoption of a conflict management framework that emphasizes understanding and empathy over confrontation. By recognizing that conflicts are a natural part of any organizational setting and addressing them with openness and respect, schools can create a more harmonious working atmosphere [27]. Encouraging feedback and dialogue, and providing platforms for both teachers and headmasters to voice their concerns, can further enhance collaboration and mutual respect within the school community.

9. Conclusion

In conclusion, the relationship between teachers and headmasters in the Greek educational system is marked by a complex interplay of historical context, evolving roles, and contemporary challenges. As demonstrated throughout the article, the traditional authority dynamics have been strained by recent policy changes, differing educational philosophies, and economic pressures. These tensions not only hinder effective governance but also impact the learning environment and student outcomes. However, there is hope for improvement as various strategies, including mediation efforts and initiatives aimed at fostering collaboration, have shown promise in resolving conflicts. Looking ahead, it is crucial for both teachers and headmasters to engage in constructive dialogue and work towards a shared vision for educational excellence. By embracing a more collaborative approach, Greek schools can pave the way for a more harmonious and effective educational experience that ultimately benefits both educators and students alike.

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Formalism, Positivism, and Activism in Israeli Laws

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Abstract

The article explores two philosophical approaches and how they are reflected in Israeli Supreme Court rulings. The first approach that I will explore addresses the rise or rather not necessarily the rise of legal formalism in Israeli law and its connection to legal positivism and legal activism. Ultimately, the issue has not yet been decided by our scholars as to whether the decline of formalism has indeed occurred according to Prof. Mautner (who bases his arguments on dominating legal issues from the broad spectrum), or not necessarily its rise according to Prof. Bendor (who focuses on public law). We can only discern the rise of judicial activism in Israeli law as evolving since the Bergman case until today, with the publication of the historical precedent regarding the annulment of the cause of reasonableness.

Keywords: Israel studies, Israeli laws, Israeli Supreme Court, legal formalism.

1. Introduction – Legal formalism

Prof. Mautner defined the main principles of the concept of legal formalism through three main areas that were distinct in the literature that developed already in the last century (Mautner, 1993). The first area is the sociology of law, the literature dealing with this bears an extensive discussion around formalism that rules as a key concept in Max Weber’s doctrine. The second area is “science and law,” as formalism is its main concept and it dominated Germany’s jurisprudence starting in the nineteenth century, and especially from the second half. The third area is the extensive use of the concept of formalism in the United States by theorists, sociologists, and historians to describe developments in American law from the late 19th century to the present day.

The concept of “legal formalism” in the theory of legal science and Max Weber’s doctrine, refers to content and structural characteristics that exist in legislation and to the division of labor between the legislative authority and judicial authority derived from these characteristics.

In American law, Prof. Mautner explains that the concept of “formalism” is used mainly to characterize the reasoning given by certain judges in their rulings to justify their decisions. However, since these reasonings reflect a broad worldview regarding the place of law in society and a worldview regarding the role of the judicial authority in the operation and creation of law, the formalism concept serves to characterize a specific, complete, and comprehensive legal worldview (Paine, 1978; Lyons, 1981; Quevedo, 1985).

The scholars of “legal science” in Germany and Weber lean on basic assumptions that differ from those of American legal scholars, in that respect that the concept of formalism of Weber and those of scholars of Science and Law are based on structural and content characteristics of

legislation. But at the basis of the concept of formalism, which developed in American law, are the methods of reasoning accepted rather in the ruling. However, the content of the concept of formalism is common to a considerable extent to all three of them, and is based on four main points:

1.1 Organization of legal norms in a system with internal logic

Owing to the influence of the methodology of the natural sciences in the second half of the nineteenth century, Germany's science and law scholars and the formalist approach to American law sought to organize law as if it were a "scientific" system, striving for the norms of law to be organized in a system built according to internal logic, both horizontal and vertical (Reimann, 1990; Grey, 1983).

Horizontally, legal norms should be arranged according to defined and distinct legal categories (e.g., contracts, distinct from torts, private law distinct from public law, substantive law distinct from procedural law, etc.). Each such legal category, as explained by Prof. Mautner, is supposed to be based on one dominant element in the factual interaction observed by it, to enable the jurist to trace the entire factual story presented before him, its relevant legal characteristics, and then sort the case into the appropriate legal category and apply to it the solution inherent in that category. This is also the cause of devoting a great deal of intellectual energy on the part of jurists who operate according to the formalist worldview, to prevent overlap between the various legal categories. In their eyes, the jurist's greatest virtue is the "analytical power" to correctly classify factual cases into the legal categories that are supposed to regulate them.

Horizontally, at the foundation of any legal field, there should be several general basic principles, from which should arise, in descending hierarchical order, more detailed sub-rules, deriving from the principles and rules above them (Horwitz, 1992; Weber, 1987; Braithwaite, 1953).

1.2 Detachment of law from its value dimension

According to the concept of legal formalism, the academic discussion of legal questions, and the legal process, do not focus on reality directly. Rather, the basis of legal practice should be the existing legal norms in the legal system. Therefore, the question that is asked in the framework of the judicial process will be, what norm should exist in the world by the internal logic of the existing normative system, considering its conceptual and linguistic components? Therefore, the legal decision must be scientific and be completely free from dealing with questions of value

At the basis of the system, additional norms in the legal system are supposed to be present, and not the existence of moral reasons that may justify the existence of norms. Therefore, Prof. Mautner concludes that, according to the concept of legal formalism, existing legal norms are supposed to separate the legal decision-maker from the substantive reasons that can justify his decision (Horwitz, 1975; Goetsch, 1980; Kennedy, 1973).

1.3 Limited creativity within the judicial process

An ideal model of legal formalism assumes that the system will usually find an appropriate, ready-prepared norm for application by the judiciary. But in the absence of a norm that provides a direct solution to a legal problem that arises, this norm is considered to exist by implication, and the role of the judge or scholar dealing with the issue, according to the formalist method, is to create it by way of exposing it to full view. This, explains Prof. Mautner, is a process

of legal reasoning, a process that is inductive and deductive, and whose raw materials are the legal norms that already exist in the method. Within the framework of inductive reasoning, the legal norm, which provides the required solution, should be shaped according to the contents of legal norms that can be considered to have some relevance to the issue that arises. Within the framework of deductive reasoning, in his understanding, the legal norm providing the solution should be derived from the broad principles and rules that are supposed to be considered those that apply to the issue. The law should, therefore, develop the framework of the judicial process, but not by weighing the moral desirability of possible alternatives, but from within. Furthermore, the process must be technical-mechanistic, when it is required to always give rise to one agreed-upon norm, and hence all its operators are supposed to reach, necessarily, the same result itself, if it is implemented correctly.

1.4 *Certainty and planning ability as central objectives of the legal system*

Having observed, that according to legal formalism, legal norms must pre-exist in the method, explicitly or implicitly, as the product of a technical-mechanistic disclosure process, they can be considered by decision-makers to be part of the existing factual situation in the world, which they can rely on when planning to achieve goals. It follows that legal norms allow legal consumers to operate with a high degree of certainty and immunity from unexpected external interference that will disrupt their actions to achieve legal objectives.

2. Legal positivism and judicial activism

The concept of positivism (deriving from the term “position” to place things) consists of three ideas:

The first is the idea of separation. The question of whether a law exists what the content of the law is or what is the validity of the law is a different question from the question of whether the law is good or not. On the part of natural law, they were Communicating vessels – law is neither good nor just – invalid. The requirement of the law was a prerequisite for things that were not written or interpreted or that were not created by human beings (even if there was an attempt to change them through the Senate). The idea of separation is the separation of questions of two types – one from the world of values, which asks whether the law is a good law or not and whether it is moral or not. The second question comes from the world that describes the difference between normative and descriptive (here everything is normative because we are talking about binding tools, but the idea which we address here about value evaluation separately and the factual question: Does a particular society produce laws? Is a society organized in such a way that it can produce laws? Did it create this law? If it does not exist – is it not a law?). It seems that the question of validity is different from the question of evaluating a particular legal arrangement (natural law does not separate these questions because all laws are good, and if not, they are not laws), and thus, according to positivist law, they must be separated.

The second idea is the idea of social fact, according to which we provide the existence of a legal system “objectively”, scientifically – the intention is that we first check whether there is a law or not (and this, after we have separated law from values), and now we will examine whether it exists or not – whether the law is a good idea or not – this is another question.

The third idea is the idea of social convention, which mainly characterizes H.L.A. Hart's doctrine, according to which the validity of the law rests on social convention.

The bottom line, if the law is not legislated, it is not a law. Unlike natural law, where it is necessary to legislate to realize the ideals of natural law, here the approach advocates that if it

is not enacted legally, there is no legal validity. Another thing that distinguishes natural law from positivism is that law in natural law is divine and eternal, and the law according to positivism is a human product like sociology, if we want to examine it, it has a strong affinity with the idea of social convention.

Prof. Adi Parush, in his book (Parush, 1993), found that the expression “legal positivism” is not as unambiguous as the expression “natural law,” which is why different researchers use it in different ways. It is indisputable that the main theorists in the current legal positivism are Austin and Bentham (nineteenth century) and Hart and Kelsen (twentieth century). Each theory differs from the other in important matters, but they all share two arguments: The first argument is, the negative argument, by which it is not true that the legal validity of any norm depends on some moral test (as the natural law thesis states). The second argument is the positive argument, according to which the legal validity of any norm always depends on social facts, related to the sources of law.

The sources, the connection to which may lend to a given norm a legal validity, can vary from one legal system to another (although, not coincidentally, the main sources of developed legal systems lie in acts of legislation or judicial decisions). Among the four researchers mentioned above, there are differences of opinion regarding the nature of these sources and the nature of their connection to various legal norms; But each of the four assumes that these sources can be identified on a foundation of clarification of facts, without resorting to moral arguments. Some justified the positivist thesis by stating that it conforms to the common use of the term “law.” Some argued that it befits the nature of the law as an institutionalized social instrument. Some even justified the positivist thesis on the moral-educational grounds that its acceptance might lead to people not obeying the law in blind obedience. The author did not focus here on evaluating the theoretical constructions woven around the positivist thesis, nor did he focus on evaluating the various attempts to justify this thesis, but the author understands that the distinction between moral and legal questions is a very important distinction, essential for understanding the nature of the law, and does not see the need to dispense with this distinction or blur it, as some theorists do.

Prof. Parush concludes that the positivist thesis refutes the existence of a necessary connection between law and morality, but it refutes its existence only in the sense that, according to this thesis, there is no contradiction in talking about a grossly immoral law. Denying the existence of a necessary connection between law and morality in this sense does not mean that when the legislature considers whether to enact a particular law, it must ignore moral considerations. Likewise, denying a necessary connection between law and morality in this sense does not mean that when the judge decides on disputes before him, he must ignore moral considerations. In many legal systems, the law itself gives the judge the authority to decide certain disputes based on moral considerations. These methods do not contradict the positivist thesis.

But doesn't the positivist thesis require the conclusion that, from a legal point of view, the power of the legislature in any legal system is unlimited? That he may, from a legal point of view, legislate any law he sees fit, regardless of its content? There have been theorists in the history of positivist thought, such as J. Austin, who have accepted this conclusion. However this conclusion is unjustified, and it does not stem from the positivist thesis. It is possible to imagine legal methods, whose basic norm (in Kelsen's words) or their basic identification rule (in Hart's words), the will of the legislature is not a supreme, unlimited source of law.

According to the positivist thesis, the sources whose connection constitutes a condition for legal validity, are sources that can be identified based on fact-finding, without the need for moral arguments. But as noted, the nature of these sources can vary from one legal system to another, and there is no reason to assume that they always depend on the will of the legislature. Even without dealing here with the question of whether the legislature can limit itself, it is clear

that there are legal systems in which a rigid constitution, not established by the legislature, but by another recognized body (the “founding fathers”), can set legal limits to the power of that legislature.

One might think that even if the positivist thesis does not require the conclusion that the power of the legislature is unlimited in any legal system, it requires the conclusion that in those legal systems that do not include a rigid constitution or entrenched basic laws, its power is unlimited. But even this conclusion does not stem from the positivist thesis. Undoubtedly, in underdeveloped legal systems, in which custom served as a major legal source, an ancient custom could serve as a source of legal norms limiting the power of the legislature, and since the identification of the custom can be made based on clarification of facts, without resorting to moral arguments, this possibility is easily consistent with the positivist thesis. But even in developed legal systems, it is possible to imagine situations in which the power of the legislature would be legally limited, without a rigid constitution or entrenched basic laws. Effective court rulings can also give rise to legal limitations on the power of the legislature. Let us take, for example, the principle of the unlimited power of Parliament in the British legal system. This principle was formulated by the British court in the second half of the nineteenth century. But what would have occurred if the court at this time rejected this principle and ruled that Parliament had no power to give legal effect to norms incompatible with certain principles? Prof. Parush finds, therefore, that if this ruling were effective, if it were accepted and rooted in British law, the power of the British Parliament today would be legally limited even in the absence of a rigid formal constitution.

Certainly, it is no coincidence that the British legal system did not develop in this way. For various reasons, the British Court preferred to adopt the doctrine of the Almighty Parliament, and needless to say, even if it had decided to reject it, it is not clear whether this decision would have been effective. However, the author did not intend to describe or evaluate the historical sequence that gave rise to the current situation in British law, but merely to clarify, by a hypothetical example, why the positivist thesis, as a general jurisprudence thesis, does not require the conclusion that only legal systems that include a rigid constitution or entrenched basic laws can create legal limitations on the power of the legislature. Of course, a similar imaginary exercise can also be conducted when it comes to the Israeli legal system. What would have happened, one might ask, if the Supreme Court had employed, after the establishment of the State, when it became clear that the Knesset was not going to fulfill the role of establishing a constitution, more judicial activism than the one employed, and ruled that the Knesset has no power to give legal force to laws that violate basic human rights (the rights mentioned in the Declaration of Independence or the UN Bill of Human Rights, for instance)? The author also finds that if such an activist ruling were effective, the Knesset’s power today would be limited, from a legal point of view, even in the absence of a rigid constitution or an entrenched basic law.

In conclusion, Prof. Parush finds that the thesis of natural law requires the conclusion that the power of the legislature is limited in any legal system: it has no power to give legal validity to norms that do not meet the moral test of natural law. Whoever accepts the positivist thesis will reject this argument, but it is a mistake to think that they must consequently accept the argument that the power of the legislature is unlimited in any legal system. The positivist thesis, as a general jurisprudence thesis, which deals with the nature of law in any legal system, does not provide an answer to questions whose decision depends on the particular legal arrangements used by different legal systems. It is conceivable that legal systems, according to their basic norm or basic identification rule, have the power of the legislature to be truly unlimited, but it is also conceivable that legal systems, according to their basic norm or basic identification rule, have no unlimited power. The positivist would not argue that certain moral principles legally limit every legislator in any legal system. But it does not have to rule out the possibility that certain moral principles will become, in a particular legal system, legal principles that limit the power of the legislature, and there is no reason why it should condition this possibility on the existence of a rigid constitution

or an entrenched basic law since moral principles can become legal principles that limit the power of the legislature even following effective court rulings.

