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Understanding Electronic-Commerce Platforms' Role in Indirect Patent Infringement: Law Enforcers in the United States and Notice Enforcers in China

By Kui Cai

Washington University in St. Louis

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Keywords: e-commerce platforms; indirect patent infringement; law enforcer; notice enforcer; notice and takedown rule.

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UNDERSTANDINGELECTRONICCOMMERCEPLATFORMSROLEININDIRECTPATENTINFRINGEMENTLAWENFORCERSINTHEUNITEDSTATESANDNOTICEENFORCERSINCHINA

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Understanding Electronic-Commerce Platforms' Role in Indirect Patent Infringement: Law Enforcers in the United States and Notice Enforcers in China

Kui Cai

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Introduction

China is the largest e-commerce market globally, generating almost 50 percent of the world's transactions.[1] Such a significant e-commerce market results in rapid growth in bad faith complaints of indirect patent infringement against the e-commerce platforms. For example, e-commerce platforms face bad faith interference complaints from those without patents or having invalid or expired patents. In some cases, the certificate of patents or authorization of rights was forged, or expired certifications were used to blackmail and impose exaction on competitors.[2]

Moreover, some bad faith complainants pretend to file patents similar to the original patents without patent registration and then complain to the platform. These complainants ask the e-commerce platforms to disconnect the patented product link of online platform sellers to coerce them to accept their blackmail requests.[3] These "patent troll" companies often try to register many patents to force or extort competitors by malicious complaints. Then, they forge or use the registered patent to complain to e-commerce platforms, thus getting illegitimate interests or competitive advantages against competitors.[4] Such conduct not only causes damages to online marketplace sellers but also undermines the order and competition ecology of the online marketplace.

All the types of bad faith complaints in China derive from the vague "notice and takedown rule" provided in Chinese law. However, the issue did not cause any trouble in America. The sole reason for this is that the duty of care for indirect patent infringement for e-commerce platforms in the United States is lower than in China.

What is indirect patent infringement? Indirect infringement in various areas of law, sometimes also interchangeably called secondary liability,[5] entails holding a party liable for the wrongdoing of the "primary" actor—the one who performed the offending act.[6] For example, regarding indirect patent infringement occurring on the e-commerce platforms, sellers who infringe a patent are the direct infringers due to the unauthorized sale of the patented products. Meanwhile, those platforms, such as eBay and Taobao.com, may indirectly lead to patent infringement by inducing or committing contributory infringement.

Under the patent regime in the United States, there is no indirect infringement without direct infringement. Therefore, the plaintiff must prove direct infringement first and then move to indirect infringement. Furthermore, two categories of indirect patent

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[1] *See* https://www.trade.gov/country-commercial-guides/china-ecommerce#:~:text=Domestic%20E-Commerce%20%28B2C%29%2C%20Cross-Border%20E-Commerce%2C%20and%20B2B%20E-Commerce,e-commerce%20market%2C%20according%20to%20a%20report%20from%20eMarketer.

[2] *See* the Chinese report available in http://news.china.com/nance/11155042/20170217/30263406.html

[3] *See Xie yucheng v. Youlide Technology Inc.,* No.9457 civil judgment of Guangzhou Intermediate people's Court

[4] *See* Duyin, Complaint in bad faith on Intellectual Property through Online marketplace and Measures, Intellectual Property, P37-43, Sept. 2017

[5] *See* Doug Lichtman & Eric Posner, Holding Internet Service Providers Accountable, 14 SUP. CT. ECON. REV. 221, 228 & n.18 (2006), citing in Dmitry Karshtedt, Damages for Indirect Patent Infringement, 91 Wash. U. L. Rev. 911, 978 (2014).

[6] *See* Joachim Dietrich, Accessorial Liability in the Law of Torts, 31 LEGAL STUD. 231, 231 (2011), citing in Dmitry Karshtedt, Damages for Indirect Patent Infringement, 91 Wash. U. L. Rev. 911, 978 (2014).

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infringement, induced infringement[7], and contributory infringement[8], are regulated under patent law, and both can be defined more specifically under the common law. Therefore, when it comes to the indirect patent infringement on e-commerce platforms, the courts will directly adhere to statutes and cases. In contrast, patent law in China does not regulate indirect patent infringement. Instead, the standard practice for Chinese courts is to primarily apply tort law that governs the liability occurring on e-commerce platforms and determines the defendants' intent by oddly raising the "notice and take-down" rule. Simply put, an e-commerce platform can be liable in China for indirect patent infringement if it does not take down the allegedly infringing patented products after any notice of patent holders.

The article has five sections. Section I briefly introduces several confusing concepts in the context of indirect patent infringement and try to distinguish between e-commerce platform operators, online marketplace, and network service provider, as well as notice and takedown rule and counter-notice. Section II compares the different intellectual property policies of e-commerce platforms and takes eBay and Alibaba as examples. Section III introduces the systems of indirect patent infringement in China and the United States, and Section IV finds the simulates and differences between the two. Finally, section V proposes legislative and collaborative governance suggestions to pave the way for e-commerce platform governance in the context of indirect patent infringement.

I. Background

a) *Distinguish between E-commerce Platform Operators, Online Marketplace, and Network Service Provider*

Patent infringement occurs on e-commerce platforms involving three parties, the patentees, online sellers, and e-commerce platform operators that provide business-to-consumer sales. Generally, in the indirect patent infringement context, online sellers sell patent-protected products or conduct other allegedly infringing acts on e-commerce platforms. The patentees may find the infringing conducts by online sellers and then complain to e-commerce platforms. The platforms review the complaints against online sellers and decide whether to take down the allegedly patented products or not. If not, patentees may sue against e-commerce platforms and claim that the platform is liable for indirect patent infringement.

In China, e-commerce platforms can be both a descriptive and legal term. From the descriptive perspective, e-commerce platforms provide services between multiple parties, like businesses and consumers. China's online retail transactions on e-commerce platforms reached "more than 710 million digital buyers, and transactions reached $2.29 trillion in 2020, with forecasts to reach $3.56 trillion by 2024"[9]. Specifically, Alibaba's Taobao and Tmall, and JD.com, making up 66.7% of the market share, are the domestic platforms that dominate China's e-commerce market.[10] From the legal perspective, Chinese E-Commerce Law[11] defines e-commerce platforms as "legal persons or other unincorporated organizations that provide online business premises, transaction matching, information distribution, and other services to two or more parties to an e-commerce transaction so that the parties may engage in independent transactions."[12]

The "online marketplace" is a solely descriptive term in the United States. An online marketplace is referred to as "a website or app that facilitates shopping from many different sources."[13] Taking eBay and Amazon as examples, they are the e-commerce websites or apps where multiple third parties provide product or service information. The courts lean towards using the term "online marketplace" to refer to e-commerce websites like eBay in the indirect patent infringement cases in the United States.[14] The online marketplace usually does not take physical possession of the items listed for sale; the third-party sellers conduct sales and ship the products to buyers. A seller lists products on the marketplace and provides the item's price and description. When a user creates a listing on an online marketplace site, the listing identifies the user as the seller. Online marketplace buyers commonly interact with sellers.[15] In contrast to China, no statutes define online marketplace or e-commerce platform operators in the United States.

"Network service provider" can be regarded as a legal term in China and the United States, although they have different meanings. In China, network service provider represents e-commerce platforms. Early in

[7] 35 U.S.C. § 271(b)
[8] 35 U.S.C. § 271(c)

[9] International Trade Administration, "China-Country Commercial Guide"(February 3, 2021), access to https://www.trade.gov/country-commercial-guides/china-ecommerce#:~:text=Domestic%20E-Commerce%20%28B2C%29%2C%20Cross-Border%20E-Commerce%2C%20and%20B2B%20E-Commerce,e-commerce%20market%2C%20according%20to%20a%20report%20from%20eMarketer.
[10] Id. Alibaba's Taobao and Tmall, making up 50.8% of market share and JD.com, making up 15.9%, are the domestic platforms that dominate China's e-commerce market.
[11] The E-Commerce Law of the People's Republic of China was promulgated on August 31, 2018 and entered into force on January 1, 2019.
[12] Article 9(2) of E-Commerce Law
[13] Richard Kestenbaum, 'What Are Online Marketplaces and What Is Their Future?'(April 26, 2017), access to <https://www.forbes.com/sites/richardkestenbaum/2017/04/26/what-are-online-marketplaces-and-what-is-their-future/?sh=3df756cf3284>
[14] For example, *Carson optical Inc. v. eBay Inc.*, 202 F.Supp.3d 247 (E.D.N.Y. 2016) and *Blazer v. eBay Inc.,* 2017 U.S. Dist. LEXIS 39217 describe eBay as online marketplace.
[15] *See Blazer v. eBay Inc.,* 2017 U.S. Dist. LEXIS 39217. The court considers eBay as online marketplace for those reasons.

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2006, China's "Regulation on the Protection of the Right to Communicate Works to the Public over Information Networks" firstly used the legal term "network service provider." In 2009, the Tort Law[16] clarified the legal status of e-commerce platform operators as network service providers and that the network service provider is the party subject to network liability. Under the Tort Law, a network service provider means the third party that provides a marketplace for selling and buying between seller and buyer, but the third party does not participate in the sale or offer-sale. Interestingly, in *Yangxinyin v. Tengxun Inc.,* the Court specifically regarded "E-commerce platform service provider" to provide network users the storage space for product information.[17]

In contrast, the legal term network "service provider" originated from the Millennium Digital Copyright Law (DMCA) in the United States. Specifically, the Online Copyright Infringement Liability Limitation Act (OCILLA) portion of DMCA has expanded the legal definition of online service in two different ways, as stated in the following section 512(k)(1):

> (A) As used in subsection (a), the term "service provider" means an entity offering the transmission, routing, or providing of connections for digital online communications, between or among points specified by a user, of material of the user's choosing, without modification to the content of the material as sent or received.
>
> (B) As used in this section, other than subsection (a), the term "service provider" means a provider of online services or network access, or the operator of facilities, therefore, and includes an entity described in subparagraph (A).

The definition of the network service provider in DMCA is much broader, including the digital transmission and connections service providers and online marketplace.

To conclude, except for the online marketplace, both the e-commerce platform operators and network services can be deemed legal terms either in China or the United States. E-commerce platform operators and the online marketplace share a similar meaning in China and the United States. The platforms and marketplace are not involved in the selling; instead, they are just a space where offering information such as price and types of products and ensuring the security of the transaction. This article will use "e-commerce platforms" to refer to both the e-commerce platform operators and the online marketplace.

Moreover, in China, the e-commerce platform operators are legally considered network service providers; however, the network service provider has a broader definition than the online marketplace in the United States. Further, the term network service provider is often used in the copyright context in the United States.

b) "Notice and Take-down" Rule and "Counter-notice"

With regard to the "Notice and Take-down" rule, it was first initiated by the DMCA and adopted by China's "Regulations on the Protection of the Right of Communication through Information Networks." The rule was applied only to copyright infringement initially and then expanded its application to trademark cases. The basic meaning of such a rule is that when a user uploads the infringing content in the information storage space or the link pointing to infringing content in other websites, the right-holder may notify the network service provider of relevant infringement acts by providing preliminary evidence. Suppose the service provider, upon receiving the notice, promptly removes the allegedly infringing content or disconnects such links. The right-holder has no evidence that the service provider knew in advance of the existence of an infringement. In that case, the service provider does not assume liability and can enter the "safe harbor."[18]

"Counter-notice" is also a concept from copyright law, which is designed to act as a balance to the power that the "Takedown Notice" process gives copyright holders. Such notice is generally submitted due to the alleged infringer's belief that the DMCA notice is in error.

II. IP Policies of E-commerce Platforms—take eBay and Alibaba as Examples

This part will compare the IP policy between eBay in US and Alibaba in China, respectively. In distinguishing the policies, this part will also discuss the origin of the IP policy of e-commerce platforms to understand better what and why the differences exist.

a) eBay's IP policy: The VeRO Program

Section 512(c) of the DMCA provides e-commerce platforms a safe harbor from liability for indirect copyright infringement," as long as those platforms satisfy four requirements.[19] To streamline such a process, eBay launched the Verified Rights Owner (VeRO) program allowing intellectual property rights (IPRs) owners in general to request removal of listings that infringe on their IPRs, including copyrights, trademarks, and patents.[20]

[16] Tort Law of the People's Republic of China, 2009

[17] *See Yangxinyin v. Tengxun* Inc., No. 851 civil judgment of Shenzhen Intermediate people's (2011). In this judgment, the Court combine the two words "e-commerce platform" and "service provider" to be a new term "e-commerce platform service provider" to describe the legal status of the defendant.

[18] *See* Connie David Powell, Ebay Exemption: Restructuring the Trademark Safe Harbor for Online Marketplaces, 28 Santa Clara Computer & High Tech. L. J. 1, 30 (2011)

[19] 17 USC 512(c). Four requirements are the online service provider (1) does not receive a financial benefit directly attributable to the infringing activity; (2) is not directly or circumstantially aware of the presence of infringing material; and (3) promptly takes steps to remove purported infringing material upon receiving notice from copyright owners.

[20] *See* Heather Antoine, Understanding the eBay VeRO Program, available at http://www.ipwatchdog.com/2016/03/18/ebay-vero-program/id=67226/

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Regarding copyright infringements, the right holder can file allegations via a DMCA notification sent to the eBay designated agent by providing evidence as to six factors.[21] For example, the copyright owner should point out the location of infringement on the e-commerce platforms and clearly state the reasons for copyright violation.

Likewise, in terms of trademark, eBay allows the owners of the trademark and their authorized representatives to report listings that contain unlawful use of the trademark or a counterfeit product that infringes a trademark.[22] If a person believes an eBay item or listing is infringing her trademark, she can also file a Notice of Claimed Infringement (NOCI) with trademark registration information provided. However, the NOCI form requires more evidence from the patentee, the registration number of the allegedly infringed patent, and the production of a court order that the product infringes the patent.[23]

eBay has the policy to remove listings when a NOCI provides a Court Order quickly, but eBay rarely removes listings based on mere allegations of patent infringement. eBay has two reasons for this policy. First, eBay believes that removing listings based on infringement allegations would be unfair to buyers and the accused sellers. In eBay's view, such a policy would give too much power to unscrupulous patent holders. The second reason eBay has adopted its approach is that it lacks the expertise to construe the patent infringement claims submitted to it and cannot assess when it never possesses the products.[24]

The allegedly infringing sellers on eBay can only submit counter-notices for US-based copyright complaints.[25] What information should be filed for a counter-notice is outlined under DMCA 512(g)(3). Once eBay receives a valid counter-notice, a copy of the notice will be provided to the complainant and inform them that the listings will be reinstated after ten business days if they don't inform eBay that they have filed an action seeking a court order.

b) Alibaba's IP policy: "Notice and Take-Down" Mechanism

i. *Overview of Alibaba's IP policy*

Alibaba, known as Taobao and Tmall, is committed to protecting IPRs by implementing best practices in "notice and takedown procedures, proactive identification and takedown of infringing listings, and assistance of law enforcement authorities in investigations and enforcement actions."[26] Furthermore, the platforms set up responsibilities for the complainants. For example, the right holders must provide IPR ownership proof and evidence of IPR infringement behavior. It is noted that a court order is not a must-have in the complaint of patent infringement. In addition, the platform will sanction those who carry malicious intent.[27]

Alibaba's "Notice and Take-Down" mechanism applies to all IPRs involving patent, copyright, and trademark. When the identified materials[28] and IPRs documents[29] are verified, the right holders can file complaints in the form of take-down requests on the Alibaba Intellectual Property Protection platform (the "IPP" platform) on listed products or product descriptions that allegedly infringe their IPRs.

When the takedown request is confirmed, e-commerce platforms will take down the corresponding listing and notify IPR owners of the removal. If any counter-notice is received, it will be forwarded for a response.

c) Differences in IP policies between eBay and Alibaba

Both eBay and Alibaba's IP policies specify that e-commerce platforms may remove listings when the rights holder provides a request with enough proof. However, eBay's IP policy is stricter because patentees must obtain a court order and then request eBay remove the related listings. In contrast, Alibaba's IP policy is more flexible because patentees can provide any evidence to request removal.

With regard to indirect patent infringement, eBay's IP policy specifies that eBay can quickly remove listings based on a NOCI providing a court order. Still,

[21] *Supra.*5. (1) A physical or electronic signature of the person authorized to act on behalf of the owner of the copyright that is allegedly infringed; (2) Identification or description of the copyrighted work that the owner of copyright claim has been infringed; (3) Identification or description of where the material that the owner claim is infringing is located on the eBay site, with enough detail that e-Bay may find it on the eBay website; (4) The person's address, telephone number, and email address; (5) A statement by the person that he has a good-faith belief that the use of the allegedly infringing material isn't authorized by the copyright owner, its agent, or the law; (6) A statement by a person, made under penalty of perjury, that the information in the notice is accurate and that the person is the copyright owner or authorized to act on the copyright owner's behalf.

[22] *See* http://pages.ebay.com/seller-center/listing/create-effective-listings/vero-program.html

[23] *See* the NOCI form, access to https://ir.ebaystatic.com/pictures/aw/pics/pdf/us/help/community/EN-NOCI.pdf

[24] *Blazer v. eBay Inc.,* 2017 U.S. Dist. LEXIS 39217. The court explains why eBay rarely removes listings based on mere allegations of infringement.

[25] *See* http://pages.ebay.com/seller-center/listing/create-effective-listings/vero-program.html#m22_tb_a1__7

[26] Alibaba IPR Policy, *See* https://ipp.alibabagroup.com/policy/en.htm?_localeChangeRedirectToken=1.

[27] Id. The malicious intent includes requests intended to disrupt a competitor's operations or reputation.

[28] Identity materials includes for an individual, a copy of national identity card, passport or driver's license (overseas users). For an entity, a copy of the business registration certification or license.

[29] Intellectual property rights documents include documents such as a copy of official trademark/copyright/patent certificate, or a completed Copyright Claim Statement if a person is claiming ownership of unregistered copyright.

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eBay will rarely remove listings based on mere allegations of infringement. However, Alibaba can remove listings based on mere allegations of infringement as long as the right owner provides proof of ownership of patent rights, such as a copy of the official patent certificate.

As to the counter-notice, both eBay and Alibaba have such a process. However, eBay limits the counter-notice to U.S. copyright[30] while Alibaba can apply such a process to intellectual property rights.

eBay's VeRO program originated from the requirements of DMCA. Still, conditions changed in dealing with patent infringement, that is, taking down with a court order substituting for the DMCA notice. However, Alibaba's notice and takedown mechanism apply regardless of the type of intellectual property rights.

III. Lessons from the Two Regimes

Based on the introduction to and comparison between the e-commerce platform's IP policies, we can understand that the roles of e-commerce platforms are different: law enforcers in the United States and notice enforcers in China. Why different? This part will conduct brief research on the related statutes and cases in China and the United States and consider why different roles of the e-commerce platforms by comparison between the two regimes.

a) The U.S. Regime

Under the patent regime in the United States, there is no indirect infringement without direct infringement. Therefore, the plaintiff must prove direct infringement first and then move to indirect infringement. There are two categories of indirect patent infringement, induced infringement and contributory infringement.

i. *Statutes—§ 271(b) and (c)*

§ 271(b) and § 271(c) regulate indirect patent infringement in the United States. §271(b) provides induced infringement that "whoever actively induces infringement of a patent shall be liable as an infringer." To state a claim for induced infringement, a plaintiff must plausibly allege that the defendant: (1) had knowledge of the patent-in-suit; (2) knew the induced acts were infringing, actual knowledge or willful blindness; and (3) specifically intended to encourage another's infringement.[31]

"Willful blindness" means that, if knowledge of infringement is not shown, the patent owner must prove that "(1) the defendant must subjectively believe that there is a high probability that a fact exists and (2) the defendant must take deliberate actions to avoid learning of that fact."[32]

§ 271(c) stipulates contributory infringement and requires an "offer for sale" and requisite knowledge.[33] The definition of contributory patent infringement differs from the common law rules in copyright and trademark.[34] Unlike copyright and trademark, contributory patent infringement on the platforms involves only selling or offering infringing products rather than patented information. Applying the "Notice and Take-Down" rule in patent law might lead to unfair consequences to online sellers of products since network service providers do not have the expertise to review technical features contained in the accused infringing products. That is also eBay's concern.

Common law rules in copyright and trademark learn somewhat from the indirect patent infringement by analogy, although they all come from the tort law. One example is the Supreme Court's decision in *Metro-Goldwyn-Mayer Studios v. Grokster* incorporates the doctrine of inducing infringement from patent law into copyright law.[35] eBay's patent policy, however, comes from DMCA.

In addition, secondary liability has generally required showing the third party's intent, knowledge, or control concerning the direct infringement. Such intent, knowledge, or control is closely related to e-commerce platforms' duty of care for indirect patent infringement.

[30] "Counter notices can only be submitted for US-based copyright reports, in compliance with the Digital Millennium Copyright Act. Find out what information you need to provide when filing a counter notice as outlined under 17 U.S.C. section 512(g)(3). Once we receive a valid counter notice, we'll provide a copy of the notice to the VeRO participant and inform them that the listings will be reinstated after 10 business days if they don't inform us that they have filed an action seeking a court order to restrain you from relisting the items. If you wish to file a counter notice, you can contact us." access to https://pages.ebay.com/seller-center/listing-and-marketing/verified-rights-owner-program.html#m17-1-tb2

[31] *Carson v. eBay*, 202 F.Supp.3d 247 (E.D.N.Y. 2016)

[32] Id.

[33] 35 U.S.C. § 271(c) stipulates that "whoever offers to sell or sells within the United States or imports into the United States a component of a patented machine, manufacture, combination or composition, or a material or apparatus for use in practicing a patented process, constituting a material part of the invention, knowing the same to be especially made or especially adapted for use in an infringement of such patent, and not a staple article or commodity of commerce suitable for substantial noninfringing use, shall be liable as a contributory infringer." "Contributory infringement may occur in cases when: (1) someone is directly infringing; (2) the accused contributory infringer knew its components were designed for a combination which was both patented and infringing; (3) the component is not a staple good and has no substantial non-infringing uses; and (4) the component is a material part of the combination." *Fujitsu Ltd. v. NETGEAR Inc.*, 620 F.3d 1321, 1326 (Fed. Cir. 2010).

[34] In copyright and trademark cases, "specific knowledge" of a service provider must have over the direct infringer's conduct to be liable for contributory infringement. For example, in the supreme case Tiffany, Inc. v. eBay, Inc., 782 600 F.3d 93 (2d Cir. 2010), eBay did not have the requisite knowledge even under a willful blindness theory because of the proactive measures and thus the lack of willful blindness toward specific knowledge

[35] *See* 545 U.S. 913(2005), citing in Charles W. Adams, Indirect infringement from a tort law prospective, University of Richmond Law Review 42 U. Rich. L. Rev. 635 (2008)

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More importantly, the specific requirements for indirect infringement vary between patent, copyright, and trademark law, and they appear to be still evolving in the case law.[36]

ii. *Case---Blazer v. eBay*

In March 2017, *Blazer v. eBay*[37] was a turning point in an indirect patent infringement case. The court held that eBay would have actual knowledge of infringing sales only if it got a copy of an injunction or court order enjoining sales of the patented items. Here, eBay did not commit induce or contributory infringement when it received the allegations of patent infringement from the patentee.[38] The rationale is the lack of actual knowledge and expertise in reviewing the patent.

As we mentioned above, eBay's IP policy specifies that eBay can quickly remove listings based on a NOCI providing a court order but that eBay rarely removes listings based on mere allegations of patent infringement. Instead, the Court decides whether platforms induced or committed contributory infringement according to statutes and common law. The Court determines that only after the rights holder obtains the court order can the platforms be required to remove the alleged infringed products.

In sum, neither the patent statutes nor cases in the United States apply the DMCA notice and take-down rule to indirect patent infringement. In contrast, the U.S. first developed the doctrine of indirect patent infringement and then used it by analogy to indirect copyright infringement. eBay is the law enforcers that can refuse to remove listings based on mere allegations of patent infringement and only be required to remove such listings based on a NOCI providing a court order.

b) China Regime

i. *Statutes*

Unlike the United States, Patent Law in China does not provide indirect patent infringement. Instead, the court adopted the "Notice and Take Down" rule illustrated in Tort Law[39] to determine the intent of platforms and whether the network service provider should be jointly and severally liable for any additional harm to the network user.

Early in 2006, China's "Regulation on the Protection of the Right to Communicate Works to the Public over Information Networks" introduced the safe harbor principle of "Notice and Take Down" and clarified the exemption conditions for copyright infringement liability of network intermediary service providers.[40] Under the regulation defined by copyright law, the "Notice and Take-down" rule regulates the unauthorized use of network services by others to provide the subject matter protected under the copyright law "in the form of information."[41]

Further, since 2009, Article 36 of the Tort Law regulates the liability of the network service provider, clarifying the rule of "Notice and Take Down" in the form of general provisions of network infringement.[42] However, Article 36 is too broad in practice and thus causes much controversy when applied. The biggest issue is that the definitions of "know" and "necessary measures" are unclear.

Although no provisions in patent law can support indirect patent infringement, many attempts to amend patent law and propose indirect patent infringement,[43] for example, the draft amendment of

[36] *Id.,* at 636

[37] *Blazer v. eBay Inc.,* 2017 U.S. Dist. LEXIS 39217.

[38] *Supra.*5.

[39] Before May 28, 2020, the courts apply Tort Law, and after the passage of the Civil Code, the Tort Law was not in effect.

[40] Regulation on the Protection of the Right to Communicate Works to the Public over Information Networks (2013 Revision) Article 14-17 "Notice and Take Down" "Counter notification and Replacement" Rule; Article 20-22 a network service provide (provides automatic access services, provides automatic transmission services, automatically stores services during transmission, provides information storage space) Article 23 A network service provider that provides searching or linking services to a service object, and has disconnected the link to a work, performance, or audio-visual recording infringing on an other's right after receiving notification from the owner, shall not be liable for compensation; however, if it knew or should have known that the linked work, performance, or audio-visual recording has infringed upon an other's right, it shall bear liability for joint infringement.

[41] 17 USC 512(c) and (d) indicates that work are provided "in the form of information" because the titles of the two articles are "Information Residing on Systems or Networks At Direction of Users" and "Information Location Tools" shows that notice and take-down rule does apply only when the wok are provided in the form of information on the network. In addition, in China, the notice and take-down rule was firstly written down in "Regulation on the Protection of the Right to Communicate Works to the Public over Information Networks" to protect the right of "communicate works to the public over information networks", and Copyright law in China defines the right of "communicate works to the public over information networks" as "the right to provide the public with works by wired or wireless means, so as to make the public able to respectively obtain the works at the individually selected time and place". This reveals that such rule also applies only to the work provided in the form of information, not the tangible form of work.

[42] Article 36 of Tort Law: A network user or network service provider who infringes upon another person's civil right or interest through the network shall assume the tort liability.

Where a network user commits a tort through the network services, the tort victim shall be entitled to notify the network service provider to take such necessary measures as deletion, block, or disconnection. If, after being notified, the network service provider fails to take the measures required in a timely manner, it shall be jointly and severally liable for any additional harm to the network user.

Where a network service provider knows that a network user is infringing upon a civil right or interest of another person through its network services and fails to take necessary measures, it shall be jointly and severally liable for any additional harm with the network user.

[43] In August 2012, the China National Intellectual Property Administration initiated the fourth revision of the Patent Law in China. During nine years until now, a total of at least 4 versions of the draft revisions of the Patent Law have been produced for public comment. They are the Amendments to the Patent Law (Draft for Comments) published by the State Intellectual Property Office in April 2015, Amendments to the Patent Law (Draft for Comments) released by Legislative Affairs Office of the State Council in December 2015,

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patent law in 2015 tried to add a provision to regulate the indirect patent infringement.[44] The draft in 2019 re-proposed that patentees 'may' depend on valid and enforceable legal documents to require service providers to disconnect or remove the infringing link and determine whether there exists any contributory liability according to the status of necessary measures taken by service providers. Unfortunately, all the attempts failed.

One reason for such failure is the passage of the E-commerce Law in 2018. Electronic-commerce law inherited the liability principles in Article 36(3) of Tort Law and 'develops from a purely ex-post liability system to a system that places equal emphasis on ex-ante and in-process governance and ex-post liabilities to protect IPRs.'[45] For instance, the law establishes general obligations for e-commerce platform operators to strengthen cooperation and protection of IPRs with IP holders[46] and governance measures for e-commerce platform operators to follow in dealing with IP infringement complaints[47] and liabilities of e-commerce platform operators.[48]

It is noted that Tort Law has been expired because of the passage of the Civil Code on May 28, 2020. Article 1947-1949 of the Civil code inherited Article 36 of Tort Law and related provisions under E-commerce Law.

