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Augustin: The Dialect of African and Influences

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ABSTRACT

Saint Augustine, one of the most prominent thinkers in the history of Christianity, serves as an important model for understanding the interaction between Latin and African cultures in antiquity. Although Augustine was born in North Africa, some associate him primarily with Latin culture, overlooking the influence of his African environment on his thought. Thus, the importance of this topic lies in reassessing his cultural and religious identity and examining the validity of classifying him solely as a Latin figure, while determining whether he can be considered an outstanding representative of Roman Africa. This question opens the door to exploring Augustine's role in the Church and in Christian thought, thereby enhancing our understanding of African heritage in religious and intellectual history. The methodology of this study is based on critical-analytical methods, analyzing historical and intellectual texts related to Saint Augustine, focusing on comparing the influences of Latin and African cultures in shaping his identity and ideas, with the aim of reconsidering his role and impact on the Church and Christian thought in North Africa.

INTRODUCTION

Many people, when discussing Saint Augustine, perceive him as a Western Latin figure with no connection to Africa other than his birthplace. This view leads many to reject Augustine's African identity, which leads us to question:

To what extent can we judge a person deeply imbued with a culture different from that of his homeland as detached from his roots? How valid are the accusations made against Saint Augustine that he is Latin and cannot in any way be considered African? Can we consider him a distinguished representative of Roman Africa, given that he is one of the most renowned Church Fathers and made a significant intellectual contribution, to the extent that it is said that no one can study all of his works comprehensively?

1. Birth and Early Life of Saint Augustine

Augustine was born in Tagaste on November 13, 354 CE, to a Christian mother named Monica and a pagan father named Patricius1, who was lenient towards the Christian faith practiced by his wife. It seems he did not mind that his son learned the teachings and beliefs of Christianity from a young age.

Augustine enjoyed familial support that allowed him to pursue education from an early age2, especially from his father, who made every effort to provide Augustine with the best upbringing. In contrast, his mother placed great importance on the religious and moral aspects of his upbringing, as it was her dream to see her son become a devout Christian. At the age of six, Augustine, like his peers, entered school in his hometown of Tagaste3, where he received his initial lessons in writing, reading, and arithmetic. Around 365 Ce4, he moved to Madaura5to continue his education. After completing his studies there, he returned to Tagaste6around 369 CE to spend a year with his family due to his father's inability to cover the costs of his education and the high expenses of travel. By 370 CE, he managed to reach Carthage to pursue higher studies 7, where his skills began to shine compared to his peers. This led him to open a

school for rhetoric, with the help and funding of a wealthy citizen from Tagaste named Romanianus8, who covered all his educational expenses after the death of his father in 371 Ce9. He stated, "... I overcame my desires and rejoiced in studying rhetoric and selling this art...10" However, the lack of discipline among students in Carthage prompted Augustine to consider traveling to Rome, hoping for a better living situation, a higher status, and more disciplined students 11. In 383 A.D., Augustine arrived in Rome, but he did not stay long, for in 384 A.D12. he moved to Milan to take up the position of professor of rhetoric13. This stay would witness profound changes in Augustine's life, especially his encounter with Saint Ambrose, who would completely change Augustine's perspective on Christianity 14 and lead him to abandon the various sects and heresies that had previously attracted him, such as Manichaeism, to which he had remained loyal for nine years, and Neoplatonism. Unbeknownst to him, Ambrose was able to correct Augustine's misconceptions about the Scriptures 15, providing explanations and interpretations that Augustine had previously struggled to understand due to his lack of knowledge of Greek. This eventually led Augustine to embrace Christianity and receive baptism from Bishop Ambrose in 387 Ad16. After Augustine returned to his hometown, he was appointed as the bishop of the Church of Hippo, a position he held for 38 years. During this time, he dedicated all his efforts to serving the Church and Christianity, with his primary goal being the salvation of the Christian people. Once focused on fame and high office, he renounced his elevated position and devoted everything he had to addressing the problems of human existence. Nevertheless, he did not neglect intellectual production; this period was rich and fruitful, marked by his theological and philosophical writings that left a significant impact on the Catholic Church and laid the foundation for theological organization in the Middle Ages.

2. The African Roots of Saint Augustine

The first aspect to consider in order to clarify the ambiguity surrounding this issue is Augustine's origin: was he of Numidian or Italian descent, given that Numidia had seen an influx of Italians in the past? According to Serge Lancel, the latter hypothesis is unlikely and difficult to confirm.

The situation is quite different when we discuss Augustine's maternal lineage. We can touch upon and affirm his African identity and Numidian descent through his mother's name, "Monica," which is derived from the name of a Numidian goddess, "Muna.17" This suggests that Augustine was of African descent, at least on his mother's side.

Augustine was raised in an African environment. Language is usually the first thing a person learns from his environment, and Augustine is no exception. Although he was born into a community that spoke Punic - a language introduced by the Phoenicians six or seven centuries earlier that persisted until Augustine's time - he learned Latin because it was the language of the environment in which he was raised. According to his work Confessions, he mentions that he learned Latin easily from an early age because it was the language of his family and caregivers, and it was also the official language in schools. Despite Augustine's limited knowledge of Punic, he used God's Word in his sermons in three languages:

Despite Augustine's limited knowledge of Punic, he used God's Word in his sermons in three languages: Latin, Greek, and Punic 18. This trilingual use invites reflection, as Lancel suggests that it represents a form of equality between the Punic language and the two

dominant cultural languages, Latin and Greek. Thus, Augustine did not disregard this local language, nor did he overlook its speakers among the Africans. He made a concerted effort to reach them by incorporating Punic terms into his preaching and teaching 19.

In addition, Augustine made sure that the priests in his dioceses knew the language of their parishes, which was Punic. He could have chosen to ignore this language, seeing it merely as a local dialect, representing only a segment of the population, and not as an official language reflecting Roman

authority. On the contrary, Augustine saw the Punic language not only as a necessity imposed by circumstance, but also as a manifestation of cultural diversity within the Roman Empire and an important tool for preserving African identity and consciousness 20.

On the other hand, Augustine frequently praised the cultural intellectual output of the Punic language, referring to the works housed in the library of Carthage that were written in Punic. He notably highlighted Apuleius of Madaura, who was of African descent, as an example. Apuleius is recognized as the first to establish the writing of the novel in history, and Augustine acknowledged the greatness and significance of his works. This reflects Augustine's pride in his African heritage and legacy21.

Despite Augustine's high level of proficiency in Latin, he mentioned the difficulties he faced during his time in Milan. Although he gained notable rhetorical fame, his accent betrayed him and could not conceal his African origins. Augustine recounts how his African accent in pronouncing Latin made him a subject of observation and criticism, and he was also astonished by the pronunciation he encountered in Milan. He states in this regard: "Even though I was the one who had to learn all those things (i.e., rhetoric) with patience and perseverance, people in Italy mocked me because of the way I pronounced individual words, which was the same thing I criticized them for.22"

Augustine's statement can be compared to that of an Algerian who speaks French or English; no matter how well he speaks the language, the influence of his mother tongue is evident when compared to a native speaker of French or English. This was the case with Saint Augustine, whose accent revealed his African identity. Augustine was indeed African, and while he displayed great skill in Latin, his lack of proficiency in Punic highlighted this distinction. Many saw him as a first-rate Roman, a perspective we can only accept from a cultural standpoint. This cultural achievement may be due to his different living conditions and the cultural environment around him. While the majority of the neighboring population in Tagaste spoke Punic, Augustine's immediate environment-both at home and at school with his friends-was predominantly Latin-speaking23.

Augustine's African identity is further illustrated in one of his letters to a Tagaste grammarian named Maximianus. He expressed concern that, after Augustine's travels to Rome and Milan, he might be influenced by these famous cities, dazzled by their architecture, personalities, and civilization, and forget his simple homeland24. Augustine's response to this concern was clear: "I am an African; I write for Africans, since we both live in Africa25.

Augustine was unwavering in his response to anyone who dared to mock or belittle Africans. He often spoke with a strong tone, as in his response to another letter from the Madagascan Maximianus, who mocked Punic names. Augustine asserted that an African cannot address fellow Africans in a tone of ridicule, since they are the bearers of a language that has transmitted treasures of knowledge and wisdom26.

Augustine also expressed his pride in his African heritage in direct response to another bishop, the young "Julian Declan," who referred to Augustine as the "African disputant. Augustine replied, "Do not underestimate this Punic who reproaches you; do not think that because you were born in Pouilles (Italy), you have any superiority by birth over these Punics, while you are incapable of surpassing them in intellect27.

This clearly demonstrates Augustine's refusal to deny or be ashamed of his African origins, especially before a Roman bishop who represented those who claimed civilization and culture.

While Augustine's African origin was an unavoidable reality, his identity as an African was also a matter of choice. At a time when he had attained considerable maturity and wisdom, along with the fame and esteemed status he had long sought - culminating in his appointment as professor of rhetoric in Milan, with the help of Simachus, and his interactions with the most distinguished and influential figures of power - he remained rooted in his African identity. Even after being converted to Christianity by one of

the most famous church figures in Rome, Ambrose showed great love and appreciation for Augustine and, as Augustine states in his "Confessions," acted as a nurturing father figure to him.

In the midst of all these events, Augustine chose to return to his hometown, although he did not clarify the reasons for his decision. As Serge Lancel suggests, this return may have been an instinctive choice that did not require elaboration. Augustine himself, in his "Confessions,"28 says on the subject: "We were looking for a place where we could be of greater service to you, so we returned to Africa"29.

Upon Augustine's return to Africa, he assumed the role of priest of the Church of Hippo and later became its bishop, a position he held for 38 years. During this time he spared no effort to help the followers of his expanding church and worked diligently to defend the views of the African Church, aided by his fellow bishops, especially "Bishop Thagaste," "Alypius 30. It can be said that Augustine's African identity was on a par with the Roman culture imposed by his immediate family environment and the broader context of his education. In his "Confessions," he mentions that he learned Latin through playful interactions with his caregivers and from his teachers 31.

3-Background of the Augustine-Donatist Conflict

The Augustine-Donatist conflict has often been viewed as a symbol of Augustine's alienation from his fellow countrymen. This struggle took on political, social, and economic dimensions, reflecting the realities faced by Africans at that time. While this perspective has been widely accepted among both the general public and scholars, it may require cautious consideration if we delve deeper into the specifics of the issue and seek the true causes behind the Augustine-Donatist conflict.

Initially, the idea of ecclesiastical schism arose from purely doctrinal reasons, centering on the sanctity of the Church and its ministers, who were believed to be incapable of committing sin; otherwise, they would be subject to exclusion. This notion was rooted in the case of Caecilianus in 312 AD, who was deemed a traitor for surrendering the sacred texts to Roman authorities during persecution. The Donatist Church rejected the idea of absolving Caecilianus, perpetuating the belief that all subsequent generations within the Catholic Church were the offspring of traitors and apostates. Consequently, for over a century, they refused to engage or associate with their Catholic opponents.

