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Asian Regional Monetary

Management of Natural Resources

Highlights

A Jurisprudential Overview

Monetary Unification & ACU Model

Discovering Thoughts, Inventing Future

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Studies on the Asian Regional Monetary Unification & ACU Model based on the [10+4] FTA Initiative

By Yao Chaocheng & Deng Yi
Shanxi University of Finance & Economics

Abstract- Though the phenomenon of "Counter-Globalization" occurred recently, economic globalization and regional economic integration are still the trends, especially as shown by the Asian economic integration process. The Asian regionalization is in very initial stage emerging in various cooperation mechanisms, forming a multi-level pattern of coexistence in the later erupted advantage.

Based on the theories of regional economics and the Optimal Currency Zone, within the [10+4] FTA considered frame inc. The ASEAN, China, India, Japan, and South Korea, an academic study is carried out comparing with the case of the European regionalization. The research will focus on conditions and barriers in the Asian currency unification process, and finally a corresponding step proposal to set up "the ACU Experimental Zones" together with a model is putting forward.

Keywords: the [10+4]; unified currency; conditions; barriers; experimental zones; model.

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Studies on the Asian Regional Monetary Unification & ACU Model based on the [10+4] FTA Initiative

Yao Chaocheng [α] & Deng Yi [σ]

Abstract- Though the phenomenon of "Counter-Globalization" occurred recently, economic globalization and regional economic integration are still the trends, especially as shown by the Asian economic integration process. The Asian regionalization is in very initial stage emerging in various cooperation mechanisms, forming a multi-level pattern of coexistence in the later erupted advantage.

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I. Academic Theoretical Review

Regional monetary integration theory (the Optimal Currency Zone) had been proposed as the earliest by Robert Mondale, the Nobel economic prize winner in 1961, and it is still the guiding theory nowadays. Mondale believed that free flow of production elements is the critical criterion for an optimal currency zone. Later on, some economists like McKinnon, Dram, Hubble, and Fleming made supplements and corrections to Mondale's opinion from different aspects. As McKinnon proposed in particular that, to determine the criteria of the Optimal Currency Zone (OCZ) is the opening standard of economies in the OCZ, and the cost of membership means to lose some of their economic sovereignty [1]. It was these supplements and corrections that give completeness of the theory.

In 2003, when the Asian economic integration in the beginning time, Mondale made his prediction that the world in the future would have three major currency zones, the Euro, the USD, and the Asian Currency. The concept of the Asian Currency aroused an intensified academic discussion worldwide then. In 2004, Mr. Sakakibara, director of the International Financial Office, Ministry of Finance of Japan, famous as known as "Mr. Yen," said that, in consideration of the medium and long run, Asian countries are likely to have their common currency unit [2]. One of the issues in the 2005' Boao Asia Forum held in the city of Hainan, China, was about the Asian currency integration and the possibility of issuing the Asian Currency Unit (ACU). Mr. LONG Yongtu, the former Secretary-General of the Forum, stated as such, " the ACU should be pursued as a long-term goal, and it worth pursuing for two reasons: (1) 70% of foreign exchange reserves of the world are in Asia. If Asian nations could have their own unified currency and be stable, that would be good for Asia; (2) So far, there are only USD and the Euro to be the hard currencies. If the ACU established, China's foreign exchange reserve shall give a third option. It shall form the situation of the three pillars of the global hard currency system [3]".

In 2005, the Asian Development Bank (ADB) compiled the Asian Currency Unit (ACU) by combining 13 different currencies of Asian countries in a weighted average method. It became the "prototype" of the Asian Currency [4].

Professor LU Jian-Ren, a researcher of Asian-Pacific Studies Institute of the China Social Science Academy, said in his paper, "the former India Prime Minister Singh pointed out as early as in 2004 in the 3rd China-ASEAN Business Summit that the predicted Asian Economic Community would have to include China, Japan, South Korea, the ASEAN as well as India. The proposed community would account for half of the world's population, the trade volume exceeding that of NAFTA, foreign exchange reserve volume be larger than the total of the EU and NAFTA". In 2009, Japan's former Prime Minister Hato Yama expressed respectively at the UN General Assembly and other occasions the concept of the East Asian Economic Community, and thought it necessary to create similar institution as the EU and a unified Currency like the Euro in Asia, to build up the East Asian Community [5].

On October 21, 2016, at an academic forum, Mr. ZHOU Qiang-Wu, director of the International Monetary Research Center, Financial Ministry of China, made his speech titled "Deepening the Asian financial cooperation and promoting the regionalization", saying as "Compared with European, Asian regional financial

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cooperation has been so delayed. Looking by now, Asia should have its common currency in the future, and the free labor and capital flow [6].

From above-mentioned review, the worldwide research about Asian monetary integration began in 2003, and the trend became hot in 2005-2006. Asian scholars and politicians then were generally believed that Asian economic integration in the primary stage with the relatively low opening degree of the regionalized economy. Not yet possessing the conditions of regional monetary unification, in long term Asia does need a unified currency. However, it should be implemented at bottom levels step by step.

II. Current Situation of the Asian Economic Integration

a) The Concurrent Trend of the Economic Integration in Asia

Since the 1990s, with the increased structural change of the world economy, the trend of regional economic integration gradually accelerated. It is the same in Asia. The ASEAN (Association of South-East Asian Nations) played role as an axle, and some major Asian countries such as China, Japan, Korea, and India were actively involved in the process. On August 8, 1967, five Asian nations, Indonesia, Thailand, Singapore, Philippines, and Malaysia, held their meeting of foreign ministers in Bangkok and stated founding the ASEAN, namely the Bangkok Declaration. After more than 50 years, the ASEAN has developed effective mechanisms and accumulated rich experience in the regionalization of ten member states. Since the signing the FTA agreement with South Korea in 2006, the ASEAN had ever signed the agreements respectively with Japan (2007), with China (2010) and with India (2014). The ASEAN Economic Community had been founded by the end of 2015.

The current Asian economic integration shows in various forms, different ranges and levels of cooperation, in dimensional structure. In addition to the bilateral FTA agreements signed by the ASEAN with China, Japan, South Korea and India, there are also two pan-Asia multilateral cooperation schemes, the Regional Comprehensive Economic Partnership Agreements (RCEP) inc. sixteen countries and the Trans-Pacific Partnership (TPP), formerly had 12 countries participating, but now 11.