Overall, from the statutes provided above, we can conclude (1) although the subject matter of patent infringement and copyright infringement is different, the standard of care for indirect infringement is the same; (2) although the "Notice and Take-Down" rule has been adopted, the definition such as "effective notice," and "necessary measures" has not been specified.

ii. *Cases*

Although China is not a *stare decisis* country, judges in China tend to publish the analysis of the leading cases in law journals. For example, in *Yangxinyin v. Tengxun Inc.*[49], the Court held that the defendant did not commit indirect infringement due to the lack of intent.

In determining whether an e-commerce platform has intent to help infringement, the court considered

Amendments to the Patent Law (Draft for Comments) issued by the Standing Committee of the National People's Congress after the first deliberation in January 2019, and Amendments to the Patent Law (Draft for Comments) issued by the Standing Committee of the National People's Congress after the second deliberation in June 2020.

[44] 2014 Patent law of the People's Republic of China (Draft Amendment). This new-added article is similar to Tort Law of the People's Republic of China Article 36(2). Article 63 was drafted as "Where a network service provider knows or should know that a network user is infringing upon the patent or counterfeits the patent through its network services, and fails to take such necessary measures as deletion to stop the infringement, block or disconnection, it shall be jointly and severally liable with the network user. Where a patentee or the interested party has evidence to prove that a network user is infringing upon a patent or counterfeits the patent through its network services, may notify the network service provider to take such necessary measures mentioned before to stop the infringement. If, after being qualifiedly and effectively notified, the network service provider fails to take measures required in a timely manner, it shall be jointly and severally liable for any additional harm to the network user."

[45] E-Commerce Law Drafting Group, *Explanations of the E-Commerce Law of the People's Republic of China* (China Legal Publishing House 2018) 200.

[46] Article 41 An e-commerce platform business shall develop rules for protection of intellectual property rights and strengthen cooperation with owners of intellectual property rights, so as to protect intellectual property rights according to the law.

[47] Article 42 Where the owner of an intellectual property right considers that his or her intellectual property right has been infringed upon, he/she shall have the right to notify the e-commerce platform business of taking necessary measures, such as deletion, blocking or disconnection of links and termination of transactions and services. The notice shall include prima facie evidence that the infringement has been committed. The e-commerce platform business shall, after having received the notice, take timely and necessary measures and forward the notice to the in-platform business; and if e-commerce platform business fails to take timely and necessary measures, it shall be jointly and severally liable with the in-platform business for any aggravation of the injury. Civil liability shall be assumed according to the law for any damage caused to the in-platform business by erroneous notice. Double compensation liability shall be assumed according to the law for any damage caused to the in-platform business by erroneous notice given in bad faith.

Article 43 An in-platform business may, upon receipt of the notice forwarded, give a declaration of non-existence of infringements to the e-commerce platform business. The declaration shall include prima facie evidence of non-existence of infringements.

The e-commerce platform business shall, upon receipt of the declaration, forward it to the owner of the intellectual property right that gives the notice, and advise the owner that he/she may file a complaint with the relevant competent authority or bring an action in the people's court. If the e-commerce platform business does not receive notice, within 15 days after the forwarded declaration reaches the owner of the intellectual property right, that the owner has filed a complaint or sued, the e-commerce platform business shall promptly terminate the measures it has taken.

Article 44 An e-commerce platform business shall publish the received notice, declarations and disposition results as specified in Articles 42 and 43 of this Law in a timely manner.

[48] Article 45 Where an e-commerce platform business knows or should have known that an in-platform business infringes upon any intellectual property right, it shall take necessary measures such as deletion, blocking or disconnection of links and termination of transactions and services, or, failing that, it shall be jointly and severally liable with the infringer.

[49] *See Yangxinyin v. Tengxun* Inc., No. 851 civil judgment of Shenzhen Intermediate people's (2011).

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three types of duty of care: e-commerce platforms' prior initiative duty of care (general obligations to review the potential infringement, the quality of the seller and set infringement-reporting system); post inactive duty of care (based on notice and takedown rule, once patent infringement happens, the platforms must take measures such as removing listings) and post initiative duty of care (platform must enhance such duty faced with repeated patent infringement by the same seller).[50] Once one of the duties of care is violated, the platforms will be deemed indirect patent infringement.[51]

IV. A Comparative Analysis between the Two Regimes

After introducing cases and statutes and related IP policies of e-commerce platforms in the U.S. and China, in this part III, we will briefly pinpoint the similarities and differences between the two regimes.

a) Similarities between the two regimes

Although in different statutes, both the U.S. and China regimes regulate indirect patent infringement. From the cases and IP policies of varying e-commerce platforms, we can conclude that e-commerce platforms require the right holders to provide evidence to prove the infringement, despite the different requirements for the specific evidence.

b) Differences between the two regimes

In the U.S. regime, the patent statute clarifies the requirements of indirect infringement. Thus, judges don't need to apply tort law or copyright rules to solve such cases; instead, the Courts use the patent doctrine to indirect copyright infringement. In contrast, in China regime, there is no patent law to regulate indirect patent infringement, so the judges must search for other binding resources. Further, the first two related sources are China's "Regulation on the Protection of the Right to Communicate Works to the Public over Information Networks" in 2006 and the Tort law passed in 2009. Defined by the Tort law, the notice and takedown rule is applied to all indirect intellectual property infringement cases. However, as used to patent infringement, there are several difficulties and problems in accommodating "Notice and Take-Down" rules for e-commerce platforms. In copyright and trademark cases, it is easy for e-commerce platforms to distinguish whether the complaint is reasonable and good-faith according to the comparison of the name, author, and contents by ordinary people without actual knowledge, but it is much more difficult for e-commerce platforms to identify whether the complaint of indirect patent infringement is reasonable, because determining patent infringing requires technical expertise, and cannot be distinguished without much technical knowledge.

To identify patent infringement, experts will have to compare the actual claims with the alleged infringing device, which requires a high standard of knowledge for indirect infringement to be found. As a result, E-commerce platforms cannot identify whether there is patent infringement in the same way as copyright and trademark, which leads to a legal issue whether the similar standard on the duty of care in copyright, trademark, and patent is reasonable.

More importantly, in the United States, e-commerce platforms like eBay do not owe such a heavy burden regarding the duty of care in indirect patent infringement. E-commerce platforms are not involved in indirect patent infringement because § 271(b) sets a high standard of indirect patent infringement for e-commerce platforms that infringers should have actual knowledge of the patent or willful blindness to induce the infringement, which means e-commerce platforms bear the relatively slight burden on the duty of care in indirect patent infringement. In fact, indirect patent infringement in America is usually aimed at sub-manufacturers and suppliers but hardly applied successfully to restrict any e-commerce platforms. However, in China regime, the burden of duty of care is too high for e-commerce platforms. Such platforms must be subject to any of three duties of care—e-commerce platforms' prior initiative duty of care, post passive duty of care, and post initiative duty of care, otherwise be deemed as having the intent to infringement. As a result, the platforms usually prefer to take down anything requested to remove because they are afraid of secondary liabilities.

V. Recommendations for the Indirect Patent Infringement through E-commerce Platforms in China by Learning from the US Regime

After discussing and comparing the U.S. and China regimes, it is indicated that the U.S. has comparatively well-established protection for induced and contributory patent infringement occurring on e-commerce platforms. In contrast, China must accord the broad tort law to regulate such infringement. Therefore, learning from the US regimes, China should clarify the requirements and liability for indirect patent infringement by e-commerce platforms. However, it is not realistic for China to change all the legislation and judicial systems, so instead, China could learn from the US to implement the same rules in the patent field.

As we mentioned above, the statutes in China have a broad conception as to the "Notice and Take-down" rule; specifically, it is vague when referring to the standard of "qualified and effective notice" and

[50] Zhu Jianjun, Liability on patent infringement on E-commerce platform service providers, People's Judicature (2015).

[51] Xumin Liuyouhua, Study on duty of care fro indirect infringement for e-commerce platforms, Electronics Intellectual Property, volum 5(2016)

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"necessary measures." Therefore, we address two recommendations to clarify these requirements in China and propose a collaborative governance mechanism for e-commerce platforms.

a) *Make specific the standard of qualified and effective notice*

What constitutes a qualified and effective notice is one of our discussed issues. Laws and regulations do not explain specifically what a qualified and effective notice is. Article 14 of "Regulation on the Protection of the Right to Communicate Works to the Public over Information Networks" states three elements of notice.[52] E-commerce Law requires a qualified notice shall include prima facie evidence on the constitution of infringement but does not interpret the preliminary evidence. The Civil Code further clarifies the identity requirements in the notices; there must be a natural person as a patentee.

However, the regulation stated above is not practical because the controversy still exists, such as whether the notice is limited to written form or not, whether the notice is bad faith or good faith, and whether the information is accurate rather than forgery.

Learning from the United States, as mentioned above, in *Blazer*, eBay would have actual knowledge of infringing sales only if it got a copy of a court order enjoining sales of the patented items. The ruling implies that all other communications from the patent holder will not confer actual knowledge. This is a fantastic result from eBay's standpoint, and such an explicit requirement of effective notice—court order—will help determine the good faith of the right holder and better protect the patent rights.

Hence, there must be written notice to be a qualified and effective notice. The notice should include accurate information of the patentee and court order and any valid and enforceable legal documents that can prove any contributory liability.

b) *Reasonably Explain "Necessary Measures"*

"Necessary Measures" could not be equated with deleting or shielding links anymore. Instead, the "necessary measure" should be combined with specific circumstances of the disputes and comprehensively weigh whether IP infringement of the complaints in the notice is likely to be established, the level of infringement and whether the measures are sufficient to stop the infringement. Accordingly, the necessary steps contain not just notifying the complainant promptly when receiving notice without disconnecting the link but also taking no action when the information is an invalid wrongful act or malicious interference.

c) *Establish a multi-party collaborative governance mechanism*

Relying solely on the court order to be the prima facie evidence for taking down the allegedly infringing products from the platforms imposes the burden of the judiciary. Participation of administrative agencies or third-party agencies can help improve the efficiency and timeliness of the "notice and takedown" mechanism by the e-commerce platform. For example, patent invalidity examination decisions issued by administrative agencies and patent evaluation reports issued by third-party agencies can also be recognized as a qualified and effective notice in addition to the court order. It can also promote patent services by third-party agencies.

VI. Conclusion

On the issue of indirect patent infringement on e-commerce platforms, the U.S. regime tends to determine whether platforms induced or committed contributory infringement according to statutes and common law. The Courts determine the intent of indirect patent infringement, and only after the rights-holder gets the court order can the platforms remove the alleged infringing products. Thus, the standard of duty of care for indirect patent infringement is low for e-commerce platforms.

In contrast, on such an issue, the China regime pays more attention to applying the "Notice and Take-Down" rule for the potential indirect patent infringement occurring on the e-commerce platforms. As a result, such platforms will take the responsibility to determine whether the alleged products are infringing, and thus, the standard on the duty of care is too high for e-commerce platforms.

Through comparing the statutes and cases between the US regime and the China regime and learning from the well-established protection from indirect patent infringement in the US, recommendations are given in this paper that under the "Notice and Take-down" mechanism, it should be more precise what is meant by "the standard of qualified and effective notice," "necessary measures," and also propose to establish a multi-party collaborative governance mechanism.

[52] The notice shall include the following contents: a. The name, contact information, and address of the owner; b. The title and web address of the infringed work, performance, or audio-visual recording that must be deleted or the web addresses of the link that must be disconnected; c. Preliminary materials to prove the infringement. The owner shall be responsible for the authenticity of this notification.

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Quantitative and Qualitative Approximations for the Analysis of Territorial Production in the Recycling Sector in the State of Bahia, Brazil

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Abstract- This article is an epistemic attempt to correlate two lines of research - a quantitative and a qualitative one, in order to corroborate that the recyclables market exhibits great potential in the state of Bahia, Brazil. It can be analyzed from the perspective of the category 'Used Territory', developed by a Brazilian geographer called Milton Santos. Furthermore, aiming to reach this qualitative discussion, we used the model called Shift-Share coming from the Regional Economy, Esteban-Maquillas (1972) version. We applied 'the employed person' variable to calculate the components which generate growth for economic sectors and regions. Thus, it is possible to demonstrate the employability potential of the recycling sector in the state. We could also confirm, through Milton Santos's theory, that this sector will be able to be part of the territorial planning in Bahia.

Keywords: *recycling sector; used territory; shift-share template.*

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Quantitative and Qualitative Approximations for the Analysis of Territorial Production in the Recycling Sector in the State of Bahia, Brazil

Cassiano de Araújo, C. [α] & Lívio Andrade Wanderley [σ]

Abstract- This article is an epistemic attempt to correlate two lines of research - a quantitative and a qualitative one, in order to corroborate that the recyclables market exhibits great potential in the state of Bahia, Brazil. It can be analyzed from the perspective of the category 'Used Territory', developed by a Brazilian geographer called Milton Santos. Furthermore, aiming to reach this qualitative discussion, we used the model called Shift-Share coming from the Regional Economy, Esteban-Maquillas (1972) version. We applied 'the employed person' variable to calculate the components which generate growth for economic sectors and regions. Thus, it is possible to demonstrate the employability potential of the recycling sector in the state. We could also confirm, through Milton Santos's theory, that this sector will be able to be part of the territorial planning in Bahia.

Keywords: recycling sector; used territory; shift-share template.

I. Introduction

Recycling is an important activity for several product segments. Two elements refer to its relevance and give meaning to the term 'recycling', the first is that these products act as a source of energy in the production line of some industries. The second one is that they substitute raw materials for the manufacture of new products, through the use of materials considered to be disposable.

In Brazil and the state of Bahia, recycling is an economic sector that enables its dynamism through the generation of jobs and income, especially through the manufacturing industry in Brazil. Although, it has been going through a delicate situation for some years, (OREIRO; FEIJÓ, 2010). This article shows a juxtaposition of recycling activity with industrial transformation activities, a discussion to support its production structure as an element that may be present in the planning of this sector in the state of Bahia, Northeastern Brazil.

In order to demonstrate this point of view, this article brings together two exams: a) the application and analysis of the Shift-Share quantitative method, - Esteban-Maquillas version (1972), which analyses the scenario of Bahia and measures its employment capacity in the recycling industries, based on its regional dynamism and competitive capacity; b) analyze its consonance with the concept of territory used by Milton Santos (1999, 2001). This concept comes from Economic Geography and aims to amalgamate analytical possibilities. It is possible to conclude that there is an analytical bias to have a 'territory used' by the recycling sector in the state of Bahia.

II. The Recyclables Markets in Brazil and Bahia State

The recycling sector in Brazil has been showing a visible growth in the last twenty years and it has reached indices that corroborate as a sector belonging to the industrial chain. The combination of studies by IPEA (2010), IBGE (2015), ABRELPE (2020) and Szigethy and Antenor (2020) demonstrated the growth of this sector. The recycles acted as the main materials in the production chain. In Brazil, 72 million tons of solid waste was generated, and in the state of Bahia, the total was 4 million tons. In comparison with 2010, the waste's growth reached 24% at the national level, and there was an increase of 15% at the state level.

In ten years, it has observed that there was a considerable increase in urban solid waste in the country and in the state. However, from the perspective of recycling, the numbers must be taken into account. Of the 100% of waste generated in 2019, 45.3% was the organic matter, 16.8% plastics, 10.4% paper and cardboard, 2.7% glass, 2.3% metals, 1.4% multilayer packaging, 14.1% sanitary waste, 5.6% correspond to textile waste, such as leather and rubber and other residues exhibited a percentage of 1.4%. (ABRELPE, 2020; SZIGETHY; ANTENOR, 2020).

It is clearly noted that all these materials are likely to be part of the productive chain of the recycling industry. In fact, this is an activity that composes the manufacturing industry sector. In view of the growth of recycling activity in Brazil and the increase in the diversity of its sector, this niche has the capacity to assist in the development of transformation industries. Bearing in mind the importance of the productive chain of recycling and its mediation with the sectorial activities of the economy - among them, industrial activities and more specifically the transformation industries, it is clear the existing need, nowadays, to share in interdisciplinary

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perspective aspects related to economic growth, social development and environmental preservation.

Seen in these terms, the application of the Shift-Share method was attributed to measure the levels of dynamism and employability of this sector. The objective was to identify whether or not it can provide a qualitative perspective to the territory of Bahia, in order to make it a 'used territory' and prove that the recycling sector is worthy of being within the main of activities that should be thought and planned by government agencies.

III. The Shift-Share Economic-Regional Model, Esteban-Maquillas Version

The technical model used to calculate the components that generate growth indicators for economic sectors and regions was the Shift-Share. This model became notable from the 1960s onwards for being a methodology that sought to assess the attributes of a spatial, structural, regional and allocative nature of a respective economy's sector. In 1972, Esteban-Maquillas proposed a way to measure the components through the use of a homothetic variable, that is, a function used to prevent the structural effect from interfering with the regional effect. In addition, this method provides an analysis of the competitiveness of the areas (WANDERLEY; ARAÚJO, 2018).

This model (ESTEBAN-MAQUILLAS, 1972), analyze the variables from the CNAE[1]/RAIS[2]/MTE[3] database. It was used to analyze seven mesoregions of the state, through four subclasses related to recycling activity: Recovery of scrap from aluminium; Recovery of metallic materials, except aluminium; Recovery of plastic materials; and Recovery of materials not previously specified. As a variable, it analyzed this scenario in the light of the Occupied Population[4], between the years 2007-2015.

The interpretations of the results of the corresponding participation involve the growth effects: 1) global (GEG), which means what is added for each recycling activity and mesoregion, in the case of an increase in the period with the same employment growth rate of the spatial amplitude (Bahia); 2) structural (GES), identifying reasons of structural nature of production activities and, from the point of view of the mesoregion, the composition of its sectors with greater or less dynamism that adds to the growth of the mesoregion in the period; 3) regional (GER), representing the competitive capacity of the mesoregion to contribute to its growth; 4) allocative (GEA), corresponding to the participatory weight of the subclass position in the mesoregion, in which competitive advantages add to the growth in the range under study (WANDERLEY; ARAÚJO, 2018).

All these effects lead to the measurement of the total growth effect (ECT), which results from the sets of expression effects of Esteban-Maquillas (1972), with its four growth effects, as described below:

$$ECT = GEG + GES + GER + GEA$$

$$\Delta L_{ij} = L_{ij0}\eta_{tt} + L_{ij0}(\eta_{it} - \eta_{tt}) + L_{ij0}^{H}(\eta_{ij} - \eta_{it}) + (L_{ij0} - L_{ij0}^{H})(\eta_{ij} - \eta_{it})$$

Where: L= Employment; η= L growth rate; H = homothetic busy staff; i = Subclass; j = Mesoregion; t = Total (Subclass: it, Bahia Space: tt); 0 = Base year: 2007.

The study reached many considerations, including a Ranking survey for the subclasses of recyclable materials and a lengthy analysis of their contexts by mesoregion. However, trying to avoid an exaggerated emphasis on the study and using only some parts of it as a reference for the proposed discussion.

Under these considerations, the aim is to demonstrate there is a potential to develop this economic sector in Bahia. Additionally, in light of the variable used - 'Occupied Population', the territorialization of this market demonstrates that the mesoregions had positive rates of employability of people in the recovery of recyclable materials, which were divided by subclasses.

There was growth in the years between 2007-2015, but which need, at another time, to be analyzed again concerning disparities or even situations that should be contested, such as a low index of competitive advantages in this market in the Metropolitan mesoregion of Salvador for the Recovery of Plastic Materials, as the Camaçari Petrochemical Complex is located in this mesoregion, where companies such as Braskem and others stand out in the production of different types of plastic for the most varied sectors of the economy.

The production of industries was not evaluated, only the recovery of materials regarding the levels of people employed in these activities. However, it is possible to assume that these rates could be higher in one of the regions of Brazil with the highest concentration of industries in the production of this material (plastic). These and other issues which feed the discussions about this market will be the theme for future debates.

The analysis of the growth effects of the Shift-Share model was performed and it was based on the

[1] Acronym in Portuguese for National Classification of Economic Activities.

[2] Acronym in Portuguese for 'The Annual Social Information Report', which is a socioeconomic information report from the Ministry of Labour and Employment (MTE).

[3] Acronym in Portuguese for Ministry of Labour and Employment (MTE).

[4] Employment level proxy variable.

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hierarchy between the mesoregions and subclasses of the recycling sector in the state of Bahia. The result revealed that there is no homogeneity in the distribution of growth indicators for the activities analyzed. It confirms a historical and geographic aspect of the regional dynamics of the territory of Bahia and Brazil. Therefore, there is no hermetic conduction of development. What was observed is the opposite: regional differences are present and provide the most distinct variations and results.

Given such regional differences and what they may imply for the recycling sector, it was verified through the effects of total growth, indications about the dynamism of each subclass caused by the state increase, by the structural mix of activities, by regional influence and allocation effect. In summary, the following percentages of the growth effects of the components were observed, regarding the total effect and their participation, in the set of mesoregions, about the total of subclasses studied: 1) of the global, they were all positive and with high participation, with 59% in line with the dynamism and 41% corresponding to the non-dynamism of the activities; 2) of the structural, the subclasses were distributed with 35% in agreement and 24% in disagreement with the dynamism and 41% in agreement with the lack of dynamism; 3) of the regional, the distribution occurred with 41% in agreement and 18% in disagreement with the dynamism, and 35% in agreement and 6% in disagreement with the lack of dynamism; 4) regarding to the allocation, the distribution of subclasses was 24% in agreement and 35% in disagreement with the dynamisms, and 23% compatible and 18% incompatible with the lack of dynamism.

The incentives for a dynamic growth in recycling activities were strongly linked to the performance of the state. All subclasses had positive global effects, such that dynamism prevails in more than 50% of subclasses. However, in the other effects, those of aspects of the productive structure, regional influence and allocation, the positive effects for dynamisms were limited to an amount of subclasses below 50%.

Regarding the effects of growth in favor of the dynamism of subclasses, this synopsis reflects the hierarchy of recycling activities by mesoregions, according to the spatial amplitude of the state of Bahia. As expected, the metropolitan mesoregion of Salvador was the one with the greatest dynamism, because of the better results in the four subclasses and showed the greatest increase in the level of employment (WANDERLEY; ARAÚJO, 2018).

Concerning the main criteria adopted in the analysis (the importance of growth inducers and competitive advantages and disadvantages), a cartographic representation was created with the presence of subclasses in mesoregions. The objective of this step was to demonstrate the process of territorialization of this market and to be aware that the stages taken by this sector towards a spatialization of its activities are in line with its reality.

IV. The use of Territory in Bahia by the Recycling Sector: Perspectives for the Construction of a used Territory

The 'Used Territory' category is the product of many theorizations and revisions of Milton Santos' work and it was developed in the last years of author's life. The full development of this category has not been completed, due to his death. The concept of territory refers to the legacies in which the territory received in relation to the ways in which it was used by technical systems. In each moment of their histories, these systems authorized the distribution of labour relations in the constitution of the territory (SANTOS; SILVEIRA, [2001] 2012).

Milton Santos states that 'used territory' is a categorization that needs to be studied along with time. Nevertheless, every category of geographic analysis can be done together with the analysis of time. This concept is called by 'empiricizável'[5]. However, this will depend on the type of object and the set of actions it provides for the analysis. Occasionally, the territory seems to be special, as it is the "frontier" of the other categories that constitute it - from landscape to region - with the "main category" of geographic science: geographic space.

In the specific case of the territory, it is noted in the word "used", coming from the verb to use - that is, to extract its practical essence from something in order to make empirical what has already been developed. For example, the other categories of space analysis, until they form the territory, they use these spaces in a variety of ways, with different scales and with diverse systems of objects and actions (SANTOS, [1996] 2012).

Perhaps thinking in this way, Milton Santos developed this category to explain the territory, which, in the last instance, is the geographic space. 'Territory used' seems to be a tomography of geographic space, relativizing all the nuances in its formation from the forms, functions, structures and processes that its use denotes in relation to all categories and their respective scope or scalar development.

Thus, 'used territory', with the resources that this same territory provides, is also capable of being reinterpreted as a set of economic, social and political dynamics. It is supported by intersectional links in a structure of economic relations that "technify" the territory, conceiving that the result of this technification, positive or negative, occurs through the resources of the territory that a given enterprise uses, and by the techniques used in the use of these resources (BENKO; PECQUEUR, 2001).

[5] In Brazilian Portuguese, it means to make things empiricalal. Therefore, we chose to use, in English, the word "empiricalal".

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Considering the exercise developed using the Shift-Share method, there is a possibility that this sector becomes an element present in territorial planning in Bahia. However, this reasoning makes us realize the need regarding the management of a model for the territorialization of this activity in the state. This stage is supported by a horizontal process of communication between cooperatives and companies, while territorial governance, seeking to transform itself into a model of productive horizontalization, provides the creation of networks of industries, small factories, cooperatives and associations of collectors as part of a process of land use by this sector.

Thus, the way in which the state can be understood as a territory used by the recycling sector refers to the forms undertaken by the networks of large, medium or small companies in this sector through territorialization and territorial governance; the functions that the territory and its use would assume with the territorialization of this activity and its levels of competitiveness; the structure implemented for such use, that is, in Network; to the processes that would be strengthened and established as a brand, that is, the sale of materials directly to industries and the industrial production of consumer goods on a small, medium and large scale.

The operationalization of this point of view is factual and simple to understand. In the research developed by Sebrae (2017) on the recyclables market in Bahia, it is noticeable that this economic niche, as well as so many other activities and sectors that make up the state's economy, use its territory through its dynamics, articulations and decisions, becoming agents of transformation of this same territory. A banal example is to imagine that, institutionally, the Federation of Industries of the State of Bahia (FIEB) becomes an agent of transformation (and consequently a user) of the territory of Bahia, together with the state government, being able to assist in the ordering and spatial configuration recycling industries in the most different spatial categories and at their most diverse scales.

The mentioned process occurs with all those involved in the recycling sector: informal waste pickers, those who work in legal activities in cooperatives and associations, people who work in scraps and those who work in large companies that buy recyclable material. All make the cities economically dynamic by working with this activity; building and developing 'recycling landscapes'; or establishing their locations. This is because they travel to other places (cities) and regions of the state (in their territory itself) in search of the raw material for their livelihood.

This last example concerns what Santos and Silveira ([2001] 2012) used, that is, its discussion and modification to a ‘used territory’: the importance of means of transport and its logistics. The recycling sector, especially recyclable material cooperatives, experience the situation in which the area of influence of a cooperative usually exceeds the limits of their cities and regions, and consequently, transport this raw material that they buy or earn as a donation in other cities. In this sense, as they circulate through the state territory, they fill their trucks with fuel at gas stations and also leave money from the recyclables market. Thus, they streamline the economy by 'exchanging' the money from their activity for another type of service. According to Ribeiro (2013), the use of the territory (by different activities and economic sectors) shows that it is not only used. However, it is also practiced, because different sectors act in the economy generate a movement of interdependence.

These scenarios, ideas and images, in the territory of Bahia, being used by the recycling sector, give the territory its identification with the concept of geographic space. In other words, there is a spatiality socially undertaken by human work and which is made up of techniques and technologies to differentiate it from the natural space (SANTOS, 1978), and whose territory used is consolidated. This is because this territory is also used by materials recovery industries measured by growth indicators of the Shift-Share model.

Thus, we noticed that these elements are the structures that lead the discussion about a territory used. Its usage variations were interpreted as a corollary of circumstances and circumstances that can unite small cooperatives, the third sector (NGOs that provide technical and social support to small cooperatives), the public and private sectors for the construction of a social market fairer. Therefore, this market generates a new dynamic in the use of this territory through the networks that may be created. It is mediated by microeconomic activities and their micro “engineering systems”, making the Networks become an agent of transformation of this territory through the use they attribute to it. Despite the category of male and female workers being the base of the pyramid of this economic sector, it is also the most explored.

Thus, such reasoning brings another interpretation to this category (not just the one developed by Santos and Silveira ([2001] 2012). The territory used and the nickname of its use is under the influence of great capital and therefore there is the possibility of making it empiric. The use of territory in the state of Bahia is under the intermediation of this economic and environmental activity, which in turn is highly exalted in our society, but very little practiced by its members.

Small collectors' cooperatives are essential to moving the economic process that mixes technique, innovation and solidarity. This process demonstrates the feasibility of amplifying a ‘used territory’ model. It is not just the territory used by this sector, but a model that could develop statewide through other networks. And

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why not it could not be related to other activities and sectors?

