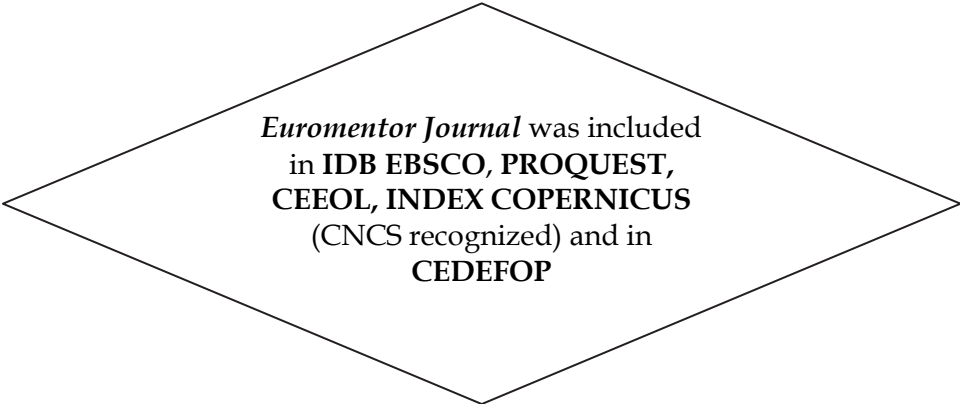


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# MULTICULTURAL EDUCATION AND TEACHER'S CHARACTERISTICS

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**Abstract:** *In developing societies, the increase of economic and technological developments causes a huge amount of interactions between the respective societies and different cultures. Therefore, while solutions related to education are made multicultural the training process is also affected. The importance of being a multicultural educator and the importance of multicultural education are broadening. A multicultural educator can spur and boost the personal development and the progress of students' academic success. Educators in this field are emphasizing the importance of teacher training programs. The teacher's competences are directly proportional with students' achievements. In this study, we are going to analyze in details the importance of multicultural education and teachers characteristics.*

**Keywords:** *multicultural education, multicultural teacher's characteristic, teacher training, multiculturalism.*

## 1. What Is Multicultural Education?

In today's multifaceted societies and world, the increased social relations between countries caused different communities to live together. Therefore the "concept of multiculturalism and multicultural education" is discussed constantly and its importance is ceaselessly enhanced.

Multiculturalism does not contain only elements pertaining to culture. In addition, it includes elements referring to different religions and

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different identities. Multiculturalism takes into consideration race, ethnic structure, language, gender, age, disability, social class, education, religious orientation and dimensions of other cultures<sup>1</sup>. In societies that are welcoming differences the cultural basis and academic success are provided by education. There are many definitions given to Multicultural Education. "Multicultural Education means different things to different people"<sup>2</sup>. Multicultural Education can contribute more significantly if a country's socio cultural structures are improved and applied appropriately. Multicultural Education is defined as being meaningful for different lives and different ideas, respectful as to otherness and envisaging ethnic groups for the purpose of individual development<sup>3</sup>.

As Banks & McGee Banks<sup>4</sup> mention in the text, multicultural education encompasses a concept, an educational reform movement, and a process. Also Banks & McGee Banks<sup>5</sup> postulate that multicultural education implies that all students, regardless of their gender, social class, and ethnic, racial, or cultural characteristics, should have an equal opportunity to learn in school. Solutions to problems of education in societies having different ethnic groups can be found by Multicultural Education.

## 2. Importance of Multicultural Education

Nowadays, the presence of ethnically homogeneous societies is rather reduced. It is stated that all countries have a multicultural structure when we think about their multicultural, ethnic religious, ethics, caste, political ideologies, gender, and cultural differences<sup>6</sup>. Cultural differences in society also bring together new challenges in education. Dialogue and peace in societies depend on the training of individuals dealing with education. Individuals who respect each other and see the cultural differences as a fact of life can establish social peace. The democratic educational environment has been effectuated with the help of

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<sup>1</sup> APA (2002). *Guidelines on Multicultural Education, Training, Research, Practice and Organizational Change for Psychologists*. Retrieved May 12, 2014,

<http://www.apa.org/pi/oema/resources/policy>

<sup>2</sup> Gay, G. (1994a). *A Synthesis of Scholarship in Multicultural Education*. Retrieved May 08, 2014, <http://www.ncrel.org>

<sup>3</sup> Parekh, B. (2002). *Çokkültürlülüğü yeniden düşünmek*. Ankara: Phoenix Yayınları

<sup>4</sup> Banks, J.A., McGee Banks, C.A. (2010). *Multicultural Education. Issues and Perspectives*. United States of America, John Willey & Sons, Inc.

<sup>5</sup> Ibidem.

<sup>6</sup> Kymlicka, W. (1998). *Çokkültürlü yurttaşlık*. Istanbul, Ayrıntı Yayınları



multicultural education. Thus, it ensures equality of opportunity in education and makes each student benefit from the opportunity education. While transformation and process in education, multicultural education strains to change and configures the school's environment<sup>7</sup>.

Gay<sup>8</sup> defines various purposes of multicultural education, as follows:

- Developing ethnic and cultural literacy: in this way, students learn about their own and other's languages, cultural characteristics, critical events, significant individuals, historical backgrounds, majority and minority ethnic groups. Thus students learn to respect the others and recognize their own identities.
- Personal development: in this way, students are offered more opportunities to themselves. Students are provided "greater self-understanding, positive self-concepts and pride in one's ethnic identity". Students are motivated to work hard and succeed and can achieve academic success.
- Attitudes and value clarification: students are encouraged to embrace and hold in high regard ethnic pluralism and diverse cultural milieus. Students will be taught to respect other people's attitudes and values. They will have to realize that cultural differences are not synonymous (mean the same thing) with deficiencies and inferiorities.
- Multicultural social competence: another aim of multicultural education, students are stimulated to learn techniques of communication for interacting with people who are different from themselves. Students can develop their own academic and analytical skills in this way. Thus students are supported to adopt cross cultural communication, interpersonal relations, alternative points of view, and so on and so forth.

We can assume that among the components of society we can find majority groups, minority groups and immigrants. In addition, we can include foreigners as a variety of ethnic groups. A foreign family may be

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<sup>7</sup> Banks, J.A., Cookson, P., Gay, G., Hawley, W. D., Irvine, J.J., Nieto, S. and G., W. (2001) *Diversity within Unity: Essential Principles for Teaching and Learning in a Multicultural Society*. Retrieved May 12, 2014,

<http://education.uw.edu/sites/default/files/cme/docs/DiversityUnity.pdf>

<sup>8</sup> Gay, G., *A Synthesis of Scholarship in Multicultural Education*, op.cit.

forced to live in a foreign country with their children for various reasons. Their children will be facing the multicultural education environment eventually. The students who cannot get used to live in foreign countries can reach personal development and academic achievement with the help of their teachers. A teacher who possesses the multicultural component can use knowledge and skills by organizing his / her teaching environment in order to communicate with students coming from different cultures.

Multicultural Education provides a method to encourage a comprehensive and detailed understanding of the ideas of democracy, diversity and pluralism. It also ensures the sharing and understanding of different values, customs, cultures, traditions, religions and faiths. Multicultural Education helps people to understand the problems of multicultural societies and suggests applicable solutions for these problems. Multicultural Education takes into account both the common goals of all the people in the society and the specific characteristics of minorities. Moreover, it encourages the equal nobility of all the people in society in general, regardless of their race, language and religion which are fundamental concepts of multicultural education; it enhances the respect for diversity and celebrates it, stimulating people to live in a peaceful coexistence. All these expectations should be the goals of all the societies in which there are wars and injustices in many parts of them<sup>9</sup>. In Multicultural Education politics, a democratic education is aimed at. Equal opportunities shall be granted to all the students, the goal being that each and every student with different cultural identity benefit from these equal opportunities. Multicultural Education forbids the discrimination among students. It is unacceptable in a democratic educational system to impose the identity, to punish diversity, or to regard the different persons as abnormal<sup>10</sup>. Students that have a right to an equal education can be a beneficial element and can be successful persons with their personal development within the society.

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<sup>9</sup> Portera, A., *Intercultural Education in Europe: epistemological and semantic aspects*, Intercultural Education, Vol. 19, No.6, 2008, p.481-491.

<sup>10</sup> Democratic Education Congress, (2004). *Çokdilli, Çokkültürlü Toplumlarda Eğitim*. Eğitim Sen, Komisyon Raporu, p. 154, Ankara. Retrieved April 20, 2014, <http://www.egitimsen.org.tr>

### 3. Culture and Learning

The concept of culture is defined by experts in different ways. Nieto's<sup>11</sup> definition states that "culture consists of the values, traditions, social and political relationships, and worldview created, shared, and transformed by a group of people bound together by a combination of factors that can include a common history, geographic location, language, social class, and religion."

The educator who perceives the terms and components of culture can better support the students who learn their own cultures. An equipped teacher who styles his / her own student's behavior and understands well enough the components of culture can follow a path more patiently. Boldley<sup>12</sup> mentions that culture styles the students' personal development and relations among people's opinions, behaviors, productions and values, assumptions, and perceptions in society. Also Boldley<sup>13</sup> states that it is determined that culture can be affected by education and likewise education can be affected by cultural factors<sup>14</sup>. While we look at the relationship between education and culture with the help of education individuals can be improved by

- Learning and living his/her own culture
- Developing one's own culture and components of culture.
- Learning other cultures and learning to interact with other cultures.

As every society has a common culture, each individual has his / her own cultural values. It is important for the students to know and be aware of their cultural importance. Respecting others' cultures and understanding them, and taking care of social cultures is linked with knowing their own cultures. Otherwise, by being effected by foreign cultures, they can forget and become a stranger as to one's own identity. In multicultural education learning environments as well as being acquainted with different cultures, students' knowledge about their own

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<sup>11</sup> Nieto, S., *Affirming diversity: The Socio-Political Context of Multicultural Education*. (3<sup>rd</sup> ed.). New York, NY: Longman, 2000.

<sup>12</sup> Boldley, J. H., *Cultural Anthropology: Tribes, states and global system*. New York: Academic Press, 1994.

<sup>13</sup> Ibid.

<sup>14</sup> Ok, K., Gülseçen, S., *Cultural Factors On E-Learning Systems*. 5<sup>th</sup> International Computer & Instructional Technologies Symposium, Firat University, Elazığ-Turkey. Retrieved April 24, 2014, <http://web.firat.edu.tr/icits2011>

is also important. It can be easier for the students to understand the importance of other cultures by first knowing their own. This is important for the students' personal development and academic career. The student, while continuing to keep his /her own social culture, can protect his / her own identity of ethnic, linguistic, religious culture. Multicultural Education pleads against educating only a single culture predominantly.

Ideologists like Vygotsky defend the importance of the position social skills have in learning effectively, while the student's knowledge about each other may increase their confidence, communication and problem solving between each other in a tolerant and constructive way. Educators should consider this point when teaching students effectively in a multicultural environment made up of heterogenic groups. Groups formed of people with different cultures can be offered as examples to students for developing their own skills and effective learning as an opportunity. Thus students will be aware of the rich differences and realize that they are a part of the real life.

#### **4. Multicultural Teacher's Characteristics**

The teacher is a person who contributes to the students' personnel development and learning. An effective education is related to a well-trained teacher and to a solid curriculum. Recently, there are more and more numerous researches related to teachers' general competences. During pre-service and in-service teacher training programs should focus on the teachers' necessary features or characteristics. Teachers who have a great experience in multicultural education environment can affect positively their own communication with the students. It is also important for the student's education.

Benette<sup>15</sup> mentions in her book that teachers' attitudes and expectations influence their students' achievements. Teachers should constantly attend teacher training programs which respond to their needs. The teacher's positive experiences can increase his / her positive attitudes. These teachers can provide a place in society for their students. The European Commission Communication Improving the Quality of Teacher Education<sup>16</sup> states: "Changes in education and in society place new

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<sup>15</sup> Bennett, C.I., *Comprehensive Multicultural Education. Theory and Practice*. United States of America, Pearson publication, 2011.

<sup>16</sup> Commission of the European Communities - Communication from the Commission to the Council and the European Parliament, *Improving the Quality of Teacher Education*, Brussels, 2007.

demands on the teaching profession. [...] classrooms now contain a more heterogeneous mix of young people from different backgrounds and with different levels of ability and disability. [...] These changes require teachers not only to acquire new knowledge and skills but also to develop them continuously". Teachers can improve and develop their own knowledge, attitudes, and skills in the teacher education programs. Darling-Hammond & Bransford<sup>17</sup> use the following meaningful expression "Preparing Teachers for a Changing World". Under these circumstances, the teacher's characteristics must be developed.

The National Council for Accreditation of Teacher Education (NCATE)<sup>18</sup> emphasizes the importance of teachers' training as being sensitive to the culture. NCATE<sup>19</sup> defines diversity as the "differences among groups of people and individuals based on ethnicity, race, socioeconomic status, gender, exceptionalities, language, religion, sexual orientation and geographical area" and accepts one of the basic standards serving experiences with diverse students. Moreover, for some students, simple questions such as 'Where are you from?' or 'What is your nationality?' can be very difficult questions to answer in certain schools. Such students may have parents of different nationalities, cultures, languages and even belonging to different religions. It is also difficult to say which their real 'home country' is. The aim of the teachers in such schools must be to interact and communicate every day effectively with the students, their parents and also with their colleagues coming from different cultures in order to overcome the above mentioned problems<sup>20</sup>. For this reason, in a multicultural environment, teachers should have many multicultural competences to solve the problems related to the students whose language, learning styles, behavior, thinking way, values, perception and academic backgrounds may be different than the normal or ordinary classroom environment. Classical pedagogical and didactical approaches may not be sufficient to overcome all these issues.

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<sup>17</sup> Darling-Hammond, L., & Bransford, J., Preparing teachers for a changing world: What teachers should learn and be able to do. San Francisco: Jossey-Bass, 2005.

<sup>18</sup> National Council for Accreditation for Teacher Education, (2008 a). *Professional Standards for the Accreditation of Teacher Preparation Institutions*. Retrieved April 15, 2014, <http://www.ncate.org/documents/standards>.

<sup>19</sup> National Council for Accreditation for Teacher Education, (2008b). *Professional Standards for the Accreditation of Teacher Preparation Institutions*, Experiences working with diverse students. Retrieved April 25, 2014, <http://www.ncate.org>

<sup>20</sup> Salgur, S.A., *The Importance of the Teacher in Intercultural Education*, International Journal of Global Education, ISSN: 2146-9296, Volume 2, Issue 1, 2013, p.2.

Villegas and Lucas<sup>21</sup> in their own article enumerate the features teachers should possess when teaching different groups of students. Socio-cultural Consciousness

1. An Affirming Attitude Toward Students From Culturally Diverse Backgrounds
2. Commitment and Skills to Act as Agents of Change
3. Constructivist Views of Learning
4. Learning About Students
5. Culturally Responsive Teaching Practices

The important points that were meant to be highlighted here are: The teacher must be aware of the possibility of a student as an individual to be affected by the social environments for understanding the reality. Teachers mustn't see the differences among their students as a big problem; every student has his / her own source of learning. Teachers should have a background of the students' lifestyles and design new teaching methods based on this information.

Salgur's own research<sup>22</sup> identified and classified the problems of the teachers dealing with students coming from different cultures, as follows:

- 1) Believing equality and similarity of the all cultures
- 2) Language problem
- 3) Non-verbal communication
- 4) Having prejudices, discrimination and stereotypes about different cultures and people
- 5) Comparing the cultures
- 6) Being very stressful and anxious during the teaching process.

For Multicultural Education, it is important that individuals respect and care for the differences in and outside learning environments, to socialize with other persons, hold in high regard universal values and envisage human nature as a precious asset - it is an expected positive conclusion.

In fact, the main problem related to Multicultural Education is to educate the teachers. It means that the teachers should learn demanding

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<sup>21</sup> Villegas, A.M., & Lucas, T., *Preparing Culturally Responsive Teachers - Rethinking Curriculum*, Journal of Teacher Education, Vol. 53, No. 1, January/February 2002, 2002, pp.20-32.

<sup>22</sup> Salgur, S.A., *Education for Democratic Citizenship and World Citizenship*. Lap Lambert Academic Publishing, 2014.

competences. Acquiring multicultural competences is crucial for a teacher who is teaching in a multicultural class. This learning process is a life-long process. Attending in-service course or participating in a seminar or conference or completing one's academic education or even travelling across the world are not enough to become a multicultural teacher and to understand multiculturalism in a multicultural class environment. Certainly, all these activities may help and serve to understand the concept of multiculturalism and may increase the learning process of multicultural teachers.

Moreover, teachers who have a multicultural understanding play a vital role in Multicultural Education, because that can change the way of thinking and the behavior of children. However, the competence of the teachers is not sufficient to solve all the problems multiculturalism has to cope with. They need to encourage the improvement of the multicultural ability of their students. They have the possibility and opportunity to influence their students' knowledge<sup>23</sup>. Furthermore, teachers have the noble mission to encourage the personal and academic progress of all their students, regardless of circumstances and experiences, ethnicity, culture, language, religion, color of the skin, gender, sexual orientation<sup>24</sup>.

## 5. Conclusion

Nowadays, the societies that have a homogeneous structure are increasingly rare. The more and more numerous multicultural environments bring about positive and negative results. Moreover, every culture's multicultural structure is changing day by day. For example, due to various reasons, nowadays, living in a foreign country as a stranger and living together with foreigners is something that occurs quite frequently. Dialogues and communication are compulsory in living together with different cultures. The multicultural concept or approach may boost the development of new opportunities for sharing each individual's values and for understanding each other in a society. This concept is the most applicable way to overcome the problems of globalization and the complexity of societies all over the world. The people living in a multicultural environment have to interact with the 'others' who may be from different ethnicities, linguistics, religions and cultural backgrounds. In such an environment, there should be no assimilation, exclusion or

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<sup>23</sup> Jokikokko, K., *Teachers' Intercultural Learning Competence*, University of Oulu, 2010.