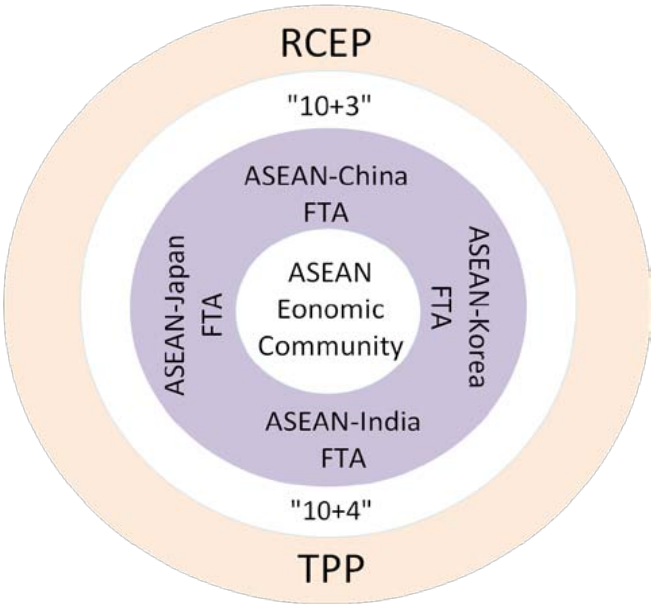

Figure 1: The Situation of Asian Regional Economic Integration

Against the quit of the US from the TPP, Asian countries, particularly China, Japan and India, are determined to further promote the Asian economic integration process. Therefore, the Asian regionalization trend will not be reversible. According to news reports, on May 21, 2017, 11 TPP members (excluding the US) had their ministers meeting in Hanoi, Vietnam, announcing their statement aiming to make the TPP agreements into effect as soon as possible. In the TPP meeting, ever held in Chile on March 14, 2017, it was the first meeting since the US withdrawal, proposing to open talks with China. China and South Korea, two non-TPP members, were invited to explore the future direction of the scheme. If the two to join the TPP, it shall be possible for integration of the TPP with the RCEP, eliminating the adverse factors, and bringing good outcome. In terms of market size and economic capacity, China will very likely become the real free trade leader of the Pan-Pacific rim [7].

b) Obstacles Faced by the Asian Monetary Integration

The Asian monetary integration challenging the US Dollar hegemony fundamentally, it certainly shall

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encounter pressures and interventions from the US, the world's sole superpower. The US, by all means, will be setting up obstacles to maintain its position in the region, and to protect its interests in Asia.

Internal barriers to the Asian monetary integration are mainly reflected in three aspects, the unbalanced economic development among Asian countries and the ideological and cultural differences in the region. For example, within the [10+4] domain, and the first and most important, within the 10 ASEAN member states, is the huge imbalances in economic developments. Among them, Singapore, Brunei and Thailand, are relatively developed, but Myanmar and Laos are far lag behind. According to Malaysia's statistic, the GDP Per Capita Deviation among ASEAN nations is 61 times showing the internal wealth gap between the richest and poorest, and that of the EU was only eight times [8].

When observing the geopolitical structure in Asia, it can be particularly noticed that the four neighboring countries, between China and Japan, Japan and South Korea, China and India, not only existing the political system differences, cultural differences, but also the territorial disputes. These shall be restricting the regional economic and monetary integration.

III. Analysis of Conditions of the Asian Monetary Integration

a) On the Asian Monetary Integration Tendency

The Asian Development Bank (ADB), as an intergovernmental institution in Asia and Pacific promoting economic and social development, belongs to 67 Asian member states, including the US. As early as in 2005, the bank had calculated value of the Asian Currency Unit (ACU) combining 13 Asian national currencies, with the method of weighted average and the ACU had been planned to be issued practically as the booking currency in the mid-2006 [9].

On May 3, 2009, the 12th Session of the [10+3] Finance Ministers' Meeting had been held in Bali Island, and a consensus reached for setting up the Asian regional foreign exchange reserve of $120 billion to start the operation as scheduled by the end of 2009[10]. It was of significance to establish the Asian regional foreign exchange reserve to maintain regional economic and financial stability. This move made a positive impact on the reform of the international financial system. The Asian authorized reserve scheme is a monetary cooperation mechanism in the region, and is to imitate the form of the International Monetary Fund (IMF) to finally set up the Asian Monetary Fund as planned.

On October 24, 2014, the Asian Infrastructure Investment Bank (AIIB) had been registered officially in Beijing. An agreement had been signed by finance ministers and authorized representatives of the 21 counties in firs-round inc. China, India, Singapore as founding members. The AIIB is of intergovernmental nature, a regional and multilateral development agency, focusing on supporting Infrastructure projects, headquartered in Beijing with an authorized capital of $100 billion. As of October 20, 2016, shareholders of the AIIB had been increased to more than 80, overtaking the ADB, which has 67 members. The establishment of the AIIB will undoubtedly promote the Asian monetary integration process.

Another major event that happened in 2016 was the internationalization trend of the Chinese currency RBM. On June 7, 2016, China's central bank, the People's Bank of China, decided to provide RMB 250 billion to the USA as the Qualified Foreign Investor Quota (QFLL) to set up the RMB Trading Center in the USA, supporting the RMB clearing and settlements. At this point, the initial goal of the RMB internationalization had been uneasily and successfully making [10]. On November 30, 2016, Madam Lagarde of the former IMF Director announced officially the RMB to have been taken into the IMF's Special Drawing Rights (SDR) basket. Meanwhile, the People's Bank of China and the Ministry of Finance of China issued different policy measures, to meet the requirements of the IMF, including reviewing of the central parity rate mechanism, allowing foreign central Banks to deal all onshore banking products trading and issuing the three-month debentures in RMB, to improve their short-term yield curve [11]. The current IMF SDR basket includes the US dollar, Euro, Yen, Sterling Pounds and RMB. The Yen and RMB are two Asian currencies.

On October 21, 2016, Mr. ZHOU Qiang-Wu, director of the Center for International Finance of the Ministry of Finance of China, made a speech titled "Deepening the Asian Financial Cooperation and Promote the Regional Integration", and saying as "Globally, North America, Latin America, and even Africa are all doing the regional economic integration. In comparison, European integration has gone far in the world, representing the highest level of regionalization. Why could Europeans achieve this? The root cause is that after World War II, European nations would seek common ground while putting aside disputes, to be united." Mr. ZHOU further commented, "Compared with Europe, Asian regional financial cooperation started late. However, Asia now has the "10+3 " cooperation scheme, inc. China the largest economy in Asia, and Japan the second-largest, as well as some developed economies like South Korea, Singapore, Indonesia and Thailand presently in very strong momentum of developments. This region covered possesses a full economic cycle from raw materials to processing & manufacturing and consumption. For the regional financial cooperation, the [10+3] can be a platform. Asia needs it, and a regionalized economy needs it, too. But the pessimism is that the major Asian nations are

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lack of mutual trust that has to be strengthened. I am looking forward to seeing the future ACU, and the free flow of both labors and capital in Asia [12]".

According to Mundell's theory, the more FTAs and the more increased flow of production elements. Therefore, Asia does need a regional common currency. The trend of regional integration in Asia shows that it is only a matter of time to see the ACU becoming true. Just as Mr. LONG Yong-Tu, the former Secretary-General of the Boao Asia Forum, pointed that issuing the ACU in one day is a worthy goal to pursue.

b) Possibility for Setting up the [10+4] Economic Community

On December 15, 1997, the first informal meeting of leaders of the ASEAN, China, Japan and South Korea had been held in Malaysia. The 13 leaders of Asian nations met and discussed the prospect of East Asia in the 21st century, as well as the problems faced for achieving a broad consensus. Since then, the "10+3" regional cooperation process was launched initially. So far, the "10+3" has established 65 dialogues and cooperation mechanisms, conducting respectively the issues of foreign affairs, finance, economy, labor, agriculture and forestry, tourism, environmental, health and combating transnational crime, culture, energy, information and communication, social welfare and development, science and technology, youth, media, and education; and had 17 ministerial meetings. The meetings of foreign ministers and finance ministers are held annually, and the state leaders meet regularly, etc. [13].