Using a territory from a particular economic sector and moving it to a 'used territory' is a finding pointed out by Santos (1999), Silveira ([2001] 2012], and other authors (SOUZA, 2013; RIBEIRO, 2013; NOGUEIRA DE QUEIROZ, 2014.) However, the main idea of the territory used is related to the components that lead to such use, more precisely, to what makes this territory used and at the same time providing forms and functions.

Santos and Silveira ([2001] 2012) point out in the constitution of engineering systems a series of elements that support territorial fluidity: infrastructure, services, transport, among other. However, these and other elements need something that modifies their actions and makes them empiric. Thus, it is possible for them to develop their objectives, modify and transform the territory based on the use that one wants to apply in it. Therefore, in addition to the territory used and the use of the territory, there are also the 'territory resources' (Benko and Pecqueur, 2001), which are represented by recyclable materials. This debate has become of paramount importance, as the forms of use of the territory that result in the formulation of the concept of 'used territory' occur through the exploitation of a certain type of resource. However, recyclable materials, unlike natural resources (RODRIGUES, 2009) are, in fact, reified objects, and this is where, in our view, the reasoning used here brings a new discussion to the category under examination: about the possibilities of the territory's resources. In this case, they are also resources of the places that make up the different regions where the Networks can be formed through their technicalization, and are the material substrate for the production of a place, a region and a territory used, that is, a territory used by a type of resource that is not necessarily an original wealth of first nature, but of second nature (MOREIRA, 1988).

V. Conclusions

The article sought to demonstrate how the number of Employed People in the recycling activity generates potential in the state of Bahia between the years 2007-2015. As well as that, this sector has a potential level of employability and, consequently, a good rate of growth and competitiveness in recovering recyclable materials (resources/assets of the territory). The results helped to understand how these factors can be inserted in the territorial planning of the state, making it a 'Used Territory' model. In this way, we reach three conclusions.

Firstly, the recycling sector prints its use on the territory of Bahia, or makes it a 'used territory', through this system of objects and actions (technical) that is in line with the resources that this same territory provides, in this case, waste recyclables, which stand out for their socioeconomic aspects in generating employment and through their environmental appeal. Therefore, it is through the analysis of recyclable waste as resources that the territory offers to this activity, that it would be able to increase this sector and print its mark on the territory of Bahia.

Secondly, the 'used territory' is imbued with intersectoral factors, circumstances, and elements that are mediated by the territory's resources and the way they are used, provide degrees of intersectionality to it, resulting in a process of territorialization of this activity managed by governance between companies and industries in the sector.

Finally, there is a potential for territorial construction/regulation of the recycling sector through the technical action of networks that can be formed, especially by small cooperatives and associations of recyclable material collectors. So that a process of territorialization of innovative capital and territorial governance of the competitiveness of this sector, through the actions instituted by the Network, where its technical correlations that are generated through knowledge and its sharing make visible the possibility of its work being this instrument of transformation of the territory through the development of regions and places (cities) where the nodes of the Network operate.

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Technophilia and Technophobia, Two Sides of the Same Coin

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Introduction- Actualmente vivimos en una sociedad ultraconectada. Como consecuencia de la pandemia por COVID-19 debimos mantenernos aislados, lo que llevo a que rápidamente se volcaran al ámbito digital muchas de las cosas que antes hacíamos de manera presencial. Desde trabajar hasta hacer las compras del supermercado o realizar algún curso o entrenamiento, cualquier ámbito de nuestra vida cotidiana paso a estar mediado por alguna plataforma digital.

Ahora bien, más allá de esta digitalización en diversos aspectos de nuestra vida, lo que debemos poner en cuestión son dos aspectos contradictorios. Primero, siguiendo una postura tecnofílica, tomar a las tecnologías, máquinas, estructuras y sistemas actuales con relación a sus contribuciones a la eficacia, productividad y socialización.

Keywords: *technophilia, technophobia, control, digitalization, data.*

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Technophilia and Technophobia, Two Sides of the Same Coin

Tecnofilia y Tecnofobia, Dos Caras de Una Misma Moneda

Rodrigo Martín

Palabras Clave: tecnofilia, tecnofobia, control, digitalización, datos.
Keywords: technophilia, technophobia, control, digitalization, data.

I. Introducción

Actualmente vivimos en una sociedad ultraconectada. Como consecuencia de la pandemia por COVID-19 debimos mantenernos aislados, lo que llevo a que rápidamente se volcaran al ámbito digital muchas de las cosas que antes hacíamos de manera presencial. Desde trabajar hasta hacer las compras del supermercado o realizar algún curso o entrenamiento, cualquier ámbito de nuestra vida cotidiana paso a estar mediado por alguna plataforma digital.

Ahora bien, más allá de esta digitalización en diversos aspectos de nuestra vida, lo que debemos poner en cuestión son dos aspectos contradictorios. Primero, siguiendo una postura tecnofílica, tomar a las tecnologías, máquinas, estructuras y sistemas actuales con relación a sus contribuciones a la eficacia, productividad y socialización. Por otro lado, sostener desde una postura tecnofóbica cómo esto contribuye al modo en que estas mismas tecnologías pueden encarnar diferentes formas de poder, autoridad y vigilancia. Siguiendo este orden de ideas, y para no caer en un determinismo tecnológico ingenuo, es necesario aclarar que si bien los sistemas técnicos han alterado de forma esencial el ejercicio del poder, los entes políticos son las personas y no las cosas. Por lo tanto, para poder analizar qué hay detrás de estas tecnologías, para descubrir las circunstancias sociales de su desarrollo, empleo y uso, lo que importa no es la tecnología en sí misma, sino el sistema social o económico en el cual se encarnen.

Actually, we are living in an ultra-connected society. Because of the COVID-19 pandemic, we had to remain isolated, which led to many of the things that we previously did face to face quickly turn to the digital realm. From working to doing grocery shopping or taking a course or training, any area of our daily life became mediated by a digital platform.

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Beyond this digitization in many aspects of our lives, we must question two contradictory aspects. In one hand, following a technophilic stance, take current technologies, machines, structures, and systems in relation to their contributions to efficiency, productivity, and socialization. On the other hand, to argue from a technophobic stance how this contributes to the way in which these same technologies can embody different ways of power, authority and surveillance. In order with this idea, and trying not falling into a naive technological determinism, it's necessary to clarify that although technical systems have essentially altered the exercise of power, political entities are people and not things. Therefore, in order to analyze what is behind these technologies, to discover the social circumstances of their development and different kind of uses, what matters is not the technology itself, but the social or economic system in which they are embodied.

II. Objetivo

El objetivo del presente trabajo es abordar desde una perspectiva teórica las consecuencias sociales de los procesos y tecnologías de vigilancia en las actuales sociedades de control (Deleuze, 1995). Como datos empíricos se tendrán en cuenta la relación del estado y los ciudadanos en el caso de plataformas occidentales como Google (gmail, googlemaps) o Facebook, y, por otro lado, la misma relación para el caso del Estado chino teniendo en cuenta lo expresado por Han (2020). El análisis estará atravesado teniendo en cuenta la cuestión por la política de los artefactos o las tecnologías, como también por concepciones tecnofilicas y tecnofóbicas (Winner, 1999).

III. Sociedades de Control y Capitalismo Informacional

A partir de los 70' en el campo económico podemos encontrar que la hegemonía del capital productivo comenzó a ser reemplazada por la del capital financiero y luego por el informacional o cognitivo (Hardt & Negri, 1999; Srnicek, 2018). Actualmente, en la economía digital, las plataformas basadas en internet además de representar un nuevo modelo de negocios y rentabilidad sirven también para

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delinear tendencias y subjetividades. Las plataformas son infraestructuras digitales que permiten que dos o más personas o grupos interactúen posicionándose como intermediarias entre diferentes usuarios que producen y dependen de efectos de red, por lo que deben asegurarse que cada vez se sumen más usuarios a la vez que tienen una arquitectura establecida que controla las posibilidades de interacción (Castells, 1996). Puede entenderse entonces, que la proliferación y cuasi monopolización de las plataformas digitales en nuestra actualidad se debe a dos procesos. Primero, que la plataforma es la herramienta por excelencia para extraer, analizar, usar y vender datos, insumo primordial del actual capitalismo informacional. Segundo, que genera efectos de red, esto es, que su dinámica de funcionamiento consiste en la incorporación constante de nuevos usuarios, con lo cual tienden al monopolio. A modo de ejemplo, la red social Facebook, actualmente posee WhatsApp e Instagram (las más utilizadas a escala global) o como QQ o TikTok en China.

Paralelamente, Deleuze (1995) establece una secuencia temporal en la mutación de la relación del Estado con sus súbditos. Describe así una etapa de soberanía durante el siglo XVIII, una disciplinaria en el siglo XIX y sociedades de control a partir de mediados del siglo XX. De esta forma podemos encontrar dos procesos que fueron desarrollándose en conjunto, por un lado el establecimiento de la soberanía estatal del orden burgués a partir del siglo XVIII acompañado de desarrollos tecnológicos, pasando por sucesivas etapas, primero apuntando al disciplinamiento social de la población para adaptarse a los rotundos cambios surgidos en la nueva lógica de trabajo y de ejercicio del poder, generalmente mediante instituciones de encierro (escuela, fabrica, hospital, prisión) para luego, una vez logrado, pasar a una etapa de control poblacional mediante métodos que, ayudados por el avance tecnológico, resultan cada vez más efectivos. Lo que Deleuze (1995) denomina "control" corresponde a un lenguaje numérico hecho de cifras, que marcan el acceso o el rechazo a la información. Con relación a esto, sostiene que ya no nos encontramos ante el par masa/individuo, sino que los individuos se han convertido en "dividuos", y las masas, en muestras o datos. También definió la cibernética como una ciencia del gobierno que, además, puso en marcha el complejo tecnológico centrado en la información que será luego la base material en las sociedades de control, mediante la operación de máquinas informáticas y ordenadores. Rodríguez (2018) explica que la aspiración cibernética de una sociedad informatizada suponía la inclusión de un dispositivo que en realidad debía procesar la vida social convirtiéndose en un protagonista más junto a los seres humanos y este es, en esencia, el papel que cumplen en la actualidad las tecnologías de recolección y procesamiento de datos como los dispositivos móviles, las plataformas y los algoritmos. Mediante estas arquitecturas entendidas como instancias políticas que configuran el espacio y regulan las conductas, se llega al "individuo algorítmicamente asistido" gracias a la arquitectura que sostiene la comunicación entre actores-humanos, computadoras, o directamente, redes de actuantes-no-humanas (Vercelli, 2004). Como consecuencia, es que hoy en día, gran parte de las decisiones de nuestra vida cotidiana son delegadas a sistemas informáticos. Decisiones que, relacionadas con la cantidad de datos disponibles y a la capacidad de procesamiento de las máquinas, son consideradas mucho más eficientes que las que tomarían los seres humanos sin asistencia digital. Este *individuo asistido* se refleja en la construcción de un perfil, que es la serie de datos asignados o autoasignados a un sujeto en la vida social digital.

Si partes cada vez más crecientes de la vida cotidiana transcurre en las redes, no sólo los perfiles se transforman en espacios privilegiados para la constitución misma de las identidades, sino que también constituyen la base de ejercicio de una vigilancia "distribuida e inmanente". Distribuida porque ya no es preciso situar al individuo en un lugar fijo, sino que este lleva consigo aquello que lo vigila y a través de lo cual puede vigilar, e inmanente, porque al transformarse cualquier interacción comunicacional en dato, los sistemas de vigilancia ya no necesitan situarse en un punto específico, sino que cualquier aspecto de la vida social queda registrado sin esfuerzo alguno por "espiarla" (Rodríguez, 2018). Siguiendo este orden de ideas, Botta (2014) explica que el cambio de época supuso cierto corrimiento desde una preocupación de tipo individualizante, centrada en el cuerpo y sus fuerzas físicas, hacia una masificante, atenta a los conocimientos, los afectos y las maneras de sentir.

IV. Sociedad, Metadatos, Algoritmos y Subjetivación

Rodríguez (2018) sostiene que actualmente se puede hablar de una "algoritmización" de la sociedad. Nos encontramos constantemente conectados a través de tecnologías que se nutren de nuestros datos o registros de las diferentes actividades que desarrollamos. Desde esta perspectiva, la búsqueda de un dato cualquiera en internet genera una "personalización", una asignación de datos a un individuo, definiendo así su perfil. Estas conexiones son elaboradas siempre a partir de esta "perfilización" constante que se alimenta del hecho de que los individuos están constantemente "perfilándose" en diferentes aplicaciones o plataformas (Rodríguez, 2018). Si entendemos esto como puntos centrales en las relaciones entre saber, poder y subjetivación, las sociedades "de control", podrían también convertirse en sociedades de "metadatos". En este sentido, cada cosa

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que vemos, cada "Me gusta" (*like)*, cada lugar que visitamos se convierte en un dato que alimenta una *gubernamentalidad algorítmica* (Rouvroy & Berns, 2015).

Rodríguez (2018) explica también que la arquitectura informacional generada por la digitalización y su consecuente aumento exponencial de datos está diseñada para personalizar a los usuarios de manera estadística, atendiendo así a otra dimensión central de las sociedades de control: las formas de subjetivación. En este sentido, explica que es válido decir que en los algoritmos y los metadatos exista cierta esperanza en la modificación de las conductas y los pensamientos. Estas nuevas formas de vigilancia se desarrollan mediante complejos mecanismos de subjetivación, lo que permite decir que no sólo estamos más vigilados, sino que, hasta cierto punto, queremos serlo. Confiamos en la extracción de metadatos para que mediante algoritmos podamos saber algo más sobre nosotros mismos. Esta gubernamentalidad es realizada a través de los dispositivos digitales, y se expresa en una situación de procesamiento social generalizado. En este sentido, la gubernamentalidad algorítmica es *un cierto tipo de racionalidad (a)normativa o (a)política que reposa sobre la recolección, la agrupación y análisis automatizado de datos en cantidad masiva de modo de modelar, anticipar y afectar por adelantado los comportamientos posibles* (Rodríguez, 2018).

Relacionando lo antes expuesto con la subjetivación, podemos afirmar que los algoritmos pueden acumular nuestra información individual para extraer metadatos, o sea, para "producir información desde la información" y, de esta forma, los metadatos resultantes de este proceso algorítmico generan un efecto de "personalización", un perfil. Si bien pareciera que se sugiere algo a alguien de modo personalizado, en realidad se lo hace en función de una regularidad estadística de la que esa persona forma parte y que de hecho, contribuye a formar. El carácter íntimo de la estadística para procesar lo social, son importantes mecanismos de subjetivación de los que se espera no sólo una definición de nosotros mismos, sino también una suerte de evolución conjunta o de sistema de transformaciones que permiten alimentar y ser alimentados por la Big Data. Por lo tanto, se vuelve recurrente que estas plataformas nos "pregunten" que pensamos, o si conocemos a determinadas personas, grupos, empresas, productos, etc. Pareciera de todas formas, que demostramos aceptación a que estas preguntas se hagan desde un medio digital, de hecho, muchos debemos responderlas sin pensar en las consecuencias que eso pueda llegar a ocasionar. Haciendo un paralelismo con este ejemplo, ¿qué pasaría si de repente un desconocido nos pregunta cómo nos llamamos, que estamos pensando o si conocemos a determinada persona?, supongo que nos resultaría incómodo, incluso sospechoso, es muy probable que nos genere rechazo hacia ese interlocutor que nos solicite ese tipo de información. Sin embargo, basta con aplicar esas mismas preguntas, en una plataforma virtual para que millones de personas vuelquen ahí toda su intimidad, como si no existiesen humanos desconocidos detrás de esas plataformas digitales trabajando con toda esta información que brindamos. Estas nuevas subjetividades pueden ser definidas como individualidades moleculares, dividuales y móviles, que tienden al goce, a la instantaneidad que se conforman mediante imágenes y se encuentran basadas en el consumo, que son a la vez exhibidas volviéndose susceptibles de ser modulables y controlables (Botta, 2014). Son subjetividades que disfrutan de dejarse ver, de ser vistas y que al mismo tiempo miran. Estas subjetividades consumidoras se encuentran articuladas en un sinfín de gustos, necesidades y preferencias, a la vez que son minuciosamente diferenciadas e identificadas, para finalmente ser investigados y atendidos por algoritmos o dispositivos, como la estadística, la publicidad y el marketing.

Si bien tengo entendido que es posible pedir "nuestros datos" a compañías como Facebook o Google, no es solamente eso lo que importa, porque no son solo nuestros datos sino nuestros datos en relación a los datos de todos los demás usuarios los que sirven de insumo. Facebook puede tener mi red de amigos o de música preferida, pero solo con eso no puede lograr mucho, pero al recolectar los perfiles no solo de mis vínculos amistosos, sino también de la zona geográfica donde me encuentro, de los *likes* que hago, de las páginas que visito, la música que escucho, o de los artículos que compro puede generar nuevos datos en base a gustos comunes, pudiendo así venderlos a alguna otra compañía interesada en gustos musicales de alguna zona particular de Buenos Aires, por citar un ejemplo. Si bien este ejemplo menciona un fin comercial, que es el uso más habitual en occidente, en otras partes del mundo, estas mismas relaciones pueden servir para mantener a la población bajo un control y una vigilancia constante de tipo Orwelliana como sucede en China. El filósofo Han (2020) explica que en China existe un control social completo. No solo mediante algoritmos y análisis de Big data sino también con otras tecnologías avanzadas como el reconocimiento facial y el posicionamiento GPS.

V. Los Datos Como Herramienta

Que actualmente exista una interacción digital muy difundida, se traduce en que cada vez hay más datos (personales) circulando y el uso o manejo de esos datos puede convertirse en una herramienta que puede ser utilizada para diferentes fines comerciales como también, para tener mayor control sobre nosotros. Para desarrollar la siguiente idea partiré de la

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premisa de que la información personal de cada usuario de red social o cualquier plataforma que exista en el mundo está disponible en igual manera, pero que, dependiendo la lógica con la que se los procese pueden servir para fines diferentes. Esto quiero decir que es la información digital de cada uno de nosotros la que circula por la red, pero esa misma información puede utilizarse para los más diversos fines.

En occidente, la lógica del procesamiento de datos apunta a que nos mantengamos consumiendo constantemente. Solo hace falta buscar una palabra en Google, para que luego nos inunden con publicidades o información acerca de aquello que buscamos, por ejemplo, si yo en mi buscador busco la palabra "bicicleta", instantáneamente comienzan a inundar mi casilla de mail o las páginas que visito con promociones para comprar bicicletas, sobre seguro de bicicletas, o accesorios, etc. Otro ejemplo interesante es de las nuevas aplicaciones de mensajería o delivery como Rappi, Uber Eats o Pedidos ya, y en cómo las mismas se encuentran asociadas en cierta forma a plataformas de ocio como Netflix. Creo que a cualquiera que utilicemos alguna de estas aplicaciones o todas, nos llegó alguna notificación para comer algo determinado a la vez que se promociona alguna serie o contenido nuevo para ver, particularmente durante el periodo de aislamiento. Este ejemplo, generalmente está relacionado con una posición tecnofílica hacia las nuevas plataformas digitales. Aquí, el uso y manejo de datos de distintas plataformas queda soslayado por la oferta de un servicio a tal punto que ni siquiera nos detenemos a pensar en eso.

En oriente, particularmente en China, el gobierno utiliza la información que circula por la red para crear sistema de crédito social, basada en perfiles detallados de los usuarios/ciudadanos clasificándolos mediante un sistema de puntos basado en el comportamiento de la persona, en su red de contactos y en el contenido que publica. No hay ningún momento de la vida cotidiana que no esté sometido a vigilancia, observación y control. Se controla cada clic, cada compra, cada contacto, cada actividad en las redes sociales, a quien tiene trato con críticos del gobierno o a quien pone comentarios críticos en las redes sociales le quitan puntos. Por el contrario, a quien compra por Internet alimentos sanos o lee periódicos afines a las políticas gubernamentales suma puntos. Esta clasificación sirve para detentar determinado prestigio social dentro del país, aquel que tiene determinada cantidad de puntos puede tener un visado de viaje o créditos baratos. Por el contrario, quien cae por debajo de un determinado número de puntos podría perder su trabajo. Visto de esta forma, podríamos adoptar una postura tecnofóbica al saber que los datos pueden ser utilizados con estos fines.

Este control y vigilancia de tipo Orwelliano, donde nuestra privacidad es prácticamente nula y en donde además somos premiados o castigados en relación con nuestras acciones o formas de pensar o expresarnos puede ser considerado como la máxima expresión de la tecnofobia o de la tecnología puesta al servicio de una autoridad gubernamental o estatal para privarnos de nuestra libertad (física y de expresión) y controlarnos.

Paradójicamente, si nos remitimos al contexto de pandemia por COVID.-19, puede que los mencionados usos de la tecnología no sean tan tecnofilicos y tecnofóbicos como aparentan a primera vista.

El filósofo coreano Byung-Chul Han (2020) sostiene que Asia tuvo mejor controlada la pandemia que Europa. Una de las características a las que lo atribuye, es a la mentalidad autoritaria existente en los estados asiáticos, herencia de su tradición cultural. Explica que las personas son menos renuentes y más obedientes que en Europa, a la vez que confían más en el Estado. Agrega también, que la vida cotidiana está organizada de forma mucho más estricta que en Europa. En relación con esto, sostiene que, para enfrentarse al virus, los asiáticos apuestan fuertemente por la "vigilancia digital" en el sentido de que en la Big Data podría encerrarse un potencial enorme para defenderse de la pandemia. Sostiene que en Asia las epidemias no las combaten sólo los virólogos y epidemiólogos, sino sobre todo también los informáticos y los especialistas en macrodatos. Han (2020) explica también cómo en China toda la infraestructura para la vigilancia digital mencionada anteriormente ha resultado ser sumamente eficaz para contener la epidemia. Cita como ejemplo, que cuando una persona sale de la estación de Pekín es captado automáticamente por una cámara que mide su temperatura corporal. Si tiene alta temperatura se le notifica a las demás personas que iban en el mismo vagón mediante una notificación en sus teléfonos móviles. También explica que si uno rompe la cuarentena un dron se dirige volando hacia la persona y le ordena regresar a su vivienda.

Esta es una forma interesante de mostrar cómo el manejo de datos por parte de los Estados puede desde un punto de vista ser visto desde una postura tecnofóbica en el sentido de que sería usado para la vigilancia y el control, pero, por otra parte, también puede que ese mismo manejo de datos nos proteja en caso de pandemia para no ir en detrimento de nuestras libertades físicas y nuestros derechos, como sucedió en occidente durante los primeros meses de pandemia. De ser así, en relación con esta biopolítica digital *los apologetas de la vigilancia digital proclamarían que el big data salva vidas humanas* (Han, 2020) más allá de vigilarlas y controlarlas.

Ahora bien, ¿qué pasa si el Estado controla de forma Orwelliana nuestras vidas?, ¿nuestro individualismo occidental nos llevaría a rechazar la idea

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de un estado tan presente, aunque sea para "protegernos" ?, ¿se prefiere en cierta forma o se confía más en empresas privadas para el manejo de nuestros datos que en el propio estado para esa función? Lo que resulta paradójico en este sentido o esta lógica de la video vigilancia y del control social, es que, si nos remitimos al caso chino, podemos encontrar que muchas personas, podrían categorizarse de autoritario o como alguna violación a derechos esenciales, pero lo cierto es que más allá de eso, muchos ven con buenos ojos cuando estos sistemas policiales se conectan con actividades delictivas. Botta (2014) explica que existe una relación inseparable entre la "sensación de inseguridad" y el discurso y la demanda de prácticas "Tolerancia cero" al delito, mediante lo cual muchas personas se muestran dispuestas a perder intimidad a cambio de seguridad.

VI. Conclusión

Para concluir podemos tener en cuenta un último ejemplo: Podríamos afirmar que Google tiene una amplia red de vigilancia con GoogleMaps, en el sentido de que sus automóviles están conduciendo por todo el mundo, tomando fotografías de ciudades y barrios enteros creando un mapa interactivo que puede ser utilizado como guía y, a la vez, puede funcionar también como una amplia y profunda red de vigilancia. Paralelamente, este tipo de vigilancia no es tan distinto en el caso chino. La diferencia radica en el propósito con el cual se hace. En China se supone que esa vigilancia es usada para el bien común. Más allá en que estemos o no de acuerdo con esa visión paternalista que tienen de lo que es considerado "bien común", pareciera ser que son explícitos en lo que hacen y la forma en la que manejan los datos de los ciudadanos. Por el contrario, Google tiene como objetivo el fin comercial o enriquecer su patrimonio o solo a algunas personas y a la vez, se resguarda de mostrar todos los usos que da a los datos que manipula. Visto de esta forma, la vigilancia de China podría ser menos nociva que la de Google, aunque ambas podrían expresarse bajo una idea tecnofóbica, el caso de Google también puede adquirir una visión tecnofílica en el sentido de que brinda un servicio útil a muchos usuarios de la aplicación.

De lo expuesto hasta ahora podemos afirmar que no existen tecnologías inherentemente políticas, sino que, tanto las tecnologías como los sistemas son ideados por humanos para hacerlos compatibles con ciertos tipos de relaciones sociales. Muchas de las invenciones y de los sistemas técnicos importantes en nuestra vida cotidiana son susceptibles de ordenar la actividad humana de diversas maneras.

De esta forma, ya sea consciente o inadvertidamente, las sociedades y sus integrantes adoptamos tecnologías que influyen sobre cómo nos relacionamos, trabajamos, comunicamos, viajamos, consumimos, etc. Por lo cual, la adopción de un determinado sistema tecnológico implica de forma inevitable una serie de condiciones referentes a las relaciones humanas con un tono político característico que puede ser igualitario o no, comercial o social, represivo o liberalizador o adquirir cualquier otra forma que se nos ocurra. Si nuestro propósito es comercializar algún tipo de contenido podemos darle ese propósito, como también si queremos controlar, vigilar o someter a algunas o grandes partes de la población. Lo que invito a reflexionar es que, al elegir o adoptar determinada tecnología a la vez, estamos eligiendo o adoptando una determinada forma de vida social y política, de que no se trata solo de los datos o de la tecnología en sí misma, sino del uso que hacemos de ella y en como reproducimos nuestra vida a medida que vamos relacionándonos con nuestros pares.

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Retórica, Dialética e Filosofia

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Objetivos- Esta pesquisa tem como objetivo o estudo do caráter filosófico contido na retórica dentro do contexto da filosofia antiga, especialmente a obra homônima de Aristóteles, apoiando-se principalmente na tese do Estagirita de que a retórica pertence à dialética, sendo, dessa forma, a base para a construção do conhecimento na Grécia antiga.

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Retórica, Dialética e Filosofia

Pedro Véras

Projeto de elaboração de dissertação apresentado ao Programa de Pós-Graduação da Faculdade de Filosofia e Ciências Humanas FAFICH da Universidade Federal de Minas Gerais, como requisito para o processo de seleção para o Mestrado, na linha de pesquisa "Filosofia Antiga e Medieval".

Belo Horizonte 2021

I. Objetivos

Esta pesquisa tem como objetivo o estudo do caráter filosófico contido na retórica dentro do contexto da filosofia antiga, especialmente a obra homônima de Aristóteles, apoiando-se principalmente na tese do Estagirita de que a retórica pertence à dialética, sendo, dessa forma, a base para a construção do conhecimento na Grécia antiga.

a) Objetivos específicos

i. Investigar as ligações entre a retórica, a dialética e a lógica, e, por conseguinte, sua importância na produção do conhecimento;
ii. Demonstrar como a retórica possuía um papel fundamental na construção do pensamento filosófico na Grécia antiga;
iii. Investigar o caráter fundamentalmente filosófico da retórica;
iv. Analisar os termos chaves da obra *Retórica*, como dialética, silogismo, entimema, lógica, arte e persuasão na língua grega clássica.

II. Justificativa da Inserção do Projeto em Uma Das Linhas Depesquisa do Programa

O presente projeto se justifica na inserção da linha de pesquisa de filosofia antiga e medieval, pois trata-se de um dos problemas filosóficos mais influentes na Grécia antiga- e assim se mantendo também na Idade Média-, e que, a partir da contribuição de Aristóteles, a discussão sobre a retórica adquiriu um novo nível de desenvolvimento, justamente por considerar a retórica uma contraparte da dialética. Ademais, os estudos do Estagirita dentro da *Retórica* dialogam com a tradição filosófica anterior a ele, notadamente os sofistas - ainda quede modo crítico.

Não obstante, o tema apresentado por este trabalho se mostra relevante no sentido de contribuir na exploração de uma das teses centrais da *Retórica*: o estudo dessa arte enquanto meio para se chegar à verdade, e, em última instância, o bem, já que este é superior ao seu oposto. Visto que a filosofia nasceu de uma pretensão de explicar o todo, o referido filósofo foi um dos estudiosos que mais contribuiu para este ramo do conhecimento, logo, o presente temase justifica na medida em que propõe um estudo dentro de um dos pontos centrais neste marco na técnica retórica que a obra homônima representa.