<sup>24</sup> Nieto, S., *op.cit.*



fusion but rather communication, tolerance, dialogue and interaction. In this case, the roles, aspects and limits of individuals (in such a society) become clearer and fairer. Only multicultural education can overcome all these needs. Because of the constantly changing world, reforms that will fulfill these needs in education are necessary.

In recent years, one can say that more and more researchers devote their studies to multicultural education. However, these studies are not enough. It's fundamental for every country to research on education in multicultural environments. For the teachers, Multicultural Education can make interviews, observations and surveys about the factors they are affected by and find the appropriate solutions for them. Every society's universal and individual conditions in multicultural education can be classified.

In teacher training programs, the aim should be to increase the awareness for the other cultures and to improve personal skills by teaching about different cultures. By this teacher education not only the teacher's knowledge should be increased but also his skills should be developed by experiences and attitudes and values related to the principles which should be constantly reminded and observed. There is a need for new studies concerned with the development of features in a multicultural environment as well as regarding the teachers' characteristics.

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# CITIZENSHIP AND EDUCATION

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**Abstract:** *Morality, education and citizenship are connected, related in all streams of thought, be they ancient, classic or modern, and ideas are discovered, rediscovered, emphasized, transformed, contested or confirmed, but the need for morality and for educating human beings as social beings remains a constant and obvious concern. Character education and intelligence education must not be apart and must not be forgotten at all levels of formal education, as the only good citizens are good, virtuous, intelligent and educated human beings. This paper includes results of a pilot survey regarding aspects of moral and humanistic education as a necessity in tertiary education, as in formal education at all levels. We believe that greater attention should be paid to humanities and social sciences (philosophy, ethics, sociology, political science, anthropology, history, etc.) and they should be added in coherent and concerted programs of study at the university level, in all programs of study, including areas of interdisciplinary studies, because they are essential for forming a holistic picture of the complex functioning of society and for character education as well.*

**Keywords:** *citizenship education, moral education, character education, humanities, social sciences.*

## **Aspects regarding citizenship and citizenship education**

To be a citizen implies belonging, rights and responsibilities. Those who wish to obtain a citizenship must meet some conditions established by law. For instance, among the eligibility requirements for naturalization in the U.S., there are some conditions regarding morality, values and education: “the applicant must demonstrate good moral character, [...] must have an attachment to the principles of the U.S. Constitution and be well disposed to the good order and happiness of the United States, [...] must be able to read, write, and speak and understand English and have knowledge and an understanding of U.S. history and government”.<sup>1</sup>

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<sup>1</sup> U.S. Citizenship and Immigration Services - Policy Manual, Volume 12 - Citizenship & Naturalisation, <http://grandentertainment.ro/grand-cinema-more/show/orchestra-si-corul-age-enlightment-laurence-cummings>

Similar requirements are stipulated for obtaining citizenship of other countries, including Romanian citizenship.

On the other hand citizens who have the quality of citizenship by birth automatically have specific rights and obligations, without fulfilling any precondition. In Romania, with the age of 18 citizens have the right to vote. Those who are not permitted to vote are mentally deficient or alienated, laid under interdiction, and persons convicted through final judgment to the loss of the right to vote. Education, moral considerations or the affiliation to the values and principles outlined in the Constitution are not brought into the discussion about/for them. Still every nation should consider forming its citizens through education, as native citizens, as social beings, should be at least as prepared as naturalized citizens for the provocations of the daily life. To quote Constantin Noica: "All the fruits of the earth are weeded out, only the man is allowed into adult life half weeded. What can be made with him? With a bad brick, as we are, each of us, cannot be made a good home. That wasn't built anything lasting with us, it is clear from history. But it is not always clear for the human, for the brick."<sup>2</sup> Making a better "brick", this is the responsibility of the human brick itself, as it is the responsibility of the society – parents, educators, scholars, politicians, all members of the community, because all of us should want a better home.

Building citizenship consciousness implies creating through education a sense of belonging to a community, wherever and whichever that is. Regarding a nation, this means carrying of national values, having a consciousness of nationhood, and also developing a moral consciousness.

Today's representative democracies include sophisticated and demanding problems and failures in inner affairs, but also in international relations. This means a greater responsibility for the citizens at least at theoretical level, as this kind of government means the rule of the people, even if this "rule" is expressed indirectly through elected politicians or directly through the electoral process and public opinion.

In order to discuss the importance of citizenship and the requirements for citizens so the societal mechanism and the democracy to function as well as possible, we shall briefly present some historic aspects and theories/opinions regarding citizenship and citizenship education.

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<sup>2</sup> Constantin Noica, Forward, in *Plato, Works V*, The Scientific and Encyclopedic Publishing House, Bucharest, 1986, p 12.

The ancient Athenian democracy initiated by Solon and finding its climax in the Age of Pericles is the “mother” of all democracies. In the direct democracy of ancient Athens citizens were all males over 20, born in the city, from Athenian parents. Foreigners and women were only individuals, not citizens. According to mythology, Zeus, fond of humans and concerned for them as they were not able to cohabitate and consequently in danger to perish, decided to help them and sent Hermes to give them, as a gift, two virtues: *justice* and *shame*. After that, humans were able to live together and to develop a sort of social contract.

In ancient Athens virtues were called *areté* (virtue/highest virtues/political virtues/virtues regarding living in the *polis*). There was a controversy between those who thought that *areté* could be acquired through education and those who thought that *areté* was given by birth and belonged to those with noble bloodline, as there were aristocrats that were claiming in their genealogical line even gods<sup>3</sup>.

But the ancient Greek direct democracy presumed that citizens were equal, so they had the same rights to speak in the *agora* and to be listened to, and the assignation for public/official positions was made by lot. On the other hand the disputes were brought before judges in order to judge, and litigants had to convince them and the audience that justice was on their side. Consequently eloquence and rhetoric became very important in the social life of Athens, and the increasing need to acquire such essential skills led to sophistry – sophists were professional, paid educators, otherwise controversial in several respects.

The complex problems of ancient Athens as an expansionist *polis* required trained, prepared citizens and therefore the need to educate people in order to improve their native endowment became obvious. Thus, education used to start early in life by involving parents and nurses, then from the age of 7, teachers started to teach children and youth reading, writing, arithmetic, music, poetry, history, geography, ethics. An important part of education was physical education. At the age of 16, as basic education was completed, young men could choose to learn philosophy, sciences or rhetoric and then, for two years, from 18 to 20 years old, they attended military service and learned to use arms, to ride or to practice naval maneuvers.<sup>4</sup> At the age of 20 young Athenians were

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<sup>3</sup> Emil Stan, *The Public Space and Education in Ancient Greece*, The European Institute, Iași, 2003.

<sup>4</sup> *Education in Ancient Athens*.

prepared to be citizens in the so called *Ecclesia*, the great gathering of all citizens of the *polis*.

Sophists were paid and highly efficient teachers that put their educational methods in favor of achieving social/political success, generally without taking into account the precepts of morality: "the virtue of sophists covers only public space, where the good as supreme virtue is ignored and only the pragmatism of winning and success is accepted."<sup>5</sup> The fact that they demanded a payment for their educational services was very unusual and generally considered inadequate to the meaning of education. On the other hand, Socrates opposed the sophists, emphasizing that education must take account of morality and soul: "The question 'How far should we study X?' implies greater questions: 'What is the good of X?' and 'What is the purpose of life?' Until those questions are answered, education is impossible. So, once again, the ethical factor returns to the focus of interest, from which it had been thrust by the sophistic educational movement. That movement had arisen from the ruling classes' need for higher education and from the new importance attached to intellectual ability. The sophists had a clear practical aim in view - to train statesmen and political leaders; and, in an age which worshipped success, the clarity of their aim had assisted that shift in emphasis from ethics to intellect. Now Socrates had re-established the necessary connexion between moral and intellectual culture."<sup>6</sup>

As one can read in Plato's dialogues, Socrates used to discuss with his disciples about goodness and other subjects/concepts related to moral life. His educational method based on questions and dialogue represents a valuable form of interactive learning centered on moral values. Thus, it is not sufficient for a citizen to be successful, he must be moral and always keep in mind morality and moral values.

Aristotle defined happiness as an activity of the soul according to perfect virtue. Referring to virtues, "[...] some virtues we call dianoetic, others we call ethic, dianoetic being speculative wisdom, intelligence, practical wisdom, and ethic being generosity and moderation."<sup>7</sup> "Virtue

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[http://www.sociedadehelenica.org.br/paginas\\_en/netnews.cgi?cmd=mostrar&cod=8&max=9999&tpl=modelo2](http://www.sociedadehelenica.org.br/paginas_en/netnews.cgi?cmd=mostrar&cod=8&max=9999&tpl=modelo2)

<sup>5</sup> Emil Stan, *cited works*, p. 101.

<sup>6</sup> Werner Jaeger, *Paideia: The Ideals of Greek Culture, Volume II: In Search of the Divine Centre*, translated by Gilbert Highet, Basil Blackwell, Oxford 1947, p. 48, apud Emil Stan, *cited works*, p. 91.

<sup>7</sup> Aristotle, *The Nicomachean Ethics*, The Scientific and Encyclopedic Publishing House, Bucharest, 1988, (Book I, XIII, 1103a), p. 31.

being of two kinds, dianoetic and ethic, the dianoetic virtue appears and grows especially through education/learning (hence requires experience and time), while ethical virtue is achieved through skills training [...]”<sup>8</sup>

In Aristotle’s opinion through education people should “learn not simply to read and write, but also to appreciate the beauty of the world around them and to gain some understanding of how the universe works. If education is successful, young people will want to use their powers in deciding, judging, and discriminating. They will then be well-positioned to take their place as decision-makers in the citizen assembly and, because of sortition and a system of office rotation, as eventual holders of public office. The city's economic policies support the aim of the political and educational institutions.”<sup>9</sup>

The French Revolution brought a resurgence of the social contract and citizenship in the light of equality among citizens. Again, as it should, pedagogy/education was included in the political and social discourse as all the human activities were interconnected in the transforming, dynamic society.

The equality between individuals as parts of the social contract does not mean that people are the same or should become the same, and Jean-Jacques Rousseau, one of the most brilliant theoretician of the moment, thinks that education should be “negative”, mainly a process that takes into account the differences between humans and fosters their autonomy and individuality. Thus, the educator should learn/find out/know the human individuality in detail in order to organize education, and in this way the work of nature is concluded.<sup>10</sup>

Under the influence of ancient philosophers, namely Plutarch, and through him Cynics and Plato, Jean-Jacques Rousseau defined his formula for success: “a simple, disciplined republic = perfect virtue”.<sup>11</sup>

Regarding national citizenship, Jean-Jacques Rousseau thought that education should build a consciousness of nationhood<sup>12</sup> and he had

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<sup>8</sup> Aristotle, *cited works*, (Book II, I, 15), p. 32.

<sup>9</sup> Marcia Homiak, "Moral Character", *The Stanford Encyclopaedia of Philosophy* (Spring 2015 Edition), Edward N. Zalta (ed.), URL = <http://plato.stanford.edu/archives/spr2015/entries/moral-character/>.

<sup>10</sup> Dimitrie Todoran, *Jean-Jacques Rousseau. Life and Pedagogical Work*, introductive study in Jean-Jacques Rousseau, *Emile, or on Education*, The Didactic and Pedagogical Publishing House, Bucharest, 1973, p. xxxii.

<sup>11</sup> Gilbert Highet, *The Classical Tradition. Greek and Roman Influences on Western Literature*, Oxford University Press, 1949, p. 395.



advised the Poles in this matter in 1771: "Education must give the human soul the national format and route its opinions and tastes so as to be patriotic by inclination, passion, and necessity. [...] At twenty, a Pole should not be just another man; he must be a Pole. I'd like when he learns to read, to read things about his country; at ten years old to know all the products, at twelve provinces, all the roads, all the cities; when he is fifteen to know all their history, at sixteen all their laws; not to have been all over Poland neither a beautiful act, nor a significant man that his memory and his heart not to be full of and that he cannot speak about at any time."<sup>13</sup>

There are discussions regarding national citizenship as nowadays there are other acceptations of the term citizenship at European or World level. Thus, as part of the European Union, Romanians, as other nations, are European citizens too, they participate in the elections for the European Parliament, and they have rights and obligation regarding migration, education, scientific research, environment, travelling, employment, health care, social protection, etc. On the other hand, Romania is involved in all sorts of conventions regarding our membership in European Union and its citizens should be informed about the nature of these conventions and their immediate or medium and long term benefits and consequences.

Rousseau addresses education in two ideal ways, as he considers the individual as a private person (as a man) and/or as a citizen. Thus, in the former case he recommends the education of the child in an isolated clean environment, animated by traditional values (the educational model described in his work "Emile or on Education"). On the other hand, for the young citizen's will to be connected to what he called the General Will, again in an ideal manner, he recommended in the "Social Contract" that education should be exclusively the responsibility of the state. He even refers to removing children from their families as in the Spartan, Cretan or Persian educational models. He had a poor opinion regarding the

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<sup>12</sup> Derek Heater, *A History of Education for Citizenship*, Routledge Falmer, Taylor & Francis Group, 2004, p. 38.

<sup>13</sup> Jean-Jacques Rousseau, "Social contract", fragment included in the introductory study "*Jean-Jacques Rousseau. Life and Pedagogical Work*" signed by Dimitrie Todoran, in Jean-Jacques Rousseau, *Emile, or on Education*, translation, introductory study, notes and comments by Dimitrie Todoran, The Didactic and Pedagogical Publishing House, Bucharest, 1973, p. xxxviii.

educational system of his time and thought that civic virtue should be developed by involving young people in activities of the state.<sup>14</sup>

There is some recent research that extends the dilemma expressed at the beginning of *Emile* – “Forced to combat either nature or society, you must make your choice between the man and the citizen”<sup>15</sup> – to a choice between cosmopolitan education and the nationhood education mentioned before. Thus, there seems to be “a tension in his writing between patriotic *citoyen* and cosmopolitan-minded *homme*”<sup>16</sup> as, “When Emile’s education is finished, he has turned into a moral cosmopolitan, into a stoic Christian who lives the universal religion of the heart, who is free and will ‘be free in any part of the world’<sup>17</sup>”.

This might link to Kant’s citizenship education, recognized as being cosmopolitan through its goal as his vision on *Bildung*: “through moral formation the human being receives value in view of the entire human race”.<sup>18</sup>

Referring to *Bildung*, German educational system, it took a modern well known shape in the 19<sup>th</sup> century – the non-utilitarian development of inner-self/the mind through education and culture – the educational model created by Wilhelm von Humboldt. “Against conceiving of higher learning as a mere means to worldly success and thus reducing its value to its function for achieving material goals, the German philosophers [the author refers to several German philosophers who were preoccupied of the role, principles and methods of higher education at the beginning of the 19<sup>th</sup> century – Humboldt, Kant, Schleiermacher, Schlegel, Steffens, Schiller, Fichte, Savigny et al.] located the true value of education in expressing human dignity, perfecting understanding, fostering empathy for and participation in the lives of others.”<sup>19</sup> What could be a better purpose of citizenship education and of education as a whole?

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<sup>14</sup> Derek Heater, *op.cit.*, p. 37.

<sup>15</sup> Jean-Jacques Rousseau, *Emile or on Education*, p. 8, apud Georg Cavallar, *Kant’s Embedded Cosmopolitanism*, Walter de Gruyter GmbH, Berlin/Boston, 2005, p. 102.

<sup>16</sup> Georg Cavallar, cited works, p. 102.

<sup>17</sup> Jean-Jacques Rousseau, *Emile or on Education*, p. 409, apud Georg Cavallar cited works, p. 102.

<sup>18</sup> Immanuel Kant, *Anthropology, History, and Education*, apud Georg Cavallar, “Cosmopolitanism in Kant’s philosophy”, *Ethics & Global Politics*, Vol. 5, No. 2, 2012, pp. 95-118.

<sup>19</sup> Friedrich Schiller, “Was heisst und zu welchem Ende studiert man Universalgeschichte?”, Jena: In der Akademischen Buchhandlung, apud Dierksmeier, Claus, “Reorienting Management Education: From the Homo Economicus to Human



Educational models like these are ideal, they are not meant to be applied as such, but they include perennial ideas about the features of an individual living in a society, features that must be developed one way or the other. For example, regarding Plato and his dialogue entitled *The Republic*, Constantin Noica says: "Plato does not intend to provide in it an ideal type of state, but an ideal type of man. Maybe if, at a Plato congress, the great specialists would decide not to translate the dialogue as *The Republic*, but with a title like *The Inner Republic*, the text would be read differently than before, rather as a political work. [...] Virtue is for others, in the bosom of the social conscious being that is man. Hence the duty to read, in the way that makes a community hold on, where exactly is the place of justice in the inner republic." <sup>20</sup>

Morality, education and citizenship are connected, related in all streams of thought, be they ancient, classic or modern, and ideas are discovered, rediscovered, emphasized, transformed, contested or confirmed, but the need for morality and for educating human beings as social beings remains a constant and obvious concern.

Currently, direct democracy is no longer possible, so even accepting the illusion of voting in a representative democracy, the individual/citizens must be animated by a series of values, and must have knowledge and skills that allow him/her to vote in an informed manner, to understand the political and social processes, to avoid manipulation attempts, and to have a participatory attitude in society. The aggravations that representative democracies are facing include the increasingly low trust in politicians, sometimes inflamed by corruption scandals, and, as a result of these issues, there is a growing tendency of noninvolvement of the citizens in public life. This is a supplementary incentive for moral and citizenship education. As direct democracy is a historic fact, we should still keep in mind the values that animated this kind of government and compensate through awareness, knowledge, and critical thinking the frustrating position of the mere citizen of nowadays.

