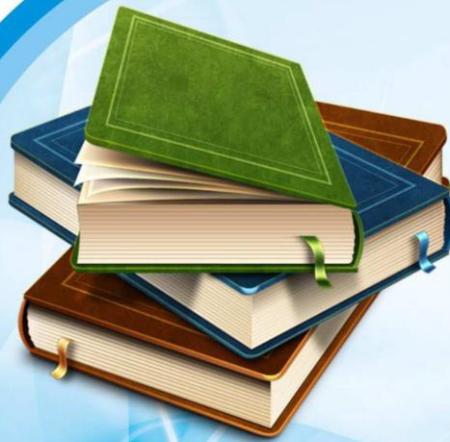
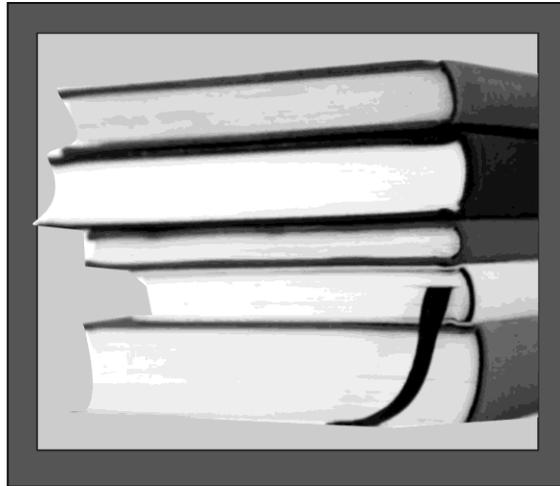


# Journal of Education



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## Journal of Education

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- 2) The **title page** should include the topic, corresponding author's full address and telephone/fax numbers and should be in an e-mail message sent to the Editor-in-chief, with the file, whose name should begin with the first author's surname, as an attachment.
- 3) All **manuscripts are peer-reviewed** by qualified scholars carefully chosen. The reviewers' comments are usually made available to authors within two weeks. The authors are expected to submit the corrected copies within a period of one month.
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- 5) The **Abstract** should be about 200 words. It must contain the background to the problem, purpose of the study, methodology, findings, conclusion and implications for policy/recommendations. Usually, references are not cited in the abstract. Keywords of 3-5 words can be stated below the abstract.
- 6) A list of non-standard **Abbreviations** should be added. In general, non-standard abbreviations should be used only when the full term is very long and used often. Each abbreviation should be spelt out and introduced in parentheses the first time it is used in the text.
- 7) The **Introduction** should provide a clear statement of the problem, the relevant literature on the subject, and the proposed approach or solution.
- 8) The **methodology** should be complete enough to allow possible replication of the research. It should contain the research design, population, sampling procedure, sample size, instrumentation, test for reliability, validation, method of analysis and level of significance. Slight variations are allowed.

- 9) The **results** should be presented with clarity and precision. It should be presented under the directional/research questions or hypotheses. It should be written in the past tense when describing author's findings, but references to previous findings should be written in the present tense. The results should be explained.
- 10) The **Discussion** should relate the research findings to the findings of earlier researches that are relevant to the study. Justification should be made for deviation from expectation and previous studies.
- 11) **Tables** should be kept to a minimum and be designed to be as simple as possible. No table should exceed a page. Each table should be on a separate page, numbered consecutively in Arabic numerals and should bear a title. Tables should be self-explanatory without reference to the text.
- 12) **References** should be in the latest American Psychology Association (APA) bibliographic format.

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**INFORMATION AND COMMUNICATION TECHNOLOGY AND  
LANGUAGE IN SECONDARY SCHOOLS IN AFRICA: USAGE AND  
CHALLENGES**

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**Abstract**

*This paper discusses usage and challenges of language in Information and Communication Technology in secondary schools in Africa. The main objectives are to examine Kiswahili usage in ICT in schools and to identify challenges facing Kiswahili usage in ICT in schools. Data for this study was collected from 120 students and the analysis was done by using tables. The study revealed that Kiswahili is used in ICT in accessing the internet for information, learning and communicating with friends and family members through e-mail. The study also notes that Kiswahili usage in ICT in school is still being faced by various challenges such as difficult technological terms and limited number of those using Kiswahili in ICT. Recommendations were therefore made such as setting up institutions charged with dealing with terminologies in collaboration with ICT experts.*

**Keywords:** ICT, Usage, Challenges, Secondary schools

**Background**

The word Information and Communication Technology (ICT) broadly refers to all forms of technology used to create, store and process information in its various forms (data, voice, image, multimedia presentations and other forms including those not yet conceived) and which enable, facilitate and support communication. More specifically, ICT refers to the convergence of micro-electronics, computers and telecommunications which makes it possible for data, including text, video and video signals, to be transmitted anywhere in the world where

digital signals can be received. They include networks such as fixed, wireless and satellite telecommunications, broadcasting networks and applications such as the internet, database management systems and multi-medium tools (Howell and Lundall, 2000). While ICT encompasses a wide range of technologies, for the purpose of this study, ICT refers to specifically the use of computers, e-mail and internet as these are commonly used ICT in schools.

Language plays an important role in the manipulation and optimal use of ICT. Therefore, Kiswahili being one of the African languages that have been accepted for use in ICT plays an important role in ICT use. Kiswahili usage in ICT has been influenced by the need to make ICT accessible to a larger population that speaks Kiswahili. For a long time, ICT was perceived as a preserve for the elites who could speak English and other colonial languages like French and Portuguese. Kiswahili language therefore offers an opportunity to bridge the digital divide.

In Kiswahili speaking countries like Kenya, the availability of competitive tools for Kiswahili language manipulation in ICT, strengthens the chances of the language to develop into a viable means of communication. For example, Kiswahili usage in ICT has been enhanced by the availability of Microsoft Windows and Microsoft Office in Kiswahili which were developed by Microsoft Company (Microsoft Corporation, 2004). Also available are two spell checkers of Kiswahili; one developed by Lingsoft and the other was spearheaded by Professor Arvi Hurskainen, University of Helsinki to help editors who choose to write in Kiswahili (Ligere, 2005; Hurskainen, 2006). In addition are the Kamusi project which was initiated in 1994 and has produced Kiswahili-English and English-Kiswahili dictionaries available in the Web with free access (Kamusi Project, Yale University) and the Swahili Language Management SALAMA which is important in developing the use of Kiswahili on the computer (Sewangi, 2001). Despite all these initiatives Kiswahili as a language used in ICT still faces various challenges.

### **Objectives**

The objectives of the study were:

1. To examine Kiswahili usage in ICT in secondary schools.
2. To identify challenges that face Kiswahili usage in ICT in secondary schools.

## Literature Review

### The Role of Language in ICT

Language is a very important factor in using ICT. It is language that facilitates the interaction that occurs between people and ICT. Herbert (1992) argues that the availability of software and content in languages most familiar with users is an essential element in their adoption and optimal use of computers and the internet. In addition, in a context where people speak several languages as often finds in Africa- the option is empowering.

Osborn (2007) states that the accommodation of the most familiar languages is a consideration of primary importance in any efforts to use ICT for development. He also adds that it should be of no surprise, as education and communication in the first languages in general is easier for people than in languages they acquire later. He also notes that ICT was introduced to Africa in English, French, and in some countries south of Sahara, Portuguese and Spanish- the same language of European origin that were used in colonization of these regions which have served as official languages since their independence. These languages are not understood by majority of the population in these countries.

Moshi (2005) states that allowing English or other foreign languages to assume an exclusive role in Africa's technological advancement would, undoubtedly encourage dependency while thwarting global innovations that could be influenced by the African cultures and experiences. It would also encourage the divisions that exist between rural and urban communities, putting those who live in cities/ towns against those who live in rural areas. In Kenya the majority of the population living in the rural areas does not understand English nor does it speak it well. Therefore Kiswahili offers an opportunity as an alternative language which can be used.

Mackey (1985) states that one problem with reliance on these languages is that a large majority of people on the continent either do not speak these languages or do not speak them well. Therefore, in a country like Kenya where majority speaks Kiswahili, it is important to give Kiswahili speakers the opportunity to use it in ICT.

**Challenges Facing Kiswahili use in ICT**

Despite the continued efforts to enable the use of African languages like Kiswahili in ICT, various challenges are still evident. For example, Osborn (2007) explains that the African continent has not been represented adequately in terms of content found in the internet. Therefore, there is a need to produce and collect correct information on regions in official and national languages. Osborn further argues that localization of ICT in African languages is a key factor in increasing access to and relevance to ICT. However, Osborn notes that in the area of ICT and the potential for localization, the absence of language policies that actively support African languages computing means that localization will likely depend on initiatives from individuals, organizations and companies. Osborn mentions other challenges facing localization as social problems like negative attitudes towards African languages among the specialists in charge of developments and education and even original speakers of African languages themselves. In addition, he argues that in some countries in Africa, African languages are not preferred for use in government activities and education policies.

The availability of Kiswahili versions of programmes also makes users aware of the fact that computer environments and platforms are in fact language independent. However, the availability of these programmes, accessibility to these programmes and the quality of the programmes are very important if they were to be used for the benefit of the language. For example, Hurskainen (2006) argues that although there are Kiswahili programmes that have been developed for example the Living Swahili Dictionary used in the internet, those dictionaries continue to have many problems like non-standard words. Therefore, there is a need for rigorous editing policy. In addition, Hurskainen warns that the policy of allowing anyone to become a voluntary editor of the dictionary opens up possibilities for various kinds of zealots to put their fingers in the dictionary. Also introduction of foreign words as such without adopting them to Swahili phonotax does not develop the language, especially if those words already have a number of synonyms in the language.

Hurskainen (2006) further notes that most of these electronic dictionaries and language management tools are not public resources and their uses require a special agreement with the copyright holder.

For example, Microsoft Company announced that the Microsoft Office and Windows can be downloaded freely from the net. In the actual sense, they are not free because it is only those who already have a purchased legal copy of the same product in some other language who can do that. Therefore, availability and affordability of these programmes are a challenge to the acquisition of a legal copy by users. This in turn hinders the would-be willing users of these programmes.

In addition, Petzell (2005) describes and analyses some newly adopted words in Swahili in the field of ICT. Petzell explains that Swahili is an agglutinating language i.e the morphemes are joined together. Therefore, lexical borrowings can be grouped into two broad groups: lexical borrowings which in turn can be split into loanwords and loan shifts, and creation of terms where there is no corresponding item in the source language. Some of the borrowed words are *surf- kiperuzi* (Kiswahili). 'Kiperuzi' has been adopted from English word 'peruse' meaning to revise or read keenly. In the case of 'folda', the word has been adopted and written in Kiswahili for lack of an equivalent word in Kiswahili. Petzell however notes that although BAKITA (Baraza la Kiswahili la Kitaifa) and other institutions coin terms, there is no common method for dealing with new vocabulary in Swahili. This therefore poses a challenge especially in terms of agreement on the terms to be used in referring to ICT.

