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Risk Factors of Juvenile Delinquents' Post Rehabilitation Relapse: Evidence from Eastern Cape Province, South Africa

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Abstract

This study explored the risk factors of post-rehabilitation relapse among juvenile delinquents in Eastern Cape, South Africa. It is foregrounded on three sociological theories, namely, labelling, differential association and social control. Through snowballing technique, a sample of 35 respondents was drawn from population of parents and guardians in Mthatha whose children had attended rehabilitation. Data were collected by survey (questionnaire) and subsequently analyzed by use of complementary statistical tools. While social rejection (0.806) is the main core frisk factor of post rehabilitation relapse, being male (β=-0.13), younger age (β=-0.349), living in rural area (β=0.223), higher number of siblings (β=0.464) are social attributes mostly associated with post rehabilitation relapse among juveniles. This study recommends post rehabilitation monitoring program that targets the more susceptible social categories as identified in this study.

Keywords: juvenile; deviant behavior; relapse; rehabilitation; South Africa.

1. Introduction

For centuries, imprisonment and whipping of juvenile delinquents have been standard sentences handed down by the courts. Abrahamsom, Baker and Caspi (2002) was of the view that criminal and antisocial behavior is the result of a complex interplay of individual, biological, genetic and environmental factors. Demographic factors in combination with internal factors such as impulsivity, coping skills, and beliefs are essential components in identifying the risk of offense for an individual. Risk assessments are used to identify characteristics in youth and their environment associated with repeated criminal behavior (Chu, Goh & Chong, 2016). Identifying risk factors early may assist in providing interventions that target adolescents who are most in need of preventative measures. Unfortunately, risk assessments cannot consistently identify which particular individuals will become serious or chronic offenders after rehabilitation.

Any country that cares about its children and youth has a responsibility, first and foremost, to identify and address the historical factors contributing to that misbehavior and secondly, it has to identify other causative factors within the current dispensation, which may contribute to such misbehavior (Bezudenhout & Joubert, 2003).There are issues and risks involved in going back to the society and if they go unchecked, there is a problem of re-offending and going back to the diversion centers again. On the other hand, if the unmet needs are consulted,

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then the risk of relapsing is reduced. The foremost goal of diversion program is to rehabilitate juveniles so as to change deviant behaviors into those that are socially accepted. In reformatories, rehabilitation techniques and services such as counselling are offered to the juvenile. The aim is to curtail unlawful activities, promote good behavior and create a crime free society by means of rehabilitating those that had been behaving in a delinquent manner. Reintegration into the society is also of great importance, this helps a juvenile to effortlessly fit back into the society and equally function as expected. Although the beliefs of communities and individuals differ as to the intent of the program, others still feel the need for retribution. The impact of diversion programs thus, cannot be ignored as a number of youths having completed the program will re-offend. There are currently no systems in place in South Africa that could assist with the identification of repeated offenders. Understanding crime prevention and management strategies proves a challenge because the effectiveness of delivering the same service to repeat offenders could not be established (Johnson et al., 2007).

- Post rehabilitation relapse among juveniles is a problem in Mthatha area of South Africa.

- The core risk factor of relapse is social rejection of juveniles after their rehabilitation.

- Association with dropouts is a risk factor to relapse.

- Teens below age 15, males, rural children are more at risk of relapse than their counterparts.

- Non-intact and big household size are risk factors of relapse.

- Black children are more at risk of relapse than those of other racial groups.

There are unarguably a number of structures that are in place to manage juvenile antisocial and other delinquent behaviors in South Africa. Eastern Cape is riddled with a wide range of socio-economic challenges such as poverty, unemployment and teenage pregnancy (Macleod & Tracey 2010). Observationally, some of the young offenders incarcerated in juvenile centers come from townships and poor neighborhoods that lack basic social infrastructures that may be capable of keeping the youths off crime and antisocial behaviors. In accordance with the legislation and welfare service of the Republic of South Africa, Juvenile rehabilitation centers are established to provide a multi-pronged rehabilitative support to young offenders in their care. This therefore comes with some expectations from the society on the correctional services to release thoroughly rehabilitated individuals back into the society upon completion of their term. The extent to which these expectations are met through evidence of rehabilitated, stable, crime free individuals, remains a major question that has not been sufficiently answered specifically with regard to Mthatha in the Old Transkei area of Eastern Cape Province. The realization that juveniles who attend these rehabilitation programs do relapse raises some questions on – what might be the main reasons behind them not staying completely off criminal activities upon release into the society and which social categories are more prone to relapse than others. Against this background the present study was conducted to explore and explain the factors that are associated with relapse of those young offenders who underwent the rehabilitation process. The main question then becomes why juvenile delinquents who have undergone the rehabilitation process and have been rehabilitated relapse to delinquent's acts? Specific questions addressed in realization of the main question are: What are the core risk factors of rehabilitation relapse? What is the influence of child's social background on rehabilitation relapse Cause?

2. Theoretical review and orientation

Risk factors to post rehabilitation relapse is primarily grounded in three different theories, namely – Labelling Theory, Differential Association Theory and Social Control Theory. Labelling Theory is sometimes referred to as "social reaction theory" because of its emphasis upon

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society dwells on the individual rather than on the behavior. Becker (1963) makes the point: the central fact about deviance is that it is created by society. Social groups create deviance by making the rules whose infraction constitutes deviance and by applying those rules to particular people and labelling them as "outsiders". According to Sutherland, criminal behavior is learned in the same way as law-abiding values are learned, and that, this learning activity is accomplished, in interactions with others, through a process of communication within intimate groups. Differential Association Theory explains the issue of relapsing as children learn their behavior from others. Delinquent children easily identify with others displaying the same behaviors hence making it easier for them to relapse. Such children also lack close bond with their parents, hence engaging in such behavior is a loud cry for attention.

In Causes of Delinquency, social control theory explains the lack of "bonding to conventional society" (Tim, 2012: 236) as precursor to deviance. Four elements of the social bond include (1) attachment, such as to family, friends, teachers; (2) commitment to attain conventional goals; (3) involvement, such as in school, church, or family activities; and (4) belief or respect for police and laws. Within social control theory, attachment to parents was viewed as most crucial to understanding misconduct. According to Hirschi (1969: 88), "If the bond to the parent is weakened, the probability of delinquent behavior increases, if this bond is strengthened, the probability of delinquent behavior decreases." This theory explains the issue of relapse among juvenile delinquents, in the sense that those who have close relation with their parents, with teachers, have conventional goals, have strong belief in and respect the law are not likely to relapse to delinquents' acts. On the other hand, children who are not involved in church, school activities and are isolated from the society are more likely to behave in a delinquent manner. The combination of these theories; labelling, differential association and social control theory can be used to understand the relapse of children who have previously been rehabilitated at various points in their correction journey.

3. Methodology

The population of this study consists of heads of households of juvenile delinquents who have undergone the rehabilitation process but subsequently relapsed. A sample of 35 respondents who are household head in Mthatha was selected through a snowballing technique. This is due to the nature of the topic of this research, which is not a general problem in the society but a relatively difficult one. Hence, the affected households were targeted and reached accordingly. This study employed a combination of quantitative and explanatory approaches. A structured survey instrument (questionnaire) based on established set of questions in closed-ended Likert scale manner was used to collect relevant data from the selected sample population. All the ethical procedures were followed during data collection exercise and an Ethical Clearance Certificate (No. REC/20a/2018) received from the University authority (Research and Higher Degrees Committee of Faculty of Humanities Social Sciences and Law) before the fieldwork commenced. Collected data were analyzed by use of appropriate statistical tools from the Statistical Package for the Social Sciences (SPSS), after which the descriptive and inferential outputs were presented in tables. Inferential statistical tools, namely - Factor Analysis, One Way Analysis of Variance (ANOVA), T-Test and Regression were employed individually and complementarily. In this study, the -independent variables are "contributing factors," proxy by some social background variables, while the dependent variable is "relapse". Relapse as a domain variable was generated by computation of, or a combination of variables, as used in the analysis. The reliability test confirmed the suitability of the instrument and component variables at a general Cronbach's Alpha Coefficient of 0.769 and a range of 0.732 and 0.794 for specific items.

Majority of participants' children were mainly between the ages 14-18 (60%). There were more males (68.6%) than females 31.6 %. Majority (71.1%) were Black, 20% Colored and 1

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(2.9%) other. There were 54.3% and 45.7 % urban and rural residents respectively. While 25.7% were mothers, 42.9% fathers, 31.3% were guardians. More households (45.6%) have 1-3 children, 22.4% have 7-9 children, while only 20% have 4-6 children. There were 60% Non-intact family and 40% intact family.

4. Data analysis and results

4.1 *Risk factors of post-rehabilitation relapse*

Risk factors of post-rehabilitation constitute a combination of social and environmental exigencies that shape the behavior of juvenile delinquents who had attended rehabilitation program. The following results (Table 1) show the predictors or risk factors to post-rehabilitation relapse among juvenile delinquents. With regard to the statement "peer pressure has an impact on the behavior of my child" more respondents (48.6%) strongly agreed that peer pressure has an impact on the behavior of my child, followed by 45.7%, 5.7% disagreed and 0% of respondents who strongly disagreed. Based on the observed Mean (M=3.43, SD=0.608, V=0.370), Chi-Square = 12.057 at p-value <0.05 this means that peers do have an influence to each other as there is a significant difference between respondents' responses on "peer pressure has an impact on the behavior of my child as more parents agreed to this assertion.

On how respondents responded to "my child is adopting deviant acts from one of the family members" 40% of the respondents agreed that their children are adopting deviant acts from one of the family members, 22.9% strongly agreed while 22.9%disagreed and 14.9%strongly disagreed. This means that some children imitate the behavior of their family members and they take them as role models. Mean score, standard deviation, variance was calculated and showed (M=2.71, SD=0.987, V=0.975). Based on the observed Chi-Square statistics of 4.886 which is associated with p-value >0.05; we can conclude that there is no significant difference between respondents based on the causes of post rehabilitation relapse among juvenile delinquents to their responses "my child is adopting deviant acts from one of the family members".

Table1. Responses on risk factors of rehabilitation relapse

	S.D.	D	A	SA	T	$\bar{x}$	σx	σ²	df	χ2	Sig
Peer pressure	0 (0)	2 (5.7%)	16 (45.7)	17 (48.6)	**35 (100)**	3.43	.608	.370	12.057	2	.002
Family deviance	5 (14.3)	8 (22.9)	14 (40)	8 (22.9)	**35 (100)**	2.71	.987	.975	4.886	3	.180
Slow learner	1 (2.9)	14 (40)	13 (37.1)	7 (20)	**35 (100)**	2.74	.817	.667	12.429	3	.006
Regular dropouts	3 (8.6)	7 (20)	20 (57.1)	5 (14.3)	**35 (100)**	2.77	.808	.652	20.200	3	.000
Labelled as failure	3 (8.6)	7 (20)	17 (48.6)	8 (22.9)	**35 (100)**	2.86	.879	.773	11.971	3	.007
Social rejection	1 (2.9)	2 (5.7)	26 (74.3)	6 (17.1)	**35 (100)**	3.06	.591	.350	46.943	3	.000
Attention from our family	3 (8.6)	7 (20)	19 (54.3)	6 17.1)	**35 (100)**	2.80	.833	.692	17.000	3	.001
Exposure to antisocial behaviour	0	6 (17.1)	18 (51.4)	11 (31.4)	**35 (100)**	3.14	.692	.479	6.229	2	.044
Media depictions of drugs	1 (2.9)	3 (8.6)	16 (45.7)	15 (42.9)	**35 (100)**	3.29	.750	.563	21.114	3	.000
Accessibility of drugs	1 (2.9)	2 (5.7)	18 (51.4)	14 (40)	**35 (100)**	3.29	.710	.504	25.000	3	.000
Isolation from community	0	4 (11.4)	17 (48.6)	14 (40)	**35 (100)**	3.29	.667	.445	7.943	2	.019

KEY: S.D: Strongly disagree; D: Disagree; A: Agree; SA: Strongly agree; T: Total; x̄: Mean; Σx: Standard deviation; σ2: Variance; χ2: Chi-square; df: Degree of freedom; Sig: Significance.

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However, more parents agreed or strongly agreed on the influence of one of the family members on deviant acquisition. This means that children can adapt the antisocial behaviours from their family members because they consider what they observe from them as the correct way of behaving.

In relation to the statement "my child is a slow learner and teachers do not adhere with his/her situation" 13 respondents (37.1%) agreed that their children are slow learners and teachers do not adhere with their situation, 7 respondents (20%) strongly agreed while 14 respondents (40%) disagreed and only 1 respondent (2, 9%) strongly disagreed. This shows that many (57.1) children had a problem with academics at school which might lead to low self-esteem. Mean score, standard deviation, variance was calculated and showed (M=2.74, SD=0.817, V=0.667). Based on the observed Chi-Square statistics of 12.429 which is associated with p-value >0.05; we can conclude that there is no significant difference between respondents based on the causes of post rehabilitation relapse among juvenile delinquents to their responses "my child is a slow learner and teachers do not adhere with his/her situation". However slightly more parents agreed that their children slow learning pace and non-adherence of teachers is a risk factor, because when teachers do not adhere with the problem of these children it frustrates them and in turn causes delinquent behavior.

Concerning the statement "my child associated himself/herself with regular dropouts and joined gangs" 57.1% of respondents agreed that their children associated with regular dropouts and joined gangs, 14.3% of the sample agreed, while 20% of respondents disagreed and 8.6% strongly disagree. This means that children who relapsed to delinquent acts have associated themselves with gangs and adopted the behavior of those gangs. Mean score, standard deviation, variance was calculated and showed (M=2.77, SD=0.808, V=0.652). Based on the observed Chi-Square statistics of 20.200 which is associated with p-value <0.05; we can conclude that there is a significant difference between respondents based on the causes of post rehabilitation relapse among juvenile delinquents to their responses "my child associated himself/herself with regular dropouts and joined gangs". More parents agreed that their children's association with dropout is a risk factor because when children are close to dropouts they will learn new techniques of behaving in a delinquent manner even if a child was rehabilitated he can be easily influenced to engage in delinquent acts.