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Dignity", *Humanistic Management Network, Research Paper Series No. 13-05*, 2011, p. 21, [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1766183##](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1766183##)

<sup>20</sup> Constantin Noica, *Forward*, in *Plato, Works V*, The Scientific and Encyclopedic Publishing House, Bucharest, 1986, pp. 9-11.

### **Pilot survey regarding aspects of citizenship and moral education**

Character/moral education and citizenship education must start from the first years of children's lives, and must continue through all the cycles of formal education in specific forms and in accordance to the psychological development of the human being. On the other hand, citizenship education must go beyond teaching/learning formal facts and democratic procedures.<sup>21</sup>

A humanistic education, based on values might give a holistic perspective on the current matters of inter-culturalism, exchange of citizens between nations through migration, digitalization and high technology, internet, global market etc. Studying philosophy, history, sociology, anthropology, economics, and political science in secondary and tertiary education, according to the level of intellectual development, is an important matter, as these subjects build a solid fundament that facilitates the understanding of the world. A permanent concern should be also moral and character education as there is no real development and progress without morality. The models and theories of education developed in previous periods of time should be and remain the spring of ideas in this regard, so we shouldn't reinvent the wheel.

In a recent study on the formation of human capital for sustainable development, we conducted in April - June 2015 a survey among students of the Bucharest University of Economic Studies: 615 students in their final years at two educational levels, respectively third year of the bachelor cycle (467 students - 3.39% of the total number of students of the university from the bachelor cycle and 11.32% of the students from the third year of the bachelor cycle), and second year of the master cycle (148 students - 2.25% of the total number of students of the master cycle and 4.83% of the students of the second year of the master cycle) from five faculties of the university were surveyed voluntarily. The study was intended as a pilot survey on issues related to education, including moral and citizenship education in tertiary education in Romania. Due to the large number of respondents, the survey results can be considered reliable in statistical terms. The questions included in the questionnaire had predefined response options, and respondents had to choose only one option.

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<sup>21</sup> Trond Solhaug, "Trends and Dilemmas in Citizenship Education", *Nordidactica - Journal of Humanities and Social Science Education*, 2013: 1, pp. 180-200, retrieved online <http://www.diva-portal.org/smash/get/diva2:639136/FULLTEXT01.pdf>

One of the purposes of the study was to find out students' opinions on the importance of studying the humanities and social sciences (philosophy, ethics, sociology, political science, anthropology, history, etc.) for their formation as aware and informed citizens. We believe that greater attention should be paid to these subjects and they should be added in coherent and concerted programs of study at the university level, in all programs of study, including areas of interdisciplinary studies, because they are essential for forming a holistic and profound picture of the complex functioning of society. Studying these subjects in high school is not enough as students in college/at the university are more mature, they have a higher level of intellectual and psychological development at this age.

Thus, 60.5% of the 615 students participating in the survey believed that the study of humanities and social sciences was important for their citizenship education, 32.7% considered that they should study only specialized subjects at the university, and 6.8% declared they did not know how to answer this question. Referring specifically to political science, 73.8% believed that this subject of study would help them better understand political phenomena that occur in the democratic game.

Referring to moral/ethical matters, 76.6% of the respondents considered it was necessary to study moral values and principles at university, thus declaring themselves in favor of courses of ethics, 15.1% considered it wasn't necessary to study moral values and principles at university. Additionally, 71.3% believed that organizing debates on ethical dilemmas during courses and seminars could contribute to moral behavior, and 14.2% opposed this idea. On the other hand, 36.1% considered that during their college years they have become more conscious of moral values, 45.7% of the respondents believed that college was putting too little emphasis on moral values, 14% declared that the university should not consider moral education, and 4% had no opinion on the matter.

Regarding the degree of morality of the Romanian society, 2.1% of respondents totally agreed with the statement "Currently, there is a moral behavior prevailing in Romanian society", and 18.2% agreed more or less with this statement. A higher share disagreed (32.8% relatively disagreed and 13.5% totally disagreed), and 33.3% positioned themselves in a neutral position in relation to this matter.

A majority of the respondents (58%) believed that the moral climate in Romania can be improved through education, 35% considered that drastic methods of coercion for violations of the law would be the best method for

increasing morality in the Romanian society, and 3.7% believed that religion could help improve the moral climate.

The questionnaire also included an item about why it is important for people to be honest, and the answers were varied. Thus, 18.2% of the respondents chose the answer "It is important for people to be honest because otherwise they would face the hardness of the law", referring to the coercive measures as consequences of breaking the law, a higher percentage, 27% of the respondents, felt that reporting to the *Golden rule* (neither harm, nor be harmed) would be the proper motivation for moral behavior, 40.2% chose the statement "A society without principles is like a rudderless ship", while 12.8% opted for less trenchant version, which did not call for dishonesty but has utilitarian accents, offering a choice of more alternatives for solving ethical dilemmas: "Honesty is preferable, but sometimes it is better/useful to find a middle way." Only 1.8% said they did not know how to answer this question.

In order to learn how important moral values that accompany one's behavior are, respondents had to choose a role that they considered to be most important in life. 23.1% chose the role of "a good professional", 26.5% chose the role of "a successful person in financial terms", 11.7 declared that they wanted the role of "a conscious and informed citizen, involved in public affairs and in the problems of the country", 8.5% chose as the most important role in life "a family person" and 27.3% chose to be "a moral and kind-hearted person (fair, honest, responsible, empathic) among humans".

## **Conclusions**

We need, as much as always, or perhaps even more, at national level, a better education, an education based on moral values. The society is in danger to lose the helm, as individualism, pragmatism, hedonism and the desire for success, including financial success, are growing and sometimes become overwhelming.

Education of intelligence and education of character must not reinvent the wheel, but take into account the wisdom and the perennial ideas of the great thinkers of the world. Efforts must be made at the level of the society as a whole, as the lack of genuine human models has a powerful destructive effect on young people's minds and souls.

As the results of the survey has shown, young generation has the potential and the will of building a better society, they have the intuition regarding good values and good education, but they must be helped in

this regard. In order to open people's mind and soul, to build their virtue, education must go beyond mere inoculation of knowledge, skills and know how, regardless how efficient is this inoculation, but we must remember Socrates and his message: "The question 'How far should we study X?' implies greater questions: 'What is the good of X?' and 'What is the purpose of life?' Until those questions are answered, education is impossible."

And citizenship education must not be a separate kind of education, as we cannot chose, as Jean-Jacques Rousseau suggested, what we want our children to become - "*men or citizens*" -, but one of the aims of a quality, complex, holistic education, keeping in mind Humboldtian values, as the only good citizens are good, virtuous, intelligent and educated human beings.

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# THE ENGLISH LANGUAGE CULTURE IN ROMANIA IN THE LATE 19<sup>th</sup> AND EARLY 20<sup>th</sup> CENTURY

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**Abstract:** *The decline followed by the disintegration of the Ottoman Empire in the 19<sup>th</sup> century favored the penetration of another superpower in the region of the Black Sea: the British Empire. Its settlement of diplomatic relationship with the newly independent countries is followed by a strong deliberate influence of the Western culture pattern in this area which is still going on. The article highlights the historical perspective on the culture patterns shift through language learning as an instrument of political and economic influence. The presentation is limited to Romania as an object of influences of British culture under its geo-political position of the Black Sea.*

**Keywords:** *education, cultural values transfer, language learning, political openness, economic and social development.*

**Motto:** *"The instrument of cultural influence is education which has proved to be effective when choosing"<sup>1</sup>*

## 1. Theoretical and historical approach

The research on cultural values issue have been carried out and gathered in a remarkable theoretical infrastructure which made possible the development of understanding, evaluation, and planning the economic and political development.

The major phenomenon of intergenerational shift in the cultural values is considered to be the measure of the far-reaching micro-and macro-economic and social developments which bring out new political options and institutions specific to the original culture<sup>2</sup>.

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<sup>1</sup> Iorga, Nicolae, *The History of Education in Romania*, Bucharest, The Didactic and Pedagogical Publishing House, Moto, 1971.

<sup>2</sup> Inglehart, Ronald; Welzel, Christian, *Modernization, Cultural Change, and Democracy: The Human Development Sequence*, Cambridge University Press, 2005, p.149-173.



The political events that made Romania independent from the “sick man of Europe” (name given to the Ottoman Empire by Alexander the 1<sup>st</sup>, Russian czar, when referring to its fall) – is a follow-up of the direct access of the oppressed countries to the Western culture through the French, German and ultimately, the British in the late XIX century.

### **1.1. Foreign Language Learning - economic and political implications**

The process of cultural value transfer is facilitated by the direct contact through the instrument of language which can be valued politically and strategically. The language is the missionary of a culture which brings out its social, professional dimensions and economic standards resulting from its specific historical evolution. Moral and religious principles, work motivation, attitude on education, family, and gender are language imbedded and make it an open door to the culture values transfer.

Cultural awareness makes room to the flexibility attitude, tolerance and cultural intelligence which translate gradually into economic and political option developments. An appropriate focus on language learning will result in a silent revolution<sup>3</sup> of economic development and a major intergenerational shift in cultural values. The process of cultural values transfer is interrelated with the economic growth rate and socio-political changes. The professional adult need to communicate effectively will speed up the process of change and replacement of the native cultural values with the ones imbedded in the foreign language that they need to learn. The gradual replacement of the older generation with the younger generation will also contribute to the change of the native cultural patterns regarding the work motivation, religious beliefs, social attitude, political choice, etc. that will bring new patterns in economic evolution. An appropriate language learning political strategy will result in far-reaching, long lasting global political and economic implications.

### **1.2 The environment of education policies and the Romanian cultural break-through**

Education is the most effective way of promoting and making culture values work for the human society. Science has proved the close

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<sup>3</sup> Inglehart, R., *The Silent revolution: Changing Values and Political Styles among Western Publics*, New Jersey, Princeton University Press, 1977, p. 332.

relationship between behaviors, attitudes and shared knowledge as sources for growth and development.<sup>4</sup>

The spread of the historical cultural movements in Europe in quest for nation-wide aspirations, reflect the common underlying process of human development and choice.

The European Enlightenment ideas were a source for the development of a powerful cultural movement in Romania of the XVIII and XIX century in social, economic and political areas. The country breaking away from the Ottoman Empire in 1877 and its independent political strengthening were paved by the cultural environment and elites in the two principalities which contributed to the raise of awareness of the Romanian cultural identity and to the broad understanding and enhancement of education for social, economic and political performance. The steps taken for the development of a new educational approach led to the rapid change of cultural and political patterns. The union of the two principalities followed shortly.

Primary education became mandatory in Muntenia (1853) and Moldova (1834); in 1859, which made Romania take the lead in Europe, as this aim was carried out in 1877 in Italy, in 1892 in France, in 1870 in great Britain, 1874 in Switzerland, 1879 in Bulgaria, 1868 in Hungary.<sup>5</sup> A university was set up in Iasi in 1860 and another one in Bucarest. (1863).<sup>6</sup>

But the social educational effort to split away from the pre-modern backward stage was not fully successful but until the late XIX century when coherent change and reform developed a strong social layer of qualified human resources and an intellectual elite was successful in raising cultural identity awareness: which translates into a specific Romanian intellectual and moral formal schooling aiming reforming cultural identity but also matching the western European cultural values and standards.<sup>7</sup>

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<sup>4</sup> Fairbanks, Michael; Lindsay, Stace, *Plowing the Sea: Nurturing the Hidden Sources of Growth in the Developing World*, Cambridge, Harvard Business School Press, 1997, p. 134-171.

<sup>5</sup> The Ministry of education, Collective, *The History of Education in Romania*, Bucharest, Compendium, The Didactic and Pedagogical Publishing House, 1971, 236.

<sup>6</sup> Bărsănescu, St. Bărsănescu Fl., *Cronological Dictionary, Education, The Romanian Pedagogical Thinking*, Bucharest, The Scientific and Encyclopaedic Publishing House, 1978, p.76-98.

<sup>7</sup> Cristea, Gabriela, *The Education Reform, a Historical Perspective, (1864-1944)*, The Didactic and Pedagogical Publishing House, 2001, p. 69.

## 2. Language teaching and cultural promotions: aims and facts

The new educational, social and economic growth patterns needed the match of language professional communication. The openness to the French culture and education brought about by the Romanian students in France, made French a language subject for the secondary school curriculum development. Arsenie Vlaicu was the first to search and publish specific language pedagogy for the Romanian schools in 1899. Language syllabus improvements were permanently added by Romanians specialized in French teaching and learning to meet the specific communication needs of school girls and boys. French keeps the first rank of working language until early XX century when English replaces it due to the tremendous development of business relationship with the British Empire. French and German come to limit their learning and use to the cultural development area and to the technique professions area<sup>8</sup>. The language teaching environment developed in Romania and opened opportunities for new cultural patterns as language is rooted in culture<sup>9</sup> and language learning involves culture awareness and openness.<sup>10</sup> The language trained young Romanians were prepared to open up to further cultural otherness.

### 2.1. The French and the Germans ...

Gustav Stresseman was the first European politician who noticed France making use of culture to promote its own interests beyond borders... by drawing Eastern and Central European countries to the Western cultural patterns through French language schools and through educating their young generations in French Universities<sup>11</sup> The French involvement into making Romania approach the Western cultural patterns started even before the defeat of Russia in the Crimeea War (1853-56) and the settlement of Romania as a country in 1859 by supporting French language education as a subject for secondary public and private schools and by educating young Romanians in French universities. The French

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<sup>8</sup> Negrea, Violeta, Bonjour, Hello, Gutten Tag: *The Romanian School and foreign Languages Teaching*, History Journal, 2006, p.50-52.

<sup>9</sup> Byram, Michael, *Language Teaching as Political Action*, in *Reflections in Language and Language Teaching*, Netherlands, John Benjamins Publishing Company, 2001, p.91-110.

<sup>10</sup> Gillian Elgar, Ann, *Culture through Literature in Foreign Language Teaching*, in *Aspects of Culture in Second Language Acquisition and Foreign Language Learning*, Springer, Berlin, 2011, p. 139-151.

<sup>11</sup> Deletant, Denis, *January, February British Council in Romania*, History Journal, 2005, p. 33-37; 33-40.

cultural strategy was soon copied by the Germans and both of them contributed to the education of the Romanian 1848 revolution intellectual elite.

Romanian professionals chose to be educated and trained in French and German language countries, making foreign cultural patterns available for the Romanians and contributing to the development of new socio-professional infrastructures in their country. (*see appendix* )

Thus, it is the late XIX and early XX century that Romania split away irreversibly from the underdeveloped social, economic and cultural values, by changing responsibility behaviors and attitudes.

## *2.2. ... the British, the last, but not the least...*

The linguistic and cultural strategy used by the French in Romania was soon adopted by Germans, Italians and finally the British in the early XX century. Lord Curzon is the one to establish the first British supporting body in Romania for the British working abroad, belonging to the Foreign Office. In 1934 it turned into a British committee for foreign relationships, then it finally became British Council in 1935. Our country was one of the first four countries in the world where the British Council set up an overseas office, along with Egypt, Portugal and Poland. [[www.britishcouncil.org](http://www.britishcouncil.org)]

The institution development is also the result of an active admiration of Romanian personalities that supported the British culture and civilization in our country. Viorel Tilea (1896-1972) was a remarkable Romanian politician who helped settling a British culture body in Cluj in 1923, and another one in Bucarest.<sup>12</sup>

In 1937 Sir Reginald Hoare, who was appointed minister plenipotentiary in Romania, brought into being the first English school affiliated to the British Council aiming to raise the spoken English quality in Bucarest. The school blazed the path to the young and adult Romanians wishing to learn English in Bucharest, 20, Slătineanu Street. The king Charles II himself witnessed the event. The first 150 students enrolled raised to 300 to the end of the school year, in spite of the French school neighbourhood, which had 1000 students in 1938. The school provided access to British culture and civilization lectures: History of literature, from Chaucer to Wordsworth and History of modern English literature,

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<sup>12</sup> Deletant, Denis, *Romania under the Communist Regime*, The Civic Academy Publishing House, 2006, p. 33-40.

from Tennyson to modern times.

The English language school developed tremendously due to the young people who were employed in either British commercial exchanges or businesses and were in need to communicate in English effectively. The following year, the Italian students of the British Council in Rome numbered 1000, but in Romania the number of students outgrew to 2,300, in 75 groups. There were 8 British teachers and 2 Romanians ; it is also this very year that the university in Bucarest opened an English language department. The association between Foreign Office and British Council activity aimed to pull down the German nazi propaganda in South East Europe by inviting British culture personalities to lecture on carefully selected issues, like Robert Bruce (Are the British Soapy?)

The activity of the British Council in Bucarest was not limited to language teaching and lectures on British culture. It also carried out research projects on sociology, history, geography and economic development areas and produced Guns and Butter pattern.<sup>13</sup>

The British Council extended its activity in other Romanian cities before the WWII, but for a short time: Cernăuți, Iași, Timișoara, Cluj, Constanța, Galați, Iași. They closed their doors to the public when king Charles II stepped down and the military dictatorship of Major General Ion Antonescu set in 1940.

### **2.3. British Council in Romania: before ...and after...**

The Romania political landscape is fully changed after the coup d'état on August 23, 1944, when the communist regime set in by the Soviet military occupation. The new regime used terror as an instrument of the political power inside and outside the country, even against the former allies. Any contact to the culture and the civilization of the Western countries was under political terrorist control, and obviously, Great Britain turns into a danger for the regime. The Anglophiles in Romania become subject of political police harassment. In spite of the political constraints that followed, the British Council went on its activity of British culture dissemination. The conclusion of the cease fire agreement between Romania and the Allies in september 1944, in Moscow was the starting point for the full, invasive control of the (Soviet) Ally Commandment in the Romanian political and social life.