Ligere (2004), while summarizing issues pertaining to recent formal and informal development of Swahili language in Tanzania notes that when the computers and mobile phones were imported to East Africa, users adopted names. This terminology was as a result of informal development because none of the institutions like BAKITA and TUKI were involved at first, yet this needed proper formal term elaboration in cooperation with ICT experts. It was only later that the variants in use had to be collected, checked and standardized. Ligere notes with a lot of concern that an important opportunity of providing the public with adequate ICT terms right from the beginning was missed. This is the reason why sometimes conflicting terms complicate communication. For example, where people use either (computer) mouse (source language term, English), 'Mausi' (loan word), 'panya' (adopted as a Kiswahili equivalent, but meaning rat), 'kipanya' (a diminutive form of 'panya'), 'buku' (mouse) and 'kipenyezi' (functional describing the device).

Another challenge is the widespread belief in English language dominance in ICT. Zeleza (2006) notes that the dominance of European languages, especially English, has been a limiting factor in the growth of internet use in many parts of Africa. Zeleza implies in this sense that the internet not only excludes the illiterate but also those with low English literacy levels, which in most cases means those without secondary education. The question of language therefore, must be taken seriously. The usage of Kiswahili in ICT therefore offers an opportunity to those who don't understand these European languages.

In addition, Zeleza (2006) explains that the Microsoft initiatives and similar ones by Google that have launched several national web portals in several African countries show an interesting new trend: attempts by global IT companies to enter new markets by going local, which opens new possibilities for local languages by challenging the supremacy of English. However, Zeleza notes that the challenge for internet providers and users in Africa is to aggressively expand their linguistic presence on the internet and not leave the initiatives to global software, media and advertising industries. Zeleza warns that to do so would be to surrender the development of languages in the internet age to the authority of foreign capital, to market based linguistic calculations. Zeleza suggests that East Africans need to be the architects of Swahili's globalization rather than leave it to the Microsofts of this world. If this happens it will result in loss of control and ownership over the language as software and hardware designers in far away places set new protocols of linguistic standardization as is already happening in several parts of the world. The result will be as happened during the colonial period with European Christian missionaries; the creation of what Makoni (2005) has called 'foreign indigenous languages'. ICTs must therefore be used to empower and not further disempowering Africa's already historically and globally marginalized countries, communities and cultures.

### **Methodology**

Data was collected from two secondary schools; school X and Y that use ICT. Data analysis was done by using descriptions and tables with percentages. Simple random sampling was used to select 60 students in form three from each school because they all learn Kiswahili as a

compulsory subject and they have mastered how to use ICT. Therefore, a total of 120 students were included in the study.

### Findings and Discussions

In Kenya, apart from Kiswahili being a national language it is taught in schools as one of the compulsory subjects in both primary and secondary schools. It is believed that Kiswahili usage in ICT will have direct impact on the development of Kiswahili in education through ICT. Kiswahili as a language that has been adopted for ICT use is still being faced by various challenges. These challenges are inclusive of those that affect users of Kiswahili in ICT and those affecting the language itself. Since these were the main concern for the study, discussions are made on usage and challenges that face Kiswahili usage in ICT.

**Table 1: Ways in which students use Kiswahili in the computers**

Uses	X		Y	
	No. of students	%	No. of students	%
Learning	32	43.84	38	45.25
Private work	28	38.37	18	21.43
School projects	13	17.81	17	20.24
Doing research	-	-	11	13.10
Total	73	100	84	100

### Source; Field research

In Table 1, it is evident that a bigger percentage of students in both schools 43.84% (X) and 45.24% (Y) use Kiswahili in the computers in learning. Kiswahili use in the computer also varied in the two schools as the usage depends on individual needs and the satisfaction he gets from the computer.

**Table 2: Ways in which students use Kiswahili in the internet**

Uses students	X		Y	
	No. of students	%	No. of students	%
Looking for information	28	43.75	29	54.72
Interacting with other students	33	51.56	23	43.40
Learning Kiswahili	3	4.69	1	1.89
Total	64	100	53	100

**Source; Field research**

It is evident from Table 2 that majority of the students use Kiswahili while interacting with other students through the internet and also while looking for information. A small number of students from both schools use Kiswahili in the internet to learn Kiswahili.

**Table 3: Challenges that face students when using ICT**

Challenges	Y		X	
	No. of students	%	No. of students	%
Difficult technological terms	31	36.90	23	29.49
English language preference	13	15.48	9	11.54
Negative attitude towards Kiswahili	7	8.33	8	10.26
Limited number of those using Kiswahili in ICT	18	21.43	20	25.64
Wrong usage of Kiswahili in ICT	6	17.14	9	11.54
Limited research work written in Kiswahili in the internet	3	3.57	2	2.56
Limited Kiswahili programme	5	5.95	3	3.85
Being forced to use correct Kiswahili	1	1.19	4	5.13
Total	84	100	78	100

**Source; Field research**

As shown in Table 3, one of the major challenges facing students when using Kiswahili in ICT in both schools is difficult technological terms. Although the number of students faced with this challenge varied from each school, it remains a major challenge to the students. One of the reasons given by the students was that they don't understand Kiswahili technological terms used in referring to ICT. This is as a result of Kiswahili acquiring new terms used in ICT. Another major challenge that was mentioned by the students in both schools although with varying

numbers, is limited number of those using Kiswahili in ICT. Only 1 student in School Y mentioned being forced to use correct Kiswahili in ICT and 2 students mentioned limited research work written in Kiswahili in School X. Using correct Kiswahili was not a major challenge as these students are exposed to correct Kiswahili usage in school.

From the discussions, it is evident that uses of Kiswahili in ICT show variations proving that the uses of Kiswahili in ICT depend on individual needs and the gratification they get. Various uses of Kiswahili in ICT include accessing the internet for information, learning and communicating with friends and family. The study however notes that students who use Kiswahili in ICT face various challenges. These challenges can be addressed, for example, on difficult technological terms; there should be agreements and uniformity especially by setting up institutions charged with dealing with terminologies in collaboration with ICT experts to address this. By doing so, new ICT products would reach the market with already agreed terms. Also a dictionary on new terms should be availed in the market for Kiswahili ICT users. Another important factor is that localization efforts should be fastened so as to avail research work written in Kiswahili in the internet. In addition, researchers should be encouraged to write their work in Kiswahili. Implementation of language policies that recognize Kiswahili as an official language is another factor that should be considered. For example, in Kenya, Kiswahili has been elevated to official language status in the new constitution. By doing so, there is a probability that in future, Kiswahili will be elevated to a language of instruction in schools. This will in turn affect Kiswahili usage in ICT, thus increasing the number of those using Kiswahili in ICT.

### **Conclusions and Recommendations**

The study has examined ICT and language usage in secondary schools in Africa. In manipulation and optimal use of ICT, language usage cannot be ignored. Data from the students on use of Kiswahili in ICT show variations proving that uses of Kiswahili in ICT depend on individual's needs and gratification they get. Various uses of Kiswahili in ICT have also been discussed such as accessing the internet for information, learning and communicating with friends and family members through e-mail. The study also notes that Kiswahili usage in ICT in school is still being faced by various challenges. These challenges are inclusive of

those affecting the language itself and also those affecting users of Kiswahili in ICT. On top of the list of challenges for students were difficult technological terms and limited number of those using Kiswahili in ICT. Also noted is that those difficult technological terms pose a big challenge to the students. Recommendations have also been made such as setting up institutions charged with dealing with terminologies in collaboration with ICT experts so that new products would reach the market with already agreed terms.

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## THE ROLE OF SELF EFFICACY AND STUDY HABIT ON SUSTAINABLE DEVELOPMENT IN PHYSICS EDUCATION

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### **Abstract**

*The study investigated the role of self- efficacy and study habit of secondary school students' performance in physics; a function of sustainable development in physics education. A sample of three hundred and fifty six (356) students of intact classes formed the sample obtained from five randomly selected secondary schools in Yaba Local Government of Lagos State, Nigeria. Five hypotheses were tested at 0.05 level of significance using a questionnaire; study habit inventory ( $r=0.76$ ) and self- efficacy scale ( $r=0.80$ ). Students' scores in physics (a measure of students' performance) were obtained from the sampled schools. The data collected were analyzed using independent sample t-test and Pearson moment correlation. Graphs of estimated sample means were plotted for the interaction effects of self efficacy, study habit and gender. Results showed significant effects of self efficacy and study habit on students' performance in physics. Gender has no significant effect on students' performance in physics. Also, there existed a positive significant relationship between self efficacy and students' study habit in physics. Recommendations based on results were provided.*

**Key words:** Self- efficacy, study habit, sustainable development, physics education.

**Introduction**

Education encompasses all processes of development and optimal utilizations of individual potentials for effective living. It is regarded as an instrument per excellence for sustainable development of any nation (Okeke, 2007; Olatoye, 2009; Babajide, 2012; Awofala & Shopekan, 2013). The implication of this is that sustainable development can only be achieved through the process of education. Nations of the world, Nigeria inclusive in recognition of this great importance, adopted several reforms (Education For All) in the sector of education for the development and sustainability of the educational sector at large; with the aim of making citizenry literate. Physics, one of the science subjects offered at the secondary school level is the bedrock of scientific development; its knowledge and principles are applicable in the sectors of Engineering, Computers, Medicines, Building, Industries, Education etc as well as in the production of materials for the generation of wealth and stress reduction. It therefore implies that without the teaching and learning of physics in schools (physics education), national development will be a mirage. Hence, the teaching and learning of physics needs to be developed and sustained. Physics education within the context of this study therefore refers to the learning of physics on parts of students in a formal school setting precisely at the secondary school level, which the present researchers belief is a function of performance; with the assumption that if students learn and study properly, they are likely to perform well resulting to development, bearing in mind that a high self-efficacy will enhance continuous good study habit which will probably sustain the development.