With regards to respondents' responses on "labelled as failure at school led to my child's dropout", the majority of respondents (48.6%) agreed that labelled as failure at school led to their child's dropout at school, 22.9% strongly agreed while 20% disagreed and 8.6% strongly disagreed. Mean score, standard deviation, variance was calculated and showed (M=2.86, SD=0.879, V=0.773). Based on the observed Chi-Square statistics of 11.971 which is associated with p-value >0.05; we can conclude that there is no significant difference between respondents based on the causes of post rehabilitation relapse among juvenile delinquents to their responses "labelled as failure a school led to my child's dropout". Most parents agreed that labelling as failure of their children at school contributed to the relapse of their children. The children now choose to relapse because they lack motivation and engage with other delinquents' foe acceptance knowing they will not be labelled as failure. In relation to the statement "my child is experiencing social rejection because of his/her behavior" few respondents (2.9%) strongly disagreed that their children are experiencing social rejection because of delinquent's behavior, 5.7% disagreed while the majority of respondents (74.3%) agreed and 17.1% strongly agreed. This means that children who are behaving in a delinquent manner feel lonely as they are separated from the society and end up relapsing to delinquent manner. Mean score, standard deviation and variance was calculated and showed (M=3.06, SD=0.591, V=0.350). Based on the observed Chi-Square statistics of 46.943 which is associated with p-value <0.05; we can conclude that there is a significant difference between respondents based on the causes of post rehabilitation relapse among juvenile delinquents to their responses "my child is experiencing social rejection because

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of his/her behavior". However, more parents agreed or strongly agreed that their children are isolated by the society, and hence and join group of delinquents where they will be accepted. On the statement "I feel like my child is not receiving enough attention from our family", 54.3 of the sample population has agreed that they feel like their children is not receiving enough attention from family members, 17.1% strongly agreed while 20% disagreed and 8.6% strongly disagreed. This means that children who have been through rehabilitation do not get enough attention from family members which makes them to relapse to delinquent behavior. Mean score, standard deviation and variance was calculated and showed (M=2.80, SD=0.833, V=0.692). Based on the observed Chi-Square statistics of 17.000 which is associated with p-value <0.05; we can conclude that there is a significant difference between respondents based on the causes of post rehabilitation relapse among juvenile delinquents to their responses "I feel like my child is not receiving enough attention from our family", as more parents agreed that lack of attention from families to these children who behave in a delinquent manner is a risk factor, because after rehabilitation juveniles need to receive full attention from families. Lack of attention might cause a child to relapse to delinquent acts again.

With regards to the statement "relapse of my child is a result of exposure to antisocial behavior", 51.4% of the sample population agreed that relapse of their children is a result of exposure to antisocial behavior, 31.4% strongly agree, 17.1% disagree and none of the respondents who strongly disagree. Mean score, standard deviation and variance was calculated and showed (M=3.14, SD=0.692, V=0.479). Based on the observed Chi-Square statistics of 6.229 which is associated with p-value <0.05; we can conclude that there is a significant difference between respondents based on the causes of post rehabilitation relapse among juvenile delinquents to their responses "relapse of my child is a result of exposure to antisocial behavior". However, many parents agree or strongly agree that relapse of their children is a result of exposure to antisocial behavior, which means that when children are exposed to delinquent acts it becomes easy for them to relapse more especially in a society that is disorganized. In relation to the statement "my child is relapsing to deviant acts because of media depictions of drugs" many respondents (45.7% agree that their children are relapsing to deviant acts because of media depiction of drugs, 45.9% strongly agreed, 8.6% disagree and only 2.9% strongly disagree. This means that respondents agreed that media has a negative impact on juveniles and end up using drugs because they copy the behavior from the media. Mean score, standard deviation, variance was calculated and showed (M=3.29, SD=0.750, V=0.563). Based on the observed Chi-Square statistics of 21.114 which is associated with p-value <0.05; we can conclude that there is a significant difference between respondents based on the causes of post rehabilitation relapse among juvenile delinquents to their responses "my child relapsing to deviant acts because of media depictions of drugs", as more parents agreed or strongly agreed that media deception of drugs is a risk factor to relapse. This means that media deception of drugs has a negative impact on relapse of children because these children will want to imitate the behavior of the individuals on media.

On how respondents responded to the statement "my child behavior is affected by the availability and accessibility of drugs" most respondents (51.4%) agreed that their children's behavior is affected by the availability and accessibility of drugs, 40% strongly agreed while few respondents (5.7%) disagreed and 2.9% strongly disagree. Mean score, standard deviation and variance was calculated and showed (M=3.29, SD=0.710, V=0.504). Based on the observed Chi-Square statistics of 25.000 which is associated with p-value <0.05; we can conclude that there is a significant difference between respondents based on the causes of post rehabilitation relapse among juvenile delinquents to their responses "my child behavior is affected by the availability and accessibility of drugs". However, most respondents agreed or strongly agreed that the behavior of their children is affected by the availability and accessibility of drugs. This means that it is easier for juveniles to relapse if they have an access to drugs. In some locations alcohol and drugs are given to children who are under the age of restriction.

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For the statement "my child feels isolated by the community and then chooses to associate with juvenile delinquents" many respondents (48.6%) agreed that their children feel isolated by the community and then choose to associate with other juvenile delinquents, 40% strongly agreed while few respondents (11.4%) disagreed and none of them who strongly disagree. Mean score, standard deviation, variance was calculated and showed (M=3.29, SD=0.667, V=0.445). Based on the observed Chi-Square statistics of 7.943 which is associated with p-value >0.05; we can conclude that there is no significant difference between respondents based on the causes of post rehabilitation relapse among juvenile delinquents to their responses "my child feels isolated by the community and then choose to associate him/herself with juvenile delinquents" as more parents agreed that their children being isolated by the community is risk factor. Being isolated by the community night cause a child to relapse to delinquent acts because a child will not see need to cease the delinquent acts as the society still isolates him/her even after they have been rehabilitated.

4.2 *Factor analysis on risk factors of relapse among juvenile delinquents*

The factor analysis was applied for the identification of the core factors that causes the relapse among juvenile delinquents. The result presents the value of Kaiser-Meyer-Olkin Measure of Sampling Adequacy (KMO) amounting to 0.581 which indicates that the sample is adequate and allows for factor analysis to be further performed. The approximate Chi-square is 177.626 with 55 degrees of freedom and significance of (p=0.000). This results in the conclusion that factor analysis is considered as an appropriate technique for further analysis of the data.

The result of the analysis indicating the input of each indicator to the causes of post rehabilitation relapse among juvenile delinquents is indicated in (Table 2). Component factor 1 which says "My child is experiencing social rejection because of his or her behavior" accounts for 33.745 % of the variance. This means that children who were rehabilitated from deviant acts relapse mainly because they feel social rejection by the community. This means that social rejection best represents and explains most post rehabilitation relapse among other factors. This is further confirmed in the Factor Loading, where the same factor has the highest interactive loading of 0.806. This means that this is the important component which make juveniles to relapse to deviant acts. When these children feel rejected because of their delinquents acts they do not see the need for them not to behave in a delinquent manner. Therefore, it is important for the community to support children who have been rehabilitated not to reject them.

Table 2. Variance explained and loading matrix for risk factors of relapse

Component	Initial Eigenvalues			
	Total	% of Variance	Cumulative %	Factor Loading
1. Social rejection	3.712	33.745	33.745	**.806**
2. Association with dropouts	2.411	21.914	55.659	**.802**
3. Slow learner	1.258	11.433	67.092	**.686**
4. Media depictions of drugs	1.045	9.500	76.591	**.665**
5. Labelled as failure	.754	6.858	83.449	**.608**
6. Lack of family attention	.568	5.160	88.609	**.589**
7. Peer pressure	.411	3.738	92.347	**.496**
8. Exposure to antisocial behaviour	.352	3.203	95.550	**.453**
9. Isolation from community	.251	2.285	97.835	**.389**
10. Accessibility of drugs	.150	1.361	99.196	**.338**
11. Family deviance	.088	.804	100.000	**.270**

The least important factor that causes post rehabilitation relapse among juveniles is "My child is adopting deviant acts from one of the family members" which accounts to 0.270

(approximately 0.3). However, all the indicators meet the threshold of ≥0.3 acceptance level in the principal component analysis.

4.3 *Influence of selected child's social profile on risk of relapse*

The question that guided the analysis in this section is: What is the influence of child's social background on rehabilitation relapse (Cause)? A simple Linear Regression (Table 4) was calculated to predict influence of head of household's age, gender, place of residence and number children in households on post rehabilitation relapse among juvenile delinquents. Model regression indicated R=0.503, R-Square=0.253, df=4 and f=2.542. From the result, (β=-0.349, P=0.131), Age of a child was found to have no significant influence on risk of relapse, which means that children of different age categories do not statistically differ in terms of the risk of relapse after rehabilitation. Based on the negative Beta risk of relapse is higher for children between age 10-14 than those 15-years and older. Similarly, the results (β=-0.13, P=0.089) shows no significant influence of gender on relapse, which means males and females do not differ in terms of the risk of post rehabilitation relapse. The negative Beta direction towards males indicate that males are more associated to risk of relapse than females. Place of residential location of Child's household, in terms of whether rural or urban does not significantly influence post-rehabilitation relapse (β=0.223, P=0.230), as children from both locations do not differ significantly in terms of relapse possibility.

Table 3. Result of multiple regression on influence of social background on relapse risk

Model		Unstandardized Coefficients		Standardized Coefficients			Correlations		
		B	Std. Error	Beta	t	Sig.	Zero-order	Partial	Part
1	(Constant)	32.139	3.258		9.866	.000			
	Age	-3.094	1.995	-.349	-1.551	.131	.055	-.272	-.245
	Gender	-2.618	1.489	-.279	-1.758	.089	-.243	-.306	-.277
	Place of residence	1.947	1.588	.223	1.226	.230	.275	.218	.193
	Children in household	1.887	.958	.464	1.971	.058	.308	.339	.311

a. Dependent Variable: Causes   **R=0.503, R Square=0.253, df=4, f=2.542 and sig=0.060**
Key:
Age: 10 -14 (1), 15+ (2)
Gender: Male (1), Female (2)
Place of Residence: Urban (1), Rural (2)
Number of Children in Household: 1-3 (1), 4-6 (2), 7-9 (3)

The results indicated a positive beta direction towards children living in rural areas, means that children from rural areas are more likely to be associated with higher post rehabilitation relapse than children in urban areas. In relation to the number of children in the households, the calculations indicated no significant influence on risk of relapse (β=0.464, P=0.058), as children from lower and higher number of siblings in the household do not differ significantly. However, the positive Beta confirms that higher number of children in the household pose greater risk for relapse than households with less children. The reason could be that in families with many children parents may fail to recognise the behaviour of each child and to bond with each on individual level.

An independent Sample T-Test was used to determine the difference in terms of causes of post rehabilitation relapse based on family type of the juveniles. The results shown in Table 5 indicate no significant difference (P=0.411), between the types of family juveniles come from. Therefore, family type does not significantly influence post rehabilitation relapse among juveniles. However, with a higher Mean (31.1310) non-intact families are more affected by the causes of post rehabilitation relapse.

Table 4. Independent samples t-test analysis showing difference in the risk
of post rehabilitation relapse based on family type

Family Type	Mean	Std. Dev		t-Value	df	Sig	Mean Diff
Non-intact family	31.1310	4.78159	Equal variances assumed	1.279	33	.411	1.92857
Intact family	29.2024	3.65173	Equal variances not assumed	1.350	32.285		

An ANOVA test was performed to determine the influence race on the risk of post rehabilitation relapse among juvenile delinquents. The result (Table 6) shows no significant variation in the level of post rehabilitation relapse risk based races. However, even though there is no significant variation, the average mean relapse risk is higher for Black race (M=30.6142) than Coloured (M= 30.1071) and other race categories that were not identified (25.2500).

Table 5. Analysis of variance (ANOVA) on the effects of race
on the risk of post rehabilitation relapse

Race	Risk (Cause)mean	Std. dev	Variance	Sum of sq.	Df	Mean sq	F	Sig
Black	30.6142	4.74489	Between Groups	28.304	2	14.152	.715	.497
Colored	30.1071	2.83444	Within Groups	633.568	32	19.799		
Other	25.2500							
Total	30.3595	4.41212			34			

5. Discussions

The results of series of analyses conducted in this study confirmed core risk factors to juvenile relapse after rehabilitation. The most important and core risk factor of relapse is social rejection of juveniles after their rehabilitation, which denies them smooth reintegration into the society. Invariably children who were rehabilitated from deviant acts relapse mainly because they feel social rejection by the community which makes them behave in a delinquent manner again. Experiencing social rejection because of their behavior was found to be a major problem as the responses showed. This is an indication that children who behaved in a delinquent manner will always experience social rejection even if they have been rehabilitated, the society does not consider them as changed individuals. When researchers have examined the positive side of family relations, they have found it to be associated with a reduced likelihood of delinquency. Studies have indicated a positive relationship between affection and involvement and reduced risk of delinquency (Sebastian & Blakemore). In the labelling theory, it says that social groups create deviance by making the rules whose infraction constitutes deviance and by applying those rules to particular people and labelling them as "outsiders". Children behave in a delinquent manner

because they are labelled as delinquents by the society even after they have been rehabilitated. The study also found that children associated themselves with dropouts and joined gangs. The impact of substance abuse on the lives of adolescents is not solely restricted to delinquent behavior, which has led criminal justice agencies to dedicate enormous fiscal and human resources to this important issue. Substance abuse has been linked to poor school performance, physical and mental health problems, problematic peer involvement and poor family relations (Hoffmann & Dufur, 2008). Being slow learner invariably was identified as an important factor in relapse. This is an indication that children ended up choosing to behave in a delinquent manner because of frustration of becoming academic failures are failures, which supports the previous finding of Herrenkohl et al. (2003: 223), Hirschfield and Gaper (2011), and Gottfredson (2001), who revealed the connection between poor school achievement, low commitment to school, teacher – student conflict and high risk of juvenile delinquency. These categories of pupils are contrast to the educationally committed ones who are less inclined to all sorts of juvenile delinquency and anti-social behavior (Hoffmann & Dufur, 2008). From a different perspective, Media's deceptive depiction of drugs and related substances also contributed immensely in the juveniles' struggle to stay off delinquent activities after rehabilitation. A number of respondents (88.6%) agreed that their children are relapsing to deviant acts because of media depictions of drugs coupled with living in poor and dangerously described neighborhood, which sometimes predispose children to criminal behaviors of different sort (Borden, Perkins, Cartelon, Stone & Keith, 2011).

Labelling not only contribute in sustaining the delinquent behavior but in the case of this present study has damaged the possibility of the juveniles charting a new course in their lives. Based on the children labelled as failure at school led children to associate themselves with others labelled as failure. This is an indication that children who feel that they are labelled as failure they show low self-esteem and decide to join others who are labelled as failures. However, these children will want to prove to the world that they are able to do something and decide to form gangs and behave in a delinquent act. One major influence on juvenile delinquency is deviant peer affiliation in which many juveniles are considered vulnerable because they are easily influenced to become involved with delinquent behavior (Gottfredson & Hirschi, 1990). Juveniles often select peers based on prior similarities with important attributes and behaviors and peers can influence and encourage other juveniles to engage in similar behavior, including delinquency. Peers who are antisocial may foster deviant behavior through direct peer pressure or deviancy training (Deutsch, Crockett, Wolff & Russell, 2012). Direct peer pressure can also establish social norms that encourage antisocial behavior towards each other.

Family system, though not identified as either nuclear or extended, intact or non-intact was implicated in the juvenile's relapse after rehabilitation, which may be due to lack of attention from the significant others. However, our study found that children from non-intact homes are more at risk of relapse than their counterparts from intact homes. A very large numbers of respondents (71.4%) agreed that they feel that their children are not receiving enough attention from their family members and friends. This is an indication that children are neglected by the most important people in their lives which makes them to become lonely and chose to relapse to delinquent acts and join people who will give them attention. Parental supervision, affection for the parent and consistent and continuous discipline are the most important protective factors in promoting the resilience of youth at risk and reducing the chances of their associating with delinquent peers. Harmonious family relations and a good relationship with parents offer protection against delinquency at all ages, and among boys as well as girls.