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<sup>13</sup> Research projects to identify Romanian effective development goals.

From that moment on the activity of the British Council was practically limited to book lending only to the enrolled who were closely chased by the political police, till 1989. Occasionally, it also organized movie and information program watching, which were commented in Romanian and Russian to avoid suspicion and tensions.

In 1947 Foreign Office attempted to refresh the activity of the British Council in Romania by appointing Tom Murray as a manager. He dared to employ some natives who were arrested 18 month later for "espionage for the British". The follow up was that the Romanian Foreign Affairs ministry of that time, Ana Pauker, ordered the closure of the British Council and the removal of the British lecturer at the university in Bucarest. In the official statement she declared that Romania needs „lecturers in technical domains, medicine, agriculture, but not in philosophy” The arrest session of school young people and students which were enrolled with the French institute library in Iași, Cluj, Timișoara și Craiova, Italian Institute library, British Council and American Library made everyone understand the position of the new Romanian political regime against the Western cultures. The decision to close all the western institutions in Romania, taken by the secretary general of the Romanian Working People Party, Gheorghe Gheorghiu-Dej, as he declared them to be espionage and propaganda offices under the cover of book borrow and movie.

The Romanian government refusal of two British offers for medical help, made the British government understand that any expectation for cooperation between the two countries was closed.

In 1963 it was a short time of political softening when the two countries decided for a cultural exchange program under the management of David Williams as a cultural attache of the British legation.<sup>14</sup> The most important event of the program was the Royal Shakespeare Company tour. It was the time to shift off from the USSR Stalinist policy.

#### **2.4. Economic Impact of the Educated Romanian workforce in the XIX-XX century**

The raise of cultural awareness, tolerance and openness is a source of coherent and predictable economic development, political understanding and cooperation that make human society evolve towards autonomy, equality and democracy.

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<sup>14</sup> Deletant, Denis, *Romania under the Communist Regime*, The Civic Academy Publishing House 2006, p. 33-37.



The very few facts provided show the opportunities that cultural openness, education and language instruction can develop.

In 1912 the Romanian prince George Valentin Bibescu opens the first military and then, civil airplane pilot school on a former air field where the French pioneers Louis Bleriot in 1909 and Romanian Aurel Vlaicu in 1910, make their public flights by planes built by themselves. In 1920 a joint-venture Romanian-French air company is set, the first in Europe to transport goods and passengers across Atlantic. In 1923 Băneasa airport is built, the second ranked in Europe, which is renewed and extended between 1947-1952.<sup>15</sup>

Carol Davila, a scientist doctor and inventor, studied medicine at the University of Paris, and he organized the first military medical service and the public health system in Romania. He founded, together with Nicolae Kretzulescu, National School of Medicine and Pharmacy in 1857, the medical health care system in Romania, and the Red Cross organization. Davila is also credited with the invention of the Davila tincture for the treatment of cholera and some specific medicine for digestive disease.

The domain of biological, geological, anthropology and speology research were developed by Emil Racoviță who participated on the Belgian Antarctic Expedition Belgica, together with Scott Amundsen, the Belgian physicist Emile Danco, the Polish geologists Henryk Arctowski and Antoni Boleslaw Dobrowolski and the American physician Frederick Cook. He was a teacher of the university of Cluj where he settled and developed the first department of biospeology in the world.

The Romanian Darwinist biologist, Grigore Antipa continued his professorship work and studied the fauna of the Danube Delta and the Black sea. He was the founder and the director of the Bucharest Natural History Museum, which now bears his name. Additionally, Antipa was a specialist in zoology, ichthyology, ecology and oceanography. He was a university professor, member of the Romanian Academy and several other academies in the world. He was the first Romanian to explore the North Pole.

The first Romanian forensic scientist, and criminal anthropology, the founder of the Institute of Legal Medicine in Romania in 1892, and of the modern medico-legal system, was one of the most prominent personalities in this field of activity in Europe at that time. He was the first to develop

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<sup>15</sup> Rădulescu, Dan, Constantin, *Public Education in Romania in the 19<sup>th</sup> Century: evolution and social consequences* in the Journal *Life Quality*, Bucharest, the Romanian Academy Publishing House, vol.2, 2003, p. 177-189.

the concept of the morgue and created the term "legal medicine" and the medical domain forensic research.

Anghel Saligni a Romanian descendant of a French immigrant family from Alsace, pursued engineering studies in Germany and then contributed to the construction of railways in Saxony. He was a founding member of the Bucharest Polytechnic Society (the precursor to today's Bucharest Polytechnic Institute) and was even appointed a Minister of Public Works. In 1892, he was elected a member of the Romanian Academy, and he served as its president between 1907 and 1910. He drew the plans and built the first mixed-use (railway and highway) bridges in Romania, but his most important work was the King Carol I Bridge over the Danube that became the longest bridge in Europe, and the third longest bridge in the world. The structure was famous for its era, competing with Gustave Eiffel's engineering works. He also planned and built the first silos in the world made of reinforced concrete, which are preserved today in Constanta, Braila, and Galati. In the port of Constanța, he designed a special pool to allow oil export and two silos for grain export<sup>16</sup>.

### Conclusions

The two Romanian principalities of Moldavia and Walachia under the suzerainty of the Ottoman Empire had their own specific historical development. In the early XIX century their economy were broadly agrarian, with poor industry and urbanization, and a scarce commercial exchange based on high cost raw materials export and expensive end products import. The two social classes – the archaic nobility and the peasantry – were typically structured by the feudal relationship. The low professional profile of the Romanian population and the cultural values typical for the South-East at the end of the XVIII century, made the economic and cultural gap even deeper, if considering the place that the industrial revolution provided for the Great Britain and other Western European countries.<sup>17</sup>

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<sup>16</sup> Rădulescu, Dan, Constantin, *Public Education in Romania in the 19th Century: evolution and social consequences* in the *Journal Life Quality*, Bucharest, the Romanian Academy Publishing House, vol.2, 2003, p.177-189.

<sup>17</sup> Haiduc, Ionel, *The Romanian Science for the 21<sup>st</sup> Century, Report of the Institute for Innovation and Development Projects*, Bucharest, Compania Publishing House, 2009, p. 19-37.



The Black Sea border area between civilizations could be successfully wiped out by the late European Enlightenment influences brought to the Romanian principalities by the French, German and British cultural values influences that were implemented by the educational and law reforms of the early XIX century. The academic education in the most developed European countries and the language-embedded cultural values learning had their own contribution to the cultural shift that brought a thorough and radical change of mentality concerning the intellectual elite. It was the time to understand and make cultural values a bridge between civilizations through education and making Romanians professionals.

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## Appendix

ROMANIAN PERSONALITIES XIX-XX century			
Name	Life	Domain of activity	Education
Titu MAIORESCU	1840-1917	Law, philosophy, writing politics	Berlin; Paris
Nicoale IORGA	1871-1940	history	Paris; Berlin; Leipzig
P.P. NEGULESCU	1872-1912	philosophy	Berlin; Paris
Spiru HARET	1851-1912	mathematics	Paris
Dimitrie GUSTI	1880-1955	philosophy; sociology	Paris; Berlin
Petre ANDREI	1891-1940	sociology	Berlin
Constantin BRANCUSI	1876-1957	the arts of sculpture	Paris
Nicolae GRIGORESCU	1838-1882	the arts of painting	Paris
Nicolae TITULESCU	1882-1941	politics	Paris
Take IONESCU	1858-1922	politics	Paris
Alexandru ODOBESCU	1834-1907	humanities	Paris
Theodor AMAN	1831-1891	the arts of painting	Paris
Emil RACOVITA	1868-1947	biology science	Paris
Mihail KOGALNICEANU	1817-1891	politics	Berlin
Vasile ALECSANDRI	1821-1890	humanities	Paris
Gherghe TATARASCU	1886-1957	politics	Paris
Carol DAVILA	1828-1884	medicine	Paris, Sorbona
Mina MINOVICI	1857-1933	forensic doctor	Paris, Sorbona
Anghel SALIGNI	1854-1903	engineer	Paris, Berlin, Posdam

# STUDENTS' SELF-EDUCATION, GUIDANCE AND COUNSELLING

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**Abstract:** *Our article envisages the importance of students' self-education for their personal development as part of their professional development, the approach of this activity in terms of raising the awareness of the need for scientific and philosophical guidance of the students, a basic condition for the integration of 1st year freshers into the academic life. The research work was conducted on a sample of 258 1<sup>st</sup> year freshers from the Faculty of Law and from Faculty of Commercial Management and Tourism and the data were collected by means of questionnaire.*

**Keywords:** *Self-education, permanent education, personality, self-knowledge, self-actualization, professional development, guidance, counselling.*

The spiritual world of the student, so rich and complex, requires a careful study under the most varied aspects. The self-educational activity of the students is a delicate pedagogical phenomenon, which requires its guidance according to a scientific pedagogical concept in complete harmony with the peculiarities of a dynamic and extremely pragmatic generation. The importance of this activity is also highlighted by the introduction of self-education as a subject in the curriculum at certain faculties, precisely because it requires a scientific and philosophical approach, while being supported by other related disciplines. Each educational institution has the duty to provide the climate for harmonious development in relation to the spiritual and moral positive traits of the

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students' personality, counteracting, at the same time, all the negative influences that could deviate the youngsters from the natural and desirable process of training and of personal and professional development.

Self-education is a direction of evolution of the activity of forming and developing the personality that involves the transformation of the education object into the education subject capable of self-assessment and self-pedagogical design.<sup>1</sup> Defining self-education at the level of a fundamental pedagogical concept involves understanding the function and structure specific to the self-formation and self-development activity of the personality. The main function of self-education engages the transformation of the object of education into its subject subsequent to a process which involves the valorization of a set of educational activities designed and implemented continuously at a qualitatively higher level, over a certain period of time. This requires: the (self) design - (self) achievement for a "sense forming education":

- individualized self-formation (which involves making full use of one's own experience, without any other interference or mediation);
- metacognitive self-formation (envisaging the capacity of "learning how to learn" / the independent cognitive educability of the learning content...);
- permanent self-formation (engaging the ability to take on tasks focused on one's own formation, specific to each school and preschool age);
- self-assessment of the outcomes and self-knowledge of the resources of one's own activities.

Through the full internalization of effective educational action, this ability might evolve towards a pedagogical self-design of some educational messages oriented towards permanent (self) formation - (self) development of the education object. It is the moment when the object of education turns effectively into the subject of education.

Self-education content reflects the relations between the forming - development activity and the self-development activity of human personality, rapports which are qualitatively mediated through "lifelong learning". Thus, "educating in terms of permanent education means, essentially, bringing about a genuine process of self-education"<sup>2</sup>. The ratio

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<sup>1</sup> S. Cristea, *Dictionary of Pedagogy*, Educational, Publishing House, Chişinău, 2002.

<sup>2</sup> Năstăsescu-Cruceru, S. Toma, S., - *Students' Training for Self-Education*, The Multiplication Center of the University of Bucharest, 1984.

education - self-education basically builds up a new balance between the external and internal factors of the forming-development activity of the personality, factors situated on an upward trend. Thus, education which was initially next to the environment in the position of an outside factor becomes gradually - through permanent education and self-education - a stable internal factor, which reflects, at functional and structural level, the intrinsic capacity of the human personality for permanent self-improvement of his individual and social activity. Education ensures, at this level, the achievement of the fundamental pedagogical aim of the modern and post modern school organization "to make from the object of education the subject of one's own education, from the man who is being educated, the man who educates himself"<sup>3</sup>

The content of self-education can be analyzed from the perspective of the development process of the personality in different stages of life.<sup>4</sup> In this context, self-education, as an "activity carried out in order to improve one's own personality" has simultaneously:

- a *subjective character*, being a product of superiorly designed, organized, coordinated, self-improved education;

- a *self-regulating* character representing the functional leap from the external reverse connection (subject - object) to the internal reverse connection (subject-subject);

- a *correlative character* representing the structural link existing between self -training - continuous self-training - self-education - continuous self-education;

- a *procedural character*, representing the continuity between the potential self-education phase and actual self-education stage, possible after acquiring "self-awareness" at the age of 16;

*The self-education methodology* puts forward "a philosophical model of education" based on reflection, but also "an economic model" based on the use of time in education with maximum efficiency. These models develop at the level of the educational system (school, extracurricular post-school) four categories of *methods for cultivating self-education*:

- *self-control methods*: self-observation, self-analysis, introspection;

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<sup>3</sup> Faure, Edgard, *Learning to Be. The World of Education, Today and Tomorrow*. Paris, Unesco, 1972, p.220.

<sup>4</sup> Barna, Andrei, *Self-education, Self-training*, Bucharest, The Scientific Printing House, 1984.

- *self-stimulation methods*: self-persuasion, self-control, self-criticism, autosuggestion, communication through interaction, the example, the individual and collective game, self-practice;
- *self-restraint methods*: self-disapproval, self-knowledge, self-renouncement and self-rejection;
- *methods for stimulating the creativity*: creative didactic strategies, reading - creative writing, brainstorming, summary plan, self-evaluation, self-approval and self-warning.

The issue of self-education approachable under the circumstances of today's society involves new conceptual and methodological reconsiderations:

- clarification of the relationship between "etero education" (education by means of others) and "self-education" (education by oneself) in terms of effective interaction, based on self-knowledge and self-evaluation, equal to self-education prerequisite;
- elimination of exclusive polarities (between "etero education" and "self-education") or absolutist ones (disrupting education from self-education) or, on the contrary, considering education only as self-education;
- awareness of the "ideal for life" importance for triggering and properly conducting the process of self-education.

Self-education is related to understanding the person as a system of self-actualization in activity, in accordance with its own nature. According to Abraham Harold Maslow, this self-actualization is presented in terms easily defined as the need "to become more and more what one is, to become everything that one is capable of becoming".<sup>5</sup>

As a driving force of the human psyche development, self-education propels the individual toward a higher stage in his interaction with the surrounding world, toward a new stage in the process of its becoming. By self-education, the individual opens new possibilities of acting on the surrounding world, as well as of raising his self-awareness. By transforming his internal world (skills, ideals, motivations, aspirations, etc.), the human becomes capable of modifying and amplifying his requirements towards the external world, of influencing even the character of his relations with the surrounding world. By dealing with

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<sup>5</sup> Maslow, Abraham, *Towards a Psychology of Being*, New York, Wiley&Sons; 3 edition, 1998.

self-education, man pursues both social and individual goals, he asserts himself not only for himself but also for society. He uses the conditions created by the society to improve himself and also to become more useful for the society he lives in. The art of self-education cannot be appropriated by oneself, community life, human relations offer models, emulation, opportunities for mutual help and control. The tendency towards self-improvement is closely linked to the level of intellectual and moral development of the individual, to the level of his instruction and professional qualification and, in particular, to the nature of his relationships with the socio-cultural environment. The subjects who deny the influence of the community on self-education, either belong to the category of introverted people, socially isolated, or are insufficiently integrated into communities which are not very well organized, or, finally, they are not aware of the influence the community exercises upon them.

Without minimizing the role of some factors such as: family, scientific and cultural figures, colleagues, friends etc, it appears that the deepest influence on the formation of youth is exercised by the closest area to the social environment, which for students is their group / series, year of study. Obviously, self-education does not come by itself, spontaneously. It is the fruit of education, of becoming aware of the need to develop one's own personality, turning to good account the creative potential through an additional effort oriented towards the reunification of the volume of knowledge with the range of personal qualities with a view to integrating into the social life and meeting some personal needs.

Between education and self-education there is a relationship of self-complementarity, both aiming eventually at transformations within the human personality. If education triggers these transformations through actions from outside, self-education accomplishes similar purposes by self-imposed actions, expression of some inner motives and of a self-imposed voluntary effort. In this very way, some of the education credentials are converted into self-education concerns, which, in their turn, become favorable internal conditions and incentives for performing the educational actions.<sup>6</sup> For this reason, self-education is considered a prerequisite and an outcome of permanent education. Training the man for permanent education means stimulating his desire and ability for self-improvement.

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<sup>6</sup> J. Delors, *The Inner Treasure*, Report to UNESCO of the International Commission on Education for the Twenty-first Century, Paris, 1996, Iași, Polirom, 2000.



### **The results of the research**

In order to study the above mentioned phenomenon we focused on 1<sup>st</sup> year the students for two reasons: a. because in the self-education activity of these students crucial issues for their further evolution are emerging b. the complexity of the self-improvement process requires a meticulous and systematic research, to be fully clarified.

The data we obtained as a result of the investigations carried out lead us to firm conclusions on the need to provide young students with institutionalized help in their self-education activity, without which the teaching process in higher education cannot be fully accomplished.

Out of the 258 subjects we surveyed, 90.1% wonder about self-education problem in various ways. Only a small percentage of students, 9.9%, denies the necessity of self-effort in this area, considering that their forming process is over, an opinion which is, obviously, wrong.

In terms of the objectives towards which the students' self-education is oriented, we must note that out of the 231 who are making efforts for their self-improvement, 49.3% envisage their character improvement, 64% are concerned particularly about the achievement of their professional ideal and only 17% about gaining general knowledge. Some students - it is true, very few -are concerned about their personal multivalent self-improvement.

These data suggest that most 1<sup>st</sup> year students turn their attention, mainly, to their professional training. This phenomenon is fully justified because the academic period of a student is crucial for their specialization, hence, for the achievement of their professional ideal. The analysis of the data on student concerns for improving their character shows that the majority is preoccupied with the education of their willpower or with the development of their emotional intelligence. Their efforts to cultivate their will and self-confidence are also stimulated by the desire to achieve their professional ideal.