However, research reports show that it is not well with the teaching and learning of the subject at all levels, specifically at the secondary school level where students' performance has been progressively poor. The performance of students in physics at this level is a determinant of students' future careers. Teachers' factor which deals with the teaching of the subject has extensively been reviewed. Self-efficacy and study habits are important students' factors that are related to performance. Numerous factors have been identified for poor performance and cannot be attributed to a single factor. Oluwatimilehin and Owoyele (2012) in support of this submission admitted that causes of low academic performance are diverse and

cannot be associated with a single variable. Also, Labasano (2012) affirms that students' achievement is determined by numerous factors such as study habits, gender, parents' educational level attainments, social status, number of siblings and birth order. The researchers added that self concepts and its related variables such as self-efficacy may be a paramount factor, while Yoloje (1999) submitted that successful achievement in any form of activity is based upon study interpretation and applications. This study therefore investigated the roles of self – efficacy and study habits on performance in physics for the attainment of sustainable development in physics education.

Self-efficacy is a mental and conceptual awareness of oneself. It entails how individual perceives himself/herself in terms of value, ability and potentials (Roger, 1994; Olatoye, 2009). It could be academics or non academics. Researchers have shown the importance of self-efficacy in achievement of related variable. Anderman, Anderman and Griesinger (1999), Harachiewiez Barron, Tauer, Carater and Elliot (2000), Zusho and Pintrich, (2001) reported that low self-efficacy may lead to disengagement in academic achievement related task and high self-efficacy may lead to enhanced engagement task thereby leading to good academic performance.

Study habits are dedicated scheduled and uninterrupted time dedicated to one's learning. Evidence from literature shows that study habit and self concepts influence students' achievement; a student who does not have time to study well may not perform well in any test and examination. Udeani (2013) reiterated that many students perform poorly in their academic achievement not only because they do not possess the required mental abilities but simply because they have poor study habits. Fagbemi (2001) reported that good study habits promote better performance. These assertions supported the findings of Olatoye (2009) that poor performance of students is due to poor study habit. Also, in the study of Bakare (1977) as reported by Udeani (2013) that study habits are made up of various activities which students are required to master through practice in order to study effectively. Tschumber (2006) and Olatoye (2009) found that students' study habits are poor and if these are not improved students will continue to perform poorly. The researchers therefore admonished students to adopt good study habits such as note taking, time management, regular assignment with regular and enough time to

study, also removing distractions such as television and phone calls. Empirical findings of Bakare (1977), Amah (1985), Isangedighi (1997), Oluwatimilehin and Owoyele (2012), Udeani (2013) obtained significant positive relationship between study habit and science achievement.

Sustainable development simply means the development that meets the need of the present and the future generations' needs (Oxford University Press, 1987; Needham, 2011). This form of development provides an approach to making better decisions on issues that affect human lives. The problem associated with the effective learning of physics on parts of secondary school students leading to poor performance in the subject will not likely bring any development that can be sustained. Hence, this study investigated the influence of self –efficacy and study habits on students' performance in physics. Probably, they will produce better results leading to development in physics education that is sustainable.

### **Hypotheses**

H<sub>0</sub>1: There is no significant effect of self-efficacy on students' performance in physics.

H<sub>0</sub>2: There is no significant effect of study habit on students' performance in physics.

H<sub>0</sub>3: There is no significant effect of gender on students' performance in physics.

H<sub>0</sub>4: There is no significant relationship between self-efficacy and students' performance in physics.

H<sub>0</sub>5: There is no significant interaction effect of self-efficacy, study habit and students' performance in physics.

### **Methodology**

The study is an expose-facto form of survey descriptive research design. The population consisted of all senior secondary school physics students from Yaba Local Government Area of Lagos State from which a sample of three hundred and fifty-six physics students were drawn from six randomly selected secondary schools in the Local Government.

Two research instruments obtained from primary and secondary sources; a questionnaire and scores of students in continuous assessment test and second term examination obtained from the sampled schools respectively were used in collecting data. The questionnaire is called Self-Efficacy and Study Habits (SESH) Scale. It consisted of two sections A and B. Section A dealt with demographic information and section B consisted of 31 items. The first 10 items address questions on students' self-efficacy (SE) of 4 points format of Not at all (N), Hardly true (H), Moderately true (M) and Exactly true (E). The SE Scale was adapted from Schwarzer and Jerusalem (1995) while the remaining 21 items address questions on study habits. The SESH Scale was subjected to both face and content validation and the empirical validity was equally ensured through pilot-testing in a neutral school. Reliability coefficient value ( $r$ ) was calculated to be  $r = 0.76$  for SE using Chronbach alpha and  $r = 0.80$  for study habits scale of 4 points scale.

#### **Administration and Scoring**

The questionnaire items were administered to the participants in their various schools and their respective scores in physics which were a measure of their performance were collected from the respective physics teachers. The items were scored as follows: For SE, Not at all true = 1 point, Hardly true = 2 points, moderately true = 3 points and exactly true = 4 points. This was used to classify students into high and low self-efficacy. A score of 25 points and above was classified as high and a score of below 25 points is classified as low self-efficacy. While a score of 54 and above was classified as good study habits and poor study habits for scores of below 54.

#### **Results**

$H_{01}$ : There is no significant effect of self-efficacy on students' performance in physics.

Table 1 shows independent t- test analysis of self-efficacy and performance of students in physics.

Table 1: Independent Sample t- test for PPHY VS SE

PPHY	t	df	Sig(2-tailed)	Level SE	N	Mean	Std. Deviation	Std. Error Mean
	7.391	354	.000*	High	226	55.6195	20.01569	1.33142
				Low	130	39.5846	19.16093	1.68043
Total					356			

\*=Significant at .05 level of significance.

Table 1 shows there is a significant effect of self-efficacy on performance of students in physics.

Decision: rejects  $H_01$

$H_02$ : There is no significant effect of study habit on students' performance in physics.

Table 2 shows the independent t- test analysis of students' study habits and performance in physics.

Table 2: Independent t-test of Study Habits and Performance in Physics

PPHY	T	df	Sig.(2tailed)	Level SH	N	Mean	Std Deviation	Std Error
	35.687	354	.000*	Good	200	66.2600	11.28713	.79812
				Poor	156	28.6154	7.69119	.61579
Total					256			

\*=Significant at .05 level of significance.

Decision: reject  $H_02$

Table 2 shows that there is a significant effect of study habits on students' performance in physics.

$H_03$ : There is no significant effect of gender on students' performance in physics.

Table 3 shows the independent t-test analysis of gender and performance in physics.

Table 3: Independent t-test Sample Analysis of Gender and Performance in Physics

PPHY	t	df	Sig(2-tailed)	Gender	N	Mean	Std.Deviation	Std.Error
	35.687	354	.374Not sig	Male	175	48.7486	21.05752	1.59180
				Female	181	50.7459	21.24046	1.57879
Total					356			

Table 3 shows that gender has no significant effect on performance of students in physics.

Decision: do not reject  $H_0$

$H_0$ : There is no significant relationship between self-efficacy and students' study habits in physics.

Table 4: Test of Relationship between Self-Efficacy and Study Habits

**Correlations**

		LEVELSE	LEVELSH
LEVELSE	Pearson Correlation	1	.341**
	Sig. (2-tailed)		.000
	N	356	356
LEVELSH	Pearson Correlation	.341**	1
	Sig. (2-tailed)	.000	
	N	356	356

\*\* . Correlation is significant at the 0.01 level (2-tailed).

Table 4 shows that the relationship between self- efficacy and study habits is significant and it is positive but this relationship is low.

$H_0$ : There is no significant interaction effect of self-efficacy, study habit and students' performance in physics.

Table 5: Tests of Between-Subjects Effects 5

Dependent Variable: PPHY

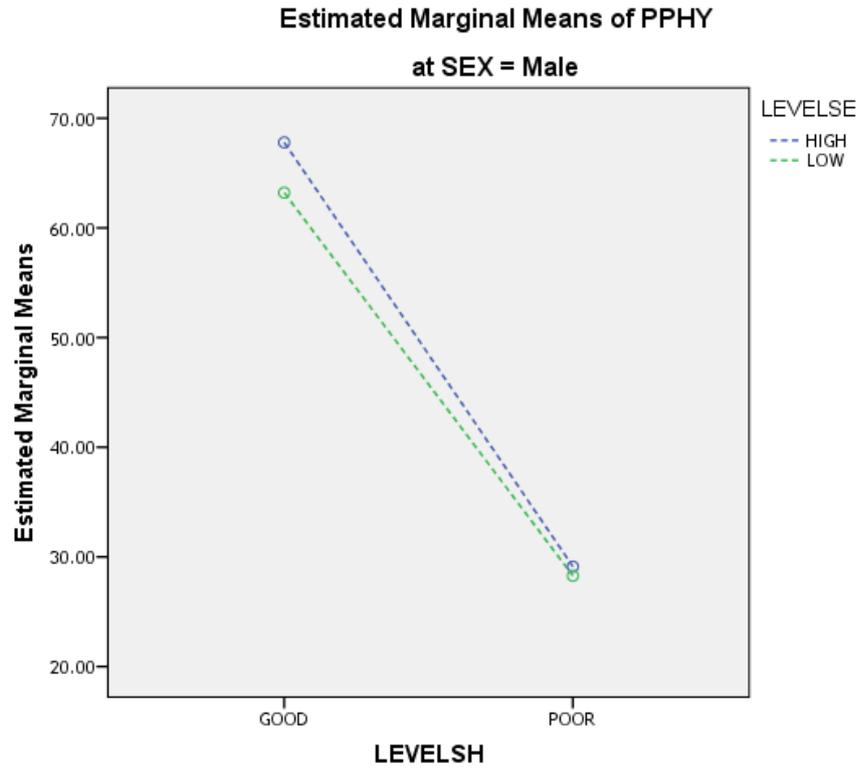
Source	Type III Sum of Squares	Df	Mean Square	F	Sig.
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Corrected Model	1404.314 <sup>a</sup>	4	351.078	3.596	.007
Intercept	64125.013	1	64125.013	656.828	.000
LEVELSH	555.005	2	277.502	2.842	.060
LEVELSE	451.915	1	451.915	4.629	.032
LEVELSH * LEVELSE	899.184	1	899.184	9.210	.003
Error	34267.537	351	97.628		
Total	1642209.000	356			
Corrected Total	35671.851	355			

a. R Squared = .039 (Adjusted R Squared = .028)

Table 5 shows that there is a significant interaction effects of study habit, self efficacy on performance of students in physics. Study habit and self efficacy made a total contribution of 2.8% on performance of students in physics.

Fig 1: The Graph of the Interaction Effects of Self-Efficacy, Study Habits and Performance in Physics



**Discussion of Findings**

There is a significant effect of self-efficacy on performance of students in physics. This is due to the fact that students with high self efficacy devote a greater part of their time to study; they are highly committed to their study and they tend to work harder. These made them to perform better than those students with low self efficacy. The findings of this study agree with the findings of Anderman, Anderman and Griesinger (1999), Harachiewiez, Barron, Tauer, Carater and Elliot (2000), Zusho and Pintrich, (2001) reported that low self-efficacy may lead to disengagement in academic achievement related task and high self-efficacy may lead to enhanced engagement task, thereby leading to good academic performance.