Beyond the schism affecting the Church in Africa, other conflicts emerged between Augustine and the bishops of the Donatist Church, primarily revolving around two ideas. The first was the agreement that the Church was Catholic; however, the sanctity of the Church was a matter of contention. The Donatists believed that the Church and its ministers were sacred and should not commit sins, and that those who did deserved the punishment of exclusion, referring specifically to Caecilianus. In contrast, Augustine argued that all humans are inherently sinful, asserting that the Church's role should be one of guidance and correction, emphasizing that only God has the authority to punish on the Day of Judgment. From this, we conclude that the conflict between Augustine and the Donatists was not fundamentally ethnic. Augustine did not view the Donatist churchmen as merely Africans, contrary to popular belief. Instead, the basis of the conflict between the two churches was doctrinal. Evidence of this is Augustine's consistent effort to unite the church under the banner of Catholic unity rather than seeking to eliminate his Donatist opponents entirely. From the moment he arrived at the Church of Hippo, he aimed to reconcile and unify the Church rather than to drive a wedge between its factions.

4-The Social Role of Saint Augustine

A. Defense of the Poor: In the midst of Augustine's conflict with the Donatists through his rhetorical debates and theological writings, he did not forget his duty to his parishioners in the region of Numidia,

especially the poor. This vast region, which stretched forty kilometers to the south and west, was home to numerous towns and villages populated by people living in misery and poverty32

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Augustine witnessed the daily lives of these people, called "colons" not in the modern sense of the word, but in its original meaning of "peasants. They lived on large estates owned by large landowners who forced them to pay an annual tax to the landowner, either in cash or in kind33, according to a feudal system. While this arrangement may seem normal, the manipulations of the landowners or their managers significantly worsened the lives of these peasants. They faced an excessive tax burden imposed by the authorities, and instead of bearing these burdens themselves, the large landowners evaded their responsibilities and sought to extract these costs from the pockets of the impoverished peasants34.

In addition, the legislation of the fourth century exacerbated the suffering of the peasants. This legislation mandated the hereditary inheritance of land in order to bind the peasant to his land rather than leave it fallow. However, this law fundamentally undermined the freedom of the peasants and placed them in a perpetual state of dependence on the landowners, who did not hesitate to overburden them with taxes. Augustine's awareness of these social issues motivated him to advocate for the rights and dignity of the poor, demonstrating his commitment to social justice and his role as shepherd of his flock.

In this atmosphere filled with the exploitation of the weak by the strong, Augustine endeavored daily, with all his strength, to curb such behaviors. He leveraged his position, which allowed him to form significant relationships with large landholders and high-ranking officials. He seized every opportunity to persuade them to mitigate these injustices. One notable instance is found in Letter 247, which Augustine sent to a man named Romulus, who owned lands in Hippo and had entrusted their management to agents. However, these agents were characterized by their oppression and injustice towards the farmers under their care, forcing them to pay the annual tax twice instead of once. The misappropriated funds benefited these agents unlawfully35

In response to the farmers' outcry, Augustine intervened by sending a letter to Romulus, detailing the plight of the farmers and expressing his strong condemnation of such inhumane actions. He stated, "They suffer today, but the unjust rich must fear God's wrath on the Day of Judgment, where God rewards each according to their deeds.36" He further noted, "This unjust rich man considers his sins trivial, yet if he could overcome his greed, he would water the earth with his tears until he obtains God's mercy.37"

In another instance, Augustine expressed his deep concern in Letter 251 regarding a group of farmers working on an estate embroiled in a dispute between two parties. He feared that this conflict would adversely affect the farmers and their situation.

Augustine regarded himself as particularly responsible for the poor among his flock. In a letter to a man named Felix, he emphasized that the role of the Church and the bishops is to defend everyone, especially orphans, stating: "Your faith teaches well that the Church and the bishops are obligated to defend all, and especially the orphans.38"

Accordingly, Augustine committed himself to providing aid and charity, utilizing the church's revenues. He created a list of the poor whom the church would support, including widows and orphans, leaving only a minimal amount for the daily needs of the Church of Hippo. He expressed to them: "It is not permitted for us to have anything in the treasury; it is not right for a bishop to hoard gold while turning away the hand of the beggar. Every day, a number of the needy come to us, and we are deeply saddened when we find ourselves unable to give to all those who approach us, as we have no reserves in the treasury.39"

Augustine's position as bishop allowed him to form relationships with high-ranking officials, wealthy

individuals, and large landowners. He took every opportunity to leverage these connections to urge them to care for their dependents—slaves, freedmen, farmers, and tenants—and to be generous towards them. Augustine likened these wealthy individuals to large trees, such as cedar trees in Lebanon, which provide shelter for many birds. Here, the 'birds' represent the poor and needy who seek sustenance from these trees, just as the poor rely on the rich.

He was consistently concerned about the fate of many freed slaves after their emancipation. Augustine encouraged the wealthy to consider their future before granting freedom to ensure that they would not lead lives of misery. He criticized Saint Melania, a woman with vast estates in Africa, whose religious zeal drove her to donate all her possessions to the church, including a farm near Thagaste. This decision did not please Augustine; rather, he questioned the fate of the farmers and slaves associated with that estate.

Additionally, Augustine opposed the growing wealth of the church, as this prosperity could create animosity with the poor, who might view the church as just another landowner. Furthermore, such wealth could tempt church leaders, distracting them from their pastoral duties, much like the case of Antoninus in Fausala40.

Augustine's understanding of Africa came to fruition only after his return, beginning with Hippo and its environs. However, the purpose of these visits was not to explore the regions, but to visit the local churches in order to assess the religious and local conditions. He never overlooked the situation of the inhabitants of his diocese and urged his followers to be more generous to their bishop and to contribute financially to the construction of the churches they saw being built. He remarked:

"There may be a church being built or some useful work being done in the House of God. He expects you to be alert to what may be needed and to recognize your obligations to the poor and needy. Do you not see your priest without means? Surely you see the houses of God being built for your prayers-surely it is obvious to you.41"

B. Defense of the Imprisoned and Oppressed

Augustine positioned himself as a lawyer or advocate for prisoners, striving to ensure that imprisonment would not be a source of abuse, injustice, or mistreatment. Despite the onesided relationship between the church and the authorities during this period, Augustine was adamant about distinguishing between being an instrument of the state in achieving a just and stable society and being a mere tool in the hands of the authorities to serve their interests. He worked diligently to infuse a sense of humanity into the judicial system42.

Augustine sharply criticized judges who condemned people without ensuring the truth of their guilt or innocence. He questioned how they could pass judgment without verifying the actual crimes committed. Augustine also condemned the use of torture by judges to extract confessions, which often involved many innocent people in cases that had nothing to do with them. Such torture could lead defendants to confess to crimes they had not committed, simply to escape the agony or to avoid further suffering 43.

He emphasized that the psychological torment experienced by these wronged individuals was often worse than the physical torture. They endured unjust suffering for an unproven crime, through no fault of their own other than the judges' inability to uncover the truth44.

In general, judges resorted to such sentences not because they discovered the true perpetrator, but because they did not know who had committed the offense45. Augustine warned that this ignorance could dangerously culminate in the imposition of the death penalty, and he sought to distinguish between the theoretical application of such a punishment and its practical execution.

On another front, Augustine attempted to propose solutions to disputes between the church and

individuals over inheritances and to address delays in legal proceedings against debtors. He often succeeded in obtaining extensions of time for repayment, backed by the of the church.

The letters of Augustine document his intervention in numerous legal disputes, as permitted by law. For instance, in Letter 24 to Deivax, Augustine advocated for a group of rural slaves who were to be reclassified as property because their father had been a steward for wealthy landowners. This case was brought before a prominent judge named Ostiucius, who was part of the elder class. Augustine urged the judge to reject such inhumane actions, regardless of the information presented to him, as they severely limited the individuals' freedom, effectively reducing them to slavery. He called for the formulation of all legal arguments necessary to counteract this greed and dismiss the case46.

Augustine was a staunch protector of the weak and the poor, even if he could not always assist them directly. In Sermon 302, he spoke about an official or military man who resorted to extortion, leading many victims to lives of misery and bankruptcy, ultimately resulting in one victim's assassination. Augustine's stance was that it was inappropriate to seek personal revenge for this act; rather, the matter should be addressed by the official courts, not by individuals47. Consequently, those murderers were considered among the greatest criminals, and Augustine's pleas did not reach the ears of the governor, who was a pagan, regarding their pardon.

Augustine attributed the judgments made by judges, whether intentional or not, not to malicious intent, but to sheer ignorance first and foremost, and to the compelling necessities of a human society that had elevated them to the ranks of judges 48.

Augustine's charitable work was not limited to his diocese of Hippo, but extended to all the regions he could reach, as he sought to intervene in various disputes. He achieved considerable success, as Martroy points out in a series of articles published between 1908 and 1919, in which he discusses the role Augustine played in influencing the legislation of his time through the issues he addressed. He successfully advocated for the right to political asylum and the rights of suspects during pre-trial detention, asserting that a suspect is presumed innocent until proven guilty.

Despite his efforts, Augustine faced criticism from his congregation regarding his rulings in the cases in which he intervened. He remarked, "I must decide in favor of one party over another, and the judgment is final. If the rich benefit, the poor will claim that the bishop must have received a gift from him. Conversely, if the poor benefit, some will say that he only did so to avoid being accused of being against the poor.49"

This illustrates the complex dynamics Augustine navigated as he sought to uphold justice and help the vulnerable while managing the perceptions and criticisms of those he served.

Conclusion:

Based on the above, we conclude that Augustine was of African birth and origin, a fact he was not ashamed of, which he openly asserted against his Roman adversaries. However, he was of Latin culture. Regarding his loyalty to Roman authority, it must be accepted with considerable caution, as Augustine's positions were primarily founded on religious grounds. His reliance on Roman power aimed fundamentally at achieving ecclesiastical unity under the banner of Catholic unity, especially after his attempts to unify the church through theological debates over nearly 29 years had failed. Thus, his ongoing conflict with the Donatist Church, which could be seen as encapsulating the history of North Africa, remains rooted in religious backgrounds rather than any affiliation with African identity, contrary to what many opinions have suggested.

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The Importance of Sexual Education for Healthy Personality Development

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ABSTRACT

Sex education means something much broader than sex education, it means the sufficient valid experience that qualifies the young to adapt well to the various life problems that revolve around the sexual function. Sex education does not mean knowing how to present the anatomy of the reproductive organs and their function to children and adolescents, but rather real sex education is to make them realize that this instinct, like other instincts, must be placed at the disposal of the will and the mind. This is what this research paper attempts to address from the sources and content of sex education, and when to start it with children and adolescents, and its content and the educational and training objectives that the child must learn from sex education

Keywords: Sex education, its sources, stages and dimensions

1. Concept of Violence

The World Health Organization defines sexual health as follows: "It encompasses the physical, emotional, mental, and social aspects of human existence that enrich an individual's personality and enhance his or her social interactions and ability to love.

Experts from the World Health Organization have formulated the following concept of a healthy sexual life: - The ability to enjoy sexual life, to have children, and to regulate one's behavior according to principles of public morality and personal integrity.

- The elimination of fear, shame, guilt, and myths or false beliefs that interfere with sexual relationships.
- The absence of disorders and physical illnesses that interfere with sexual desire and reproductive function.

In order to educate a child and help him develop these characteristics, it is essential to provide him with knowledge and information about the sexual development of children and adolescents, the disorders of this development, and how to prevent and protect against them.