On November 29, 2004, the 8th meeting of the "10+3" had been held in Vientiane, Laos, and a long-term target was identified to establish the East Asian Economic Community, deciding to kick off the East Asia FTA feasibility study program. In 2010, in Cheju Island, South Korea, in the [10+3] Summit, the leaders of the three nations declared that a study program about FTA and relevant issues by government-appointed representatives, economists and scholars of the three countries, should be completed by mid–2012. In the Summit, it had been suggested that the China's State Council Development Research Center (CSDRC), the National Development Research Institute (NIRA, since 2009 it changed the name as the Japan Economic and Trade Research Organization - JETRO), and the South Korea International Economic Policy Institute (KIEP) working respectively on behalf of their governments for providing policy advises [14]. On April 11, 2017, China, Japan and South Korea resumed talks on FTA in Tokyo, according to the Nikkei Business Daily reports. In addition to the customs and tariff in commodities trading, service trade and investment, the three nations shall also discuss how to advance the framework of negotiations in the future.

The "10+3" negotiations have gone through nearly twenty years. Although agreement not yet finalized, it has become one of the most profound and significant FTA initiative in Asia, including developed countries, emerging economies and developing countries; geographically ranging from northeast to southeast Asia, with more than 3 billion people accounting for 57% of the Asia total; taking for 88% of Asia total GDP, more than 50% of Asia total trade volume overtaking the NAFTA and EU combined total [15].

For the [10+4] as focused in the paper, as early as in 1998, India's former Prime Minister Behari Vajpayee had ever put forward a concept of Asian Economic Community. Later on, his successor Manmohan Singh further redefined the idea, formally proposing the existing mechanism of the "10+3" to [10+4], plus India. In 2004, in the 3rd India-ASEAN Business Summit, Singh pointed out, "The future Asian Economic Community should include China, Japan, South Korea, India and the ASEAN. Indian scholars even used the combination for the word JACIK, namely Japan, ASEAN, China, India and Korea, as the Chesapeake initials [16]. On October 16, 2016, Indian Prime Minister Modi said in Beijing, "Asia has become the center of the global economic development, and Asian nations have the responsibility to join hands to make the 21st century the Asian century. The [10+4], ranging from East Asia, Southeast Asia to South Asia formed mainly by developing countries, shall help to change the injustice situation of the world and to change the current international economic order [17].

Table 1: Comparison of Economic Scales of the [10+4], EU and NAFTA

Year of 2003	EU	NAFTA	ASEAN	[10+3]	[10+4]
GDP(Trillion USD)	10.069	11.716	0.672	7.014	7.613
Taking the World Total (%)	(27.69)	(32.23)	(1.85)	(19.29)	(20.94)
Export(Trillion USD)	2.603	0.996	0.447	1.552	1.607
Taking the World Total (%)	(34.80)	(13.32)	(5.98)	(20.75)	(21.48)
Foreign Exchange Reserves (Trillion USD)	0.545	0.206	0.244	1.516	1.618
Population(Billion)	0.418	0.323	0.537	2.001	3.065
Taking the World Total (%)	(6.66)	(5.15)	(8.56)	(31.91)	(48.87)

Sourced: Mario Lambert, An Overview of Economic Cooperation and Integration in Asia, p.36.

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Despite the [10+3] FTA has not yet formally reached, four major Asian nations of China, Japan, South Korea, and India, have respectively signed with the ASEAN the FTA agreements, and all are in the frame of RCEP. So, in the next step, the [10+4] mechanism shall be possible.

IV. Conditional Analysis of the Monetary Integration within the [10+4]

The regional monetary integration index is rather complicated. The importance of each index shall be elaborated one by one in this paper. Based on referential parameters in Europe in the early stage (referring the year of 1992) of the monetary integration, comparing with the Asian regionalization (mainly the year of 2015), in the resumed scope of the [10+4] in indexes such as the purchasing power, trade volumes, foreign trade dependency, capital liquidity, policy coordination, movement of production elements, economic level of convergence, and political conditions in the domain. In this way, the feasibility studies of the single currency zone of the [10+4] are established.

a) Purchasing Power Analysis

One of the purposes of the regional economic integration is to create a unified market which is regarded as the gain of the regionalization. The importing capacity represents purchasing power. Whoever holding the lever shall be more prevailing in trade talks. As shown in Table-2, in 2015, the [10+4] imported total of $4.3026 Trillion, comparatively, in the same year that of the EU be $1.95 Trillion and $ 0.996 Trillion of the NAFTA. These provide favorable conditions for the implementation of regional monetary unification in the [10+4]. Also, in 2015, the GDP contribution of the [10+4] to the global economy was bigger than that of the EU and NAFTA respectively.

Table 2: Purchasing Power Comparisons of the [10+3], [10+4], EU and NAFTA

2015	EU	NAFTA	"10+3"	"10+4"
GDP (Trillion USD)	14.5	20.57	20.81	22.99
Proportion of the World Total(%)	(21.56)	(30.59)	(30.95)	(34.19)
Imports (Trillion USD)	1.95	0.996	3.9829	4.3026

Sourced: ZHANG Lujing. Three FTA Pillars in Europe, America and Asia, China Economic Weekly, July 12, 2015

b) Internal Trade Volumes Analysis

The greater the internal trade volume be, the more costs can be reduced by the economic unification. Moreover, the integration helps to keep the price stability of countries in the region to make the exchange rate adjusting the balance of payments in participating countries.

The first phase of the European monetary integration began in the early 1990s. In the duration, the total internal trade of the 12 countries in the EEC was about $29,722 Billion (1992: $14,518.6 billion for exports; $15,202.7 billion for imports); the total GDP was $68,412 billion; and internal regional trade about 43% of GDP total, at the historical time of the exchange rate and price [18].

Foreign trade dependence degree is one of the key indicators to measure a country's economic opening to the world. In 2015, the annual internal trade volume of the [10+3] was $1.3 trillion. In the same year, the bilateral trade volumes of India with China were about $100 billion, with the ASEAN $100 billion, with Japan $25 billion, and with South Korea $30 billion, respectively. So, the total internal trade volume of the [10 + 4] was about $1.555 trillion in the year of 2015. In 2015, total GDP volume of the [10+4] had been about $22 trillion as calculated by the reference of "the total GDP volumes of Japan, South Korea, India and the ASEAN were about $11 trillion in 2015, equal to China's GDP size [19]". In this way, the internal trade volume, being calculated as accounting for about 14% of overall GDP of the [10+4], has a great potentiality to grow as generated by the large population in the region. Considering the $1.555 trillion of internal trade volume within the scope of the [10 + 4] in 2015, the monetary unification can reduce the trading costs in the regional domain largely.

Table 3: Internal Trade Volumes of [10+4] Comparison with EU and NAFTA

	Internal Trade Volumes (Trillion USD)	GDP (Trillion USD)	Internal Trade Volumes / GDP	Populations (100 million)
1992:NAFTA	0.306	6.45	4%	4.21
1992: 12 Nations of EU	2.9722	6.8412	43 %	4.18
2015:[10 + 4]	1.555	11	14 %	30.065

Source: List of Global Goods Import & Export in 2015, World Trade, 2016(4)

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According to the statistics by De la Torre and Kelly, in the years 1970-1985 in the ten countries of the EEC, the weight of the internal trade volume against the total GDP increased by an average of 6.8 percent, and the external trade grew at an average annually by 5.2 percent[20]. For the same, the Asian economic integration shall further boost the internal regional trade volume and economic growth. In spite of the foreign trade dependency in the current [10+4] scope still lag behind the EU of 1992, the total trade volume of [10+4] has been more than that of the EU figure in 1992. The proportions of total trade volume accounting for total GDP, and internal trade volume accounting for total foreign trade, are both increasing in recent years in the [10+4]. Therefore, it could be concluded that the trend of internal trade volume satisfies the requirements of the [10+4] FTA scheme, and the regional monetary cooperation can be carried out at sub-levels in this stage.