3. Legal formalism and legal positivism

As a theory of the origins of law applicable in the country, Prof. Mautner finds that there is no connection between legal positivism and the legal formalism approach (and thus finds that there is no necessary connection between natural jurisprudence – positivism's great competitor – and formalism approach). In other words, he explains that about the question of what can be considered within the scope of the law applicable to the system, a person can advocate either of the two legal approaches and at the same time, advocate or not advocate legal formalism as to the question of how the courts will exercise law (Radin, 1989).

However, the author also finds it common to think that there is a connection between some of the main tenets of the legal formalism approach and some of the arguments of positivism's jurisprudence. According to one of the positivist's arguments, there is no necessary connection between law and morality or between law as it is and law as it should or appropriate to be. Therefore, dealing with legal questions requires a distinction between the question of the status of norms as legal norms and the question of the value content of legal norms (Boodenheimer, 1964). This argument is close in spirit to one of the main tenets of the legal formalism approach, according to which it is not the business of judicial decision to deal directly with questions of value.

Another argument identified with the approach of legal positivism is that the practice of law requires tracing the meaning of the main concepts of law. The proponents of this argument, known as analytical positivists, dealt with clarifying the content of the basic concepts of law (right, obligation, damage, possession, contract, simple explanation/literal meaning, etc.), to create a science of the various legal terms. This argument is also close to one of the main tenets of the legal formalism approach, according to which the main point of judicial decision is not a creation of or embodied in value decisions, but nothing more than a logical derivation of the binding solution according to the conceptual content of the existing normative system.

4. Legal formalism and the rule of law

In Israel, the concept of the rule of law has two senses (Rubinstein, 1991; Zamir, 1987; Barak, 1977; Shelef, 1992; Barzilay Case, 1986), the first is formal and the second is substantive. In its formal sense, the concept of rule-law is quite close to the concept of legal formalism, formal rule of law refers to the existence of a situation in which the legal arrangement in the country is carried out by predetermined norms, the content of which is provided with a high degree of specificity and clarity so that their application does not involve the exercise of discretion for the sake of applying them. This sense is a formality in the sense that the existence of the rule of law according to it is not contingent on the content of the legal norms in the system. At the same time, the concept of the rule of law is also given substantive content, referring to a situation in which legal norms guarantee citizens basic freedoms that are identified and accepted in liberal democratic regimes.

5. Conclusion – The rise of formalism or not necessarily its decline in Israeli law

Mautner argues for the decline of formalism in Israeli law and explains it due to the rise of the non-formalist worldview in Supreme Court rulings. According to him, from the 1950s onwards, ruling was not completely formalistic, and case law in the 1990s was not completely

devoid of formalism. In both of these periods, the methods of reasoning in the Court's rulings were not uniform, some were formalistic, and some were methods of reasoning that emphasized the value dimension of the decision.

The decline of formalism was reflected in the decline in the perception of law as a means of deciding disputes and as a planning tool, and in the rise of the perception of law as an educational tool. Thus, the target audience of the ruling was expanded to society, which was reflected in the fact that the judges' reasons for decisions did not only address the parties to the dispute (and to those whose situation is like that of the parties to the conflict) but also the legal community and the public. In the first decades, the court presented itself as operating in the bosom of an autonomous subculture, which maintains a rigid barrier between it and the general culture and speaks to the public through professional language and the world of images unique to it (Al-Kuri Case, 1949; Lahav, 1992). This increased the relative weight of the formalist approach. In the decade-long rulings of the nineties, the court speaks more to the society in which it operates, more and more relying on the values recognized in the general culture of society, using language and the images world that are understandable and meaningful according to the general culture, and lowering the barrier between the legal subculture and the general culture. This interprets the argument for increasing the relative weight of the non-formalist approach (Fogel Case, 1977; Azoulay, 1981).

Likewise, the transition from proof to persuasion, within the framework of legal formalism, in situations where there is no clear legal solution that can be applied to the facts of the case at hand. Reasoning by way of proof, using the rules of legal reasoning, and not reasoning by way of persuasion, is what is supposed to justify the legal conclusion. The decline of formalism and the rise of values mean that the relative status of proof arguments in Israeli law has weakened and the status of persuasion arguments has been strengthened.

Similarly, the ratio between specific rights and general rights indicates the decline of formalism. The explanation for this is that legal formalism is associated with a rigid set of ways of creating specific rights and with strict protection of specific rights. Formalism strives to maintain a set of clear and detailed rules, according to which individuals can manage their actions with a high degree of certainty, to acquire or avoid acquiring specific rights. The decline of formalism in Israeli law means that the rules regarding the creation of specific rights in Israeli law have become less clear and that the power of courts to determine the circumstances under which these rights arise has prevailed at the expense of the power of the parties themselves to create or refrain from creating their rights. Conversely, explains Mounter, the rise of values in Israeli law means that the status of civil rights, which are general, has been strengthened in Israeli law.

Some argued (Bendor, 2003) that the basis of formalism lies in intra-legal rationality, that is, in the perception of law as a closed coherent system (Stewart, 1995; Unger, 1983).

Similarly, the focus of legal formalism is making decisions according to rules, even while ignoring seemingly relevant considerations that are not prescribed in the rules applicable to the matter at hand (Schouer, 1991). Prof. Bendor finds that the fact that any system based on the principle of the rule of law uses mainly rules and does not suffice with referring legal disputes to decisions at the discretion of the judges (as opposed to how political decisions are accepted by the Knesset or the government) is not an exigency dictated by the reality, rather, it reflects a value-formalist decision. He argues that the very need for the interpretation of authoritarian texts (such as laws) in law – whatever the method of interpretation may be – reflects legal formalism. The view that a legal norm, as a rule, is not determined by the judges, but is only interpreted by them, reflects a clear formalist insight. After all, deriving the decision of the dispute directly from the value considerations perceived by the justices as relevant to the matter at hand, which is required by concepts that reject legal formalism, does not involve the interpretation of authoritative legal texts.

Relying on legal rules, as distinguished from relying on judges' discretion – whether expressed in common law or interpreted “from a broad perspective” – promotes a series of values. The application of predetermined abstract laws – even if they embody policies, decisions, and political preferences – is more egalitarian, consistent coherent, and less accidental than individual political decisions made after the fact, not based on coherent policies, and not set behind a veil of ignorance. Subjugation to abstract laws may safeguard people's liberty more and is even fairer than subjugation to individual human decisions. A decision according to laws is certainly more effective and certain than a discretionary decision. This, and only this, allows the law to fulfill its primary function, to establish rules of conduct, rights, and obligations, as opposed to its secondary function, which is the resolution of disputes that arise in connection with the content and application of the primary rules. Predetermined rules are more objective than individual decisions after the fact. And of course, key aspects of democracy are better promoted by laws made by elected representatives than by judges, precisely because of the political decisions inherent in law.

However, the existence of certain values may sometimes involve impairing the realization of others, especially the individual justice of deciding coherent disputes.

Although it is common to see an approach that advocates reducing the scope of judicial review of the government as expressing legal formalism by reducing the political role of the court and judges (Sandberg, 2002), it seems to Prof. Bendor that the opposite is true: the court's abstention to discuss any petition brought before it – no matter how “political” the petition may be – expresses a judgment of judges and not of laws. Such avoidance is undesirable, in his opinion, and harms the set of values embodied by legal formalism. Thus, paving a wonderful way of using the term “judicial activism” as legal formalism, thus “everything is justiciable.”

According to Prof. Bendor, the meaning of “everything is justiciable” in the normative sense is that the law takes, or is supposed to take, a position regarding any action or decision of a person or corporation (including a governmental body), that is: any human act is prohibited or legally permissible, so that the state allows the act or prohibits its doing. Moreover, certain actions or decisions have a legal significance that goes beyond permission or prohibition. And in his opinion, the common, political arguments that broad justiciability is undesirable, do not deal with the logical, formalistic necessity of absolute justiciability in this sense.

“Everything is justiciable” is, therefore, a conclusion of formalist legal thought, in Prof. Bendor's opinion, and it illustrates the affinity between legal formalism and the rule of law, and the essential moral importance that may exist between legal formalism and the rule of law, and the intrinsic moral importance that a maximum progression, development can have to create a buffer between law and politics. Legal norms embody politics, but they are not politics, in his opinion. Legal life should be based, in his view, on logic, that is: on induction and deduction stemming from rules. In this way, legal life differs and is distinguished from the political spheres of life, where intuition and experience predominate.

Prof. Bendor construes the rise of formalism while describing it as judicial activism. If so, we have seen the rise of judicial activism, especially in public law, which spruced buds in the Bergman case (1969), in which the Supreme Court faced the question of whether the court could invalidate the law in question because it did not meet its formal conditions.

By the very decision of the court in this case, it determined that it had the power to order the authorities not to act according to a law of the Knesset that was found to be constitutionally flawed, without providing a theoretical basis for its decision. Indeed, over the years, the court has recognized the principled authority granted to it to invalidate legislation according to the Bergman ruling (Rubinstein Case, 1983; Mi'ari Case, 1986).

The Bergman ruling is considered the first stage of the “constitutional revolution” and the first time that formal judicial criticism was also seen in the petitions that followed the Bergman

case (Kaniel Case, 1973; Ressler Case, 1977). Subsequently, the implementation of the Bergman case appeared in additional rulings (Derech Eretz Case, 1981) and the beginning of the constitutional revolution in 1995 (Mizrahi Bank Case, 1995), which led to the introduction of the concept of constituent authority and the normative supremacy of all basic laws into the judicial method in Israel. Therefore, the Supreme Court today treats the governmental system in Israel as if it were based on the principle of constitutive authority, which assumes that all basic laws, entrenched and un-entrenched, benefit from normative superiority in practice – even though there is not even the slightest basis for this in the basic laws or the famous Harari Decision. To this day, the publication of the historical precedent: the decision to cancel the cause of reasonableness by the Knesset (Movement for Quality Government in Israel Case, 2024), in which, for the first time, the Supreme Court intervenes in fundamental legislation and hence it assumed the authority to annul a fundamental law.

Ultimately, the issue has not yet been decided by our scholars as to whether the decline of formalism has indeed occurred according to Prof. Mautner (who bases his arguments on dominating legal issues from the broad spectrum) or not necessarily its rise according to Prof. Bendor (who focuses on public law). We can only discern the rise of judicial activism in Israeli law as evolving since the Bergman case until today, with the publication of the historical precedent regarding the annulment of the cause of reasonableness.

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The Phenomenon of Discrimination in Israeli Society

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Abstract

In this paper, I will try to examine the situation of the phenomenon of discrimination regarding the situation of ethnic population groups, Jews and Arabs, women and men, veterans and immigrants, and others who suffer from the intersection of the social structure of Israeli society which causes discriminatory phenomena on the background of the affiliation of population groups in Israeli society since Israel was established from 1948 until today 2023. We can say that the phenomenon of discrimination started from the principle of defining the State of Israel as the nation-state of the Jewish people, the Land of Israel is the historical homeland of the Jewish people, where the people exercise their natural, cultural, religious, and historical right to self-determination. The Israeli government defined the State of Israel as a “Jewish State” the nation-state of the Jewish people with clear democratic characteristics from 1948 until the period of 1992.

Keywords: Israel Studies, Israeli Policy, discrimination, Minority Studies.

1. Introduction – A phenomenon of discrimination in Israeli society

In this paper, I will try to examine the situation of the phenomenon of discrimination regarding the situation of ethnic population groups, Jews and Arabs, women and men, veterans and immigrants, and others who suffer from the intersection of the social structure of Israeli society which causes discriminatory phenomena on the background of the affiliation of population groups in Israeli society since Israel was established from 1948 until today 2023. The phenomenon of discrimination in Israel was seen in two defining periods by the Israeli government that enacted the Basic Law. First period The Israeli government defined Israel as a “Jewish state” the nation-state of the Jewish people with clear democratic characteristics from 1948 until the period of 1992.

Second period the Israeli government again defined Israel as a “Jewish and democratic state” a commitment by law to maintain full equality of rights, regardless of religion, race, and sex, guaranteeing freedom of religion and conscience, language, education, and culture. Since the year 1992 until today, the year 2023,

The two definitions were enacted in Israeli law to deal with the phenomena of discrimination created as a result of the immigration of Jews who came from different countries in the world with ancient cultures. The goal of the law is to bridge the social gaps created in the country. Talia Steiner defines the phenomenon of discrimination into two types, one is direct discrimination, and the other is indirect or hidden discrimination (Steiner, 2013). Direct discrimination is the different treatment of an individual due to his belonging to one of the protected groups – especially vulnerable groups, in which there is a fear that they will fall from social and economic life due to a continuous negative attitude towards them.

Indirect discrimination is a measure whose effect raises the concern that it is prohibited discrimination. The use of the truth is measured, despite its discriminatory effect, if there is a real business need that requires the use of this criterion and there is no alternative standard that would achieve the same result without the discriminatory effect.

2. The definition of Israel as a “Jewish state,” 1948-1992

Aviazer describes the principle of the Basic Law: that Israel is the nation-state of the Jewish people, and the Land of Israel is the historical homeland of the Jewish people, where the State of Israel was founded. The State of Israel is the nation-state of the Jewish people, where they exercise their natural, cultural, religious, and historical right to self-determination (Aviezer, 2007). The exercise of the right to national self-determination in the State of Israel is unique to the Jewish people. Jerusalem is the capital of the state of Israel and the whole and unified state where the state will be open to Jewish immigration and kibbutzim. The relationship with the Jewish people

The state will focus on ensuring the safety of the members of the Jewish people and its citizens who are in trouble and captivity because of their Judaism or their citizenship. The state will work in the Diaspora to preserve the relationship between the state and the Jewish people – activity to preserve the cultural, historical, and religious heritage of the Jewish people among Diaspora Jewry. Jewish settlement – the state considers the development of a Jewish settlement a national value, and will work to encourage and promote its establishment and establishment. The Hebrew board is an official board of the state and next to it the foreign board will be used as an official board; the use of the Hebrew calendar and the foreign calendar will be determined by law.

Independence Day and Remembrance Days Independence Day is the country’s official national holiday. The Day of Remembrance for the Fallen of Israel’s systems and the Day of Remembrance for the Holocaust and Heroism are official days of remembrance of the state. Days of rest and Shabbat, Shabbat, and Israel’s holidays are the regular days of rest in the country; non-Jews have the right to observe the days of rest on their Sabbaths and holidays; Details on this matter will be determined by law. Criticism The definition of the State of Israel as a Jewish state raises a problem in front of the large non-Jewish (mainly Arab) population in the Land of Israel, for whom the definition of the state as a Jewish state based on its symbols and laws makes them feel that they do not belong to the state. Under the auspices of the law, a minority of citizens is discriminated against causing a feeling of discrimination and lack of Equality and alienation from the state.

According to Aviezer, Israel, since its foundation was defined as a Jewish state or as the nation-state of the Jewish people in 1948 in the Declaration of Independence Israel, Bin Gurion said: “We hereby declare the establishment of a Jewish state in the Land of Israel, a “Jewish state,” without the word “democratic”, even though the declaration included features, distinct democrats.” Tammy Hoffman characterizes the State of Israel as a Jewish state, and the Jewish nation-state is reflected in several different characteristics of the state such as its symbols and laws. These issues concerning the Jewish character of the State of Israel raise problems from two directions (Hoffman, 2023).