III. Apresentação da Hipótese de Trabalho

O filósofo Aristóteles, logo no início do livro I da *Retórica*, estabelece que ela pertenceà dialética, e, com isso, ambas se utilizam da mesma estrutura lógica. A abertura do mesmo livro assim se apresenta (ARISTÓTELES 2011, 1, 1354a 1-6)[1]:

> A retórica é a contraparte da dialética. Ambas igualmente dizem respeito a estas coisas que se situam, mais ou menos, no horizonte geral de todos os indivíduos, sem ser do domínio de uma ciência determinada. Assim, todos, de uma maneira ou de outra, servem-se de ambas; de fato, em uma certa medida, todos procuram discutir e sustentar teses, realizar a própria defesa e a acusação dos outros.

Desse modo, Aristóteles (*Ret*, 1, 1354a 11-12) conclui em seguida que a retórica, dada a sua função, assemelha-se à uma arte - dentro da acepção grega, isto é, uma técnica (em grego τέχνη). Nesse ponto, vale mencionar a profundidade e importância desse conceito dentro filosofia antiga, pois, tal como ensina Reale (2014, p. 247), tal palavra implica simultaneamente conhecimento universal e aplicação prática, com predominância do primeiro sobre o segundo.

Na mesma linha de raciocínio, na obra *Paideia* de Jaeger (1973, II, p. 192), é dedicado um espaço para argumentar sobre a dimensão e o peso da palavra grega τέχνη, afirmando que tal conceito abrange um arco de significado tão amplo que não se traduz propriamente nas línguas modernas com a palavra arte. Além disso, o termo em grego exprime uma atividade que não se apoia somente sobre uma prática rotineira, mas sobre regras gerais e sobre conhecimentos precisos, a tal ponto que a palavra grega se distingue da ciência apenas no sentido de que a τεχνη é direcionada para a prática.

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[1] Doravante, neste texto, vamos nos referir à obra *Retórica*, de Aristóteles edição 2011 da seguinte forma: *Ret*,seguida da numeração universal.

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Assim, compreendida a profundidade do termo arte na filosofia antiga e levando em consideração que a retórica é uma parte da dialética, o Estagirita extrai o problema filosófico que envolve toda a obra da *Retórica*, qual seja, os modos de persuasão sobre quaisquerargumentos. Em suas próprias palavras (*Ret*, 2, 1355b 26-35):

> Pode-se definir a retórica como a faculdade de observar, em cada caso, o que este encerra de próprio para criar a persuasão. Nenhuma outra arte possui tal função. Toda outra arte poderia instruir e persuadir acerca do que lhe é próprio, por exemplo: a medicina, sobre o que é saudável; a geometria, acerca das propriedades das grandezas; a aritmética, a respeito dos números; o mesmo aplicando-se às outras ciências. Quantoà retórica, todavia, vemo-la como o poder, diante de quase qualquer questão que nos é apresentada, de observar e descobrir o que é adequado para persuadir. E esta é a razão por que a retórica não aplica suas regras a nenhum gênero particular e definido.

Com base nisso, resta a questão: quais os liames que se pode estabelecer entre a retórica, a dialética, a lógica, e, por conseguinte, a filosofia? Tal como sustenta Berti (1998, p.171), tantoa retórica quanto dialética é dotada da mesma estrutura lógica, ou seja, compartilham do mesmo modo de argumentar, aplicando seus respectivos procedimentos a diversos tipos de conteúdo,e isso resulta do fato de que ambas se tratam de procedimentos praticáveis por todos, além de servirem-se de procedimentos análogos. A constatação feita pelo professor italiano revela, desse modo, o cerne do problema filosófico que perpassa toda a obra: o estudo da arte retórica,a partir de sua estrutura lógica, voltada para a persuasão.

De modo mais detalhado, Reale (2013, p.164-165) ensina que a retórica apresenta analogias com a lógica sob o aspecto formal, significando que as estruturas do pensamento e do raciocínio, em particular a dialética, estão presentes na retórica; já quanto ao conteúdo, essa arte se assemelha à ética e à política. Nesse ponto, vale igualmente a contribuição da professoraChauí (2002, p. 480), pois ela aponta que a retórica é uma arte indispensável nos discursos públicos. Além disso, os métodos de persuasão desenvolvidos ao longo da obra apresentam analogias com os silogismos, isto é, o paralelismo entre entimemas e silogismo. Isso é o que Aristóteles (*Ret*, 1, 1355a 9-14) expõe na seguinte passagem:

> O entimema é um tipo de silogismo, e o exame indiscriminado dos silogismos de todos os tipos é tarefa da dialética - ou da dialética como um todo, ou de um de seus ramos.A nítida conclusão disso é: aquele que está melhor capacitado a perceber como e a partir de que elementos um silogismo é produzido disporá igualmente da melhor habilidade para o manejo do entimema quando conhecer adicionalmente os objetos deque se tratam os entimemas e as diferenças que os distinguem dos silogismos lógicos.

Assim sendo, com base no trecho supracitado, percebe-se que a retórica está fundamentalmente ligada com as estruturas lógicas da dialética, e, portanto, é uma das chaves do conhecimento na Grécia antiga. A analogia feita pelo Estagirita (*Ret*, 1, 1355a 14-20) é ainda elevada ao patamar de verdadeira ciência, pois assim ele dá seguimento à sua tese:

> Com efeito, o verdadeiro e o verossímil são apreendidos pela mesma faculdade. Que se observe também que os seres humanos são, por natureza, suficientemente inclinados para o verdadeiro e geralmente atingem de fato a verdade. Assim, está-se em condição de alcançar as probabilidades pelo meio que vos concede a possibilidade de conhecer a verdade.

Isto posto, a retórica se apresenta como uma das chaves para o conhecimento dentro docontexto da filosofia na Grécia antiga, já que se trata de uma arte que está fundamentalmente ligada com a lógica e a dialética, de tal modo que o filósofo grego chega ao ponto de se equiparar o domínio da arte da retórica com a verdade. Importante salientar, ademais, que Aristóteles (*Ret*, 1, 1355a 21) procura ligar esta arte não somente com os valores éticos, mas também com a verdade, afirmando que "a retórica é útil porque o justo tem naturalmente maisvalor do que seus opostos".

Dessa forma, segue-se à mesma conclusão de Berti (1998, p. 173) sobre o problema filosófico tratado na obra aqui em estudo, em que a "retórica, sendo estruturalmente análoga àdialética, é indiretamente, isto é, por meio desta última, análoga também à ciência, ou seja, à filosofia".

Portanto, neste trabalho pretendemos abordar o problema filosófico que Aristóteles coloca sobre a retórica na sua obra homônima, ao mencionar que se trata de uma arte que pertence à dialética, logo, carregada de estruturas racionais análogas às da lógica. Dessa forma, a arte da retórica, ainda que não seja propriamente uma ciência, mostra-se como uma chave primordial para o domínio de qualquer ciência, dada a sua estrutura essencialmente lógica, sem a qual não pode ser estudada fora dos moldes dialética, sendo fundamental para o conhecimentoda verdade, e, assim, ela é equiparada com o conhecimento filosófico.

IV. Fundamentação da Hipótese

A arte da retórica apresenta uma relação intrínseca com a dialética, e, por conseguinte com a lógica. Aristóteles apresenta novamente essa vinculação com ambas nos *Tópicos* (ARISTÓTELES 2016, I, 100a 18-20)[2], quando assim escreve:

> O propósito deste estudo é descobrir um método que nos capacite a raciocinar, a partirde opiniões de aceitação geral,

[2] Doravante, neste texto, vamos nos referir à obra *Órganon*, de Aristóteles edição 2016 da seguinte forma: *Orga*, seguida da numeração universal.

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> acerca de qualquer problema que se apresente diante de nós e nos habilite, na sustentação de um argumento, a nos esquivar da enunciaçãode qualquer coisa que o contrarie.

Não obstante, ainda é possível notar a analogia entre a estrutura dos silogismos e dos entimemas, já que compartilham tanto seus respectivos pontos de partida quanto a sua finalidade, isto é, a verdade partindo de opiniões de ampla aceitação. Aristóteles revela esse paralelismo pouco adiante no seguinte trecho ainda dos *Tópicos* (*Orga*, I, 100a 25-30):

> O silogismo é um discurso argumentativo no qual, uma vez formulada certas coisas, alguma coisa distinta destas resulta necessariamente delas pura e simplesmente. O silogismo é demonstração quando procede de premissas verdadeiras e primárias ou tais que tenhamos extraído o nosso conhecimento original delas através de premissas primárias verdadeiras. O silogismo dialético é aquele no qual se raciocina a partir de opiniões de aceitação geral.

Isto posto, retomando a obra da *Retórica*, nota-se que o próprio filósofo grego aplica esse modo de pensar à arte da persuasão, inferindo, dessa forma, que as estruturas da lógica e da retórica são essencialmente as mesmas - apenas com a leve diferença que a retórica é voltadapara a persuasão, isto é, está atrelada à um fim prático. Assim lemos na *Retórica* de Aristóteles (*Ret*, 1, 1355a, 29-38):

> Além disso, é necessário estar capacitado a empregar a persuasão, tal como os silogismos podem ser empregados, nos lados opostos de uma questão, não para nos dedicarmos indiscriminadamente a ambas as operações (uma vez que não devemos levar as pessoas a crer no que é incorreto), mas para que possamos ver com clareza oque são os fatos e, no caso de outrem argumentar sem justeza, seremos capazes de destruir sua argumentação. Nenhuma outra arte tira conclusões contrárias por meio do silogismo, exceto a dialética e a retórica, uma vez que ambas têm por objeto os contrários. Entretanto, os fatos subjacentes não têm valor idêntico, pois sempre aquilo que é verdadeiro e naturalmente melhor presta-se melhor ao silogismo e está mais sujeito à persuasão, expressando-se nos termos absolutos.

Dado o que foi exposto até esse ponto, pode-se notar que o estudo da retórica é inseparável do estudo da dialética, e, por consequência, da lógica. Logo, resta clara a tese de Aristóteles de que a tal arte, mesmo visando um fim pragmático, consiste em um poderoso instrumento para a aquisição do conhecimento, justamente porque está ligada com as estruturasdo pensamento lógico e dialético.

Ademais, Abbagnano (2007 p. 856) escreve em seu dicionário de filosofia que foi Aristóteles quem conferiu a identificação da retórica com a filosofia, justamente ao atribuir suaíntima relação com a dialética. Então, pode-se notar que, ainda que o Estagirita tivesse a pretensão de defender que a verdadeira arte retórica não pode ser separada do verdadeiro, e, igualmente, quanto ao conteúdo, estar fundada sobre os valores políticos e éticos, tal como explicado na seção anterior, a arte da retórica está fundada nas mesmas bases que são inerentes ao conhecimento, isto é, a dialética e as estruturas lógicas do pensamento.

De modo similar, Ross (1995, p. 284) chama atenção para essa característica da retórica, afirmando que muitos outras tradados sobre o tema já foram produzidos antes de Aristóteles - revelando simultaneamente o prestígio da oratória na cultura da Grécia antiga -, porém, todas as obras precedentes negligenciaram o elemento argumentativo e lógico do discurso, apelandoem última instância para as emoções dos ouvintes. Assim, o Estagirita muda o curso dos estudos sobre a retórica, pois, doravante, trata-se de uma arte na qual suas estruturas lógicas são úteis também para o conhecimento das demais ciências.

Isto é significativo, já que Aristóteles procura vincular a retórica, arte valiosa em toda afilosofia antiga, não apenas com os princípios éticos e políticos, como também está necessariamente vinculada com o conhecimento e com a verdade.

No entanto, ao concluir suas reflexões, Ross (1995, p. 289-290) argumenta que a obra da *Retórica* parece à primeira vista uma crítica literária com uma estrutura lógica em segundo plano e acrescenta que, a fim de compreender a referida obra, é essencial ter em mente sua finalidade prática, frisando que não se trata de um trabalho teorético e sim um manual para os oradores, ainda que o assunto interessasse profundamente os gregos, e acrescenta que o conteúdo da obra é aplicável somente ao contexto da Grécia antiga. O professor inglês finaliza, enfim, defendendo a tese de que hoje a retórica goza de um prestígio inferior, e isso ocorre devido ao fato de que os oradores preferem confiar na própria experiência, de um lado, e de outro, os ouvintes sentem-se envergonhados de serem arrastados por uma boa retórica.

Em direção contrária a essa, os argumentos de Reale (2013, p. 174, grifos do autor) a esse respeito se mostram mais coesos com o teor da obra de Aristóteles, justamente refutando Ross. Em seu texto, assim lê-se:

> Todavia, parece-nos que se prescindirmos dos quadros socioculturais e ético-políticos, que têm pouco em comum com os modernos, e do elemento referente ao *conteúdo*, e se consideramos apenas o aspecto *formal*, a retórica aristotélica conserva ainda um elemento de validez. De fato, o problema básico da retórica aristotélica é esse: quais são os mecanismos, ou seja, as estruturas lógicas que sustentam as formas *dos discursos* (das mensagens) *que visam persuadir*. E se é verdade que hoje são a publicidade e a propagando que visam persuadir, não é menos verdade que a pergunta aristotélica conserva intacto o seu sentido, se aplicada àquelas. Diremos mais: não só tem sentido a pergunta aristotélica se aplicada a essas novas formas de persuasão, mas pensando bem, a resposta leva a conclusões análogas às que chegou Aristóteles.

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Portanto, percebe-se que a obra da *Retórica* conserva sua validez nas suas próprias bases de raciocínio, bem como trata-se de uma arte, ou técnica no sentido grego da palavra, em que está atrelada a elas o estudo da lógica e da dialética, de tal forma que a retórica se torna análoga ao conhecimento, logo, também à verdade. Dessa forma, o estudo da retórica, dentro do contexto da filosofia da Grécia antiga, é imprescindível para que se possa adquirir o conhecimento em qualquer ciência, dada a sua vinculação inevitável com a dialética.

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Ameliorating the Effect of Child Abuse in India: A Review of Reviews to Mending the Tear through a Legislative Bandage

By Sarmistha Nandy

Abstract- Child sexual abuse is a concern around the world. It really is a ubiquitous, ongoing, and critical problem. Child sexual abuse can completely cure the trauma and tissue damage over time, but medical and psychological consequences can develop later in life. Here related contagious diseases (e.g., HIV) and attempted to commit suicide could be tragic at the end. Doctors treating adolescents must be conscious of the symptoms and results for sexual violence, and therefore should be concerned with the children's normal and abnormal urogenital physiology. In India like in many other nations, child sexual exploitation is widespread so there is an increasing concern for recognizing its aspects and nuances. There is a youngster populace in India (19 percent of the total population) and a huge chunk of this populace is highly susceptible to any and all kinds of maltreatment, enslavement and abuse. Child sexual harassment, also known as sexual misconduct, is a form of sexual abuse where an adolescent or toddler is exploited by an adult or younger teenager for personal arousal.

Keywords: child sexual abuse (CSA); child sex exploitation; child maltreatment; exploitation; psychological maltreatment, causes; criminal charge.

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Ameliorating the Effect of Child Abuse in India: A Review of Reviews to Mending the Tear through a Legislative Bandage

Sarmistha Nandy

Abstract- Child sexual abuse is a concern around the world. It really is a ubiquitous, ongoing, and critical problem. Child sexual abuse can completely cure the trauma and tissue damage over time, but medical and psychological consequences can develop later in life. Here related contagious diseases (e.g., HIV) and attempted to commit suicide could be tragic at the end. Doctors treating adolescents must be conscious of the symptoms and results for sexual violence, and therefore should be concerned with the children's normal and abnormal urogenital physiology. In India like in many other nations, child sexual exploitation is widespread so there is an increasing concern for recognizing its aspects and nuances. There is a youngster populace in India (19 percent of the total population) and a huge chunk of this populace is highly susceptible to any and all kinds of maltreatment, enslavement and abuse. Child sexual harassment, also known as sexual misconduct, is a form of sexual abuse where an adolescent or toddler is exploited by an adult or younger teenager for personal arousal. The on-going study investigated a myriad of subjects with regard to the importance of public views of victims of child abuse. The very first challenge was about whether public views of the causes conform to those found in the study. The second factor was what kinds of complications were usually reported. Finally, the relationship between the factors identified by the authors as well as those reported mostly by public has been reviewed.

Keywords: child sexual abuse (CSA); child sex exploitation; child maltreatment; exploitation; psychological maltreatment, causes; criminal charge.

I. Introduction

Child Sex Exploitation (CSE) or Child Sexual Abuse (CSA) is a pervasive concern in India, both in and out of family system. Here in this Research, it has been shown that child sexual abuse (CSA) could even disrupt with childhood development and put children at risk for a range of psychological disorders.

Such conditions often include agitation (e.g., social phobia, Borderline personality disorder and Post traumatic stress disorder), stress, rage, neurological damage, depressive symptoms, depersonalisation, identity disturbance; behavioural deregulation, personality problems, drug and alcohol addiction, self-mutilation, body dysmorphia, inappropriate or abusive sexual practices, bipolar mania and aggression, suicidal tendencies, and mental disorders. Such common outcomes for victims and survivors of CSA entail: psychiatric problems (e.g. anxiety, insecurity, drug addiction, and post-traumatic stress disorder), interpersonal complications (e.g. marital wellness, sexuality, and heightened incidence of sexual misconduct and spousal abuse), and theological considerations (e.g., life-threatening judgmental, individuals and identity, and transforming trauma - related ideologies). Additionally, study has also shown that some victims and survivors of CSA are able to transcend the consequences of violence and reflect endurance and post trauma recovery.

Children between the ages of 18 contribute 44.4% of India's existing population; half of these are not provided with basic literacy, food and nutrition (Indian National Family Health Survey 2005-2006).

Besides that, India's large proportion of children is vulnerable to different types of juvenile delinquency.

State	Total victims	Below 18 years (victims as % of total)
MP	5085	46%
Rajasthan	3770	22%
UP	3468	44%
Maharashtra	3465	50%
Delhi	2102	48%
Assam	2047	6%
Odisha	1980	38%
West Bengal	1466	0%
Chattishgarh	1436	56%
Kerala	1357	56%
Karnataka	1332	52%
Haryana	1185	35%
Bihar	1169	9%
Tamil Nadu	1138	60%
Jharkhand	1065	8%
Other State	5616	47%

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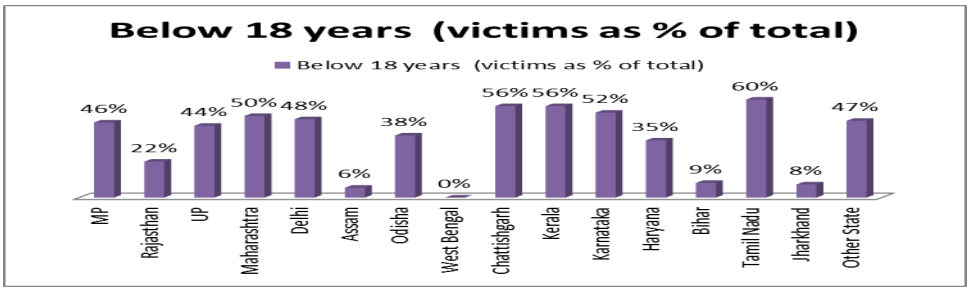

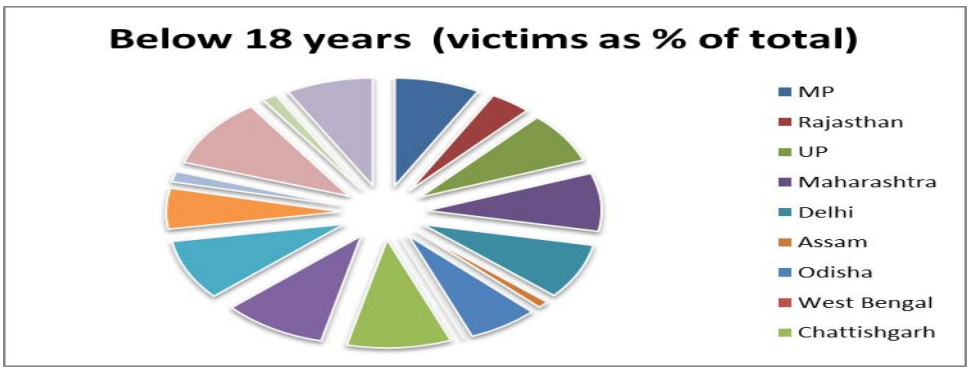

Furthermore, the sexual epidemic of Children Harassment spreads to the Indian subcontinent and has been labelled a deep-rooted social threat. Rising awareness of child molestation and sexual violence has now become a crucial matter of human rights for government officials.

Abovementioned statistics are centrist, because most youngsters do not publicly acknowledge their harassment, and for those who not may not have been meant to protect or convinced. There is therefore broad consensus that child abuse, especially CSA, seems to be more extensive than might be widely documented or understood. Child brutalization and Child Sexual Exploitation from academic standpoint: Ramifications across India.

The research interest in child misconduct and cruelty (CAN) in a global sense goes back at least 50 years to C's early work. It's Henry Kempe. Kempe was the first of the practitioners and analysts to bring awareness to childhood sex exploitation (CSA) as a major medical, behavioural and societal problem.

This study outlines the concept and severity of sexual abuse of children (CSA) in India with an atheist perspective and draws conclusions of CSA study to date. Sociological factors also have been considered in the context of social psychology literature that put children at risk of sexual exploitation are carefully analysed.

Whilst still sociological research on CAN and CSA is broad, there are several other main elements that line up out somewhere in the literature review related to child abuse and violence and child sexual abuse in terms of direction. It includes the following components:

a) Individual Psychopathy

Psychopathy includes drug addiction, psychotic issues and mental anguish.

As per Gil, 1971; Garbarino, 1977; Garbarino and Sherman, 1980; Hacking, 1991; Conrad, 1997; Parton, 2004, there is a massive tradition of applying medical paradigm on individual personality traits to examine the cause of child violence. Kempe et al. in a medical journal first addressed the breakthrough of juvenile ill treatment.

Some authors (Gough, 1996; Dore and Lee, 1999; Evans, and Luken, 2003) have made reference to such behaviors as psychological, narcissistic personality disorder, emotional dysregulation disorder or of personal shortfalls.

b) Parental Deviance

Parental Deviance is not an individual abnormality. The root of this problem is not really a natural or behavioral inability to understand how to function properly as a parent. Lack of education, unawareness about child development, or terrible parenting practices are mostly reasons for not understanding on how to become a good parent.

Baumrind's (1994) phenomenological framework of parenting practices is a broad classification that distinguishes across the parameters of diligence and receptivity. Socioeconomic brutality and parental influences (to name a few) that may lead to child abuse are environmental factors.

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II. Social Determinants

a) Social predictors: Social eigenvalues

Socioeconomic factors such as unemployment, poverty, social segregation and situational factors can raise the danger of childhood abuse. Although most poor folks don't really abuse their children, economic inequality can increase the probability of ill-treatment, especially when unemployment comes in contact with some other risk factors such as depression, drug and alcohol abuse and loneliness.

Relative to other families, parents who abuse their children experience more depression, more frustration, and less family support.

Children growing up in violent areas are being exposed to a higher risk of being abused, physical abuse, and sexual violence.

The social factors play an important role of the victim. Furthermore, whereas the socioeconomic forces could be the root of the pressure alluded to something in the previous context; the person seems unable to adjust these variables. Financial or cultural improvements must therefore be made to reduce such risk of child misconduct (Gil, 1971). In fact, societies therefore need improve funding and support for families.

b) The extinction of the Nuclear Family

It is almost impossible to analyze quantitatively the psychological factors that influenced the rising rate of violence. However, this is one of many conceivable factors that deserves some recognition is just the deteriorating inability of family members to take care of the children. A range of social factors refer towards this downward trend:

1. The spike in early pregnancy marriages and the rising incidence of divorce amongst the marriage
2. A modest rise in the number of adolescent mothers
3. The net increase in the rate of divorce
4. Increase in single parents communities with early age mothers and babies
5. Low income rate by many lone parent households

c) Legal System Failure

A massive part of the failure of our legal system to protect child victims occurs in state family courts. Undoubtedly, whenever the manipulator is a parent of the child while the other parent is silent of any legitimacy in the harassment, the protective parent often attempts to decompose the matter outside the court. According to this approach, the reason for molestation continues to emerge is that while the system is still not able to respond effectively to child maltreatment and encourages errors such as attempting to return young kids to abusive households (Wexler, 1990; Finkelhor, 1994; Myers, 1994).

Child sexual abuse can be described as any action, negligence or misconduct on the behalf of any person, who poses a serious threat to the child's life and security and resulting in prolonged physical and physiological disruptions on the child's health and well-being.

This may have been a real or imminent damage to the life for their growth and social interaction from sexual, physical, mental or emotional harassment or manipulation. This is a genuine and noteworthy dilemma which usually occurs across everywhere, particularly parents, families and caregivers.

Child Harassment in all of its possible orientations is a growing issue which has been widely misunderstood and neglected over the decades. It is therefore highly widespread in India, where it is strongly embedded in social, cultural and economic activities.

The question has been asked by numerous government as well as private institutions, but it has not been properly understood by the mainstream public. The denial is as influential as their existence.

Child violence may occur in houses, classrooms, caring facilities, play areas, workplaces and digitally, and through social networking websites. Its consequence is generally permanent and affects the development of the kid that at the same time negates its efficacy as an opportunity for the nation.

This segment highlights the basic observations of five previous researches of child sexual exploitation in India, which have been discussed in sequential order. Pagare's first research (2003) looked at the child abuse history of 72 boys at the Observation Home in Delhi, and is one of over 700 juvenile correctional homes in India.

This paragraph examines the key observations of five current investigations of child sexual exploitation in India that are summarized in chronologically. The very first study undertaken by Pagare (2003) focused at the abuse and neglect backgrounds of 72 boys at the Observation Home in Delhi, which is also one of over 700 juvenile correctional centers in India. And in report,

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38.1 percent of boys revealed experiences of abuse exploitation, with some of the attackers unknown to the survivors. Signage of physical aggression has been shown in 23.8% of the participants and behavioral and psychological problems were noticeable in 16.3% of the adolescents. Relatively few of the symptoms reported can be explained by the attempts of boys to shield their complaints in order to escape embarrassment and social isolation which can be faced by male abuse victims.

The second research, published by Chatterjee, Chakraborty, Srivastava and Deb (2006) in Kolkata, focused at the behaviors of sexually-trafficking youngsters. The writers also confirmed that such adolescents also encountered a myriad of emotional, physical and social hardships. In particular, depressive symptoms, lack of enthusiasm in everyday life, and loneliness were therefore recorded. In addition, 14.6 per cent of the participants elsewhere in survey developed HIV / AIDS. Even many adolescents experience abandonment by family members and neighborhoods. Prior studies has shown that due to lack of appropriate medical and psychiatric care, most youngsters do not undergo counseling and hence suffer long-term effects of extreme mental trauma, that may significantly affect so many realms.

Search terms associated with "Rape."

Gender-based misconduct	Sexual Violence	Rape
Verbal or nonverbal aggression	Sexual exploitation	Brothel
Graphic, or physical aggression	Human trafficking	Prostitution
Intimidation	Sex or gender discrimination	Stalking
Sex-stereotyping	Sexual harassment	Incest
Hostile conduct based on sex	Sexual Misconduct	Physical forcefulness
Sexual orientation or gender identity	Sexual violence	Perpetrator
	Stalking	Paedophile
	Unwelcome Conduct	Sodomy
	Unlawful retaliation	Voyeurism
	Intimate partner violence	statutory rape
	Coercion	
	Drug-facilitated sexual assult	
	Multiple-perpetrator sexual assault	
	Elder Abuse	
	Transsexualism	
	Masochism	
	Narcissism	
	Fetishism	
	Groping	
	Incest	

III. Literature Review

According to Korbin (1994) and Korbin and Coulton (1996), the ability of societies to stop brutality, especially different forms of child abuse, relies on the adverse outcomes of local state regulation and cooperative effectiveness. Nevertheless, these gradualness as close interpersonal interactions should not be the only attribute to cooperative effectiveness and elimination of abuse. Quasi-community connections, like administrative connections, also are essential. Assault and child sexual abuse awareness programs should be conducted in forms that contribute to both the community at large to deter such society's evils. In contrast, comprehensive public education initiatives dealing with multiple cases of child sexual abuse and exploitation must be at the frontline of both governmental and non-profit organizational strategies. Public engagement must be developed at the grassroots level, with local residents, families and communities.