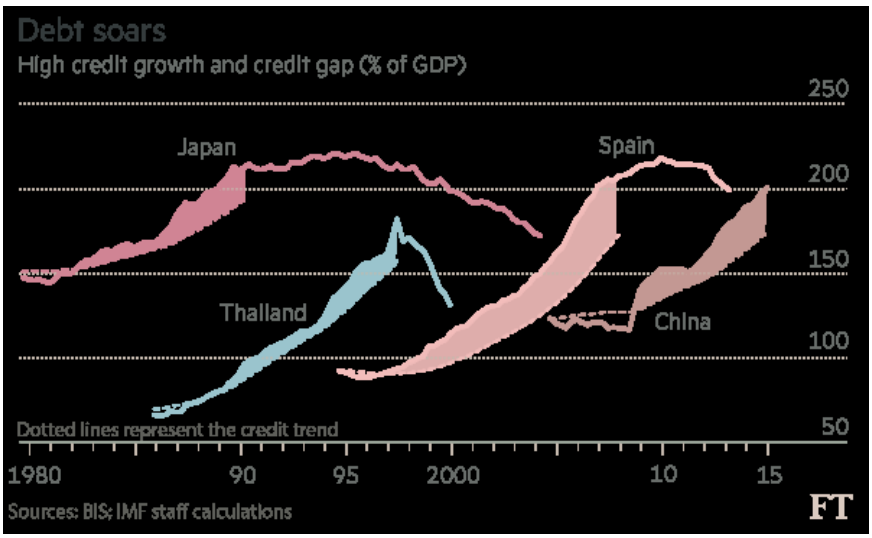
c) Comparative Analysis of Capital Flows

Regional economic integration refers to, within the domain, production materials or resources can freely flow, so to optimize the allocation of production elements or resources. In a highly integrated international financial market, the free movement of capital among member states is one important criterion. Capital flows can be divided into the Foreign Direct Investment (FDI), Foreign Portfolio Investment (FPI) and International Loan Lending (ILL). The three are the main channels of international capital flow.

The free movement of capital in the EU permitted in December 1991 is a legal provision in the Fourth Chapter (article 56 to 60) in the EEC Treaty, and the Article 56 is the core stipulation for the capital flow. It prohibits any restrictions on capital and payments flows among and between member states and third countries. To be clear, Chapter 4 of the EEC Treaty is not only limited to capital flows, but also free payments [21]. Also, in recent years within the EU, the private equity funds cross-border investment has developed rapidly, becoming a new way of capital flow. The free movement of capital has become the central pillar of the EU as a single market.

On May 13, 2012, in the 5th Session of the trilateral leaders meeting of China-Japan-Korea, the three parties signed a document named the Agreement of the Governments of the People's Republic of China, Japan and Republic of Korea on Investment Convenience, Promotion, and Protection. In 2015, ten member nation leaders of the ASEAN signed agreement announcing the founding of the ASEAN Economic Community in Kuala Lumpur, in purpose to create a freer environment for trading and capital flow in the region where there are 625 million people, with an economic capacity of $2.6 trillion. The communiqué states a: We must now ensure a freer environment to remove barriers for investment growth". Presided over the summit, Mr. Najib Razak, the Malaysian Prime Minister then pointed out. In fact, we have eliminated the trade barriers among the ASEAN nations, now we must ensure that a more liberal environment, and make sure the removal of the barriers that hinder investment growth [22].

In the year 2017, China's total debt has been equivalent to 250% of GDP, still rising [25]. As the largest economy in the [10+4], China is now facing rapid growth of the liabilities, as shown in Figure 2. China's size of the finance shall have impact on the global economic stability. Therefore, China must, first of all, rebalance its economy and maintain its financial system stable. The capital free flows are not possible for China for the time being, nor within the [10+4].



Source: Martin Wolf. How China to get rid of the debt trap? Financial Time, April 13, 2017

Figure 2: Dept Situations of China, Japan, Thailand, and Spain

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Concurrently, Asia's regional economic integration is at the lower level of PTA and FTA. Especially after the Asian financial crisis, Asian countries strengthened the capital control, to prevent the impact of international hot money. At present, while promoting the "Belt and Road" strategic initiative, the Chinese government is pushing the RMB internationalization. However, due to the RMB depreciation happened recently, the government strengthened the capital controls, to have made the RMB internationalization pace slowed down. As a result, among the Asian countries (even within the [10 + 4], the international financial market development level is still rather low. Therefore, the criterion of the free flow of capital is not up to the standard by now and shortly.

d) Liquidity of Production Elements

According to Mundell's theory, in the same currency zone, if the exchange rate policy lever be used to adjust the demand side, to maintain price stability and sufficient employment rate of all member countries, there must be the high liquidity of the production elements adjusting demand shifting. Not allowed that timely and effectively, it will affect the balance situation of international payments and economic stability of the member nations in the monetary integration process.

Among the 10 ASEAN countries, the economic development levels vary so big, in high similarity of industrial structures, lower production elements mobility. All these factors hindered the further development of the cooperation. Prof. YANG Mu, a senior fellow of the Institution of East Asia Studies of the National University of Singapore, pointed out that internal problems of the ASEAN are mainly the economic gap between its six old members and the four new ones. In spite that Vietnam's economic development caught up in recent years, the gap is growing [23]. The [10+3] FTA agreement is not yet signed; even the internal market for mobility of production elements within the ASEAN is still in its infancy stage. In the term of the free flow of labors alone, there are still faced a lot of restrictions. So it will take a longer time for the [10+4] scheme be finalized.

e) Policy Coordination Analysis

The ASEAN countries, as well as the four Asian nations, China, Japan, Korea, and India, all have their interest considerations in monetary and financial fields, but the main factors affecting their respective decision-making are the same, both the economic and non-economic aspects. The opening feature of the FTA is a double-edged sword, which can be great opportunity for countries to improve their competitiveness, and also can be a striking force to the weak economic sectors. At the same time, in the [10+4] domain, besides the diversified ed economic development levels, all countries involved have certain distances to the FTA standard. The pressures of FTA standardization may become the driving force for their economic transformation and industrial upgrading within the region, and may also trigger their economic and social tensions. The non-economic factors can be more deeply influential because the FTA shall be an agreement containing the political power games and ideologies behind the competitions.

In the process of monetary integration, policy coordination among member states plays a decisive role. According to the standard model of Mundell–Fleming, one nation's monetary and fiscal policy has certainly a spillover effect. If two nations play different policies which might bring negative effects to each other, affecting their cooperation relations. At present, no uniformed monetary and fiscal policy has been established in the ASEAN, and nor in ASEAN related FTAs with China, Japan, South Korea and India. Although on May 3, 2016, the ASEAN Finance Ministers' Summit stating that the monetary and fiscal structural policy tools will be adopted uniformly when necessary to promote and booster the whole economic growth to make sure the regional economy continuing to grow at a relatively high rate, as the global economic engine [24]. But the current situation shows that, due to the low level of regional economic integration, Asian countries now still have gaps in their policy coordination.

f) The Convergence Analysis on Economy Levels

In the process of regional monetary integration, if economic levels and economic structures of the member countries are approximately the same, the external impacts and effects on the countries will be symmetrical. Thus, the same or similar monetary and financial policies can be adopted to offset shocks, reducing the pressure on the entire region. But, if the economic development levels are too different, the costs undertaken by member countries are different too, so that the monetary integration shall be unstable and would face big problems.