There is a significant effect of study habit on performance of students in physics. This is simply because students who possess good study habits, read as at when due, do assignments and submit on time perform better than those who have poor study habit. This result is in line with the result of Udeani (2013) and Fagbemi (2001) who reported that good study habits promote better performance. These assertions supported the findings of Olatoye (2009) that poor performance of students is due to their poor study habit.

Gender has no significant effect on performance of students in physics. This means that male and female have equal potential to excel in physics, but other variables such as study habits and self efficacy are responsible for variance in their performance.

The relationship between self- efficacy and study habits is significant and it is positive but this relationship is low, meaning that students with self efficacy will definitely have good study habit and vice visa. The self efficacy acts like a drive or motivation to study.

There is a significant interaction effect of study habit and self efficacy on performance of students in physics. Study habit and self efficacy made a total contribution of 2.8% on performance of students in physics.

### **Conclusion and Recommendation**

The study has found out that self efficacy and study habits have vital roles to play in performance of students in physics. High self efficacy and good study habits improve performance of students in physics. Gender difference does not affect performance of students in physics. For a sustainable development in physics education to be realistic, physics teacher should design strategies that will encourage students to develop high self efficacy and good study habits in the classroom.

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## THE OPERATIONAL RELEVANCE OF THE INTERNATIONAL COURT OF JUSTICE: CHALLENGES FOR THE FUTURE

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### **Abstract**

*The International Court of Justice is the principal judicial organ of the United Nations, mandated to resolve disputes arising between states on the basis of International Law. However, unlike domestic courts, the International Court of Justice (ICJ) has neither the power to exercise over a case by compelling a party to a dispute to appear without its consent nor the power to enforce its judgment when parties do not comply with the judgment. Compliance with their obligations is left to the discretion of parties, in as much as no coercion can be applied. The judges of the court are elected through an extremely cautious and elaborate election by the Security Council and the General Assembly. A party to a dispute before the court who has no member among the judges may appoint an ad hoc judge of its nationality on the panel. The jurisdiction of the court rests on the consent of the parties as it concerns all cases which the parties refer to it. The court's jurisdiction may also be accepted when any treaty or convention refers its legal dispute parties to the present statutes recognizing and declaring the statute of the court as compulsory. The judgment of the court is final and without appeal. Cameroon and Nigeria have come to the brink of war several times over ownership of the peninsula. The objective of this study is to narrow the dispute into two main issues; the struggle for the Bakassi peninsula associated with the potential oil development and fisheries of the peninsula shore. Also in dispute was certain areas of the Lake Chad region. It is important to note that the real dispute between Cameroon and Nigeria was not the oil rich Bakassi peninsula per se but the offshore border and precise delineation of the approach channel to the Calabar port, however, several declarations were made in respect to this matter. This study provides that the several boundary disputes between African countries, Cameroon and Nigeria inclusive, were as result of colonial imposed boundaries. The legacy colonization in Africa*

was the industrialization of the North by grouping nations together in some cases and dividing them in others. After several years of deliberations, the ICJ decided that Cameroon has sovereignty of Bakassi. This decision was based on some old colonial documents: the Thomson - Marchland Declaration of 1929 - 1930 and the Anglo - German Agreement of March 11, 1913. The implications of the judgment on the Nigerian citizens whose homelands have been displaced were of course not considered.

## The International Court of Justice: It's Establishment

### Introduction

At the end of the First World War, efforts were made towards the establishment of a more concrete World Court. As a result, the Permanent Court of International Justice (PCIJ) was established and empowered by the League of Nations.<sup>1</sup> The establishment was a way of preventing outbreak of violence by enabling an easily accessible method of dispute settlement in the context of legal and organization framework to be made available<sup>2</sup>.

On the 18<sup>th</sup> April 1946, the PCIJ was replaced by the international court of justice (ICJ) by the charter as a, 'Principal judicial organ of the United Nations'<sup>3</sup>.

The court is firmly anchored on the system of the United Nations. **Art 93 of the United Nations Charter** posits that all members of the United Nations are ipso facto parties to the statutes of the court while non member states may become parties on conditions to be determined in each case by the U.N. Reciprocal duties of cooperation with each other bind the court and the United Nations. The President in 1986 (Judge Nagendra Singh) declared that in the area of peaceful settlement of disputes, the court and the U.N Security Council were complimentary organs<sup>4</sup>.

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<sup>1</sup> Article XIV of the league of Nations Covenant.

<sup>2</sup> S. Rosenne, the law and Practice of the international court of Justice. (London Academic Publishers Vol. 1, 1995) pg. 10.

<sup>3</sup> Article 92 of the United Nations Charter.

<sup>4</sup> I.A, Shearer Starkes, *International Law* (London: Butter worth's and Co Publishers Ltd. 1994) pp. 447.

The seat of the court is in Hague but may hold sessions elsewhere whenever it considers it desirable.

The proceedings of the court are public, the pleadings and records of the hearings and judgments are published. The court exercises jurisdiction over a wide range of subject matters on international law.

The court has power to decide contentious cases between states on the basis of international law<sup>5</sup>. It can also decide a case *ex acquo et bono* (deciding according to what suits the fact of the case regardless of the law) provided the parties to the case agree this should be done<sup>6</sup>.

The court has power to grant provisional measures of protection in order to preserve the rights of the parties. The judgement of the court is final and without appeal but in the event of a dispute as to the meaning and scope of judgment the court can construe it upon the request of any party<sup>7</sup>.

#### **Organizational Structure of ICJ Judges**

The court has fifteen judges, each elected by an absolute majority of the Security Council and the General Assembly voting independently of each other. They are elected for a term of nine years and may be re-elected for up to two further terms. The provision of the statute states that judges are

*elected regardless of their nationality from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices or are jurisconsults of recognized competence in international law<sup>8</sup>.*

The rule on the geopolitical composition of bench exists even when the statute is silent about it. However no country has an entitlement as to membership yet the permanent members of the Security Council have always had a judge on the court.

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<sup>5</sup> See Article 83 (1) of the statute of the court.

<sup>6</sup> See also Article 38 (2) of the statute of the court.

<sup>7</sup> Article 59 of the statute of the court.

<sup>8</sup> Article 2 of the statute of the ICJ.

Further requirements concerning the election of the judges are that, *"the body of judges as a whole should reflect main form of civilization and the principal legal systems of the world should be assured"*<sup>9</sup>.

The judges receive annual salaries reasonably commensurate with their status. Vacancies resulting from death or other causes may be filled by the same method as that laid down for the first election<sup>10</sup>.

### **Ad hoc Judges**

For a party to a conflict whose nation is not a member of the court, the statute provides that such a party shall retain the right to sit in the case before the court, as a result may be appointed an ad hoc judge with equal powers with other judges for the duration of the case that he is involved<sup>11</sup>. It was in compliance with the statute that **Justice Ajibola** was appointed judge ad hoc for Nigeria while Cameroon appointed **Justice Mbaye** as judge ad hoc in **Cameroon v. Nigeria**<sup>12</sup>.

The use of ad hoc judges was permitted in advisory proceedings, for instance the **Western Sahara Case**<sup>13</sup>.

It is important to note that practice Direction VII of the court requires that parties when choosing a judge ad hoc pursuant to Article 31 of the statute and Article 35 of the Rules of court should refrain from nominating persons who acted as agent, counsel or advocate in another case before the court or have acted in that capacity in the three years preceding the date of the nomination.

Practice Direction VIII also provides that parties should refrain from designating as agent, counsel or advocate in a case before the court a person who in three years preceding the date of the designation was a member of the court, judge ad hoc, Registrar, Deputy Registrar or higher official of the court<sup>14</sup>.

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<sup>9</sup> Okpara Okpare, United National Today, (Abakaliki Innarok Syndicate, 2004) pg. 71.

<sup>10</sup> See Article 14 of the statute of the court

<sup>11</sup> See also Article 31 (91) statute of the ICJ.

<sup>12</sup> (2002) 43 WRNI ICJ.

<sup>13</sup> ICJ Reports (1975), p. 12

<sup>14</sup> [http://www.ICJ.org/ICJwww/ibasic\\_document/ibasic\\_text/ibasic\\_practice\\_direction\\_200\\_1030\\_lvi.html](http://www.ICJ.org/ICJwww/ibasic_document/ibasic_text/ibasic_practice_direction_200_1030_lvi.html) (Accessed May, 21, 2010)

Critically analyzing the institution of judge ad' hoc in line with Article 17 paragraphs (2) and (3) of the statute, its contravention of the natural justice principle of *nemo judex in causa sua* is very clear.

It means that nobody should be a judge in his/her own case and that nobody can judge a case in which he/she has an interest. The rule is very strictly applied to any appearance of a possible bias even if there is actually none. In **Frame United Breweries v Both**<sup>15</sup> the court held that the maxim that no man is to be a judge in his own case should be held sacred.

Note that paragraph (3) of Article 17 of the courts statute said that any doubt created by paragraph (2) should be settled by the court in which the judge ad hoc is a member thereby acting as prosecutor, investigator, adjudicator over a case he has an interest.

The notable principle of law is that any decision however fair it may seem is invalid if made by a person with any financial or other interest in the outcome or any known bias that may have affected his impartiality. See the following cases<sup>16</sup> **R vs. Bow Street Metropolitan Stipendiary Magistrate Ex-parte Pinochet Ugarte, Davidson vs Sottish Ministers.**

### Chambers

Under Article 26 and 29 of the statute, provisions are made for creation of the chambers of the court annually for speedy dispatch of cases. The chambers is composed of three or more judges which the court may determine for dealing with particular categories of cases such as Labour cases and cases relating to transit and communications and the decision by these chambers shall be regarded as that given by the court.

In 1993, a special chambers was established under Article 26(1) of the statute to deal specifically with environmental matters although this chambers has never been used.

The composition of the chambers is decided in consultation with the parties. For instance, in the **Gulf of Maine Case (USA vs Canada)**<sup>17</sup>, concerning the delimitation of the Maritime Boundary on

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<sup>15</sup> (1926) AC 586

<sup>16</sup> (No. 2) (1997) 2 WLR 277 (HL); (2004) UKHL 35; (2005) SC. 7.