First, they raise problems in the intra-Jewish context between religious and secular and disagreements regarding the status of religion and tradition in the conduct of the State of Israel. On the other hand, the definition of the State of Israel as a Jewish state raises a problem in front of the large non-Jewish (mainly Arab) population in the Land of Israel, for whom the definition of the state as a Jewish state based on its symbols and laws makes them feel that they do not belong to the state, to a sense of discrimination and inequality and alienation from the state.

Expressions of Israel as a Jewish state, Israel's Jewishness is expressed primarily in the symbolic plane of the state's symbols. The flag, the anthem, and the symbol of the State of Israel are all based on Jewish symbols that express an affinity to Jewish heritage and history. The use of Jewish symbols in the symbols of the state is a declaration of the state's belonging to the Jewish tradition and heritage, even if not necessarily to the Jewish religion.

Likewise, Israel's Jewish character is also reflected in legislation as expressing Israel's Jewish character. In the State of Israel, there are various laws, often basic laws, that express in different ways the nature of the state as a Jewish state, including laws of a national nature, laws of a religious nature, and laws of a cultural or integrated nature, each of which legally regulates different aspects of the State of Israel in a way that maintains affinity the Jewish culture, heritage, and religion and define how the Jewishness of the State of Israel is reflected in its day-to-day conduct.

By definition, it is determined that the State of Israel will maintain complete social and political equality of rights for all its citizens, regardless of religion, race, or gender. Some of the laws of the State of Israel prohibit discrimination against a person based on certain characteristics. According to the researcher Hagi Porat, discrimination is an unequal and unfair treatment towards people who are fundamentally equal, and in particular treating a person not as an individual, but as part of a discriminated against group (Forat, 2018). Discrimination may be on different bases (gender, race, nationality, religion, age, sexual orientation, appearance, etc.) and the advantages or disadvantages arising from it may have different expressions (economic, political, etc.). According to the researcher Shai Horev, the definition of a "Jewish state" has created many disputes in the State of Israel, and the inability to reach an agreement regarding the definition of the term "Jewish state," many approaches regarding the nature of the State of Israel have developed (Horev, 2016).

Among the existing approaches regarding the definition of the State of Israel as a Jewish state are: "State of Halacha," "Religious-National State," "Capitalist Jewish and Democratic Israeli State," "Jewish and Democratic Socialist State," "Cultural Nation State," "State of the Jewish People," "Jewish nation-state," and "state of all its citizens." The definition of the state is, as of now, a mixture of the different approaches, when every citizen of the country is allowed to interpret the concept according to his understanding.

Finally, the Jewish character of the State of Israel which is expressed as mentioned above in its symbols and various laws is a problem for over a fifth of the citizens of the State of Israel who are not Jewish and therefore feel that the State of Israel is not their country. Israel is a "Jewish state". What is the meaning of this statement and how does it align with the democratic character of the country? These are the questions at the core of the Israeli dispute that has been tearing us apart since the establishment of the state. Due to issues of nationality, religion, politics, culture, society, economy, and security. Against the background of the definition of the State of Israel as a Jewish state – a difference of opinion has arisen among the Jewish public in Israel. Among the citizens of Israel, there are different views regarding the definition of the State of Israel and regarding its desired image.

The principle of defining the State of Israel is the nation-state of the Jewish people, after an exile of about 2000 years the Land of Israel is the historical homeland of the Jewish people, where the people exercise their natural, cultural, religious, and historical right to self-determination. On the other hand, the definition of the State of Israel as a Jewish state raises a problem with the non-Jewish population, mainly Arabs, for whom the definition of the state as a Jewish state based on its symbols and laws makes them feel discriminated against and feel that they do not belong to the state.

In light of the many disputes in the definition of Israel as a Jewish state between 1948 and 1992, the immigration of the Jews who came from different countries in immigrants with different cultures created a phenomenon of discrimination within a young country.

To bridge the social gaps and discrimination phenomena created as a result of Israel's multiculturalism and the disputed definition of the state, the Israeli government defined Israel for the second time as a "Jewish and democratic state."

3. The definition of Israel "a Jewish and democratic state," 1992-2023

The State of Israel is indeed defined in the Basic Laws as a Jewish and democratic state, but it is understood by all that the State of Israel is not only a Jewish state. According to the data of the Central Bureau of Statistics, as of the beginning of 2021, about 21.1% of the country's citizens are Muslim/Christian/Druze Arabs, and about another 5% are Christians, members of other religions or no religion (David, 2000). Adam Danal describes the definition of the State of Israel as a "Jewish state and democracy." In 1992 the Israeli government enacted a law to maintain full equality of rights, regardless of religion, race, and sex, guaranteeing freedom of religion, conscience, language, education, and culture as well as maintaining adequate representation for non-Jewish citizens – Jews in the temporary and permanent state institutions (Danal, 2003).

Fundamental law: human dignity and freedom, which was a significant part of what was called the "constitutional revolution." A review of the minutes of the debates held during the enactment of the law reveals that despite the importance given to the expression today - not least due to the final version of the law – then it was part of a compromise.

Neve Nissan describes a concept of democracy which is a system of government in which citizens can influence public policy in their country through voting, participating in debates, or through other institutions. The citizens' ability to influence should be independent of origin, social status, sex, race, religion, etc. (Nissen, 2001). Democracy is the rule of the people and rule, a system of government in which the will of the citizens is expressed through voting. Citizens of a democratic country have a legal right to influence public policy. Democracy is a regime where the citizens can influence the nature of the government by electing representatives to the various institutions in a country where a democratic regime exists. "Israel is the only democracy in the Middle East."

Pinson describes the basic law of freedom of occupation, as a basic law designed to protect the freedom of occupation, that is, the right of a person to engage in any occupation, profession, or trade (Pinson, 2005).

According to the interpretation of the court and the protocols of the Constitutional Committee, Law, and Law in which this draft law and the Fundamental Law: Human Dignity and Freedom are discussed, the Knesset granted the said fundamental laws a supra-legal status, and therefore the authority for the courts to declare the nullity of a law that violates the rights protected by them. Ezra Brom describes the second basic law of human dignity and freedom and says it is a basic law, designed to protect the main human rights in the State of Israel. As its title makes clear, the law establishes human dignity and freedom as the fundamental values from which the human rights protected in the Basic Law are derived, which was accepted as the "Book of Human Rights" of Israeli law. There are no protected clauses in the basic law, and the Knesset can change it with a simple majority. The law was enacted at the end of the twelfth Knesset, on March 17, 1992 (Brom, 2017).

According to the opinion of certain jurists and many of the judges of the Supreme Court, led by President Aharon Barak, the establishment of this basic law and the basic law: of freedom of occupation started the constitutional revolution, because the Knesset gave these two

basic laws a supra-legal status, according to which the court has the authority to declare the nullity of a law that contradicts these basic laws. According to this claim, with the enactment of these basic laws, there was a fundamental change in the status of human rights in Israel. This approach is reflected in the rulings of the Supreme Court, which over the years canceled about 22 acts of legislation that contradicted these basic laws. Other jurists, including former president Moshe Landoi, oppose this view.

These laws require the government of Israel to maintain full equality of rights, regardless of religion, race, and gender, guaranteeing freedom of religion, conscience, language, education, and culture as well as maintaining appropriate representation for non-Jewish citizens in state institutions. From 1992 until today, 2023, Israel is defined by law as a “Jewish and democratic state.” which is the state of the Jewish people, and all of its citizens is the national home of the Jewish people, it is a state that belongs equally to all citizens who are entitled to equal status, without distinction based on religion, nationality, sexual orientation, gender identity, or without any other difference. Despite the amendment of the Israeli government’s legislation “a Jewish and democratic state,” according to the researchers, there is evidence of discrimination in Israeli society. In addition to this, the Israeli government enacted additional laws to maintain an egalitarian Israeli society and we will see the advantages and disadvantages arising from it may have different economic, and political expressions. After we have seen the two definitions of Israel as a “Jewish state” and then as a “Jewish and democratic state” we will continue and examine the phenomenon of discrimination in Israel both religiously, ultra-Orthodox and secular, Jews and Arabs, cultural differences, Ashkenazi and Sephardic ethnicities, male and female genders, and economic disparities.

4. A phenomenon of discrimination on religious grounds

Although the State of Israel was defined in the Basic Laws as “a Jewish state” and later as a “Jewish and democratic state,” the State of Israel is not only a Jewish state. According to the data of the Central Bureau of Statistics, as of the beginning of 2021, about 21.1% of the country's citizens are Muslim Arabs-Christians-Druze, and about another 5% are Christians, members of other religions or have no religion. According to Neve Nissan, already in the declaration of the establishment of the state, the State of Israel stated its intention to guarantee religious freedom. Some argue that in some areas the religious legislation is contrary to this promise infringes on the fundamental freedoms of the citizens in the democratic regime and has created discrimination phenomena that will be seen later (Nissen, 2001).

Because some argue that Israeli law requires Jews to marry according to Torah law, there is an infringement on the freedom of conscience of non-believers. Marriages performed by Reform and Conservative rabbis are not recognized in Israel, and this is a violation of the democratic principle of equality before the law. Some claim that laws enacted by the Knesset (Israeli Parliament) violate the principles of democracy, for example: the law to limit pig breeding and the law to limit the presentation of chametz on Pesach – two laws based on religious laws. Neve Nissan adds that the problem of tension between religion and the state in Israel is more complex than in many other countries. In Judaism, religion and nationality are intertwined. The Jews are a nation with one religion – Judaism, and the Jewish religion is a national religion – the religion of the Jewish people.

Some also believe that the majority of Jews living in the country see their Jewish nationality as connected to religious-Jewish foundations. Religion is a binding factor that contributed to preserving the existence of the Jewish people in the Diaspora and strengthening the national identity of the Jews of Israel. Most of the public sees Israel as a Jewish and democratic state, however, two minority groups hold extreme positions on this issue: Orthodox Judaism aspires to a halachic state whose laws are based on Jewish halachic law and are not based on the

laws of the Knesset and the principles of the democratic regime. Another group sees Israel as a democratic country that is “a country of all its citizens.” This group does not see Israel as the state of the Jewish nation. Regarding attitudes among the Jewish public in Israel in the public of citizens in Israel, there are different views regarding the definition of the State of Israel and its desired image. Most of the public defines Israel as a Jewish and democratic state, that is, the state of the Jewish nation, which is committed to democratic principles and brings freedom and equality to its citizens.

Yedidia Stern explains the law prohibiting religious discrimination in Israel, there is a prohibition on employers discriminating between employees based on religion, and a prohibition on discrimination in hiring an employee due to his refusal to work on the Sabbath (Stern, 2003). Religious discrimination is a distinction between an individual or a group based on their religious belief, usually when believers of different religions (or sects in them) are treated unequally. Religious discrimination also refers to negative attitudes, prejudices, hostility, hatred, fear, or intolerance towards different religions or sects.

This includes cases where religious believers, followers of different factions, or those without religion are treated unequally because of their faith, either by law or in institutional frameworks. But from these data, it is possible to get only a partial picture of the distribution in Israel from a religious point of view. This is because every religion includes different undercurrents, including secularism and different degrees of keeping tradition. Alongside the law of equal opportunities at work, there are currently other laws against discrimination based on religion. The most prominent among them is the law prohibiting discrimination in services and products. Similar to the Equal Opportunities Law, this law prohibits discrimination based on religion and stipulates compensation of up to 50,000 NIS without proof of damage in cases of discrimination. We can name a variety of cases in which the law applies, including a compensation ruling of 40,000 NIS for the obligation of a website that advertised businesses owned by Jews only. In the same way, compensations totaling NIS 45,000 were awarded in favor of Arab passengers who were humiliated and experienced a discriminatory incident during the take-off of an “Israir” flight, which asked them to board a Jewish passenger in their place (Ezra, 2006).

Researcher Amnon explains that the status quo arrangement is one of the cornerstones as well as points of contention in the character of the State of Israel as a Jewish state. The status quo arrangement was signed with the establishment of the state between the Workers’ Party and the religious parties, and it is supposed to regulate all religion-state relations and the nature of the expression of the Jewishness of the State of Israel in various fields. The status quo arrangement is a problematic and fluid arrangement that has failed over the years to prevent friction between religious and non-religious people in the State of Israel (Amnon, 1994). In addition, there is a prohibition on discrimination on grounds of religion in the allocation of land by the state. This determination was given as part of one of the High Court of Justice’s well-known rulings, from 2000. The ruling stated that allocating land to Jews only constitutes prohibited discrimination that violates the principle of equality. Along with these cases, there are other possible situations in which discrimination will take place.

To understand what can be done in these cases, it is recommended to seek the advice of a lawyer experienced in handling cases of discrimination on religious grounds. Discrimination on religious grounds is the multiplicity of religions and religious undercurrents in Israel, ultra-orthodox, traditional, reformist, secular, and Arab. where there are quite a few cases of discrimination on the grounds of religion in the country. This discrimination takes place in workplaces, in the provision of services, at the entrance to places of recreation and leisure, and more. Being a country that is bound by the freedom of religion law.

5. A phenomenon of discrimination based on sectors (Ashkenazim and Sephardim)

Israeli society is divided into two ethnicities, Ashkenazi and Sephardic. The Ashkenazi community are Jews who immigrated from continental Europe and America, the Sephardic are Jews who immigrated from continental countries from Asia and Africa. According to the evidence, the demographic change that took place in Israeli society was not reflected in the structure of the distribution of political power, and the ruling elite remained mostly Ashkenazim. Later the 1970s and the early 1980s were characterized by discrimination and acute tensions between the Ashkenazi and Mizrahi communities. According to researcher Karin Tamar, from the rise of the State of Israel to the present, there have been substantial demographic changes in Israeli society, due to the waves of immigration that have reached it over the years. The waves of immigrants who arrived in Israel, each with its own unique characteristics, had to face the difficulties of absorption in an emerging society, a society that is constantly developing and changing (Tamar, 2008). Since the immigrants from various countries in the 1950s, the Mizrahim (Jews from the continent of Asia and Africa) have suffered from political discrimination, an expression of this is the lack of representation in the centers of power and government, and they have been placed in the lowest positions in terms of representation in terms of income, standard of living and employment. The feelings of deprivation and discrimination of North Africans were palpable in various events in the country.

During these years, a change also occurred in the Israeli social-cultural-political discourse – and from the “melting pot” policy, which aspired to the establishment of a uniform and unified Israeli collective, a pluralistic process developed that emphasizes individualization and particularity, and accepts the existence of multicultural identity (Ben-Gurion, 1971). Due to deprivation and discrimination, events that started because of an accidental confrontation between the residents of the neighborhood and the police quickly flared up and escalated into a series of violent demonstrations throughout the country. In the early 1970s, the overlap between the sectarian divide and the socio-economic divide was manifested in the establishment of the Black Panther movement. The movement was led by members of the second generation of North African immigrants and residents of the Jerusalem neighborhood who sought to express their protest against what they saw as the establishment’s disregard for social problems (Tamar, 2008).

To realize the main goal, they set for themselves – reducing the economic-social gaps – the members of the group resorted to violent measures, including stormy protests and a confrontation with the police forces. The members of the movement not only went against the conditions the state gave them in comparison to the Ashkenazim who were absorbed together with them in the early years of the state, but they also sought to compare their treatment to the treatment received by the immigrants from Russia who arrived in Israel in the early 1970s. To this end, they demanded help in improving the conditions of the members of the second generation of immigrants from North Africa, who were still living in conditions of poverty. This situation resulted in severe tensions between the new immigrants in the 1970s and the old immigrants from the 1950s.