2. Definition of Sex Education:

Sexual education is a type of education that provides individuals with scientific information, valuable experience, and appropriate attitudes regarding sexual issues, as far as their physical, physiological, mental, and social development allows. It operates within the framework of religious teachings, social norms and moral values prevailing in society, equipping them for proper adjustment in sexual situations and enabling them to realistically face their sexual issues in the present and future, leading to mental health (Hamed Zahraan, 1977).

The Arab Organization for Education, Culture and Science (1987) adds that although a person inherits many traits, it is those acquired from the environment and through education that shape his personality and its final form. Therefore, sex education is not only about providing children with natural learning opportunities or giving them the right information at the right time; it is part of their growth as human

beings and later as spouses (father and mother) (Sultan Salah al-Din, 2008, p. 22).

In the same context, Abdullah Nasih Ulwan (1989) emphasizes that sex education involves teaching boys and raising their awareness about issues related to sex, instincts, and marriage from an early age. By the time a boy matures and understands the issues of life, he should know what is permissible and what is forbidden, and adopt a distinguished Islamic behavior in both character and habit, refraining from succumbing to lust or wandering down the path of moral decay. According to Wikipedia, "Sex education is a broad concept that includes the teaching and education of sexual anatomy, sexual reproduction, sexual intercourse, sexual health, emotional relationships, reproductive responsibilities and rights, contraception, and other aspects of human sexual behavior. Sexuality education is learned through parents, school curricula, religion, and health awareness programs.

3. Why Sex Education

Sexual development is an important topic at all stages of growth, and sexual behavior is an important topic in childhood, especially during adolescence when sexual activity peaks. It is noted that there are societies that restrict sexual behavior, some that are semi-restrictive, and others that are permissive, all of which influence the monitoring of sexual behavior.

Adolescents often feel a sense of confusion and contradiction between what they hear and what they see regarding sex and sexual behavior, which leads to several questions: Is sex good or bad? Is it sacred or profane? Does it lead to happiness or unhappiness?

Sexual issues can significantly affect an adolescent's personality and interfere with his or her mental, social, and emotional activities, which in turn affect his or her behavior. This is often the result of ignorance of basic sexual facts and information. In addition, poor communication between adults and children, between parents and their children, and between teachers and students, as well as the perception of sex as a taboo subject, can lead to problems and sexual deviations.

Some may argue that sex education increases students' curiosity and interest in sexual matters or encourages experimentation and excessive sexual behavior. However, this perspective is misguided; there is no shame in discussing these issues in a religious context. The sexual feelings that accompany adolescence, if not properly addressed, can lead to discomfort and anxiety, and possibly to deviance, marital unhappiness, or psychological disorders.

Proper sex education should enlighten us about various aspects of sex, such as maternal and child care, family planning, etiquette in sexual relationships, sexually transmitted diseases (such as HIV/AIDS), anatomy of the sexual organs, their roles, and sexual orientation.

4. Reasons for the Importance of Sexual Education for Children:

- Decline in Social Competence: Children may not recognize boundaries of values, norms, or traditions that govern community life, which can lead them to violate these boundaries without hesitation.
- Increased Vulnerability to Material Temptation:For a small material reward or some sweets, children can easily become victims of harm (such as sexual abuse).
- Weak Willpower: This makes them susceptible to influence without resistance, rendering them easy prey due to sensory incapacity that distorts certain perceptions, leading to misunderstandings of intentions (such as unexpected or unnatural looks and touches).
- Ease of Subjection to Threats: Children may succumb to threats from those who exploit them sexually, which compels them to keep the exploitation and harm a secret.
- Limited Cognitive Abilities and Low Language Proficiency: Children may not fully comprehend the actions taken against them, making it difficult to express their feelings either due to a lack of

understanding or because they are not allowed to speak about their experiences, leaving them vulnerable to exploitation.

- Limited Physical Ability: This can lead to compensatory behavior in sensory areas, making them more susceptible to sexual arousal during this stage compared to others (Abla Marjan, 2011, p. 40).
- Lack of Discrimination Between Public and Private Spaces: In some cases, neglect in upbringing can result in children not recognizing their surrounding environment.
- Difficulty in Recognizing Bodily Privacy: Children may struggle to distinguish their own bodily privacy from that of others.
- Inability to Communicate with Parents:Language barriers may prevent children from informing their parents about the sexual abuse they are experiencing, which could help protect them.
- Weak Self-Regulation: Especially in situations of sensory arousal, children may find it hard to manage their responses.
- Fear of Punishment or Assault from Parents: This fear, along with the worry of being judged or reprimanded by those around them, may lead children to keep silent about their experiences, hiding the sexual exploitation due to feelings of shame.
- Unawareness of Potential Sexual Harm: Children may not recognize that they can be sexually harmed even by those close to them (such as babysitters, caregivers, drivers, or friends). Friends, relatives, and household employees may exhibit inappropriate sexual behaviors towards both boys and girls, posing as family friends or the child's allies to carry out their harmful actions.
- Cognitive deficits: Children may not fully understand certain topics or types of relationships, which can lead to confusion and distress when exposed to sexual stimuli (Abla Marjan, 2011, p. 41).

5. Sources of Sexual Education

There are multiple sources through which children can acquire sexual knowledge, but the most prevalent and influential sources include:

- **A. Parents:** Research indicates that various sources of sexual education significantly impact children's sexual development, with parents being identified as the most important source of information, despite often being unavailable (Whitake & Miller, 2000). Dialogue with parents tends to be limited. Studies have shown that for some girls, their sexual development can lead to conflicts that hinder communication with their mothers, which pushes them to seek sexual education from other sources. Others emphasize the importance of fathers, arguing that they have a greater influence on children's sexual behavior than mothers (Dittus et al., 1997). However, families often lack the psychological preparation and knowledge necessary for providing sexual education. Consequently, some argue that parents should not be obligated to deliver these programs, as they themselves require knowledge and understanding of the principles and foundations of sexual education.
- **B. Peers:** It has been found that same-age peers are more influential than older peers in conveying essential concepts to children (Abla Marjan, 2011, p. 47).
- **C. Media:** Children are exposed to sexual scenarios through media that may contradict their family values and beliefs. The way media influences children's awareness and development is shaped theoretically by identity-based needs, which determine the messages chosen to capture attention, how information is interpreted, and how it is presented interactively.

D. Schools: There is no consensus in studies regarding the effectiveness of school-based sexual education on children. School staff may possess some knowledge and understanding of individual differences among students, which can facilitate the implementation of sexual education programs. However, the challenge lies in the lack of continuity of the program implementers, who may disappear or be absent from the child's life at any time for various reasons.

In conclusion, it can be said that this task is a shared responsibility between families and institutions, each according to their capacity and circumstances. This means that roles should be complementary, goals should be aligned, and this relationship should allow for open discussion of any issues the child may be facing without embarrassment or discomfort (Abla Marjan, 2011, p. 48).

6. When to Begin Sexual Education

Infants (0-2 years): Sexual education begins in the child's first year through the organization of their body parts. Caution should be exercised against relying on caregivers, as some may engage in inappropriate behaviors or use sexual organs to elicit pleasure in the child. Parents should not show disgust toward their child's bodily excretions, as these indicate normal intestinal function.

After the first year, modesty should be instilled in the child, as they begin to develop awareness. Care should be taken to ensure that the child's private parts are not exposed to others, whether they are other children or adults, and that parents or younger siblings do not expose themselves to the child, especially after the age of four.

Do not underestimate the child or believe they are too young to understand what they see. Children are influenced by their surroundings, even at a young age; the images they see during these early years can leave a lasting impression on their subconscious, shaping their personality, beliefs, and values.

Children (2-6 years):

Body parts should be referred to by their correct names: fingers, mouth, vagina, penis, etc. Avoiding proper terminology sends the message that these parts are shameful. Correct naming helps the child understand the facts about their body. The Quran mentions such terms as well, such as ",)menstruation(" understand the facts about their body. The Quran mentions such terms as well, such as ",)menstruation(" and Children should be made aware that discussions about these body parts are private and should not extend beyond the family. Teach them to respect the privacy of others; for example, one should not enter the bathroom while someone else is using it or sneak a glance at someone who is changing clothes. This teaches children the concept of personal privacy and the importance of respecting others' privacy.

Children should learn to maintain the cleanliness of their underwear and avoid using others' inner garments to prevent the transmission of diseases. If a mother observes her child touching their private parts, she should calmly redirect the child's attention to another constructive activity, such as playing or social interaction.

Children (7-10 years):

During this stage, focus on teaching the child practical religious obligations such as prayer, ablution, and the rules of cleanliness and fasting. It is important to separate children when they sleep, as advised by the Prophet Muhammad (peace be upon him). Teach the child the etiquette of asking permission and the importance of lowering one's gaze, especially toward non-Mahrams.

Do not allow children to go out alone at noon or in the evening. Make sure they completely close their room doors when changing clothes and make sure no one can see them. Teach girls to sit properly, making sure they do not sit with their legs apart.

Children (10-18 years):

Explain the reasons behind the prohibition of being alone with a nonMahram and clarify what constitutes unlawful seclusion. Teach girls the proper methods of purification. Warn boys to avoid girls and boys who distribute sexually explicit movies or phone numbers, and stress the importance of associating with morally upright peers.

When a girl reaches puberty, explain the process of embryo development and that the only permissible context for pregnancy and sexual relations in Islam is within marriage. Discuss with children the meaning of sexual assault and share stories that promote concepts of honor, dignity, and the importance of saying "no" to what is unacceptable.

Encourage children to avoid exposure to materials that may arouse them, such as movies, stories, books, and magazines.

Children over 18: Explain to young adults the importance of marriage and sexual relations, emphasizing their necessity for the preservation of the lineage and the responsibilities of a husband to his wife and vice versa (Noura Bint Mufar Al-Farni, n.d., p. 13).

7. Can We Answer All Sexual Questions

Regarding children's sexual questions, there is no objection to answering them, but several conditions should ideally be met in the responses:

1. Age-Appropriate and Relevant: Responses should be suitable for the child's age and needs. Questions should be answered promptly rather than postponed, as delaying can harm the child's trust in the asker and waste a valuable opportunity to engage in the topic when the child is eager and receptive, leading to better understanding and acceptance.

2. Comprehensive:

Sexual education should not be limited to physiological and anatomical information, as children's curiosity extends beyond that. It is essential to include other dimensions, such as the religious aspect, by explaining relevant hadiths. For example, when the companions of the Prophet Muhammad (peace be upon him) asked, "Is there a reward for satisfying one's desire?" he replied, "What if he were to do so unlawfully; would he bear a sin? Similarly, if he does so lawfully, he will have a reward" (Narrated by Muslim). This means that while discussing pleasure, it should be tied to the necessity of keeping that pleasure within its lawful framework (marriage) to receive rewards from Allah.

3. Ongoing:

It is a common mistake to believe that sexual education comprises a one-time delivery of information. This belief reflects the parents' or educators' desire to quickly conclude what they perceive as an "annoying" obligation. Instead, information should be provided gradually in various forms—such as through books, videos, or lessons at the mosque—so that it can be gradually absorbed and understood in accordance with the child's cognitive development.

4. In a calm dialogue environment:

A conducive environment for dialogue is one of the most important conditions for effective sex education. Engaging in a calm and loving dialogue about sexual topics can significantly help children to achieve a correct understanding of the dimensions of "sex" and to reach a level of sexual maturity that is consistent with our Islamic teachings and values (Sultan Salah Al-Din, 2008, p. 25).