<sup>17</sup> ICJ Reports, 1982, p. 3

the Gulf of Maine Area, the parties threatened to withdraw the case unless the court appointed judges to the chambers who were acceptable to them. African states recourse to the use of chambers in dispute resolution. Affordable examples are the submission of the Burkina Faso Mali Case<sup>18</sup> and the *Electronica Sicula case (ELSI Case)*

### **ICJ and Security Council**

Article 94 of the UN charter establishes a duty on all UN members to comply with decisions of the court involving them. If parties do not comply, the issue may be taken to the Security Council for enforcement action. The serious obvious problems associated with such a method of enforcement is that when the judgement is against one of the permanent five members of the Security Council or its allies, any resolution on enforcement would then be refold. This happened after the *Nicaragua Case*. When Nicaragua brought the issue of the USA'S non compliance with court decision before the Security Council<sup>20</sup>. United States of America on the other hand bedded their non compliance on the condition that matters within the domestic jurisdiction as determined by that state; are automatically excluded from the purview of the court.

The relationship between the ICJ and the Security Council and the separation of their powers was considered by the court in 1992 in *pan Am Case*. In this case an application from Libya for the order of provisional measures to protect its right that allegedly were being infringed by the threat of economic sanctions by the United Kingdom and United States was considered by the court, The problem was that these sanctions were authorized by the Security Council and that they are in conflict with the chapter VII functions of the Security Council and judicial functions of the court. The court decided that it could not order the requested provisional measures because the right claimed, even if legitimate under Montreal convention could not be regarded as appropriate since he action was ordered by the Security Council. Also Article 103 of the U.N charter states that obligations under the charter take precedence over other treaty obligations.

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<sup>18</sup> ICJ Reports, 1989 pg. 15, 84 ILR, P. 311.

<sup>20</sup> *Nicaragua Vs* (1986) ICJ Report 14, 158-60

It was however stated by the court in Nicaragua's Case<sup>21</sup> that where there is inconsistency between action by the Security Council and adjudication by the ICJ the balance will be in favour of the Security Council.

Noted is that in practice, the courts' powers have been limited by the unwillingness of the losing party to abide by the courts and the Security Council's unwillingness to impose consequences. But in theory "so far as the parties to the case are concerned, a judgment of the court is binding, final and without appeal" and a state member of the Nations undertakes to comply with any decision of the ICJ in a case to which it is a party.

## **Jurisdiction of the International Court of Justice**

### **Access to the International Court of Justice**

Article 34 (1) of the statute of the ICJ provides that, "*only states may - ties in cases before the court*"

This means that access to the ICJ is limited only to states subjects to international law. Organizations (which have international legal personality) and individuals are not permitted to appear as parties before the ICJ but may be requested to provide relevant information to cases before it. The court is also open to states which are parties to the statute<sup>1</sup>.

Article 93 of the UN charter provides that all U.N members are *ipso facto* parties to the statute of the ICJ.

States that are not members of the United Nations may become parties to the statute on conditions to be determined in each case by the General Assembly upon recommendation of the Security Council<sup>2</sup>. Switzerland fell under this provision, the General Assembly and Security Council declared that the following conditions are necessary;

- (a) acceptance of the provisions of the statute of the ICJ
- (b) acceptance of the obligations of a member of the United Nations under Article 94 of the charter

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<sup>21</sup> supra.

<sup>1</sup> Article 35 (1) of the statute

<sup>2</sup> Article 93 (2) the UN statute

- (c) an undertaking to contribute to the expenses of the court such equitable amount as the General Assembly shall access from time to time<sup>3</sup>

Moreover, access to the court for a state not a party to the statute is possible upon submission with the Registrar of the court a declaration (either general or particular) accepting the jurisdiction of the court and undertaking to comply in good faith with the decisions of the court<sup>4</sup>. Such a declaration to be made to the Registrar may be with respect to a case which has already arisen. This was seen in the Corfu Channel Case<sup>5</sup> where a declaration was made by Albania.

Also, a general declaration was filed by Germany before it joined the U.N and specialized agencies may from time to time be authorized by the General Assembly to apply to the court for advisory opinion. This right is an exception to the principle that only states may have access to the ICJ<sup>7</sup>.

### **Contentious Jurisdictions**

The exercise of the court's jurisdiction in contentious cases is resident upon the consent of parties to the dispute. The jurisdiction of the court under this head is further divided into four categories;

#### **a) Consent by agreement**

Article 36 (l) of the statute gives the court jurisdiction over;  
*all cases which the parties refer to it and all matters specially provided for in the charter of the United Nations or in the treaties or conventions in force.*

Here, parties may refer a particular dispute to the court by means of a special agreement or compromise, which states the terms of the dispute and the framework within which the court is to operate. The essence of the process is the consent of the parties to the court and is not required to be in any particular form. The consent may be

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<sup>3</sup> G.A. Resolution 91 (1), December 11, 1946

<sup>4</sup> Security Council Resolution 9 (1946)

<sup>5</sup> ICJ Reports (1949) p. 15

<sup>7</sup> Article 96 charter of the UN.

inferred by the court from the conduct of the parties. For instance in the *Corfu Channel's Case*<sup>8</sup>, the unilateral application by the United Kingdom coupled with subsequent letters from Albanian Deputy Minister for Foreign Affairs was considered to be a sufficient expression of consent by Albania.

A situation whereby the consent of a state to the court's jurisdiction may be established by means of acts subsequent to the initiation of proceedings is referred to as the *Doctrine of Forum Prorogantum*<sup>9</sup>. A recent example of this was an application filed against France by the Republic of Congo on 9<sup>th</sup> December, 2002 with regard to which the former gave its consent on 11<sup>th</sup> April, 2003.

The case that imposed difficulty to the court with regard to the question as to whether relevant events demonstrated an agreement between parties to submit a case to the court is that of *Qatar v. Bahrain*<sup>10</sup>, concerning Maritime Delimitation and Territorial Question. The issue centered upon minutes of a meeting signed by the foreign ministers of both states (the Doha Minutes) in December 1990 which was controverted with regard to its status and substance. Also on whether application to the court had to be by both parties or whether unilateral application was provided for, the court held it constituted an agreement under international law. Also controverted was the subject matter to be placed before the court. Bahrain saw it as a question of sovereignty over Zubara while Qatar accepted the characterization by Bahrain. The court concluded this was enough to lay the whole dispute including its element before it.

The general principle is that the court will not entertain actions between states without consent" the question then becomes, whether the court will entertain actions between states that implead a state without its consent?

*It was noted that where the legal interests of the third party would form the very subject matter of the decision, the court could not entertain proceedings in the absence of the state*<sup>11</sup>.

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<sup>8</sup> (Preliminary objections) ICJ reports (1945) p.15

<sup>9</sup> ICJ Reports, 1994 p. 112 and ICJ Reports 1996, pp. 6; 102

<sup>11</sup> M.N. Shaw op. cit; pg 975.

This rule was noted in *Monetary Gold Case*<sup>12</sup>. In this case Italy argued that the Government of United Kingdom, United States and should deliver to it the monetary gold that might be due to under part III of the Paris Act of 14 January, 1945 as compensation for alleged damage to Italy by Albania. Albania decided not to intervene in the case. But this principle was overruled in *Nauru case*, where the court said that;

*the absence of a request from third party to intervene, in no way precludes the court from adjudicating upon claims submitted to it, provided that the legal interests of the third state which may possibly be affected do not form the very subject matter of the decision that is applied for*<sup>13</sup>.

Also on the *Maritime Boundary case* between Cameroon and Nigeria, the court ruled that it was able to rule on it only to the extent that it was not called upon to decide upon the legal right of third states not parties to the proceedings.

**b. Optional Clause**

Article 36 (2) of the statute, states that the ICJ may have jurisdiction whereby;

*the states may at anytime declare that they recognize as compulsory ipso facto and without special agreement, in relation to any state accepting the same obligation, the jurisdiction of the court in all legal disputes concerning;*

- (a) Interpretation of a treaty
- (b) Any question of international law
- (c) The existence of any fact which if established would constitute a breach of an international obligation
- (d) The nature or extent of the reparation to be made for the breach of an international obligation"

This provision was intended to operate as a method of increasing the court's jurisdiction and there are 62 declarations in force under the

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<sup>12</sup> Ibid.

<sup>13</sup> ICJ Repots, 1992, pp. 240, 261; 97 ILRP. 28

optional clause. These declarations are conditional and are dependent upon the rule of reciprocity for its operation meaning that jurisdiction will only be possible where the declarations of the parties in dispute meet.

Declarations made under the optional clause in the statute of the PCIJ and still in force are deemed to continue with respect to the ICJ<sup>14</sup>. But the court declared in the *Aerial incident case*<sup>15</sup> between Israel and Bulgaria that this Principle only applied to states signing the ICJ statute in 1945 and did not relate to state like Bulgaria which became a party to the statute many years later as a result of admission to the United Nations.

A state may also withdraw or modify its declarations and the court has accepted that states may attach reservation to their declarations in addition to the conditions which they may attach in accordance with Article 36 (3) of the statute.

**c. Succession by the ICJ to Jurisdiction Conferred by Pre-945 Treaties on the PCIJ**

*Article 37 of the statute provides that; "Whenever a treaty or convention in force provides for a reference of a matter to a tribunal to have been instituted by the league of Nations, or the permanent court of international Justice, the matter shall as soon as between the parties to the present statute be referred to the international court of Justice.*

This provision helped to preserve the continuity of the work of PCIJ by the ICJ. The ICJ must be affirmatively satisfied that the treaty relied upon by the complainant state for working the court's jurisdiction is one which unequivocally confers jurisdiction when the court received the unilateral request for its exercise, so an arrangement that contemplates the joint submission by both the complainant state and the respondent state does not amount to a commitment by the

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<sup>14</sup> See Article 36 (5) of the statute

<sup>15</sup> ICJ Reports, 1959 p. 127, 27 ILR p. 557

respondent state to accept the courts compulsory jurisdiction under the arrangement<sup>16</sup>.

### 4.3 Advisory Jurisdictions

In addition to having the capacity to decide disputes between states, the ICJ may give advisory opinion. Article 65 of the statute declares opinion on any legal question at the request of whatever body and may be authorized by or in accordance with the charter of the United Nations to make such request".

Article 96 of the charter noted as well that the General Assembly and Security Council, other organs of the UN and specialized agencies may request such opinions on legal questions from the court arising within the scope of their activities.

The purpose of the advisory jurisdiction of the court is not for settlement of disputes but to offer legal advice to institutions and organs requesting the opinion.