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Table 4: List of GDP and Growth Rates of Nations of [10+4] in 2015

2015	GDP (100 Million in USD) by Type of Expenditure	Population (10,000)	Per Capita GDP (USD)
Japan	43,830.8	12,657.3	34629
Korea	162.8	2,512.6	27397
China	111,584.6	137,604.9	8109
India	21,162.4	131,105.1	1614
Singapore	2,927.3	560.4	52239
Indonesia	8,619.3	25,756.4	3346
Thailand	3,951.7	6,795.9	5815
Malaysia	2,962.8	3,033.1	9768
Philippine	2,924.5	10,069.9	2904
Vietnam	1,932.4	9,344.8	2068
Cambodia	180.5	1,557.8	1159
Brunei	129.3	42.3	30553
Burma	626.0	5,389.7	1161
Laos	125.9	680.2	1850

Source: National Accounts of UN, 2015

As Table 4 shows, the three ASEAN member nations, Burma, Cambodia, and Laos, are the poorest in the weak economic base and less competitiveness. Economies of the three have many similar characteristics, such as low productivity levels, agriculture-oriented, forestry, manufacturing industries underdeveloped, and single economic structures. Their foreign trades are dominated by exports of resource materials, with low value-added and low technical content. In the three, the legal systems are not sound, and the investment environments need to be improved. Their workforce is rich but lacks training and education, and infrastructures lag behind, etc. All in all, the economic structures and the development levels are in big difference within the 14 countries of the [10+4]. Once implementing the uniformed monetary policy, countries will undertake a larger difference between costs and benefits. Thus conflicts shall taking place among them.

g) Political Conditions Analysis

Political relations among the Asian countries are complicated, especially that of the Sino-Japan, the Sino-India, China-South Korea, Japan-South Korea, for this or that reasons. Development of the mechanism of [10+4] depending on the further development of the [10+3], whether or not China is willing to accept India, as well as and situation of the four bilateral relations, particularly the Sino-Japan relation. The ASEAN's rich experience in regional cooperation is valuable, and its role of the axis will be a factor for successes of both the [10+3] and the [10+4]. Though not Asian-wide, the [10+4] mode for future Asia and the Asia-Pacific cooperation will be of important influence. Normalized and harmonious international relations are the necessary conditions for regional economic cooperation. The monetary integration needs a certain high degree of political co-operation and some necessary sovereignty transfer. However, because of different political systems and different ethnicities, religious beliefs and cultural diversity of 14 countries within the [10+4], mutual understanding, and trust are very necessary. All these differences can cause problems, making it difficult to reach an agreement.

To compare above-mentioned conditions in Asia at present with the situation of Europe at the time starting to use the currency EURO, it can be concluded that within the [10+4] the purchasing power and the internal trade volumes have only reached the very basic criteria for the implementation of regional monetary unification. However, the national economy levels and political conditions still cannot meet the requirements. The difficulties in achieving the free movement of capital and production factors can affect the breadth and depth of the regional monetary integration. Therefore, it can be foreseen that the building up an Optimal Currency Zone in Asia has quite a long way to go. However, the conditions clearly show that the lower levels of currency integration can be done in stage by stage strategy.

V. Suggestions for the Asian Currency Unification in the [10+4] Domain

According to the above analysis, although at a good momentum, the situation shows that economic

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integration in Asia still in the primary stage, it has not yet provided the necessary conditions for the regional monetary integration in a wide range. Despite the obstacles faced, the integration can be implemented at a surface level slowly in stages within the [10+4] range.

a) Enlightenment from European Unification

In 1945, when Europe still in ruins, the European countries kicked off their regional cooperation plan in a new way of thinking and a forward-looking attitude dealing with their conflicts and disputes. It was then that European political unity and economic integration began with the active advocacy led by France and Germany. Gradually, Europeans are more and more aware that a united Europe becomes a necessary condition for sustained peace and prosperity. So far, the EU has become the world's largest market and a regional political force that can compete with the US.

In the case of implementation process, though, every member of the EU had a different degree of regret over the abandonment of their currencies. The Germans, in particular, were deeply hesitant about giving up the Mark that had been of stability and strength. However, to gain international competence, they would give up their national interests and eventually accepted the EURO because Germans know that neither the Deutsch Mark nor the French Franc can compete against the US Dollar alone, but the EURO can. Further expansion of the EU application means more than just geographic sake, but an economic power. The establishment and running of the EU is a good and positive model of the regional social-economic cooperation, providing experiences and lessons for Asia. Although the Brexit recently happened, it should not be regarded as abnormal, because the integration was an open process itself. The four Asian nations, China, Japan, South Korea, and India all actively and respectively promoting and participating in the Asian regionalization, should learn from Germany and France, to shelve disputes, settle the conflicts through negotiations, and to share the responsibility of acting as a locomotive for the regional integration process.

b) Future Asia's Major Currency Pattern

Since Japan became a member of the IMF in 1964, the Japanese Yen had been used in the international trade settlements. In 1980, Japan amended her Foreign Exchange Law, and the Yen entered into a preliminary phase of liberalization. In 1984, the Yen-Dollar Committees were established and signaled as the beginning of the Yen's move towards internationalization. Presently China is accelerating the RMB internationalization process, development trends show that China's RMB will also become an international reserve currency. China's total economic capacity and the foreign trade volume have both surpassed that of Japan. Not just as the world's largest exporter for goods, China is also the world's largest capital exporter accounting for 21% of the global total in 2010, accumulated in cross-border trade settlements and offshore market financing, as well as in the open market of foreign direct investment and onshore financial markets. By the end of 2015, China had successively signed currency SWAP agreements with monetary authorities of 30 countries and regions to promote the more use of the RMB in bilateral trades with a total amount of 3.1102 trillion Yuan RMB [25]. According to a report published, after the RMB officially gained the IMF Special Drawing Rights (SDRs) as one of the baskets of currencies, foreign central Banks shall increase their RMB as official foreign exchange reserves gradually. It is foreseen that, three years later, the demands of the RMB will rise to 4% of the total share of global foreign-exchange reserves, same as the Japanese Yen [26].

Since June 1, 2012, the Japanese Yen became one more competitive currency to trade directly against the RMB. It is a win-win measure for both. The RMB directly dealing with the Yen not only help to expand and deepen the bilateral trade and investment activities, but also a significant step of the RMB internationalization. It will, at the same time, increase global status of the two currencies in the world market. When two currencies, US Dollar and EURO, becoming less stable today, the bilateral monetary cooperation of Sino-Japan will bring a global influence in the world monetary system. It also shall help the Asian nations to gain the speech right.