8. Key Aspects of Children's Sexual Health:

1. Biological Aspect:

This includes the formation of genetic or chromosomal sex, gonadal development, hormonal sex, internal and external reproductive organs, hypothalamic sex, and secondary sexual characteristics. The biological aspects of sexual health reflect sexual and physical development.

2. Psychological Aspect:

This includes the development of self-identification, sexual roles, sexual orientation differences, and sexual desire. The psychological aspect of sexual health reflects psychological sexual development.

3. Social Aspect:

This refers to the religious, social, and cultural laws and norms that define sexual education (Nizar Ayoun, 2009).

To achieve a normal level of sexual health for children and adolescents, it is essential to provide organized sexual education that should include the following components:

- -Education on appropriate self-identification for the child's gender.- Teaching gender-appropriate behavior (development of masculinity and femininity in both sexes on psychological and social levels).
- Developing skills and experiences related to sexual culture for both genders.
- Preparing the younger generation to fulfill their marital and parental responsibilities.
- It is imperative that all aspects of sexual education be imbued with ethical rules and principles (Nizar Ayoun, 2009).

9. Dimensions of Sexual Education

Some experts claim that 80% of what a person learns comes primarily from experiences in the early stages of life (from birth to three years). Therefore, it is crucial to focus on sexual health and education during this early period. Key concepts at this stage include the body, individuality, control, safety, and self-confidence. Childhood is characterized by a child's readiness to understand their own body characteristics, to control their sense of safety, and to accept themselves as a boy or a girl. It also involves the development of psychological openness and trust in others. All of these factors are essential and play a significant role in the child's sexual health throughout his or her developmental stages and become more evident in future marital relationships

The main dimensions that sexual education aims to achieve during childhood include:

1. Physical Dimension:

- Body Awareness: A newborn typically lacks adequate awareness of their individuality, feeling helpless and completely dependent on their parents for everything. However, they begin to recognize their needs when they experience hunger, thirst, or pain, confirming that they have their own body. This realization occurs when their needs are met by their parents, reinforcing their sense of separation from others. Therefore, one of the essential factors that should be developed in a child's growth is their awareness of their body and how it interacts with the surrounding environment (Abla Marjan, 2011, p. 50).

-Body Control: During this stage, children gradually learn physical skills and use them in various ways to explore their abilities and surroundings, such as learning to walk. Through these experiences, they test their boundaries and discover their capacity for self-control, which ultimately shapes their future sexual identity. When children are affirmed regarding their body parts, they learn to be independent and confident. It is natural for children to explore and touch their reproductive organs at this stage, and there is nothing wrong with this; caregivers should understand this and not embarrass them, allowing children to transition through this phase smoothly. Additionally, providing love and care is crucial at this age; otherwise, children may compensate for their lack of affection in various ways. For example, children may see touching their genitalia as the only source of sensory pleasure and affection they need.

2. Relational Dimension:

There are fundamental aspects of a child's relationship with their environment that should be established during this phase to build healthy relationships with friends and society, including: -Safety and Trust: Continuous presence of parents and timely responses to children's basic needs are vital for a child's ability to feel safe and secure, which in turn enables them to establish intimate relationships culminating in marriage and, subsequently, sexual relations.

- Connection and Individuality:

Children may struggle with separation from their parents and may find it difficult to connect with others. Some parents may encourage complete dependence to avoid their own feelings of loneliness, contributing to the development of dependent children, even into adulthood. Excessive reliance on others can diminish the sense of individuality and lead to unhealthy interactions in relationships. Hence, one crucial point parents should remember is that a child's first relationship is with their parents, shaping their understanding of communication patterns that they will later apply in other relationships. While you may not explicitly discuss sexual health with your child, your behavior and communication convey messages that significantly affect their ability to form healthy relationships later (Abla Marjan, 2011, pp. 50-51).

3. Personal Dimension:

An important role of education at this stage is to help the child recognize gender differences in order to understand his or her own and others' sexual identities. Boys are boys and girls are girls. Much of what we learn about the roles of boys and girls begins at this early age. It is important for children to develop their own sexual identity, so parents should inform them about the differences between the sexes and the roles associated with each.

10. Content of Sexual Education

When developing a plan or program for sexual education, it is crucial to tailor and adjust the messages provided to children or adolescents according to their mental, cognitive, linguistic, and social capacities. Therefore, certain conditions must be adhered to ensure the effectiveness and safety of the messages and their impact on them.

These conditions include:

- Using clear and simple language that the child or adolescent can understand while encouraging the use of terms for all body parts.
- Simplifying information and making it relatable to the child's or adolescent's understanding according to their abilities.
- Maintaining honesty, transparency, and truthfulness when answering children's or adolescents' questions.
- Ensuring that dialogue, discussion, and training are ongoing as long as there is a need, using varied methods in a friendly and respectful atmosphere.
- Gradually presenting information and sexual skills.- Providing information and skills that meet the child's or adolescent's needs while avoiding unnecessary details.
- Using tangible materials and training linked to images and live scenes of animals giving birth or plants, to answer children's or adolescents' questions in a practical, procedural manner.- Ensuring that the information and skills given to children are
- accurate and that the answers correspond to the questions asked.- Considering gender; it is preferable for mothers to engage with daughters and fathers with sons.
- Taking into account the developmental stage the child or adolescent has reached.
- Considering the child or adolescent's language proficiency, including expressive language and independence.
- Considering the nature of the child's or adolescent's environment.

11. Educational and training objectives Children should learn from sexuality education:

- How and when to say "no" to adults.
- Understand the privacy of spaces (e.g., recognizing the privacy of the bathroom for themselves and others and closing the door).
- Not trying to take off peers' clothes or touch their genitals.
- Not undressing or partially undressing in front of others.
- Know the names of their reproductive and sexual organs.
- Understand the difference between the sexes (male and female)
- Recognize what constitutes sexual abuse.
- Know how to protect themselves from sexual exploitation.
- Practice asking permission when entering private spaces and respecting the privacy of others without intruding.
- Knowing which parts of the body can be touched and which parts should not be touched by themselves or others.
- Understand when, with whom, where, and how to kiss or hug.
- Recognize acceptable and unacceptable behavior in sexual contexts.
- Regulate their sexual desires and adhere to values and religious teachings.

- Preparing them psychologically and health-wise for puberty by familiarizing them with the signs of puberty, how to cope with it, and the physical and physiological changes they will experience (e.g., nocturnal emissions, menstruation).
- Teach adolescents how to care for themselves during menstruation.
- Teach adolescents how to manage nocturnal emissions.
- Understand that sexual relations are between a man and a woman within the context of marriage.

Conclusion:

Parents must prioritize sexual education in their interactions with their children. Neglecting this aspect can lead to children becoming victims of sexual abuse or, conversely, becoming individuals who exploit children to fulfill their desires, primarily due to the lack of attention given to their questions when they were younger. This is often the result of not allowing enough time for discussion, which leads them to seek knowledge from inappropriate sources and cultures.

Children are the future and the present; therefore, they must be healthy and vibrant in their physical, mental, emotional, and spiritual well-being. We must give them the care and protection they deserve and be their support system, guiding them to safety. It is imperative that we do not neglect or become complacent in providing them with the education and upbringing necessary to empower them to take the initiative for building and development.

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Horror Cinema and the Audience: Aesthetic Scene and Psychological Impact

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ABSTRACT

The horror film is one of the most widely viewed genres among audiences due to its positive and negative impact on viewers. It encompasses a range of artistic and technical elements with psychological implications that stimulate the latent feelings in the subconscious of the audience, providing them with an impression that contrasts with reality, thus generating a sense of what is called catharsis. Horror in cinema can either stem from real human experiences or be entirely the opposite, meaning a reflection of imagination that negatively impacts reality in society.

Keywords: cinema, horror, audience, aesthetics, scene, impact, psychology.

INTRODUCTION

There is a consensus on the importance of horror cinema in daily human life and what it can evoke in the souls of its viewers through the experiences and human emotions it expresses. These films are a primary source of artistic aesthetics, technical creativity, and psychological content, representing a creative image in how they address human reality and reveal its mysterious secrets in the inner psychological life, deeply interpreting the human self and the conflicts it entails. By showcasing the true image of dreams and fantasies on one hand, and simulating destinies with a sense of wonder and the extraordinary in the past, present, and future on the other hand, the classification of horror films takes various forms with diverse dramatic, artistic, and technical characteristics. This has led critics to embrace this classification theory. Horror films have been a focus of interest for early American filmmakers in particular and modern filmmakers in general, making them a rich material for psychologists and similar scholars to study and analyze this human phenomenon (horror) and to define its concept as well as its internal psychological (emotional) and external (social) impacts on the viewing audience. Horror films hold a significant place in the list of the most viewed films in global cinema, given their artistic, aesthetic, and even technical aspects. They have formed a unique trajectory since the early days of cinema, acquiring philosophical dimensions on one hand and psychological aspects on the other. They are a type of film that considers specific goals, with the ultimate aim of creating feelings of fear, confusion, and anxiety in the audience.

This genre is widely recognized, allowing it to win significant awards, notably the Oscars, such as "Jaws" (1975) by Steven Spielberg, "Dracula" (1992) by Francis Ford Coppola, and "M3GAN" (2023) by Gerard Johnstone.

The aim of this study is to understand the uniqueness that horror films possess compared to other films, the relationship between cinema as an art and industry with psychoanalysis, and the commonalities with other related cinematic genres such as science fiction, the fantastical, and even action at times. Thus, the problematic can be summarized in the following questions:

- What distinguishes horror films from other genres?
- What are the levels of psychological impact on viewers of horror films?
- What is the nature of the relationship between horror films and the audience?

2. Procedural Concepts

2.1 Horror in Language:

Ibn Manzur states in "Lisan al-Arab": "Raa'ba: horror and fear; he frightened him, he is terrified. Do not say 'ar'aba' and 'ra'aba'; he is terrified and frightened. In the hadith: 'I was aided by fear a month's journey.' The enemies of the Prophet, peace be upon him, had fear instilled in their hearts by Allah, so that even a month's journey away, they feared him and were terrified. In the hadith of the trench: 'Indeed, the first ones frightened us.' Ibn alAthir remarked: This was narrated with the letter 'ain omitted, but it is commonly narrated with 'ghain' denoting oppression. He noted that fear is frequently mentioned in hadith.

The term 'ter'aba' refers to the fright from anything, and 'mara'aba' refers to a frightening wasteland, where a man might leap and sit next to you while you are unaware, startling you." (Manzur, 1994)

"Rahaba: he feared, he is afraid; fear means to be frightened. The term 'rahba' means fear and fright." (Manzur, 1994)

"Fear: 'the fear is fright; he feared him, and the place of fear is called 'makhaf'. In the hadith of the Messenger of Allah, peace be upon him: 'Frighten the creatures before they frighten you'—meaning, be cautious of them. If something appears from them, kill it." The meaning is to make them fear you because if they see you killing them, they will flee from you."