With the worsening of the economic crisis in the early 1980s, the socio-economic disparities also increased. These transformations were also responsible for the deterioration of the focus of friction between Ashkenazim and Mizrahim. During the eighties and nineties, there was a change in the political-social arena with the establishment of parties with religious-sectarian characteristics, with the aim of ‘returning the crown to its former glory. A solution to the sectarian divide and discrimination to the socio-economic divide when they defined themselves as a movement whose goal is to correct the economic and social discrimination, they suffered from the 1980s and 1990s. The immigration of Ethiopian Jews who came to Israel in two major waves: in the 1980s about 17,000 Jews immigrated to Israel, in the 1990s about 45,000 more immigrants from Ethiopia arrived in Israel, a total of 62,000 people in two operations. The absorption of Ethiopian immigrants in Israel took place at a time when Israeli society was facing substantial

social, economic, and political challenges: the wave of immigration from the CIS countries, the high level of unemployment, the widening of social gaps, and an increase in the extent of poverty. These trends affected the situation of Ethiopians and the conditions and discrimination phenomena they had to deal with in the process of their absorption into Israel.

The waves of immigration to Israel received different types of absorption: the immigration of Ethiopian Jews also encountered many difficulties because, like the immigration from the 1950s, the social and economic characteristics of the immigrants made it difficult for them to integrate into society. Accordingly, each of the main immigrants was received in society differently, and this way affected the process of their absorption, assimilation, and integration into Israeli society (Shavit, 2003). As soon as a Jew immigrates from Iraq to Israel – he becomes an Iraqi Jew, and the emphasis is on Iraq, when Iraqi Jews and Romanian Jews meet in one immigrant camp or one crossing, they first feel the difference, the distance, the partition between them (Ben-Gurion, 1965). They cannot speak to each other, and their ways of life are different. The Romanian Jew has an Iraqi neighbor, and the Iraqi Jew has a Romanian neighbor. And the same is true of Yemenis, Persians, and Moroccans. It is not an evening Rab – because neither easily nor quickly interfere with each other, but rather it is a meeting of different tribes far from each other; And perhaps it is more correct to say – a collection of ruptures that do not come together, and only by grouping them in Israel do the differences and chasms between them become apparent.

A person's ethnic affiliation can influence directly as discrimination mechanisms directly and indirectly as part of a fabric of other characteristics of the person. The causes of sectarian inequality in determining a person's status can be divided into two main categories. Inequality in resources to achieve status, such as socio-economic abilities, sex, intelligence education, and place of residence. The issue of the sectarian divide in Israel is an old issue, which unfortunately seems to accompany Israeli society from the founding of the state to the present day. This issue deals with the socio-economic disparities that exist between the different Israelis according to their country of origin or that of their ancestors. In general, we are talking about the gaps that exist between the Mizrahim, that is, the immigrants from the countries of Asia and Africa, and the Ashkenazim, that is, the immigrants from the countries of Europe and America.

The main difficulty inherent in this issue deals with the sense of deprivation, condescension, and discrimination felt by certain sections of the Mizrahim about the Ashkenazim, which they claim is reflected in almost every field in the country, including the fields of society, education, economics, politics, as well as in the field of employment. The claims of discrimination on a sectarian basis in everything related to the field of employment refer both to the initial stage regarding hiring, and to later stages, such as regarding the working conditions and promotion possibilities within it. In the Basic Law of the State of Israel there is a prohibition on discrimination on the grounds of ethnic background, however, within the framework of the current review we will mainly deal with discrimination based on an ethnic background in the early stage of employment, which is manifested in giving priority for employment to job seekers of Ashkenazi origin compared to job seekers of Mizrahi origin, and this especially in jobs that are considered to be relatively high status, but not only that. The law's position on the issue of the prohibition of ethnic discrimination in employment is unequivocal, the Equal Opportunities at Work Act, states, among other things, that an employer may not discriminate between job seekers because of their country of origin, including during the employment phase.

A person's ethnic affiliation can affect directly (as discrimination mechanisms) and indirectly (as part of a fabric of other characteristics of the person). The causes of sectarian inequality in determining a person's status can be divided into two main categories. One is inequality in resources to achieve status, such as socio-economic abilities, gender, intelligence and education, and place of residence. The issue of the sectarian divide in Israel is an old issue, which unfortunately seems to have accompanied Israeli society from the beginning of the founding of the state to the present day. This issue deals with the socio-economic disparities that exist between

the different Israelis according to their country of origin or that of their ancestors. The claims of discrimination on a sectarian basis in everything related to the field of employment refer both to the initial stage regarding hiring, and to later stages, such as regarding the working conditions and promotion possibilities within it. However, within the framework of the current review, we will mainly deal with discrimination based on sectarian background in the early stage of hiring, which is manifested in giving priority for hiring to job seekers of Ashkenazi origin compared to job seekers of Mizrahi origin, and this especially in jobs that are considered to have a relatively high status, but not only.

First, it will be clarified that the law's position on the prohibition of ethnic discrimination in employment is unequivocal, and this is given Section 2 (a) of the Equal Opportunities at Work Law, 1988, which states, among other things, that an employer may not discriminate between job seekers because of their country of origin, including during the recruitment phase. Meaning, phenomena of discrimination on a sectarian basis. These are the gaps that exist between the Mizrahim, that is, the immigrants from the countries of Asia and Africa, and the Ashkenazim, that is, the immigrants from the countries of Europe and America. The main difficulty inherent in this issue deals with the feeling of deprivation, condescension, and discrimination that certain parts of the Mizrahim feel about the Ashkenazim, and which they claim is reflected in almost all areas of life, including the areas of society, education, economics, politics, as well as in the field of employment.

6. A phenomenon of discrimination against the background of social and cultural gaps

Expressing the most significant characteristic of Israeli society from its inception: being a society of many groups, between which tensions and disputes exist. This characteristic makes Israeli society deeply divided (Rivlin, 2018). Racism is a position according to which among humans there is a close connection between their origin and certain character traits, or sometimes also mental skills or sometimes styles of movement and walking, so that the individual is not judged mainly according to his uniqueness but according to his belonging to a group (Peres, 2006). In most cases, the attitude also implies the supremacy of one group over the other, and it serves as a justification for actions and statements that are mainly a preference of members of one group over members of the other group. The essence of racism in its popular meaning, racism defines a negative attitude (hatred, discrimination) towards people, because of their ethnic origin or the color of their skin. Such racism is considered to contradict human rights (like ageism, sexual discrimination, discrimination based on sexual orientation, sexual identity, or appearance).

Due to these boundaries, there are groups whose members are biologically relatively close, but there is no necessary correlation between this and the formation of a distinct ethnicity. Ethnicity is an extremely complex phenomenon, and only rarely does it appear in a "pure" form: for the most part, it is associated with social, religious, political, and legal structures that create ethnic consciousness (Shanav, 2006). An ethnic group is a group of people who identify with each other or are identified by others, based on boundaries, sometimes innate, that distinguish them from other groups. These boundaries can appear in several forms such as origin, history, boundaries of language, economy, culture, religion, politics etc. The immigrants from Islamic countries were used to social life within an extended and closed family. The immigration crisis and the meeting with Israeli society caused the traditional family framework to be undermined. The dispersion of the immigrants throughout the country cut them off from the community patterns that were a supportive and stabilizing social framework.

7. Adapting to the rules of the game of modern society. Adapting to the children's behavior, foods, clothing, etc.

The immigrants from Asia and Africa found it difficult to be absorbed into the old society which was mainly composed of European immigrants (Shuhatman, 2007). The old society saw immigrants from Islamic countries as backward and uneducated. The immigrants felt that their lives were managed by the people of the Ashkenazi establishment for the most part and that they determined their destiny such as: where to live, what they would do for a living, and where their children would study. Among the immigrants, the parents' status was undermined, and the sons' generation strengthened. The veterans held party positions and weakened positions of power and influence. The veterans maintained a stable social framework while the immigrants had to give up part of their lifestyle and adapt to a new lifestyle (Schwartz & Galily, 2016). The veterans controlled the language and customs and it was difficult for the immigrants to integrate into public life. Sell cutting to a multicultural company: The transition from the "melting pot" concept to the "multiculturalism" approach expresses tolerance for the existence of several cultures in the State of Israel while recognizing that what unites the various groups is the agreement on the existence of a democratic regime in the country and the recognition of its governing institutions the government, the IDF, the Knesset, and the court system.

At the beginning of the establishment of the state, it was decided to abolish the ideological currents in education and establish a uniform state network. However, due to political pressures, the decision was not implemented. The State of Israel has a state education system designed for general and secular schools and a religious state education system designed for religious schools. At the same time, there is also independent education for the ultra-orthodox sector that is not supervised by the state and state-Arab education. In the field of culture – the demographic change in Israeli society has occurred in the last thirty years as a result of the Russian and Ethiopian immigration and the weight lift of the eastern population. Created a consumer audience for a different culture (Naor, 1986).

In the first years of the establishment of the state, there were elements of nationalism, the figure of the sword, poetry that emphasized a common identity, and patriotic Hebrew literature. In the last 30 years, a rich and diverse culture has developed, creative ethnic bands have arisen that represent different cultures, Ethiopian art exhibitions, Moroccan Theatron, bands founded in the peripheral development cities such as "Tipx, Ethnics" have arisen, combining Eastern and Western music and using Western instruments. The change in the consumer audience also brought the elite great singers such as Haim Moshe, Eyal Golan, Sarit Hadad, etc.

Damage to solidarity and unity: Some consider the multicultural approach a mistake that harms the social and national fabric of the country. Hurts the feeling of social solidarity prolongs the integration time of the immigrants and even contributes to creating a distance between the immigrants and the veterans. When an immigrant from Russia or Ethiopia does his business in his language – it alienates him! (Yer, 2003). The immigration crisis and the meeting with Israeli society caused the traditional family framework to be undermined. The dispersion of the immigrants throughout the country cut them off from the community patterns that were a supportive and stabilizing social framework.

8. A phenomenon of discrimination based on gender

Discrimination in Israel occurs based on belonging to more than one marginalized or discriminated group. While women everywhere and from every population group encounter discrimination in the labor market, women who belong to certain groups suffer from it even more. Women who are exposed to discrimination based on race, sexual identity, age, nationality, ethnic identity, faith, or disability, face the intersection of the discriminatory characteristics of women's

employment in general with the discriminatory characteristics suffered by the specific community to which they belong. The characteristics of discrimination against groups of women which Arab women, women of Ethiopian origin, Russian-speaking women, Mizrahi women ultra-Orthodox women, and many other women, including those with disabilities, LGBT people, new immigrants, refugee women, etc., also suffer from multiple discrimination. Multiple discrimination in Israel Despite the dramatic increase that has occurred in the last hundred years in the proportion of women employed at low wages, women in Israel and around the world still suffer from discrimination and a weakened status in the labor market. The occupational inequality between women and men is expressed in high wage gaps,

Women who belong to these discriminated groups in Israeli society suffer in the labor market and the stereotypes, discrimination, and barriers intensify their difficulty in the labor market. There are a series of laws and institutions in Israel whose stated purpose is to deal with discrimination in its manifestations and to assist in the integration of marginalized populations into the labor market.

The most prominent laws enacted by the Israeli government in the context of preventing discrimination against a group of women are the Women's Work Law, 1954, the Equal Rights of Women Law, 1951, the Equal Pay Law for Female and Male Workers 1996, the Law for the Prevention of Sexual Harassment 1998, laws have been added to these laws in recent years, among them the Law on Gender Implications in Legislation (Legislative Amendments), 2007 which appoints the Authority for the Advancement of the Status of Women to submit opinions on bills with gender implications and the Law to Encourage the Integration and Promotion of Women at Work and to Adapt Workplaces for Women, 2008 (Mann, 2018).

The legislation dealing with gender equality has been operating in Israel since 1998, the Authority for the Advancement of the Status of Women, whose role is to act to promote policies to improve the status of women, combat discrimination against women, and to prevent violence against women. The authority is supposed to coordinate and link the actions of the government and the local authorities, act as an advisory body to the government ministries and raise public awareness of the issues under its authority. Most of the anti-discrimination laws refer to discrimination based on a diverse number of grounds, which include, in addition to the grounds of gender, grounds of sexual orientation, personal status, pregnancy, fertility treatments, IVF treatments, parentage, age, race, religion, nationality, country of origin, outlook, party, reserve service and place of residence.

9. A phenomenon of discrimination based on differences in economic status

In the first years, large gaps arose between the veterans and the immigrants, especially those who came from North Africa and Asia (Naur, 1986). The disparities were reflected in the places of residence – the veterans mainly in cities and kibbutzim, while the immigrants in remote settlements (towns/immigrant settlements) in the periphery. Disparities in employment – jobs are more important to veterans, political jobs, and government offices, while the immigrants are in menial or laboring jobs. The veterans earned more than the immigrants. Difficulties in integrating into work: abroad, the immigrants mainly engaged in trade, crafts, industry, and clerical work, and a minority engaged in agriculture or liberal professions. These professions did not match the needs of the Israeli economy and its employment options. Most of the immigrants had to find a living in simple jobs that paid low wages and lacked social prestige. The arrogance of the veterans saw immigrants from Asian and African countries as uneducated “primitives”. The veterans who fought for the establishment of the state thought they deserved to hold the key positions, the immigrants should wait, try, suffer... as they suffered. The kibbutzim showed condescension towards the immigrants, the residents of the development towns, and the immigrant settlements that were near them.

The main law in Israel that deals with discrimination based on these grounds in the labor market is the Equal Opportunities at Work Law, 1988, which prohibits discrimination against employees or job candidates on their grounds. In addition to this law, the Civil Service Law of 1959- establishes a duty for adequate representation of women, ultra-Orthodox, Arabs, Ethiopians, and new immigrants in the civil service (Mann, 2018).

Law for Democracy, Basic Law, Freedom of Occupation in Israel is a basic law (constitutional law) in Israel designed to protect freedom of occupation, that is, the right of a person to engage in any occupation, profession or trade. According to the court's interpretation and the protocols of the Constitution, Law and Justice Committee, in which this draft law and the Fundamental Law: Human Dignity and Freedom are discussed, the Knesset granted the said fundamental laws a supra-legal status, and therefore the authority for the courts to declare the nullity of a law that violates the rights protected by them (Nissen, 2001).

Another law for democracy, a fundamental law, human dignity, and freedom, is designed to protect the main human rights in the State of Israel. The law stipulates human dignity and freedom as the fundamental values from which the human rights protected in the Basic Law are derived, which was accepted as the "Book of Human Rights" of Israeli law.

According to the State Comptroller's Office (2014), the fundamental values of the State of Israel since its inception have been based on the fight against discrimination and racism, the pursuit of equality between all citizens of the country, and the preservation of human dignity wherever he is. A clear expression of these fundamental values is given in the Declaration of Independence, which states that "the State of Israel... will maintain complete social and political equality of rights for all its citizens without distinction of religion, race or gender; will guarantee freedom of religion, conscience, language, education, and culture." The principle of equality means equality before the law and neutrality of the law about the differences between people. This principle does not mean one law for all, but a distinction justified according to the nature of the matter and its essence. Discrimination exists in those situations where the different law between people is based on reasons that do not justify such a distinction.