Split by faculties, these figures are indicative given the different profile of students, according to their specialization, which requires both teaching strategies and differentiated tools specific to the concrete educational activity. Thus, for the subjects investigated by us, the concerns of self-improvement in the three areas mentioned above, namely - a. character, b. the achievement of the professional ideal c. General cultural background, are as follows:



THE FACULTY OF LAW AND ADMINISTRATION,  
SPECIALIZATION LAW

A. 88,2%

B. 68,5%

C. 11,4%

THE FACULTY OF TOURISM AND COMMERCIAL  
MANAGEMENT

A. 23,2%

B. 94,6%

C. 8,0%

In our research work we were concerned about *the knowledge of the factors* that determine and influence the process of students' self-improvement. In this respect, on the first places are *the formation of the professional ideal* and *the understanding of the needs for the self-education activity* (29%). Then come the *failures recorded* and *the requirements of the academic activity* (22.8%), *the prestige, the personal example of some personalities* (20%), *success, community requirements* (15.1%), *desire for affirmation* (12.6%), *love relationships, friendship* (6.6%).

The frequency of the above mentioned factors proves the students' ability to appreciate in a realistic way the standards of academic activity.

Out of total of subjects inquired, 4% argue that they cannot state the determinant factors, and 4,9% do not indicate these factors.

On faculties, the statistical data regarding the students' opinion on the factors that help them with the self-education work emphasize the need to know each student community, their syntalities and their specific problems.

The analysis of the factors that have a negative influence on the students' efforts in the field of self-education gives us the following table – on first place is “lack of willpower”, “weak willpower” (15.5%), on the second place is “the others' distrust” (14.3%), on the third place “difficulties of adjusting to the academic environment” (13.4%), on the fourth place “the influence of some negative examples”, (5.3%), on the fifth place “the tendency of underestimation” (4.4%).

A relatively high percentage of students (10.6%) has difficulty in sensing the above mentioned factors, and (11.4%) do not specify.

The ability to discern the external or internal factors that support or hinder the self-educational process is highly significant for carrying out

the self-education activity. It shows, at the same time, a certain level of development which is imperative for such an activity.

The self-education concerns can end up successfully only if the subjects are in the possession of some adequate means and procedures. The academic life and work give rise to multiple problems for the students and requests them to have a rapid capacity of adjustment and resolution.

The analysis of self-education means used by the 1<sup>st</sup> year students prove that, without a systematic and competent guidance and counselling, they cannot meet the requirements, the self-educational objectives they aim at. The research work carried out shows that a small number of students use the specific methods of self-education.

The procedures used by the students are the following – "the personal effort (exercise, hard work, willpower) (42%); "advice, good examples" (18%); the daily analysis of the behavior and activity (8.8%), the establishment and enforcement of a rigorous program of life and activity (4.4%), diary keeping (1.2%).

A large body of students (37%) cannot specify the methods they use, although they state that they make an effort for self-education. For this category, statements like: "I have not found the effective method"; "I have not had any methods or, at least, I have not found them deliberately; I acted on impulse"; "I do not use a particular method, it depends on the case"; "I think I should make my dream come true" are typical.

The students' answers highlight the lack of a sound guidance for the students. This is one of the reasons that explain the failures often recorded by students in their self-educational activity. The spontaneous, empirical use of some procedures, even if they are valuable ones, do not lead students to trust and confidence in their effectiveness.

From the discussions with the students we have noted that they feel the need for help, but for various reasons they refuse to ask for it. "I would like to get help from a person who gets to know me not from my confessions, but from what I do and how I act and who is knowledgeable in the field I want to assert myself in".

While it is true that there are vocational counselling and career guidance centers in all higher education institutions, it is also true that more often than not they are abstract entities, and student counseling becomes a formal activity, losing sight of the fact that this is a basic part of their training, as well as of their professional and personal development. The correlation of the data mentioned above with those regarding the factors to whom the subjects communicate their self-educational concerns

allows us to understand the need for qualified interventions in this respect. If 62% of students feel the need to convey their concerns, their struggles for self-improvement, from various reasons (shyness, distrust of others, fear of being wrongly judged etc.) only a relatively small proportion (27.3%) do this.

It is also interesting to note who are the factors to whom the students convey their concerns about self-education. Thus, 18% convey them to their friends, 14% to their parents, and only 8.4% to their teachers.

This data demonstrate that, without initiating a well-organized, systematic support by the teaching staff, the process of self-education is maintained at the level of individual, spontaneous, isolated effort, often without chances of success.

### **Conclusions**

The idea of human personality self-formation is not a new one, man is what he forged from his own being. Urges such as: "Know thyself!", "Create thyself!" were uttered thousands of years ago. An ancient legend compares man with an ingeniously built ship, naturally endowed with everything it needs for a long journey. But this ingeniously designed "construction", the legend goes, often loses its functionality, either due to its irrational use or, on the contrary, due to its lack of use. Modern science (which includes over 40 fields that study the human being under different aspects) shows that almost every man is potentially very gifted. Most of us, however, we have an unnatural, uncaring attitude about these potential possibilities of ours, unaware of the fact that *self-knowledge is the essential prerequisite of self-actualization*.

The self-education concerns are higher for the great discoverers, prominent personalities, performing sportsmen. However, such concerns are necessary for anyone and especially for young people who are still in the process of formation and maturation.

The educators, in particular, need self-education, broadly speaking (all those who are meant to contribute in one way or another to shaping the younger generation).

Only by focusing our attention, constantly, on our own self-improvement, can we also instill such concerns, directly or indirectly, in those we want to form. The examples presented above, like many others, highlight poignantly the huge possibilities of the human to improve oneself. They also show us that in order to become reality, self-improvement requires a continuous effort, a constant concern for

overdoing oneself. But these efforts are fully rewarded because "there is not" a richer source of satisfactions than that of feeling that you are the piece of work of your own personality and the sculptor of your own being.<sup>7</sup> (Acad. V. Pavelcu)

We consider that the research work we carried out allows us to draw some preliminary conclusions:

a) The students' self-education activity will have the results expected if it is scientifically guided and coordinated by specialists, educators, psychologists, professors with a real calling, capable of "paideutic love", committed to the academic activity,

b) Focusing the students' direct guidance on their orientation toward self-improvement in the field of their professional training, the academic teaching staff have a duty to stimulate and orient the students' systematic concerns for their multivalent self-education,

c) The activity of guiding the 1st year students' self-education is, in our view, a prerequisite in the process of their integration into the academic life. We believe that this requires the initiation of the academic teaching staff in the following areas: psychology of youngsters with student status, the particularities of the educational activities with the students, the importance, contents, methods of self-education and guidance of this process, the knowledge of complex modern investigation techniques of the students' opinions.

We suggest the abovementioned things, well aware that they could contribute to abolishing a certain empiricism and formalism still existing in the students' direct guidance and counselling. We also believe that this could create prerequisites for the student not to be "regarded and treated in general, unselectively", disregarding the whole of the conditions and the psycho-hereditary factors, the material and social ones, which vary from one student to another and require a differentiated and competent guidance.

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<sup>7</sup> V. Pavelcu, *Heights and Depths of Personality*, Bucharest, The Romanian Encyclopedic Publishing House, 1974.

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# THE ROLE OF COMMUNICATION IN DIDACTIC EVALUATION

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**Abstract:** *Evaluation is a requisite component of the didactic process, with important functions not only in relation to the process itself, but also for the two agents, the teacher and the student. To be relevant, evaluation should be objective and transparent. We should not forget that the student adjusts his learning methods and style according to the teacher's style of evaluation. Like teaching and learning, with which it forms an inextricable unit, evaluation is enabled by communication. The functioning of evaluation, the achievement of its goals and pedagogical functions largely depend on the characteristics of communication. The objectivity and transparency of evaluation are supported and complemented by an efficient didactic communication. We aimed to identify the extent to which the teacher effectively follows the requirements of didactic communication so that evaluation could properly perform its pedagogical functions. The ascertaining investigation carried out in the school environment was accompanied by a training program for the students who are studying to become teachers, a program focused on the issue of didactic communication.*

**Keywords:** *objective evaluation, transparent evaluation, immediate feedback.*

## Introduction

Evaluation, a requisite component of the didactic process, establishes multiple and various relationships with the teaching and learning which it accompanies, follows or anticipates. The goals of evaluation are: to raise awareness of the operational status of the didactic process and system; to form the basis for the relevant decisions regarding the directions of the training activity; to influence the development of the educational process in the sense of optimizing its components and the inter-component relations and to maximize results.

The provision of information about the status and operation of the didactic process (interpreted as a complex system) and about the school

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results (components of this system) allows "their evaluation based on certain criteria and influences their progress" (I.T. Radu, 2000, p 15)<sup>1</sup>. Through evaluation one can record and interpret information on the "quality, merits or value of an educational process, program or product" (D. Potolea, 2002, p 80)<sup>2</sup> which will facilitate decisions of regulatory significance regarding the content organization and presentation, the building of the didactic strategy, the preparing of learning situations (by the teacher), the use of a learning style (by the student). The role of evaluation is highly relevant for the student's learning. Mobilized by the presence of evaluation, the student learns and develops himself. The characteristics of the learning practiced by the student influence his development. He organizes his learning from two directions: when and how he learns. If evaluation is a process permanently integrated in the didactic process, the student's learning becomes continuous and systematic. The information provided through evaluation opens up the possibility of self-knowledge and mobilizes him in the process of learning and self-training. If the teacher focuses his evaluation on the volume of knowledge, the student is tempted to reduce learning to memorizing definitions or rules; if the teacher focuses on measuring and assessing intellectual abilities and skills, as well as on the student's learning strategies (action, problem solving, information presentation strategies), the student learns by reflecting, exercising, solving problems and the learning he practices will generate a more consistent development (learning thus amplifies its formative nature).

### **Research on the role of communication in evaluation**

Our investigation started from the current observations on the disparities which sometimes exist between the skills and knowledge the students have and those they demonstrate when assessed. We raised the issue of the causes that generate such malfunctions. Our personal pedagogical experience guided us to the characteristics of the communication practiced by the teacher in the evaluation process.

The purpose of our research was to identify the malfunctions encountered in the didactic communication, which affect the objectivity of the evaluation.

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<sup>1</sup> A Romanian educationalist, with reference contributions to the theory and methodology of evaluation.

<sup>2</sup> A Romanian educationalist, examining evaluation in curriculum structure.



Starting from this purpose, we aimed to reach the following goals:

- to identify, with the advice of students, the main communication problems which affect the quality of their response;
- to identify the opinions of the primary school teachers on the importance of communication in the evaluation process;
- to point out the measures to be taken by each teacher in the act of communication which enables the evaluation of students.

The case we aimed to demonstrate is the following: if malfunctions occur in the communication process which enables (oral, written, practice) evaluation, the objectivity of evaluation will be affected.

We carried out our research on two samples. One sample included 250 students from 3<sup>rd</sup> to 7<sup>th</sup> grade who study in schools from the rural area, most of them from family environments of a modest material condition. Although their parents have a positive attitude towards education and school, due to their low cultural level they cannot effectively support the continuity of learning at home and cannot offer any development-fostering model (study, reading, nice communication). 37% of these students have very good results at school (35% seen only in their grades, while 2% seen also in their rate of participation in various school contests). The average results are expressed through the grade "Satisfactory" (the students from primary school), 58% of these students having marks between 6 and 7, while 5% have poor results (the grade "Unsatisfactory" and marks between 4 and 5). We were mainly interested in these last two categories of students.

The second sample was made of 55 teachers who teach the students from the first sample, of which 43 have level II qualification, while 12 have level I qualification.

The methodology of our research included the following methods: observation (carried out in the classroom, to notice the characteristics of the students' participation, their behaviors during evaluation, as well as the communication behaviors of the teachers in the evaluation process), questionnaire-based survey, examination of school documents (rolls). We used the questionnaire-based survey to collect information about the problems encountered by the students in the evaluation process and discover the extent to which the teachers are aware of the importance of the communication process when they perform evaluations.

The examination of products allowed us to ascertain the real quality of the school results expressed through intellectual abilities, written communication and practice skills.



We prepared the questionnaire in such a way that it could highlight:

- the forms of evaluation agreed by the students (differentiated according to the method applied);
- the difficulties encountered by the students in the evaluation process)
- the extent to which the teacher manipulates the space characteristics (distance between teacher and student, place where the students is when he is evaluated) for the benefit of the student;
- the extent to which the immediate feedback and the regulatory function of evaluation are used. The data collected in the students' questionnaire (Annex 1):

### **The results of our research**

The answers provided by the students in the questionnaire highlight the following aspects:

- 35% of the students prefer the oral review sessions, 50% the written evaluation and 15% would choose the practical assessment;
- the cause of the mistakes made during evaluation, declared by 90% of the students, is the misunderstanding of the task. Most students state they cannot understand the task well enough (this means that the teacher fails to adjust his verbal code to the vocabulary of each student) and they have insufficient time to complete the task (situation explained by the teacher's failure to take into account the working pace of the student, pace determined by either the type of his central nervous system or his insufficient training).
- the real results of the students are often disfavored by their emotions which are not generated by the negative attitude of the teacher (non-encouraging, coercive), but by a too small distance between the student and the evaluator, which exists in all the three forms of evaluation;
- the absence of an immediate and positive feedback impedes the student to correct / promptly prepare his answer.

The data collected in the questionnaire applied to the teachers reveal the following situations:

- in general, the teachers appreciate objectivity as a basic requirement of evaluation, but very few take transparency into

- account (to explain to the student the mark or grade he was awarded);
- 90% of the teachers notice that the negative emotions of the students have a negative role in reflecting their real knowledge; only 5% highlight the negative role of the too short or too long student-teacher distance in maintaining an optimum emotional environment;
  - 27% of the teachers are aware that the students cannot fulfill the task because they were not able to understand what they had to do, the others only highlight the insufficient training, explained mainly by non-involvement of the student's family;
  - 90% of the teachers (all from the lower secondary education sector) do not regard the developing of the answer, the working pace which differs from one student to the other, as important factors.

### **The use of data in didactic evaluation**

The data obtained from the examination of the questionnaire addressed to the students were communicated to all the teachers included in the sample. We believe that these data revealed the need to also respect the requirements of an efficient communication in the evaluation process, so that this process could be objective and really achieve its pedagogical functions.

Evaluation aims not to demonstrate to the student that he does not know, but to challenge and record progress, to find out not only the weaknesses, but also the strengths of the individual learning style and to promptly take the necessary improving measures. Knowing the student's personality is a pedagogical duty, an act of devotion and responsibility.

To be effective, the didactic evaluation needs to comply with certain requirements which are also the requirements for an efficient communication:

- ensure a state of mental (intellectual and emotional) comfort for all the students during the evaluation process;
- respect the verbal code of the student;
- ensure that the task is understood by all the students (by means of an accessible, rational and structured speech);
- teachers should manifest a comprehensive, equidistant and balanced attitude;
- encourage the students to speak up;

- provide an immediate, complete, complex and consistent feedback;
- manifest empathy;
- manifest an active listening conduct all the time.

### **Conclusions**

We believe that both the initial and the continuous training of the teacher require a reconsideration of all the components and interactions within the didactic process, as well as a revalorization of the act of communication. **The communication requirements will ensure an effective learning and an objective evaluation.**

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# THE ISSUE OF CHILDREN WITH SPECIAL EDUCATIONAL NEEDS IN PRIMARY AND PRESCHOOL EDUCATION

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**Abstract:** *Every child should be seen both through the development stage and depending on the particular individual and specific needs. Children in preschool and primary education are much different from other age groups. In this context, it is necessary for teachers to know the educational requirements of each child, whether it is considered usual, over-gifted or under-gifted. Today, in the schools in Romania, there is openness to standardize inclusive practices of integrated education. The integration of children with SEN in mainstream schools is on an upward trend, and teacher training in inclusive education is done both through initial and in-service level.*

**Keywords:** *special educational needs, disabilities/learning disabilities, integration.*

## I. General

We specify what led to this study: **in the school population, the number of pupils with special educational needs is between 10 and 20%, since it includes, in addition to students with disabilities (covering around 2-3% of the school population in the world) and a large category of students experiencing difficulties in school (varying forms and levels of school failure)<sup>1</sup>; J.Lerner (1989, USA) considers that 5% of the school population has learning disabilities and 30% other learning difficulties including also disabilities any kind.<sup>2</sup>**

Today, more and more voices are heard calling into question the poor performance of primary and even pre-school education in Romania. Generic, answer: "the issue raised is complex as the human resource -

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<sup>1</sup> Gherguț, A., *Psychopedagogy of persons with special needs*, 3<sup>rd</sup> edition, Polirom, Iași, 2006.

<sup>2</sup> Lerner, J., *Learning Disabilities. Theories, Diagnosis, and Teaching Strategies*, Fifth edition, Houghton Mifflin Company; Boston;USA, 1989.

children - is extremely varied." However, here and elsewhere, yesterday and today, education is appreciated by the report school success/failure, school pass/fail student, good/bad student in school, normal children/children with special educational needs.

In Romania, we must recognize that primary and preschool education has undergone changes from both pedagogical and psychological perspective, but in schools still reigns the specificity of "rectangular class" with opening to "square class". Pedagogical circles, methodical committees of teachers and preschool education are dominated by "the elegance of speech" and not by the "wealth of educational process fruits" that exists in many schools. If there are rhetorical questions on the report good students/pupils weak responses are those that endure and are plausible. For example:

- Cognitive intelligence quotient of children decreased;
- social inequalities are more striking and lead to less excellence and more marginalization;
- families involve minimal, are not partners of the school;
- technical/information base of schools is old;
- at such salaries for teachers, such results of the educational process...