The Wise: "And We shall certainly test you with something of fear and hunger..." (2:155 Al-Baqarah). It is also mentioned in the Book of Allah: "And when a matter of security or fear comes to them, they spread it..." (4:83 An-Nisa). Fear: Knowledge: Allah Almighty says: "So whoever fears from a legacy some wrongdoing or sin..." (2:183 Al-Baqarah). And therighteous one says: "And if a woman fears neglect or disinterest from her husband..." (4:128 An-Nisa)". (Manzur, 1994) "Faza'a: panic and terror of something; it has frightened him and terrified him, he is in panic. Faz'ah refers to that which frightens one. It is said: 'Until the fear was removed from their hearts...' (34:23 Saba) meaning: the fear was revealed." (Manzur, 1994) "Dha'ra: it frightened him; it terrified him. Dhari'a means he is astonished, he is frightened. Inhadha means he was afraid and panicked, and dha'ir means the frightened one."

In the Hadith of the Messenger of Allah, peace be upon him: "The devil continues to terrify the believer." It is said: a terrified man means one who possesses fear; terror means fear and fright. (Al-Arabia, December 17, 2005, p. 324)

Al-Fayruzabadi, in his comprehensive dictionary, goes on to affirm what Ibn Manzur said in his explanation of the word "terror," stating: "(Ruhb) with a dhamma and two dhammas, means fright; he frightened him, thus he is terrified and fearful, like terrifying him (tar'ib) and scaring him (tar'aba) as in preventing (ruhba) with a dhamma, and he was terrified (irtaba) and the (tir'aba) with a kasra means fright." (Al-Fayruzabadi, 1995)

3. The Meaning of Terror in the Noble Qur'an:

Allah says, "And He put terror in their hearts..." (Al-Hashr 2), which refers to the intense fear that is the greatest army of Allah, which is not diminished by numbers or strength. (AlSa'di, 2002) Here, terror or fear is a type of Allah's army, "And no one knows the soldiers of your Lord except Him". (Al-Muddathir 31) It is a great test that Allah imposes on His enemies, a devastating and comprehensive weapon.

Regarding the people of the cave, Allah says: "If you had seen them, you would have turned back from them in flight, and you would have been filled with terror. (Al-Kahf 18) - "It was revealed that He protected them with the terror that Allah spread over them; if anyone had seen them, their hearts would

have been filled with terror and they would have fled from them". (Al-Sa'di, 2002, p. 472) In summary, the term terror in the Qur'an has connotations of fear and terror. As for the English language, the term "terror" is also synonymous with fear, as we find that "horror" corresponds to "fear". Thus, the term "terror" is used in Arabic cinema in relation to its English usage, so we say in English "horror movie" or "horror film," which translates الأرعب فيلم المحتال عبد المحتال المح

According to Larousse:

:"To be afraid, to be anxious / frightened / alarmed, to worry, to alarm, to terrify." عبْ رُ عَبِ -رَعَبَ -: "To be afraid, to be anxious / frightened / alarmed, to worry, to alarm, to terrify." عبْ رُ ال تَعْبُ عُرُ الْ تَعْبُعُ عُرْ الْ تَعْبُعُ مُنْ مُعْبُعُ لَا تُعْبُعُ مُنْ اللَّهُ عُلْمُ عُلْمُ عُلْمُ عُلْمُ عُلْمُ عُرُ الْ تَعْبُعُ لَا تُعْبُعُ مُنْ عُلْمُ عُلِمُ عُلْمُ عُلْمُ عُلْمُ عُلْمُ عُلْمُ عُلِمُ عُلْمُ عُلِمُ عُلْمُ عُلِمُ عُلْمُ عُلْمُ عُلِمُ عُلِمُ عُلْمُ عُلِمُ عُلْمُ عُلْمُ عُلِمُ عُلْمُ عُلِمُ عُلِمُ عُلْمُ عُلِمُ عُلْمُ عُلِمُ

3.1 The Concept of Horror

Horror is a disturbed behavior exhibited by individuals or groups against a specific person or segment of society. It varies according to the personality and psychology of the one instilling fear. Literature and the arts have drawn upon this term since the dawn of human civilization, building stories, myths, and legends around it. Hardly any of the ancient nations have not utilized and diversified horror in some form (religious rituals, customs and traditions, totemic beliefs), such as the Greeks, Pharaohs, Romans, and ancient Eastern civilizations, leading up to the Arabs and their rich traditions and worship practices, which are filled with terrifying stories and frightening tales in their poetic anthologies.

4.1 Horror in Cinema

The term "horror" has a close connection with literature and the arts (novels, plays, stories, cinema). In modern times, it has become even more intricately linked to cinema, as images have invaded the world, dominating thoughts and ideas. Horror has thus evolved into a distinctive cinematic genre with its own components and characteristics.. A horror film consists of dramatic events that are highly complex and exciting, filled with intense fear and terror that shake the soul and stir deep emotions, often involving murder, bloodshed, and loss of life, perpetrated by a person, ghost, strange monster, or some unknown entity.

2.2 The History of Horror Films

"Some recent studies indicate that the presence of such strange and terrifying creatures and actions in cinema mirrors the existence of monsters, witches, and demons in ancient myths and fairy tales. These beings, primarily associated with worlds of fear and darkness, have remained with us through sacred texts and literary works such as Dracula and Frankenstein, along with various human cultures and their analogous monsters and demons, despite possible differences in their outward appearance" (World of Knowledge, 2001). Cinema drew ideas from classic horror novels such as Frankenstein, Dracula, and Dr. Jekyll and Mr. Hyde. During this period, there was a fusion of horror films with science fiction, especially in American productions, including dinosaur and alien films.

"It is well known that the beginnings of cinema were in silent films, with the film 'The Devil's Castle' marking the beginning of this genre. It is a French film about an eccentric man who commits criminal

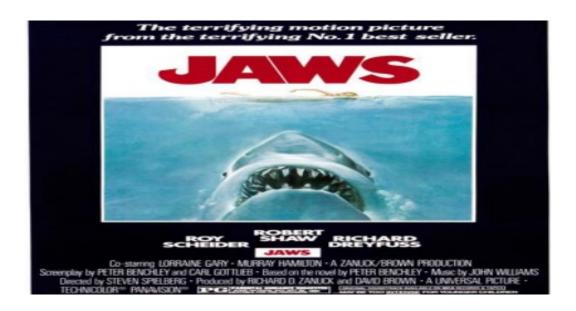
acts, produced in 1896. In 1910, the first version of 'Frankenstein' was released, lasting 16 minutes, with little to mention except that the director was Thomas Edison, the most famous inventor. The same year also saw the first version of 'Mr. Jekyll and Mr. Hyde'" (Talat, 2022).



After a few years, new trends emerged that represented new cinematic visions for horror films, while the cinema remained silent. The most significant event during this period was "The Cabinet of Dr. Caligari" (1920), a film that introduced a bold new type of horror cinema. In this movie, the protagonist commits a series of murders that lead him into a chain of crimes. He travels between German villages, where he and his troupe present various theatrical performances in different regions of Germany. This film was superior to its predecessors in terms of cinematography, character portrayal and direction, marking the best contribution of silent cinema.



In 1919, The Miracle Man was released, starring Lon Chaney in his first horror role. In 1920, the second version of "Dr. Jekyll and Mr. Hyde" was released, and a few years later, the film industry was shaken to its core with the release of the second version of "Dracula", inspired by Bram Stoker's novel entitled "Nosferatu". During this period, the movie "The Hunchback of Notre Dame" (1923) was released, based on the famous novel by Victor Hugo, with Lon Chaney portraying the titular character. The plot of the movie revolves around an outsider in a French village who is severely mistreated because of his unusual appearance.



After the great critical and public success of "Jaws", two sequels were produced, directed by Jeannot Szwarc and Joe Alves, but neither of them reached the brilliance of Spielberg's remarkable film.

We arrive at "Cape Fear", directed by Martin Scorsese in 1991, which is an excellent remake of the movie of the same name directed by J. Lee Thompson. Scorsese tells the story of the mentally unstable prisoner Max Cady (Robert De Niro), who is released from prison after serving 14 years. During this time, the opportunity arises for him to take revenge on Samuel Bowden (Nick Nolte), the lawyer responsible for his imprisonment. Scorsese skillfully crafts thrilling events that depict the climactic confrontation between the two men, focusing on themes of religion, sin, good and evil, psychological turmoil and spiritual conflict.

"Cape Fear" is undoubtedly a parable that embodies the pride of struggle and the transcendence of the individual's limitations while awaiting the inevitable. This theme recurs in Scorsese's films, where he creates intimate atmospheres characterized by warmtones. Even when sadistic horror dominates, the screen fills with a hopeful tenderness that he harbors for his sympathetic characters, who chase an unattainable mirage amid the surrounding rubble. In the midst of the raging hatred and behind the grotesque, there is a space for hope and a desire for clarity, brought forth by cinematic moments that reveal their subtlety, no matter how violent the images and how heartless the characters may seem. (Al Ahmad, 2001)



In the 1930s, with the advent of the talkies, Boris Karloff became the second most famous actor in the genre after Lon Chaney. Karloff was of British descent, and Bela Lugosi, of Hungarian descent, also rose to prominence during this time. Lugosi was considered a near legend and a rare phenomenon in horror cinema, earning the title "Prince of Vampires". He became best known for his portrayal of Count Dracula, the most prominent vampire character in Hollywood cinema.



Alongside the development of horror cinema during this period, there was another development, particularly in America, where there was a growing interest in science fiction, which imagined technological and creative advances. This development stemmed from the immense changes in the daily lives of ordinary people, and attracted an audience that saw these stories as legends, a form of popular art, but presented in a more sophisticated and futuristic manner.

As a result, the status of horror films declined and their importance waned as the world shifted its focus to the future rather than the past of previous civilizations.

A large number of horror films emerged, offering a rich blend of cinematic suspense characterized by masterful technical execution. These films effectively evoke feelings of tension, anxious nerves, and an escalating fear of the unknown or the known, featuring terrifying figures such as ghosts or deadly monsters. Sometimes they depict criminals who are skilled in methods of murder and torture. As a result, these films create horrific hours and bloody moments that serve to cleanse the human soul of its impurities, reflecting mankind's need for fear. A notable aspect in all these narratives is the psychological dimension of the protagonist characters and the significant impact on the audience, whether they are adults or children.

In "Jaws. Spielberg narrates the harrowing hours experienced by the residents of Amity Island and its vacationers when the predatory shark approached the beach. Three brave individuals - Roy Scheider, Richard Dreyfuss and Robert Shaw - confronted the creature and saved humanity from its deadly threat.

Directed by Steven Spielberg, "Jaws" (1975) was a remarkable success, surpassing other horror and thriller films. It generated considerable buzz and quickly surpassed James Bond films, earning three hundred million dollars in 1975 alone.(Allah.1995)

The cinematic language used in this genre of films, as well as the technical and execution standards, often accompanied by commercial objectives aimed at achieving significant financial returns, have led many filmmakers and prominent directors to shy away from entering the world of horror cinema, opting instead for other genres.

From a different cinematic perspective, "The Fly". directed by David Cronenberg in 1986, revives Kurt Neumann's film of the same name, followed by two sequels: "The Fly II" and "Curse of the Fly", which tell the story of a bizarre scientist who turns into a giant fly against a backdrop of harsh and abrasive atmospheres, summarizing the tragedy of a desperate social system without redemption. The sequel, directed by Chris Walas in 1989 and titled "The Fly II".suffers from a weak structure.