The difficulties of immigration that the immigrants encountered still exist and give their signals every day in Israeli society, on various levels. Even today it can be seen that public opinion does not view the relationship between the two groups positively, and this is still a major rift in Israeli society, and in 2007 over half of the population, 62%, answered that the relationship between the new immigrants and veterans is still not good. There is no doubt that Israeli society faces a fundamental challenge, a challenge that has many and enormous consequences. Only time will tell if the society will be able to overcome it, unite the divisions within it, whiten the social tensions, learn to know the other and accept him, and strengthen the delicate fabric of Israeli society.

10. Conclusion

We can say that the phenomenon of discrimination started from the principle of defining the State of Israel as the nation-state of the Jewish people, the Land of Israel is the historical homeland of the Jewish people, where the people exercise their natural, cultural, religious, and historical right to self-determination. The Israeli government defined the State of Israel as a "Jewish State" the nation-state of the Jewish people with clear democratic characteristics from 1948 until the period of 1992.

The definition raises problems for the non-Jewish population, mainly Arabs, for whom the definition of the state as a Jewish state based on its symbols and laws makes them discriminated against and feels that they do not belong to the state. At the same time, the increase of Jews who came from different countries in immigrants with different cultures created a

phenomenon of discrimination within Israeli society which is a young country. As a result, many disputes arose in the definition of the State of Israel as a Jewish state, and a phenomenon of discrimination was created in many areas the Israeli government defined Israel for the second time as a “Jewish and democratic state.” From 1992 until today, the year 2023, the Israeli government defined Israel as a “Jewish and democratic state” to correct discrimination phenomena because the state of the Jewish people and all its citizens is the national home of the Jewish people, it is a state that belongs equally to all citizens who are entitled to equal status, without discrimination based on religion, nationality, sexual orientation, gender identity, or without any other distinction.

In addition to this, the Israeli government enacted many laws to maintain social equality in Israeli society and to eradicate the phenomenon of discrimination and we examined the phenomenon of discrimination in terms of sect, employment, gender, race, nationality, religion, age, sexual orientation, appearance and the advantages or disadvantages arising from it may have different expressions economic, political, etc.

From a religious point of view, it turns out that there are many religions and religious undercurrents in Israel, and there are quite a few cases of discrimination on the grounds of religion in the country. This discrimination takes place in workplaces, in the provision of services, at the entrance to places of recreation and leisure, and more. Being a country that is committed to freedom of religion, the law in Israel fights discrimination in different ways. From a sectarian point of view, there is still a social gap between the Mizrahi, that is, the people from Asian and African countries, and the Ashkenazim, that is, people from Europe and America. The main difficulty inherent in this issue deals with the feeling of deprivation, condescension,

The discrimination that certain parts of the Mizrahim feel about the Ashkenazim, and which they claim is reflected in almost every field in the country, including the fields of society, education, the economy, politics, as well as in the field of employment.

From the point of view of cultural differences, the crisis of absorbing the immigrants and the encounter with different cultures caused the traditional family framework to be undermined. The dispersion of the immigrants throughout the country cut them off from the community patterns that were a supportive and stabilizing social framework.

In terms of Israeli employment, there has always been considerable inequality between groups in the population. Despite discrimination prohibited by law, careful observation of four groups – women, Arabs, ultra-Orthodox, and Mizrahim – shows that inequality occurs in all aspects of employment, including the level of wages, working conditions, hiring, and firing. Despite the law of equal opportunities at work, discrimination is prohibited in the world of work, we have seen discrimination against a person based on: sex, sexual orientation, personal status, pregnancy, IVF, fertility treatments, race, age, parentage, religion, nationality, country of origin, outlook, Party support or reserve service. From the point of view of economic disparities and discrimination phenomena in the multi-divided Israeli society, some tensions sometimes develop in public systems where different population groups rub against each other. These tensions often take on characteristics of discrimination, racism, and exclusion, and are reflected in various stations that accompany a person throughout his life.

In the last decade, the Israeli government began to enact laws of affirmative action, which gives priority to people based on their belonging to a certain group in the population that is considered weaker and the aspiration to promote the status of disadvantaged groups and exercise the individual's right to equality. Also, the legislator made it clear that the purpose of the affirmative action policy is to bring about the achievement of social equality for the individual or different groups in society. As a result, we learn that the Israeli government succeeded to a certain extent in reducing the phenomenon of discrimination on the other hand, the government was not able to completely eradicate the phenomenon of discrimination. Both from a religious point of

view, ultra-Orthodox and secular, Jews and Arabs, cultural differences, Ashkenazi and Sephardic ethnicities, male and female genders, and economic disparities.

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The Sunni-Shia Antagonism

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Abstract

This study presents the doctrinal and dogmatic differences related to Sunni-Shia antagonism. The Sunni-Shia dispute is a historical religious dispute between the two largest Islamic denominations. To a very large extent, it is based on the understanding of the concept of “sect” used for centuries by Sunni theologians of the Shiite school of dogma. It was not until the 1960s that orthodox Islam was forced to recognize the existence of a minority with which it had doctrinal and legal differences. Jafarism was the first Islamic movement that the dominant Sunni theologians recognized as part of the Islamic religion. This is after accepting the existence of Iran as a real statist establishment and a functioning legal system as a *fait accompli*. The restoration of diplomatic relations between two of the symbols of Sunnism and Shiism, namely Saudi Arabia and Iran, after a seven-year break, is proof that Islam in the current 21st century is different from that of the Middle Ages.

Keywords: Sunni-Shia antagonism, doctrinal differences, dogmatic differences.

1. Introduction

The Sunni-Shia dispute is a historical religious dispute between the two largest Islamic denominations. To a large extent, it is based on the understanding of the concept of “sect”, used for centuries by Sunni theologians for the Shiite legal-dogmatic school. Only before the 1960s was orthodox Islam forced to recognize the existence of a minority with which there were doctrinal and legal differences.

Jafarism was the first Islamic movement that the dominant Sunni theologians recognized as part of the Islamic religion. This happened after they accepted the existence of Iran as a real statist establishment and a functioning legal system as a *fait accompli*. In the Islamic Republic of Iran, established in 1979, Jafarism was the dominant legal-dogmatic movement. Public recognition was realized through a special fatwa by the former Grand Imam of the most authoritative Sunni theological university “al-Azhar”, Sheikh Mahmoud Shaltut. In 1959, he recognized the Ja'fari school as the fifth legitimate Islamic jurisprudential doctrine, alongside the other four Sunni schools: Hanafi, Shafi'i, Maliki, and Hanbali (Shaltut & Al-Mauswa Al-Islamiya, 2020).

Interestingly, the contemporary ideologist of the Muslim Brotherhood movement, Yusuf Qaradawi, expresses doubt about the existence of such a fatwa (Qaradawi, 2020). The position is probably more political since an individual normative act of such a religious authority as the rector of “al-Azhar” is a prerequisite for recognizing other non-Sunni movements by the Sunni majority.

2. The Sunni-Shia antagonism

The forum held on November 9, 2004 in the Jordanian capital of Amman played a key role in determining the status of individual Islamic schools and doctrines in selecting and defining them as denominations or sects. The so-called Amman Message, signed by over two hundred ulema, attempts to create a kind of Sharia-compliant (degree of religious legality) hierarchization of the many doctrinal currents in the vast sea of Islamic theology. The text, which plays the role of a kind of norm, was prepared by the religious authorities of the time in the Islamic world and was read by the Minister of Justice of the Hashemite Kingdom, Sheikh Izzedine al-Tamimi, in the presence of the Jordanian monarch Abdullah II. It introduces three peculiar categories of doctrines of “religious legality”, without, however, clearly explaining the criteria that separate them from each other. It is probably a question of the degree of prevalence, social influence, history, and traditions.

The first category, defined as *al-madhahib*, religious doctrines, is injected with the greatest dose of Sharia compliance, defining the respective doctrine as an Islamic legal school and part of Islamic theology. It includes the five Sunni schools (Hanafi, Shafi'i, Maliki, Hanbali, and Zahiri), the two Shi'ite schools (Ja'farism and Zaydi), and the Ibadī Kharijite.

The second category consists in prohibiting the followers of the following Islamic schools from being declared *murda'in*, apostates, namely Ash'a'irism, the true practices of *at-Tasawwuf*, Islamic mysticism, and *al-aaqeed as-salafiyyah as-sahihah*, the true Salafi doctrines.

The third category remains extremely open and undefined, noting that “it is forbidden to declare *takfiriyyin*, infidels, other Muslims.” The sacred texts are defined as preconditions for issuing fatwas, and their use is intended to prevent the issuance of illegal ones” (Risalya Aman, 2020).

It is interesting that among the 27 leading Islamic scholars who supported the Amman Message, ten belong to the Jafari/Imamist school. All of its authoritative representatives issued fatwas in favor of the document. Their names encompass the diverse, nationally, Jafari/Imamist community. These include influential Iranian clerics – the Spiritual Leader of the Islamic Republic Ayatollah Ali Khamenei, Grand Ayatollahs Fazel Lankarani and Muhammad Ali at-Tashkhiri, Iraqi Grand Ayatollahs Ali al-Sistani, Muhammad Sayyed al-Hakim, Bashir Hussein Najafi, Hussein Ismail al-Sadr and Muhammad Ishaq al-Fayed, Lebanese Grand Ayatollah Muhammad Hussein Fadlallah and Portuguese cleric Karim al-Husseini (a follower of a branch of the Nazari-Ismaili school, which is also related to the Jafaris, Risalya Amman, 25.10.2020). Their fatwas show the desire for equality of national groups within the numerous Jafari legal-dogmatic schools, but also, in parallel, the aspiration for a positively looking ecumenization within the even larger Islamic community. At the same time, this document fails to overcome the sectarian potential of the Sunni-Shiite clash, especially where the Shiites are relatively large communities. We are talking about countries such as Iraq, Syria, Lebanon, Bahrain and Yemen. In some of them (Iraq, Lebanon, and Bahrain) even the Shiites, the majority of whom are Jafaris, represent the most numerous confessional group in the country (Chukov, 2021).

The dispute between Sunnis and Shiites takes place on several levels, the leading of which are doctrinal and legal dogmatic, including ritual. The root of the antagonism lies in the interpretation of the law as to who is the legitimate successor of the Prophet Muhammad. Sunnis believe that the successor to the Prophet should be Abu Bakr Sadiq (632-634), and after him Omar ibn al-Khattab (634-644), who set the beginning of the dynasty of the Rightly Guided Caliphs (632-660). In contrast, Shiites believe that the true successor is Ali bin Abi Talib (656-661), who is the fourth Rightly Guided Caliph. The latter was the Prophet's son-in-law and cousin. The culmination of the dispute reached in 680 when the Battle of Karbala took place. On the battlefield near this Iraqi historical city, the second Umayyad Caliph Yazid bin Mauwiyah (646-683), symbolizing the

Sunni direction, killed Ali's successor, Hussein bin Ali (626-680), who is the third Imam according to the Shiite classification.

Sunnis maintain that in 632, when the Prophet Muhammad died, he did not appoint a successor. Then his companions gathered in the Beni Saada mosque in Medina and elected Abu Bakr Sadiq, who was also the son-in-law of the Prophet Muhammad, as his successor (caliph). The Shiites think that the Prophet Muhammad appointed his successor, and this was Ali bin Abi Talib. They refer to the hadiths of al-Ghadir, which find different interpretations among the jurists (jurists-theologians) of the two legal-dogmatic tendencies (Hadith al-Ghadir, 2023). An important place in the controversy is also played by the hadiths of the Jafari imams.

The quality of infallibility is the second major difference between the two denominations. The Shiites believe that Allah bestowed infallibility on the prophets and then on the imams, as they are the leaders and mentors of the Muslims. At the same time, the Sunnis believe that infallibility is inherent only to the prophets. The third contradiction lies in the attitude towards the as-sahaba, the companions (the followers of the Prophet Muhammad in the first three generations after him), and the umahat al-mu'minin, the mothers of the believers (Muslim women). Both denominations believe that the companions are human beings. The Shiites draw a wide range of assessments of the deeds of this privileged group in the history of Islam. They openly believed that the companions were both good and just, but some of them were just the opposite. They were hypocritical and immoral. The Sunnis perceive the companions only as just and the satisfaction of the Muslims with them is obligatory. They hold the view that the best Muslims after the prophets are Abu Bakr Sadiq, Omar ibn al-Khattab, Uthman ibn Affan (644-656), and Ali ibn Abi Talib. After them, that is, those of the second and third generations, are subject to a nuanced positive attitude, respectively, according to the preferences of the given source. The Shiites are categorical that the first three Righteous Caliphs were infidels and usurpers of power. The assessment is also different for women. According to the Shiites, the mothers of Muslims cannot be carriers of any moral vice. For this reason, in 1989, Ayatollah Khomeini issued a fatwa against Salman Rushdie, who cast a shadow on the moral behavior of the mother of Muslims and the beloved wife of the Prophet Muhammad, Aisha. At the same time, her power aspirations are the subject of disapproval by the Shiites, while the Sunnis consider her a symbol of Sunnism, as she was the most revered wife of the Prophet (Al-Ashnawa ila Aisha, 2023).

The fourth contradiction lies in the reliance on the personality of Mahdi al-Montazar, the expected Messiah. Both denominations think that a righteous man will appear on earth who will bring justice to humanity and destroy the forces of corruption. His name is Mahdi. The Shiites believe that the messiah in question is called Muhammad bin Hassan. He is al-Imam al-Ghayb, the absent imam, who is the twelfth in line. He was born in 874. He is expected to appear at the appropriate time and when the conditions are created for this (Al-Mauswa al-Arika, 2023). The study "Israel between Evangelism and Jafarism" highlights the main signs of the emergence of al-Mahdi, the messiah, adapting to various conjunctural political events (Chukov, 2021; Schwartz & Galily, 2021).

At the same time, Sunni jurists maintain that the Mahdi is a man named Muhammad, who is a descendant of Fatima Zahra (605 or 612-615 – 632), daughter of the Prophet Muhammad and wife of the fourth Righteous Caliph Ali bin Abi Talib. When he is born, he will not know that he is the Savior. It is in this type of divergence of interpretation of the messiah that Sunnism and Shiites give birth to a different type of statehood. In the former, the leader (he will not know that he is the Savior when he is born caliph) is first among equals, especially during the first (Righteous) dynasty. In its original Sunni form, the first caliphs seem to create a regime that resembles the modern republican political system. The caliph was recommended by his predecessor but necessarily elected by the followers. Among the Shiites, the exclusivity of the imam elevates him to the rank of a demi-god. Thus, this denomination creates a state – an imamate, the features of which are similar to those of an absolute theocracy. This is probably due

to a peculiar religious mix, in which, in addition to authentic Islam, Zoroastrianism of the former Sasanian Persian state, the foundation of the Safavid state (1501-1736), and later of modern Iran, also seeps in.