We can not circumvent these factors nor believe that the political decision of the government since 1990 has targeted education as a national priority. However, we must recognize that primary and preschool education teacher is the person that, in educational process that carries, achieves most relevant added value of a society. In this context, we must say that the salary is very low; but outside urban and prestigious schools, a new category of teachers appeared: teachers of transition, that are staying for a while in education until they find a better paid job in another field; also too easy has been passed to the decision that the "permanent teacher certification" is performed by the county school inspectorate, ie the institutions that have not created and will not make teachers, but come and professionalize, give verdict: who can be a teacher and who cannot, after only one year of experience... And yet, the Romanian primary and preschool education works.

We consider it necessary to recall that over time pedagogical research and practical work in school crystallized categories of determinants of educational success, namely: physiological, psychological factors, educational climate in the family and society, curriculum at large and narrow curriculum offered by the school.

Relating only to the last factor, there is a need for the school to ask questions regarding child education and training his personality directly related to requirements of today's world which is in an unprecedented dynamics.

The contemporary world problem comes with the a growing need for training ("need for intellectual food") and as such bad student in school should not longer be associated with laziness, with lack of interest in school, with school failure, but with the lack of adaptation of the educational process to children's educational requirements; education issues today require reinventing the constructivist teacher to see a child's school career a race with obstacles and against time. We mention that every insufficient trained child can aspire tomorrow only to "subordinate functions" ... In the not too distant future these functions will disappear as computerized world is a present reality.

## **II. Diversity and differences in education**

The child, regardless of what perspective would be analyzed, is unique, valuable and capable of learning. Differences between children are extremely high in school age children. Even though there is this multitude of specific differences, one must start from knowledge of psychogenic and psychodynamic parts of development. The teacher has the opportunity to consider ontogenetic development as a process that we can influence and, as such, each stage of child development should be carefully and well known.

Pedagogical and psychological literature from Romania presented in detail the issue of development stages: cognitive development stages (J. Piaget), moral development stages (L. Kohlberg) and psychosocial development stages (E. Erikson). We feel the need to bring to the fore, briefly, these development stages.

Cognitive ontogenesis in terms of logical-mathematical processuality that is found in J.Piaget<sup>3</sup> is shown in the sequence of the following stages:

- Sensory-motor<sup>4</sup> stage (0-2 years) corresponds to the development and coordination of sensors and motor capacities of the child; the main psychic adaptation tool is the sensorimotor scheme, while the main purchase is the permanence of the subject.

- preoperative period (2-7/8 years) is the action internalizing

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<sup>3</sup> Piaget, J., *Psychology of Intelligence*, Scientific Publishing House, Bucharest; 1965, Piaget, J., *Child Psychology*, EDP, Bucharest, 1970.

<sup>4</sup> Cosmovici, A., Iacob, L., *School psychology*, Polirom Publishing House, Iași, 1998.

development stage using the semiotic/symbolic tool, meaning that "to reach mental operation (internalized, reversible structured action) is required for child to be able to and to learn to express a signified reality (object, person, situation) using a evocative substitute<sup>5</sup>;

- concrete operations stage (7/8-11/12) increases the mobility of mental structures that will allow the child to understand different viewpoints, but small pupil thinking is categorial-concrete (mental operations remain dependent and limited by content/concrete material to be formed)<sup>6</sup>;

- Formal operational stage (11/12-15/16 years) child thinking emerges concrete material, appear abstractions, so, hypothetical-deductive thinking dimensions. It is possible that some children do not reach this stage.

J. Piaget's cognitive development stages attracted criticism (leading to partial infirmation) but withstood time since development stages, at least in chronological terms, is tentative.

L. Kohlberg realized moral development stages having in view the stages through which the child passes in thinking about the moral dilemmas. There were three major stages, each with two distinct sub-stages, resulting in six stages of moral reasoning genesis. Summary structurally, they are:

1. pre-moral or preconvention level (4-10 years):
  - a. morality of obedience sub-stages;
  - b. naive instrumental hedonism morality sub-stage;
2. the conventional morality (10-13 years):
  - c. good relations morality sub-stages;
  - d. law and order morality sub-stages;
3. internalizing the moral autonomy and acceptance of personal or moral principles (after 13 years):
  - e. con-structural morality sub-stages;
  - f. individual conduct principles morality sub-stages.

E. Erikson<sup>7</sup> proposed psychosocial development stages (includes lifetime) and is as follows:

- "infantile" Stage (0-1 years);
- "early childhood" Stage (1-3 years);

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<sup>5</sup> Ibidem

<sup>6</sup> Ibidem

<sup>7</sup> Erikson, E., 1950, *Childhood and Society*, Norton, New York.



- "middle childhood" Stage (3-6 years);
- "great childhood" Stage (6-12 years);
- "adolescence" Stage (12-18 / 20 years);
- "young adult" Stage (20-30 / 35);
- "adult" Stage (35-50/60);
- "old age" Stage (over 60).

Addressing children in primary and pre-primary school with reporting only to chronological age will produce dysfunctions in the educational process because children need a proper pedagogical individualized and personalized treatment. We mention that diversity and differences in child development in general relate to:

- Personal pace of growth and development;
- The level of development attained by each child;
- Experimentation and learning style;
- Features determined by biological type heredity;
- Personal features/characteristics;
- Experience of life lived so far...

### **III. Educational Needs and SEN**

Most children start preschool and primary education with pleasure but along the way, lack of motivation and fear lead in a very short term to different results. Every child presents educational requirements for adequate development. These educational needs may have: general character as "vital processes in individuality becoming" (related to growth, development and education), basic/essential character that satisfy varying rates of development, particular/especial character determined by biological heredity and socio-cultural aspects. We can say that any normal child presents educational requirements for training and personality formation. There are kids coming in preschool and primary education with various organic, sensory, mental deficiencies and functional scope disorders and require special educational needs. This phrase was introduced in 1990 in UNESCO terminology and "means complementary educational needs of the general objectives of school education, schooling needs that require a tailored individual features and/or characteristics of a learning deficiency/disorder and specific intervention, through rehabilitation/appropriate recovery."

Essential for the school and the teacher is to know the educational requirements of children with normal development and special



educational requirements (CES) of children whose pedagogical training and development requires proper treatment, individualized and personalized. Children with SEN must be seen as children with problems, more and larger than the other children, and therefore require special attention.

The categories of problems with which children development is facing are varied. In 1989 Janet Lerner<sup>8</sup> structures them thus: a-mental retardation; b-visual deficiency; c-hearing impairment; d-orthopedic deficiencies; e-speech deficiencies; f-emotional disorders; g-learning difficulties.

Whatever type of educational requirements, special education requirements, all children need to develop, to be trained, to integrate socially; these are essential tasks for the student, teacher, school, family and community.

#### **IV. Psychological problems of children with special educational needs (SEN children)**

In school world there are three general terms labeling children: normal children, gifted children and subnormal children. These terms correspond synonymous series, but without exact duplication. For example:

a. normal child is a child as it should be, according to the state of nature, usually physically and mentally healthy... that conforms to the norm;

b. gifted child is a child with special skills; for understanding gifting the following definitions are used<sup>9</sup>:

- objectives definitions: take as reference the score obtained to a test of intelligence;

- descriptive definition "gifted children are considered those individuals between the age of kindergarten and secondary school proving unusual possibilities in a socially useful area and whose talent is likely to be stimulated" (RH Havighurst);

- comparative definition: "a gifted child is one who is able to show a consistent superior performance gained in various activities against most colleagues in his age group."

c. the subnormal child can be considered with an insufficient

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<sup>8</sup> Lerner, J., *Learning Disabilities. Theories, Diagnosis, and Teaching Strategies*, Fifth edition, Houghton Mifflin Company; Boston; USA, 1989.

<sup>9</sup> Păiș, M., Ezechil, M., *Pre-school lab*, V&I Integral, Bucharest, 2011.

development mentally or physically. Some experts believe sub-normality as synonymous with difficulty, defect, disability. In preschool and primary education, there is the concept of learning difficulty but also the concept of specific problems/disorders/learning disabilities. The term learning disability has a very broad scope, as such, and a broad semantic area. In a first approach, we must grasp that learning difficulties have a broad semantic area as learning extends throughout life including school difficulties. School learning difficulties to be addressed in the broad perspective of the difficulties of adapting the child to school and learning tasks can be synonymous with learning disabilities at school. In this understanding there can be two categories<sup>10</sup>: specific difficulties (verbal, non-verbal and guidance) and nonspecific difficulties (of attention and motivation).

UNESCO addresses the expression of special needs education meaning LD (learning disabilities). There is another expression correlation between learning difficulties and instrumental problems; however, we must say that instrumental disorders are disorders (disorders) of the main functional mechanisms considered as main learning tools. As such, both specific learning difficulties and instrumental disorders are expressed through specific disability (intellectual, motor, social etc).

If the teacher detects, knows the children with special educational needs (SEN children), this will lead in organizing educational activities capable of yielding a positive outlook for children with SEN; otherwise "undetected delays in mental development of the child can deteriorate in time, subsequently generating phenomena of school maladjustment"<sup>11</sup>.

Movement for identification and analysis of learning difficulties/disabilities are being formalized in 1963 by dr. Samuel Kirk, in the USA, since there are a large number of children who have multiple problems when learning to read, learning mathematics or were super-active/hyperactive. Following the studies in the period 1963-1968, and the subsequent ones, the Education Act for all children with disabilities of 1975-USA comes with universally accepted definition on Specific Learning Disability "specific learning disabilities refer to a disorder in one or many basic psychological processes involved in understanding or in using spoken or written language, which may manifest as imperfect ability to

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<sup>10</sup> Ungureanu, D., *Children with Learning Difficulties*, EDP, Bucharest, 1998.

<sup>11</sup> Landsheere, G., Landsheere, V., *Defining Educational Objectives*, EDP, Bucharest, 1979.

listen, think, speak, read, write, articulate or perform mathematical calculations"<sup>12</sup>.

Vrăsmaş E. states: "learning difficulties highlight two categories that we experience in school: specific difficulties as disabilities that relate to the broad scope of learning and operation of its mechanisms, and non-specific difficulties that characterize moments or parts of learning without affecting its overall operation. The existence of disabilities within sensory, intellectual or psychomotor area constitute an element that customizes the learning process and not necessarily determine a learning disability."<sup>13</sup>

In view of the above, we list some of the psychological problems of children with special educational needs (SEN children), common in preschool and primary education<sup>14</sup>:

1. sensory deficiency/disability by: a. deaf; b. visual handicap.
2. intellect deficiency/disability (mental) by: a. Limit or liminal intellect; b. slight mental deficiency; c. moderate intellect deficiency or imbecility; d. profound mental deficiency or idiocy.
3. lingual deficiency/disability by: a. dyslalia or pelticia; b. stammering; c. elective or voluntary mutism.
4. behavioral deficiency/disability: a. disobedience; b. bullying; c. mutism.
5. physical deficiency/disability.

## V. Instead of conclusions

End of century XX and begin of century XXI brought among priorities of educational policy the "access to education for all children" according to the "Declaration of the Rights of the Child" and the "principle of equal opportunities". To combat discriminatory attitudes of children with SEN, there is a need to create school communities where integration, inclusiveness are realities, thus ensuring an effective education for all children.

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<sup>12</sup> SUA, *Education for All Handicapped Children Act*, 1975, p. 94.

<sup>13</sup> Vrăsmaş, E., *Learning Difficulties in School-New Field of Study and Application*, V&I Integral, Bucharest, 2007.

<sup>14</sup> See: Păiș, M., Ezechil, M., *Pre-school Lab*, V&I Integral, Bucharest; Cosmovici, A., Iacob, L., 1998, *School psychology*, Ed. Polirom, Iași; Vrăsmaş, E., 2007, *Learning Difficulties in School-New Field of Study and Application*, V&I Integral, Bucharest; Vrasmaş, E., *Education of Children with Special Educational Needs*, Ed. Credis, Bucharest; Gherguț, A., 2007, *Summaries of Special Education*, Polirom, Iași; Gherguț, A., 2006, *Psychopedagogy of Persons with Special Needs*, 2<sup>nd</sup> edition, Polirom, Iași, 2011.

Integration broadly implies placement/transfer of a person from an environment more or less separated into one ordinary, aiming the set of measures applying to different categories of people, and aims to remove segregation in all its forms<sup>15</sup>.

Inclusion is the primary side of an educational system that aims to be comprehensive and which has as main objectives the promotion and appreciation of diversity and equal rights. Differentiation designate individualizing educational approach based on observation and examination of the specific needs of each child, the training of personal and group capacities/resources of specialists to respond in an efficient manner to the challenges of diversity of students in a class/school<sup>16</sup>.

Today, in the schools in Romania, there is an openness to standardize inclusive practices of integrated education. The integration of children with SEN in mainstream schools is on an upward trend, and teacher training in inclusive education is done both through initial and in-service level.

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<sup>15</sup> Gherguț, A., *Psychopedagogy of Persons with Special Needs*, 2<sup>nd</sup> edition, Polirom, Iași, 2006.

<sup>16</sup> Ibidem.

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# THE ROLE OF ASSISTIVE TECHNOLOGIES IN THE LEARNING PROCESS FOR PEOPLE WITH SENSORY IMPAIRMENTS

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**Abstract:** *The fundamental objective of the current research was to study the relationships between the level of development of cognitive abilities of individuals with sensory impairments and the degree of participation (capacity and performance) in the process of accessibility by using AT. General learning cognitive abilities were assessed on a batch of 210 people with sensory impairments, users of assistive technology. It was concluded that the subjects in the experimental group have a good level of general learning ability, which recommends them for using the computer - in / as defining competence for their integration on the labor market. Assistive technologies have allowed setting up new opportunities with significant results in the professional field.*

**Keywords:** *assistive technologies (AT), learning cognitive abilities, professional interests, sensory impairments.*

Assistive technologies (AT) are technologies that allow a disabled person to have access to information independently via computer or other equipment, thus stimulating the educational, informative, creative, professional approach, etc. The hardware equipment and software applications with which a person with sensory impairments may use the information technology, depending on his/her goals and needs, are called assistive technologies. With the help of this new type of technology a disabled person can perform various tasks (e.g. at home: email, search

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materials on the Internet; at school: reading books and courses, writing materials, etc.; at the workplace etc.), in a time and at a qualitative level almost identical to that of a valid person.

In the field of special psychopedagogy, the access technologies have enabled a new direction and approach of the issue regarding persons with disabilities, in terms of corrective-compensatory intervention, as well as concerning the training and development of new competences.

### **Assistive technologies – conceptual delimitations**

In the specialized literature, the concept of *access technologies* is frequently confused with or replaced by the concept of *assistive technologies*. The term assistive technology refers to services and equipment used by disabled people to compensate for the limitations imposed by their disability, to strengthen and enhance performance in learning, communication, independence, mobility and have greater control over the environment (*Assistive Technology Act, 1991/2004*). Assistive technologies are also known as adaptive technologies. The term *access technologies* (AT) refers to the hardware equipment and software applications with which a person with disabilities, for example with visual impairments, can use the Information Technology (IT), that is the computer with everything related to it including the Internet and the related communication services (CATA, 2004).<sup>1</sup>

For people with sensory impairments, the main AT are screen readers, software for increased image on the computer screen (larger screen), Braille equipment, text recognition applications. The AT category for visually impaired people include both software equipment (screen readers, magnifying software, text recognition) and hardware (Braille printer, portable braille agenda, portable magnifying optical equipment). Any equipment in the field of electronics may be included in the AT category provided it meets several conditions:

- allows independent access to information for people with visual impairments;
- stimulates the formation of new skills capable of facilitating the social and professional integration;
- allows to perform tasks in a relatively independent manner and at a pace similar to that of a person without disabilities;

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<sup>1</sup> CATA, *The Support Center in the Field of Acces Technologies for Visually Impaired People*. Cluj Napoca, 2004 (<http://cata.ubbcluj.ro>).



- provides significant support for the educational and professional training.

### **The AT impact on learning styles**

For people with visual impairments, the general learning skills determine the way and the degree of AT usage, according to which they form and develop a specific style of assimilating and operationalizing the information. In this respect, AT have a determinant role in developing cognitive, meta-cognitive, emotional, volitional, attitudinal structures and are, implicitly, involved in the personality formation and development.

A number of authors such as Kolb (1984), Ball (1978) and Schmeck (1983/1988), cited by Sternberg (1997), define the learning style as the way in which an individual prefers to learn; it is expressed through the propensity which he shows for the use of certain strategies, routes, procedures, etc.

A person's learning style includes a set of cognitive, volitional, motivational mechanisms that he puts into action in the act of learning, in a unique and personal combination. Each person has a specific learning style, consisting of psycho-cognitive structures that determine interindividual differences. "People who have a good intrinsic motivation, openness to novelty, epistemic spirit tend to develop an active and participatory learning style. The active involvement in learning can facilitate accelerated learning."<sup>2</sup>

For the person with visual impairments, the learning style represents the particular strategies used mainly in information processing, as well as the ability to operate with this information in specific cases. Access to education for people with visual impairment who use AT led to the development of new learning styles that facilitates the accelerated learning processes. The learning theory enunciated by Kolb postulates the existence of four distinct learning styles based on learning cycles in four stages. The most effective way of learning and assimilation of knowledge is through experience (Kolb, 1984). Learning through experience involves four cyclical stages. The four combinations of perception and information processing determine the four learning styles of Kolb's model<sup>3</sup>: activist -

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<sup>2</sup> Stenberg, R.J. și Grigorenko, E.L., *Are Cognitive Styles Still in Style?* American Psychologist, vol. 52, no. 7, 1997.