Baradha addresses several steps to reduce and prohibit sexual assault in India, especially child molestation which may help to reduce the rate of sexual misconduct.

1. Ethical and sexual learning should really be mandatory in educational institutions.
2. Pornographic publications and blue films must be forbidden.
3. Perception of sexual misconduct can be generated by broadcast media.
4. School administrators should know about early symptoms of child sexual abuse for verification purposes.
5. In addition, particular acts in the documentation of these kinds of cases must be highlighted.
6. Sex offenders should be dealt with comprehensive psychological approaches.
7. Completely distinct judiciary / court system should really be developed exclusively for sexual assault cases. Punishments ought to be strict in order to prevent others who may be contemplating such a crime.

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Sex – Selective abortion, Female foeticide and infanticide	Prohibition of Sex Selection) Act, 1994 • Exposing and abandoning of a child below 12 years (Section 317)
Child Marriage	Prohibition of Child Marriage Act, 2006
Child Labour	Children (Pledging of Labour) Act, 1933 • The Factories Act, 1948. • The Plantation Labour Act, 1951. • The Mines Act, 1952. • The Merchant Shipping Act, 1958. • The Apprentices Act, 1961. • The Motor Transport Workers Act, 1961. • The Beedi and Cigar Workers (Conditions of Employment) Act, 1966. • The W.B. Shops & Establishment Act, 1963.
Child Trafficking	The Indian Penal Code 1860 • Andhra Pradesh Devadasi's (Prohibition of Dedication) Act, 1988 • Bombay Prevention of Begging Act, 1959. • Bonded Labour System (Abolition) Act, 1976. • Child Labour Prohibition & Regulation Act, 1986. • Child Marriage Restraint Act, 1929. • Guardian ship and Wards Act, 1890. • Hindu Adoption and Maintenance Act, 1956. • Immoral Traffic (Prevention) Act, 1986. • Information Technology Act, 2000. • Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1988. • Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989. • Transplantation of Human Organ Act, 1994. • Karnataka Devadasi (Prohibition of Dedication) Act, 1982
Child Sexual Offence	The Protection of Children from Sexual Offences Act, 2012 • The Protection of Children From Sexual Offences (Amendment) Act, 2019
Child Care And Protection	THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015

There is a huge child populace in India, and a substantial majority of this populace is subject to violence, harassment and abandonment. There is also insufficient data about the level of child violence in the country. The first and only statistics available through an annualized basis is the abuse database compiled by the NCRB. A look at the details maintained by the NCRB suggests that:

State	Crime Rate
Lakshadweep	144.4
Delhi	139
Andaman & Nicobar Island	112.5
Sikkim	80.3
Chandigarh	66
Madhya Pradesh	63.3
Chattishgarh	56.4
Assam	55.6
Haryana	55.2
Maharashtra	51.8
Kerala	50.9
Odisha	49.9
Daman and Diu	47.3
Dadra and Nagar Haveli	41.7
Meghalaya	37.8
Telangana	37.7
Himachal Pradesh	34.6
Mizoram	33.7
Arunachal Pradesh	32.7
Karnataka	32.2
Goa	32.1
Uttarakhand	31.5
Punjab	29.9
Rajasthan	25.9
Tripura	25.1
Gujrat	22.7
West Bengal	21.4
Uttar Pradesh	21.4
Bihar	20.8
Tamil Nadu	20.5
Andhra Pradesh	16.1
Manipur	15.4
Jharkhand	12.7
Puducherry	10.8
Jammu and Kashmir	10.5
Nagaland	8.8

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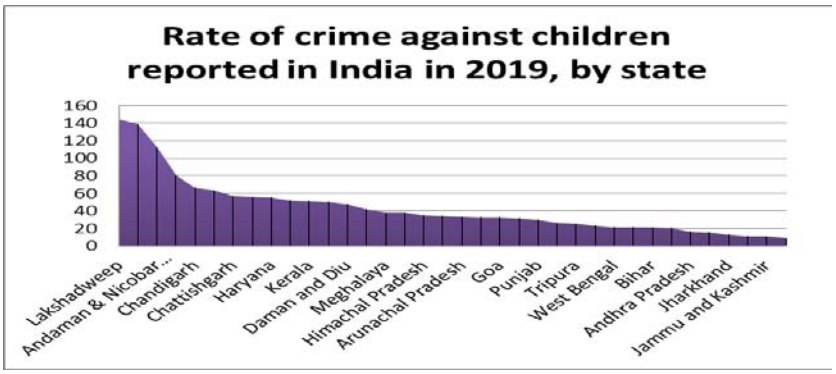

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The words child misconduct and child sexual abuse are mostly used or searchable terms, though some scholars differentiate among them. They synonymously consider child misconduct as just an umbrella term that includes abandonment, trafficking, and slavery. Different authorities have created their own conceptions of what represents child exploitation or child sexual abuse for the intentions of separating minors from parental homes or enforcing a felony offense.

Usually, the word "abuse" covers the most severe damage done to youngsters. An abused child is a child whose parent or other person lawfully accountable for his or her wellbeing involves extreme physical injury to the child, represent a significant risk of severe physical harm or attempts an act of sexual exploitation against the child. An individual who commits all of these acts against a child under the care may be harmful, and thus may an individual who encourages someone to do such offenses to a child.

Maltreatment describes the level of support that the child rightfully deserves. Maltreatment happens when the parent or other legal responsible person damages the child welfare or puts the child at immediate risk by failing to exercise the minimum standard of care to provide the child with either of the following: food, clothes, accommodation, schooling or medical treatment.

One of the main social taboos connected to society is child abuse. A minor can be mentally, emotionally as well as sexually molested. It may be in the manner of injury, misconduct or inadequate care, embarrassment, sexual coercion and behaviour, sexual harassment and attempted rape. Child abuse may take happen in residences, schools, refugee camps, foster care centers, on the pavement, within workplace, within prison as well as in detention centers. “Abuse” does have a very profound impact on the overall growth of the child. Child misconduct or child sexual abuse occurs in real or possible harm to the health, survival, growth and dignity of the child.

According to the NCRB (National Crime Record Bureau), 109 children in India suffer several form of sexual exploitation day after day. Same data show a sharp spike in violence against children on a year-on-year basis. And unlike other offenses, horrific acts of violence against children are much less registered.

The World Health Organisation (WHO) describes child sexual abuse (CSA) as the presence of a child in sexual encounters where they do not fully understand, or unable to give consent for. The concept of CSA involves sexual practices such as twiddling, trying to ask a child to touch or tickle sexually, and sexual contact, involving minors in commercial sexual exploitation, or luring a minor in virtual worlds.

Protection of Children against Sexual Offences Act, 2012 (POCSO Act) was introduced with both the intention of prohibiting a number of illegal acts including such as child sexual abuse, child molestation, sex trafficking, and pornography involving a child (under the age of 18). The Act mandates the establishment of legal provisions to enable quick hearings in cases of child sexual abuse.

IV. Cause

Abusing an infant is a felony in all types of social systems, and is extremely discriminatory and upsetting. A child is by far the most sensitive and therefore is relatively easy to manipulate into the trap of rape. Whenever a caregiver, a trusted person, a guardian or any other person performs such fraudulent activities, there should be various factors behind such actions. This may be linked to the past, present or persistent illness of the abuser.

Studies from different organisations indicate that persons abusing children are also the victims of childhood abuse. The abuser may also be susceptible to drug addiction. Subsistence of alcohol, narcotics or related agents is usually very aggressive and damages people.

The financial situation of the abuser, who may be a father, is also a major cause for child abuse. Parents struggling with hardship and insolvency may believe that children are the principal reasons of their difficulties.

Unhealthy and unsuccessful marriages contribute even to anger and anger in the family Unhealthy and failed relations lead to anger and resentment in the family as well.

Failed and unhealthy ties contribute to anger and bitterness in the household, too, wherein the children have become the ultimate targets of disconnection with their families.

Throughout the case of sexual abuse, domestic violence is also a significant cause. Many that use their spouses to assault and exploit their child are extremely probable.

a) The child

The physical handicap or a chronic or serious illness of children makes them more vulnerable to harmful environmental factors. Because of their defensive response, it is easier for the attacker to target these children.

In addition to disabilities, if the child is of a relatively young age, sometimes it is vulnerable to violence. The ability of a child in general between the ages of 0-6 to defend back, respite, catch, grasp or protest, makes the attacker further intoxicated.

There is a range of factors that might escalate to child abuse. The factors have always been complicated, or less interpretation is available.

Many parents desire to give their child a happy and healthy family to love and care for. Anxiety,

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depression or unwillingness of parental attention makes it excessively frustrating to look after a child which can lead to abuse.

Violence At Home

Children who belong to families where domestic violence is regular are prone to themselves become victims of violence. Men who abuse their women's spouses often abuse children in the households.

Drug and alcohol dependency

Child abuse may be responsible for parents with a history of drug and alcohol abuse. Relying on alcoholism is a significant determinant of child abuse and violence, including sexual abuse and deliberate cruelty. Parents who consume drugs and alcohol are much more likely to begin sexual assault with children aged five or even under.

Untreated Psychological Disorder

Untreated psychological disorder of a parent is a frequent source of abuse of a child. The parents may be dysfunctional for the child because of psychiatric disorder or some other mental disorder. The trauma of a parent also correlates to the abuse of a child.

Unwillingness for parenting

While many parents are inherently compassionate with their children, but few can balance their needs and preferences appropriately. Many parents sometimes confuse their children with disciplinary abuse and require counselling to recognize a parent's role more appropriately.

Tension, anxiety and lack of support

When the parents or guardians experience stress, often children develop psychiatric maltreatment. Particularly in stressful circumstances, the parents find it hard to cope with the emotional needs of an infant. Divorce, marital complications, financial anxieties and employment problems can escalate to aggression by parents.

Child abuse categorisation

While the ramifications of child abuse remains same, as a result with physical or emotional damage, it is important not only to consider the occurrence of child abuse, but also to generate a realistic picture to recognize the various forms, allowing potential remedies to be developed and contemplated.

Physical abuse

Physical abuse typically refers to a subsequent physical injury due to conflicts or confrontation which is in a position of power and authority or dominance under the influence of a parent or individual. If the intention of the conduct was to inflict harm, the resulting injuries are considered abuse.

The preceding behaviour consists primarily of physical abuse:

- Unjustified punishment
- Beat /drubbing a Child
- Leave a child in an inappropriate situation
- Practices of slavery
- Harassment/ Bullying

Signs of physical abuse

- Undefined wounds, scratches, marks or spots, swellings or burns etc.
- Frightened or nervous activities.

Mental abuse is also viewed as a behavioural pattern, which hinders the child's emotional growth and makes evidence incredibly complicated. In the case of childhood mental abuse, the lack of evidence is viewed as an important obstacle in the current system of child protection. Where other types of aggression are observed in the child, mental abuse is almost always present.

In the first place, child mental abuse includes:

- Loneliness or exclusion of a child

Treating a child as the silent burden of stigmatisation

Infirmity in the family

Non-responsive guardians

This behaviour often contains refusing the child by:

- The presence and apparent desires of the child are ignored
- Avoiding the child whenever he or she needs support
- Do not even call the child by name

Tell the child unpleasant stuff which can intensely harm a child. Examples normally utilized are:

- It would be better to make the child unwelcome by saying or pretending that life without the child would be easier. For instance, a parent will say to an infant, "I wish you would never born."
- Poking the child by saying, 'You're dumb.
- Creating fear by extreme physical aggression which can lead to even disability or death.
- Attempting to compare the infant to brothers and sisters or co-workers' children.
- Criticizing the child for problems with the home.
- Morally offending parents put their children unadvised or unlikely expectations, such as:
- Motivating the child to commit actions that are unethical or unlawful.
- To pressure the child to grow up too soon.
- The child is expected to do more beyond its potential or competence.
- The parents and siblings are trying to isolate the child.

Child mental abuse symptoms

- Severe shyness and anxiety
- Anti-social adherence
- Unsuitable emotional change
- Loss of autonomy or self-esteem.
- Social retirement,

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- Attentiveness and passion losses
- Grief
- Avoiding going to school

Sexual abuse

Sexual abuse of children includes a child in sexual conduct which is not completely accepted and approved by him/her. In general, the child is normally unaware of the sexual intimacy and cannot give consent.

Type of Contact

- Hugging, rubbing, kissing or sexual retention
- Forcing to touch sensitive organs
- Genital intercourse
- Sexual exposure
- Electral love
- Molestation
- Fingering the child's genitals, thighs or nipples;
- Forcing into groaning the child himself/herself, or to the abuser or to another child
- Penetration into the child's mouth, anus or vagina with or without any object,

Non- Contact form

- Offensive comments
- Virtual Intimacy
- Incitement
- Pornographic exposure
- Invasive sexual observations
- Bugging
- Giving pornographic or offensive messages via web or email
- Displaying pornography or inappropriately captivating child photographs
- Taking pictures of a child that are sexually provocative

Behavioural Signs: The child could demonstrate an improper experience or involvement in sexual activities, or even an alluring manner, or an abnormal behaviour—either becoming excessively violent or calm.

Physical Symptoms: A child can be intubated or seated or have bruised, covered in blood or ripped undergarments. In the genitals inflammation, bleeding, or swelling is really a warning sign.

Signs for Guardians: The guardians may attempt to dominate and safeguard the child excessively and may prevent the communication with the other adults and children.

b) Ameliorating the impact of child abuse

Child abuse is a severe problem that impacts survivors in myriad and everlasting way. It affects the person, culture, economy and the nation in its entirety. It is also important for the existing legislative and social systems to implement major steps towards change and preventive strategies.

The governments must strive to improve the financial situation of households as the unemployment and poverty are recognized to become one of the significant causes and risk factors of abuse on children.

Sex programs in education institutions should be compulsory

National Commission for Protection of Child Rights (NCPCR) should must expand their range and operate to implement policies at ground level.

c) Ameliorating the legal framework

Laws are still not properly enforced toward child slavery. Child slavery and beggar work seems to be very widespread across countries in India. Laws and regulations must be reinforced and effectively implemented to build educational establishments and to abolish child slavery.

State-wise private and state educational institutions must promote campaigning for raising awareness through education on child abuse, child trafficking, government policies and the POCSO Act 2012.

Local administrative bodies should conduct workshops for children to help children realize the rigorousness of the condition and also to encourage them to talk.

d) Social Reforms

Both governmental and non-governmental institutions, including universities and schools, should consider conducting awareness programmes and seminars to a broader extent.

Discussing sex can be just as natural as chatting about the developments in a teenager's body. It will facilitate the children to share their problems with someone they love.

Each child should become more knowledgeable about their rights. They need to be educated about child welfare programmes and child-line services.

Parents should advise their children about self-protective behaviours such as the distinction between a good touch and a bad touch, safety measures in cases of sexual assault, and so forth.

A deeper awareness of the concept of child abuse, not only physical and sexual abuse, but also mental abuse and negligence, must be generated among public.

e) Psychological Reforms

Emotional abuse in children is associated with poor mental health and struggles in building and maintaining strong relationships with the society. This can worsen in education fields later in work field. Many victims later developed criminal behaviour issues.

Child assault victims are commonly subjected to post-traumatic anxiety disorders. These may also contribute to the repetition of violence by the children.

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The anger with their own experiences is reflected mainly in the violence on other kids.

More centres with therapeutic support for such children also need to be implemented. These centres may provide a helping hand to the victim to recovery faster from the incident.

Though this report specifically shows an uptick in children's abuse, the study also aims to evaluate the effects of child violence on the nation's overall growth and development. Although the study specifically distinguishes between the various kinds of crime that Indian children experience, the research also illustrates the desperately necessary changes in this field.

This study note tries to show that abuse of children not only influences performance of the child but also destroy property the social life of the children. The society needs to wake to the call to safeguard and strengthen its infancy. It will not only empower children to participate further in creativity and progress, but it will also benefit the world's larger welfare.

The study mainly highlighted that in childhood mental, physical and sexual assault is widespread in young adults as well. The seriousness of the condition requires proper attention to be paid to dealing with child abuse. Besides drawing up guidelines and stringent legislation, the stringent application of these guidelines and, in parallel, the creation of knowledge among family members/caregivers and societies of how to make children responsive and work towards safeguarding their rights and preventing their abuse is also relevant.

Provisions	Explanation
The provisions of the CRC (Conventions on Rights of the Child) PART – I	(ARTICLE 1-41): Survival Rights: The right to a child's wellbeing and access to fundamental livelihoods such as adequate food, shelter, living standards and medical needs. Development Rights: Right to education, faith and cultural practises of one's own choices, freedom of thinking and expression, play and recreation, sharing of knowledge. Protection Rights: Rights that prevent children from abuses in any circumstances i.e. children that have suffered negligence or exploitation pursuant to criminal justice procedures, children who work, and children who become immigrants. Participation Rights: Children's right to engage in society events, specifically issues that impact their lives.
PART II	(Article 42-45): It includes provisions on the compliance of the CRC (Conventions on Rights of the Child) provisions.
PART III	(Articles 46-54): It covers requirements to sign an Agreement for the purposes of enactment, contract law, amendment, vilification and other purposes by parties
Fundamental Rights PART III	(Article 14): Right to equality (Article 15): Right against discrimination (Article 21): Right to personal liberty and due process of law (Article 21A): Right to free and compulsory elementary education for all children in the 6-14 year age group (Article 23): Right to being protected from being trafficked and forced into bonded labour or beggar (Article 24): Right to being protected from being employment of children under the age of fourteen years in a factory, mine or in any other hazardous employment.
PART IV	Article 39 (e): Right to be protected from being abused and forced by economic necessity to enter occupations unsuited to their age or strength. Article 39 (f): Right to equal opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and guaranteed protection of childhood and youth against exploitation and against moral and material abandonment. (Article 41): The state is obliged to secure provisions for educational opportunities and facilities. (Article 44): State must imply a uniform code for the adoption of children. (Article 45): Right to early childhood care and education to all children until they complete the age of six years (Article 46): Right of weaker sections of the people to be protected from social injustice and all forms of exploitation (Article 47): Right to nutrition and standard of living and improved public health Article 51 (c): International laws and treaties shall be respected by the state to protect child from Child Prostitution and Child Pornography. State should maintain the protocol for protecting the children to involve in Armed Conflict. Article 51 A (k): It is the duty of every citizen of India who is a parent or guardian to provide opportunities for education to his child or, as the case may be, ward between the 6-14 year age group (Article 243G): It provides for the institutionalisation of child care by seeking to assign programs of Women and Child Development to Panchayat.

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The research emphasises that mental, sexual and physical abuse are severe in children as well as in adolescents. The severity of the problem requires proper attention to be attached to dealing with child abuse. In addition to drawing up the rules and stricter laws, it is also vital that they be strictly implemented and, in tandem, that families/carers and neighbourhoods become more attentive to children and move towards safeguarding their interests and avoiding their abuse.

The current research emphasised that childhood mental, physical and sexual assault continues to occur in young adults as well. The seriousness of the condition requires proper attention in tackling child trafficking. In addition to the formulation of rules and stringent regulations, it is also vital that they are strictly implemented, while also promoting awareness within the families and caregivers and the community to be more attentive to children and to strive to make sure that their rights are protected and to stop their abuse.

f) Laws

A child's development process focuses on three key aspects, notably, sustainability, progression and safety. A child is anyone underneath the age of 18 unless the majority age is reached sooner in accordance with the legislation applicable to the child. It is the State's responsibility to protect of a child so that its individuality develops properly. Humans' rights, including children's rights in India, were imposed expressly or implicitly in the Indian Constitution.

Provisions	Explanation
The provisions of the CRC (Conventions on Rights of the Child) PART – I	(ARTICLE 1-41): Survival Rights: The right to a child's wellbeing and access to fundamental livelihoods such as adequate food, shelter, living standards and medical needs. Development Rights: Right to education, faith and cultural practises of one's own choices, freedom of thinking and expression, play and recreation, sharing of knowledge. Protection Rights: Rights that prevent children from abuses in any circumstances i.e. children that have suffered negligence or exploitation pursuant to criminal justice procedures, children who work, and children who become immigrants. Participation Rights: Children's right to engage in society events, specifically issues that impact their lives.
PART II	(Article 42-45): It includes provisions on the compliance of the CRC (Conventions on Rights of the Child) provisions.
PART III	(Articles 46-54): It covers requirements to sign an Agreement for the purposes of enactment, contract law, amendment, vilification and other purposes by parties
Fundamental Rights PART III	(Article 14): Right to equality (Article 15): Right against discrimination (Article 21): Right to personal liberty and due process of law (Article 21A): Right to free and compulsory elementary education for all children in the 6-14 year age group (Article 23): Right to being protected from being trafficked and forced into bonded labour or beggar (Article 24): Right to being protected from being employment of children under the age of fourteen years in a factory, mine or in any other hazardous employment.

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PART IV	Article 39 (e): Right to be protected from being abused and forced by economic necessity to enter occupations unsuited to their age or strength. Article 39 (f): Right to equal opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and guaranteed protection of childhood and youth against exploitation and against moral and material abandonment. (Article 41): The state is obliged to secure provisions for educational opportunities and facilities. (Article 44): State must imply a uniform code for the adoption of children. (Article 45): Right to early childhood care and education to all children until they complete the age of six years (Article 46): Right of weaker sections of the people to be protected from social injustice and all forms of exploitation (Article 47): Right to nutrition and standard of living and improved public health Article 51 (c): International laws and treaties shall be respected by the state to protect child from Child Prostitution and Child Pornography. State should maintain the protocol for protecting the children to Involve in Armed Conflict. Article 51 A (k): It is the duty of every citizen of India who is a parent or guardian to provide opportunities for education to his child or, as the case may be, ward between the 6-14 year age group (Article 243G): It provides for the institutionalisation of child care by seeking to assign programs of Women and Child Development to Panchayat.

g) Other Legislations in India / Legislative Pronouncements

India's major legislations and guidelines for the welfare of children to protect children and their rights are:

Conventions on Rights of the Child (CRC)	SECTIONS
Indian Penal Code, 1860:	S.83: Nothing is an offence which is done by a child above seven years of age and under twelve, who has not attained sufficient maturity of understanding to judge of the nature and consequences of his conduct on that occasion. S.292 & 293: Selling, distribution, publishing, public exhibition or circulation of obscene material such as books, magazines, drawings, paintings, etc. is prohibited under Section 292. Whoever sells, lets to hire, distributes, exhibits or circulates to any person under the age of twenty years any such obscene object as is referred to in Section 292, or offers or attempts so to do, shall be punished more severely. S.305: Abetment of the commission of suicide of a person below the age of 18 years is punishable under this section. S.317: Abandonment or exposure of a child for the purpose of abandonment by any of the parents or a person having the care of such child is a punishable offence. S.361: This section deals with punishing offenders who kidnap a child (male if below 16 years of age and female if below 18 years of age). S.363A: Kidnapping or maiming children for the purpose of begging has been stated to be a punishable offence under this section. S.366A: Inducing of a minor girl under the age of 18 years to do any act that may force or seduce her to illicit intercourse with another person is punishable under S.366A. S.366B: It is a punishable offence to import a girl under 21 years of age into India from a country outside India or from Jammu and Kashmir intending that she may be forced or seduced to illicit intercourse with another person. S.369: Kidnapping a child under the age of 10 years with the intention to steal from such child is an offence. S.372 & 373:

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	Selling, buying or hiring a person less than 18 years of age for the purpose of prostitution or illicit intercourse with any person or for any unlawful or immoral purpose is a punishable offence. S.375: A man is said to commit "rape" if has sexual intercourse with a woman with or without her consent when she is under the age of 16 years. S.376: The section provides for stringent punishments if: • rape is committed by management or staff of Remand Home or any other place of custody established by law or children's institution, • rape is committed upon a woman under 12 years of age, • gang rape is committed. S.376C: When the Superintendent or manager of a remand home or any other place of custody established under law of 'children's institution' induces or seduces a woman into sexual intercourse by taking advantage of his official position, he is entitled to stringent punishment under this section.
Guardians and Wards Act, 1890:	Guardianship and Wards Act was enacted by Parliament in 1890 to protect the interests of minor and secure his property.
Child Marriage Restraint Act, 1929 (Amended in 1979):	An Act to restrain the solemnization of child marriages. It restraints child marriage until the minimum age, i.e. 21 for male and 18 for female, has been attained by them. It is applicable for all religion.
Immoral Traffic (Prevention) Act (Amended in 1986), 1956:	An act with respect to children deals with person(s) who procure or attempt to procure any child for prostitution or person(s) who are found with a child in a brothel (it is presumed child has been detained for the purpose of prostitution) and punishes them. It also provides for the due care of rescued children.
The Women's and Children's (Licensing) Act, 1956:	This Act was enacted with an object to protect women and children from exploitation and inhuman activities going on in institutions.
Probation of Offenders Act, 1958:	This act with the help of the Juvenile Justice Act, 2000 tries to ensure that no person under the age of 21 years faces imprisonment.
National Policy for Children, 1974:	It is the first written policy for the children in India. It aims at providing better enforcement of constitutional rights of the children along with those granted by the CRC. Some of the provisions include free education, comprehensive health and nutritious plans, etc.
Bonded Labour System (Abolition) Act, 1976:	The act aims at eradicating the bonded labour system in India which exploits the weaker sections of society, especially children.
Child Labour (Prohibition and Regulation) Act, 1986:	It tries to remove inequality by making special provisions for women and other weaker sections of society such as Schedule Castes, Schedule Tribes, etc.
National Policy on Education, 1986:	This act tries to remove inequality by making special provisions for women and other weaker sections of society such as Schedule Castes, Schedule Tribes, etc.
National Policy on Child Labour, 1987:	The act endeavours to eradicate child labour from Indian society wherever necessary.
Juvenile Justice (Care and Protection of Children) Act, 2000:	This act is one of the important acts in India for the children in need of care and protection and also children in conflict with the law.
The Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Amendment Act, 2000:	The main objective of the Act is to regulate and prevent the pre-natal sex determination in order to prevent female foeticide.
National Health Policy, 2002:	This is the second National Health Policy, after the first in 1983. The policy provides for Universal Immunization Programmes, health care related education in schools and free regular health check-ups at schools etc.
Protection of Children from Sexual Offences Act, 2012:	The act aims at punishing the offenders who are guilty of sexual offences against children below the age of 18 years of age.

Some more laws and policies in India for children can be found in:

1. Prohibition of Child Marriage Act 2006
2. Protection of Children from Sexual Offences Act, 2012
3. National Policy for Children, 2013
4. Factories Act, 1948 (Amended in 1949, 1950 and 1954)
5. Hindu Adoption and Maintenance Act, 1956
6. Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960

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7. Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1987
8. Schedule Caste and Schedule Tribes (Prevention of Atrocities) Act, 1989
9. Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1992
10. Transplantation of Human Organ Act, 1994
11. Information Technology Act, 1996
12. The Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Amendment Act, 2002
13. National Charter for Children, 2003
14. National Plan of Action, 2005
15. Prohibition of Child Marriage Act, 2006
16. Juvenile Justice (Care and Protection of Children) Act (Amendment, 2006), 2006
17. The Right of Children to Free and Compulsory Education Act, 2009
18. The Child Labour (Prohibition and Regulation) Amendment Bill, 2012
19. The National Policy for Children, 2013
20. Juvenile Justice Rules Gazette Notification, 2016
21. The Rights of Persons with Disabilities Bill, 2016
22. National Policy on Education, 1986
23. National Policy on Child Labour, 1987
24. National Nutrition Policy, 1993
25. Bonded Labour System (Abolition) Act, 1976
26. Prevention of Illicit Traffic in Narcotic Drugs and Psychotropic Substances Act, 1987
27. Immoral Traffic Prevention Act, 1986

The Ministry of Women and Child Development announced the Protection of Children from Sexual Offences (Amendment) Act, 2019 ("Amendment Act") on August 16, 2019. The Amendment Act modulates the Protection of Children from Sexual Abuse Act, 2012 ("POCSO Act"), with a view to improve or allow for minimum jail terms for such offences so as to discourage the offenders and ensure welfare and protection for children – described as any minor below 18 years of age.

On 16 August 2019, on behalf of the Ministry of Women and Child Development, the "Amendment Act" (2019) notified the Children's Protection from Sexual Offenses. The Amendment Act amends the POCSO Act, 2012 in order to improve or allow for minimum dates for such crimes to prevent and guarantee care and safety for children – identified as any child less than 18 years of age. The Act further amends this Act to include children's protection against sexual offences (POCSO Act).