This study also revealed the substantial influence created by peer pressure in contributing towards relapse. A large number of respondents (94.3%) agreed that peer pressure has an impact on the behavior of their children. This means that rehabilitation process might be effective to a child although they can relapse to delinquent acts because of peer pressure and involvement in delinquent peer group, which are found to be stronger risk factor than parental

alcohol consumption (Lipsey & Derzon, 1998; Derzon & Lipsey, 2000). With the youth aged 12–14, being a key predictor variable for delinquency, as also found in this present study. "Peer delinquent behavior, peer approval of delinquent behavior, attachment or allegiance to peers, time spent with peers, and peer pressure for deviance have all been associated with adolescent antisocial behavior" (McCord, et al. 2001: 80). In connection with peer pressure, the majority of respondents (82.8%) agreed that relapse of their children is a result of social exposure to antisocial behavior. Existing research points to a powerful connection between residing in an adverse environment and participating in criminal acts (McCord, et. al. 2001), as sociological theorists such as Howard Becker and Edwin Sutherland had earlier argued. The concomitant exposure of children to antisocial behaviors further results in isolation from the non-deviant members of the society, which further pushes them towards relapse mode validates the Differential Association Theory, as was propounded by Edwin Sutherland. A very large number of respondents (88.6%) agreed that their children feel isolated by the community and then choose to associate with other juvenile delinquents.

In sought for the social background profiles determinant of relapse, the simple linear regression revealed that children from 10-14 years are more associated with risk of post rehabilitation relapse among juvenile delinquency, than those from 15 years and above (Lipsey & Derzon, 1998; Derzon & Lipsey, 2000), males are the ones that are most likely to influence the risk of post rehabilitation relapse than females, and children from rural areas are more likely to be associated with the causes of post rehabilitation relapse than children in urban areas. Children who are living in rural areas are more likely to be at risk of relapsing because in the rural areas' children live with guardians and others are living with their siblings which makes it easy for them to relapse to deviant acts after they have been rehabilitated. Parents from rural areas migrate to urban areas to find jobs. The results indicated that households with many children are more likely to be associated with the causes of post rehabilitation relapse than those coming from household with few children. The reason could be that in families with many children parents do not recognize all the behavior of each child and children have an opportunity to behave in a delinquent manner.

6. Conclusion and recommendations

The results revealed that peer pressure is the most risk factor that affect juvenile delinquents to relapse to delinquents' acts, media depictions of drugs, accessibility of drugs and isolation from the community makes juvenile to relapse to delinquent's acts. Factor analysis revealed social rejection of a juvenile as the core factor that causes a child to relapse. Males, children from rural areas, households with many and children from 10-14 years are more likely to be associated with relapse. The following recommendation are based mainly on the findings of the researcher about the risk factors to post rehabilitation relapse among juvenile delinquents in Mthatha, Eastern Cape:

- The society and families should be educated on rehabilitation process so that they can accept individual who are rehabilitated and not reject them.

- The schools and teachers should emphasize on dealing with children who are not performing well at school and try to get to the source of problem with a child.

- Community reintegration programs should therefore target the identified risk categories by this research, though without neglecting other social categories.

- Further larger scale research is recommended to validate or challenge the findings of this study

- Post rehabilitation monitoring program is required to keep track on the behaviours and reintegration challenges of the rehabilitated juveniles, especially in the rural areas.

Acknowledgements

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Enactments of Curriculum Policies in Greek Secondary Education: Regulative Discourses and the Reproduction of Social Inequalities

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Abstract

Many critical research studies have documented the complex ways in which global policies on school curricula are reshaped at national and local levels. This paper focuses on the discourses which regulate the recontextualizations of global policies in local school settings. The paper presents an empirical study on the enactments of language curricula in the Greek school education system. Using Bernstein's theory of knowledge pedagogization, we analyze data produced by semi-structured interviews and classroom observations in five lower secondary state schools with socially and ethnically diverse student populations, in the inner city of Athens. Our findings show that, while the socially disadvantaged schools are regulated by discourses on inclusion, in the more advantaged schools of the study regulative discourses are related to performance management concerns. The paper points to the potential implications of such discourses, claiming that challenging educational inequalities requires to identify and act upon the discourses regulating teachers' practices.

Keywords: regulative discourse, instructional practices, global curriculum policies, Bernstein, educational inequalities.

1. Introduction

The critical research literature has documented the diverse ways in which global policies on knowledge and the curriculum are taken up, reshaped at the national level and recontextualized in local school contexts. Much of this research has been motivated by an interest to show what Ball (1993: 16) has called 'second order effects' of a policy, that is changes to 'patterns of social access and opportunity and social justice'. Thus, it has been argued that global policies, by cultivating a performative culture (Ball, 2003) in local contexts, mainly through national systems of students' assessment and teachers' evaluation, shape teachers' local practices in ways that exacerbate educational inequalities (e.g., Lingard & Sellar, 2013). However, what current policy research has neglected is the question of how the multiple and often contradictory discourses disseminated within the pedagogic field by different actors affect local curricular policy enactments, shaping the conditions of students' differential access to the official school knowledge.

This paper focuses on the enactments in urban educational settings of the Greek national recontextualization of global curricular policy trends. The uniqueness of the Greek national context, when compared to other European countries, stems, on the one hand, from the distinctive characteristics of its education system, which, despite many supranational pressures and governmental attempts towards restructuring, remains highly centralized in terms of curricula and administrative coordination. This partly reflects the fact that many of the reforms prevalent in other education systems, e.g., outcomes-based student assessment through national testing, have been fiercely resisted for a long time by teachers' unions and other stakeholders. On the other hand, the dire consequences of the long-lasting fiscal crisis, in conjunction with the abrupt transformation of the Greek society from a mono-cultural to a multicultural and ethnically diversified one, has resulted in school conditions that make the work of teachers very challenging.

The paper presents a study on language literacy policy enactments, carried out in socially and ethnically diverse school settings in the Athens inner city. It utilizes the conceptual tools offered by Bernstein's theory, which help to describe the processes of knowledge pedagogization and their social reproduction or change implications. In particular, using his distinction between the instructional and the regulative components of pedagogic discourse, the study explores how language curricula are recontextualized in these local contexts, what affects such recontextualizations, how teachers shape their pedagogic practices and what their potential effects are on students' learning and their social positioning.

In what follows, Section 2 refers briefly to the global curricular policy trends shaping the educational landscapes worldwide, while Section 3 describes the distinctive features of the Greek national policy context. Sections 4 and 5 discuss the concepts of Bernstein's theory guiding our empirical research and our methodology, while Sections 6 and 7 present and discuss the data analysis and findings of the research study.

2. Global policies on school curricula and language education

Over the last decades, supranational and international agents (OECD, EU, UNESCO) have persistently promoted policies on knowledge, skills and key competencies worldwide, on the argument that they are crucial means for meeting economic and societal challenges of knowledge-based societies, namely strengthening national competitiveness and growth, and meeting the goals of active citizenship, personal fulfillment and well-being (e.g., European Commission, 2019; OECD, 2018; Official Journal of the European Union, 2006). However, as critical policy studies researchers point out, this globalized agenda on knowledge is fraught with tensions and contradictions. For example, the OECD has traditionally adopted a more 'applied and operational orientation' to knowledge by putting emphasis on skills and key-competencies (Tahirsylaj & Sundberg, 2020: 143). However, its recently developed framework 'The OECD Learning Compass 2030' focuses on disciplinary curriculum knowledge, although 'imagined […] in a narrow, utilitarian way' (Hughson & Wood, 2020: 17). Likewise, the European policies promote discipline-based knowledge alongside skills and competencies cultivated across the curriculum (Official Journal of the European Union, 2006). These tensions can be traced across and within national policy contexts, as in some countries (e.g., in Sweden and in England), a 'neoconservative' return to discipline-based knowledge has been identified (Anderson-Levitt & Gardinier, 2021; Nordin & Sundberg, 2016), framed by regimes of managerial accountability and performativity (Ball, 2003).

However, despite this somewhat renewed emphasis on disciplinary knowledge identified in some contexts, many national systems have taken a 'curricular turn' towards 21st century competencies (Alvunger, Soini, Philippou & Priestley, 2021; Anderson-Levitt & Gardinier, 2021; Tahirsylaj & Sundberg, 2020). This approach to curriculum content is accompanied by a specific view on pedagogy, which includes a learner-centered orientation, active forms of learning, and a view of teachers as facilitators of learning (e.g., Alvunger et al., 2021). Furthermore, such

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curricular changes have been accompanied by neoliberal modes of educational (de)regulation (decentralization, marketization, managerial accountability) and the intrusion of new actors in the educational field (e.g., EdTech Companies) (Ball, 2007).

Regarding language education/language literacy, different policies have been promoted by various global agencies. From the perspective of the human capital theory, OECD's 'Programme for International Student Assessment' (PISA), requires language skills oriented to problem solving and the needs of everyday, 'real' life (OECD, 2019). In contrast, UNESCO, from a more humanitarian point of view, considers language education as a fundamental human right and, more recently, as a resource for achieving equality, social inclusion and multiculturalism (UNESCO & UNICEF, 2013). Differences in emphasis regarding language education can also be traced in official documents produced at different points in time by agencies in the European Union. The official texts, 'communication in the mother tongue' (Official Journal of the European Union, 2006) and 'literacy' (European Commission, 2019), refer to communication in specific situations and to the critical awareness of the social consequences of the use of language. In 2016, literacy was declared as European citizens' right, under the umbrella of democracy, equality and interculturalism (Council of Europe, 2016). This indicates that the European policies are evolving, drawing selectively on the OECD, the UNESCO as well as other sources.

3. The Greek political and policy context

3.1 *Policies for modernizing and Europeanizing the Greek education system*

Since the 1990s, Europeanization and modernization have been the two 'narratives with regard to education welfare in Greece' (Zambeta, 2019: 378). Endeavors to modernize the education system and to align it with the European policies have led to the spreading of a new educational culture, emphasizing efficiency, effectiveness and quality as well as ideas related to the principles of New Public Management (Sifakakis, Tsatsaroni, Sarakinioti & Kourou, 2016).

A radical political program of educational reforms with direct reference to policies promoted by the EU was attempted by a socialist government in 2009 through a series of measures introduced under the banner 'New school: The student first' (Ministry of Education, 2009). The program sought to introduce changes both at the level of school administration (decentralization, school autonomy), and at the level of knowledge and learning (piloting new curricula for compulsory education, digitalization of textbooks and other teaching/learning materials, emphasis on student-centered pedagogies). This program was interrupted with the change of government in 2011 and the political instability that followed, caused by the protracted fiscal crisis. Subsequent attempts to introduce reforms (e.g., national testing, teacher and school (self-) evaluation, in that turbulent political time, were reduced to a patchwork of short-lived policy initiatives, as they met the strong resistance of educational communities, and often criticism from the media and the public. Since 2019, the right-wing party in Office has promoted its agenda of reforms, focusing once again on national testing, cultivation of skills for life, school and teacher (self-) evaluation, and school autonomy (Law 4692/2020).

However, the lack of continuity in policy formation and implementation should not be taken to mean that there are no significant transformations going on in schools and the education field. As documented in a recent study (Sifakakis et al., 2016), the global/European trends towards managerial accountability and performance-based control have penetrated the Greek education administration field, attempting to silence, co-opt or replace alternative and progressive discourses on schools and education. In particular, this study has pointed to the proliferation of pedagogic discourses and linked them to the multiplication of sites 'pedagogizing' (Singh, 2015) the educational professionals with 'principles from other fields', which 'tend to colonize and to redefine education values and purposes' (Sifakakis et al., 2016: 59). Therefore, it could be argued

that these processes have affected a gradual 'reculturing' of the Greek education field, also identified in other southern European countries with similar responses to European policies (Grimaldi & Serpieri, 2013).

It is also important to note that despite these on-going transformations, the Greek education system retains many of its old features. Education as a public good, guaranteed by the state, is regulated by hierarchical structures and relations and coordinated by bureaucratic rules. This means centralized human and financial resources allocation, centralized curricula, and high levels of 'professional autonomy' for head teachers and teachers, within their 'professional space' (Jones et al., 2008, in Hall et al., 2015: 495).

3.2 *Curricular policies*

The specificities of policy-making in Greece, exacerbated by the socio-economic and political context, as described above, have affected the ways curriculum policies have developed over the last decade. Since the 2000s, global policies on literacy – the focus of our research in this paper – have penetrated the Greek education through two curricular reforms for compulsory education (in 2003 and 2011). The two curricular programs have recontextualized dominant discourses on language teaching, by placing emphasis on the development of general communication skills alongside other 'soft' skills (critical thinking, digital skills, creativity, etc.), deemed appropriate to everyday life and to contemporary knowledge-based societies (Pedagogic Institute, 2003, 2011). The more recent curriculum of 2011 is orientated more explicitly to the principles of lifelong learning, active citizenship, and communicative competence required in the contemporary diverse and fluid world of work and life (Pedagogic Institute, 2011). It also introduces a more learner-centered and outcome-oriented approach to teaching and learning. The two curricula also rearticulate globally promoted principles in curriculum development (interdisciplinarity, experience-based learning) and approaches to language teaching (communicative and genre-based approaches, critical literacy). However, while discursive shifts towards 21st century learners' skills have been gradually made, the language curriculum remains subject-based, raising the question of how teachers negotiate these diverse influences in their classrooms.

3.3 *Discourses on inclusion*

Part of the process of Europeanisation and modernization of the Greek education was a gradual marginalization of discussions on educational (in)equality, prevailing, at least at the level of rhetoric, during the years after the restoration of democracy (1974-1990), and a growing interest about 'social inclusion'. The latter refers to specified social groups (minorities, disabled people, economic immigrants and, more recently, refugees), representing a new category of school population (Lindblad & Popkewitz, 2002, cited in Zambeta with Kolofousi, 2014). Especially the drastic reduction of (education) welfare provision during the last decade has created spaces for diverse discourses on inclusion to emerge and circulate in the public sphere and the field of education (Kanellopoulos et al., 2020). At the same time, whatever policies were promoted, mainly with the financial support of the EU, tended to be inconsistent and fragmented (Zoniou-Sideri, Deropoulou-Derou, Karagianni & Spandagou, 2006), while the number of people at risk of social exclusion (immigrant and refugee populations' settlements, poverty and policies of austerity) has increased exponentially. These conditions put pressure on public schools to manage 'inclusion policies', often with very little support from the government.

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4. Analyzing processes of knowledge pedagogization and curriculum enactments in local settings

The focus of this paper is on the forces regulating the pedagogic practices through which the Greek language curricula are enacted in the classroom. Our approach utilizes Bernstein's conceptual and analytical tools which help describe the principles and the complex processes through which knowledge is pedagogized, captured by the notion of recontextualization (Bernstein, 1990, 2000).