The predictions of the famous Syrian billionaire businessman and cousin of the current Syrian president Bashar Assad, Rami Makhlouf, are interesting. It is as if he is “presenting” a kind of hybrid Shiite-Sunni messianic product. In January 2021, on his Facebook page, he noted that al-Mahdi would soon appear, and with him Jesus Christ. According to him, “the year in question will be decisive.” If there are devastating earthquakes, incinerating volcanoes, fiery meteorites, floods, constant financial collapses, and mass death in many places on Earth, then humanity will have entered the “period of Resurrection”, which suggests that if this happens, “the emergence of the Mahdi and Christ will be accelerated” (For more information: Rami Makhlouf yatanabaa khuruj al-mahdi wa zuhur al-masih, Rami Makhlouf predicts the emergence of the Mahdi and the appearance of Christ, al-Qabas, Kuwait, 01/08/2021, <https://www.alqabas.com/article/58308>). During the holy month of Ramadan 2023, he does not forget to remind us that “one of the good news of the upcoming period is the appearance of the Mahdi.” This would indeed happen when “the news about him becomes frequent and then the messiah would indeed appear publicly. Immediately after that, a war between truth and falsehood would begin in space (Rami Makhlouf yubashar zuhur al-mahdi kariban, 2023).

3. The main legal-dogmatic differences between the two denominations can be systematized as follows: Al-Khums, one-fifth. According to the Shiites, the payment of this tax is inherent in

Al-Khums, one-fifth. According to the Shiites, the payment of this tax is peculiar to the infidels. However, half of the booty captured by the Muslims during a battle with the infidels is added to it, which is given to the Imam, who represents the Prophet or the wali al-faqih, i.e. the Spiritual Guide. According to the Sunnis, this tax is paid only by the infidels (Al-Khums inda ash-Shia al-Imamiyah, 2023).

1. Zawāj al-mutā’, the marriage of pleasure. It is also called mu’aqād,

a temporary marriage and is for a certain period agreed upon between the two spouses. During its duration, the wife does not inherit, and separation occurs at the end of the period. Shiite jurisprudence accepts it. According to the Sunnis, as well as the Zaydi and Ibadī Kharijites, they believe that it was “forbidden by the Prophet.” Shiite jurists-theologians contradict them and defend the opinion that it was not the Prophet Muhammad who prohibited the marriage of pleasure, but the second Righteous Caliph – Omar ibn al-Khattab, whom they perceive as a usurper of power. For this reason, they qualify it as lawful and consider it to be “an act of intimacy through which a person draws closer to Almighty Allah, who preserves and establishes his religion” (Al-Baghdadi, 2023).

2. Performing the prayer on the sun-dried tomb of al-Husseiniya clay

taken from the land of the holy city of Karbala for the Shiites. The Shiites believe that it is not permissible to perform prayer except on soil made of sand, stone or earth. In addition, prayer performed on clothes, fabrics, mattresses, carpets and the like, as well as on metals such as copper, silver and gold, is not permissible (Maukaa maktab samaha al marjaa ad dini Ali al-Sistani, Istiftaat at turba al-husseiniya, 2023). According to the Sunnis, praying on the turba al-husseiniya is an innovation in the Islamic religion. According to their jurists, neither the Prophet Muhammad nor their companions, including Ali bin Abi Talib and Hussein bin Ali, performed it.

3. Call to prayer. Shiites believe that it is obligatory to call to prayer.

To “good deeds” and it is advisable to add “I bear witness that Ali is the guardian of Allah.” Sunnis maintain that during the call to dawn prayer one should say that “prayer is better than sleep.”

4. Tatbir or adma, bloodletting. This is a ritual that was adopted by

some followers of Jafarism. However, some of them reject it. It is a Shiite ritual that aims to remember the Battle of Karbala and the killed followers of Ali such as Hussein bin Ali and his brother Abbas. For this purpose, the followers of this religious act use swords, chains, and any sharp objects with which they hit their heads until they bleed. In addition, the participants during the religious act repeat the word “Haider”, which refers to Ali bin Abi Talib. The Fourth Righteous Caliph died from a blow to his head with a sword by the conspirator Abdul Rahman bin Maljam while he was praying. This ritual is forbidden among Sunnis (Al Kerbasi, S., *Ma maana at tatbir wa hokmu ash sharai*, 2023).

The prevailing view is that the roots of the Sunni-Shiite schism were the cause of the first and most serious fitna, a civil war in the history of the Islamic state, namely the rebellion that led to the assassination in 656 of the third Righteous Caliph, Uthman bin Affan. The already mentioned conflict and bloodshed between the governor of Damascus, Mauwiya bin Abi Safyan (governor of the province of Syria 639-661 and first caliph of the Umayyad dynasty 661-680), and Ali bin Abi Talib, whose capital was the Iraqi city of Kufa, is only a consequence of it. It is as if the aspirations and claims of the fourth Righteous Caliph, and subsequently the governor of Damascus, personify the ideological differences between the two huge regional communities of the expanding Islamic state. We are talking about the struggle for power between the Iraqi and Syrian Arabs.

The one that began in 661 The process of legal and political fragmentation in the Islamic world has not ended. At the same time, the institutionalization of new Islamic legal and dogmatic currents has long been suspended. For example, the ambition of the former imam of one of the largest mosques in Medina – Quba, Saleh al-Magmasi, to create a new madhhab, an Islamic dogmatic doctrine, has such a fate. The Saudi jurist states: “I hope that Allah will give a new Islamic doctrine into my hands.” According to him, the only complete thing is the Quran, and everything else can and must be revised, as the Prophet Muhammad did (Al-Magmasi is a new madhad jadid...hajama al-ikhwan wa imam majid Quba, 2023). The Saudi ulema in question does not present anything completely as an Islamic legal dogmatic philosophy but only limits itself to criticizing the doctrine of the Muslim Brotherhood. The Secretariat of the “Institution of the Great Ulema”, which is the official religious body in Saudi Arabia, stated that the idea of “creating a new school of Islamic jurisprudence is an expression of a lack of objectivity and realism.” The categorical refusal to recognize the legal innovation of Imam al-Magmasi is also based on the motive that “Islamic jurisprudence, with its established legal dogmatic schools and its various legal practices, meets all the requirements of modern life, harmonizing social needs with Islamic law and implementing the Sharia production of legal conciliations - an emanation of collective Islamic jurisprudence” (Awal taaliq saudi rasmi ala insha madhab jadid...wa hujum mustamir dida al-Magmasi, 2023).

In general, it can be summarized that the actions of the fourth Righteous Caliph Ali bin Abi Talib are one of the main reasons behind the fragmentation of the Muslims, as he moved the capital from Medina – the Arabian Peninsula to Kufa – Iraq. In this way, Ali bin Abi Talib favored the customs and traditions of the Islamic periphery, such as Iraq, which was strongly influenced by the newly Islamized former pagan empire – Sassanid Persia, and marginalized the established conservative elitism represented by the tribal society of the Arabian Peninsula. There lived al-Qabilah al-Ilahiya, the divine tribe of the Quraysh of the Prophet Muhammad. The main position of most of the companions was to try to put an end to the rebellions and take a neutral

position in the personal conflict. The most prominent representative of this trend was their companion Abdullah bin Omar, who repeatedly stated this position. The division in this period began as a political one, and the dominant thesis is that the theologian Abdullah bin Saba (a 7th-century Yemenite Jew from the Himar tribe who converted to Islam: Sean, A., *The Caliph, and the Heretic: Ibn Saba' and the Origins of Shi'ism*. BRILL. p. 71) played a major role in the rebellion. Bin Saba is seen as the creator of the first Shi'ite sect, al-Ghulat, because of his unwavering support for Ali bin Abi Talib at the expense of Ma'wiyya bin Abi Safyan. The personal antagonism had ideological roots, but it acquired a permanent ideological character with the emergence of the Safavid state.

The theological elite in the Sunni countries, which are the majority in the Islamic world, defend the thesis that it was the Safavid dynasty that generated the insurmountable ideological differences between the two largest Islamic denominations. A detailed and comprehensive study on the issue is made by the Iraqi historian Hassan al-Alawi in his monograph *The Blood of the Karkha River* (As Sudani, H., Dama an nahar al-Karkha, 1980). Authors such as Ali Nasser al-Tamimi, as a Shiite, former advisor and close associate of the dictator Saddam Hussein, accuse him of bias and even racism. Among the supporters of al-Allawi's views is Ali Shariati (1933-1977), described as the "ideologist of the Islamic revolution in Iran." Working in the field of sociology of religion, the influential Iranian allowed himself to criticize the populism of the Shiite clergy, in parallel with the dictatorial nature of the Iranian monarchy. Al-Allawi believes that Shariati fell victim to the secret services of the former Iranian Shah Mohammad Reza Pahlavi because of his opinion. (As Sudani, H., Dama an nahar al-Karkha, 1980, pp. 68-98).

In the history of Islam, there have been many verbal and physical clashes between Shiites and Sunnis, in which both sides have exchanged various accusations. Probably, the attacks of the Shiites take on a much more radical character, since often the issue for them is of existential importance. The fact is that they, as a minority, are much more threatened than the majority. They were often forced to make alliances with non-Muslims against their Sunni co-religionists to survive. For example, in the 12th century, they interacted with the Crusaders, with whom they entered into battle together against the powerful army of the Sunni Saladin al-Ayyubi (1138-1193) – the winner of the Crusaders. According to Shiite sources, Sunni repressions against their Shiite opponents were most uncompromising during the rule of the Umayyad, Abbasid, and Ottoman eras. The minority's reaction was the outbreak of several successive rebellions, the most famous of which were those of the Qarmites (a radical Ismaili group that established its state on the western coast of the Persian Gulf in the 9th–11th centuries) and of Fatima Zahra's descendant Muhammad Nafse Zakiya (762).

However, the aforementioned Hassan al-Alawi and Ali Shariati are probably right in claiming that the climax came when the Ottoman state fought against its Safavid counterpart. During this era, the split was already final. The Safavid state took advantage of the persecution of the Shiites by the Ottoman authorities and managed to attract influential legal theologians such as Ali al-Karaki (1461 or 1466-1534). Born in the Lebanese Bekaa Valley, which was at that time under Ottoman rule, he graduated from the local authoritative Shiite religious academy (hawza al-ilmia). Imam al-Karaki left his homeland and settled in Iraq. Later, however, he was invited by the Safavid ruler Ismail I Shah (1487-1524), to spread Shiite jurisprudence and dogmatics in the lands of ancient Sassanid Persia. During the reign of his son Tahmasab I Shah (1524-1576), the faqih became, de facto, the ruler of the Safavid state. The writing of his famous book "A Breath of Theology in the Rejection of Totems and Tyrant" marked the beginning of the doctrinal dispute between Sunnism and Shiites. However, Shiite theologians were not united in developing a common anti-Sunni position. For example, al-marja'a ad-dinni, a source of religious legislation by Imam Ibrahim al-Qatifi (?-1543) from the authoritative Shiite center of Najaf, who originated from the Qatif region (today a province in Saudi Arabia), rejected several al-Qaraki's ideas. Perhaps this was a matter of a fundamental difference in the interpretation of power and, in particular, in the

understanding of the theory of wilayat al-faqih, the guardianship of the jurist-theologian. The latter has been institutionalized since 1979 in the Islamic Republic of Iran by Ayatollah Ruhollah Khomeini. Al-Qatifi seems to be the ideological predecessor of the current most authoritative Iraqi Shiite cleric, namely Ayatollah Ali al-Sistani, who is also a supporter of the theory of the guardianship of the jurist-theologian. At the same time, the Iraqi Shiite clergy, formed around the religious academy in Najaf, is a supporter of a more liberal model of the Shiite power-statist theory, even though both regional schools belong to the same legal school – the Jafari. To a large extent, the competition between the two leading Jafari schools, namely the one in Najaf (Iraq) and the one in Qom (Iran), resembles the eternal rivalry between the two leading British universities and world scientific centers: Oxford and Cambridge.

In parallel with the main radical layer of the inter-confessional Sunni-Shiite opposition, there is also a smaller group, advocating a more moderate position, which is represented in both religious trends. According to Hassan al-Alawi, one of the spiritual leaders of the Lebanese Hezbollah – Sheikh Muhammad Hussein Fadlallah (1935-2010) falls into this group. The latter casts doubt on some of the hadiths that express a negative attitude towards the companions (Al-Mauswa al-ariqa, Khilaf Sunni-Shi'i, 2023). If such a thesis is not confirmed by clear written evidence, then the Iraqi Shiite scholar Muhammad Hussein al-Gita'a (1877-1964) does this by writing the treatise *The Origin of the Shiites*. The Iraqi Jafari theologian Abdel Hussein Sharaf al-Din (1872-1957) and the famous Lebanese historian of religion Hashim Maarouf al-Hasani (1919-1983) can also be attributed to the same more moderate community. The order of the Ministry of Education in Tehran not to print in the Islamic Republic three volumes of the multi-volume "Seas of Lights" by the authoritative Jafari theologian Muhammad Baqir al-Majlisi (1627-1699) has been interpreted as a gesture of tolerance towards the Sunnis by official Iran. They abound in sharp criticism and frank attacks on the companions revered by the Sunnis. The already mentioned Amman Message also played its role as a serious attempt at reconciliation between the two largest Islamic denominations. As a direct consequence of this, a group of Saudi Sunnis, led by theologian Sheikh Mikhlif al-Shamari, organized a prayer service in a Shiite mosque in the city of Qatif. The city is predominantly Shiite. It is entirely reasonable to doubt the sincerity of this act, since in January 2016, the Saudi authorities executed the most senior Saudi Shiite theologian, Ayatollah Nimr Nimr. He was hanged together with terrorists from the Islamic State and Al-Qaeda, which Shiite theologians see as an attempt by the Saudi state – one of the poles of Sunnism – to equate Shiism with the radical Islam preached by the aforementioned jihadist groups. This ignited discontent throughout the Shiite world, leading to the storming of the kingdom's embassy in Tehran by angry Iranians. As a direct consequence, diplomatic relations between the two countries were severed for seven years.

If we are to seek the roots of the impossibility of final reconciliation between the ulema of the two Islamic denominations, we must turn to their specific legal and dogmatic basis. We are talking about the numerous fatwas (individual normative acts) issued by authoritative jurists on both sides against the opponent. Fatwas with an openly radical anti-Shiite orientation are characteristic of the Sunni ulema, who belong to the Salafi movement. In some of them, the jurists openly declare all Shiites to be infidels (kufar), while in others only some more prominent representatives of the denomination in question are defined as such. This applies especially to the Jafarite school, also called the Imamite school. Leading representatives of Sunnism categorically reject any form of ecumenization between the two branches of Islam, since, in their opinion, this is not possible with people who have a priori rejected Islam. This is where the derogatory and sarcastic name for the Shiite comes from, namely ar Rafid or ar Rawafid, plural, which comes from the Arabic verb rafada, meaning to deny, to reject. To the long list of anti-Shiite fatwas we can add that of one of the most authoritative Sunni jurists, author of one of the most reliable collections of prophetic hadiths, namely Muhammad bin Ismail al-Bukhari (810-870). In his treatise *Prerequisites for the Actions of the Servants*, he says: "I do not care whether I pray behind a Jahmid (a member of a theological school also called mo'atala (corrupted – ed.) or murja'iyah

(seeking a reprieve – ed.), which emerged among Shiite theologians in Kufa, Iraq in the first half of the 9th century. They preach the so-called al-irja'a, a reprieve, the essence of which is a practical call for the dehumanization of Sunnism and Shiism, i.e., the return to Islam before the schism occurred. (Tariq al-Islam, *Ma aksam al-murja'iyah, ma'a dhikr aqwalihim fi masail al-iman*, 2023) and Rafid (Shiite – ed.) or I pray behind a Jew and a Christian. They should not be greeted, they are hostile, there should be no marriages with them, they have not pronounced the shahada (testimony of belonging to Islam – ed.), and their food is not eaten" (Al-Bukhari, M., *Khalaq afaal al-ibad*, 2023).