<sup>3</sup> Kolb, D.A., *Experiential Learning: experience as the source of learning and development*, Englewood Cliffs, NJ: Prentice Hall, 1984.



active, reflective - reflection theorist - abstract, pragmatic - concrete.

His model benefits the understanding of different individual learning styles and explains the cycle of learning by doing/experience. Kolb includes this learning cycle as a central tenet of his theory, usually known as the learning cycle in four stages, during which "immediate and concrete" experiences provide a basis for comments and reflections. These observations and reflections are assimilated and distilled into 'abstract concepts' producing new implications for actions that may be "actively tested" (Webb, 2006).<sup>4</sup>

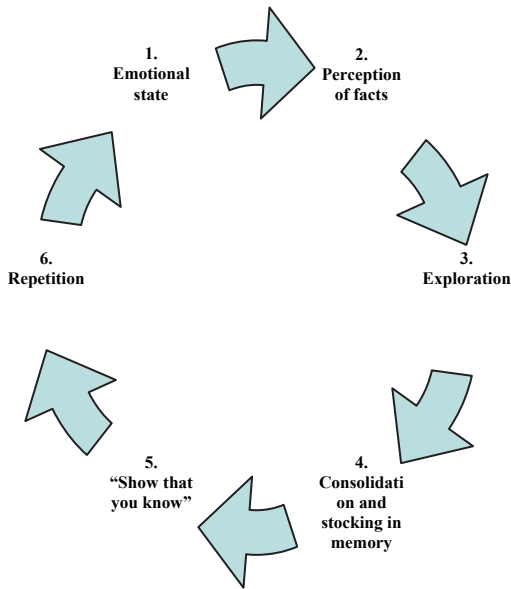


Figure 1. Learning model in six steps (Webb, 2006)

Taking over Kolb's cyclical learning model, Webb (2006) proposes a model consisting of six cyclical stages (Figure 1). The six steps are generally valid for everyone, but for people with visual impairments there may be differences both in the perception and exploration stage of the stimulus and in the stage of consolidating and storing the information about the stimulus.

The model developed by Webb can be used and customized for learning opportunities to persons with sensory impairments who use the information technology and AT as a means of access to information.

The situation of learning that also includes AT as a facilitator between the person with sensory impairments and the stimulus-situation aims to boost self-esteem, the motivational level, self-confidence, elements converging to the accurate perception of the situation, of the stimulus (second step).

AT, interposed between the person with sensory impairments and the stimulus, present the information in an accessible form to the senses which are still valid following the disablement. The information can be perceived

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<sup>4</sup> Webb, L., *Learning by Doing Training Journal*, ABI/INFORM Global, 2006

both auditorily and / or tactilely-kinesthetically. A proper integration of the elements of the stimulus perceived determines the passing to the next stage of learning. Cognitive problems in the perception and significance of the information from the previous step of the learning process may occur, taking into account the differences in processing / handling the information in/for a visually impaired person and for one without disabilities.

For the people with sensory impairments, the treatment of information is sequential, the emphasis being put on the information which reached the cognitive level both auditorily and tactilely-kinesthetically (Braille printed texts, embossed maps, plates, molds). Through adapted computers and materials, AT facilitate the access to the information the impaired people need so that it can be structured in the memory for a shorter and / or longer period of time, depending on the approach followed. For example, for blind students it is recommended that they can access a descriptive variant of graphs and images, in which a detailed description should be comprised. It can be an audio description or a full text. In the subsequent steps, of reproduction and repetition, the performance may differ slightly or may be identical, depending on the individual characteristics of developing skills and cognitive mechanisms that are geared to cope with the updating of the previously collected information. An important role is also played by the previous experience.

AT allow the development of the learning mechanisms, while the person who uses the computer benefits from knowledge and from a previous rich experience assimilated through specific training courses and individual exercise. Thus, he can cope with the teaching-learning process at a relatively identical level to that of a person without disabilities. Relatively, because here interpose the difficulties imposed by the visual impairment, such as the perception of stimuli in movement, of the three-dimensional ones or complex graphics etc.

The future research may demonstrate which are the concrete changes produced by the AT in terms of learning performance, cognitive style or learning style for visually impaired people.

## **Experimental research**

### **General learning capacity assessment**

The general learning skills refer to the capacity of assimilating new information selectively (which implies focusing the attention and

resistance to interference), their organization in memory (cognitive inhibition) and operating with all these categories of information (through reasoning, categorizing and transferring them to similar problems, activating them in the working memory). For the general learning ability devaluation two relevant samples for the present study were selected, namely: analogical transfer and working memory.

The analogical transfer is an essential dimension for the world of work. The process of transferring efficiently the knowledge acquired in a given context to new situations is very important. It is based on the similarity between a problem solved, stored in the memory and a current issue.

The working memory (WM) is a central component of the overall learning ability, being a good predictor of academic performance. WM plays an important role in professions that require learning some new programming languages, new ways of using softwares etc. *The general learning ability level is a significant indicator for the use of access technology.*

### **The research objectives**

1. Identifying people with visual impairments, users of assistive technology, aged 18-45 years.
2. Psychological assessment in terms of overall capacity of learning on a batch of 210 subjects with sensory impairments, users of assistive technology.

### **The basic hypothesis of the study**

*It is assumed that there is a significant correlation between the degree of development of cognitive abilities of people with sensory impairments and the degree of participation (capacity and performance) in the process of accessibilizing by using assistive technology.*

### **The experimental group**

The research was conducted on an experimental batch of visually impaired people that use assistive technology, aged between 18-45 years. The experimental group consisted of 210 subjects selected from the persons with sensory impairments, computer users, according to some randomization criteria.

The methods and tools used in this study were subject to specific variables considered representative for the theme addressed. In order to study the dimensions set, the following methods were applied: methods of data collection through psychological tests, questionnaires, interviews,

case studies, observation. The results were processed and interpreted by means of the psychological interpretation and evaluation platform CAS.

### **Presentation and description of the research tools used**

The battery of tests *Cognitrom Assessment System (CAS)* acquired by the company Cognitrom - Cluj-Napoca was applied in order to assess the learning style.

A number of tests considered significant for the purposes of our study were selected out of the battery of tests CAS, namely: the verbal analogical transfer test (the test measures the ability to find similarities between different pairs of items from qualitatively different categories and to apply them to other areas / categories of information; working memory test (the test measures the ability to perform multiple tasks simultaneously); interests assessment questionnaire (questionnaire assessing occupational interests/preferences for certain fields of knowledge or activity).

### **The results of the research**

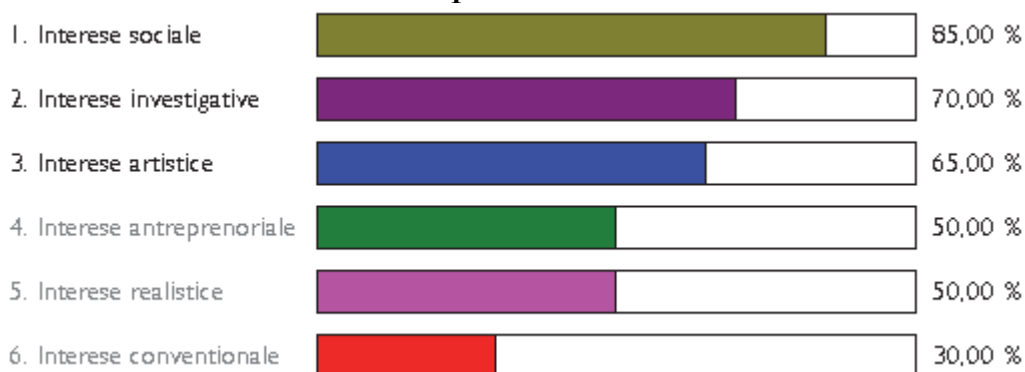
The results achieved by the application of the aforementioned psychological tests were processed and interpreted by means of the CAS evaluation program. The results obtained from the tests used in the form of "pen-paper" were entered, for each subject, into a program of statistical processing obtaining an average for each dimension of the tests, in the investigated batch.

Following the statistical average analysis it appears that the result of the investigated batch for the overall learning ability is: 4 (a sound level). The subjects who participated in this research have a good level of general learning ability, considered in the terms of calibration proposed by CAS. This shows that they have achieved a better performance than 69.1% of the population. It is obvious that these individuals show better cognitive skills, which recommend them for using the computer as a favorite form of employment, both professionally and socially.

### **Evaluation of occupational interests**

The interests of a person become the key motivating factors for choosing the profession, with a determinant role in the professional performance and in satisfaction level conferred by practising a profession.

### The results obtained at the questionnaire scale:



As shown in the graph above, the social interests hold first place in the preference ranking of the surveyed subject. They are particularly concerned about activities involving interpersonal relationships, in the sense that they offer help to the "other" in various social contexts. It is also noteworthy the high score (75%) obtained in the variable 'investigative interests' which requires excellent abilities for research, investigation, under various forms and in the most varied fields.

The subjects also show a certain attraction to creative activities, which involve an informal expression context (the level of artistic interests is 65%). They are not attracted to repetitive, monotonous activities, involving a systematic and organized handling of data or objects in a very well structured framework, which explains the low level (30%) obtained for the dimension of conventional interests.

### The role of access technologies in educational and vocational guidance

For people with sensory impairments, we can notice the AT formative valences in the new educational and professional guidelines, in the management of communication, information and studying activities, at school, at university, at home or at the office.

The access to available information offered by the Internet, by magazines, newspapers, journals, public libraries (in this case, it is necessary to scan books or have them translated into audio digital format) or virtual ones, the area of interest fields of visually impaired people has widened. They can have access to the latest information in fields which were inaccessible for them or required very cumbersome adjustments before the emergence of AT. Along with the effective access to

information, communication through Internet services (email, instant messaging, telephony, forums and discussion lists on various topics) allowed the development and shaping of a closer relationship between people without disabilities and the visually impaired ones.

The information in electronic format offers the advantage of a more rapid, more comfortable and more stimulating use. An electronic text or a pre-recorded one is more practical not only for people with visual impairments, but also for people without disabilities because it is easier to process, provides flexibility while working etc.

The special and integrated education system is obliged to facilitate and promote the use of AT, not only in recreational, informal situations, but also in the formal, official ones, facilitating the assimilation of knowledge and competencies formation. The competencies need to be formed at the same level as those for people without disabilities, and the working tasks need to be accomplished at an almost identical pace and level.

As in education, the information technologies have allowed both the development of new fields of activity and a deepening of the existing areas. As far as the issue of visually impaired people is concerned, the computer provided with specific AT has triggered new trends in educational training, namely professional training, the exploitation and development of some previous skills, for example in music or mathematics. This step of shift towards modern areas of activity has increased the chances of integration and reduced the risk of social segregation. At present there are jobs that previously to the emergence of the access technologies were almost inaccessible to persons with sensory impairments.

In the assessment of these people's level of performance in terms of working tasks, it is necessary to take into consideration the limitations imposed by the disability, but also the degree of accessibility of the position.

- Among the new professional guidelines of these individuals, according to the results obtained from CEI, we can mention: a lawyer's profession (under the circumstances when the meetings are translated into electronic format, and an assistant transcribes the handwritten documents), the profession of a social worker, that of teacher, educator, analyst programmer (for applications that do not require complex graphics and the programming language used is accessible), scientific reviewer (for drafting summaries of books that do not include graphs or formulas that

are hardly accessible), secretary / translator (translation of materials, writing letters, managing the information flow), journalist, political analyst. Another educational and professional area to which AT permitted the access is the musical field.

AT have facilitated the access for people with sensory impairments to creation, be it artistic or recreational. In the field of music, by using the computer properly adapted with AT, to which an accessible musical instrument and a professional microphone are connected, artistic musical creations can be developed. The artistic creation, combined with programming knowledge have led to increased interest of the blind in creating and managing complex programs integrated into a website or even to the construction and management of a whole site.

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# GENERAL CONSIDERATIONS ON INDUSTRIAL PROPERTY RIGHTS AND THE ROLE OF PATENT ADVISOR

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**Abstract:** *Patent advisor must have extensive experience in industrial property activity in order to analyse together with the inventor of all aspects related to the invention, both during drafting documentation and during its review by the Office of Inventions, and then, throughout the period of validity of the patent.*

**Keywords:** *research, development, innovation, patent, patent advisor, technology transfer, recovery.*

## Introduction

Valuable and useful technical solutions, the result of creative work, need legal protection on the territory of a country or by its prospects of marketing, in other states too. Scientific and technical creative activity involves a series of concrete actions related to inventions law of that country, but especially to the way in which technical solutions are analysed in view of selecting patentable elements and drafting documentation for patent application for the Office of Inventions.

A basic document in this sense is the description of invention that represents the main element, embodying all technical creation of the inventor. This document should be written according to the rules issued by the Office for Inventions of a country, must present clearly and

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precisely the elements of the invention and, especially, contain a chapter of claims including all new patentable elements so as to not allow a third person (natural or legal) to develop a so-called "bypass" patent.

A well written description of the invention, with novelty claims filled in, shall avoid during the term of the patent application and then during the patent life (in case of granting the patent), a number of complications. We consider both pre-screening process and substantive examination, and also in case of disputes on novelty elements, in case of infringement of rights, or for license invalidation or in other situations relating to a patent. And as always in life, the inventor must have an advisor, a support and counsellor in this activity to protect his invention.

And this is more as in general inventors are thinkers in the technical field and sometimes with less knowledge and less practice in industrial property protection legislation. This need to support the inventor has determined the occurrence of **patent advisor**, or as it is called in some countries **patent agent** who is the first advisor to the inventor. This should have a solid technical background and be well acquainted with the laws of inventions.

**Patent advisor** must have extensive experience in industrial property activity in order to analyse together with the inventor of all aspects related to the invention, both during drafting documentation and during its review by the Office of Inventions, and then, throughout the period of validity of the **invention patent**. This paper presents the entire flow necessary for obtaining an invention patent, since the emergence and development of the invention, the preliminary submission to the Office of the invention, the patent application being examined and the validity of the patent.

This paper presents also comments on special circumstances occurred either because of provisions of national law on inventions, or by other causes. At the same time, it highlights the role of **patent advisor** involvement as first counsellor of the **inventor** and **patent owner**. Apart from drafting clear and complete description of the technical solution, **patent advisor** is one that, from the beginning, throughout the flow of patenting shall consult with the **inventor** or **patent applicant** on how would be best to exploit the invention.

If marketing shall be abroad, it is also the **patent advisor** who is aware of international regulations and conventions to which Romania is a party, and shall analyse the patent procedure abroad, the number of countries on which territory the technical solution should be protected and shall decide how the technical solution to be protected with minimum expenditure

from the inventor. In the same time, the **patent advisor** is someone who, as shown in the paper, must support the inventor or patent owner to draw up the contract of sale of the invention, whether it is sold partially, totally or on limited periods.

In case of disputes or during the examination, the **patent advisor** is the one who, together with the **inventor** or **invention owner** will explore all aspects of these processes and will produce a response as required by law and in the same time, very well technically substantiated.

This paper includes and exemplifies these activities of **patent advisors**, that we believe represent new elements in our country, as this specialty is relatively recent. A **patent advisor** must be, in some cases, the counsellor of **inventor** or **invention owner**. These cases generally refer to paternity disputes, compulsory licenses, etc. or litigation between the parties that shall be heard in a legislative body.

In other words, a **patent advisor** must be a lawyer representing the client and pleading in court.

This work will be the guide, first for **inventors**, indicating how a technical solution should be analysed and especially on how to deal with different situations arising during the life of a patent. It must also be a guide for those working in the field of industrial property as direct "advisors" to **inventors - patent advisors** - and indicate their optimum way to be followed for complete protection of the invention and for the best possible marketing thereof.

In our country the law regulates inventions and inventions issue is completed and cleared by the Application Regulations of the Law on invention patents.

The paper uses the **patent advisor** name instead of **industrial property advisor** in order to emphasise that the work is limited only to advisors' activities and tasks in protecting inventions, which is only part of **industrial property protection**.

The concept of property is quite large and is discussed in detail in the science of law, but we will use a few items to decide on the concept of industrial property, which includes the invention too. A direct link is between the concepts of property and owner, which is the rightful owner of material and intellectual assets.

The owner has the exclusive right to use such property without authorization of someone else and has the right to sell or leave as inheritance to his successors. Such material assets may be household goods, animals, cars, land, houses etc.

These achievements are the result of intellectual effort of the expert in that field of activity. Here the notion of property indicates the ownership of work created, its real author, the one who made it, no matter whom the right is transferred to, on one way or another, in order to exploit it or turn it into value.

These achievements are not limited to art, painting, music, literature, and art but also to technical field, where the creator can provide new solutions to eliminate all or part of existing gaps in global state of the art, in a particular field.

Thus, two main branches of intellectual property are outlined, namely:

- Literary and artistic property;
- Industrial property.

In **literary and artistic property** are included all work in this area, regardless of the mode or form of its expression. Examples would be books and other writings, lectures, musical, choreographic works, dramatic works, achievements in the video field such as cinema, television works, photography, applied art, paintings, sculptures and more. In the field of literature can be included translations or other transformation of literary works and literary collections.

Protection of these creations or copyright is governed by the laws of the respective countries and refers to the fact that, in general, certain uses of works are considered illegal if they are made without the authorization of the copyright owner.

Examples of copyright infringement can be mentioned: copying or reproduction of works of art without the author's consent, development of films adapted from literary or musical work, the right to translate literary works and others.

Protection of these achievements is done both by legislative provisions of those countries and international conventions such as the Berne Convention for the Protection of Literary and Artistic Works, signed on 9<sup>th</sup> of April 1886 has been revised successively which over the years, being in force at present.