Bernstein's theory describes a set of rules through which knowledge from diverse academic fields is selected and re-organized, in order to be transmitted and acquired in official educational institutions. The process of transferring knowledge from the field of its original production (e.g., universities, research laboratories) to fields described by Bernstein as fields of recontextualization and reproduction (school settings), is not neutral or 'empty' of ideology (Bernstein, 2000). During this process, knowledge passes through 'ideological screens' (Bernstein, 2000: 115), regulated by power and control relations. The field of recontextualization is comprised of two sub-fields: the Official Recontextualizing Field (ORF) (the state and, currently, supranational agencies mediated by the state and/or local educational authorities) and the Pedagogic Recontextualizing Field (PRF) (university departments of education, agencies of all kinds offering teacher development courses, specialized media of education, etc.) (Bernstein, 1990).

Classification and framing are core concepts in Bernstein's theoretical framework for analyzing forms of pedagogic discourse and practice. Classification refers to the degree of insulation between categories of discourse, agents, practices and contexts, providing recognition rules that enable students to produce legitimate texts (Bernstein, 2000). Framing 'refers to the principles regulating the communicative practices of the social relations within the reproduction of discursive resources, that is, between transmitters and acquirers' (Bernstein, 1990: 36).

To analyze the various forms of pedagogic practice through which pedagogic communication is realized, we combine the varying values of classification and framing with the notion of 'orientation to meaning'. The latter can be described 'as the selection and organization of meaning' (Holland, 1981: 1), and it can be context-depended or context-independent. The former leads to a horizontal discourse, that is to local, context-specific forms of knowledge, segmentally organized. The latter takes the form of a coherent, explicit and systematically principled structure of knowledge and leads to a vertical discourse (Bernstein, 2000).

Attention to framing is important because it regulates two systems of rules shaping the pedagogic discourse and its enactments in local settings: (a) the rules of discursive order, which constitute the 'instructional' component of the pedagogic discourse, and refers to the selection, sequence, pacing, and criteria of the knowledge aimed to be transmitted ('instructional discourse'); and (b) the rules of social order, which constitute the 'regulative' component of the pedagogic discourse ('regulative discourse'). The latter is a moral discourse that provides the criteria shaping character, conduct, manner, and posture (Bernstein, 2000). It includes the theory of instruction which, always infused with ideological preferences, (in)forms the model of the acquirer and the transmitter and the relation between them, projected by the pedagogic discourse. According to the theory, the instructional discourse is embedded in the regulative discourse, which 'regulates what knowledge is selected and how it is organized to produce selective orientations to meaning' (Singh, Thomas & Harris, 2013: 469).

The theory starts with the assumption that the regulative discourse regulates the distribution of different forms of knowledge/skills to various social groups, reproducing a given social order. However, the complexity of the processes of knowledge recontextualization recognized by the theory suggests that these processes are much more open and indeterminate. Consequently, the analytical concepts of the theory, crucially for this research the notion of

regulative discourse, are generative (Moore, 2013), aiming to direct inquiry towards analyzing the social reproduction as well as the transformation and change of social relations in and through education.

In our study we worked with the theoretical assumption that, despite the often invisible state of its principles, the regulative is the dominant discourse, underpinning the visible elements of instructional discourse. Furthermore, as other Bernstein scholars have shown, in the current conditions, globalized discourses, recontextualized in national educational fields, exert strong influence in the regulation of educational professionals' work. For example, Robertson and Sorensen (2018: 471) argue that 'the OECD can be understood as a global actor that has come to dominate the field of symbolic control over what counts as 'the good teacher' and 'quality education'. Such regulative discourses, conveying forms of 'legitimate' professional knowledge and disseminated vertically within the education field, compete with or are reinforced by other discourses circulating horizontally in currently proliferating sites for the 'pedagogization' of teachers (Singh, 2015).

Our research study seeks to identify the regulative discourses that are diffused within the Greek educational field, and how they influence the instructional discourses. As already suggested, Bernstein's conceptual grammar offers productive tools for exploring this research problem.

5. Research method

The empirical research was carried out over four school years (2017-2021), in five lower secondary state schools (students' age 12-15). The schools are located in the Athens inner city, an area rapidly restructured by socio-spatial transformations and the fiscal crisis, resulting in increased social and ethnic diversity, poverty and marginalization (Kandylis, Maloutas & Sayas, 2012).

Two of the schools participating in the research study (hereafter Schools A and B) are located in highly disadvantaged districts of the inner city. In Schools A and B, student populations come almost exclusively from working class backgrounds and are also ethnically diverse, mainly consisting of immigrants (and a small number of refugees and asylum seekers) (85-90%). Two of the other Schools (hereafter Schools C and D) are located in less disadvantaged districts of the inner city, though these areas cannot be characterized as privileged, as they are inhabited mainly by working class people. Schools C and D have lower rates of immigrant students (20%) than Schools A and B. However, the majority of their student populations has low socio-economic backgrounds. In all four schools the majority of migrant students were born and grew up in Greece or they have been living in Greece for many years. The fifth school (hereafter School E) is located in a district inhabited mainly by middle class Greek people. Its student population is more privileged in terms of ethnic and class origin, as only 6-7% of students are immigrants and the rest of them come from families from middle socio-economic and/or middle to high educational backgrounds. As a result, School E can be considered as the most advantaged school of our sample, concerning students' composition and location.

The data has been produced through 28 semi-structured interviews with teachers (n=21), head teachers (n=5) and school advisers (n=2) as well as 20 hours of classroom observations. The main research questions were about teachers' enactment of the language curriculum in the specific school settings, the forms of pedagogic practice shaping the pedagogic interactions in classrooms (instructional discourse) and the ways in which the pedagogic work is regulated (regulative discourse), in the absence of any external visible controls on teachers (see Section 3).

Our data was analyzed by operationalizing the concepts of Bernstein's theory, referred to in the previous section. Data analysis was also based on 'an empirical typology' of the regulative discourse we have developed in the context of this research, which derived primarily from data but also was informed by the literature on inclusion, social integration and social justice as well as on school knowledge and governance (see Sections 2 & 3 and below, Section 6).

6. Results

6.1 *The schools' local conditions*

The analysis of the interview dataset has identified significant differences regarding the context in which each of the schools of our sample works. In the more disadvantaged schools, students' material deprivation, ethnic diversity and bilingualism, and often families' lack of knowledge of the Greek education system and/or familiarity with the formal educational code seem to affect negatively students' performance in Modern Greek Language (Bernstein, 1977). In these circumstances, teachers are called upon to meet the needs of a linguistically and culturally heterogeneous and socially disadvantaged student population without substantial support from the government. One of the interviewees describes students' diversity and the demanding conditions under which many inner-city schools work as follows:

> *Another peculiarity of the inner-city schools is that they are multinational. [...] They have students from different nationalities, they also have Roma children. Some of them have Muslim students too. So [...] they are multicultural, in practice. Another important thing is that students come from socially weaker classes, so they are not supported by parents either educationally or financially.* (School Adviser 2)

In contrast, in the more advantaged schools of our sample (especially in School E), students are more familiar with the official educational code and teachers encounter less serious problems in implementing the language curricula. The Head teacher of School E describes students' academic performance and their attitude towards schooling as following:

> *We aren't rallying for a school of high academic achievers, we have exceptional students, we have average students, we have poor students, like all the other schools in Greece. But these students are very much influenced by the institution of family and by the close-knit family, by family values regarding behavior, and this is reflected in the fact that the school has no incidents related to violent acts or delinquent behaviors.* (School E, Head teacher)

6.2 *Regulative and instructional discourse*

Our data analysis shows that the pedagogic practices differ significantly between and within the schools of our sample. In the two more disadvantaged schools (School A and B), a strong regulative discourse on inclusion as the main tenet of modern mass schooling, drawing on diverse discursive resources, is mediating the instructional discourse. In the data from interviews, we have identified three different versions of the inclusion discourse, regulating pedagogic practices (see Tsatsaroni & Koutsiouri, in press).

The first version incorporates a deficit view of students' cultural and social background, perceives inclusion in terms of assimilation into the dominant culture and society (Barton, 1997), and leads to practices of social control. This approach to inclusion is more obvious in School A, where it seems to be promoted especially by the head teacher in his efforts to change the culture of the school.

> *The socialization that takes place here is important. I told you, these kids are learning Greek, they go to Greek school, but they have the mentality that is dominant in their homes.* (School A, Head teacher)

The second version of the discourse on inclusion focuses on vulnerable students' emotional support and articulates what other researchers have called a 'therapeutic discourse' (Brunila & Rossi, 2018). This version, also identified in School A and partly in School C, often leads to changing teachers' practices, as students' 'emotional well-being' becomes a high priority for them (Ecclestone, 2011), often at the expense of students' 'intellectual enhancement' (Bernstein, 2000).

> *I believe that this school presents a challenge. You are here to fight for the students' benefit, and not educationally speaking. But to make them better people, to offer them emotional support.* (School A, Teacher 1)

The first two versions of the discourse on inclusion tend to underpin instructional practices characterized by an emphasis on cultivating basic literacy skills, which make low intellectual demands on students, and often lead to pedagogical interactions that orient students to context-specific meanings (Wheelahan, 2010). On the contrary, advanced literacy skills (e.g., critical thinking) are not aimed at by teachers, as they are considered unlikely to be achieved by students of disadvantaged backgrounds. These versions of the regulative discourse on inclusion, especially the therapeutic one, affect assessment practices in ways that do not enable students to produce 'legitimate' school texts (Bernstein, 2000).

> *Evaluation is related to the student himself. Circumstances are exceedingly varied; I take them into account. The child himself, how he has developed, whether he has made any progress, great or small.* (School A, Teacher 5)

A third version of an inclusion discourse, which regulates some classrooms in the more disadvantaged schools of our sample, draws on 'policies of empowerment' (Power, 2012). This discourse promotes practices that respect difference and encourage students' participation in learning processes. Teachers embracing this discourse value the co-existence of diverse cultures and regard heterogeneity as a catalyst of change in the inner-city areas.

Discourses on recognition of difference are translated by teachers in different ways. Sometimes the dictum of 'hearing' all students' voices does not translate into practices that enable them to produce legitimate school texts; in Bernstein's (1990) terms, to acquire recognition and realization rules. Other times, discourses on empowerment and participation are interpreted in ways that give rise to forms of pedagogic practice which tend to orient students to 'vertical discourse' (Bernstein, 2000) – context independent, abstract meanings – which is a precondition for students' intellectual enhancement (Wheelahan, 2010). The extract of a classroom interaction below is illustrative of teacher's strong efforts to orient her students to context independent abstract meanings (to introduce students into the meta-language of Linguistics).

> Teacher: *Who could – and I'm speaking, here, to this row – what age group would speak and say: 'He assed out in front of those people.' 'My father is touched in the head.'*
>
> Students: (Give various responses, laughing.)
>
> Teacher: *Tell me some phrases that we would hear from other teenagers.*
>
> Students: *'We're screwed.'*
>
> Teacher: *Language like 'we're screwed' is language that is mainly used by the youth age group. It's called 'sociolect'. That is, the language used by a group of people, an age group, a profession, it has to do with social background and it's called 'sociolect'.* (School B, Teacher 1)

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In contrast to inclusion discourses, prevalent in the socially disadvantaged schools, in the more advantaged schools participating in our study (Schools D and E), teachers' pedagogic practices tend to be shaped by discourses on how a 'modern school' should look like, which, as already mentioned, are disseminated globally by supranational actors (Robertson & Sorensen, 2018). Specifically, our data analysis suggests that these regulative discourses shape schools' pedagogic priorities and curricular and especially extra-curricular activities in particular ways. Thus, teachers, apparently aiming to enrich students' social and cultural capital, put a great deal of energy in creating (or conveying an image of) an active, open to society school, capable of facilitating students' future integration into contemporary globalized societies.

We argue that the regulative discourse on 'modern' forms of schooling, prevailing in the less disadvantaged schools of our sample, is articulated around the imperative of performativity, investing the notions of 'good' teaching and learning or of 'effective' schooling with new meanings (cf., Ball, 2003). Activities of all sorts are at the center of schools D and E (extra-curricular activities including visits to museums, galleries and theatres available in the Capital, or participation in European school projects (e.g., in Erasmus plus), underscoring the benefits accrued to students as well as teachers themselves. There is a strong tendency to show how these activities are appreciated by students, their parents and the community surrounding the school, and how their school is differentiated from other schools in the vicinity. Though not openly admitting that this active involvement with the outside world might be motivated by a desire to compete in the education market, interviewees from these two schools do make a point about how their distinctive culture attracts students from middle-class backgrounds. In school D, this discourse on the modern school, with its distinctive, outwards looking culture, incorporates also the idea of excellence. The extract below from the interview with the Head teacher illustrates the effects of this performance-driven regulative discourse on School D.

> *(Students) go to a school that has awards, that offers activities, that offers extra-curricular activities. [...] And, of course, our children stand out in the lessons, as well. [...] An effort is being made to carry out the lesson. We do not waste hours. And it shows. And because it shows, if you go to the Lyceum and ask who the best students are, they will tell you the ones from ... (the name of School D). [...] And that's why, every September, it's a madhouse here.* (School D, Head teacher)

However, the performance-driven regulative discourse identified in the two more advantaged schools of our sample has its limits, as the national education policy context affects its up-taking, interactions with existing practices and interpretations. In particular, in the absence of any external pressure on schools in the Greek education context (e.g., school evaluation, national testing), performance is mainly linked to outwards-looking culture, while the meaning attributed by teachers to students' achievement in learning remains largely unaffected. That is to say, there is still a rather traditional approach to teaching and learning, which values discipline knowledge (rather than skills and competencies). Thus, research data from School D reveals that despite the dominance of a performance-driven regulative discourse the instructional practices tend to orient students to 'powerful' language knowledge (Moore, 2013).

In contrast, striving for distinction and social recognition, School E appears to value exteriority (extra-curricular activities, students' trips abroad, e.g., a visit to the European Parliament) over strictly defined curriculum demands. The extract below illustrates well this school's orientations.

> *My personal view is that school should be open [...] to the world. [...] I want the school to be like a step before society, let's say, which prepares them for the social environment in which they will live.* (School E, Teacher 1)

As a result, in School E, the regulative discourse on the 'modern' school also includes specific views on 'innovative' teaching. The latter shapes the instructional discourse in ways that

put emphasis on enriching students' experiences and developing their social skills. So, teachers' pedagogic practices, often informed by child-centered pedagogies, tend to marginalize discipline language knowledge, orienting students to 'soft' skills and context-specific forms of knowledge.

However, despite the diffusion of these new ideas about 'innovative' teaching methods, identified in Schools D and E, and in some classes in School C, in all schools of the Athens inner-city in our sample the traditional pedagogic practices dominate. That is to say, the classification between school knowledge and everyday knowledge/experiences remains strong, with hierarchical relations between teachers and students, and teachers' maintaining strong control over the pedagogic communication (strong framing).