Types of Sexual Assault	Definition	Verdict
Penetrative Sexual Assault	A individual is reported to be committing "penetrative sexual assault"- a) He penetrates his penis, to any extent, into the vagina, mouth, urethra or anus of a child or makes the child to do so with him or any other person; b) He inserts, to any extent, any object or a part of the body, not being the penis, into the vagina, the urethra or anus of the child or makes the child to do so with him or any other person; c) He manipulates any part of the body of the child so as to cause penetration into the vagina, urethra, anus or any part of body of the child or makes the child to do so with him or any other person; d) He applies his mouth to the penis, vagina, anus, urethra of the child or makes the child to do so to such person or any other person.	• Persons accused of pervasive sexual abuse will be subjected to an increased sentence not less than ten years in jail that could include life incarceration with fines for hospital costs and a victim's restoration. • If the victim's age is under 16, a maximum sentence of 20 years will apply.
Aggravated penetrative sexual assault	Where a child is sexually assaulted by one or more members of a party to support in support of their mutual purpose, each person is considered a gang-inducing sexual assault within the scope of this section, and every person is responsible for that act in the same way as if he was alone;	• The term 'aggravated penetrating sexual harassment' now includes sexual abuse causing a child's death or occurring in a natural catastrophe. • Persons accused of a serious sexual offence are punished by a penalty enhancing their life sentences, fine to pay rehabilitation costs or death penalty for not less than twenty years.

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Types of Sexual Assault	Definition	Verdict
Sexual assault	Any conduct involving sex, sexual assassination, or any other action involving sexual intent involving physical contact without penetration, is a sexual assault, and is said to be committed by any person with sexual intention to touch the child's vagina, penis, anal or breast.	• Anyone committing sexual assault is punishable by imprisonment, for a period not less than 3 years but up to 5 years, of either description and is also liable to be fined.
Aggravated sexual assault	Each person shall be considered to have committing gang sexual aggression under this clause and each person shall have liable for that act, when the child is exposed to sexual harassment by one or more individuals of a group in support of their joint intention;;;	• Whoever commits aggravated sexual assault is punishable by imprisonment for a period not less than five years but which may stretch to seven years, and shall also be liable for a fine.
Sexual harassment	Any issue of "sexual intent" is a factual matter	• Anyone who performs sexual harassment against a child shall be imprisoned with a period extending to three years, and shall be liable for a fine.
Use of child for pornographic purposes	use a child as a means of sexual pleasure in any type that involves – (a) representing a child's genital organs, (b) using a child engaging in actual or virtual intercourse (both with and without penetration), (c) taking pleasure in misconduct or vulgarity by portraying a child, is guilty of the crime of using a child for pornography purposes.	• Anyone who exploits a child in pornography is punished with imprisonment of any one description which may stretch to five years and is also subject to a fine and a penalty for a period which may last up to seven years if the description is second or later condemned to imprisonment and which may also be liable to be fined.
Storage of pornographic material	Any individual who stocks any porn content in any way that involves a child for economic uses shall be guilty for the offence of possession of sexually explicit content that involves the child	• Anyone who holds any pornography in any way involving a child for commercial gain shall be prosecuted for imprisoning a term extending up to three years or a fine or with both terms.

h) *Few Child Sexual Abuse Survivors Stories*

	Child Sexual Abuse Survivors
1	Kriti Prakash, 32, was six when she was sexually abused by an uncle. "It happened when my aunt was in hospital to deliver a baby. I grew up all of a sudden," Prakash says. "I didn't understand what was happening. All I felt was pain. I still recall that moment vividly. When he was done, he dropped me home."
2	**The story of a Lucknow mother** *(Names changed on request)* : 'My 5-yr-old's uncle abused her, said it was a game'. I used to be busy in office with no idea of what my five-year-old was undergoing at home. I had my reasons for being free of worry. We lived in a joint family, so she was never alone. There were grandparents, cousins and uncles and an aunt at home with her. Then my daughter became withdrawn and preferred to stay in our room than play outside. When I asked her why, she complained of pain in her private parts and stomach. I thought she was unwell. Soon after, as I was showing her a video on 'good touch and bad touch' on my mobile phone, she said, "I play this game with chacha regularly". My brother-in-law sexually abused my daughter as a part of the 'game'.
3.	Shipra* was 13 when she saw her father sexually abusing her 18-month-old sister. When he realised what had happened, he responded by dragging Shipra to another room and beating her. "I would see him molesting my sister every morning. "Each time I tried to pull her away, I got beaten," she said. She tried to persuade her mother to not leave her sister alone with their father, but was too scared of him to say why. And then one day little Prathma* stopped speaking. "My sister was alone with my father when we heard a sudden shout. We rushed there to find my father moving out of the room. She never spoke again," says Shipra.
4.	The story of Thrippunithura boy. Balu George *(Names changed on request)* was 14 when his neighbor's elder son sexually abused him. He said "I was 14 years old and our neighbor's son was probably 25 or so. One day, he asked me to come to his house to watch TV. He took me to his room and he proceeded to remove my pants and make me kiss his penis. Somehow, it didn't feel right to me. It just made me sick." Though he didn't make any complaint against that abuser as his father was worried about their family reputation·
5.	"My best friend's family friends had a 16-year-old son. He would often play with her. However, around the time when she was in second grade, he started telling her that he would teach her a new game. He made her feel up his penis, calling it a toy. It was happened a couple of times before it stopped. She realized it was abuse only once she grew up." She was 6 year old.
6.	"The guy next to me slid his hand onto my thigh and started sliding it upwards & inwards" – He was 13 years old.
7.	"My Classmate sitting next to me put his hand on my knee, lifted my skirt and felt my thigh" – She was 12 years old.
8.	"My grandfather's friend held me by my waist &then squeezed me" – She was a Teenager.
9.	"My cousin often rested his hand on my shoulder, with it brushing against my breasts at regular intervals" - He was 13 years old
10.	"A 16 year old boy made me feel up his penis, and called it a toy" – She was 6 year old
11.	"My uncle slid his hand in my underwear" – He was 9 years old

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i) Factual Support

Place	Child Abuse Cases in India
Telangana	Child right activists alleged over 15 cases of child sexual harassment have come to light in Telangana during the lockdown. "The recent incident in which a 13-year-old girl was raped by her father during the lockdown in Vikarabad has raised concerns," said Achyuta Rao, president of child rights NGO, Balala Hakkula Sangham. The father had allegedly raped the victim on multiple occasions during the lockdown. Source : Times Of India : https://timesofindia.indiatimes.com/city/hyderabad/15-cases-of-child-sex-abuse-in-t-activists/articleshow/76126131.cms
Assam	Assam witnessed over 200 cases related to violence against children, including over 100 about sexual abuse of children during the lockdown and Coronavirus pandemic since March. It has been found that even during the lockdown and post lockdown, the cases of violence against children have not stopped but has rather increased. A total of 216 cases have been registered since the countrywide lockdown was imposed in March, of 113 cases were related to sexual abuse of children. As many as 13 cases were related to child labour, three of abduction, 47 cases of child marriage was addressed by the district child protection units while more than 40 other cases of other offences against children were also reported. Source: https://www.deccanherald.com/national/east-and-northeast/over-200-child-rights-violation-cases-in-assam-during-lockdown-and-coronavirus-pandemic-859040.html
Chennai	Seven-year-old Hasini was sexually assaulted and murdered, allegedly by a man who lived in the same colony as her family. Dhasvanth, a techie, is also accused of burning her body. The Chennai police arrested *Dhasvanth*, who *also lived* in the *same* building. Source: The Times Minute : https://www.thenewsminute.com/article/sexually-assaulted-murdered-7-yr-old-chennai-hc-confirms-84499
Moti Nagar	Feb 26 2017, 14 year old student held for sexually assaulting seven years old on school premises in Moti Nagar. Source: India Today: https://www.indiatoday.in/mail-today/story/7-year-old-allegation-sexual-assault-school-moti-nagar-delhi-962791-2017-02-27
Delhi	May 10, van driver of north Delhi school molests nursery student while dropping her home, arrested. Source: Hindustan Times: https://www.hindustantimes.com/delhi-news/nursery-student-molested-by-private-school-s-van-driver-in-delhi/story-a2cEoItDVmAVpDWjNEvCBO.html
South Delhi	September 3, A British national arrested for sexually assaulting three students of a blind school in south Delhi Source: NDTV: https://www.ndtv.com/delhi-news/uk-national-arrested-for-sexually-assaulting-visually-impaired-children-1746029
Gandhi Nagar	A five-year-old girl was allegedly raped by a peon inside the premises of a private school today in Gandhi Nagar area of Shahdara. Source: Janta Ka Reporter https://www.jantakareporter.com/india/delhi-india/5-yr-old-girl-raped/148263/

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Place	Child Abuse Cases in India
South Delhi's Hauz Khas	November 15, 2017A year old girl allegedly raped by her father's employee, who is babysitting her at her Hauz Khas home. Police said the incident came to light when the girl's mother returned home around 2.40 pm on Monday and found the child crying and bleeding from her private parts. Source: The Indian Express: https://indianexpress.com/article/cities/delhi/one-year-old-girl-raped-by-fathers-employee-at-hauz-khas-home/
Shakurpur Basti , Delhi	January 30, 2018 an eight month old sexually assaulted by a relative in Shakurpur Basti. Source: The Hindu:https://www.thehindu.com/news/cities/Delhi/8-month-old-sexually-assaulted-in-delhi/article22580077.ece
Koraput district, Odisha	19 th May 2020, A four year old girl was allegedly raped by an unidentified person in Goudaguda Village in Odisha's Koraput district. Source: Kalinga TV; https://kalingatv.com/state/4-year-old-girl-raped-in-odishas-koraput-hospitalised/
Telangana	27th February 2020 Kacheguda police have slapped an attempt to murder case against Mahipal Singh and Asha Kaur for brutalising their seven-year-old 'adopted' daughter. The shocking case came to light two days ago when police rescued the child after a tip-off. Both Mahipal and Asha burnt several areas of the child's body with hot spoons and vessels and physically abused her. Source: The New Indian Express: https://www.newindianexpress.com/cities/hyderabad/2020/feb/27/hyderabad-child-abuse-horror-attempt-to-murder-case-against-cruel-couple-2109109.html
Andhra Pradesh	28th November 2020, a priest allegedly molested a minor girl in Rachapalli village of Kadapa district, said police. The accused, in the incident that took place on Thursday (November 28), has been identified as Derangula Ravi. Source: ANI News: https://www.aninews.in/news/national/general-news/ap-minor-girl-molested-by-priest20191201134429/
Uttar Pradesh's Sambhal district	21st November 2019 a 16-year-old minor girl, was raped by her neighbour and then set on fire. Source: Hindustan Times: https://www.hindustantimes.com/india-news/16-year-old-raped-set-on-fire-in-up-police/story-grnoGL3FKdMIqhbrghi5pN.html
Uttar Pradesh's Balrampur district	January 11, 2020, 12-Year-Old Girl Dies After Being Set On Fire By Neighbour In UP. Source: Ndtv: https://www.ndtv.com/cities/12-year-old-girl-dies-after-being-set-on-fire-by-neighbour-in-up-police-2162485
East Delhi, Seemapuri district	19th September 2018 , A 20-year-old man has been arrested for allegedly raping and assaulting a 7-year-old girl at a secluded park in Shahdara's Seemapuri area. As per the mother of the girl the accused man had inserted a water pipe in the girl's private parts which left her injured. She underwent a surgery and is stable. Source: DNA India:https://www.dnaindia.com/delhi/report-ragpicker-rapes-seven-year-old-girl-in-shahdara-held-2664919
Rajasthan, Barmer district	7th October 2020 A minor girl was gang-raped in Rajasthan's Barmer district. Source: OP India: https://www.opindia.com/2020/10/rajasthan-barmer-minor-girl-kidnap-rape-shot-video-pocso-case/

Place	Child Abuse Cases in India
Bangalore	Dec 18, 2018 a 13-year-old girl from an abandoned shed in an empty plot where she was raped by a 19-year-old neighbour. (Source: Bangalore Mirror : https://bangaloremirror.indiatimes.com/bangalore/crime/minor-girl-raped-in-shed-19-year-old-arrested/articleshow/67134261.cms)
Ghaziabad	April 21 , 2018 Ghaziabad Madrassa Rape Becomes Political Issue with Demand For Maulvi's Arrest. Source: DNA India: https://www.dnaindia.com/delhi/report-ragpicker-rapes-seven-year-old-girl-in-shahdara-held-2664919
Haryana	June 4, 2018 a 5-year-old girl's body found in drain with throat slit. Source: The Statesman https://www.thestatesman.com/cities/haryana-5-year-old-girls-body-found-drain-throat-slit-1502644190.html
Kolkata, West Bengal	February 9th 2021, a nine-year-old girl was allegedly abused by a 40-year-old man, Tarak Saha, in the Purba Putiary area between 8pm and 9.30pm on Sunday, while she was watching a volleyball match from the balcony of a house in the neighbourhood. Locals gathered at Saha's house and demanded he be handed over to them but cops managed to rescue him. But a local who tried to stop the mob was roughed up. Source: Times Of India: https://timesofindia.indiatimes.com/city/kolkata/pocso-case-registered-against-40-yr-old/articleshow/80755804.cms

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V. Conclusions

The CSA dilemma in India has surely been significantly addressed by POCSO 2012. It has recognised and outlawed a number of sexually explicit behaviours that endanger children. The overall prevalence is increasing enormously, reflecting that the constitution has made a significant contribution to public education, hardening of the juvenile justice system, and establishing CSA monitoring also permissible, and also compulsory. The law is full of detail and includes certain distinct features. Furthermore, 3 key shortcomings mentioned in the article and spirit of the constitution can provide challenges and issues in the Indian context.

Child sexual abuse is widespread global issues. Episodes of child sexual abuse could provide substantial possibility of bad repercussions that can affect child development and lead to difficulties that linger throughout life.

Statutory reports from professionals like educators, police officials, social service agencies, and doctors, and even some responsible adult complaints, are being used to refer cases of child sexual abuse to child protective services. Not that all cases of child abuse and neglect and neglect are recorded, and the criteria for probable cause of exploitation and abuse are sometimes not apparent. As a result, government reports may not reflect all occurrences of child sexual abuse that are claimed, nor even investigated and resolved. Consequently, relying solely on reference reports from child services for academic purposes is inadequate to grasp the entire spectrum of child sexual abuse.

Further, child abuse are classified variously based on the purpose in which data is being collected, making it more difficult to accurately reflect the magnitude of the issue or investigate the underlying constraints. The study design adopted might even influence the outcomes of qualitative studies based on surveys. As a result, efforts towards another decent level of harmonization in such domains are required.

Due to the difficulty in evaluating the appropriateness of child sexual abuse, it is unclear if the epidemic is rising or reducing, or even whether incidents are being identified and documented more consistently. Existing trend statistics indicate that sexual assault has increased drastically over the last one decade, and the weight of evidence points to a increase in verbal and physical violence, particularly in the much more common and catastrophic forms.

Important Contact Details & Mailing Address

CRY (Child Rights and You) Address:

1. Mumbai, Maharashtra:
CRY – Child Rights and You, 189/A Anand Estate, Sane Guruji Marg, Mumbai – 400 011
Contact: 022-23063647/3651/1740 or, 022-23098324/ 6472/6845; Fax: 022-23080726
2. Bengaluru, Karnataka:
Address: CRY – Child Rights and You, Madhavi Mansion 12/3-1, Bachammal Road Cox Town, Bengaluru – 560 005
Contact: 080-2548 8574/4952/4065/ +91-9900822828;
Email: cryinfo.blr@crymail.org
Website: www.cry.org
3. Delhi
E-Mail: cryinfo.blr@crymail.org; Contact: 080-2548 8574/4952/4065; Fax: 080-2548 7355
Address: CRY – Child Rights and You, 632, Lane No.3, Westend Marg, Near Saket Metro Station, Saiyad-ul-Ajaib New Delhi – 110 030
4. Kolkata
Address: CRY – Child Rights and You, 152, Kalikapur, Gitanjali Park, New No. 8,2nd Street, Kolkata – 700 099
E-Mail: cryinfo.cal@crymail.org; Tel: 9903086824/ 9830053222; Fax: 033-2416 3322
5. NATIONAL CHILD HELPLINE - TEL: 1098 (24 HOURS TOLL FREE HELPLINE)

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Comparative Study of Impact Online and Offline Marketing among Residents of Ungwan Dosa in Kaduna State

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Abstract- This study examines the comparative analysis of impact online advertising and offline advertising among residents of Ungwan Dosa in Kaduna State. The objectives this study is to find out the merit preferred type of advertisement among the residents. To examine the types of advertising that the people of Ungwan Dosa react to the most and to know the factors behind the preferred types of advertising among the residents of Ungwan Dosa in Kaduna State. The theory used for this study is Technological Determinism Theory. The study makes use of in-depth interview method in order to elicit the opinions of residents of Ungwan Dosa in Kaduna State. Four in-depth interview was conducted using an interview guide. The method of data analysis used was thematic analysis. The findings of the study reveals that online advertising influences my decision on what to buy on a particular product. Online advertising to gain more insight into consumers' response and perception of the Internet as an advertising medium. Online advertising influences my choice on what to buy more often and it has effect on my in the buying behaviour.

Keywords: comparative, online advertising, offline advertising, marketing, consumers, costumers.

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Abstract- This study examines the comparative analysis of impact online advertising and offline advertising among residents of Ungwan Dosa in Kaduna State. The objectives this study is to find out the merit preferred type of advertisement among the residents. To examine the types of advertising that the people of Ungwan Dosa react to the most and to know the factors behind the preferred types of advertising among the residents of Ungwan Dosa in Kaduna State. The theory used for this study is Technological Determinism Theory. The study makes use of in-depth interview method in order to elicit the opinions of residents of Ungwan Dosa in Kaduna State. Four in-depth interview was conducted using an interview guide. The method of data analysis used was thematic analysis. The findings of the study reveals that online advertising influences my decision on what to buy on a particular product. Online advertising to gain more insight into consumers' response and perception of the Internet as an advertising medium. Online advertising influences my choice on what to buy more often and it has effect on my in the buying behaviour. And the study conclude that concluded that online advertising has significant influence on preference for service delivery of online shops in Nigeria. Also, the study recommends that online advertising should be adopted by advertisers to strengthen brand promotion for goods and services.

Keywords: comparative, online advertising, offline advertising, marketing, consumers, costumers.

I. Introduction

The increase in technology provides good opportunities to the seller to reach the customer in much faster, easier and in economic way. Online shopping is emerging very fast in recent years. Now a day the internet holds the attention of retail market. Millions and millions of people shop online. On the other hand, the purchasing of product from traditional market is continuing since years. Many customers go for purchasing offline so as to examine the product and hold the possession of the product just after the payment for the product.

In this contemporary world customer's loyalty depends upon the consistent ability to deliver quality, value and satisfaction. Some go for offline shopping, some for online and many go for both kind of shopping. The focus of the study is on the consumer's choice to shop on internet and at the traditional stores at the information gaining period. However online shopping is easier for the people and less price than the offline shopping. While making any purchase decision consumer should know the medium to purchase whether online shopping or the offline shopping. Consumer should decide the channel for them which can best suit to their need and wants and which can satisfy them. In this competitive world how, consumer can decide the particular medium for their purchase of goods is very important to understand in a managerial point of view.

The internet shopping is the third best and most popular activity over internet after online shopping next comes the e-mail using, instant messaging and web browsing. These are even more important than watching or getting entertain by the internet or getting any information or news, this are the two very common thought which comes to the people's mind when considering the internet users do when they are online. The behaviour of online shopping is also known as online buying behaviour and internet shopping. Buying behaviour means the purchase of good over internet using web browser. Online shopping also consists the same five steps which is related to traditional shopping behaviour.

In the typical way of online shopping when the consumer needs some product or service they go through the internet and browse or search the things they need and their information. But rather than searching actively, many a times potential consumers are attracted by the information about the product they want. They see many products online and choose the best one which suits him/her. Then they purchase that product and finally the transaction takes place and post sales service provided by the online sites. Online shopping attitude and behaviour are related to the consumer.

Previous studied have focused on why the products of the online shopping is different from other products. Many studies have focused that the high touch products that the consumer feels when they need to touch, smell or try the product. It requires the offline shopping at the purchasing stage because it cannot be done in the online shopping. Even with the increase in the online shopping and the recognition that online

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shopping is more likely to impose the pressure on offline shopping or traditional shopping. The research is very limited in this area or field. Online or e-shopping is a kind of electronic shopping which allow the consumer to purchase goods over the internet directly from the seller using a web browser. There are some alternative names of online shopping those are as follow- e-web store, e-shop, e-store, internet shop, web-shop, web-store, online store, online store front and virtual store. Mobile commerce or m-commerce is described as purchasing from the online retailer by the mobile optimized online sites or application (app).

In this view of the background, the researcher tends to examine comparative study of online advertising and offline advertising in Nigeria.

II. Statement of the Problem

In this competitive world, the offline market is dominated by online market which is a life in promotion and advertisement. Online shopping is rising very fast in recent years. Today, more people are connecting to the Internet and are ready to do business through online. Online or e-marketing is a kind of electronic marketing which allow the consumer to purchase goods over the internet directly from the companies using a web browser. Online marketing is a power full tool for selling and buying products to increase profits. Online marketing is most cost effective and more time efficient and more productive in today's technology world. Online marketing helps to collect direct feedback from the customers and customers can share their experience after using the product. Online marketing is dominating to offline businesses by continuous online advertisement strategies like. Email marketing, social media marketing etc. Traditional marketing is the process of marketing used in traditional way without help of digital technology like web, social media etc. Traditional marketing has been used by marketers for a long time. The sellers are using the traditional channels such as face to face communication, Banners, catalogues, TV, radio and magazines etc. to sell to their products to consumers. Marketing has been done physically.

a) *Objective of the Study*

The general objective of the study is to examine the comparative study of impact online advertising and offline advertising among residents of Ungwan Dosa in Kaduna State. The specific objectives are to:

(i) To find out the merit preferred type of advertisement among the residents of Ungwan Dosa in Kaduna State.

(ii) To examine the types of advertising that the people of Ungwan Dosa react to the most

(iii) To know the factors behind the preferred types of advertising among the residents of Ungwan Dosa in Kaduna State.

III. Literature Review

a) *Online Marketing Vs Offline Marketing*

There is a strong competition between both online and offline modes of marketing. Internet has affected marketing process by providing opportunities to customers using online marketing tools. Offline sellers are affected by online market and customer behaviour is changing towards offline market. Online marketing companies are expending a lot of time and money to promote their product and to increase their sales by giving digital advertisement which is relatively very less expensive than offline advertisement such as Newspaper, Banner and TV ads. A business has also advanced according to current trends because every business need customer. Companies are spending a lot of time on online marketing because they need customer retention and customers buy their product at any time (24*7). But in this scenario, offline businesses target their customers by traditional channels way and not getting so much responses by customers, and getting down their business gradually. quick access to information, which is available through both online and offline media of communication.

b) *Comparison between offline and online advertising*

There are lots of parallels between print and Web advertising because the text and graphic display of the Web resembles print, and the self-paced, self-selective nature of Web usage is also similar to print media. Many compare the effectiveness of print advertising versus Web advertising (Sundar & Kim, 2001). They all show the superiority of Web advertising over print advertising in achieving positive brand evaluation. Dahlen, Murray and Nodenstorm's (2004) study of Swedish business students is an experiment with real online advertisements. It illustrates the importance of differentiating between light and heavy Web users. Their study shows that Web advertisements outperform the print advertisements for low involvement products in understanding and recall of the ad, and for consumers with a negative disposition towards the advertised brand and for light Web users. The Web's vividness and interactivity characteristics open up for differences in how advertisements are processed in the two media. Compared to print, the Web offers more stimuli and could thus potentially keep the user's attention and interest longer. Web advertisements and print advertisements performed equally well for high-involvement products, for consumers with a positive disposition towards the advertised brand and for heavy Web users. They suggest that image advertising on the Web is better suited for low-involvement products and for consumers with a negative disposition towards the brand.

Similar findings on the superiority of web ads over print advertising in generating advertising effect

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such as purchase intention is shown in Kimefeld & Watt's (2001) study. Their study compares the response to promotional offers in print and Web advertisements. They find Web advertisements are more effective in improving attitude toward the ad and in purchase intention than print ads. They explain that the increase in promotional offer acceptance behaviour in Web transactional ads by the comparative ease of accepting the offer on-line.

Marlow (1997, p.13) affirms arguments that advertising on the WWW is different from traditional print and online advertising in that it presents the opportunity for advertisers to interact with potential buyers, to generate feedback and, in the process, create a more meaningful communication experience. Online advertising does not merely constitute an electronic version of a print, radio or television advertisement, but requires different layout and design techniques.

Hamill and Kitchen (in Kitchen 1999, p.387) call for a new 'Internet marketing mindset', which should be directed at building long-term relationships with customers, rather than concentrating on the 'hard-sell approach'. Hamill and Kitchen (in Kitchen 1999, p.396) also conclude that the traditional one-to-many model which has had many implications and consequences for marketing theory and practice, cannot be applied to marketing on the WWW and that a new marketing paradigm is therefore required for this new medium.

They call for a new model in which consumers are not 'passive receivers of marketing communication', but one that provides them with 'more control over the search for and acquisition of information relevant to consumer decision-making', as well as allows them to become active participants in the marketing process. It is for this reason that they regard the main distinctive feature of the Web (as emphasized by Hoffman & Novak, 1996) as being a hypermedia computer mediated environment (CME) which contrasts with traditional marketing communications models for mass communication.

Theorists and scholars put forward numerous arguments about the advantages of online advertising. Accone (1998) argues that while traditional media are time or space orientated (which means that advertisers will have to increase expenditure for larger or longer advertisements), the WWW presents an extremely cost-effective medium for large amounts of information in a wide range of formats (cf 3.2). The WWW can also complement advertisements in traditional media and presents advertisers with exciting new advertising opportunities and challenges. But as new technologies are continuously changing, advertisers will always need to make the right choice, keep up with new technology and constantly evaluate technological needs.

Traditional media will, however, never be replaced with online media. The WWW is rather used to supplement messages in traditional media (Boone & Kurtz 1999, p.620). According to Lyke (2000, p.33), the WWW appears to have the potential to challenge the 'media status quo' of traditional advertising in that promises consumers 'free' global exposure to hundreds of millions of consumers. Many would therefore mistakenly believe that traditional media such as newspapers, magazines, and radio and television stations would attract fewer advertisers. Advertising, public relations, direct marketing and sales promotions are, according to Lyke (2000, p.33), still the best tools available for brand building because large segments of consumers are often unconsciously exposed to these media which make repetition of brand names possible.

Bonello (2000) agrees that organisations realize that there is still no substitute for traditional media when it comes to generating brand awareness effectively. Traditional media may not be as cost-effective as online advertising, but are more functional if advertisers want to make a huge impact quickly, because they present concentrated forms of advertising media. Online organisations tend to focus more on online media and public relations in the first phase of their marketing strategy in an attempt to generate initial traffic to their respective Web sites. Traditional advertising methods are then used to complement the online advertising messages.

Although it is believed that advertisers now rather turn to online media than to traditional advertising media, recent changes to traditional media may abate these arguments. Television, for instance, has changed significantly over the past few years and new dimensions, such as interactive television, have been added to the already many possibilities of television as an advertising medium. Interactive television changed the traditional relationship between advertisers and broadcasters since advertisers have always paid a specified amount of money for advertisements of specific length between programmes but, with interactive television the consumer can now choose what to view at what time and this allowed for the development of an entirely new paradigm.

IV. Review of Related Studies

Devaraj et.al (2016) critically analysed an empirical study in USA regarding examination of online channel preference. He examined the behavioural and economic features that add to online consumer's satisfaction and further head to their preference of online channel. The results indicate that asset specificity and uncertainty structure variables the electronic marketplace are related with the conduct constructs such as, personalization, website design, time responsiveness, security and reliability of the online channel. Further, it was found that, personalization, time responsiveness, security, and reliability are also significantly linked to the consumer satisfaction outcome

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with the channel. Website design has not significant effect to online consumer's satisfaction. Finally, it was indicated that satisfaction resulting from the above conduct variables was strongly related to the consumer's preference online channel preference.

Chaing and Dholakia (2018) carried out a study in which they examined the purpose the customer to purchase goods online during their shopping. Mainly there are three variables in their study those affects the consumer to purchase online or to go offline. Those are the accessibility features of the shopping sites, the type of the products and their characteristic, and the actual price of the product. The study revealed that the accessibility and the convenience of the shopping sites create the intention in the customer to purchase or not. When there is difficulty faced by a consumer to purchase online then the customer switch to the offline shopping for the purchase behaviour and the consumer face difficulty in offline purchasing then they go to the online purchasing. After relating both the medium of shopping the consumer said that the online shopping is more convenient for them and gives more satisfaction which inspires the consumer to purchase online in the internet.