A similar fatwa was issued by one of the founders of the four leading Sunni schools of jurisprudence, Imam Malik ibn Anas (711-795). The famous historian, exegete, and interpreter of the Quran, Imad ad-Din Abu Fida Ibn Kathir (1301-1371), quoted the aforementioned authoritative jurist: "The Rafidites (Shiites – ed.) must be declared infidels because they anger the companions. Anyone who angers the companions is an infidel." (For more information, see: Tafsir ibn Kathir, *The Interpretation of Ibn Kathir*, Dar ibn Hazam, Beirut, 2009, Vol. 4, p. 219, <https://www.noor-book.com/%D/>).

A similar opinion was expressed by another founder of the Sunni legal dogmatic school. This is Imam Ahmed bin Hanbal (780-855), whose dogmatics most closely followed the customs and traditions of the conservative society of the Arabian Peninsula. His fatwa for the Shiites comes through a quote from the famous theologian Ahmed bin Muhammad al-Khilal (848-923). Ben Hanbal transmits the words of his companion Abdel Malik bin Abdul Hamid, who quotes the Prophet Muhammad, i.e. creates a prophetic hadith. Its content reads as follows: "Whoever insults the companions, falls away from the Islamic religion." Then Imam Ahmed bin Hanbal points out that "the Shiites insult the companions of the Messenger of Allah, therefore we are not sure about their religion" (Al-Khilal, A., *Sunnah al-Khilal*, Dar ar-Rawiyya, Riyadh, 1989).

They are no exception in their dislike of Shiites and Islamic mystics, even though they are generally perceived as more moderate than representatives of other Sunni trends, especially in comparison with the Salafis. Such is the famous Persian philosopher, theologian, and mystic Abu Hamad al-Ghazali (1058-1111). In his treatise *The Hospital* he claims: "Due to lack of understanding, al-Rawafid (Shiites – ed.) committed bid'a, (heresy – ed.). They said that Ali (ben Abi Talib - ed.) does not talk about the unseen." (Al-Ghazali, A., *Al-Mustasfa*, 1993). Abdul Qadir al-Jilani (1075-1166) is also included in the group of mystics. He is a jurist-theologian, ascetic, and follower of the school of Ahmed bin Hanbal. At the same time, he is also the founder of the Qaderite order within the framework of Islamic mysticism. He is known for his anti-Shiite treatise *Reply to al-Ruafida* (Shiites). During the era of the High Middle Ages, when the fiercest doctrinal clash between the two denominations took place, a dozen treatises with the same name were created. The authoritative Sunni theologian Abu Hasan al-Ashairi (874-936), who was a descendant of his companion Abu Musa al-Ashairi (602-665), wrote a similar theological work, expanding the objects of criticism. His treatise is called *Articles of the Islamists and the differences between the Worshipers*. Opposing the Shiites, Kharijites, Mu'tazilites, and other currents in Islam, which he calls sects, al-Ashairi created his doctrine, which bears his name. The goal of his doctrinal heuristic is the renewal of Sunni orthodoxy in the denial of all other dogmatic ideas that contradict its principles.

During the late Middle Ages, some Sunni ulema even went so far as to issue fatwas calling for the physical extermination of Shiites. One such example was the Arabized Turk Ahmed ben Suleiman ben Kamal (1468 -1545). He was a poet and historian born in Edirne to a military family. He was appointed Sheikh-ul-Islam by Sultan Selim I, known as the "killer of the Alevis" (a branch of Shiism). In his most authoritative treatise, *Five Epistles to the Groups and Doctrines*, Ibn Kamal claims that "Muslims may possess their (Shiites – ed.) money, women, and children, and their men (Shiites – ed.) are obligatory to kill unless they accept (Sunni – ed.) Islam" (Ibn Kamal, 2023; Cairo, 1918). A similar, but much more detailed anti-Shiite fatwa was issued by one

of the contemporary Saudi Salafi ulema, Abdullah bin Jabarain (1933-2009). In his doctrinal opinion No. 11092, he calls for the Shiites to be killed because in the descriptions of Ali bin Abi Talib and their imams, they attribute divine qualities to them, and slander the Quran and the companions. According to him, in this way, they become murtadun, apostates (Ibn Jabareen's website, 2023).

Conversion from Sunni to Shi'ism, especially to the Ja'fari school of jurisprudence, is also part of the eternal theme of the confrontation between the two major Islamic denominations. Islamic scholars have created a special term for such a category of converts, namely *mustabsir* or *mutashii*. If the second word can be translated as "accepted Shi'ism," then the first has multiple meanings specifically one about religion. In the Arabic interpretive dictionary, the word *mustabsir* can be interpreted as "clairvoyant", but also as "perceptive", "clairvoyant" (Dictionaries Kamus al-Arabi, 2023). It is obvious that the authors are closer to Sunni orthodoxy and are more inclined to convey a negative connotation to the term, as they are based on verse 38 of the Quranic Surah "The Spider". It says there: "And Satan made their deeds fair-seeming to them and prevented them from their path, and they were perceptive" (Holy Quran, Riyadh, 1980: 332). Probably the idea is to suggest that the category of Muslims in question who become "clairvoyant", "perceptive" and "perceptive" appears as a result of a satanic deed. Generally speaking, religious conversion is considered a diabolical act. The presumption is that Allah forbids not only the Sunni-Shiite transformation but in principle any conversion to Jafarism, regardless of which denomination is abandoned, including non-Muslims.

Probably, the reason for the existing conversion is still due to a prophetic hadith, which is not disputed by either the Sunnis or the Shiites. The point is in its different interpretation. A detailed analysis of this phenomenon is made in Hasun Ala's monograph entitled *Introduction to Conversion to Shiism*. At the center of the interpretation is the prophetic hadith, known as the "hadith of the two heavy things" (Ala, 2023). The Sharia text in question has a different form in Sunni and Shiite sources since the chain of narrators (exegetes) is different. In the Sunni version, the text is as follows: "I have taken it and left among you two weighty things, the Book of God and my house, and you will not go astray after them." In the Shiite version, the hadith reads as follows: "I am leaving behind you something that, if you hold on to it, you will not go astray. The Book of Allah, the Mighty and Majestic, has one end in the hands of Allah and one end in your hands. And my offspring are the people of my house, and they will not separate until they come to me" (Al-Husseini, 2023). The Shia thesis is that the Quran and the successors of the Prophet are identical in weight in Islam. At the same time, the Sunnis claim that such a statement is heresy since there is nothing greater than the word of God – the Quran. He is at-Tiqla al-Akbar, the greater weight, and the Ahl al-Bayt, the successors of the Prophet Muhammad, are at-Tiqla al-Asghar, the lesser weight. They should not be mixed.

The first and most authoritative convert is considered to be Sheikh Muhammad al-Antaki (1897-?). He was born in the city of Antakya, Syria, where, together with his brother Ahmed, he was appointed imam and qadi, a follower of the Sunni Shafaite school. In his famous treatise *Why I Chose the Doctrine of Shiism*, al-Antaki explains that he was disgusted by the evils, slander, and aggression that surrounded him during his judicial proceedings. His serious research into the teachings of Muhammad bin Abdul Wahhab (1703-1792), the creator of Wahhabism, probably also influenced the change in confessional affiliation. In his treatise *On My Path to Shiism*, his brother, Sheikh Ahmed al-Antaki, argues that there are insurmountable contradictions between the individual Sunni movements and that they cannot be attributed to one confessional community. The sheikh defends the thesis that Sunnism is not a compact dogmatic bloc. He presents mutually exclusive interpretations of the legal consequences of *az-zanah*, adultery, between the Shafi'is and the Hanafis. The convert advances the thesis that the truth is with the Shi'ites (Al-Antaki, 2023).

Among the more famous converted ulema is the Tunisian Muhammad al-Tijani, born in 1946, who graduated from the famous theological university of Az-Zaytuna in his homeland. He is a former follower of the Tijani order, which is why he is called al-Tijani. During his visit to Iraq, he met the influential ayatollahs Abu Qassem al-Khoi and Muhammad Sadiq al-Sadr and entered into a dispute with them. It is obvious that they convinced him of the correctness of Jafarism, and al-Tijani adopted Shiism. It is noteworthy that the majority of famous Sunni theologians belong to peripheral regions to the epicenter of the Islamic religion, namely Tunisia, Morocco, Yemen, and fewer from Egypt, Jordan, Syria, and Palestine (Schwartz & Galily, 2021). None of the countries of the Persian Gulf are there. Only the Yemeni theologian Dr. Issam Imad converted from Wahhabism to Jafarism. This transformation is not difficult to explain since Imad belongs to a family that professed Zaydiyyah, another trend within the Shiite family. He received his university degree from the Sanaa Institute of Science, the largest academic unit in the country studying Islam under the Wahhabi educational programs. Among the theological literature that played an important preaching role in convincing hesitant Sunnis are the treatises *Notes* by the Lebanese theologian Abdul Hussein Sharafuddin (1873-1957), *Then I Was Guided, To Be Honest, The Shiites Are Sunnis, Ask the Men* by Imam Muhammad al-Tijani, the study *And I Boarded the Ship* by the Jordanian Marwan Khleifat, the series of monographs by the Jordanian lawyer Ahmed Hussein Yaqub *Theory of the Justice of the Companions, The Political Regime in Islam, Summary of the Imamate and Birth, Political Plans* and others. The majority of converts decided on this step, probably impressed by the victory of the Islamic Revolution in Iran.

In recent years, Sunni-Shiite antagonism has been in a latent state. It has acquired the character of a “frozen conflict,” which bursts to the surface depending on the unstable situation in the Islamic world. As already noted, the victory of the Islamic revolution in Iran in 1979 and the institutionalization of the theory of wilayat al-faqih, the guardianship of the jurist-theologian in this country catalyzed direct armed clashes. Revolutionary Shiism went beyond the borders of Iran and invaded the Iraqi, Lebanese, Syrian, Bahraini, and Yemeni political-dogmatic space. The bloody attacks in Iraq, carried out by radical Salafis against the pilgrimages of Shiite worshipers in Iraq in the first decade of the 20th century, are nothing more than an outright sectarian confrontation. Shiites in Saudi Arabia protest religious discrimination, but Sunnis in Iran also complain about the same attitude of local authorities towards them.

The antagonism between the two denominations in the cultural sphere is permanent. Film productions with huge budgets are pitted against each other in interpreting the role of individual figures in the history of the Islamic state. Immediately after the Saudi television holding MBC announced in early 2023 that it had begun filming a series about the life of the founder of the Umayyad dynasty, Mauwiyah bin Abi Safyan, with a budget of over \$100 million, to show it to viewers in the month of Ramadan 2024, the Iraqi pro-Iranian satellite channel *Shaarat* surprised its viewers with its intention to begin filming a film glorifying the murderer of the second Righteous Caliph Omar ibn al-Khattab. The production in question is entitled: “The Courage of Abu Lulua,” in which, according to the script, the Persian slave Abu Lulua showed courage and strength, ending the life of the real creator of the caliphate. What is interesting in this case is that Arab and Iranian actors have been engaged to participate in the film, but all of them are Shiites by religious affiliation. The claim of the creators of the future artistic product is that it will be the largest Islamic historical production (Al-Basumi, Sh., “Musalsal Mawiyya bin Abi Safyan” ...hal yushaal fitna suniya-shiyya, 2023).

In parallel, during the month of Ramadan 2023, the aforementioned Saudi channel MBC decided to broadcast an old series called “Mawiyah” with a similar script. The Iraqi media regulator banned the local branch of this Saudi media company from broadcasting the tape in question on Iraqi airwaves. The influential Iraqi politician and cleric Muqtada al-Sadr expressed his opinion on the matter by posting on Twitter, in which he stated: “I believe it is more appropriate, better and even necessary for the MBC channel to refuse to broadcast the series

(Mawiya – ed.), because it is the beginning of sectarian strife and the first to insult the companions, deviate from the imam of his time, splitting Islamic unity. He kills the companions. There is no need to hurt the feelings of your Muslim brothers in the East and the West” (Al-Basumi, Sh., 16.04.2023/).

The position of the television channel of the most authoritative Sunni university, Al-Azhar, on the case is interesting. It is he who reflects the debates on the topic in social media, but without expressing an official opinion. The council of authoritative Sunni scholars upholds the position that the companions, as well as the prophets, should not be filmed in film productions. At this stage, the opinion has not turned into a fatwa, but Al-Azhar nevertheless intervened and prevented the broadcast of the series “Mawiya” on the rated Egyptian satellite channels. The dominant opinion is that such controversial historical works cannot be stopped, due to the technical capabilities of modern media. The uncensored YouTube channel is particularly effective in this regard. Moreover, a fatwa by the former ideologue of the Muslim Brotherhood movement, Yusuf Al-Qaradawi, with a similar meaning was issued in opposition to the position of the Al-Azhar scholars.

Sometimes the Sunni-Shiite opposition acquires a purely material dimension. It is expressed in attempts to change the ownership of waqf properties and, respectively, the donations received by mosques. Such is the example of the intention of the foundation that manages the properties of the Shiite religious complexes in the Iraqi city of Samarra, associated with the tenth and eleventh imams of the Jafarites, namely Ali al-Hadi (828-868) and al-Hasan al-Askari (846-874), father of al-Mahdi al-Montazar, the expected messiah Muhammad al-Mahdi. The institution in question has demonstrated ambition to take control of the Great Mosque, which is Sunni. We are talking about the historic Great Mosque in the city of Samarra, in the province of Salahaddin, whose population is predominantly Sunni. By changing the name of the religious temple, the institution in question intended to reorient the generous donations that the authoritative mosque receives from its worshipers. The reaction from local tribal leaders and clerics was very radical since the religious temple was built in the 9th century by the Abbasid Caliph al-Mutawakil al-Allah (822-861). It was to him that Constantine – Cyril the philosopher was sent to discuss the principles of the Holy Trinity, the strengthening of ties between the Caliphate and the Byzantine Empire, as well as the exchange of prisoners from both sides. With its 50 meters high, the minaret was for a long time the tallest in the entire Islamic world. For centuries there has been a madrasa there, where Islamic sciences are taught by theologians of the Sunni Shafaite school. After the intervention of the chairman of the parliamentary committee on tribal affairs and endowments, Mahmoud al-Mashhadani, the process of Shiiteization of the historic Sunni mosque was stopped. The politician directly appealed to Prime Minister Mohammed Shia al-Sudani for personal intervention. The influential MP noted that “it (the Great Mosque – ed.) will remain part of the Sunni waqfs, as its transfer to the Shiite waqfs is non-Shariah and contradicts the traditions of the donors’ wishes” (Al-Nashmi, 2023).