It can be seen that before the monetary regionalization, a diversified currency system in Asia shall be developed with the Japanese Yen and Chinese RMB as settlement and reserve currencies, but the US Dollar will be dominated still.

c) Procedures of the Monetary Unification in Asia

The Birth of the EURO and the European monetary integration have been the most significant events in the modern economic and financial histories. The European monetary integration broke the narrow definition of the original national sovereign currency concept, representing a higher level of regionalization. It is one innovative breakthrough in the economic theory. European monetary integration provided beneficial experiences and references for Asia. Although the Yen and the RMB have become an international Currency, Asia still needs a unified currency to be commonly accepted by all Asian countries, i.e. the ACU - the Asian Currency Unit.

i. *Institutional Construction*

Based on the existing conditions and trends of Asia, it suggests that the institutions concerned should establish for the implementation of the monetary unification step by step. The immediate priorities are:

1) Research institutions of India and the ASEAN could be invited to join the team formed by the representatives of China, Japan, and South Korea,

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i.e, the [10+3], including the China's State Council Development Research Center (CSCDRC), the Japan Economic Trade Restructuring Organization (JETRO) and the Korea International Economic Policy (KIEP) doing the research and produce monetary integration policy study reports for their governments respectively.

2) Based on the Common Reserve Fund scheme by the Protocol of the Chiang-Mai Initiative, the Asia Monetary Fund (the AMF) should be established with the duty to monitor the currency exchange and the trading in Asia, to provide technical and financial assistance, to make sure the function of financial system operating within the [10+4]. The establishment of the AMF shall be of a significance to maintaining the regional economic and financial stability and will have a positive impact on reforming and improving the international system.
3) To set up the Asia Common Currency Committee formed by representatives of the central banks of the ASEAN, China, Japan, Korea, India, as well as the ADB and AIDB, guide the implementing the regional monetary integration.

ii. *The ACU Designing Basis and Value Calculation*

Enlightened by the ADB works done in 2005, the value of the ACU is herewith recalculated by combining 14 national currencies of the [10+4], through consultations with the ADB officials, and scholars of Japan and India.

We are considering about the economic levels variety among the member nations within the [10+4]. Therefore, taking the weight of national GDP against the total GDP of the 14 is a reasonable approach. First of all, choosing the period of 5 years (2011–2015) and the total GDP figures of the 14, and then calculating weight ratios of the 14 single GDP against the total GDP respectively in the average weighted method. Finally, according to the concurrent market exchange rates of 14 national currencies against that of the US Dollar, the value of ACU against the US Dollar is calculated.

Table 5: Calculations of Exchange Rate of ACU and USD

	Nations	2011-2015,Weight of the Total GDP of [10+4]Respectively					Averaged Weight	Exchange Rate	ACU/USD Exchange Rate
		2011	2012	2013	2014	2015			
		GDP占比	GDP占比	GDP占比	GDP占比	GDP占比			
1	Malaysia	1.68%	1.56%	1.62%	1.56%	1.50%	1.58%	0.2375	0.0880
2	Indonesia	5.09%	4.51%	4.81%	4.24%	4.13%	4.56%	0.000077	
3	Thailand	2.08%	1.88%	1.97%	1.79%	1.79%	1.90%	0.0284	
4	Philippine	1.28%	1.29%	1.23%	1.36%	1.43%	1.32%	0.0206	
5	Singapore	1.56%	1.42%	1.33%	1.47%	1.41%	1.44%	0.7211	
6	Brunei	0.09%	0.09%	0.08%	0.07%	0.06%	0.08%	0.7213	
7	Vietnam	0.74%	0.71%	0.73%	0.89%	0.95%	0.80%	0.000045	
8	Laos	0.05%	0.05%	0.05%	0.06%	0.06%	0.05%	0.0001	
9	Burma	0.31%	0.27%	0.28%	0.30%	0.31%	0.30%	0.0007	
10	Cambodia	0.08%	0.07%	0.07%	0.08%	0.08%	0.08%	0.0002	
11	China	43.95%	42.24%	43.17%	49.58%	52.02%	46.19%	0.1485	
12	Japan	35.35%	30.62%	28.64%	22.05%	19.73%	27.28%	0.0096	
13	S-Korea	6.72%	5.93%	5.89%	6.77%	6.67%	6.40%	0.0008	
14	India	1.01%	9.37%	10.11%	9.79%	9.86%	8.03%	0.0149	

Source: National Accounts of UN, 2015

The formula is in below:

$$y^n = x_1^n + x_2^n + \cdots + x_i^n = \sum_i x^n$$

$$z = x_1^1 + x_2^1 + \cdots + x_i^1 + x_1^2 + \cdots + x_i^2 + x_1^n + \cdots + x_i^n = \sum_i^n x$$

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$$A = \frac{y^1 * c^1 + y^2 * c^2 + \cdots + y^n * c^n}{z} = \frac{\sum(y * c)}{\sum_i^n x} = \frac{c^1 * \sum_i x^1 + c^2 * \sum_i x^2 + \cdots c^n * \sum_i x^n}{\sum_i^n x}$$

x_i^n, stands for GDP of ***n*** *Nations* in ***i*** *Years*, *n for Number of Nations*, *i for Number of Years*

y^n, stands for total GDP of a nations in ***i*** Years

z, stands for total GDP for all nations in ***i*** *years*

c^n, stands for the exchange rate of *n Naation*

A, for value of the ACU

d) The Prospect of Asian Regional Monetary Integration

The basic theory of regional economic integration tells that the process usually consists of seven stages (see Figure 2). It has to undergo stages of PTA, FTA, CU, CM, EU and EMU, one by one, finally reach to PEU, the political and economic alliances.

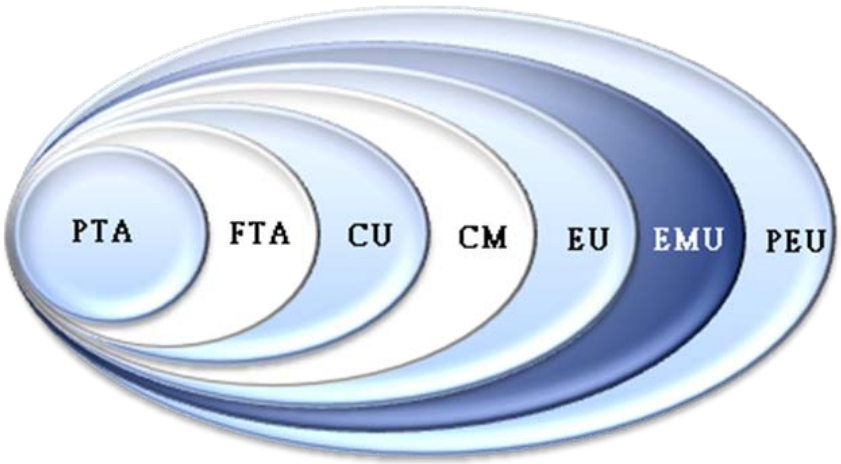

Figure 2: The Regional Monetary Integration in Stages

PTA=Preferential Trade Agreement
FTA=Free Trade Agreement
CU=Customs Union
CM=Common Market
EU= Economic Union
EMU= Economic and Monetary Union
PEU=Political and Economic Union

The EMU is the goal of economic integration. It requires all participating states go for tariffs, trade and market integration, establishing a supranational institution, adopting a common stand in the international economic decision-making, exercising a unified monetary policy, and forming the unified financial management institutions, in order to realize the comprehensive regionalization in all fields of the economies.