Kim, (2018) examined an empirical study in UK to develop an index of online customer satisfaction; this study integrates and applies the concept of satisfaction from three field's i.e. marketing, management information system (MIS) and e-commerce. The main function of this paper is an exploration of the factors affecting satisfaction. The results show that ten factors on index are good exponent of satisfaction repurchase behaviour and repurchase intention.

Tabatabaei (2019) has explored the opinion of the consumer who are purchasing online and the consumer who are purchasing from offline market. The objective is to know why the traditional customer chooses to shop online and what are the factor influence then to purchase online and what are the factor for them to not use the sites for shopping. He has done a survey of 264 respondents in a small mall and then those data were analysed by him. All the customer of this study is literate and has knowledge on computer and internet. The survey consists some of the question like demographic profile, computer knowledge and the knowledge over the internet. The outcome of the study was that the consumers of online shopping use to shop online more than one time in a month and the consumer of offline shopping shop one to five times in a year from shopping sites.

Danaher et.al (2020) focused on the loyalty of the 100 brands over the online shopping and offline shopping of 19 product of the grocery. They compared the grocery items of both the shopping with starting model which is a new segmented of Dirichlet model, this model has very dominant features which gives the exact classes for the brand choice and also gives the real model for the purchasing behaviour. The outcome of the study revealed that the reality of the high brands by the high market shares bought the online shopping much greater than the expected. But in case of the small share brand, it is just reversed. However, in the traditional shopping the expectations and the observations are not at all links to the brand share.

V. Theoretical Framework

a) Technological determinism Theory

To properly position the study, the researchers adopted Technological Determinism Theory, and Diffusion of Innovation Theory. Technological determinism theory was propounded by Marshall McLuhan in 1962 during a critical study of media and culture in England. He was trying to decipher the media environment that surrounded him and found out that we are living in a new age of technology that has never been experienced before which he termed the Oracle of the Electronic Age. He asserts that we shape our tools and they in turn shape us. He was also the first to suggest that evolutions in communication had a direct impact in the existing society. However, according to Huster (2005, p.33), McLuhan was unique in saying the channels of communication are the primary cause of cultural change. In this sense, McLuhan argues that once a technology, and especially a communication technology is introduced into society, society changes. Technological determinism seeks to show technical developments, media or technology as a whole, as the key mover in history and social change. It states that the media technology shapes how we as individual in a society think, feel, act and how society operates as we move from one technology age to another. We learn, feel, and think the way we do because of the messages we receive through the current technology that is available. He posits that the electronic media would compound the world into a global village. To state one example, Holster (2005), says that television and the internet are technologies which could be argued to have had a major effect upon a society, causing a completely new pattern of leisure to emerge, and "shrinking" the world to the extent that national differences are no longer so pronounced.

Technological determinist interprets technology in general and communications technologies in particular as the basis of society in the past, present, and even the future. They say that technology such as writing or print or television or the computer and the internet 'change society'. Postman (1993) says that in its most extreme form, the entire form of society is seen as being determined by technology; new technologies transform society at every level, including institutions, social and cultural phenomenon are seen as shaped by technology. 'Human factors' and social arrangements are seen as secondary.

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VI. Research Methodology

The study adopts in-depth interview (IDI). An in-depth interview is an open-ended, discovery-oriented method to obtain detailed information about a topic from a stakeholder. In-depth interviews are a qualitative research method; their goal is to explore in depth a respondent's point of view, experiences, feelings, and perspectives. Hence the population of this study are residents of Ungwan Dosa in Kaduna State. A sample size of three respondents was drawn ranging from 18 to 45 years, from using purposive sampling method. The study used the purposive sampling technique to conduct four interview sessions based on the characteristics of those that fall within the age group for the study. The data derived from IDIs was first of all transcribed translated and the researcher used thematic analysis.

VII. Data Presentation and Interpretation (See Attached Appendix)

a) Findings

The data generated in the study was discussed according to the research questions. Hence, the research questions are presented first and then the data are engaged in answering them. Not only is the discussion based on the data presented, it is also based on existing literature on the subject.

Finding reveal that online advertising encompasses all of the digital and internet-based channels that help advertisers reach a wide audience with their messaging and offline advertising, sometimes referred to as "traditional advertising," relies on the television, radio, newspapers, magazine etc. to get marketing messages out to a target audience. The study revealed that consumers strongly value the high level of convenience, online shopping contributes to their life. This convenience results from factors such as the easiness to see discounts and prices and the greater availability of products compared to offline stores. These results support the findings made by Levin, Levin, Heath (2013) and Levin, Levin & Wellner (2015).

Another finding reveal that online advertising is the most preferred by people than offline advertising because the internet can be a cost-effective way to attract new customers. You can reach a global audience at a low cost. Many customers research businesses online before deciding whom to buy from.

Finding reveal that online advertising influences my decision on what to buy on a particular product. Online advertising gains more insight into consumers' response and perception of the Internet as an advertising medium. Online advertising influences choice on what to buy more often and it has effect on the buying behavior. This is inline with Goldsmith and Lafferty (2019) in their study on consumer response to Web site and their influence on advertising effectiveness findings revealed that consumer who have a positive attitude towards an online advertisement are more likely to recall the advertisement that those who have a negative attitude. Chu (2011) customer's attitude towards the website indicates their attitude towards its content: Customers are more likely to accept and rely on information they see on a website they appreciate.

It also reveals that online advertising is faster than the offline advertising, because it could reach a wide coverage of audiences and online advertising is faster than offline advertising because online advertising reach high up to people all over the globe.

Findings revealed that online advertising impacted on a few customers of brand awareness. This indicates that not many of them have adopted the use of the internet to access information about products. Finally, online advertising did not aid recall of products as customers relied on other traditional advertising as well as impulsive buying behavior and word of mouth.

Lastly, Findings reveal that, feedback is one of the most important, unlike the offline advertising, you can get to even interact with agents online before buy or purchasing the product, it even gives room for interactivity. That Online advertising is more lucrative than the offline advertising, this is because feedback is one major thing someone can do online before even buying the product.

VIII. Conclusion

The study concludes that online advertising has significant influence on preference for service delivery of online shops in Nigeria. The study also concludes that online advertising has only affected very few customers towards product awareness, patronage and recall product offerings. This paper concludes that consumers who are into online shopping as well as traditional shopping to rate both the channels in the terms of performance, products, time of delivery, quality and other related aspects of online and offline shopping.

IX. Recommendations

In view of the findings of this examination, the paper suggests the following:

1. It is important for organization to design their online advertising in attractive texts, images and even videos to create better awareness of their various products. The adverts should be very alluring to be able to decoy customers towards products.
2. Marketing executives should persuade customers on one-to-one bases to adopt the online marketing. They should convince them by outlining for them the expected benefits that online advertising will bequeath them with.

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3. It is necessary to offline sellers have to take initiative for promoting their business by magnetizes advertisement and giving some seasonable offer to attract customers to increase their sale.
4. This has gone a long way with addressing the trust and security issues associated with buying products online. Also, in a bid to increase trust and encourage online shopping, future trend may experience reduction in and more accurate lead time.
5. The firm needs to establish ways of ensuring they maintain a positive customer attitude and this could be done by ensuring a high quality of online advertising. There is also a need to ensure that the nature of information of the online advert positively influence consumer decisions to purchase.

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Appendix

What's your name?

This study involves ten despondence which only four were purposively selected. Their names are Maimuna Buba (Ashiru Street) Joseph Isaac (Rock Road), Abdulmalik Idris (Guava Raod) and Hajara Bello (Lere Street).

Have you ever come across online and offline advertising?

Different reasons were given by the interviewees if come across online and offline advertising. According to Mrs Maimuna Buba ". Yes, I have come across online and offline advertising, online advertising encompasses all of the digital and internet-based channels that help advertisers reach a wide audience with their messaging and offline advertising, sometimes referred to as "traditional advertising," relies on the following channels to get marketing messages out to a target audience." (Buba, 25/11/2020, Ashiru street). Joseph Isaac said "yes, online advertising refers the promotion of brand or company on the online platforms such as Facebook, google, twitter, youtube etc. Due to constant increase in the number of people using internet online advertising is in the trend by companies and brands. Online advertising is in the trend people are still inclined more towards offline advertising which is promotion of brands or companies in real rather than using television, radio etc." (Joseph Isaac, 25/11/2020, Rock Road).

Are you aware of online advertising or you rely on offline?

Some reasons were given by the interviewees on awareness of online advertising or if rely on offline. According to Abdulmalik Idris "When it comes to which is better, online or offline advertising, both can be used separately, or together, to create powerful campaigns." (Abdulmalik, 25/11/2020, Guave Road). Hajara Bello said "Online advertising also helps to stay connected with the customer and build up the strong bond. You can easily target your customer based on their requirements and their difference in the nature and age. Earlier it was believed that by doing offline marketing one can build a personal connection with the customer. But now it is considered to be more time consuming and costly". (Hajara Bello, 25/11/2020, Lere Street).

What types of advertising do you prefer?

Some reasons were given by the interviewees on types of advertising preferred. According to Hajara Bello said "I prefer online advertisement, Being on the internet can be a cost-effective way to attract new customers. You can reach a global audience at a low cost. Many customers research businesses online before deciding whom to buy from. A well-designed website can entice customers to buy from you. There are a number of ways you can promote your business online via paid advertising or to improve your search engine rankings. Learn more about doing business online. Other ways to advertise your business online include promoting your products or services on social media sites, blogs and search engines and other websites that your target audience visits". (Hajara Bello, 25/11/2020, Lere Street).

According to Abdulmalik Idris "I prefer radio advert because advertising on the radio is a great way to reach your target audience. If your target market listens to a particular station, then regular advertising can attract new customers." (Abdulmalik, 25/11/2020, Guave Road).

Joseph Isaac said "I prefer online advertising; the Internet is used by online and offline companies to promote products or services. Banner ads, pop up ads, text ads and paid search placements are common forms. Banner, pop up and text ads are ways to present an image or message on a publisher's website or on a number of websites through a third-party platform like Google's Adwords program." (Joseph Isaac, 25/11/2020, Rock Road).

Does online advertising influence you in making decision or offline advertising?

Some of them gave reason on online advertising influence them in making decision or offline advertising. Joseph Isaac said "Online advertising influences my decision on what to buy on a particular product. Online advertising to gain more insight into consumers' response and perception of the Internet as an advertising medium." (Joseph Isaac, 25/11/2020, Rock Road).

According to Hajara Bello said "Online advertising influence my choice on what to buy more often and it has effect on my in the buying behaviour". (Hajara Bello, 25/11/2020, Lere Street).

Does online advertising reach you faster?

Different reasons were given by the interviewees if come across online and offline advertising. According to Mrs Maimuna Buba ".Said; online advertising is faster than the offline advertising, because it could reach a wide coverage of audiences." (Buba, 25/11/2020, Ashiru street). Joseph Isaac said "yes, online advertising is faster than offline advertising because online advertising reach high up to people all over the globe." (Joseph Isaac, 25/11/2020, Rock Road).

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Do you get satisfaction after the goods have been purchase?

The interviewee gave different opinion on the According to Hajara Bello said "yes I do get satisfaction after the goods have been good but sometimes, the goods are not what is advertise online.". (Hajara Bello, 25/11/2020, Lere Street).

According to Mrs Maimuna Buba ".i get satisfied, generally, price, quality, reliability, empathy, responsiveness are the main factors that influence the customer satisfaction and loyalty. Some of the detail factors that influence customer satisfaction and loyalty are discussed separately below." (Buba, 25/11/2020, Ashiru street).

Is there any means of giving feedback in online or offline advertising?

Some of them gave reason on means of giving feedback in online or offline advertising. Joseph Isaac said "Feedback is one of the most important, unlike the offline advertising, you can get to even interact with agents online before buy or purchasing the product, it even gives room for interactivity." (Joseph Isaac, 25/11/2021, Rock Road).

According to Hajara Bello said "Online advertising is more lucrative than the offline advertising, this is because feedback is one major thing someone can do online before even buying the product". (Hajara Bello, 25/11/2021, Lere Street).

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Is there a Connection between Learning Style Preferences and Video Game Genres?

By Joseph W. Rotondo & Sue Adragna

Abstract- The purpose of this research was to determine if a correlation exists between video game genres and learning style preferences. The framework used was the cognitive behavioral theoretical framework. The quantitative research that guided the study was the relationship between learning style preference and an individual's preferred genre of video game. A VARK Survey was implemented to collect data; the second data collection process was the different video game genres people play. The data was analyzed using the Chi-square test of independence. For most video game genres and learning style preferences there was no correlation. Teachers, administration, and workshop educators might benefit by learning how to integrate video game genres to differentiate the lessons for their students.

Keywords: learning styles, video game genres, differentiation.

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Is there a Connection between Learning Style Preferences and Video Game Genres?

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Abstract- The purpose of this research was to determine if a correlation exists between video game genres and learning style preferences. The framework used was the cognitive behavioral theoretical framework. The quantitative research that guided the study was the relationship between learning style preference and an individual's preferred genre of video game. A VARK Survey was implemented to collect data; the second data collection process was the different video game genres people play. The data was analyzed using the Chi-square test of independence. For most video game genres and learning style preferences there was no correlation. Teachers, administration, and workshop educators might benefit by learning how to integrate video game genres to differentiate the lessons for their students.

Keywords: learning styles, video game genres, differentiation.

I. Introduction

Studies have indicated that those who play video games have more developed executive brain functions (Homer et al., 2018). The executive functions of the brain are the set of skills required to plan, monitor, and control cognitive processes of higher order thinking (Homer et al., 2018). Recent findings about executive brain function have prompted scholars to work out different ways for video games to promote education, despite the pushback from opposing sides (Adachi & Willoughby, 2017). With all this information and the continuous use of learning style preferences in differentiation, the question remains if there is a correlation between learning style preferences and video game genres. More to the point, nine learning style preferences could result in a correlation with a video game genre and no more than 10 different genres of video game exist (Ballabio & Loiacono, 2019; Garzon et al., 2016; Hon, 2017; Rismanto et al., 2018; Salvini et al., 2016; Stanesu et al., 2016; Tomai, 2018; Thompson & Lavender, 2017). If a relationship exists, it will provide teachers more differentiation strategies to utilize.

Despite gamification's growing popularity, the classification and meaning of the elements of gamification are a growing concern (Hernandez-Fernandez et al., 2020). According to Hernandez Fernandez et al., if some similarities can be identified among known teaching practices and known elements of video games, then teachers would be more comfortable in using and understanding the classifications of gamification. If a significant correlation between learning style preferences and video game genres exists, then teachers will have a better understanding of the classifications within gamification therefore giving them more strategies for differentiation with using gamification in the classroom. Students would more likely persist in completing the learning exercise because it is presented as a game.

Different developers, game analysis and the video game fanbase, who attempted to classify different genres of video games looked at the taxonomic vocations or the logistical formation of the games, but these attempts lacked consensus (Vargas-Iglesias, 2020). Due to the absence of a consensus, previous studies resorted to a certain randomness in the selection of variables in the way of categorizing video games and loosely classifying them (Vargas-Iglesias, 2020).

According to Vargas-Iglesias (2020) the failure to reach a consensus can be traced to those who used factors, such as statistics and structure, to classify them. Any gamer will attest that using statistics and visuals is not the correct way to classify video games (Vargas-Iglesias, 2020). The classification led to a divide between those in the scholarly community who examined video games and those in the scholarly community who play video games. Due to logistical issues and historical phenomenon, a classification system has been rendered useless to scholars of video game genres (Vargas-Iglesias, 2020).

The genres used in this research were a mixture gleaned from scholarly writings and those of gamers and developers. The game genres were: (a) First-person shooter, (b) Role-playing game (RPG), (c) Massive multiplayer online (MMO), (d) Sports simulator, (e) Racing simulator, (f) Life simulators, (g) Platformer, (h) Fighting game, (i) Strategy games, (j) Survival games (builder games), and (k) Action-adventure.

In simpler terms, the student may just prefer the content presented in a certain way, not that they will not necessarily comprehend another way it is presented. Unlike learning styles, the concept of learning style preferences has scientific research support, and an assessment has been made that tests a person's preferred style that has also been proven reliable (Wong & Chin, 2018). Learning style preferences are broken up into eight basic parts: (a) visual, (b) aural, (c) reading/

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writing, (d) kinesthetic, (e) multi-model, (f) VARK type 1, (g) VARK type 2 and (h) VARK transition (Meyer et al., 2016).

II. Background

Differentiation or differentiated instruction has been the subject of numerous studies and is mostly regarded as one of teachers' essential tools to teach content at any level (Karatza, 2019). Differentiation is one of the main strategies to aid children with the individualization of teaching in the classroom today (Sakellariou et al., 2018). The term differentiation means to change or adapt teaching to meet the needs of the many students in a teacher's classroom (Sakellariou et al., 2018). One of the main elements of differentiation is the teacher needs to differentiate content by utilizing the four primary learning style preferences, which are (a) visual, (b) auditory, (c) reading/writing, and (d) kinesthetic (Evans-Hallman & Haney, 2017). Teachers are only knowledgeable of the four basic learning style preferences, and they may not be aware that there are additional learning style preferences to utilize (Evans-Hallman & Haney, 2017).

Many teachers struggle with the difficulty of using differentiation within the classroom, due to the strict program requirements and the curriculum that teachers must follow (Every Student Succeeds Act of 2015). Teachers find the differentiation skills that they were taught in college are not flexible enough for modern curriculum (Sakellariou et al., 2018). Differentiated instruction is designed for all individual students; however, many academics have found that gifted or talented students, along with English Language Learners (ELLs) and struggling students often lack the support they need for continuous differentiated instruction (Simmons, 2018). In many classrooms, students differ even on the most basic learning styles; this includes how they learn content and their developmental rates (Simmons, 2018). Thus, differentiation is needed to teach students the skills and strategies they need to progress to the next level of education (Simmons, 2018). According to Simmons (2018) many teachers use the terms differentiation and individualization interchangeably. Teachers use the two terms interchangeably as they do not fully understand the meaning behind the two (Simmons, 2018). Differentiation is defined as a means of adapting or the presentation of content to the needs of the students, as a whole (Simmons, 2018). The term individualization is defined as adapting to the needs of a singular student (Simmons, 2018). It is the difference between understand meaning with a group and a singular student that the teachers can not differentiate between the two terms (Simmons, 2018).

Using technology in the classroom gives not only teachers but students a multipurpose tool for learning content; using the mechanics from video game genres in gamification can be used for all students and be individualized towards each student in some way. Technology as a resource allows teachers to generate reports, charts, graphs, and plan assessments, which allows them to collect data on instruction (Parsons & DeLucia, 2005). Technology offers teachers a way of looking at student achievement in real time, as well as refining instruction to meet the needs of both the groups and individual students (Parsons & DeLucia, 2005). The issue is that many teachers do not know how to use or even were to look to gain this technology (Parsons & DeLucia, 2005).

Video games, as of the past 4 decades, have become one of the fastest-growing fields in education, human behavior, and psychology (Adachi & Willoughby, 2017). Scholars have been looking into adapting video games into educational settings, utilizing them for gamification, and deploying them as a template to create educational tools, and training purposes beyond basic education (Barr, 2017). Teachers need to be educated on how to develop strategies that implement the nine learning style preferences as well as coordinating them with the appropriate video game genres and develop as evaluation tool to assess its effectiveness. Researchers have been examining video gaming from a non-biased standpoint (Adachi & Willoughby, 2017). Scholars have continued discussing how technology, including video games, would enhance learning in the 21st century (Adachi & Willoughby, 2017).

III. Research Question

The research question was:

RQ1: Is there a relationship between a person's preference of video game genre and that of an individual's preferred learning style preference?

Ho: There is no relationship between a person's preference of video game genre and that of an individual's preferred learning style preference.

Ha: There is a significant relationship between a person's preference of video game genre and an individual's preferred learning style preference.

IV. Method

The purpose of this research was to determine if a correlation exists between video game genres and learning style preferences. A quantitative study was conducted utilizing the method of convenience sampling (Bennett et al., 2018). Sampling was conducted using survey posted online (Bennett et al., 2018). Convenience sampling was chosen because the online forum was for gamers, the target population for the study. The survey was organized into two parts, with the first part being a questionnaire by VARK Learn Limited (2020). The second part consisted of questions on

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participants' preferences of video game genre. The questions asked the participant how often they play video games in that genre using the following response options: (a) *consistently*, (b) *often*, (c) *seldom*, and (d) *never*.

The first half of the survey consisted of a VARK Learn Limited (2020) questionnaire to discern which learning preference(s) they had. Participants' results of the VARK questionnaire were given to them along with a summery that described their preferred learning style preference(s). Once all the data was collected, a crosstab analysis with a Chi-Square test was conducted to find any significant correlation between the two categorical variables (Kumar & Girotra, 2017). The two variables observed were learning style preferences and video game genres. The independent variable was learning style preferences, while the dependent variable were the video game genres.

The online survey used consisted of gamers, as they make up a large and incredibly diverse community (Haaranen & Duran, 2017). The survey had two questions asking whether the individual filling out the survey is 18 years of age and older and the second question asked if they played video games for 4 or more hours a week. The answer to either question is *YES* or *NO*. If the answer is *NO* to either question, then that survey ended and not be counted in the data for this study. If the individual is under the age of 18, they would not be counted due to ethical restraints. If a person does not play video games, they would not understand the different nuances among the many genres of video games available (Evans-Hellman & Haney, 2017). An online survey and a pre-structured VARK questionnaire to determine learning style preference. Unlike in the past, where learning style preference had remained in organizations, VARK Learn Limited (2020) does not view these preferences as the only way a person learns. VARK Learn Limited (2020) recognizes the possibility that a person may have a mixture of the four basic learning style preferences. Therefore, among the 16 questions, a person can choose more than one of the multiple-choice answers (VARK Learn Limited, 2020). The questionnaire than calculates the participants' responses and formulates their learning style preference based on their answers, thus counting as one data entry point (Wong & Chin, 2018). When the participant completes the VARK questionnaire, it displays the questionnaire results, and it also produces a summery description of the results. The second half of the quantitative study was created to ask more about the results of the VARK questionnaire. The participants indicated their results based on the eight responses, (a) visual, (b) aural/auditory, (c) reading/writing, (d) kinesthetic, (e) multimodal, (f) VARK type 1, (g) VARK type 2, and (h) VARK transition. Once the participant had indicated the VARK questionnaire results, the survey asked how often the individual played each video game genre by selecting from one of four responses: (a) *consistently*, (b) *often*, (c) *seldom*, and (d) *never*.

A cross-tabulation and Chi-Square test to find the relationship between two categorical variables (Ong & Puteh, 2017). The nature of this study was to find the correlation between two categorical values, a cross tabulation (crosstab) was used to analyze the data (Kent State, 2020b). Crosstab is a type of frequency analysis that produces summary measures for categorical variables (Kent State, 2020a).

Table 1: Learning Style Preference Chart

Multiple Preferences		Single Preferences	
VARK Type 2	22.9%	V	4.0%
VARK Transition	5.1%	A	8.8%
VARK Type 1	7.4%	R	9.0%
VRK	2.4%	K	14.2%
VAK	4.1%		
VAR	1.1%		
ARK	5.2%		
VR	1.2%		
VA	0.8%		
VK	2.9%		
AK	6.2%		
RK	2.5%		
AR	2.2%		
Subtotal	64.0%		36.0%

From How Do I Learn Best? By VARK Learn Limited, 2020, p. 4 (Source: https://vark-learn.com/wpcontent/uploads/2019/07/How-Do-I-Learn-Best-Sample.pdf).

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According to VARK Learn Limited (2020), the descriptive statistics shown in Table 1 detail the percentages of both singular learning preference style and a multiple combination of the styles. Table 1 shows the subtotal percentage is higher in the multi preference, with a 64% response compared to the 36% in single preferences (Fleming & Bonwell, 2019). The multiple combinations of the learning style preferences indicate that VARK type 2 is the most common, with a 22.9% response (Fleming & Bonwell, 2019). As for singular learning preference style, kinesthetic is the most common, with a 14.2% response (Fleming & Bonwell, 2019). The data percentages could be used to show a rough baseline for what the data collected in this study could have shown.

V. Results

Posting the survey on Twitter, Facebook and LinkedIn, the survey had received 214 responses. However, almost half did not fit the two inclusion criteria for this study: 18 years or older and play video games for more than 4 hours a week. In addition, 10 were excluded due to missing data. The analysis proceeded with n = 100 participants who responded to all VARK questions, and the game genre questions.

The VARK questionnaire consist of 16 questions where respondents could choose multiple answers to all questions. The game genre question was a simple "Do you play <genre>?", which was used because researchers have reported that classifying different types of video games was nearly impossible (Vargas-Iglesias, 2020). Possible closed-ended responses for the genre questions were: (1) *consistent*, and or *E*, (0) *seldom,* and or *never*.

Figure 1 presents the frequency distributions of VARK types in the current study.

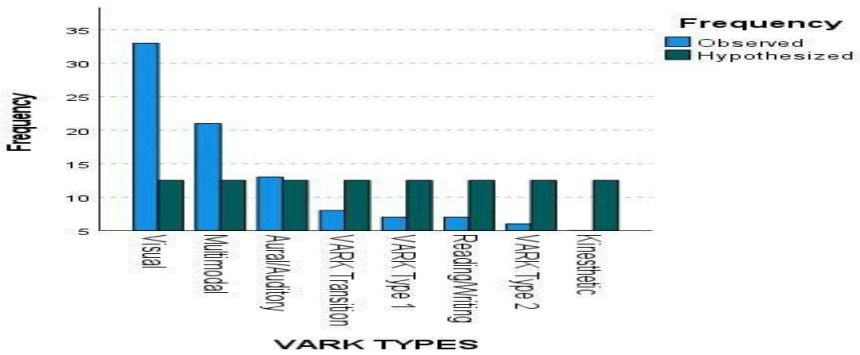

Figure 1: Frequency of Each VARK Type Category of 100 Participants

A statistical Chi-square Goodness of Fit Test was used to assess differences in observed vs. expected frequencies. The Chi-square test of independence could not be used because the data violated the assumption that no more than 20% of cells can have expected counts below 5. As a result, the Fisher-Freeman-Halton Exact Test (FFHET) was run. The null hypothesis stated that each VARK type had an equal probability of being played. The null hypothesis was rejected by the Chi-square goodness of fit test [x^2 (1) = 53.76, $p < 0.001$]. As evident in Figure 1, Visual, Multimodal, and Aural/Auditory were the most characteristic VARK types of the 100 participants in this study.

The results of the cress-tabulation showed that the most frequently played video game genre was the Action/Adventure with 83% of respondents playing it often and consistently. Other genres such as Strategy Games (78%), First-Person Shooters (FPS) (74% consistent/often), Role-Playing Game (RPG) (73%), Fighting (64%), Sports (58%), Platformers (56%), Racing & Massive Multiplayer Online (MMO) (55% each) did not show a significant correlation with a VARK type. Two of the genres did show a correlation and they were Life Simulators (61% played consistently/often) and Survival Games (72%).

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Table 2: Learning Style Preferences in the Current Research Compared to Data from VARK Website.

	Current Study		2018 Data		
	Freq	Pct	Freq	Pct	P-value
Visual	33	33.0	11120	4.0	<0.0001
Aural/Auditory	13	13.0	24464	8.8	0.1383
Reading/Writing	7	7.0	25020	9.0	0.4847
Kinesthetic	5	5.0	39476	14.2	0.0084
Multimodal	21	21.0	79508	28.6	0.0927
VARK Type 1	6	6.0	20572	7.4	0.5928
VARK Type 2	7	7.0	63662	22.9	0.0002
VARK Transition	8	8.0	14178	5.1	0.1876
Total	100	100	278000	100	

Fisher-Freeman-Halton Exact statistic was again used because the 20% rule was violated: FFHET = 30.182, p = 0.024. Here, the null hypothesis was rejected ($p < 0.05$); therefore, the alternative was accepted. A statistically significant relationship exists between the eight VARK types and frequency of playing life simulator games. To assess the pairwise comparisons that contributed to overall statistical significance, post hoc, pairwise comparisons of column proportions were run with z-tests using a Bonferroni adjustment for alpha. SPSS calls this statistical post hoc analysis the "column proportions test" (IBM Corporation). For instance, for the Multimodal learning type, all the cells contain the letter "a" indicated none of the categories are statistically significantly different from each other. However, for VARK Type 1 the category of "Never" 22.2% (2/9) was statistically significantly different from "Often" at 0% (0/41). The remaining two cells in that row had two different subscript letters (a and b) indicating these proportions did not differ significantly from the proportions that contained either letter "a" or "b." Similarly, for VARK Type 2, 22% (9/20) who never played the game were statistically significantly different from 0% (0/30) who seldom played. Nonetheless, there were only seven participants who were classified as VARK Type 1 and six as VARK Type 2.