Cronenberg's film, however, explores the theme of birth defects, depicting children born deformed and forced to attack people in self-defense. Larry Cohen, a respected director of horror films, respects the traditions of the genre, instilling a sense of dread in the audience and giving a tense rhythm to the scenes, most of which take place at night. This approach is also evident in the third installment he directed in 1987, entitled *It Lives: Island of the Living. (Al-Ahmad, 2001, pages 322-323).

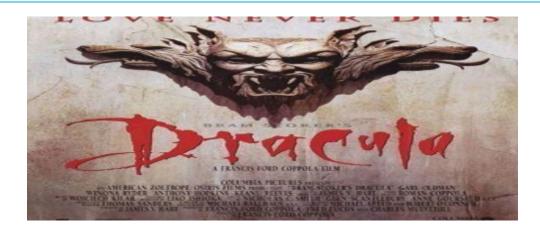


The character of Dracula is considered to be the greatest character known in literature, first, and then used by the cinema for his fame. After a series of films dealing with Count Dracula from the early days of silent cinema to the talkies, the talented director Francis Ford Coppola presented his magnificent film entitled "Bram Stoker's Dracula" in 1992.

Set in 1462, the story follows Count Dracula (Gary Oldman), who is deeply in love with his beautiful wife Elisabeta (Winona Ryder). He suffers a severe psychological ordeal when the Turks kill her, shattering his heart. His deep grief over the death of his beloved drives Dracula to madness, causing him to abandon his faith and become a vampire and servant of the Devil, the Prince of Darkness.

Traveling through several centuries, he arrives in London in 1897, where he discovers his former love, now named Mina Murray, preparing to marry the young Jonathan Harker (Keanu Reeves). In Bram Stoker's Dracula, Coppola uses legend and symbolism as a hidden language of expression, paving the way for a high stylistic approach that reveals his clear creative potential, creating a poetic cinematic experience that is as tender as it is violent and terrifying.

It is noteworthy that this film established what is known as the Romantic Horror School, which produced some of the best films in the genre, such as "Frankenstein" and "Interview with the Vampire". (Al-Ahmad, 2001, page 222)



The vampire Dracula represented a turning point in the horror that dominated cinema. Before him, Lon Chaney embodied the bloodthirsty villain, a character that could be overcome and exterminated by human intelligence. In contrast, Dracula was an unnatural phenomenon that struck terror into the hearts of people - a remarkable being who craved blood, believing it to be the only means of sustaining his existence.

The insane fascination with Dracula opened the floodgates to the imaginations of specialized horror writers such as Robert Louis Stevenson. This eventually led to Mary Shelley's creation of the character of Frankenstein, through which cinema presented similar films depicting a world of horror, suspense, and bloodlust in a realm defined by violence, murder, crime, and the blood of the poor, exemplified by films such as "The Mummy," "The Invisible Man," "The Wolf Man," and others. "(Al-Ghareeb, 1996) This cinematic genre has witnessed a remarkable development in line with the advancement of modern technological techniques, resulting in globally renowned films that exceeded expectations, such as "The Golden Glove" (2019), "You Should Have Left" (2020), "Squid Game" (2021), and "Sissy" (2022). (HOREUR.NET).

3. Psychoanalysis and Horror in Cinema

Cinema is a collection of images, an art form that embodies meaning rather than merely representing a concept. Psychoanalysis can serve as a direct impetus for the narrative processes in films. Conversely, there are new fields of knowledge that contribute to these cinematic representations, such as semiology, which has made significant strides in this area and has become an independent methodology that examines cinematic images from a psychological perspective, following in the footsteps of Freud and the psychoanalytic school.

Georges Lacan's reading of Freud's works is one of the most well-known interpretations in scientific and academic circles. He sought to merge Freud's theories in psychoanalysis with linguistic and structural methods, reading the phenomenon of the unconscious as a structural analogy to the linguistic phenomenon itself, or rather as language itself. In this view, the rational becomes a pathway to the irrational, and consciousness becomes a pathway to the unconscious.

Lacan concludes that Freudian psychoanalysis does not reveal a conscious self or an authentic human nature, but rather uncovers unconscious structures that control the character's behavior in all its movements and stillness.

The theme of the "subject" was particularly important to Lacan, who preferred not to use the term "individual" or "man" in its singular form, but rather "the self". The self is the identity that he sees as formed through the specific mechanisms of the unconscious, language, and desire. "Subjectivity" refers

to a person's view of themselves or their self concept, or how they perceive themselves as a unique individual within a particular culture. Thus, Lacan's interests extend to the ways in which the self is shaped by ideology, language, and cognitive representation. (Al-Hamid, 2005).

Bazin views cinema as a "mummy of change," suggesting that the similar desire stems from the mummy complex in the origins of plastic arts. It is possible to escape death by transcending time to preserve the being in appearance. The preservation of the image of time is an ancient desire upon which the essence of cinema relies. While this is theoretically known in every film, it does not apply to documentary films, as they do not provide a temporal view like the memory of change but rather present something present, even if the film is old and we know that the actors have died. We still believe in the presence of the portrayed characters, moving on the screen as if they are eternal. In this case, this is only possible with imagination and movement, because in fictional films—even old documentaries—the situation becomes a prevailing one in the present, similar to images from the war (1914–1918) in "Jules et Jim (François Truffaut, 1962) during World War I. (Ishaghpour, 2001)

Christian Metz's comparison between the spectator in front of the movie screen and the child in front of the mirror leads to a distinction between the two. He notes that the viewer or spectator is absent in front of the screen, unlike the child who is present in front of the mirror.

The spectator is concerned with form, aesthetics and the depth of content, intelligently expressing the dream that absorbs his heroes from the depths of their hearts and passions. "Christian Metz has made identification with cinematic characters and events a secondary form of identification, while the primary experience is identification with the camera, which ultimately represents a form or type of identification with the self. This mirrors the early identification with the mirror or with what exists in it (the self). This seems to invoke a non-central imaginary that governs the process of identification with the characters. However, since this secondary identification is perceived as an extension of the identification with the self, it ultimately serves as the cornerstone". (Al-Hamid, Aesthetic Preference, 2001)

Cinema is not limited to depicting the past; it inspires and reveals it. In addition, it addresses problems and issues relevant to the new reality. The image has an immensely significant impact, serving as an effective means of understanding today's world as it has become visible to us. The cinematic image reflects and shapes the world according to the realities of modern civilization. The existence of the image has heightened the sensitivity needed to recognize a world that has become distant due to the loss of primal instincts. However, the distance and separation between image and language is one of the regular symbolic and mental events.

"In conclusion, psychoanalytic theories in the field of cinema have proliferated and branched into different schools, to the extent that each element of the film has a unique psychological study, starting with acting, editing, cinematography, costumes, and more. From their inception, through Freud and his disciples, to Lacan and Christian Metz, all have asserted the existence of similarities between the dream process and film through processes of identification and imagination that form the basis of any reception or viewing of cinematic films. Metz noted the direct relationship between the screen and the mirror." (Aesthetic Preference, 2001)

3.1 The Concept of Horror According to Freud

The psychoanalytic school is closely associated with the name of "Sigmund Freud," whose reputation in the fields of psychology is well established, particularly concerning the psychology of the human mind and the inner issues it faces, whether directly or indirectly related to consciousness or the unconscious. Freud hypothesized that deep within the human psyche lies a dark, uncharted area of an animalistic and primal nature. This untamed region is what Freud referred to as the "id." However, he also recognized a

drive towards love, life, construction, creation, and creativity alongside the desire for death, destruction, and war

In early childhood, the id appears to dominate the child's behavior as they seek to fulfill their needs and express their energies without regard for the demands of the external world. (Al-Essawi, 2001-2002)

It is well known that emotions play a significant and central role in human life, providing a driving force. Feelings are directly related to drives, which provides a clear explanation for the abundance and variety of emotional disorders. These disorders are undoubtedly influenced, directly or indirectly, by physical disorders. Daily events and experiences also have significant psychological significance, which varies from individual to individual depending on how a person reacts in a given situation.

In order to understand the nuances of these disorders and emotions, it is necessary to identify the types of mental illnesses that fall within this framework, along with their causes, symptoms, and psychological and physical consequences for the individual. In addition, it is crucial to assess the impact of external factors. Most psychologists belonging to the psychoanalytic school consider the family environment and upbringing to be among the most influential factors in emotional development, especially during a child's early years.

Furthermore, "we must differentiate between mental illnesses and neurological disorders, as many people confuse the two: neurological disorders are attributed to neurological, organic, or physical causes, whereas mental illnesses stem from purely psychological causes, that is, they are functional disorders. These disorders are known as psychoneuroses, which include anxiety and hysteria. Symptoms of these disorders include feelings of anxiety, tension, depression, complaints of physical pain without any real cause, excessive health fears, feelings of collapse, fears of madness, and other related conditions." (AlEssawi, 2001-2002)

It is undeniable that children are the most susceptible group to fears and pathological anxieties, which often lead them to experience fluctuating and unstable psychological states. This has led Freud and his followers to rely on the young child to interpret these emotions and behaviors dominating the sick samples, as well as to understand the motives that cause individuals to experience fear. Thus, a close connection is established between anxiety and fear, as some consider anxiety to be the fear of something vague or unknown, an acquired response that prepares the individual to encounter frightening situations. "Freud believed that fear has a biological, genetic basis. This ability to react (fear) is beneficial to humans in the face of danger. Freud abandoned a crucial part of his new theory by linking fear to critical and dangerous situations where stimuli come in continuous bursts and remain unreacted to, resulting in fear appearing accordingly." *(Al-Razzaq, 1987)* This means that we cannot get rid of fear even if we want to. Experience shows that it is impossible to eliminate fear because fear is born within us; we are born with it and it accompanies us from the cradle to the grave. The problem is not to eliminate fear, but to effectively use and benefit from it. It is reasonable to assume that Freud modified his theory when it failed to gain acceptance, and shifted his focus to the phenomenon of anxiety, which he frequently observed in many of the cases of neuroses he treated.

Through psychoanalysis, he found that his patients suffered from anxiety with obscure causes and unknown motives, which was different from rational anxiety. Let us assume that what he said is true, but its practical applicability is extremely limited. For example, Freud distinguished between two types of anxiety: objective anxiety and neurotic anxiety. We must also draw a clear line between rational fears and imaginary fears. "Objective anxiety is the fear of a known external danger, such as the fear of a wild animal, fire, or drowning. This type of fear is understandable and rational because people typically fear external threats to their lives." (Freud, 1997).

3.2 The Psychological Impact of Horror Films on the Audience

Horror films that rely on direct violence attract a significant number of viewers from various social strata, particularly teenagers and young adults. Psychologists attribute this interest to the psychological charges that adolescents discharge while watching this genre of films. Despite the variety of horror films and their different characters, the scenario remains consistent—a combination of bloody violent scenes, images of ghosts and hidden spirits, along with the use of sound effects that create tension and lighting techniques that enhance their psychological and neurological effects on the viewer. This scenario, characterized by the escalating pace of horror, with a rapid rhythm in the visuals of any horror film, captivates the majority of young audiences. They find pleasure only in watching horror and violent films, stating that what they enjoy most about this cinematic genre is the fear and tension they experience during the film. Most of these viewers prefer to watch horror films with a group of friends, although going to the cinema provides a more emotional and exciting atmosphere.