As long as the trend is going and steps taking, the currency integration in the Asian [10+4] will surely become a reality in the future. The integration process will step by step increase the level and quality of FTA in the region. A diversified international monetary structure resulting from the emergence of the ACU will inevitably make a profound impact on the world economic order in the future.

e) The Proposal To Set Up the ACU Experimental Zones

The regional integration has three features, i.e, the fuzzy boundaries, the sovereign transfer and the equality. The experience of the European integration has fully verified the features. Among most European countries there had been territorial disputes that all have historical evidences to prove the sovereignty, such as the Auckland Islands, the Corsica, the Basque, the Sardinia, the Danzig, and the East Prussia, and so on. The supranational concept makes the Europeans shelved their disputes, to have the Europe rebuilt, because the Europeans believing a national competence relying on science and technology, culture and economy, but not the concept of land wise.

The regional economic integration at the same time is also a peaceful process because all parties involved have to agree to a basic principle, i.e, any disputes to be solved in the process by way of negotiations, not through the wars. The regional monetary integration has peace function too. Asian countries could set up some small ACU Experimental Zones to promote the integration as initial steps when it does not yet possess the conditions for region-wide implementation. So the regional peace cause is

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promoted. In this way, the ACU not only helps to build up a true Asian symbol but also provides a peaceful solution to the territorial disputes.

Up on with the above considerations, we suggest to set up the first three small ACU Experimental Zones in Asia in three disputed areas the Diaoyu islands in Chinese (the Senkaku Islands in Japanese); the rocky islets spoken as Dokdo in South Korea and Takeshima in Japan; to choose a small relatively isolated area of disputed land between China and India, to build three tourist places only allowing to use the ACU.

We also propose that the construction of tourist facilities in the three zones could be jointly carried out by three Private Joint Ventures of Mainland of China, Taiwan, and Japan; Japan and Korea (South and North, if possible); China and India, to be managed by the Asian Common Currency Committee. The business proceeds generated partly could be used to establish an Asian Unification Peace Fund. If successful in the three Zones, the model can be applied to all other disputed places in Asia as the second step. In such a zone by zone strategy, the Asia-wide regional monetary integration shall be gradually realized. If in such a way a peaceful settlement of territorial disputes can be made, the ACU shall make contributions for the Asia peace cause.

VI. Conclusion

Experience of the European regional integration shows that achieving the same in Asia is a necessary condition for sustained peace and prosperity in the region. The prospect of regional economic integration in Asia is reflecting both bright future and problems being faced by all Asian countries. The future is not only depended on the efficient economic integration, but more depends on if the Asian nations can overcome and remove the economic obstacles, to gradually establish a regional market dominated by internal demand.

From the long-term view, Asian nations need to deal with social barriers too. Compared with the economic barriers, the social ones generate resistance to the regional integration process. On March 14, 2017, in Chile, in a new round of TPP meetings without the US presentation and with new step-in of China, it appeared in between Japan and China a situation of tug-of-war [27]. It seems abnormal; as a matter of facts it is normal. It is these disputes among member nations that caused the tensions between a particular interest and the common interests. This tension will make the integration process regularly in the open state, which makes the process in imperfectness and opening in full time. This makes the regionalization peacefully into a democratic process. The national interests should be regarded higher than that of ideological [28], and the common Asian interests should be set higher than the national interests in this logic. The way of thinking can effectively help to resolve disputes over the national sovereignty in Asia.

While the globalization has indeed led to some problems inc. the recent Corona-virus out-breaking worldwide, trends of the economic globalization and the regionalization are still going on. Emergence of the "Counter-Globalization" phenomenon is by no means to turn back to the closed societies and trade protectionism. The getting bigger and more Asian FTAs need the common currency. In a report issued by the Munich Security Conference and Foundation on February 13, 2017, it points out, "Since World War II, world security environment faces the most vulnerable moment by now. The West dominated world may be moving towards the end, and some non-western countries began to reconstruct the world order [29]." The five non-western economies of the ASEAN, China, India, Japan and Korea and ten member nations of the ASEAN within the [10+4] can do the reconstruction, to create an open, new, inclusive all beneficial system.

Mundell's theory is still working with practical value today. The point, taking into consideration academically and politically is, how to balance the globalization and localization.

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Corruption in the Management of Natural Resources (On the Example of Fish Resources)

By Iana Savtcova & Andrey Nikiforov

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Iana Savtcova [α] & Andrey Nikiforov [σ]

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I. Introduction

Recently modern Russian and international scientists have started to develop an understanding of how corruption in state structures interferes with law enforcement activities in natural resource management [8]. According to article 9 of the Constitution of the Russian Federation [13], "land and other natural resources may be in private, state, municipal and other forms of ownership." Therefore, the problem in question involves the role of the state as an important player in the management of natural resources.[4] Besides, several studies have shown that resource-rich countries, which economies are dominated by the resource sector, are generally characterized by the inefficient use of their natural resources, weak economic policies, maintaining undemocratic regimes, and corrupt economies.[13] [11] [14] The inability of such countries to sustainably manage their abundant natural to develop the country successfully and achieve achieving a high level of welfare for the population has been called a "Resource Curse." At the same time, many authors state that the level of corruption in countries with an undeveloped civil society and a weak political structure increases sharply.

The object of this research is fish resources that belong to the category of "the commons," as well as common pastures, forests, irrigation systems, etc. Thus, to restrict access to these resources is possible but quite complicated and the use of the asset by one individual (a resident of one village catches a dozen fish daily from a specific lake) excludes other individuals from using the same resource (no one else can get this particular dozen fish). The main difficulty in managing common resources is that in the majority of cases, the users cannot agree among themselves on the rules for using a shared resource, which leads to its overexploitation and imminent degradation. This problem is called the "tragedy of the commons."

The concept of the "tragedy of the commons" was created in 1968 by Garrett Hardin and was first published in the article in the journal "Science." He wrote about the dilemma that occurs when a group of users owns a limited resource. [3] Imagine fishers, each of whom catches a certain amount of fish from a single lake every day. One day, one fisherman decides that he is going to catch more fish to sell it and make more profit. Other fishers also come to a similar decision. After some time, the fishermen noticed that the fish stock was decreasing, and now each of them can not catch even the amount of fish that he used to have in the beginning. But, although all fishermen notice this, none of them is ready to reduce the catch, because everyone wants to get the highest possible profit. Acting this way fishers continue to damage the common resource until it is completely depleted. Thus, there is a conflict between individual and collective rationality, which is closely related to three crucial economic aspects: the "prisoner's dilemma" (the fundamental problem of choosing the best strategy in the game theory), the logic of collective action, and the "free-rider problem" (one person cannot be excluded from using the useful products that others create. In this case, everyone is tempted not to participate in creating the common good but only use it. [6].

Since the fishermen see only short-term benefits (increased profit), they consider it a rational strategy to catch as many fish as possible. But in the long run, it leads to the degradation of the resource, or the "tragedy of the commons." Nowadays, this problem is becoming more and more urgent, since the world's population is steadily growing, and our planet has its limits.