4. Conclusion

The differences between Sunnis and Shiites are eternal, and military-political, intra-state or inter-state clashes are cyclical. The seeds of opposition were planted in the Middle Ages and have permanently sprouted and penetrated the genesis of state formations that are the heirs of the Sunni Caliphate or the Shiite Imamate. The customs and traditions of local tribes are projected into the psyche and behavioral models of the modern Islamic political elite. The specificity and dynamics of the law-making process of individual nation-states are the most relevant signs of the current state of inter-confessional antagonism. External pressure, as well as borrowings from foreign (non-Islamic) legal heritage, are transformed into a force majeure factor towards reducing the original reproduction of a direct sectarian clash characteristic of past eras.

The restoration of diplomatic relations between two of the symbols of Sunnism and Shiism, namely Saudi Arabia and Iran after a seven-year hiatus, is proof that Islam in the current 21st century differs from that in the Middle Ages.

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The Effect of the Israeli Basic Law on Human Dignity and Freedom on the Use of Incriminating Evidence in Israeli Courts

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Abstract

Is there a place for a distinction between immunity from self-incrimination based on oral answers to questions asked by a person, and immunity from self-incrimination related to the delivery of documents held in a person's hand? Value considerations should be preferred over the assessment of the truth and its discovery, provided that these considerations are expressly fixed in the law, according to the provision of the Basic Law on Human Dignity and Freedom if a person's body is searched.

Keywords: Israeli Basic Law on human dignity and freedom, incriminating evidence, Israeli courts.

1. The confidentiality and silence regarding the disclosure of documents in front of the Israeli basic law of human dignity and freedom

According to the official documents, there are various distinctions. Is there a place for a distinction between immunity from self-incrimination based on oral answers to questions asked by a person, and immunity from self-incrimination related to the delivery of documents held in a person's hand? In the Hori case (Hori v. the State of Israel, 1981), the Honorable Judge Shamgar was required to make this distinction between answers to questions and the handing over of documents. His opinion was that immunity applies to both matters alike. Thus, he says that "the right to non-self-incrimination is nothing but the essence of the rule, and according to which no one is obliged to answer a question, if the answer to the question may be in it, in the opinion of the court, to lay the foundation for criminal prosecution of the person who answers the answer, this right also refers to the requirement for the presentation of documents and other movables. The provision of section 47 of the decree the evidence can be found in it to support the expansive interpretation of documents, and it is in speech that a person is not obliged to give evidence." And indeed, it will be seen" even written evidence is heard. In the following we will assume that this is indeed the law, to say that according to the Lagaziel case (State of Israel v. Zion Lagaziel, 1999), the immunity from self-incrimination can apply both to answers to questions and to the handing over of documents that are the product of his thought and creation of the person requesting delivery, but if the documents were not prepared by the person requesting delivery and their content is not the product of his thought and creation. So according to the Legaziel case (State of Israel v. Zion Legaziel, 1999), it was stated that a private and personal document prepared by the individual according to an obligation in law, confidentiality does not apply, as well as material that is regarding documents prepared by the Authority and reached from it to the individual, such

documents are physically held by the individual, however according to their essence, content and origin they are not – except the photo paper itself – the property of the holder of them and the authority has the right to receive the documents which it owns. A classification between private and public documents is required to establish that confidentiality does not apply to the documents in question.

Therefore, the person collecting the documents cannot defend against the handing over of the documents by claiming confidentiality against self-incrimination if it is a question of handing over public documents to the investigating authority. Therefore, the question in the present case is if we compel a defendant or suspect to bring the documents required of him and claim about them, for example, a claim of confidentiality, then the basic principle of the absolute right to silence protected by the Basic Law on Human Dignity and Freedom will be violated. First, bringing the document entails an admission that the document is in the suspect's possession, and sometimes this is enough to incriminate him. Second, raising the claim that the document may incriminate him is a breach of silence, and how can the suspect argue about the document without infringing his right to incriminate himself according to the ruling "Gilad Sharon" states that the line of logic shows that it is unthinkable to apply an absolute right to remain silent only to speech while regarding Documents, which may incriminate a person suspected of a crime, regarding which the suspect will not have the right to remain silent in the sit-and-don't test (Gilad Sharon v. The State of Israel, 2003). If we apply the provision of Section 47(a) of the Evidence Ordinance regarding the delivery of documents by a suspect or an accused, not the suspect's apprehension of self-incrimination will be sufficient. Still, he will be required to convince the court that this or that document contains an admission of the fact that it is one of the fundamentals of an offense", but this will inevitably violate the right to complete silence.

Therefore, until this stage, it is not possible to apply to a suspect or an accused the right to confidentiality as stated in section 47 of the Evidence Ordinance, but rather the absolute right to refrain from speaking, there is no doubt that the court must always take into account its considerations within the framework of that careful examination, the appropriate balances between the vital need and society. In the eradication of crime and the basic rights of all citizens of this country to security and peace, and the rights of a suspect or an accused, whether they arise from the fundamental laws, or whether they originate from basic rights that according to the principles of criminal law and as the Honorable Judge Beinisch says in the Smirak case (Smirak v. State of Israel, 1999) that in front of the suspect's and the accused's right to remain silent, the right to consult a lawyer and the right to a fair trial, there are important public interests such as fighting crime, protecting the security of the state and public peace, revealing the truth, and even the need to protect the rights of the crime victim who was harmed as a result of the act the criminal. Therefore, a delicate and complex balancing act is required between a variety of competing rights, values and interests, in accordance with the values of our legal system and according to the limits of the limitation clause" and as stated by the Honorable Judge (retired) A. Barak (Barak, 1996) that whether we see the right to remain silent as a fundamental right. Has constitutional status by a fundamental law: human dignity and freedom and an infringement of such a right must be done explicitly, so we will not ignore the distinction in the case law between "private" documents and public documents" however, and as noted by the Honorable Justice Strasberg-Cohen the ruling of Lagaziel (Lagaziel v. State of Israel, 2000), which says that the public documents "are" documents prepared by a person according to a legal obligation and the disadvantage does not apply when the documents held by the person are, in terms of their essence, the property of the authority and considering the classification of the documents, which Gilad Sharrach was required to provide to the police, as detailed at the time, it can be said that most of them are not "public documents" as defined and as the authority demanded at the time that they be handed over. In conclusion, it can be said that the suspect does have the right to refuse to hand over documents that are in his possession in an absolute manner. Even if these documents do not incriminate him if they are private documents. As long as they are documents that do not harm the suspect's privacy against

self-incrimination, they must cooperate during the investigation, which the suspect does not have the right to avoid, and as far as the documents are concerned, the suspect only has confidentiality against incrimination self-exculpation by Section 47 of the Evidence Ordinance and according to its terms, but this disadvantage does not give the suspect, who has been ordered by a court order to produce documents, the right to ignore the order issued against him even if there are documents that he must produce to incriminate him then the suspect who wishes to argue against the order that it can be revealed against him what documents he has, must contact the court in order to be released from the obligation to produce the documents, and according to the Sharon case (*State of Israel v. Gilad Sharon, 2003*), the court will examine the documents in two stages that the claimant claims to be confidential, first the court must examine the existence of a fear of self-incrimination in each and every one of the documents for which the suspect is required to produce documents for which there is no fear of incrimination the suspect will be obligated to hand over them as he will be obligated and regarding documents for which such a suspicion exists regarding which the second step in this phase is carried out on a house – The court will consider whether, under the circumstances, it is appropriate to grant the suspect “confidentiality of use” so that certain documents will be removed from the disadvantage of self-incrimination, but the suspect will be assured that these documents will not be used as evidence against him in future legal proceedings. documents that are private and documents that are public, and as such are not covered under them. It should be noted that there is no obstacle to a discussion of the question of the incriminating potential inherent in every one of the documents being held in the capacity of the suspect only so that the prosecution will not be exposed either to the suspect’s claims regarding the incriminating potential inherent in the documents or to the documents themselves before it was determined that the documents are not covered under the drawback

2. Invalidity of evidence collected in violation of the Israeli basic law of human dignity and freedom.

In this case, value considerations should be preferred over the assessment of the truth and its discovery, provided that these considerations are expressly fixed in the law, according to the provision of the Basic Law on Human Dignity and Freedom if a person’s body is searched, as was done in the case of *Vaaknin (Military Court of Appeals et al. v. Vaaknin, 1983)*, there will be a place To say that a search of a person’s body or their body without internal penetration can be considered in a way and in circumstances where there is a serious injury to the dignity and modesty of the individual, and this is in serious violation of Sections 2, 7(a) and (c) and 8 of the Human Dignity and Freedom Law (Basic Law) (*The Israeli: Human Dignity and Freedom, 1992*) that a search while infringing on one’s dignity and freedom is a violation of the basic principles of preserving human dignity and modesty, which are detailed in the Human Dignity Law. In other words, gathering evidence in an illegal manner that infringes on a person’s freedom of his body and privacy does seriously infringe on the fundamental rights that the legislator wanted to anchor to against harm by the government authorities (*Galily & Petkova, 2022*).

Therefore, the question that arises in the circumstances of our case is whether the rule of disqualification of evidence is enshrined in fundamental law, then according to the *Meir Pela case (State of Israel v. Meir Pela et al., 1993)*, which the Honorable Judge Ron Shapira states that without setting clear limits to the rules of disqualification, regarding evidence that was obtained illegally while Violation of human dignity, the judge believes that the Basic Law of Arrest and Freedom created constitutional rights for every accused or suspect and changed the balance point in examining the admissibility of evidence and the Basic Law requires emphasis on the evidence gathering procedure as it relates to the subjective characteristics of a particular accused.

It is no longer possible to examine the evidence-gathering procedure with objective measures only, and emphasis must be placed on the subjective aspect that refers to the nature of

every defendant as well as the unique data of each investigative event. Therefore, it can be said that evidence that was obtained or collected during a serious violation of a person's dignity and modesty can be rejected as admissible, according to the Supreme Court's Code of Conduct and in light of the circumstances of the specific case under discussion, and as it was established in the Mizan case that an instruction received from a violator suspected of a crime by trickery is not rejected Or even an act of deception (Mizan v. The Ombudsman, 1955), that is, according to the Court of Justice, there is no activity on the part of the authorities that use measures to issue a guilty plea in order to infringe on the right not to incriminate oneself, since he has and there is the possibility of maintaining the right to remain silent, as claimed by Judge Bach in the Biter case (Moshe Biter v. the State of Israel, 1987) that limits must be set for the use of means of violating the right to remain silent, therefore the compilation of false and fabricated documents exceeds the permitted scope.

There is a significant difference between not revealing the truth or even telling an untruth to the interrogator and misleading him by putting together false documents that claim to be real evidence. In other words, there is a danger here, because every straw will break. If the police and the prosecution are allowed to "fabricate" a false certificate regarding the results of a fingerprint test, then there is no preventing that, tomorrow, fingerprints themselves will be falsified, as well as elastic tests, post-mortem tests of bodies, witness statements, pieces on checks and other documents, etc.

It does not seem to me that a ruse that takes such an extreme and blatant form is legitimate, and there is even no intention to ultimately hide the details of the ruse from the court. The fairness in it, and as a rule that is practiced to this day, is that the court does not reject evidence that was obtained in an unfair or illegal way, that is, the touchstone is to a large extent the evidentiary power of the evidence, whose admissibility is tested as the evidentiary power and significance of the evidence increases and the tendency to reject becomes smaller Evidence due to defects in the way it was obtained, that is, the examination of the evidence by way of the admissibility test and if the evidence is free and obtained voluntarily as required by Section 12 of the Evidence Code, that is, from here we come to the general conclusion that the invalidity of evidence obtained in violation of human dignity rests on the question of whether he had the ability to choose of the interrogated and as the Supreme Court says in the Kiel case (Kiel v. the State of Israel, 2000), which stated that it is of great importance whether the accused gave his confession under the influence of pressure exerted on him or whether he gave his statement out of good and free will and if the former is Gerber there will be a tendency to disqualify the evidence but this question You will wake up in front of the various factors and what are the factors taken by the Authority, in order to deny the free will of the interrogated while harming his dignity and freedom which is enshrined in the Basic Law of Human Dignity.

Therefore, we see and conclude that a confession obtained by trickery while harming human dignity may be admissible, but that certain circumstances and how it was obtained will affect its weight and reliability, certainly that there are circumstances to question their reliability, that is, the very use of investigative tricks that harm a person's dignity does not in itself rule out the confession of the accused but Its admissibility is examined in light of your free will and his freedom to deliver his incriminating statement, and if there was an extreme injury to his dignity and free will in light of the fundamental law of human dignity and freedom, then there will be a consideration regarding the acceptance of the evidence. And as the Honorable President (retired) A. Barak states in the Yakovowitz case (Yakovowitz v. the State of Israel, 1998), he says that by paying attention to the totality of the evidence one can conclude that it is indeed possible to establish testimony in favor of the accused as long as it does not have explicit backing that indeed proves the innocence of the accused, faded despite the violation of privacy that contradicts the fundamental principles enshrined in the Fundamental Law of Human Dignity and Freedom. From this, it can be said that regarding the evidence obtained in violation of the right against self-

incrimination, the method of Judge A. Barak (Barak, 1995) which says that Israeli jurisprudence has rejected the theory of the fruits of the poisoned tree, that is, in my opinion, and according to Barak's method, the right to remain silent and the right to not self-incriminate part of a person's dignity or a part of his freedom, and there is room for changing the approach that rejected the principle of the fruit of the poisoned tree, and his freedom which is enumerated in Section 4,7 of the Fundamental Law on Human Dignity, otherwise the right of the suspects and the accused will be emptied of it. before the court to make a proper balance between the considerations of the specific accused whose dignity and freedom are balanced considering the fundamental law of human dignity against the protection of the public and the security of the state which seeks to mitigate the danger of suspects and accused persons.

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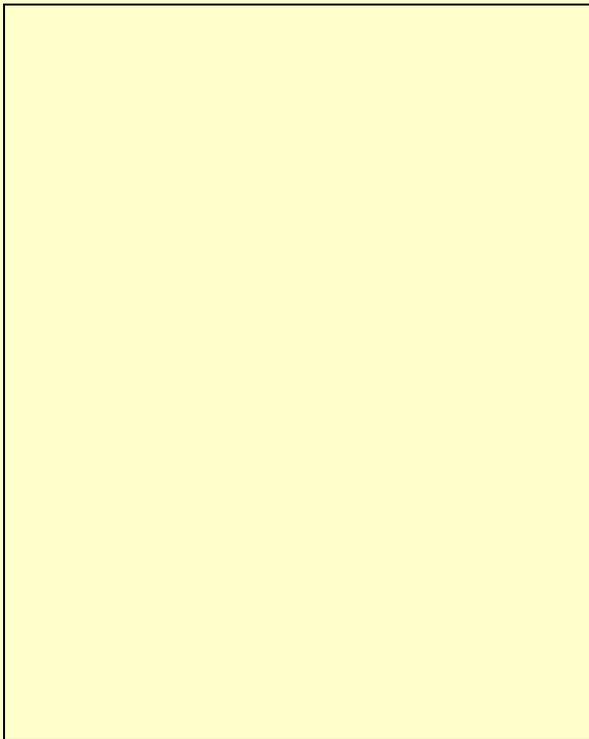
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