7. Discussion and conclusions

Located within the critical education policy literature, our research sought to explore how the curricula for Greek language, which incorporate elements of globally dominant discourses (the cultivation of cognitive and social skills, the value of students' everyday experiences, innovative methods of teaching and learning, etc.), are recontextualized in Greek schools. That is to say, schools operating in an education system which in several, important respects, referred to earlier (see introduction and Section 3), differs from other European education systems.

The five secondary schools selected for our empirical study from different parts of the Athens inner city represent, in a sharply pointed way, cases that allowed us to study how the interactions between the particular institutional characteristics of the Greek education system, shaping the workings of the schools and the local conditions in which schools operate, affect the recontextualizations of the language curriculum. In particular, the apparent similarities among the schools of our sample, related to their being located in the densely populated inner city and, like all schools in the country, recruit students from predetermined catchment areas, are counteracted by significant differences. The differences relate to the specific area schools are located in, and consequently the socio-economic background of the students' families and the differences in the students' ethnic composition. Seeking a deeper understanding of how such differences affect the recontextualizations and enactments of the Greek language curriculum – in other words how schools' and teachers' practices are regulated in the absence of any visible controls exerted upon them – we sought to identify the discourses underpinning their practices.

Our data analyses revealed two dominant regulative discourses: A discourse on inclusion, prevalent in the less socially advantaged schools, and a discourse on outwards-looking, modernized schools, dominating the more socially advantaged schools. The different versions of each of these main discourses are found to be related to the different resources drawn on and articulated in each of the schools researched. Thus, the inclusion discourse tends to shape the schools' priorities around issues of how to integrate or support socially and emotionally their students of low income and/or immigrant background. But in its most politically progressive form this discourse appears to motivate teachers to engage with the pedagogical problem of what strategies and what instructional practices could empower them cognitively and intellectually. The second discourse projects an image of the modern(ized) school as an outwards-looking institution, which takes every opportunity and exploits every resource it can possibly reach, in order to strengthen its students' cultural and social capital, and to develop their skills as future citizens of the global(ized) world. This discourse sharpens schools' and teachers' awareness of what is required from them, namely to demonstrate that they aim at and reach such goals. It appears, however, that the performative principle animating this discourse in other national settings is in the Greek setting truncated. So, in the absence of explicit (standardized) measures, the learning outcomes-related performance is replaced by activity-related one.

This study raises further questions about the kind of discourses circulating within the field of education and invading the school spaces, where they come from, why they find roots in some schools and not others, how they are legitimized, and what their implications are on the reproduction, challenge or interruption of educational inequalities. While the global discourses on performativity and their role in the reproduction of educational inequalities have been amply documented, there is less research addressing such questions with reference to discourses on inclusion. In the Greek context, a research study (Zoniou-Sideri et al., 2006) as well as experiential evidence indicate that inclusion discourses of various kinds abound, circulating in proliferating sites within and beyond the pedagogic field (e.g., 'teacher development' courses offered by public and private agencies). However, much more research would be needed, and in different national contexts, to corroborate this experiential evidence and to advance knowledge on the questions just posed.

Finally, we would argue that such discourses, proliferating in the wider pedagogic and cultural fields are, above all, discourses on new professionalism (e.g., Beck, 1999), that is what it means today to be a 'good teacher'. Beck and Young (2005), approaching this question through Bernsteinian lens, examined the challenges and changes encountered by different professional occupations (including teachers), asking whether professional identities, as we know them, can be sustained in an era of increasing marketization and managerialism. Also, the research by Singh and her collaborators (e.g., Heimans, Singh & Barnes, 2020) in Australian socially disadvantaged school contexts has showed how Bernstein's conceptual grammar can be utilized in open-ended analyses to explore the complex ways in which interventional efforts and related discourses might reproduce, challenge or interrupt social reproduction. Our study has demonstrated the importance of the theory in exploring the issues posed and for understanding and acting upon the reproduction of educational inequalities. It suggests that we need to continue this line of research utilizing and further developing Bernstein's conceptual and analytical tools, in order to explore the discourses articulated and disseminated within pedagogical and wider cultural fields regulating the work of schools and teachers' instructional practices in specific local contexts.

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Digital Literacy, Education and Employment Status: Evidence from Bosnia and Herzegovina

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Abstract

At time when digitalization processes are happening faster than ever all around the world, it is not surprising that importance of digital literacy is on the same level as basic literacy. During the COVID-19 pandemic, we witness that the importance of digital literacy is more important than ever before. In this "new normal", people all around the world are going through a process of change. This study aims to investigate if digital literacy depends on employment status and education level of people in Bosnia and Herzegovina (B&H). Using structured survey as a measurement instrument, the data has been collected from 210 respondents, residents of Bosnia and Herzegovina. The validity and reliability of measurement instrument was confirmed through Exploratory Factor Analysis and Cronbach's alpha values. To find out about differences in digital literacy of employed and unemployed respondents, Mann-Whitney U test has been performed in SPSS. To understand differences in digital literacy because of different education levels, the Kruskal-Wallis H test has been performed in SPSS. Results revealed that difference in digital literacy of employed and unemployed respondents is statistically insignificant. On the other hand, differences in digital literacy at different education levels are found to be statistically significant.

Keywords: digital literacy, COVID-19, Bosnia and Herzegovina.

1. Introduction

In the 1990s, a person who possessed basic reading, writing and computing skills was called literate. In recent years, wider range of literacy needs to be created, such as information literacy, media literacy, creative literacy, visual literacy, financial literacy, digital literacy etc. Success in the 21st century includes mastering the expertise of science, technology, and society, as well as a comprehensive interpretation of information in all its aspects.

Digital literacy is a modern form of literacy that is required for society daily. It is not about how social media functions (Facebook, Instagram, LinkedIn, etc. how contact networks operate (WhatsApp, Viber, etc.) or how to listen to music or view videos (YouTube, Vimeo, Spotify), it's all about devices, Internet knowledge, skills and choices. Unfortunately, it is during COVID-19 virus pandemic that we realize the extreme importance of digital literacy. As the pandemic started raging across the globe we turned to digital technologies. Education, shopping, banking, health, overnight turned virtual which became the new normal and continues to be so. From working to studying, or even socializing, most of us are living a virtual life in more ways than

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we might have ever imagined before. With the growing value of technology in society, digital literacy is being recognized as the most important platform for lifelong learning (Lynch, 2017).

Digital Global reported that Internet penetration in Bosnia and Herzegovina was 72 percent – 2.35 million B&H residents are connected to the Internet, which is only slightly lower than the average in southern Europe of 77 percent. The penetration of mobile internet is 105 percent, which means that in Bosnia and Herzegovina the number of subscriptions to mobile internet is higher than number of inhabitants. Citizens of Bosnia and Herzegovina are also active users of social networks with 1.7 million (53 percent) users (Global, 2020).

This study starts with proposition of following research questions:

RQ1: What is the level of digital literacy of citizens in B&H?

RQ2: Is there a difference in digital literacy of citizens in B&H considering employment status of citizens in B&H?

RQ3: Is there a difference in digital literacy of citizens in B&H considering education level of citizens in B&H?

In the upcoming sections, relevant literature review will be presented, research questions and hypotheses proposed and tested.

2. Literature review

2.1 *Digital Literacy*

Digital literacy means using and becoming aware of technological communication, technologies while using them, learning from accurate and useful information, and generating accurate and useful information in the digital world. The human world is driven and transformed by technology. The world will have new qualities in most human functions, spheres, and activities. People can interact from any part of the world through technology that gives access to all sorts of knowledge and communication. To do that, being digitally literate is essential (Wardynski, 2019).

2.1.1 *Definition of digital literacy*

The concept of digital literacy was first used by Paul Gilster in his book "Digital literacy" from 1997. He said that digital literacy is the ability to understand information, to evaluate and integrate information in multiple formats that the computer can deliver. "Being able to evaluate and interpret information is critical because you can't understand information you find on the Internet without evaluating its sources and placing it in context" (Gilster, 1997). A broad definition of digital literacy is given by Allan Martin: digital literacy is the awareness, attitude and ability of individuals to appropriately use digital tools and facilities to identify, access, manage, integrate, evaluate, analyze and synthesize digital resources, construct new knowledge, create media expressions, and communicate with others, in the context of specific life situations, in order to enable constructive social action; and to reflect upon this process (Allan & Madigan, 2018).

Bawden (2008) notes that digital literacy touches on and includes many things that it does not claim to own. It encompasses the presentation of information, without subsuming creative writing and visualization. It encompasses the evaluation of information, without claiming systematic reviewing and meta-analysis as its own. It includes organization of information but lays no claim to the construction and operation of terminologies, taxonomies, and thesauri.

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"Digital literacy is the ability to use information and communication technologies to find, evaluate, create, and communicate information, requiring both cognitive and technical skills" is one of definitions given by American Library Association (ALA, 2016).

Digital literacy encompasses the skills and abilities necessary for access once the technology is available, including a necessary understanding of the language and component hardware and software required to successfully navigate the technology (Jaeger, Bertot, Thompson, Katz & DeCoster, 2012).

From a pragmatic point of view, digital literacy is the set of skills, knowledge and attitudes required to access digital information effectively, efficiently, and ethically. It includes knowing how to evaluate digital information and how to use it in decision-making (Julien, 2015).

2.1.2 *Importance of digital literacy*

In the literature, the "literacy" word is used as "competence" or "skill". Literacy types which were discussed throughout the development of digital technologies are called as "new literacies". New literacies are a relatively new concept in the literature. In comparison, the definition of literacy holds a social standing such as having essential abilities to understand, use, operationalize something. There are numerous of new literacies that are a subset of digital literacy such as information, media, visual, ICT (Coskun, 2020).

The Certiport – IC3 Digital Literacy suite of products includes solutions that range from assessment to certification. With learning and practice solutions, assessment tools, and certifications specifically designed for a variety of ages and occupations, the IC3 Digital Literacy program is simply the best way to ensure that students and employees are prepared to succeed in a technology-based world (Certiport, 2020).

2.1.3 *Digital literacy in Bosnia and Herzegovina*

The latest census conducted in Bosnia and Herzegovina in the year 2013, indicated that the number of illiterates was 89.794 of the total number of people over the age of 10. This census was the first time that data on computer literacy was collected in B&H. Out of a total of 3,180,115 persons that are over ten, there were 1,229,972 or 38.7 % informatically illiterate people. This means that 1.3 million of citizens in country B&H cannot use computer and Internet. More precisely, it was reported that 1/3 of people in B&H never used a computer, while ¼ never used the internet (BHAS, 2016). In addition to these data, we have one pilot study conducted in 2019 about digital literacy. The findings reveal that communication, informative, technological, and personal security skills represent positive side of digital literacy in Bosnia and Herzegovina, while critical skills and device security skills are to be improved. Results also revealed that gender has statistically significant effects on digital literacy, while age and education level do not (Mekić & Hadžimusić, 2019).

There is no any other exact data about digital literacy in Bosnia and Herzegovina, but all information provided below show that digital literacy can be improved in Bosnia and Herzegovina because we as society are ready to accept technology and use benefits of technology.

In the last report on the results of the annual survey of users Regulatory Agency for Communications (RAC) licenses for the provision of Internet services in Bosnia and Herzegovina for 2019 showed that the use of the Internet in Bosnia and Herzegovina is constantly increasing. There is a total of 65 Internet service providers in B&H. In 2019, there were a total of 746,271 internet subscribers in Bosnia and Herzegovina. RA estimates that in the same period there were 3,330,502 Internet users, the rate of Internet use in B&H in 2019 was 94.32% (RAC, 2019).

Digital Global, reported that Internet penetration in Bosnia and Herzegovina was 72 percent – 2.35 million B&H residents are connected to the Internet, which is only slightly lower than the average in southern Europe of 77 percent. The penetration of mobile internet is 105 percent, which means that in Bosnia and Herzegovina the number of subscriptions to mobile internet is higher than number of inhabitants. Citizens of Bosnia and Herzegovina are also active users of social networks with 1.7 million (53 percent) users (Global, 2020).

Agency for statistics of Bosnia and Herzegovina reported about usage of information and communication technologies in households and individuals in 2020. Percentage of households with Internet access is 72.8 %, the percentage of households that have access to mobile phone is 92.9% (BHAS, 2020).

BHAS reported that the most common reason for using the Internet for private purposes in 2020 was for making calls (BHAS, 2020). Also, interesting is fact that during COVID-19 virus in Bosnia and Herzegovina use of Internet banking service increased from 7.8 % in 2019. to 16.7% in 2020.

2.1.4 *Digital literacy at the time of COVID-19*

COVID-19 has disrupted all spheres of life. Above all it affected health, but also economic, social, financial and educational spheres and made everything stop. People, governments, scientists have tried again and again with various methods to stop the virus. On 11 March, COVID-19 was declared a pandemic, the most challenging in recent history. In the moment of this study COVID-19 is not still over and there is no answer when it will be. The Coronavirus pandemic is the most challenging crisis the world faces since the Second World War, one that is killing people and will also lead to an economic recession that probably has no parallel in the recent past, United Nations reported (UN, 2020). World Health organization details about COVID-19 on 9 December 2020 was 67,210,778 confirmed cases, 1,540,777 confirmed deaths in a 220 countries, areas or territories with cases (WHO, 2020).

As the pandemic started raging across the globe we turned to digital technologies. Education, shopping, banking, health, overnight turned virtual which became the new normal and continues to be so. From working to studying, or even socializing, most of us are living a virtual life in more ways than we could have ever dreamed before. With the growing value of technology in society, digital literacy is being recognized as the most important platform for lifelong learning (Taurines, 2020).

Importance of digital literacy can be paralleled with basic literacy. Today, as we stare at a new normal where physical interactions are replaced by virtual existence, we realize that we need more action to be digital literate and we need it now. Digital literacy training and skills are crucial to facilitating this transition and to a longer-term human capital investment in a country (USAID, 2020).

COVID-19 has brought with it countless challenges, especially for the education sector. But it also presented us with opportunities to explore new ways to teach and learn, build 21st century skills, and collaborate to promote lifelong learning opportunities for all (IDB, 2020).

2.2 *Education, employment status and digital literacy*

Digital literacy is an important and evolving concept having influence on the status of current and future work force as the labor market is being transformed globally by implementation of digital technology. The existing jobs are being redefined and new jobs are being created

presenting new demands for updated ICT related knowledge and skills often called digital literacy (Vrana, 2016).

Many jobs require a working knowledge of computers and the Internet, digital skills, to perform certain functions. In the twenty-first century, digital literacy has become an important part of our everyday life. Job recruiters often use employment Web sites to find potential employees, thus magnifying the importance of digital literacy in securing a job.

The acquisition and possession of vital digital literacy skills in information communication technology by academic library staff has been discovered to enhance individual job satisfaction and career progression (Itsekor & Iwu-james, 2012).

The labor market transformations are happening globally and are changing the existing jobs by redefining them and creating new ones with new demands for updated ICT related knowledge and skills. Nowadays, most jobs require an understanding of technology and employees should possess the ability to use appropriate technologies for communication, collaboration, and information management. Employees must possess the ability to manipulate a device and to find relevant content using the device.