It was stressed that whereas the basis of the court's jurisdiction in contentious proceedings rested upon the consent of the parties to the dispute same does not apply in advisory opinion<sup>17</sup>

Discovered by the court during the request by World Health Organization on the legality of the use of Nuclear Weapons in Armed conflict<sup>18</sup> was that three conditions were required in order to found what the jurisdiction of the court in Advisory opinion were;

... first that the specialized agency in question must be duly authorized by the General Assembly to request opinion from the court, secondly, that the opinion requested was on legal question and thirdly that the question must be one arising within the scope of activities of the requesting agency<sup>19</sup>

The functions of World Health Organization were evaluated in the light of its constitution and practice and concluded that the organization has authority to deal with the effect of Nuclear Weapons on health coupled with its hazardous activities and take preventive

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<sup>16</sup> I.A. Shearer *op.cit*; pg 452

<sup>17</sup> The Interpretation of Peace Treaties Case, ICJ Reports, 1950 pp 65, 71; 17ILR pp 331, 335.

<sup>18</sup> ICJ Reports, 1996 p. 66

<sup>19</sup> Shaw M.N. *op. cit*; pg 1003.

measures with the aim of protecting it. But the question before the court was not the effects of the use of Nuclear Weapons on health but on the legality of the use of such weapons in view of the health and environmental effects. As a result the court held that the question posed in the request for advisory opinion did not arise within the scope of activities of the organization as were ensured in the constitution.

#### 4.4 Functions/Powers of TCJ

It has been emphasized that the function of the court is its solemn commitment to state the existing law but does not formally create any law.<sup>20</sup> In exercising this function the court has to specify the scope and sometimes the general trend of the law.<sup>21</sup> In this case the question goes thus: *"Is the use of nuclear weapons in any circumstances permitted under international law?"* The court responded this way:

*... in order correctly to apply to the present case the charter law on the use of force and the law applicable in armed conflict, in particular humanitarian law, it is imperative for the court to take account of the unique characteristics of nuclear weapons and in particular their destructive capacity, their capacity to cause untold human suffering and their ability to cause damage to generations to come.*<sup>22</sup>

The conclusion of this in fact enabled the court to address the issue of legality or illegality of recourse to nuclear weapons with regard to the provisions of the charter relating to the threat or use of force.

The court as the principal judicial organ of the United Nations charged with the task of deciding in accordance with international law such disputes as are submitted to it<sup>23</sup>. Concerned with this responsibility the concepts it uses are juridical concepts, its criteria are standard of legality, its methods is that of legal proof.<sup>24</sup>

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<sup>20</sup> The Northern Cameroon's case ICJ Report 1963 pp 15, 33; ILR, p. 353, 369.

<sup>21</sup> Legality of the Threat or use of Nuclear weapons, ICJ Reports, 1996 p. 226, 237.

<sup>22</sup> D.J. Harris *op. cit.*, p 959.

<sup>23</sup> Article 38 of the Statute of the Court.

<sup>24</sup> D.J. Harris *op. cit.*, p. 1083.

Sometimes the matters that come before the court are variably intertwined with political factor, but the concern of the court is to establish that the dispute in question was a legal dispute and one capable of being settled by the application of principles and rules of international law.<sup>25</sup> Also, in the case of *El Salvador/Honduras*<sup>26</sup> it was stated that for a matter to constitute a legal dispute, it is sufficient for the respondent to an application before the court to deny the allegations made even if the jurisdiction of the court is challenged.

Also, the court acted in the legality of the threat or use of Nuclear Weapons Case<sup>27</sup> when the question was whether the threat or use of nuclear weapons in any circumstances is permitted under international law. The court recognized the provisions of Article 51 of the U. N. Charter that is, the inherent right of individual or collective self defence, if an armed attack occurs. Another lawful use of force is provided in Article 42 of the charter whereby the Security Council may take military enforcement measures in conformity with chapter VII of the charter. The court noted that no specific weapon was recommended by the charter neither did it prohibit nor permit the use of nuclear weapons. It however opined that a weapon that is already unlawful by treaty or custom can never become lawful by reason of it being used for a legitimate purpose under the charter. The resort to the exercise of the right of self defence subject to the conditions of necessity and proportionality is a rule of customary international law.

Nonetheless the dual condition of necessity and proportionality apply to Article 51 of the charter irrespective of the force used.

*"...the court acts as guardian of the charter and of international law."*<sup>28</sup> The interpretation of the charter provisions, the determination of questions of interpretation and application of international law are primarily under the court and it must at all times preserve its independence which the charter has committed to it as the United Nations principal judicial organ.

However, there have been instances where same matter has come up for consideration before the different organs of the United Nations (the Security Council and the Court) raising a problem of

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<sup>26</sup> ICJ Reports, 1992, p. 351, 555, 97 ILR p. 112

<sup>27</sup> *Supra.*

<sup>28</sup> D.J. Harris op. cit., p 1083

concurrent jurisdiction. In the following cases for instance the jurisdiction of the court and the Security Council were invoked: *Aegan Sea Continental Shelf, Interim Protection*,<sup>29</sup> *Military and Paramilitary Activities in and against Nicaragua Provisional measures*<sup>30</sup>. The court made it clear that the fact that the issue before the court is also a subject of active negotiation before any other organ of the United Nations will not detract the competence of the court or the exercise of its judicial function.<sup>31</sup>

The court further opined in *Military and Paramilitary Activities in and against Nicaragua*<sup>32</sup> that the Security Council has functions of a political nature, while the court itself has functions of a legal nature, and therefore both organs could perform their separate but complementary functions with respect to the same events.

*The courts essential function is to resolve in accordance with international law disputes placed before it and refrain from deciding points not included in the final submission of the parties.*<sup>33</sup>

The court continued to say in the *United States Diplomatic and Consular Staff in Tehran*<sup>34</sup> that it has never occurred to any member of the Council that there was nothing irregular in the simultaneous exercise of their respective function.

Article 12 of the charter expressly forbids the General Assembly to make any recommendation as regards a dispute in which the Security Council is exercising its function in respect of that dispute or situation. The power of the court was made clearer when such restriction was not placed on it either by the charter or the statute of the court thereby clearly showcasing the court as the principal judicial organ of the United Nations whose decision in any legal question is an important and sometimes decisive factor in peaceful settlement of disputes.

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<sup>29</sup> ICJ Reports (1976). P. 3.

<sup>30</sup> ICJ Reports (1979), p. 7.

<sup>31</sup> ICJ Reports (1984), p. 169

<sup>32</sup> *Supra.*

<sup>33</sup> M.N. Shaw op. cit., p 968.

<sup>34</sup> *Supra.*

## ICJ and its Mode of Operation

### Sources of International Law Applied

In its deliberations, the court applies international law as summarized in Article 38 of the statute thus; that in arriving at its decisions the court shall apply international conventions, international customs and the general principles of law recognized by civilized nations. Some jurists are of the opinion that Article 38 of the court statute has the effect of incorporating natural law in international law. They further contended that positive rules of international law are invalid if they conflict with natural law. However, they opined that general principles of national law are part of international law only to the extent that they have been adopted by states in treaties or recognized in state practice as they constitute a reservoir of principles which an international judge is authorized by article 38 to apply in an international dispute, if their application appears relevant and appropriate.

On the other hand, the court has shown restraint in its recourse to general principle of national law as authority for its own pronouncements. This could be seen in Judge Lauterpachts opinion in the *Norwegians Loans Case*<sup>35</sup>.

*... I consider that as the French Declaration of acceptance excludes from the jurisdiction of the court, matters which are essentially within the national jurisdiction as understood by the government of the French Republic. It is for the reason of that latter qualification an instrument incapable of producing legal effects before this court and of establishing its jurisdiction*<sup>36</sup>.

Lord McNair further added in the *South West Africa Case*<sup>27</sup> that the solution does not lie in importing into international law private institutions lock, stock and barrel, readymade and fully equipped with a set of rules. It is rather a question of funding in the private law institutions indications of legal policy and principles appropriate to the solution of international problem in hand".<sup>38</sup>

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<sup>35</sup> ICJ Report, 1957.

<sup>36</sup> D.J. Harris op. cit., p. 1051

<sup>27</sup> ICJ Report 1948 p. 18

<sup>38</sup> D.J. Harris op. cit., p. 46

The question now is, what are the basic requirements that must be satisfied before a principle will be qualified to be considered "a general principle of law recognized by civilized nations".

First, the intention of using the phrase "civilized nation;" was to do away with undeveloped legal systems which may be found in the principal legal systems of the world, for instance the tribal law of a backward people.

"General principles of law recognized by civilized nations' may be construed as the general principles recognized in the legal systems of independent States. From the foregoing it should be understood that "some of the principal European systems of law have penetrated over large areas of the globe, mixing in greater or less degree with the indigenous law and often displacing it..."

It may also refer to academic writings ("the teachings of the most highly qualified publicists of the various nations) and previous decisions to help interpret the law. We should note here that the court is not formally bound by its previous decisions under the Doctrine of Stare Decisis Article 58 of the statute makes it clear that the common law notion of precedent or stare decisis does not apply to the decisions of the ICJ but binds only the parties to that particular controversy

#### **4.5.2 Interim/Provisional Measures**

Under Article 41 of the statute, the court has the power to indicate if it considers that circumstances so require any provisional (or interim) measures which ought to be taken to preserve the respective rights of either party pending settlement of a dispute. Since the introduction of these measures as facets of international law, agreements as regards the binding quality of such orders have been uncertain. The question then becomes whether these orders convey any binding obligation for compliance by parties to whom they are addressed.

Shabtai Rosenne, saw provisional measures as instrument contributing to settlement of international disputes and the greatest in the prevention of the use of force or aggravating disputes that present threats to human life<sup>39</sup>. These were granted in *Nuclear Test Case*<sup>40</sup> also in *Iranian Hostage case*.<sup>41</sup>

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<sup>39</sup> Provisional Measures in International Law: ICJ and the ITLOS, (Oxford: Oxford University Press, 2005).

The purpose of exercising the power is to protect rights which are the subject of dispute in judicial proceedings. Such interim measures were granted by the court in *Fisheries Jurisdiction Case*<sup>42</sup> to protect British fishing rights in Icelandic claimed water<sup>43</sup>

Provisional measures are also justified in urgency situations<sup>44</sup>. It was also ordered in *Cameroon v. Nigeria*<sup>45</sup> in order to respect the rights of each, ordering the parties, to observe the agreement reached for the cessation of hostilities and take steps to preserve relevant evidence in the disputed area and cooperate with the proposed U.N fact finding mission.

With regard to the question whether provisional Measures are legally binding, In 2001, the ICJ settled these controversy by ruling that such order were indeed building obligations in the light of the object and purpose of the statute which is to enable the court to fulfill the functions provided therein and in particular, the basic functions of judicial settlement of international disputes.