Family and social upbringing play a significant role in determining the types of films that teenagers watch. While many adolescents and young adults enjoy horror films, these films often provoke anxiety and fear in parents, who hold a different perspective on them. Most mothers do not favor their children watching this type of film continuously, believing it heightens certain negative aspects of their personalities.

It seems that the viewing process occurs under a purely psychological influence, where the thoughts and opinions of the audience unite with what they see on the screen in the theater. This leads to a blending of their various emotions, desires, and beliefs with the artistic work or film in particular.

Thus, it becomes clear that the idea of identification is fundamentally linked to the idea of imitation or resemblance, where the concept of catharsis, as articulated by Aristotle, arises by evoking the emotions of pity and fear in the audience, similar to what occurs in theater. (Al-Hamid, Aesthetic Preference, 2001)

Christian Metz's comparison between the viewer in front of the cinema screen and the child in front of the mirror highlights a distinction between them. He observed that the viewer is absent before the screen, in contrast to the child, who is present in front of the mirror.

The viewer is concerned with form, aesthetics, and the depth of content, expressing intelligently the dream that absorbs its heroes from the depths of their hearts and passions.

"Christian Metz has made the identification with cinematic characters and events a secondary form of identification. The primary experience is the identification with the camera, which ultimately represents a form or type of identification with the self. This mirrors the early identification with the mirror, or with what exists within it (the self). It seems that this invokes a non-central imaginary that governs the process of identification with the characters. However, since this secondary identification is perceived as an extension of the identification with the self, it ultimately serves as the cornerstone." (AlHamid, 2001, p. 375)

3.3 The Relationship Between Aesthetics and Psychological Impact

The relationship between the aesthetics of a scene and its psychological impact is evident in the directors' ability to utilize visual and auditory elements to create a balance between artistic appeal and emotional excitement. A visually beautiful scene can have a multiplied psychological effect when coupled with moments of horror and suspense. Thus, the viewer becomes caught between enjoying cinematic beauty and experiencing fear and tension. Film critic Noël Carroll noted that aesthetics in horror cinema extend beyond visual impact to include the emotional effects that scenes leave on the audience.

Psychological studies of cinema (Pinedo, 1997) have explored how aesthetic elements influence the

audience's response to fear, thereby enhancing the power and lasting impact of horror films.

There is no escaping the new reality of cinema, which has fused modern technological advances, incorporating developments in various aspects, starting with the camera. Directors or cinematographers can focus on lighting, complex camera movements and special lenses that distort sizes and shapes to create an atmosphere of mystery and psychological tension that affects the viewer. This, along with computer programs, multimedia, digital systems and digital video, plays a crucial role.

This technical innovation is the magic key that filmmakers have used as a weapon against the apathy of audiences in theaters, transforming it into a method of enticing audiences, since any studio can now create the most complex and emotionally shocking scenes.

However, this purely commercial obsession has not prevented the emergence of cinematic talents who believe that this film genre reflects a general awareness that it is part of the cultural heritage of societies that hasten technological progress at the expense of their spiritual values and authenticity. They have transformed their cinematic texts into futuristic visions filled with pessimism about humanity in the coming century. Perhaps the best example of this remarkable type is the American director Stanley Kubrick's masterpiece, 2001: A Space Odyssey, which deals with the frailty of humanity in the face of the computer revolution and the awe of machines.

4. Conclusion

Horror cinema is one of the most controversial film genres because it combines elements of artistic beauty with a profound psychological impact on the audience. Throughout this article, it has become clear that this genre of film (horror) is not merely a means to entertain or scare the audience; rather, it is an art form in its own right, relying on advanced directing techniques, creativity in scene construction, and the use of elements such as lighting, music, visual effects, and set design to create a unique cinematic experience.

From an aesthetic perspective, horror cinema highlights the ability of directors to transform dark and frightening scenes into artistic tableaux that express profound visions. Scenes that may appear frightening on the surface can conceal underlying human or social messages, making them a powerful tool for expressing complex issues such as loneliness, fear of the unknown, or even the internal conflicts of humanity.

On a psychological level, the effect of horror films on the audience remains a topic worthy of study. While some viewers enjoy the excitement and suspense these films create, others may experience negative effects such as anxiety, fear, or insomnia. Nevertheless, the ability to confront these fears by watching the movie may provide viewers with a form of emotional catharsis, allowing them to face their fears in a safe environment.

In conclusion, horror cinema is a unique blend of art and psychological impact. It is not only a test of the viewer's courage, but also a test of cinema's ability to transcend traditional boundaries of artistic expression. By understanding the aesthetics of the scene and its psychological effects, we can better appreciate this cinematic genre-not just as a means to provoke fear, but as a mirror that reflects our deepest fears and human struggles.

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The Legal System for Business Incubators in Algeria

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ABSTRACT

Business incubators have played a major role in recent years, whether at the academic level through research and study, or at the level of programs and policies governed by governments of countries and considered as a mechanism to contribute to sustainable development. It has become important in improving, economic, political and social development of countries by helping entrepreneurs and owners of innovative projects to overcome difficulties, especially in the launch stage, and to embody intellectual creativity into serious and productive projects. Business incubators also seek to provide the necessary facilities and assistance to establish emerging institutions and accompany them until they are able to continue and expand. All of this is not achieved according to a legal system specific to business incubators.

Keywords: Business incubators, Development, Entrepreneurs, emerging institutions

INTRODUCTION

Incubators are considered one of the most effective and successful systems that have been created in recent decades in accelerating the implementation of economic and technology development programs while providing new job opportunities. They have been used in many countries, including Algeria.

The speed with which economic activity is changing represents a major challenge for Algeria, and it must keep pace with this change in order to catch up with the wheel of development and move away from economic backwardness, especially with the increasing importance of science and technology, which requires removing all obstacles that limit the acceleration of the wheel of growth.

From this point of view, it was necessary to encourage and promote initiatives which have a direct impact on the economy, in particular business incubators which interested decision-makers in Algeria by encouraging them and surrounding them with a legal protection in order to encourage entrepreneurs and young people to enter the world of business and entrepreneurship by supporting them through these incubators in their investment journey.

The issue of business incubators has taken an important place in recent years, whether at the academic level through researches and studies, or at the level of programs and policies established by state governments, as a mechanism to contribute to the sustainable development, because business incubators play important role in the development of the path of economic and political development. They also aim to provide the necessary facilities and assistance to establish emerging institutions and support them until they are able to continue and develop.

It is one of the most effective and efficient protection systems and systems that many countries around the world use to develop the startup sector because it is designed to support them by providing them with a set of resources and services.

Therefore, the following problem can be posed: how did the legislator organize business incubators so that they can play an effective role in contributing to economic development? To answer this problem, we will rely on the descriptive approach through an analytical method adapted to the subject. In light of this, we have divided the topic into two sections. In the first section we will discuss

the concept of business incubators, while in the second section we will discuss the legal controls for the

establishment of business incubators.

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THE FIRST TOPIC: The Concept of Business Incubators

There are many concepts for business incubators, but we will adopt one definition for them (First requirement), then define the types of business incubators (Second requirement) and finally their characteristics (Thirdrequirement).

First requirement: Definition of Business Incubators

The term incubator derives from the basic meaning of "nurturing", which refers to the development of small businesses in protected environments. Incubators are managed by industry specialists, from government and private organizations, and sometimes by universities which also develop business incubator programs(chrifa b., 2018; chrifa b., 2018)

This means creating an institutional arrangement to support newly established business establishments, as well as growing controlled establishments, to help them stay in the market for as long as possible. Many administrative services and facilities can also be provided to them, be it various financial or administrative facilities 1.

Business incubators are also defined as: "an integrated set of services, facilities, support mechanisms and advice provided for a specific period of time by an existing institution which has its experience and relationships among those wishing start a small business with the aim of reducing the expenses of the startup phase. "It is also defined as: "an integrated work system which provides all the means from an equipped and appropriate place in which all the capacities necessary for the start of the project are available, and this system is managed by a specialized administration which provides all types of support necessary to increase the success of small projects that join it, and to overcome the difficulties and problems that lead to their failure and inability to fulfill their obligations.2

They are also defined as: "An integrated package of services, facilities, support mechanisms and advice, provided for a specific period of time by an existing institution, with its experience and relationships with entrepreneurs who wish to create a start-up with the aim of reducing the costs of the starting phase.3 While the American National Association for Business Incubators defines them as organizations that aim to assist emerging creative institutions and new entrepreneurs, and to provide them with the means and support (expertise, locations, financial support) necessary to overcome the burdensand the launch and establishment stages, and also ensures the marketing and dissemination of the products of these companies.4

The Arab Human Development Report of 2003 describes them as: "a new type of infrastructure supporting the innovative activities of small and mediumsized enterprises or creative developers with an entrepreneurial spirit and who lack the necessary capabilities to develop and commercialize their research and innovative technologies».5

As for Algerian law, the incubator was mentioned as a form of institutional incubator, and this through executive decree n°03-78 on the standard status of business incubators, article 26 of which stipulates that "theBusiness incubators are public establishments of an industrial and commercial nature which enjoy legal personality and financial independence. In the body of the text, they are called "incubators". Incubators take one of the following forms:

Incubator: A support structure that sponsors project owners in the services sector.

What should be noted about the definition contained in the article above is that the legislator has

specified the area of competence of business incubators in the service sector. However, after the promulgation of Executive Order No. 20-254, business incubators were defined in Article 217as follows: "any structure affiliated with the public sector or the private sector, or in partnership between the private sector and the public sector, offering support to emerging institutions and innovative project leaders in terms of accommodation, training, advice and financing." In this last definition, we see that the legislator has opened the way for business incubators to support various emerging institutions and innovative projects in all areas. It also did not limit incubators to the form of a public establishment of an industrial and commercial nature or public institution of an administrative8 nature as indicated in Article 2 of Executive Decree No. 03-78 and Article 02 of Executive Decree No. 03-79 which defines the legal nature of activity centers, small and medium-sized businesses, their functions and their organization. Thus, this helps to reduce the risks of failure of these emerging institutions because the aim is to bring these institutions to the stage of maturity and launch in the market by providing them with all the services, facilities, consultations, financial and cognitive support, and support to realize his innovative ideas on the ground by transforming them into pioneering projects that contribute to achieving the desired economic and social development.

Second requirement: Types of Business Incubators

Business incubators appeared in large numbers around the world despite the short period of their existence, and their compositions differed greatly, since each incubator has its own characteristics that distinguish it from others, so that researchers and those whoare interested in studying them differed in defining their types. We mention the most important ones as follows: First section: the types of incubators according to the generations to which they belong, which include the following types:

- 1- First generation incubators: These are incubators that provide support to emerging institutions that rely on knowledge as the basic capital in their products. They are incubators with strong relationships with universities, research and study institutes. They are called technical incubators.
- 2- Second generation incubators: They are called traditional based incubators. They support institutions with agricultural, industrial and food activities, etc., and maintain close links with local groups, such as commercial and industrial teams.
- 3- Third generation incubators: renewal center incubators. They offer support to emerging companies and small businesses, represented by specialized services such as technical courses and consulting services. 9

Second section: the types of business incubators according to the purpose of their creation and the form of their presence. This type contains the following:

- 1- Public project incubators non-technological: These are incubators which support institutions active in the field of production, industry and services and which seek to develop agricultural projects and light engineering industries.
- 2- Technology incubators and science parks: The latter are known as a development institution that supports and encourages young entrepreneurs with creative ideas, who do not have capital or much experience, and helps them realize their projects and theirideas during the incubation period through an integrated set of different services (technical (consulting, marketing, financial, legal, etc.), technological incubators are often established in scientific institutions such as universities or institutes. These incubatorsaim to benefit from scientific research and innovations and transform them into successful

projects.