Skills of digital literacy are directly related to the concept of employability as digital literacy aims to improve employability because it is a gate skill, demanded by many employers when they first evaluate a job application and as such, it is important to students who are seeking employment.

Digital literacy is directly related to the individual's employability which is represented by the combination of factors and processes which enable people to get employed and to stay in employment or to move on in the workplace (Vrana, 2016).

Digital literacy is an important factor for socio-economic development of the society and employability of the labor force. Without adequate digital literacy, it is not possible to participate in the economy and the digital society, particularly having in mind the digital transformation that the world of work is experiencing in the content and the organization. People without any digital skills have low employability, so will remain inactive and while not employed, will be deprived of income and their chances to acquire necessary digital skills will remain low (Bejaković & Mrnjavac, 2020).

Based on the findings reported above, we define the following hypotheses for this study:

H1: People with different employment status show different levels of digital literacy

H2: People with different education levels show different levels of digital literacy

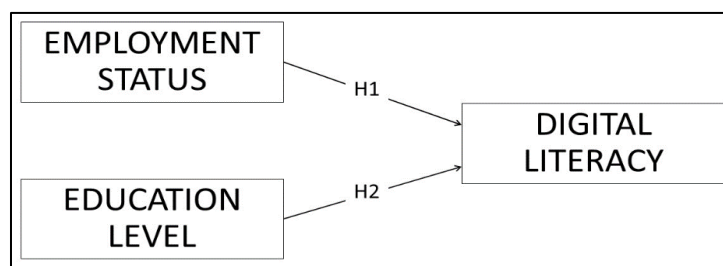The proposed hypotheses are visually presented in figure below.

Figure 1. Research model

3. Methodology

3.1 *Data collection*

The data used in this survey was collected by distributing a structured survey. The scales used for the preparation of this instrument were previously used by researchers and proven reliable and valid for measuring digital literacy. To measure this variable, the researchers considered the work of Rodriguez-de-Dios, Igartua and Gonzalez-Vazquez (2016) who considered measuring this construct through six important dimensions: Technological skills, Personal security skills, Critical skills, Device's security skills, Informational skills, and Communication skills.

All the items in the questionnaire were measured with a five-point Likert scale. The distributed questionnaire contained questions in two different categories as follows:

Section 1: Demographics

Section 2: Digital Literacy

The data was collected online, using Google Forms. The respondents were approached by contacting relevant online groups and forums on different social media. A total of 210 respondents filled out the survey.

3.2 *Population and sample*

The population of this study is Bosnia and Herzegovina, while the sample are 210 respondents who provided full responses to questionnaire. The best evidence that sample is well balanced in terms of gender, education level, age, place of residence and employment status is detailed review of the sample characteristics presented in table below.

Table 1. Sample characteristics

Variable	Demographics	Number	Valid Percent
Gender	Female	118	56.2
	Male	92	43.8
Education Level	Highschool	60	28.6
	Bachelor	106	50.5
	Master	39	18.6
	Doctorate	5	2.4
Age	Generation Y (1981-1996)	111	52.9
	Baby Boomers (1946-1964)	5	2.4
	Generation X (1965 -1980)	42	20.0
	Generation Z (1997-2015)	52	24.8
Place of residence	Entity FB&H*	109	51.9
	Entity RS*	93	44.3
	Brčko District	8	3.8
Employment Status	Unemployed	91	43.3
	Employed	119	56.7

Explanation of acronyms:
   Entity FB&H – Federation of Bosnia and Herzegovina
   Entity RS – Republika Srpska			

There were 118 females and 92 male respondents. When it comes to education level, bachelors dominate the sample (106 respondents), while the second largest category are respondents with completed high school (60). The master level is on the third place (39 respondents) while only five respondents have completed third cycle of studies. Talking of age, generation Y dominate the sample (52.9%), followed by generation Z (24.8%) and generation X

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(20%). There are only 2.4% of Baby Boomers who participated in the study. When it comes to place of residence, 51.9% of respondents are from Entity Federation of Bosnia and Herzegovina, 44.3% of respondents are from Entity Republika Srpska, and 3.8% of respondents are from District Brčko. Finally, 56.7% of respondents are employed while 43.3% of respondents were unemployed in the moment of data collection.

3.3 *Statistical methods applied*

Both descriptive and inferential statistics were performed in Statistical Package for Social Sciences (SPSS). Prior to hypotheses testing, the measurement instrument was tested for validity and reliability using Exploratory Factor Analysis and Cronbach's Alpha values. When it comes to empirical part, to choose appropriate statistical methods for purpose of hypotheses testing, the data was tested for normality and indicated that it does not have normal distribution. Accordingly, it was decided to apply two non-parametric tests: Mann Whitney-U test an Kruskal-Wallis H test.

4. Results

4.1 *Validity and reliability*

Using Principal Components Method and Varimax rotation, the Factor Analysis has been performed. The results of this procedure are summarized in the table below. Factor loadings were observed for each item and those with factor loadings greater than 0.5 on the factor with which they were hypothesized to correspond were considered adequate indicators of that factor (Hair, Black, Babin & Anderson, 2010). It was necessary to remove following items due to overloading: CRS4, IS1, IS2 and IS3.

Table 2. Loadings of items per dimensions of digital literacy

C's α*	Code	ITEM	CS**	PSS**	CS**	TS**	DSS**	IS**
0.876	CRS1	I compare different sources to decide if information is true	**.760**	.204	.227	.114	.254	-.032
	CRS2	I easily determine if the information I find online is reliable	**.822**	.178	.143	.141	.187	.060
	CRS3	I easily identify the author of the information and evaluate their reliability	**.769**	.230	.224	.100	.219	.070
	CRS5	If I meet someone online, I know how to check if their profile is real	**.620**	.387	.252	.113	-.050	-.011
0.857	PSS1	I know how to deactivate the function showing my geographical position (e.g., Facebook, apps)	.160	**.627**	.384	.201	.261	.033
	PSS2	I know when I can post pictures and videos of other people online	.346	**.654**	.150	.201	.148	.058
	PSS3	I use 'report abuse' buttons on social media sites	.304	**.789**	.185	.132	.177	-.080
	PSS4	I change the sharing settings of social media to choose what others can see about me	.203	**.777**	.289	.134	.177	.050
0.910	CS1	I compare different sources to decide if information is true	.284	.203	**.840**	.147	.104	-.026
	CS2	I determine if the information I find online is reliable	.258	.231	**.824**	.159	.177	-.102
	CS3	I identify the author of the information and evaluate their reliability	.187	.313	**.817**	.149	-.002	.004

0.784	TS1	I can bookmark a website I like so I can view it later	.144	.314	.261	**.658**	.058	-.005
	TS2	I can download/save a photo I found online	.080	.099	.180	**.778**	.213	.075
	TS3	I can download information I found online	.062	.181	.175	**.849**	.100	.087
	TS4	I can connect always to a Wi-Fi network from smartphone, no matter the device or where I am	.124	.009	-.069	**.706**	-.117	-.140
0.772	DSC1	I am able to use software to detect and remove viruses	.213	.184	.101	.077	**.839**	.075
	DSC2	I know how to detect a virus in my digital device	.239	.254	.098	.073	**.792**	.087
0.626	IS4	I get tired when looking for information online	.086	.059	-.046	.047	-.025	**.857**
	IS5	Sometimes I end up on websites without knowing how I got there	-.028	-.038	-.027	-.054	.155	**.833**

Note 1: * C's α – Cronbach's Alpha
Note 2: **
CS – Critical Skills; PSS – Personal Security Skills; CS – Communication Skills; TS – Technological Skills; DSS – Devices Security   Skills; IS – Informational Skills
Note 3: Source of scales' items: Rodriguez-de-Dios, Igartua & Gonzalez-Vazquez (2016)
Source of validation: Author's own work

4.2 *Empirical findings*

All empirical findings are summarized in Table 5.3 below:

Table 3. Hypotheses tests

Hypothesis		Sig.	Status
H1	People with different employment status show different levels of digital literacy	0.447	Not supported
H2	People with different education levels show different levels of digital literacy	0.040*	Supported

Note 1: *Significant at 95% confidence interval
Source: Author's own work

People with different employment status show different levels of digital literacy Hypothesis 1 was not supported with the sig value of 0.447 (above 0.05) demonstrating a statistically insignificant difference between employed and unemployed respondents when it comes to their digital literacy levels.

People with different education levels show different levels of digital literacy Hypothesis 2 was supported with the sig value of 0.040 (less than 0.05) demonstrating a statistically significant difference between different categories of education when it comes to their digital literacy levels.

5. Discussion and conclusion

This study aimed to investigate if digital literacy depends on employment status and education level of people in Bosnia and Herzegovina. Upon data collection process, 210 responses collected from residents of Bosnia and Herzegovina were processed using SPSS. The validity and reliability of measurement instrument was confirmed through Exploratory Factor Analysis and Cronbach's alpha values. To find out about differences in digital literacy of employed and unemployed respondents, Mann-Whitney U test has been performed in SPSS. To understand

differences in digital literacy because of different education levels, the Kruskal-Wallis H test has been performed in SPSS.

Results revealed that difference in digital literacy of employed and unemployed respondents is statistically insignificant. On the other hand, differences in digital literacy at different education levels are found to be statistically significant.

Even though it was expected that difference between categories will be significant in both cases (employment status and education levels), it was found that while employment status is insignificant for digital literacy, the education level matters.

If comparing mean values of digital literacy for those who are employed (3.993) against those unemployed (3.980), there is almost no difference. On the other hand, when comparing mean values of digital literacy at different education levels, difference is obvious.

The highest level of digital literacy is assigned with respondents who completed master level (mean value 4.128). The following category with highest value of digital literacy are those with undergraduate degree (mean value 4.043). The third on the ranking list are respondents with PhD degree (mean value 3.923). The lowest level of digital literacy has been indicated at category of respondents with high school as highest completed education (mean value 3.803).

The practical implication for policy makers is to strengthen the educational system in Bosnia and Herzegovina and do improvement of study programs at all cycles of study since all of them contribute to digital literacy of respondents. It is recommended for future research to focus on relationship between education level and digital literacy from different point of view. For example, the one may consider impact of formal, informal, and non-formal education on digital literacy. In addition, the one may consider effects of different educational orientation on digital literacy of people.

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Forced Labor Exploitation: Illegal Trading in Protected Goods in the Southern African Countries

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Abstract

Human exploitation refers to the curtailment of fundamental human rights. The crime plays out notwithstanding the laws that criminalizes human abuses. This study explored the policing of human trafficking and forced labor in the Southern African countries of the Southern African Development Community (SADC) and assesses the capabilities and abilities of law enforcement agencies in the region to curb the scourge. In this study a qualitative perspective was adopted with use of literature study and interviews. The prevalence of organized criminal groupings exacerbates the problem of human trafficking and forced labor in the region. Law enforcement corruption is rife as the police are often accused of acts of receiving bribes. There are capacity constraints in the policing agencies across the region which impacts negatively on proactive enforcement of protected goods. The study reveals that respective law enforcement agencies work in seclusion and do not systematize their databases to share information with other agencies owing to a prevailing cynicism amongst countries. It is proposed that there should be harmonization of law enforcement agencies' databases to share information for intelligence purposes and to develop defensive and responsive response mechanisms to thwart the crime.

Keywords: human trafficking, smuggling, forced labor, corruption, human rights, organized crime, protected goods.

1. Introduction

South Africa became a democracy in 1994 and promulgated a Constitution that criminalizes forced labor in terms of section 13. The country further became a signatory to many international agreements and conventions. The country increase trading with countries of the world at a high peak. The legitimate traders are mingled with illegitimate traders who exploit the opportunity to generate money legally and illegally respectively. Some of the criminals make use of forced labor to further their criminal acts. The exploitation takes many forms such as, among others, forced adult labor and servitude. These are criminal acts which the law enforcement agencies are responsible to police and restore law and order in countries. However, Southern African countries lag behind in their efforts to prevent and combat the practice of forced labor practices as many countries do not have enforcement capacity to police forced labor amid other heinous crimes that are committed in countries. South Africa had not promulgated human trafficking legislation until in 2015. In terms of Section 4(1) of the Prevention and Combatting of Trafficking in Persons Act 7 of 2013, the following categories of human trafficking, among others, are eligible for protection: child labor, forced child labor, forced adult labor and sexual abuse.

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There is published work and literature on the dangers posed by human traffickers, and not much on the assessment of policing of forced labor and or the advertising, marketing and selling of prohibited goods and substances in the Southern African context. It is against this background that the article will highlight the extent of the abuses in the Southern African context. This study will suggest measures that law enforcements can put in place to deter the practice.

2. Human trafficking related to forced labor

Forced labor human trafficking makes huge profit for traffickers (ILO, 1930). The practice is characterized by slavery more especially in illicit trade such as dealing in counterfeited and pirated goods. Human traffickers make use of under age children as they are vulnerable and turn to under pay them for rendering a service for the traffickers (Wheaton, Schauer & Galli, 2010: 122). The practice by the perpetrators is tantamount to the practice of systematic grooming.

The total global estimates of the human trafficking is at $150 US billion (ILO, 2014: 13). This practice is made possible by countries' lax legislation and poor enforcement of the law and corruption within the criminal justice system. South African has a lucrative market as compared to countries in the SADC region and it is not sparred from this problem (Emser, 2013: 27). SADC is an inter-governmental organization comprising of 16 countries with the main goal of regional socio-economic cooperation and integration as well as pollical and security cooperation among the 16 countries. The countries include: Angola, Botswana, Comoros, Democratic Republic of Congo, Eswatini, Lesotho, Madagascar, Malawi, Mauritius, Mozambique, Namibia, Seychelles, Tanzania, Zambia, Zimbabwe and South Africa.

In the Southern African countries, the incidents of forced labor are on the increase and South Africa is more affected, notwithstanding the country having promulgated a legislation that criminalizes the practice. The country is a signatory to several international agreements such agreement is the landmark instructional treaty on human trafficking, which is the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons (Hyland, 2011). The above Protocol is supplementary to the United Nations Convention Against Transnational Organized Crime of 2000, and promulgates against the smuggling of migrants by land, sea and air. The international legal instruments grant signatory countries an obligation to the UN protocol to prevent suppress and punish trafficking in persons. Often, smugglers are involved in cross-border illegal deals. The traffickers could even force the victims to work in the informal sector or as sex slaves, where the pimps sell their victims for sex, illegal miners, precious metal and copper cable thieves or signal tower modules and solar panel thieves to beneficiate traffickers (United Nations, 2014). Illegal immigrants are the target as pimps prey on their vulnerability such as lack of skills, being uneducated, and undocumented, in violation of the laws of host countries. Countries with disparities in income distribution and a high level of young people, who are unemployed and economically inactive, seem to be fertile ground for traffickers and smugglers. South Africa fit the description and it is a trafficking hotspot in the SADC.