#### 4.5.3 Counterclaims

##### The Nature of Counter Claims in the Courts Procedures

Article 80 of the rules of court provides that the court may entertain a counter-claim only if it comes within the jurisdiction of court and is directly connected with the subject of the claim of the other party. Counter claim constitutes a separate claim or autonomous legal act of what is required to be the principal claim<sup>46</sup>. This degree of connection between the claims must be evaluated both in fact and law and is left to the discretion of the court. For instance, in 1997, the case concerning the application of the convention on the prevention and punishment of the crime of Genocide involving *Bosnia-Herzegovina v. Yugoslavia*<sup>47</sup>. The of Republic of Bosnia- Herzegovina had filed an application

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<sup>40</sup> ICJ Reports, 1973 pg 99, 57ILR p. 360

<sup>41</sup> ICJ Reports, 1979, pg 7, 19; 6 ILR pp 513, 525.

<sup>42</sup> ICJ Reports, 1972 1972 p. 12, 55 ILR p. 160

<sup>43</sup> M.N. Shaw *op. cit*, pg 988.

<sup>44</sup> The Great Belt case, ICJ Reports (1991) p. 12, 17; 94 ILR

<sup>45</sup> *Supra*.

<sup>46</sup> M.N. Shaw *op. cit*; pg 990

<sup>47</sup> Application of the Genocide Convention (Counter-Claim), ICJ Report, 1997 pp 245, 258

requesting the court to declare that Yugoslavia had violated among other treaties the convention on the Prevention of punishment of the crime of Genocide, to order Yugoslavia to cease such violations and to declare that Yugoslavia was responsible under international law for damages incurred by such violations and should make reparations. In its counter-memorial Yugoslavia submitted to the court counter claiming, alleging violations of the Genocide convention on the part of the Government of Bosnia.

The practical advantage of admitting the submission of counterclaim in pending proceedings was pointed out by Anzilotti;

*It enables the respondent to demand in the course of the same proceedings what was due to him from the applicant for a reason already pending and observed that it was in fact possible that a counter claim would be so clearly bound up with the defense that, if the respondent were bound to submit an application there would be a danger of placing the latter in difficult position<sup>48</sup>*

#### **4.5.4 Rules of Procedure**

The rules of the court which govern its procedure and operations were adopted in 1946 and revised in 1972 and 1978. This was further amended in 29 September, 2005<sup>49</sup>.

Cases before the ICJ follow a standard pattern. The applicant normally files a written memorial setting out the basis of the court's jurisdiction and the merit of its claim, followed by the respondent accepting the court's jurisdiction and filling its own memorial. Practice directions are also adopted by the court requiring the parties to keep strictly to the rules concerning pleadings and to avoid producing large annexes.

#### **Applications to Intervene or Third Party Intervention**

There is no general right of intervention in cases before the court by third parties as such, nor any procedure for joinder of new parties by the court itself, nor any power by which the court can direct that third

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<sup>48</sup> Resenne, Law and Practice Vol. III p. 1074.

<sup>49</sup> S. Schwebel 'Ad hoc Chambers of International Court of justice American Journal of international law 81, (1987), pg 832.

states be made a party to proceedings. However, in cases where a third state's interests are affected, the state may be permitted to intervene in the cases, and participate as a full party. Article 62 of the statute states that a state with an interest of a legal nature may apply; however it is within the court's discretion whether or not to allow the intervention". It should also be noted that intervention cannot be used as a substitute for contentious proceedings which are based upon consent

The first successful application for intervention occurred in 1990, the permission was granted to Nicaragua in the case concerning the land, Island and *Maritime Frontier Dispute (El-Salvador/Honduras)*<sup>50</sup> where the court held that Nicaragua had demonstrated that it has an interest of a legal nature.

### Remedies

An applicant state usually seeks a declaratory judgment that the respondent has breached international law. Such declarations may extend for future conduct as well as characterization of past conduct. Where there is a request for declaratory judgments, it is always associated with request for reparation for losses suffered as a consequence of the illegal activities or damages for injury of various kinds, including non-material damage<sup>51</sup> Damages may not only be requested for direct injury to the state in question but also with regard to its citizens or their property<sup>52</sup>.

Reparation may be extended to full restitution or restitution in intergrum. This order of restitutions arose in *Congo v Belgium case*<sup>53</sup> where it was held by the court that Belgium was under an obligation to cancel the arrest warrant.

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<sup>50</sup> ICJ Reports, (1990) p. 92 ILR, p. 112  
<sup>51</sup> I am alone case 3RIAA, (1935) p. 1609  
<sup>52</sup> *Bosnia vs. Yugoslavia Supra.*  
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**IMPROVING PEDAGOGICAL COMPETENCES TOWARDS  
INSTRUCTIONAL LANGUAGE POLICY IMPLEMENTATION SUCCESS IN  
GHANAIAN PRIMARY SCHOOLS**

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**Abstract**

*The effective implementation of an instructional language policy has remained a challenge in Ghanaian public schools over the years. The main study aimed at improving teachers' competence in using both local language and English to enhance effective teaching and learning in primary school classrooms. Consequently, it adopted an action research oriented methodology undertaken in three phases. It comprised, firstly, the collection of baseline data to ascertain the original state of affairs, followed by the administration of an intervention aimed at improving the situation, and finally, a post-intervention data collection to compare with the baseline data to find out whether there had been any improvement after the intervention. Additionally, stakeholder perception was also explored to find out about the dominant preference of stakeholders in respect of primary school instructional language vis-à-vis the government policy on the language of instruction. A total of 309 respondents made up of teachers, pupils, head teachers, parents and education officials were involved in the study. The methods of data collection were observation using an observation guide for the action research main study component and interviews using a semi-structured interview schedule for the perceptions on school language. The study established positive improvements in classroom interaction and integration of assessment strategies after the intervention. The stakeholder perception explored indicated a general preference for both the L1 and L2 usage instead of an exclusive L1 usage at the lower primary classroom. There is the need for a strong political will to enforce a sound language policy that sets out clearly the nature of implementation and which is flexible enough to accommodate different learner backgrounds.*

**Keywords:** *code-switching, preference, implementation, language, teacher competence, learner participation, comprehension.*

### **Introduction**

There has been a general belief and recognition of the practical usefulness of the child's first language, the mother tongue, in the early years of schooling (Mukama, 2007; UNESCO, 2005; Agbedor, 1994; MOE, 1988). Since the child already has some vocabulary in the first language (L1), he is able to formulate and express his ideas quite meaningfully in his early years in this language. An experimental study conducted by the University of Ife in Nigeria on the use of the mother tongue in primary schooling, drew the conclusion from the outcome of the study that children who are taught in their first language gain academic success, in addition to gaining emotional, cognitive, cultural and socio-psychological advantages (Fafunwa, Macauley & Soyinka, 1975).

The various instructional language policies of Ghana have been bedevilled with a number of challenges that have adversely affected their success at implementation since the first promulgation of one in 1925 by the Guggisberg colonial administration (Owu-Ewie, 2013). One major challenge is that there does not seem to be the political will to ensure the full implementation of the language policies whenever they are promulgated (Akyeampong, 2004). For instance, a cursory observation across the rural schools which are in the majority in Ghana indicates that only pockets of the schools make any attempt to use English as the medium of instruction in the upper primary classes. Eventually, pupils in the schools perform poorly in English language and the other subject areas, a situation which is erroneously blamed on the policy of using the first language as instructional language at the lower language (Boadi, 1976).

Most of these teachers have very weak background in the English language (Andoh-Kumi, 2003) and are likely to demonstrate poor proficiency in its use both orally and written in the classroom which obviously will negatively impact on the performance of their pupils.

The lack of qualified teachers who are able to speak the language of the community where they teach is a major challenge in most Ghanaian schools. Whereas the policy of the MOE/GES stipulates that the

posting of teachers should take into account their ability to communicate in and teach the Ghanaian language of the community where they are posted (MOE, 1996), this remains an ideal rather than the practice. The training provided by the Colleges of Education in the dominant Ghanaian languages is quite minimal and does not equip the teacher trainees with enough competence and confidence to be able to teach effectively in them. This is against the backdrop of the colleges admitting candidates from all over the country irrespective of their linguistic background and most of whom have not studied any Ghanaian language beyond the junior high school.

There are virtually no textbooks written in the local languages of the various subject areas. The individual teachers who themselves have very weak background in the local languages have to struggle for ways to express concepts in Mathematics, Science, Geography, Environmental Studies, etc. in the local language. This situation poses a great challenge to the teachers.

Ghana's multilingual character has also been another issue that has threatened the effective implementation of school language policies in the country. Stakeholders have also adopted entrenched perceptions about English, Ghana's colonial language legacy, vis-a-vis the local languages. The English language by its international status is held in Ghana as a language of prestige, and mere oral fluency in it is seen by many as a mark of intelligence and scholarship. Indeed, the poor performance in examinations in public basic schools (where the policy on the use of L1 seem to be somehow enforced) as against the relatively better performance of private basic schools (where generally English is used exclusively as medium of instruction) (EARC, 2003; Opare, 1999) raises doubt in the minds of less informed stakeholders on the viability of the local language usage policy. Clearly, Ghanaian schools generally ignore the school language policy as a whole. Yet, an all-English medium arrangement is noted to be fraught with some obvious demerits, which include the loss of touch with the cultural heritage, lack of growth of the local languages, the high potential for dropout in the early years of schooling, and the difficulty of enforcement particularly in the rural areas.

Knowledge of headteachers and teachers about the Ghanaian medium of instruction policy and how this policy is being applied in Ghanaian schools were quite recently explored by Davis and Agbenyega

(2012). Findings revealed gaps between what the policy says and what is generally practised in the schools. Schools generally did not appear to follow the language of instruction policy. In most schools particularly those in the urban areas, English, the colonial language, was thought to supersede the native language in providing children with conceptual understanding.

A study conducted by Alemu and Tekleselassie (2011) comparing instructional language issues in Ethiopia with those in the United States revealed that public opinion on teaching language minority children is diverse. Politicians have been playing various roles in intensifying the debates on educating language minorities in both supporting and opposing certain pedagogical approaches as well as injecting such sensitive issues as civil rights and ethnic equality, similar to Ghana's cultural and traditional appeals. The researchers acknowledged the general potential advantages cited in favour of educating children in their mother tongues such as closing the gap between home and school language, increasing the commitment of parents to school affairs, and raising the educational performance of respective communities. However, they noted that these potential advantages would be realised only when suitable conditions prevail. They thus question the extent to which the intended advantages have been gained given the problems that the instructional language policy has encountered (such as intrusion of politics, problems with mixed communities, and lack of regional readiness) during its implementation.