Table 3: VARK Types by Life Simulator Games

			Life				
			Never	Seldom	Often	Consistently	Total
VARK	Visual	Count	2a, b	15b	14a, b	2a	33
		% within Life	22.2%	50.0%	34.1%	10.0%	33.0%
	Aural/Auditory	Count	2a	2a	6a	3a	13
		% within Life	22.2%	6.7%	14.6%	15.0%	13.0%
	Reading/Writing	Count	0a	2a	3a	2a	7
		% within Life	0.0%	6.7%	7.3%	10.0%	7.0%
	Kinesthetic	Count	0a	1a	2a	2a	5
		% within Life	0.0%	3.3%	4.9%	10.0%	5.0%
	Multimodal	Count	1a	5a	9a	6a	21
		% within Life	11.1%	16.7%	22.0%	30.0%	21.0%
	VARK Type 1	Count	2a	3a, b	0b	2a, b	7
		% within Life	22.2%	10.0%	0.0%	10.0%	7.0%
	VARK Type 2	Count	2a	0b	1a, b	3a, b	6
		% within Life	22.2%	0.0%	2.4%	15.0%	6.0%
	VARK Transition	Count	0a	2a	6a	0a	8
		% within Life	0.0%	6.7%	14.6%	0.0%	8.0%
Total		Count	9	30	41	20	100
		% within Life	100.0%	100.0%	100.0%	100.0%	100.0%

Each subscript letter denotes a subset of Life categories whose column proportions do not differ significantly from each other at the .05 level.

Because the expected value assumption underlying the chi-square test of independence was violated, the Fisher-Freeman-Halton Exact Test was used (FFHET = 36.894, p = 0.002). The post hoc comparisons between column proportions for VARK Type 1 revealed a statistically significant differences between 7.7% (2/26) who played consistently to 50% (1/2) who never played this type of game. For VARK Type 2 there was also a statistically significant with 23.1% (6/26) who played the game consistently compared to 0% (0/49) who played the game often.

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Table 4: VARK Types by Survival Genre

			Survival				
			Never	Seldom	Often	Consistently	Total
VARK	Visual	Count	0a	12a	17a	4a	33
		% within Survival	0.0%	46.2%	37.0%	15.4%	33.0%
	Aural/Auditory	Count	0a	2a	6a	5a	13
		% within Survival	0.0%	7.7%	13.0%	19.2%	13.0%
	Reading/Writing	Count	1a	2a	3a	1a	7
		% within Survival	50.0%	7.7%	6.5%	3.8%	7.0%
	Kinesthetic	Count	0a	1a	3a	1a	5
		% within Survival	0.0%	3.8%	6.5%	3.8%	5.0%
	Multimodal	Count	0a	3a	13a	5a	21
		% within Survival	0.0%	11.5%	28.3%	19.2%	21.0%
	VARK Type 1	Count	1a	4a	0b	2a, b	7
		% within Survival	50.0%	15.4%	0.0%	7.7%	7.0%
	VARK Type 2	Count	0a, b	0a, b	0b	6a	6
		% within Survival	0.0%	0.0%	0.0%	23.1%	6.0%
	VARK Transition	Count	0a	2a	4a	2a	8
		% within Survival	0.0%	7.7%	8.7%	7.7%	8.0%
Total		Count	2	26	46	26	100
		% within Survival	100.0%	100.0%	100.0%	100.0%	100.0%

Each subscript letter denotes a subset of Survival categories whose column proportions do not differ significantly from each other at the .05 level.

VI. Discussion

The gamers in this study had predominantly more Visual style learning preferences compared to the people that filled out the VARK questionnaire in 2018 as reported by the developers on their website. Nonetheless, it is reasonable that Visual style learners would be attracted to computer games, which typically require careful visual attention to moving objects on a computer screen. It is also noteworthy that statistically significantly fewer VARK type 2 participants were in the current study compared to the data from 2018. According to Fleming and Bonwell's website (2021) VARK type 2 people are ". . . not satisfied until they have had input (or output) in all of their preferred modes. They take longer to gather information from each mode and, as a result, they often have a deeper and broader understanding." Perhaps VARK type 2 gamers are rare, especially when games require quick action with limited information, like Action/Adventure games which were the most popular games played by the study participants.

Upon first observing the results one could surmise that there might be a correlation between visual learning style preference and video game genre, the truth is far from that opinion. Similarly, it is not possible to gauge the extent to which the participants in this study were representative of the target population of gamers. This population was used due to financial constraints. As the population of gamers who participated are not even close to the millions who are gamers worldwide, thus the sample size was insufficient to give a true representation. Table 2 represents how often each respondent played each game genre. Also, in table two the one genre that outperformed all the others was the Action/Adventure genre. Due to the expected counts being so far different from the actual population in the study the Fisher's Exact Test had to run on each genre.

Out of all the video game genres only two of them showed a kind of correlation. The two genres that showed a correlation are Life Simulators and Survival Games. Both genres may have a statistically significant correlation but there is a problem with these correlations. Only 7 people were with VARK type 2 styles and only 6 people with VARK type 1 styles in the current study. The statistically significant relationships between these two VARK types and Life Simulator, and Survival games may not replicate in a larger study where the law of large numbers can deliver more reliable results (Moore, Notz & Fligner, 2018). To maximize participation, demographic information was not collected. As a result, confidentiality of participants was safeguarded but consideration of external validity was sacrificed.

Therefore, with no correlation coming from the other game genres and the only two correlations having no external validity then, this study fails to reject the null hypothesis. The null hypothesis states, "There is no relationship between a person's preference of video game genre and that of an individual's preferred

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learning style preference." What was found for most of the video game genres was that there is no statistical relationship between a video game genre and learning style preference.

Based on this information one cannot say that the video game genres are completely independent because two genres did correlate with two learning style preferences. The problem with this lies with the fact that the population that make up the correlation is between six or seven individuals. Six or seven individuals do not represent the population of this study thus two conclusions are made. One stated before, preferred genre is independent from preferred cognitive learning style, and second that this correlation needs to be farther investigated. The fact that Life Simulators and Survival Games correlate with VARK Type I and II despite no external validity, another study is warranted.

The two correlations have implications for differentiation the lessons need to touch all the primary learning style preferences. Since life simulators have everything to do with real life then the lessons need to have real world examples and situations incorporated into the lesson plan. The most important thing that an educator could do is create a workshop on how to use real life situations in a type of role-playing where students need to solve real life situations using what they have learned. An example of this is having the class act out a situation given to them on being the governing group of a town and a bill needing to be passes. How to solve the issue, how to deal with the population of the town and other issues that may pop up. Another example of this could be using an engineering situation for understanding how to use the math they learn in school in real life. The only exception to this would be the lessons using an abundance of visual aids to support the lesson. By having the students use real life role-playing situations the teacher can utilize all the learning style preferences, depending on the part the student fills, to differentiate for the entire class and individualization. In the city of Syracuse, New York there is a local TV station where on the third floor there is a small-scale city where they have students from all grades come to learn to run it (Mulder, J., 2019). Elect a mayor, run shops, run a factory, become consumers, and more, over all they have to complete a main objective given to them (Mulder, J., 2019). This is an example of real-life simulation at work.

The current research is the first contribution to the literature that attempted to find meaningful relationships between learning style preferences and game genres. Although the lack of meaningful evidence was disappointing, however future studies may benefit from the limitations in this study. For instance, perhaps asking about the frequency of gaming beyond 4 hours a week was not a reliable tool. Although more burdensome for study participants, future studies should work on several questions to determine game genre preferences in addition to frequency of play. Although previous researchers were pessimistic about such an attempt (Vargas-Iglesias, 2020) perhaps some creative brainstorming with several researchers in this field would produce a questionnaire that would meet the research standards for reliability and validity. Such a questionnaire would produce composite scores that could be used to categorize game genre preferences. Similarly, the composite scores that the VARK website uses to categorize the learning style preferences.

VII. Conclusion

As indicated in this research, there is a statistically significant correlation between two video game genres and two learning style preferences. While this correlation is very important the number involved cannot show an accurate representation of the population. While a future study is recommended, changes are needed to not only the study format but the survey itself to gain a better understanding of preferred video game genre. Further recommended studies are needed to find how these correlations truly represent the target population and to see if there are possibly more correlations ore to strengthen the correlations already found.

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FELLOW OF SOCIAL SCIENCE RESEARCH COUNCIL is the most prestigious membership of Global Journals. It is an award and membership granted to individuals that the Open Association of Research Society judges to have made a 'substantial contribution to the improvement of computer science, technology, and electronics engineering.

The primary objective is to recognize the leaders in research and scientific fields of the current era with a global perspective and to create a channel between them and other researchers for better exposure and knowledge sharing. Members are most eminent scientists, engineers, and technologists from all across the world. Fellows are elected for life through a peer review process on the basis of excellence in the respective domain. There is no limit on the number of new nominations made in any year. Each year, the Open Association of Research Society elect up to 12 new Fellow Members.

Benefit

To the institution

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Career | Credibility | Exclusive | Reputation



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Certificate, LOR and Laser-Momento

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Career | Credibility | Reputation

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Career | Financial



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Career | Credibility | Reputation



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ASSOCIATE OF SOCIAL SCIENCE RESEARCH COUNCIL

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Benefit

To the institution

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Associate	Fellow	Research Group	Basic
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Certificate, LoR and Momento **2** discounted publishing/year **Gradation** of Research **10** research contacts/day **1 GB** Cloud Storage **GJ** Community Access	**Certificate,** LoR and Momento **Unlimited** discounted publishing/year **Gradation** of Research **Unlimited** research contacts/day **5 GB** Cloud Storage **Online Presense** Assistance **GJ** Community Access	**Certificates,** LoRs and Momentos **Unlimited** free publishing/year **Gradation** of Research **Unlimited** research contacts/day **Unlimited** Cloud Storage **Online Presense** Assistance **GJ** Community Access	**GJ** Community Access

Preferred Author Guidelines

We accept the manuscript submissions in any standard (generic) format.

We typeset manuscripts using advanced typesetting tools like Adobe In Design, CorelDraw, TeXnicCenter, and TeXStudio. We usually recommend authors submit their research using any standard format they are comfortable with, and let Global Journals do the rest.

Alternatively, you can download our basic template from https://globaljournals.org/Template.zip

Authors should submit their complete paper/article, including text illustrations, graphics, conclusions, artwork, and tables. Authors who are not able to submit manuscript using the form above can email the manuscript department at submit@globaljournals.org or get in touch with chiefeditor@globaljournals.org if they wish to send the abstract before submission.

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Authors must ensure the information provided during the submission of a paper is authentic. Please go through the following checklist before submitting:

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3. Ensure corresponding author's email address and postal address are accurate and reachable.
4. Manuscript to be submitted must include keywords, an abstract, a paper title, co-author(s') names and details (email address, name, phone number, and institution), figures and illustrations in vector format including appropriate captions, tables, including titles and footnotes, a conclusion, results, acknowledgments and references.
5. Authors should submit paper in a ZIP archive if any supplementary files are required along with the paper.
6. Proper permissions must be acquired for the use of any copyrighted material.
7. Manuscript submitted *must not have been submitted or published elsewhere* and all authors must be aware of the submission.

Declaration of Conflicts of Interest

It is required for authors to declare all financial, institutional, and personal relationships with other individuals and organizations that could influence (bias) their research.

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Plagiarism is not acceptable in Global Journals submissions at all.

Plagiarized content will not be considered for publication. We reserve the right to inform authors' institutions about plagiarism detected either before or after publication. If plagiarism is identified, we will follow COPE guidelines:

Authors are solely responsible for all the plagiarism that is found. The author must not fabricate, falsify or plagiarize existing research data. The following, if copied, will be considered plagiarism:

- Words (language)
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- Writings
- Diagrams
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- Illustrations
- Lectures

- Printed material
- Graphic representations
- Computer programs
- Electronic material
- Any other original work

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1. Substantial contributions to the conception and acquisition of data, analysis, and interpretation of findings.
2. Drafting the paper and revising it critically regarding important academic content.
3. Final approval of the version of the paper to be published.

Changes in Authorship

The corresponding author should mention the name and complete details of all co-authors during submission and in manuscript. We support addition, rearrangement, manipulation, and deletions in authors list till the early view publication of the journal. We expect that corresponding author will notify all co-authors of submission. We follow COPE guidelines for changes in authorship.

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Appealing Decisions

Unless specified in the notification, the Editorial Board's decision on publication of the paper is final and cannot be appealed before making the major change in the manuscript.

Acknowledgments

Contributors to the research other than authors credited should be mentioned in Acknowledgments. The source of funding for the research can be included. Suppliers of resources may be mentioned along with their addresses.

Declaration of funding sources

Global Journals is in partnership with various universities, laboratories, and other institutions worldwide in the research domain. Authors are requested to disclose their source of funding during every stage of their research, such as making analysis, performing laboratory operations, computing data, and using institutional resources, from writing an article to its submission. This will also help authors to get reimbursements by requesting an open access publication letter from Global Journals and submitting to the respective funding source.

Preparing your Manuscript

Authors can submit papers and articles in an acceptable file format: MS Word (doc, docx), LaTeX (.tex, .zip or .rar including all of your files), Adobe PDF (.pdf), rich text format (.rtf), simple text document (.txt), Open Document Text (.odt), and Apple Pages (.pages). Our professional layout editors will format the entire paper according to our official guidelines. This is one of the highlights of publishing with Global Journals—authors should not be concerned about the formatting of their paper. Global Journals accepts articles and manuscripts in every major language, be it Spanish, Chinese, Japanese, Portuguese, Russian, French, German, Dutch, Italian, Greek, or any other national language, but the title, subtitle, and abstract should be in English. This will facilitate indexing and the pre-peer review process.

The following is the official style and template developed for publication of a research paper. Authors are not required to follow this style during the submission of the paper. It is just for reference purposes.

Manuscript Style Instruction (Optional)

- Microsoft Word Document Setting Instructions.
- Font type of all text should be Swis721 Lt BT.
- Page size: 8.27" x 11'", left margin: 0.65, right margin: 0.65, bottom margin: 0.75.
- Paper title should be in one column of font size 24.
- Author name in font size of 11 in one column.
- Abstract: font size 9 with the word "Abstract" in bold italics.
- Main text: font size 10 with two justified columns.
- Two columns with equal column width of 3.38 and spacing of 0.2.
- First character must be three lines drop-capped.
- The paragraph before spacing of 1 pt and after of 0 pt.
- Line spacing of 1 pt.
- Large images must be in one column.
- The names of first main headings (Heading 1) must be in Roman font, capital letters, and font size of 10.
- The names of second main headings (Heading 2) must not include numbers and must be in italics with a font size of 10.

Structure and Format of Manuscript

The recommended size of an original research paper is under 15,000 words and review papers under 7,000 words. Research articles should be less than 10,000 words. Research papers are usually longer than review papers. Review papers are reports of significant research (typically less than 7,000 words, including tables, figures, and references)

A research paper must include:

a) A title which should be relevant to the theme of the paper.
b) A summary, known as an abstract (less than 150 words), containing the major results and conclusions.
c) Up to 10 keywords that precisely identify the paper's subject, purpose, and focus.
d) An introduction, giving fundamental background objectives.
e) Resources and techniques with sufficient complete experimental details (wherever possible by reference) to permit repetition, sources of information must be given, and numerical methods must be specified by reference.
f) Results which should be presented concisely by well-designed tables and figures.
g) Suitable statistical data should also be given.
h) All data must have been gathered with attention to numerical detail in the planning stage.

Design has been recognized to be essential to experiments for a considerable time, and the editor has decided that any paper that appears not to have adequate numerical treatments of the data will be returned unrefereed.

i) Discussion should cover implications and consequences and not just recapitulate the results; conclusions should also be summarized.
j) There should be brief acknowledgments.
k) There ought to be references in the conventional format. Global Journals recommends APA format.

Authors should carefully consider the preparation of papers to ensure that they communicate effectively. Papers are much more likely to be accepted if they are carefully designed and laid out, contain few or no errors, are summarizing, and follow instructions. They will also be published with much fewer delays than those that require much technical and editorial correction.

The Editorial Board reserves the right to make literary corrections and suggestions to improve brevity.

Format Structure

It is necessary that authors take care in submitting a manuscript that is written in simple language and adheres to published guidelines.

All manuscripts submitted to Global Journals should include:

Title

The title page must carry an informative title that reflects the content, a running title (less than 45 characters together with spaces), names of the authors and co-authors, and the place(s) where the work was carried out.

Author details

The full postal address of any related author(s) must be specified.

Abstract

The abstract is the foundation of the research paper. It should be clear and concise and must contain the objective of the paper and inferences drawn. It is advised to not include big mathematical equations or complicated jargon.

Many researchers searching for information online will use search engines such as Google, Yahoo or others. By optimizing your paper for search engines, you will amplify the chance of someone finding it. In turn, this will make it more likely to be viewed and cited in further works. Global Journals has compiled these guidelines to facilitate you to maximize the web-friendliness of the most public part of your paper.

Keywords

A major lynchpin of research work for the writing of research papers is the keyword search, which one will employ to find both library and internet resources. Up to eleven keywords or very brief phrases have to be given to help data retrieval, mining, and indexing.

One must be persistent and creative in using keywords. An effective keyword search requires a strategy: planning of a list of possible keywords and phrases to try.

Choice of the main keywords is the first tool of writing a research paper. Research paper writing is an art. Keyword search should be as strategic as possible.

One should start brainstorming lists of potential keywords before even beginning searching. Think about the most important concepts related to research work. Ask, “What words would a source have to include to be truly valuable in a research paper?” Then consider synonyms for the important words.

It may take the discovery of only one important paper to steer in the right keyword direction because, in most databases, the keywords under which a research paper is abstracted are listed with the paper.

Numerical Methods

Numerical methods used should be transparent and, where appropriate, supported by references.

Abbreviations

Authors must list all the abbreviations used in the paper at the end of the paper or in a separate table before using them.

Formulas and equations

Authors are advised to submit any mathematical equation using either MathJax, KaTeX, or LaTeX, or in a very high-quality image.

Tables, Figures, and Figure Legends

Tables: Tables should be cautiously designed, uncrowned, and include only essential data. Each must have an Arabic number, e.g., Table 4, a self-explanatory caption, and be on a separate sheet. Authors must submit tables in an editable format and not as images. References to these tables (if any) must be mentioned accurately.

Figures

Figures are supposed to be submitted as separate files. Always include a citation in the text for each figure using Arabic numbers, e.g., Fig. 4. Artwork must be submitted online in vector electronic form or by emailing it.

Preparation of Eletronic Figures for Publication

Although low-quality images are sufficient for review purposes, print publication requires high-quality images to prevent the final product being blurred or fuzzy. Submit (possibly by e-mail) EPS (line art) or TIFF (halftone/ photographs) files only. MS PowerPoint and Word Graphics are unsuitable for printed pictures. Avoid using pixel-oriented software. Scans (TIFF only) should have a resolution of at least 350 dpi (halftone) or 700 to 1100 dpi (line drawings). Please give the data for figures in black and white or submit a Color Work Agreement form. EPS files must be saved with fonts embedded (and with a TIFF preview, if possible).

For scanned images, the scanning resolution at final image size ought to be as follows to ensure good reproduction: line art: >650 dpi; halftones (including gel photographs): >350 dpi; figures containing both halftone and line images: >650 dpi.

Color charges: Authors are advised to pay the full cost for the reproduction of their color artwork. Hence, please note that if there is color artwork in your manuscript when it is accepted for publication, we would require you to complete and return a Color Work Agreement form before your paper can be published. Also, you can email your editor to remove the color fee after acceptance of the paper.

Tips for writing a good quality Social Science Research Paper

Techniques for writing a good quality homan social science research paper:

1. Choosing the topic: In most cases, the topic is selected by the interests of the author, but it can also be suggested by the guides. You can have several topics, and then judge which you are most comfortable with. This may be done by asking several questions of yourself, like "Will I be able to carry out a search in this area? Will I find all necessary resources to accomplish the search? Will I be able to find all information in this field area?" If the answer to this type of question is "yes," then you ought to choose that topic. In most cases, you may have to conduct surveys and visit several places. Also, you might have to do a lot of work to find all the rises and falls of the various data on that subject. Sometimes, detailed information plays a vital role, instead of short information. Evaluators are human: The first thing to remember is that evaluators are also human beings. They are not only meant for rejecting a paper. They are here to evaluate your paper. So present your best aspect.

2. Think like evaluators: If you are in confusion or getting demotivated because your paper may not be accepted by the evaluators, then think, and try to evaluate your paper like an evaluator. Try to understand what an evaluator wants in your research paper, and you will automatically have your answer. Make blueprints of paper: The outline is the plan or framework that will help you to arrange your thoughts. It will make your paper logical. But remember that all points of your outline must be related to the topic you have chosen.

3. Ask your guides: If you are having any difficulty with your research, then do not hesitate to share your difficulty with your guide (if you have one). They will surely help you out and resolve your doubts. If you can't clarify what exactly you require for your work, then ask your supervisor to help you with an alternative. He or she might also provide you with a list of essential readings.

4. Use of computer is recommended: As you are doing research in the field of homan social science then this point is quite obvious. Use right software: Always use good quality software packages. If you are not capable of judging good software, then you can lose the quality of your paper unknowingly. There are various programs available to help you which you can get through the internet.

5. Use the internet for help: An excellent start for your paper is using Google. It is a wondrous search engine, where you can have your doubts resolved. You may also read some answers for the frequent question of how to write your research paper or find a model research paper. You can download books from the internet. If you have all the required books, place importance on reading, selecting, and analyzing the specified information. Then sketch out your research paper. Use big pictures: You may use encyclopedias like Wikipedia to get pictures with the best resolution. At Global Journals, you should strictly follow here.



6. Bookmarks are useful: When you read any book or magazine, you generally use bookmarks, right? It is a good habit which helps to not lose your continuity. You should always use bookmarks while searching on the internet also, which will make your search easier.

7. Revise what you wrote: When you write anything, always read it, summarize it, and then finalize it.

8. Make every effort: Make every effort to mention what you are going to write in your paper. That means always have a good start. Try to mention everything in the introduction—what is the need for a particular research paper. Polish your work with good writing skills and always give an evaluator what he wants. Make backups: When you are going to do any important thing like making a research paper, you should always have backup copies of it either on your computer or on paper. This protects you from losing any portion of your important data.

9. Produce good diagrams of your own: Always try to include good charts or diagrams in your paper to improve quality. Using several unnecessary diagrams will degrade the quality of your paper by creating a hodgepodge. So always try to include diagrams which were made by you to improve the readability of your paper. Use of direct quotes: When you do research relevant to literature, history, or current affairs, then use of quotes becomes essential, but if the study is relevant to science, use of quotes is not preferable.

10. Use proper verb tense: Use proper verb tenses in your paper. Use past tense to present those events that have happened. Use present tense to indicate events that are going on. Use future tense to indicate events that will happen in the future. Use of wrong tenses will confuse the evaluator. Avoid sentences that are incomplete.

11. Pick a good study spot: Always try to pick a spot for your research which is quiet. Not every spot is good for studying.

12. Know what you know: Always try to know what you know by making objectives, otherwise you will be confused and unable to achieve your target.

13. Use good grammar: Always use good grammar and words that will have a positive impact on the evaluator; use of good vocabulary does not mean using tough words which the evaluator has to find in a dictionary. Do not fragment sentences. Eliminate one-word sentences. Do not ever use a big word when a smaller one would suffice.

Verbs have to be in agreement with their subjects. In a research paper, do not start sentences with conjunctions or finish them with prepositions. When writing formally, it is advisable to never split an infinitive because someone will (wrongly) complain. Avoid clichés like a disease. Always shun irritating alliteration. Use language which is simple and straightforward. Put together a neat summary.

14. Arrangement of information: Each section of the main body should start with an opening sentence, and there should be a changeover at the end of the section. Give only valid and powerful arguments for your topic. You may also maintain your arguments with records.

15. Never start at the last minute: Always allow enough time for research work. Leaving everything to the last minute will degrade your paper and spoil your work.

16. Multitasking in research is not good: Doing several things at the same time is a bad habit in the case of research activity. Research is an area where everything has a particular time slot. Divide your research work into parts, and do a particular part in a particular time slot.

17. Never copy others' work: Never copy others' work and give it your name because if the evaluator has seen it anywhere, you will be in trouble. Take proper rest and food: No matter how many hours you spend on your research activity, if you are not taking care of your health, then all your efforts will have been in vain. For quality research, take proper rest and food.

18. Go to seminars: Attend seminars if the topic is relevant to your research area. Utilize all your resources.
Refresh your mind after intervals: Try to give your mind a rest by listening to soft music or sleeping in intervals. This will also improve your memory. Acquire colleagues: Always try to acquire colleagues. No matter how sharp you are, if you acquire colleagues, they can give you ideas which will be helpful to your research.

19. Think technically: Always think technically. If anything happens, search for its reasons, benefits, and demerits. Think and then print: When you go to print your paper, check that tables are not split, headings are not detached from their descriptions, and page sequence is maintained.

20. Adding unnecessary information: Do not add unnecessary information like "I have used MS Excel to draw graphs." Irrelevant and inappropriate material is superfluous. Foreign terminology and phrases are not apropos. One should never take a broad view. Analogy is like feathers on a snake. Use words properly, regardless of how others use them. Remove quotations. Puns are for kids, not grunt readers. Never oversimplify: When adding material to your research paper, never go for oversimplification; this will definitely irritate the evaluator. Be specific. Never use rhythmic redundancies. Contractions shouldn't be used in a research paper. Comparisons are as terrible as clichés. Give up ampersands, abbreviations, and so on. Remove commas that are not necessary. Parenthetical words should be between brackets or commas. Understatement is always the best way to put forward earth-shaking thoughts. Give a detailed literary review.

21. Report concluded results: Use concluded results. From raw data, filter the results, and then conclude your studies based on measurements and observations taken. An appropriate number of decimal places should be used. Parenthetical remarks are prohibited here. Proofread carefully at the final stage. At the end, give an outline to your arguments. Spot perspectives of further study of the subject. Justify your conclusion at the bottom sufficiently, which will probably include examples.

22. Upon conclusion: Once you have concluded your research, the next most important step is to present your findings. Presentation is extremely important as it is the definite medium though which your research is going to be in print for the rest of the crowd. Care should be taken to categorize your thoughts well and present them in a logical and neat manner. A good quality research paper format is essential because it serves to highlight your research paper and bring to light all necessary aspects of your research.

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Informal Guidelines of Research Paper Writing

Key points to remember:

- Submit all work in its final form.
- Write your paper in the form which is presented in the guidelines using the template.
- Please note the criteria peer reviewers will use for grading the final paper.

Final points:

One purpose of organizing a research paper is to let people interpret your efforts selectively. The journal requires the following sections, submitted in the order listed, with each section starting on a new page:

The introduction: This will be compiled from reference matter and reflect the design processes or outline of basis that directed you to make a study. As you carry out the process of study, the method and process section will be constructed like that. The results segment will show related statistics in nearly sequential order and direct reviewers to similar intellectual paths throughout the data that you gathered to carry out your study.

The discussion section:

This will provide understanding of the data and projections as to the implications of the results. The use of good quality references throughout the paper will give the effort trustworthiness by representing an alertness to prior workings.

Writing a research paper is not an easy job, no matter how trouble-free the actual research or concept. Practice, excellent preparation, and controlled record-keeping are the only means to make straightforward progression.

General style:

Specific editorial column necessities for compliance of a manuscript will always take over from directions in these general guidelines.

To make a paper clear: Adhere to recommended page limits.



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Mistakes to avoid:

- Insertion of a title at the foot of a page with subsequent text on the next page.
- Separating a table, chart, or figure—confine each to a single page.
- Submitting a manuscript with pages out of sequence.
- In every section of your document, use standard writing style, including articles ("a" and "the").
- Keep paying attention to the topic of the paper.
- Use paragraphs to split each significant point (excluding the abstract).
- Align the primary line of each section.
- Present your points in sound order.
- Use present tense to report well-accepted matters.
- Use past tense to describe specific results.
- Do not use familiar wording; don't address the reviewer directly. Don't use slang or superlatives.
- Avoid use of extra pictures—include only those figures essential to presenting results.

Title page:

Choose a revealing title. It should be short and include the name(s) and address(es) of all authors. It should not have acronyms or abbreviations or exceed two printed lines.

Abstract: This summary should be two hundred words or less. It should clearly and briefly explain the key findings reported in the manuscript and must have precise statistics. It should not have acronyms or abbreviations. It should be logical in itself. Do not cite references at this point.

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- To-the-point depiction of the research.
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Approach:

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References	Complete and correct format, well organized	Beside the point, Incomplete	Wrong format and structuring

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