3. Ports of entry/boarder fence as a game-changer

These ranges from high volume of traded goods and increase in transnational crimes as a higher number of people frequently cross the boarders with illicit goods from neighboring countries into South Africa. This corruption is motivated by greed and happen when officials receive bribes from smugglers and traffickers alike so that they can be allowed to transgress the immigration laws of countries (Lo & Kwok, 2016: 5). This practice increased after the country attained democracy as immediately after that the country experienced a surge in trade. However, since South Africa is a signatory to the African Continental Free Trade Area (AfCFTA), whereby residents from various countries will have fewer restrictions to travel between countries for

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recreation or to do business in a market of more than 1.2 billion people at an estimated value of 3 trillion US dollars annually. This arrangement started on 1 January 2021, and is likely to encourage trade, but also increase the likelihood of human exploitation in the absence of proactive policing and effective law enforcement in the Southern African countries.

4. Organized crime as a sustainable business

Organized crime can be a localized crime or a transnational organized crime that is not limited by the country's borders. It becomes a challenge for authorities, as the perpetrators are located all over the world. Localized organized crime can take a form of organized group with a concerted purpose to commit a crime. A localized organized crime encompasses an array of criminal activities and evokes signs of secret society and mafia-like operations involving acts like dealing in contrabands, smuggling and assisting to facilitate forced labor within borders (Goga, 2016: 3). Criminals are the biggest beneficiaries in the value chain, as it is difficult regulating their activities, since countries do not have harmonized and standardized laws.

Organized crime is sustained by an injection of large financial resources and a network of skilled manpower (Levi, Shentov & Todorov, 2015: 342). This enables organized crime to be a sustainable and self-financing criminal system (Levi et al., 2015: 345). Forced labor thrives, as there is an economic market that is beneficial to a particular person or persons (Wheaton et al., 2010: 116). The traffickers have a network of capabilities and connections to distribute and grow the enterprise to a large extent by bribing law enforcement to turn a blind eye. The trade enables money laundering and racketeering to surge around the world (Lo & Kwok, 2016:1-2). Closing down such organizations need a high level of sophistication and a coordinated intelligence network by various countries that could help in arresting the kingpins, rather than operators, who are easily substituted and replaced with new people (OECD, 1998: 17).

An exponential growth in forced labor violations were recorded in 1994, when South Africa opened its borders to the world of trade. Park (2010: 39) argues that disease does not respect borders and neither do human traffickers, who form unholy alliances with illegal organizations all over the world. This was confirmed by the SAPS crime threat analysis audits, for the period 1995 and 1997, which revealed that South African mafias were conspiring with international organized criminal groups to commit crimes all over the world. The country had 278 organized crime groups in 1994 to 500 organizations in 1997. Human beings and contraband goods are trafficked and smuggled across borders for trade in the neighboring countries that accommodate business (Steinberg, 2015: 4). The crime of forced labor is described as the exploitation of the restrictive immigration laws and the desire of people to seek better lives in foreign countries. The smugglers facilitate human entry at the borders into preferred destinations, where the victims are exchanged with traffickers in host destinations (Campana, 2015: 69).

4.1 *Roles and functions of smugglers and intermediaries in human trafficking*

Forced labor is growing and it weakens political institutions, undermines civil society, and violates human rights and the integrity of states. The use of smugglers or agents is rife in forced labor. These are people who are agents for a trafficker. In terms of Section 1 of the Prevention and Combatting of Corrupt Activities Act (PRECCA) 12 of 2004, an agent is an authorized representative, who acts on behalf of his/her principal, and includes a person authorized to act on behalf of the principal. These groups of people recruit victims from poor countries and transfer them to the traffickers. In regard to forced labor, touts often use lies and deception; these are strategies to corner the victims into submitting to the agent's demands (Chapsos & Hamilton, 2019: 263). The majority of victims are given the false impression that work is easy find, with better pay and requires no skills or training. Since accommodation in safe houses

and food are provided by the employer, it will be easier for the victim to save money. In the case where victims are undocumented, victims are told that the owner will legalize the victims, as would be stipulated in a contract (debt contract).

The duties of the smugglers or intermediaries could be equated with that of a transfer agent, who facilitates transfer deals in a game of sport. Intermediaries often partake in drafting debt contracts, together with traffickers, to be signed by victims in contravention of Section 5 of the Prevention and Combating of Trafficking in Persons Act 7 of 2013. Depending on the duties that victims will carry out, some of the intermediaries in contraband deals and/or prostitution trade collect monies after every transaction their victims carried out, for the benefit of the trafficker. The debt contract is worked systematically to ensure that debts are not paid up within a short span of time. The debt could be for accommodation, food, transportation, travel documents and loan money, if any. The irony of this situation is that the debt is very huge and can span several years before it is extinguished, as the victims' income is too low to be able to service the debt within a short period of time.

5. Constitutional and statutory policing mandate

The police are granted the powers by the state to perform this activity of enforcing the law. In South Africa, Section 205(3) of the Constitution of South Africa mandates the SAPS to protect people and property, to uphold and enforce the law, and prevent and combating crime, as well as investigate all crimes in South Africa. The SAPS was also granted a legislative mandate to conduct policing in the country, through Section 13 of the South African Police Service Act 68 of 1995.

Often, in the commission of forced labor, the perpetrators use deception to corner their victims. Communities have a presence in many places where criminals are located and they have a social mandate to assist in policing. To make strides in the fight against forced labor, the police need to improve public confidence, so that the communities would report crimes. Owing to the seriousness of the crime of forced labor, prevention efforts are needed, rather than crime control. Efficient and successful policing relies heavily on an effective crime intelligence that is timely (Burger, 2006: 113).

6. Corruption

In 2011, there were 12 million people who were victims of human trafficking around the world. The figure in 2019 has spiked tremendously to 40.3 million people (ILO, 2017). Corruption facilitates the flow of people and feeds the impunity that prevents the prosecution of those involved. The implication is that police members and politicians that are involved in criminal activities and enterprises contribute to creating a negative image of the countries (Park, 2008: 54). This is demonstrated when the police demand bribes from the criminals, as a condition for them to ignore crime is being committed; thus, the implication is that the unlawful conduct by criminals is condoned. Such conduct by law enforcement is a criminal act and a contravention of Sections 3 and 4 of the Prevention and Combatting of Corrupt Activities Act 12 of 2004, in the South African jurisprudence.

The statistics on the perception of corruption in the police service in corruption-by-Corruption Watch, for the period 2015 to 2019, shows that the country is agitating to becoming a corruption-prone country. Corruption destroys communities and communities lose trust in the police. This, in turn, leads to a lack of police legitimacy and it will experience challenges in regard to the execution of its authority. The information provided by the community can boosts the police's apprehension rate and contributes to improved police performance (Sun, Han, Wu &

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Farmer, 2019: 253). In addition, crime will be prevented, which, in turn, will promote safer communities. Trust and satisfaction are complementary (Sun et al., 2019: 243). A lack of trust in the police, by the community, will jeopardize effective policing, because the police rely heavily on the information provided by the community to prevent and solve crime. However, the law enforcement in the SADC countries has been known to be reactive rather than proactive in their policing approach. Many serious cases take long to investigate and solve, if it is ever solved, which is a sign of incompetence and a negative reflection of policing in these countries.

7. Context of study

The study was conducted in SADC region in the African continent, where countries are characterized as developing and under-developed, with high levels of crime. Developing and underdeveloped countries have generally become an attractive resource for perpetrators of forced labor, which poses a threat for the relevant communities and a problem for the authorities. In South Africa, forced labor occurs in rural areas and cities, and is characterized by an active prevalence of organized criminals, who traffic and enslave vulnerable people in poor communities, within the country and also in neighboring states.

8. Methods And Material

Study population and procedure

The qualitative research approach was adopted for this study. In definition, Marshall and Rossman (2016: 141), states that this approach emphasizes a detailed comprehension of the problem being studies and carries with it the following advantages:

- Getting the meaning behind the facts by providing reasons for the problem as it exists rather than by making generalizations;

- Proper understanding of the problem that this study focused on from the research participants' view points; and

- Developing a relationship with the research participants so that a detailed understanding of the participants' expressions and perceptions of the problem were captured.

The sample was purposively selected, as the researcher knew people who possess information and knowledge to assist in the research. The sampling of this study consisted of people with relevant knowledge how forced labor is policed, who assists in the policing of forced labor and the extent of forced labor in South Africa. The questions were directed to SAPS members and prosecutors from the National Prosecuting Authority (NPA), who police and or prosecute perpetrators of forced labor. One-on-one interviews were conducted with the SAPS and NPA participants and telephonic interviews was conducted with 10 participants who elicited rich information to use in this study. This approach was best suited for this study as direct contact with selected participants was done to reach appropriate findings, conclusions and recommendations.

Sampling methods

The members of the SAPS comprised 20 Directorate of Special Operations (the Hawks) investigators, who conduct investigations into organized crime and perform anti-human trafficking duties, and the other groups are 14 prosecutors and 10 law enforcement experts from other SADC countries. A sample of 44 participants were selected in order to explore the merits of policing of forced labor and human trafficking in South Africa by the various stakeholders responsible for combatting forced labor. The researcher conducted fieldwork over an eight-month period, extending from March 2018 to October 2018.

The study was commenced after the SAPS and NPA had granted permission to the conduct research. It is a national study that covers the whole of South Africa and Southern African countries of SADC.

Data collection methods

Directorate of Special Operations investigators and prosecutors meetings for interviews

In this study direct one-on-one interviews were conducted with the participants and each interview lasted for approximately one hour. The purpose was to gather perceptions on the policing of forced labor human trafficking in SADC.

Observation schedule

Direct observation was conducted in this study. According to De Vos, Strydom, Fouche and Delport (2005: 281), this method demands that the researcher becomes alert and involved in context of an object that is being observed. In this context, the researcher's role as a participant was to investigate and spot people and sites where the victims and culprits are operating. Common areas that victims of this crime are located were visited to observe the practice and conduct of those involved. Field notes were used in this regard for data collection.

The observation schedule was accepted as part of the culture of the Hawks for this study. This daily observation was regarded as a hand-on approach of observing daily criminal activities of criminals and victims alike. The researcher conducted fieldwork over an eight-month period, extending from March 2018 to October 2018.

Key informants' interviews and telephonic interview

The researcher conducted key Informant Interviews (KIIs) with 10 people from SADC. This type of interviews are characterized as qualitative in-depth interviews with participants with relevant information about the problem understudy. It is intended to collect information from wide range of community experts to enrich the study by providing insights into the nature of the problems and give recommendations for solutions. Telephonic interview was conducted and allowed interpersonal communication in a virtually.

The selected participants in this study are active members of the law enforcement in their respective countries and possess the requisite skill and knowledge on policing forced labor trafficking with more than 10 years working experience. Semi-structured interviewing technique was initiated for this study. With that said, three sets of questions were posed to the target groups as follows:

- What is the extent of forced labor?

- What mechanisms should be put in place to prevent forced labor, and

- What are the challenges in policing forced labor?

8.1 *Data analysis*

Cryptic written notes were captured on the viewpoints from the participants. The actual words used by the participants were written down word for word. The written notes which were supported by audio recordings were then transcribed. Thereafter it was analyzed methodically, according to the thematic method, by reducing data into themes, sub-themes and categorizing these. To this effect, Tesch's eight-step of data analysis method, as discussed in Creswell (2014: 198), was implemented, which involves the following: getting a sense of the whole by picking up one document at a time, from the transcribed interviews, and reading through it

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carefully; making a list of the topics; clustering them together; coding the information; classifying information by grouping them together and making a final decision in this regard; alphabetizing the codes; assembling the same categories; doing preliminary analysis and then recording the existing data.

All the steps were followed in a sequence and enabled the researcher to capture accurate information.

8.2 *Ethical considerations*

Ethical clearance was obtained from the College of Law, at the University of South Africa, before the commencement of this study. The researcher obtained informed consent from all 44 participants in this study. The participants consented to be interviewed and were not coerced to partake in the study; hence participation was voluntary. All the participants were informed, before the interviews could be conducted, that they were permitted to withdraw from the interviews at any time, should they feel uncomfortable with the proceedings. In this study, the researcher ensured confidentiality by not disclosing the personal details of the participants. The information they provided was kept in a safe place and protected against any possible leak. Participants were not promised any reward for giving interviews and were not remunerated for participating in the interviews. Voice recordings of the interviews with the participants were made with the consent of all categories of the participants. The participants' independent views and opinions were captured as provided.

9. Discussion and results

This section of the study laid emphasis on the analysis, presentation and interpretation of data that were collated in the course of this study. The interviews results produced the themes and sub-themes. The statements by participants were confirmed by literature. Three main questions and several sub-questions were posed in semi-structured interviews with 44 participants. The participants included SAPS members, prosecutors of the NPA and 10 SADC countries' investigators. The members of the SAPS included 20 Hawks investigators. The other groups were 14 prosecutors and 10 SADC countries' law enforcement investigators. The responses were obtained by asking participants about their own understanding of how forced labor is policed in South Africa. This resulted in the following themes and sub-themes.

9.1 *Forced labor human trafficking in the Southern African Development Communities*

Forced labor is increasing in the Southern African countries. In South Africa the practice is rife despite the existence of legislation that prohibits the practice. Human beings are traded for profit as commodities, which is against the country's laws. The culprits exercise risk assessment by weighing up costs and benefits, observing that only a few cases are processed, compared to the scale of forced labor activities. In instances where the accused are arrested, sentences that are meted out to the accused turns to be lenient. The risk to the culprits is marginal and this propels recidivism. All members mentioned the following: "The judiciary does not fully mete out harsh sentences against the convicted persons. Mandatory sentencing, as prescribed in the South Africa's Anti-human trafficking Act, is not always adhered to."

In South Africa, the Anti-human trafficking legislation was operationalized in 2015, long after the attainment of democracy, to curb forced labor. The enactment of the legislation was brought about after society and police were confronted with many complaints of abuses. As the

law had not been enacted before 9 August 2015, many culprits had been in operation for quite some time and, because of the lack of legislation, were able to evade justice. The legislation is not retrospective. Many Hawks respondents corroborated this comment: "The Human trafficking Act was promulgated in late 2015, many years after the country had attained democracy. Many victims had been captured [trafficked] already and the Act is not retrospective."

Similar sentiments were voiced by SADC investigators who stated that SADC countries have introduced Anti-trafficking legislations, however enforcement of policies seem to be lacking amid corruption in government administrations.

The literature, which was supported by the statements by all Hawks and NPA respondents, indicate that forced labor creates large income for the traffickers. The benefactors of this heinous crime are the traffickers. The practice happens worldwide and generates huge profit that runs into billions of US dollars. South Africa, as a developing market, is a lucrative economy for forced labor migrants, as the country is industrializing and offers various job and economic opportunities, as compared to many SADC countries that are not as industrialized as South Africa. Traffickers and smugglers take advantage of the demand for cheap labor in industrializing countries. Traffickers exploit the workers further by extorting more money from them, despite knowing that the victims are underpaid as cheap laborers. Almost all members of the Hawks confirmed this by agreeing with the statement that:

> "Opportunities such as weak laws, economic advantages, [and] less risk if human traffickers are caught, are the main determining factors on whether to engage in forced labor or not. Forced labor in South Africa is rife, many low-skill jobs, both in towns and townships, are done by foreign nationals from neighboring countries and some of them are victims of trafficking."