#### Purpose of the Study

The main aim of the research was to generate new knowledge that would lead to initiatives in improving teachers' competence in using English and local language to teach in order to improve the quality of education in Ghana. Specific objectives of the study were to improve effectiveness in classroom interactions for teaching subject knowledge and basic literacy using L1 and L2, teachers' and learners' competence in teaching and learning through L1 and L2, and to explore the perceptions of stakeholders of the roles of L1 and L2 in education.

### Research Questions

Three key research questions guided the study:

1. What are the characteristics of current classroom interaction in lessons used for teaching subject knowledge and basic literacy through L1 and L2? How will a dedicated intervention workshop on pedagogical innovations affect these characteristics?
2. What is the nature of current teachers' competence in teaching through L1 and L2? Would a dedicated intervention workshop on pedagogical innovations make teachers' competence in teaching through L1 and L2 more effective?
3. What are the perceptions of stakeholders (learners, teachers, heads, teacher educators, parents) of the roles of L1 and L2 in education?

### Research Methodology

An action research oriented methodology was employed in the main study, which was aimed at improving teachers' competence in using both local language and English to enhance effective teaching and learning in primary school classrooms. The perception of stakeholders was also explored as additional data to find out about the dominant preference of stakeholders in respect of primary school instructional language vis-à-vis the government policy on the language of instruction. Three primary schools were randomly selected from the Cape Coast Metropolis in Ghana for the main study which was an action research. They were made up of two public schools, one urban based and the other rural based, as well as one urban based private school. Primary 3 and Primary 4 pupils were purposively chosen for the study. Primary 3 was chosen because that is the final year class at the lower primary where a local language (L1) is expected to be used as language of instruction and at least 50% of literacy discourse is to be in the L1, according to government's instructional language policy. Primary 4 was also selected because that is the beginning of the upper primary section and marks the beginning of the stage in Ghanaian education where English is supposed to be used exclusively as the main medium of instruction in school. A sample of 222 participants comprising 6 teachers and 216 pupils were involved.

The action research component was undertaken in three phases. The phases comprised the collection of baseline data through

observation using an observation guide to ascertain the original state of affairs, the administration of an intervention aimed at improving the situation and a post-intervention data collection to compare with the baseline data to find out whether there had been any improvement after the intervention. The intervention involved the conduct of a four-day dedicated workshop for the selected teachers which exposed the teachers to various practical innovative skills in classroom teacher-learner interactions.

Additional data to assess the perceptions of stakeholders regarding their dominant preference in respect of school instructional language were gathered through interviewing a total of 87 stakeholder participants using a semi-structured interview schedule. The stakeholders comprised 9 teachers and head teachers, 6 teacher educators, 36 learners, and 36 parents.

### Results

Principally the study sought to improve competences in using English and local language to teach through an intervention of a dedicated workshop exposing the teachers to various practical innovative skills in classroom teacher-learner interactions. Table 1 displays the comparative results of the pre-intervention and post-intervention characteristics of teacher-learner classroom interaction using L1 and L2. The results show that during the baseline period, teachers signalled lessons more clearly when they used English (83%) than when they used Fanti, the local language (50%). After the intervention, all the teachers (100%) were found to signal stages of the lesson clearly in both Fanti and English medium lessons. The baseline data indicated that teachers *sometimes* clearly gave instructions in both English (81%) and Fanti (75%) medium lessons. During the main study after the intervention, instructions for tasks were observed to be clear *most of the time* (67%).

**Table 1: Characteristics of classroom interaction**

Item	Language	Pre-Intervention	Post-Intervention
		%	%
Clear signalling during lesson	L1	50	100
	L2	83	100
Checking comprehension	General	50	83
Using questions and prompts	L1	67	75
	L2	50	67
Frequency of using prompts	L1	63	100
	L2	58	100
Eliciting responses from several learners	General	38	67
Integration of assessment strategies	L1	63	70
	L2	50	72

There was considerable improvement on checking comprehension in the main study in the L2 medium, from 50% in the baseline to 83% in the main study. Teachers used good questioning techniques/prompts and simple language and constantly probed learners' responses to find out their level of understanding. Table 1 indicates that in both L1 and L2 medium lessons, integration of assessment strategies improved substantially from 63% (L1) and 50% (L2) at the baseline stage to 70% (L1) and 72% (L2) at the post-intervention main study stage.

The second research question involved the possibility of improving the competence and effectiveness of teachers in teaching through L1 and L2. The results as displayed in Table 2 shows that teachers demonstrated very high proficiency in the frequent use of Fanti (L1) as the language for instruction during the post-intervention main study stage (83%) to give learners clear understanding of ideas and concepts. This was observed to be 67% at the baseline stage.

**Table 2: Teachers' Competence in Teaching through L1 and L2**

Item	Language	Pre- Intervention	Post- Intervention
		%	%
Frequency in use of language	L1 only	67	83
Code-switching from L2 to L1	-	2	6
Teacher doing most of the talking in class	L1	100	100
	L2	100	72

Only 2% of code-switching to Fanti usage to emphasise ideas and explain concepts was observed in English medium lessons during the pre-intervention baseline stage. This increased to 6% during the main study stage. The findings further revealed that at the baseline stage, teachers did most of the talking during both L1 (Fanti) and L2 (English) medium lessons (100% in both cases). But Teachers provided more opportunities for learners to get actively engaged in the learning process at the post-intervention stage, particularly in L2 medium lessons (72%). There was however no noticeable change in teacher delivery after the intervention during L1 medium lessons, with the teachers still doing virtually all the talking.

### **Perceptions of Stakeholders on Roles of L1 and L2 in Education**

As indicated earlier, although the main study was focused on improving effectiveness of language usage in the classroom, an additional aspect was introduced that sought to examine the perceptions of stakeholders about their dominant preference in respect of primary school instructional language vis-à-vis the government policy on the language of instruction. The stakeholders who were involved in this component of the study were teachers and school heads, teacher educators, pupils and parents.

From the results of interviews conducted, the Teacher stakeholders were generally in favour of using both English and the local language in teaching at the lower primary. A teacher explained: "I think the use of English and Fanti at the lower primary will help pupils to speak and write the languages well when they get to upper primary." All the teachers cited the non-availability of textbooks in the Ghanaian languages which posed a big challenge to them. All the head teachers interviewed indicated that using the local language throughout the lower primary level was a good idea. However, they noted the possible problem to arise when the pupils are from different language backgrounds. The head teachers cited the fact that the material in textbooks has not been translated from English to the local language as a major hindrance to the effective implementation of the language policy.

Majority of Teacher educators supported the use of the first language as a medium of instruction at the lower primary. They contended that the use of the first language at the lower primary would enable pupils to pick up and understand certain concepts more easily. Most of the teacher educators interviewed reported that they did not have enough resources to adequately prepare teachers in the Colleges of Education. They indicated that teaching and learning materials in the local languages were not available. They also felt that the number of years student teachers spent in the colleges to receive instruction in the local language was inadequate. The teacher educators further mentioned the difficulty of translating certain concepts from English to the local language as a major challenge to the effective implementation of a local language policy. Majority of them recommended the use of both the first language and English at the lower primary level because it would enable pupils to learn better from the beginning.

While majority of the Parent respondents from the rural areas preferred the use of the local language at the lower primary level, most of those from the urban areas advocated for a mixture of both the local language and English. Most Pupils in the public schools indicated that they preferred instruction in the local language since they noted that it made them understand lessons better. On the other hand, most of the pupils in the private school preferred to be instructed in both the first language and English. Although most pupils indicated that they were comfortable using the local language and understood lessons better in the local language, they wished to be instructed in English so that they would be more fluent in the language.

#### Discussion

The findings of the study revealed that there was positive improvement in classroom interaction such as signalling stages of the lesson, checking comprehension, use of questions and prompts, eliciting response, feedback, assessment strategies and integration of assessment strategies after the intervention. In essence, the teachers demonstrated a good knowledge of the subject matter and were virtually determined to improve performance in teaching which went a long way to enhance teaching and learning through L1 and L2 mediums. These findings support the assertion that a pedagogical skill is crucial in determining the effectiveness of education through the medium of instruction (Alemu & Tekleselassie, 2011; Cummins, 2000). These findings imply that subject knowledge and use of appropriate pedagogical skills contribute immensely to effective classroom interaction.

On teachers' competencies in teaching through L1 and L2, the findings revealed a positive effect of the intervention in areas such as teachers' higher proficiency of L1, code-switching from L2 to L1 to facilitate understanding among learners, and provision of learners with opportunities for speaking and their active involvement in the learning process. The competence of teachers in these areas impacts positively on teaching and learning effectiveness in L1 and L2 medium lessons. This finding buttresses Arthur's (2001) assertion that the quality of classroom discourse including L1 and L2 code-switching is important in effective L2 medium teaching and learning.

The third research question explored perceptions of stakeholders of the roles of L1 and L2 in education. The findings revealed that teachers, urban parents and teacher educators advocated for the use of both L1 and L2 at the lower primary. Most pupils felt more comfortable using the local language and claimed they understood lessons better in L1 but also wished to be instructed in L2 so that they would be fluent in its usage. The implication is that stakeholders recognised both L1 and L2 to play a crucial role in enhancing teaching and learning, and thus giving an indication of a preference for a bilingual approach in school instructional language. The findings are in harmony with the general recognition of the practical usefulness of the child's first language, the mother tongue, in educational provision (Davis & Agbenyega, 2012; Alemu & Tekleselassie, 2011; UNESCO, 2005; Agbedor, 1994; MOE, 1988).

#### Conclusion and Recommendations

Teachers' good knowledge of effective classroom interaction using the appropriate language is crucial for improved pupils' academic achievement. Targeting initial teacher training and in-service training for teachers specifically in the use of language in the classroom is paramount. Teachers' competence in teaching through L1 and L2 could impact on teaching and learning effectiveness. It seems also obvious from the findings from the study that a purely mother tongue instructional language arrangement for lower primary or even primary one alone will not receive much support from stakeholders due to the entrenched perceptions held by the different stakeholders coupled with the poor performance in examinations in public basic schools as against the relatively better performance of private basic schools. On the other hand, the demerits of an all-English medium arrangement which include the loss of touch with the cultural heritage, lack of growth of the local languages, the high potential for dropout in the early years, and the difficulty of enforcement particularly in the rural areas, are very far-reaching. Regular in-service training on pedagogical innovations have the potential of reinvigorating teachers on effective classroom practices that will obviously include appropriate language usage in the classroom. By and large, there is the need for a strong political will to enforce a sound language policy that sets out clearly the

nature of implementation and which is flexible enough to accommodate different learner backgrounds.

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