- 3- International Business Incubators: These are incubators that focus on international cooperation in scientific and commercial fields between institutions from different countries around the world, in order to strengthen their position in global markets.
- 4- Open incubators: or incubators without walls, which are set up near already existing industrial projects, provide all the services to support the projects surrounding them, and serve as intermediaries between universities and projects.
- 5-Specialized incubators: these are incubators concerned with specific creative fields which incubate new ideas in the use and application of information technologies.
- 6-Virtual Incubators: These are those incubators that provide support services via the Internet, with the exception of the provision of real estate. They provide support networks, consulting, marketing, website design, etc., and we are seeing a significant increase in the need for them, especially with the accelerating pace of technological development. 10

Third requirement: Creating a Business Incubator Brand

The Algerian legislator, in application of the aforementioned executive decree 20-254, created a national commission responsible for granting the "emerging institution", "innovative project" and "business incubator" labels. A business incubator is a brand granted to any public, private or mixed structure between the public and private sectors, so that they become legal entities specialized in the incubation of emerging companies and innovative projects in various fields. This trademark is granted according to precise and organized terms and specific procedures.

The conditions for obtaining the "Business Incubator" brand have been specified in Article 21 and the following articles of the aforementioned Executive Decree No. 20-254, which require any organization wishing to obtain the "Business Incubator" brand ">brand "brand "brand to submit it to the competent national commission 11, and there is no doubt that the granting of this mark indicates that the institution has reached a certain level of experience, qualification and capabilities which are not available to other institutions that have not obtained the brand 12 The documents that must be submitted to the commission differ depending on the incubator establishments, whether in the public or private sector. As for the procedures, they remain unified according to the following elements:

First section: Conditions for granting a business incubator establishment brand:

Articles 21, 22 and 24 of Executive Decree 20-254 set the conditions for obtaining a business incubator establishment brand, and open the way for applications to structures affiliated with the public sector as well as the private sector. They also specified specific conditions specific to private structures, which are mentioned in article 23 of the aforementioned decree.

- **A Common conditions:** Requests to obtain a business incubator mark are filed with the National Commission, by sending them via the national electronic startup portal (startup.dz). The application file is attached to the following documents 13:
- Provide a detailed list of all equipment that incubators make available to emerging incubating institutions. This equipment represents all movable property and machinery, such as offices, machines, computer hardware, equipment...etc.
- Provide various training and supervision programs offered by the incubator, which may be available at its level or agreed with other establishments, as well as advice and guidance services.

- CVs of users of the business incubator, as well as trainers and supervisors.
- Provide a detailed development plan for the headquarters of the business incubator, which includes its surface area, the real estate that makes it up and everything relating to the development. This involves knowing the infrastructure available to the incubator to ensure its scope and adequacy with the context and requirements for the incubation of emerging businesses.
- The need to have employees in the incubator with the required qualifications and/or sufficient professional experience in the field of supporting emerging institutions.

B-Special Conditions: Conditions related to special structures and which are as follows 14:

- A copy of the trade register and tax and statistical identification cards.
- A copy of the company's statutes, a natural person therefore does not have to create a business incubator.
- Certificate of affiliation with the National Social Security Fund (CNAS) attached to a list of employees.
- Certificate of affiliation with the National Social Insurance Fund for nonsalaried workers (CASNOS).
- A copy of the financial statements for the current year.

Second section: Procedures for granting a business incubator label

The National Commission is responsible for studying applications submitted via the national electronic portal for emerging companies, accompanied by the documents specified in accordance with the legal texts mentioned above .All applications will receive a response within a maximum of 30 days from the date of submission of the application. Any delay in the presentation of part of the required documents will result in the suspension of the procedure, provided that the National Commission informs the applicant, who must present the missing documents within 15 days from the date of its notification, otherwise his application will be rejected 15. If the commission accepts the application, it grants its holder a "business incubator label" for a period of five years, renewable according to the same terms 16. The commission publishes the decision via the national electronic portal 17, in order to give more transparency to the national card of this brand and enshrine the citizen's right to access information with ease 18.

If the commission rejects the application, it must justify the reason for the rejection and notify the candidate of the commission's decision via the electronic portal. The latter may reconsider the decision on the basis of a complaint with the necessary documents to justify the request for reconsideration, and it will be answered definitively via the electronic portal within a period not exceeding 30 days from the date of filing of his application 19.

What is striking in the question of the request for reconsideration of the rejection decision is that the legislator gave the same commission the power to examine the request and the power to rule on it, since itThis is an appeal against rejection decision. In this way, the committee is both an opponent and an arbiter, which contradicts all logic. In addition, the provisions of this executive decree only give the rejected applicant the possibility of filing an administrative complaint before the national commission that made this decision, and do not speak of their right of appeal to administrative justice, given that the commission is a public body placed under the authority of the delegated ministry responsible for emerging businesses, it is therefore a central administrative authority whose decisions are subject to the control of the Council of State as the first and last governing body 20.

THE SECOND TOPIC: Legal controls for establishing and operating business incubators

Business incubators are subject to a regulated legal system with regard to establishing or organizing their

work, especially after the issuance of Executive Decree 20-254 dated 09/15/2020, which created the "business incubator" label, as indicated above, but in order for it to become so, it must It must go through the stages of construction (First requirement:), and on the other hand, it must address the services it provides to project owners (second requirement).

First requirement : Stages for creating business incubators Business incubators go through three stages:

- 1- The creation and construction phase: At the beginning, the working mechanism is carried out by the founders, then an economic feasibility study is carried out with the appointment of the creation team and the members of the institution, and the capital is determined.
- 2- Development phase: During this stage, the establishment accepts projects in order to provide them with services and equipment in order to have a vision in society and the capacity to attract customers and ensure the circulation of financing resources. This does not prevent it from continuing to evaluate its work to develop and evaluate its performance and the extent of its impact on his structure, all in order to enter the maturity stage.
- 3- The maturity stage of the incubator: The general intention of the incubator is to enter the full maturity stage in a working environment so that it can rely on itself to obtain financingand provide integrated services, whether financial, technical, administrative, legal21... on a permanent basis in order to measure its impact on the economy and grant subsidies to promising companies that contribute to the growth and development of this economy.

It is not enough for business incubators to follow the construction steps to be able to carry out their work, but a set of factors must be taken into account in order to ensure the success of their work. These factors are:

- Offer a suitable working environment that favors the development of small projects because these projects will last longer and for a reasonable duration in the incubator.
- Determine the main objective that incubators seek to achieve, whether it is to make a profit or to serve the community in terms of helping to create jobs and eliminate unemployment.
- Work to establish the conditions that small and medium-sized projects that operate incubators must meet to welcome them and determine their type.
- Determine the type of services that the incubator will provide to businesses, whether technical, administrative or financial22.
- Focus on providing the necessary financing to entrepreneurs, because the financing obstacle constitutes the major barrier to the translation of their ideas into projects being implemented.

Second requirement: Tasks of business incubators

The mission of the business incubator is to incubate projects between the startup phase and the growth phase of business establishments, as well as to support new entrepreneurs and help them launch emerging businesses (start-up). Thus, the business incubator strives to provide entrepreneurs with the tools necessary for the success of the project, and the following diagram presents the services provided by the business incubator to the entrepreneur with the aim of: Launching his project:

Business incubators seek to provide a range of services to help launch new projects as following 23:

A. Secretarial services: These are all services related to supporting the joint secretariat, such as receiving and organizing various correspondences via telephone, fax, and email, printing texts,

photocopying documents, saving files...etc.

- **B. Basic facilities and services:** Business incubators build factories in densely populated spaces of entire buildings with flexible terms and reasonable prices. Customers may be too far from the incubator to participate on site, so you receive help and advice electronically. This model is suitable for entrepreneurs who need the guidance of an incubator, but not for those who still need offices and warehouses.
- **C. Search for solutions:** find appropriate solutions to the technical, financial, administrative and legal problems facing the project.
- **D. Provide financing and a way to reach financiers:** Not everyone is able to obtain the financial resources necessary to embark on a new activity or business until it becomes profitable.Incubation programs provide funding and mobilize financial resources and venture capital, usually through a network of external service providers.
- **E. Cooperation between various institutions:** Incubators aim to support cooperation and coordination with various specialized institutions, as they frequently cooperate with universities, research and scientific institutes and technology parks and, in some cases, they strive to bringconnecting new business owners with others who are in a position to invest in the future of the business (reinforcing the concept of cooperation between projects).
- **F. Education and access to knowledge:** assistance with research, advice and initial training, as well as assistance with the development and marketing of products. Business incubators work to fill the gap and compensate for the existing lack resulting from everyone's inability to spend the time and money necessary to study and obtain a university degree in business administration and incubator programs help to fill this gap by providing initial training to entrepreneurs.
- **G.** Creating a brand: Business incubators are also seen as a space to launch businesses, increase success rates, encourage distinguished ideas, ensure the sustainability of incubated institutions and create their own brand.
- **H. Program Management:** The process of monitoring the system used to achieve desired results or activities. Program management according to business incubators leverages project management and its inherent processes to effectively manage a group of overlapping projects in a structured and organized manner in order to achieve certain clearly defined goals and objectives, which serve asstrategic requirements 24

CONCLUSION

It should be noted that Algeria's interest in the creation of business incubators is slow to manifest and remains very limited. This has made its role as a support tool and development factor for emerging institutions absent. The latter suffer greatly from the high failure rate, because even though the number of businesses in Algeria is growing continuously, they suffer from the problem of sustainability, which can be overcome if the role of business incubators is activated in the local economy, so that these incubators have a more important development role in various economic sectors.

Business incubators represent one of the global trends in small business development, which the Algerian authorities have taken seriously, despite the delay in controlling them. This is due to several reasons, including:

- Lack of awareness of the role that business incubators play in stimulating investments.
- The rentier policy that was followed when oil revenues were the only source of income.

- Consider large institutions as the only ones to generate added value.

Thus, through our previous study, we conclude that the legal system governing business incubators is not autonomous, because it participates in other mechanisms linked to the field of support for entrepreneurs, and this is whathas led to an overlap between their roles and the roles of some other organizations supporting small and medium-sized businesses, which has prevented them from achieving their objectives, as mentioned previously.

In addition to the limited effectiveness of business incubators due to copying international experiences without adapting them to the reality of the national economy. Through the above, the following suggestions can be made:

- The need to update the legal texts relating to business incubators and to createcertain flexibility in their application so that they do not constitute an obstacle for entrepreneurs.
- Determine the true objectives of creating business incubators, taking into account market trends and the requirements of overall economic development.
- Raise awareness among investors and businessmen to take the initiative to invest in the field of business incubators.
- Evaluate the current reality of business incubators and seek to remedy the gaps.
- Establish a partnership between Algerian business incubators and successful and pioneering foreign business incubators to benefit from their experiences on the one hand, and train executives and managers of national incubators on the other hand.

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