Romania is a member of the Convention and it is good to note that in accordance with the provisions of this Convention each of the member countries shall be granted the same copyright protection to nationals, in accordance with the law of each country. The Convention establishes the duration of copyright protection and contains special provisions for developing countries.

### *Industrial property*

As mentioned previously, industrial property is part of the Intellectual Property and includes within its sphere, in the first place the “invention” that will still be the main subject of this paper. Also, at “Paris Convention for the Protection of Industrial Property” it was considered that part of the industrial property objects beside the inventions are also utility models, industrial designs and models, trademarks, factory marks and service marks, commercial denomination, indications of origin and original denominations, as well as repression of unfair competition, and by the treaty of Washington DC on 26<sup>th</sup> of May 1989, in the field of industrial property was also integrated the Protection of Integrated Circuit Topography.

### *Patentable invention*

The invention is considered as the main engine of science and technology development and is the one containing the most advanced notions of human intelligence, representing the main link to the introduction of technical progress in economic and social life. It is generally observed that in countries with highly developed industry, the number of inventions is particularly high as compared with other countries, such as those under development, where the number of inventions is lower, being directly correlated with the degree of technical development.

It is necessary for an **inventor** to have a rich experience and a better knowledge of specialized issues in the field. These two conditions allow a specialist with inventive spirit, to achieve truly new and valuable things and not to work for things that were already done by others, before him. Therefore, the work of invention is a particularly laborious one and generally requires many hours of hard work by the **inventor**.

The concept of the invention has been defined somewhat differently by the laws of states and therefore we seek to outline the elements contained within the sphere of this concept.

Thus, in 1979 the World Intellectual Property Organization (WIPO) has developed a model of law for inventions in developing countries, not mandatory, where invention was defined as a solution of an inventor, that applied, allows approaching a specific problem in the field of technics.

Japanese law, which is considered as compared to other countries, superior to the laws in the field of inventions, defines invention as very advanced creation in technical field, by which a law of nature is used.

It is appropriate to point out that national legislation of 1974 on inventions and innovations defined inventions as a "scientific or technical creation," presenting novelty and progress over the prior stage of world technics, which has not been **patented** or **made public** in the country or abroad, represents a **technical solution** and can be **applied to solve problems** in the economy, science, health care, national defence or any area of economic and social life.

Finally, the current law defines a patentable invention as **new solution, result of an inventive activity** which is **susceptible of industrial application**.

In this definition, we observe an approach to the definition proposed by WIPO.

The invention as object of industrial property is protected by invention patent, called in other countries as patent. It should be emphasized that sometimes instead of the invention the object of industrial property is presented as the invention patent. It should be understood that the patent is only a document, issued by the Office of Inventions in most countries, in the name of the government of the country for the establishment of an invention protection.

The fact that the invention is object of industrial property and not the invention patent, which is only a document, is highlighted by the majority of the laws on invention of different countries, including law on inventions in our country (Condratov and Hapenciuc, 2012).

The defining elements of an invention, disclosed in the various definitions of the invention mentioned in the laws of some countries, can be materialized by some elements that are found in all laws.

Thus, a first element is the *novelty* at the world level. This means that by the time the patent application to the Office of Inventions nobody else has published a technical solution similar to that for the patent (Mehlig Sweet and Eterovic Maggio, 2015). By making public a technical solution means either the publication of a patent application for a similar solution before or the publication in a magazine or in any other publication or presentation in an exhibition or television or even in a case study news. Therefore, it is recommended that for a new technical solution, to submit as quickly as possible the documentation at the Office of Inventions to protect it by a patent.

Therefore it is clear that the date until which the novelty condition of a technical solution is the date the patent application was filed with the Office of Inventions.



However, there is a situation when the date by which the novelty of technical solutions is examined, for those who demanded protection through an invention patent, to be prior to submission at the Office of Inventions, i.e. the date of filing the application.

This solution is governed by the Paris Convention to which our country is a party of. Thus, an innovation patent was requested for a technical solution at an Office of Inventions of a country member of the Paris Convention and then within 12 months a patent for the same technical solution was requested at another Office invention of another country, member of the Paris Convention, in the request indicating the priority of the first filing, the research and technical documentation will be made at the second office only until the first filing is considered as deposit legally constituted.

Thus, no technical solution that became public between the date of the deposit and the second deposit cannot be regarded as destructive of novelty for the second, because date of depositing is considered the date of first depositing.

Moreover, if in this period between the establishment of the first depositing in the first country and the establishment of the second deposit in a second country invoking the first depositing in the second country, a third party requests a patent for a technical solution similar to the application submitted before the end of the second deposit that was set as priority, this request will be rejected, because according to the priority given by the provisions of the Paris Convention, to which priority is claimed, the date of depositing the two patent applications is the date of first depositing.

These situations will give rise to many analyses in this paper, analyses directly related to the activity of the **patent advisor**.

Inventions patents granted for technical solutions generally fall into two groups, namely: product patents and process patents. For example, a patent for a product may refer to an extraction pump or a new chemical substance, and the patent for the process relating to a process for the manufacture (for example, of a chemical substance). Often, we find patent relating to a process and device or a new material and process for its manufacture.

In fact, when asking for a patent for a new product, it is mandatory to indicate the manufacturing process of this product.

In general, both the product and the manufacturing process being new, the patent is granted for both product and process.

If an inventor will create later a new manufacturing process of the product in terms of purity or higher simplifying the technological process, he or she will be granted the patent only for the process that is new, the product is no longer new, as it was done previously and is no longer a novelty.

A second condition found in the laws of other countries, as well as in inventions legislation of our country is that the technical solution to present progress in relation to the known solutions worldwide in the field. In some cases this condition is called inventive step or as Japanese calls it, a "more advanced technical idea".

This notion of "more advanced" is met also in the case indicated by World Intellectual Property Organization (WIPO) above.

Let us consider then why in some laws of invention, as is the case of our country, it is specified only "*new solution resulted from an inventive activity and that is susceptible of industrial application*". If we analyse this text, we observe that the element of technical progress is contained in the concept of "**inventive activity**", meaning a better solution than that found in the prior known technics. This is not merely because it is new, but by the fact that it embodies the inventive spirit. If this notion is reinforced by the fact that a new solution must have industrial application, technical progress is evident.

## **Conclusions**

In the examination of the application for invention patents many cases were encountered when, although the technical solution itself was new, meaning unprecedented in bibliographic materials, it did not have an industrial application, or the product obtained for example by a new process had lower characteristics of the product obtained by the method already known, inferiority embodied by the degree of purity, reliability or other conditions of existence of a competitive product on the market.

From here, the applicative value of an invention begins to take shape, whose industrial applicability presents far superior characteristics. Surely, by competition with other technical solutions that will meet the best conditions, there will be the most sought after in the market by manufacturers.

New technical solutions, patentable, must solve effectively problems that were created, generating technical, economic effects and other of effects in order to justify intellectual and material efforts made to obtain them.

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# THE LEGAL SYSTEM FOR OCCUPATIONAL SAFETY AND HEALTH IN ROMANIA

## OCCUPATIONAL SAFETY AND HEALTH WITHIN THE EUROPEAN STRATEGY

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**Abstract:** *The integration of occupational safety and health (OSH) with education represents, at European level, an essential component concerning the development of risk prevention culture. This allows everybody, teachers and children alike, to learn how to live and work in a safe and healthy environment.*

*A strategy to promote a culture of prevention and protection must address to all parts of society, widening its scope and beyond the workplace and the workforce. It should help to create a general culture that values health and risks prevention.*

*An educational institution must be a safe and healthy working environment for all the staff who carry out educational activities, as well as for the students and other persons involved so that they may be provided with a safe and healthy environment, adequate to the teaching and learning process.*

**Keywords:** *safety, health, educational institution, working environment, risks at the workplace.*

### 1. Introduction

At educational institution level there must be a safe and healthy working environment, proper to education. At the same time, the presence of vulnerable groups (e.g. very young students), as well as the needs of

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disabled people must be especially taken into account. The European Agency for Safety and Health at the Workplace has identified five basic issues that must be taken into consideration (12,13,14):

1. The indoor workplaces, either a classroom, a staff office or a kitchen, must be adequately ventilated and properly illuminated, they to have an adequate level of humidity, enough space and cleanliness;

2. In case vehicles enter inside the institution, then the the signalization must be clear and, wherever it is possible, the driveway and the pedestrian area must be clearly delimited;

3. The floors must be well maintained and kept clean as to reduce slip and stumble risks.

4. Special attention will be attached to the protection against falls from heights in areas such as balconies and staircases. An extra protection of the railings for very young children may be necessary;

5. The doors and the transparent windows must be clearly marked and made of a suitable material.

## **2. The Strategy of the European Union**

**The EU strategy in the field of safety and health at workplace has designated** the preventive education and culture as key factors for maintaining and improving the quality of work. With a view to supporting this strategy, the European Agency for Safety and Health at Work has published a report called *"The integration of occupational safety and health with the education sector"*. The best practices in schools and in vocational education institutions, which present examples of European good practices and highlight the stages, lead to a systematic strategy with a view to integrating the safety and health at workplace into the field of education and training. In England, "the National Healthy School Standard" is a national program which provides an accreditation process for partnerships in the fields of education and health."A completely safe school" is an initiative identified in the Dutch education system, aimed at enlarging communication concerning security and violence in schools and their surroundings. Likewise, Greece has adopted the development of global safety procedures for the daily safety evaluation in schools and their surroundings by developing a public-private partnership called "Light on school safety." Besides, there is "the School Circle", a concept concerning the design of the working and learning environment in Swedish schools.

### **The curriculum-based approach**

In the majority of the EU member countries, safety and health represent part and parcel of the curriculum being dealt with in several disciplines. Safety and health are integrated as “transversal themes”, that is at all education levels and within different disciplines. Thus, "A safe school" in Italy provides a conceptual and methodological framework for teachers concerning the modality of introducing an OSH in curriculum. The Italian space has also provided "Examples of good practices in primary school" focused on the development and dissemination of teaching tools at national level in order to promote the culture of prevention." Completely safe play at any moment" (England) aims at sensitizing the primary school level with respect to the safety aspects encountered on the premises of the institution and developing the packages of learning resources for different subjects from the national curriculum. The Armi Danish project is focused on the development of the behavior, basic knowledge and their positive use in order to ensure the surrounding people's health and safety.

### **Approach based on the workplace**

It is necessary to get to know the most important stages of the educational process, the transition from school to active life, which are devoted to the integration at the workplace of the steps leading to professional life and risks that should be taken into account. These types of cases have global or sectoral themes. The Irish program "Prevention of accidents involving students and youth in the agriculture sector" envisages the development and introduction of security statements that determine the way in which OSH will be managed on a farm. "Safer machines due to students" (Belgium) is a specific example of students' participation in the improvement of security equipment, whereas "Control" (England) is a multimedia educational resource with concrete examples of risks at work. Last but not least, in Italy, "the OSH integrated curriculum model" has as objectives planning and testing the standard training modules on safety in schools and in the vocational training centers.

As far as the educational staff' is concerned, it is necessary to raise their awareness as to the risk factors in their working environment. Also, they need to know the legislative regulations as to health and safety at work in order to prevent risks at workplace. An educational institution must be a safe and healthy working environment both for the staff whose entire activity takes place in schools and for the students and others who

enter the organization so that they may carry out their activity in a safe and healthy environment, proper to the educational process.

### **3. The Nationwide Strategy:**

For the period 2011-2013 a new OSH strategy was adopted, stating:

a) a holistic approach of wellbeing at the workplace by taking into account the changes in the world of work and the emergence of new risks, with a view to increasing the work quality;

b) consolidation of a culture of risk prevention by combining a variety of political instruments - legislation, social dialogue, measures and best practices, social responsibility and economic incentives - based on building partnerships among the stakeholders involved in the OSH activities;

c) the existence of an adequate social policy which is a factor in the competitiveness equation being common knowledge that "non-policy" entails some risks.

The Law no. 319 of 2006 concerning Occupational Safety and Health is the legislative act under which all the activity of safety and health at the workplace is performed in Romania. In other words, it acts as the fundamental law for achieving safety and health at the workplace, being in this respect the generating element for all legal provisions concerning health and safety at the workplace, whether they are to be found in the acts which make up the basic legislation or in related ones (except for the provisions of the Constitution and the Labour Code).

### **4. The Legal system for occupational safety and health in Romania:**

A) The acts which legislates strictly only activities directly related to occupational safety measures, forming a so-called "basic legislation", of which we mention:

- Occupational safety and health law 319/2006;
- Governmental decisions transposing the EU directives
- Methodological norms for the application of the Occupational Safety and Health law.

B) Documents which also contain, but only in subsidiary, the legal standards of safety and health at the workplace (The Romanian Constitution, the Labour Code - chapters on labor protection and social insurance, as well as on women's and youth labour) or rules of law which, although in principle have a different focus and are specific to other



activities, contribute by their application to the protection of life and health of the employed persons.

### **The Occupational Safety and Health Law**

The legislative act under which the whole activity of safety and health at the workplace is carried out in Romania is the Occupational Safety and Health Law. In other words, it acts as **the fundamental law to achieve safety and health at the workplace**, being from this point of view the generating element for all legal provisions concerning safety and health at the workplace, whether they are found in the acts which make up the basic legislation or in related ones (except for the provisions of the Constitution and the Labour Code). The structure of the **Occupational Safety and Health Law** provides cover for all the basic problems concerning the way in which the practical work for preventing occupational risks is organized and carried out.

**The methodological norms for the application of the Occupational Safety and health Law no. 319/2006 regulate the following aspects:**

- employers' authorization in terms of safety and health at the workplace;
- prevention and protection services;
- the representatives of the workers with specific responsibilities in the field of health and safety at the workplace;
- organization and functioning of safety and health at the workplace at the enterprise and / or establishment level;
- workers' training in the field of safety and health at the workplace;
- workplaces with serious and imminent danger;
- specific high risk areas;
- communication and research of events, registration and evidence of occupational accidents and dangerous incidents, signaling, investigating, declaring and reporting occupational diseases;
- approval of information and training documentation in the field of occupational health and safety;

The organization of prevention and protection activities is provided by the employer in the following ways:

- a) by the employer's assumption of duties for implementing the measures stipulated by the Law no.319/2006;

- b) by appointing one or more workers to carry out the prevention and protection activities;
- c) by setting up an internal prevention and protection service;
- d) by resorting to external prevention and protection service;

## **5. Occupational safety and health management**

In order to ensure occupational health and safety in educational institutions, their managers need to implement an occupational health and safety system which should be part of the overall management system. This system includes the following elements:

- developing an occupational safety and health policy;
- organizing a management system with clear allocation of responsibilities in the field of occupational safety and health;
- risk assessment for safety and health at the workplace that will be reviewed whenever the conditions change;
- occupational safety and health auditing
- training, information and instruction on health and safety at work
- emergency procedures;
- periodical analysis of the system in order to ensure that it is efficient;
- keeping documentation and records in order to ensure business continuity.

## **6. Basic principles for occupational safety and health (OSH)**

Occupational safety and health is based on the following principles:  
All workers have rights;

The OSH policy must be established;

Consultation with the social partners (employers and workers) as well as other stakeholders is necessary.

Prevention and protection should be the aim of OSH programs and policies;

Information is vital for the development and implementation of effective programs and strategies;

Health promotion is the core element of health policy at the workplace; occupational health and safety services must be established so as to cover all the workers;

Compensatory, rehabilitation and treatment services must be made available for workers who have suffered injuries, accidents and occupational diseases;

Education and training are vital components of a healthy and safe working environment;

Workers, employers and authorities have certain responsibilities, tasks and duties; – the established policies must be implemented;

## **7. Training and Information**

Another important component of prevention is the training in the field of occupational safety and health, which aims to acquire knowledge and skills for health and safety at the workplace and which is performed during the working hours.

Employers must ensure that workers have enough specific and systematic information and training concerning:

a. the nature and degree of the dangers and risks posed by hazardous substances, especially in an emergency;

b. employees and other persons' protection in terms of health and safety against hazardous substances that may be present, especially by use of coherent and well established methods of handling, storage and transport of dangerous substances and well as waste handling;

c. correct and effective use of control and protection measures as well as of the personal protective equipment.

This information must also be sent, when appropriate, to subcontractors and to their employees.

## **8. Labor Protection Measures**

### ***8.1. Personal protective equipment (PPE)***

The personal protective equipment represents the means each participant is equipped with in order to be protected against the risk factors during the labour process. It is free and compulsory for all the employees and other participating categories in the labor process, in accordance with the regulations in force. On this basis, the employer shall establish the internal list of equipment with appropriate PPE so that the working tasks may be performed safely. (1,2,3).

### ***8.2. Safety signs***

Safety signs represent a set of rules and mandatory measures applied in order to warn against the existing risks that cannot be avoided or sufficiently limited by technical means of protection or measures of work organization. (4,5)

In order to prevent accidents and occupational diseases in education: classrooms, laboratories can take preventive measures and protection specific to each type of activity performed.

The role of health and safety at the workplace is crucial for enhancing the competitiveness and efficiency of activities through the positive effects it produces: reducing the cost of accidents, incidents and diseases and increasing the work motivation, the safety at the place where they perform their activities both for teachers and students.

## **9. Conclusion**

A strategy to promote a culture of prevention and protection must address to all parts of society, widening its scope and beyond the workplace and the workforce. It should help to create a general culture that values health and risks prevention.

In our country safety at the workplace is a matter of state and is regulated by the Constitution, the Labour Code, the Occupational Safety and Health Law no. 319 /2006, the Methodological Norms/2006 for applying the provisions of the Occupational Safety and Health Law no. 319/2006 and other legal acts.

In accordance with these regulations, the obligation to ensure safety and health under all the aspects concerning labour, is incurred by the unit manager and the employers and students' obligations do not affect the principle of employer' responsibility.

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