Literature reveals that, what exacerbates the problem for South Africa is its porous land and maritime borders (ports of entry), which make the flow of people movement across countries easy. Some of the immigrants do not have valid travel documents for them to be able to pass through the official ports of entry. The victims enter the country by scaling through the border fence (a perimeter fence surrounding a country) or by bribing the officials at the ports of entry. Once the victims have gained access to the country, the authorities cannot account for them as the institutions in the country do not have their records. A member of the Hawks substantiated this by stating that:

> "Illegal immigrants and asylum seekers are a target for traffickers as they are illegal in host countries. They happen to be at the mercy of the traffickers and depend on them for food and accommodation and other needs."

South Africa does not practice efficient and effective ports of entry management. People from surrounding countries enter via many entrance points around the country, while some scale the fences adjacent to these ports of entry, to easily access the country. A large part of the South Africa is surrounded by neighboring countries. More stringent border management and control will assist in curbing forced labor. During an interview, one respondent declared:

> "For a long time, South Africa was run or operated as a borderless country in the continent, with free-flow movement of people, who are not accounted for. Many, who came into the country as visitors, are not going back to their homes."

A moratorium was placed by the South African government on the deportation of illegal immigrants, owing to budgetary constraints, but countries with detained persons are allowed to transport their citizens at own cost. This arrangement has aggravated the problem, as many countries do not come forward to take their nationals, owing to financial challenges. Consequently, the South African government has to release the illegal migrants back into the country after a period of three months, as South Africa does not have the resources to maintain

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them whilst they are kept in a detention center (Lindela Repatriation Center). In this regard, one member of the Hawks reports:

> "The South African government does not take detained illegal immigrants back to their countries due to austerity measures. Population control, especially the number of people coming into the country, is not enforced as a result."

Traffickers recruit victims in vulnerable and poor countries under false pretenses, only for the victims to later discover that they had been trafficked. The economic conditions of many SADC countries on the African continent render South Africa a prime destination for poor and vulnerable migrants. Smugglers capitalize on this situation and are able to entrap their victims with ease. Some of the victims initially do not know that they are being trafficked. Many of the victims are promised high paying jobs, only to experience hard labor and underpayment in South Africa. These victims happen to be vulnerable people, who, in their own country, do not have access to social security, such as government grants, to provide economic relief and, in South Africa, do not have legitimate travel documents to escape their situation. The traffickers prefer to recruit victims from poor communities, locally and in neighboring countries. The majority of the victims lack opportunities in their countries and many of them happen to be undocumented foreign nationals. A member of the Hawks corroborated this by stating that: "Many undocumented foreign nationals fear to report abuses to the police in fear that they will be arrested as they are in the country in violation of the immigration laws."

If the victims are documented and once they are recruited by smugglers, they are then handed over to the traffickers. The traffickers would then confiscate their travel documents, so that they do not escape. This practice serves as security of tenure for the traffickers, as they had expended money to secure the victims from smugglers. Almost all members of the HAWKS confirmed this by stating that: "Travel papers are taken away from the victims under the false pretense that they are being kept in safe. In actual fact, this is intended to prevent escaping."

These victims may be forced, among others, to do heavy-duty work and to work for long hours, without fair remuneration, in contravention of the labor laws. Some of them are forced to sign long-term debt contracts and non-disclosure agreements, so they can be held in bondage and captivity for a lengthy period. Debt bondage is created once a debt contract is signed. The debt contract, among others, could be for the victims' food and accommodation; expenditure incurred by the smugglers during scouting and recruitment in the country of provenance; transportation from the country of origin to the trafficker's destination; and bribes paid to law enforcement (facilitation and protection fee). The victims are threatened with death or abduction or kidnapping of families, if they fail to service the debt. Almost all Hawks respondents were of the view that: "When victims are interviewed, the police know of abuses to the victims such as abnormal working hours, meagre salaries and wages, threats to lives, extortions and stealthy debt bondage."

9.2 *Organized crime in the Southern African Development Communities*

The catastrophic effect of the involvement of organized crime is that the forced labor trade creates impediments for law enforcement agencies, who struggle to end the scourge. Organized crime is a self-financing cross-border business, with a large outlay of resources. It involves money laundering, as a lot of money is transferred between various countries. This promotes capital flight as money leaves the financial system illegally, without due process. Organized crime operates parallel to recognized law enforcement agencies. They capture critical decision makers within and recruiting their informers from legitimate law enforcement agencies. Organized crime is also described as having the capabilities of kidnapping opponents and or eliminating antagonists within communities. Almost all HAWKS members vindicated such action by stating that:

"The involvement of organized crime is equated with law enforcement waging war against another law enforcement. Organized crime is known to be able to crowdfund targeted groups of people, who are known and turns [in order] to be financially stable, [and works] to destruct (sic!) police activities."

Government does not enforce labor laws to penalize the defaulters and labor inspectors do not close down non-compliant businesses. The government should consider actioning labor laws in an efficient and effective manner to discourage the practice. During an interview, one Hawks official responded:

"There is a shortage of trained labor inspectors to enforce labor laws in the country. Unscrupulous employers capitalize on this weakness to benefit from making use of cheap labor."

There are many organized crime networks that have facilitated forced labor in South Africa. Some of the organizations have established links nationally, whereas others have networks with international syndicates or groups. These range from agents and or smugglers, who recruit and facilitate transportation of victims locally and from foreign countries, to traffickers make use of these smugglers to facilitate transferals of victims. Some of these intermediaries connect forced labor victims with traffickers at a certain fee. Almost all Hawks members substantiated this observation: "South Africa is a lucrative free market economy that entices both legitimate and illegitimate businesses. It is not easy to track down smugglers, especially [those involved in] intra-country forced labor."

Drug mules or drug couriers are sent on errands around the world, willingly or unaware, to convey consignment of drugs and other prohibited goods around the world. The victims, who are captured to be drug mules are monitored at various airports and transit routes to avoid abscondment. Those who work as sex slaves are monitored by pimps, to the benefit of the trafficker. Others, who work in dangerous trades, such as illegal miners and copper cable thieves, often die and their corpse are not claimed by their relatives in South African mortuaries. In their home countries, they remain unaccounted for. One Hawks member confirmed:

"[M]any people die in South Africa and their fingerprints are not found in the population register. Many happen to be foreign nationals, who are unaccounted for."

The crime is enabled by the differentiated regulatory frameworks applicable in the various countries across the world. There is no standardization of laws and policing of this crime is also different in each country. Continental and intra-regional agreements, such as the free trade agreement, have increased human movement in and between countries and this have sparked an upsurge in the practice. All respondents confirmed this by revealing that:

"Every country has its statutes of policing forced labor, using its unique laws. Some countries enforce laws on forced labor [and] forced labor, whereas others do not. Countries are not monitored or held accountable for ignoring to enforce (sic) anti-human trafficking laws."

9.3 *Policing of forced labor in the Southern African Development Communities*

The policing of forced labor is the function and responsibility of the law enforcement in each country. However, in South Africa, the law enforcement agencies have found it challenging to tackle the scourge because of a general lack of experience and critical skills, and the capacity and competency to police specialized crimes such as forced labor trafficking.

Corruption is also a deep-seated problem within the law enforcement agencies in the SADC countries. Many of the police officials, and officials working at Customs and Exercise and birth registering departments of government are involved in acts of corruption, as they accept

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bribes from smugglers/agents/intermediaries and traffickers alike. Such actions imply that public officials are willing to condone the criminal activities surrounding forced labor. In some instances, officials from Customs and Excise allow illegal goods to pass through the borders (ports of entry) at a fee and members of the government of Home Affairs generate false travel documents for the undocumented immigrants, while some officials even issue to fake travel documents to immigrants so that they can cross the borders into South Africa. There is a need for counter-corruption strategy, targeted at law enforcement at ports of entry. One Hawks member corroborated this recommendation as follows:

> "In the law enforcement departments, corruption is at a high, as those who pay bribes to officers, get favors they want to (sic) satisfy their desires and wishes. Corruption is systematic and oils even the top brass of various law enforcement agencies."

Literature reveals that corruption in the police weaken police morale, especially among honest and dedicated members, and create distrust between communities and the police. The distrust of the community towards the police leads to the communities withholding crucial information that could solve crime. Communities withhold information in fear that the police would, in turn, tip-off the criminals about the identity of their informants. The police accept bribes from criminals, following which, it is expected that they would turn a blind eye to crime and criminals' activities that are carried in their presence. The police's reactive measures need to be supplemented by compulsory vetting and lifestyle audits of the officials of government and the law enforcement to ensure that they are not complicit. Almost all members of the Hawks and NPA commented on "the difficulty of identifying and arresting traffickers, because they live all over the world and tend to make use of agents in various countries. It is difficult to know exactly which country the suspects live in, without proper and reliable technology to assist in locating them."

A counter-corruption strategy is needed to stabilize law enforcement. During an interview, one respondent from the Hawks commented as follows about the important role of the community in policing: "The backbone of a successful policing is community support through information provided to police about crime and criminals. The police should serve the people and must get community buy-in to make policing effective."

Forced labor and human trafficking has increased as the policing approach used by law enforcement in SADC region is reactive rather than proactive. There is insufficient use of intelligence in the policing of forced labor, as the law enforcement in various countries and various government departments do not share real-time information. Technology use in fighting forced labor is non-existent and this impairment contributes to the crime spiraling out of control. All the Hawks respondents commented on this and the general view is encapsulated in the following statement:

> "The SAPS has not adopted to use of technology in policing. They do not use body cameras and their work vehicles are not fitted with [the] internet. There is no live sharing of information between various members of law enforcement. No proactive interviewing of suspicious victims of forced labor at [the] airports and workplaces in the country."

9.4 *Law enforcement training exposure to forced labor trafficking*

In the SADC region, many law enforcement members were not trained on what forced labor is or on whether it is a crime. The difficulty of identifying victims of forced labor poses a challenge to law enforcement officials as the victims are mainly detectable through conducting interviews with and probing potential and suspicious victims. Often, it is a challenge to determine if some workers in low-skill jobs are victims as they participate in jobs such as car guards, shop

assistants, prostitutes, hotel workers, waiters, domestic workers, car washers, security guards, gardeners, plumbers, welders. All the HAWKS respondents had this to say: "To spot forced labor forced labor on adults is huge mission, as it not easy."

In the case of the South African law enforcement, the study manuals that form part of the police's basic training program, has no mention of forced labor in the curriculum/syllabus. This means police members, who have passed the police training course, do not know the different kinds of forced labor that manifest in society, let alone how to police this crime. This poses a challenge to the SAPS, as these members make up a huge chunk of the workforce and they are the first call point of contact for victims. It will be rational that every police official be trained on forced labor. The bigger the pool of policing, the more likely it is that the SAPS are able to make serious footprint in combatting this crime and in winning the battle. However, members of the Hawks' organized crime unit, which is a specialized crime unit in the SAPS, are trained on forced labor. Nonetheless, these members find that the scope of the crime is huge. Often the police know about forced labor through reports from community members, who would have observed abuse happening for some period. There is very little proactive policing to detect the problem at an early stage. Almost all Hawks members confirmed the view that is summed up in this remark: "Forced labor is regarded as a crime that is policed by [the] organized crime [unit] and not an ordinary police officer, without training on forced labor (sic!). The members, who police it, are limited and few, as the crime is huge in South Africa."

9.5 *Observation schedule results*

In accordance with the posed questions to the participants, it can be stated on record that forced labor in the form of forced labor exist in the Southern African countries. This increase of the practice is noticed more in South Africa, as many of the victims come from the countries surrounding South Africa. The victims are deployed by their traffickers to work in informal sector to do manual work such as selling illegal goods, washing cars and work long hours in factories under unpleasant conditions. The dealing in illegal goods is still on the rise and government and non-government officials such as law enforcement in the criminal justice system and business people are implicated in the issue. The views rest on the reality that it will take longer for the government to curb this practice by initiating new methods and procedures within law enforcement. This delay allows the current situation to swell. The government is urged to lead the initiative of curbing the problem as it happens through the boarders that are managed by the government. This can be effectively done by listening to the society to introduce with best control measures. The seriousness of this crime must be considered by the government officials at large.

10. Conclusion

The article explored the policing of forced labor. It also offered empirical and literature findings that could be considered towards enhancing the competence of policing of forced labor and improving cooperation between the law enforcement agencies and the community in the fight against this crime. Forced labor is a complex multi-million US dollar crime that cannot be effectively and efficiently policed solely by law enforcement agencies working in silos. There is a need to involve stakeholders and partners in policing this crime, owing to its illusory and oblique nature. Forced labor trade has undesirable consequences for people, business and government. It is ostensible in the study that, in reality, the policing of forced labor is a mammoth task and to be effective in this regard would not be successfully achieved or accomplished without the critical involvement of other law enforcement stakeholders such as SADC countries' law enforcement agencies, Customs and Excise, National Intelligence Agency (NIA), Hawks and foreign governments. The failure or lack of proactive policing is evident from the extensive number of

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incidents of forced labor in Southern Africa. Therefore, reactive policing is also required, to ensure that perpetrators are arrested, so that potential criminals could be deterred from committing this crime. The successful prosecution of perpetrators will also serve as a proactive and reactive crime prevention measure that will lead to deterrence.

The involvement of organized crime groupings in the forced labor trade is responsible for the upsurge in the crime. There is a need to determine how organized criminals are able to capture law enforcement officials and infiltrate law enforcement agencies. In this study, the emphasis is on proactive activities, because they guarantee the protection of the people, in line with the prescripts of the SADC countries' Constitutions, which guarantees human rights. Corruption by the law enforcement officials discourages the general uptake in the fight against forced labor. Threats that are directed at the law enforcement members can be eradicated by adopting proactive approaches to policing, which would have to involve use of intelligence and the implementation of surveillance in policing as well as an active society that works in conjunction with the police. Proper policing of this crime could discourage perpetrators from carrying on with this crime.

As a document to assist the law enforcement in policing forced labor, other law enforcement stakeholders in SADC region and the rest of the continents could benefit in customizing the guidelines provided here for use in policing forced labor trafficking as well as organized crime in their governments. By working together, law enforcement can withstand the scourge, but divided organized crime will triumph, which will have catastrophic consequences for nations across the world.

Acknowledgements

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The OJSS operates a double-blind peer reviewing process. The manuscript should not include authors' names, institutional affiliations, contact information. Also, authors' own works need to be blinded in the references (see the APA style). All submitted manuscripts are reviewed by the editors, and only those meeting the aims and scope of the journal will be sent for outside review. Each manuscript is reviewed by at least two reviewers.

The editors are doing their best to reduce the time that elapses between a paper's submission and publication in a regular issue. It is expected that the review and publication processes will be completed in about 2-3 months after submission depending on reviewers' feedback and the editors' final decision. If revisions are requested some changing and corrections then publication time becomes longer. At the end of the review process, accepted papers will be published on the journal's website.

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