This problem is complex, indeed, but solvable. The winner of the 2009 Nobel prize in Economics E. Ostrom offered an innovative approach to this problem. She believed that the best way to preserve a shared resource is to entrust its management to users themselves in so-called collaborative community management [6]. Also, there are two traditional solutions to the problem - privatization and state regulation. However, O. Young, in his work, notes that state governments, in this case, are not perfect for several reasons [10]. First of all, the irrelevance of the selected policy in a particular situation. The second issue is the "institutional arthritis" - the inability of the state to react to

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the emerging situation calls because of bureaucratic procedures can last for months. And, finally, corruption and lobbying of the interests of specific groups is a challenge which affects the governments of many countries of the world.

According to the Corruption perception Index - 2017, 71% of the world's countries do not get even half of the points (0% is the highest level of corruption perception, 100% is the lowest). The first positions often take the countries with significant reserves of natural resources, including oil and gas. [1] (Fig. 1).

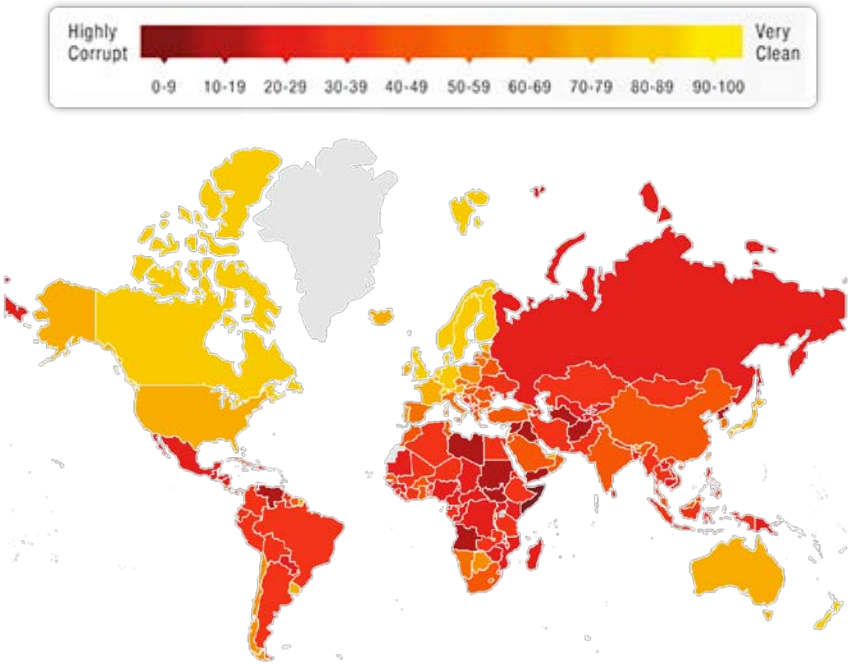

Figure 1: Corruption perception Index for 2017, *[2]*

The research interest in studying the relationships between society, power, corruption, and environment" is growing annually. However, it is quite complicated since corrupt transactions, by definition, are not registered in available databases [5]. Nevertheless, existing data provided by several anonymous interviews helps researchers to get nearer to explaining the phenomenon of corruption. The main questions here are: what is corruption? Is it an exception to the rule or a failure in the public administration system? Is it a cultural norm of some societies?

We chose fisheries as a vital resource for many developing countries and countries with economies in transition. In such states, fish is often known to be a main source of animal protein for low-income groups. However, the growing popularity of fish in countries with developed and rapidly developing economies (for example, the EU, the US, China, and Japan) creates an increased demand that fish stocks in these countries' waters cannot meet. As a result, growing markets are increasingly provided with fish imported from developing countries. In its turn, it leads to the fact that more intensive fishing is conducted by foreign and export-oriented domestic fishing fleets. Then, small-scale fishing, which has traditionally supplied seafood to rural communities, is forced to compete with export-oriented industrial fishing organizations without much support from their governments. Accordingly, we are talking about the competitive use of a common resource – fish which are subject to be extracted by local communities, private entrepreneurs as well as the state. [7].

The global trend reflecting the dynamics of marine fish stocks is the following: the number of sustainably used fish stocks increased from 50% to 60% (maximally sustainably fished) from 1974 to 2015, the number of underfished fish decreased from 40% to 7% (underfished), and overfishing increased from 10 to 33% (overfished) in different areas of the World ocean. (Fig. 2).

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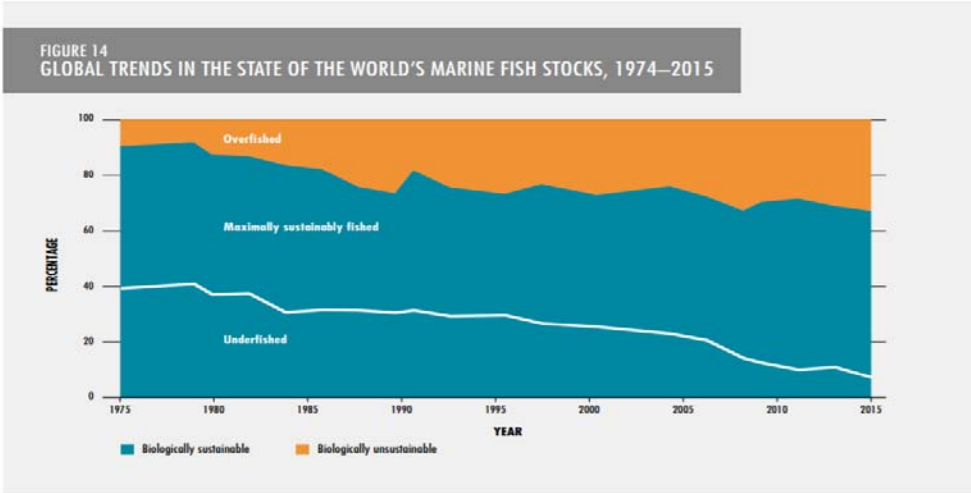

Figure 2: The ratio of fish resources according to the criterion of the intensity of use [2].

The statistics suggest the rules of fishing are not currently observed in one-third of cases (33%), which leads to a steady degradation of fish resource.

As a local example, let us consider a study conducted by a Swedish scientist, A. Sundström based on data from anonymous interviews with law enforcement officials in South Africa [9]. A. Sundström makes several critical comments on the problem of corrupted relations in the field of natural resources management. Firstly, connections between users of a natural resource and inspectors can be formed based on bribery: monetary and food. Secondly, one of the reasons for such illegal actions is the preexisting relationships between users and inspectors (for example, neighborhood or family connections). Ultimately, it becomes a prerequisite for the inspectors to perform their duties inadequately or even take part in illegal forms of fishing.

In this scenario, corruption becomes a part of a general social and legal system and turns into an informal but well-functioning institution: fishers pay bribes or use existing connections with police officers and the court to get removed of fines or to avoid punishment. Then corruption in the controlling organization becomes a norm, and those who control the work of inspectors support corrupt inspectors because they benefit from it. As a result, the employees trying to inform their chiefs about violations or bribe transactions of their subordinates turn out to be "whistle-blowers" themselves in their eyes. [9] Their "correct" behavior and their desire to report bribery from a formally functioning institution turns out to be "wrong" and harms their further professional career (Fig. 3).

De jure institutes	De facto institutions
Inspectors ensure compliance with rules and regulations	Inspectors are "blind" and corrupt. They receive bribes in the form of money, food, or "connections", so they react improperly to violations of nature-users, share information with them (for example, about the upcoming inspection), or participate in illegal fishing themselves
Fines are collected and remain in the enforcement system	Fines are "lost" in the form of bribes to judges and inspectors
Informing about illegal behavior of participants-inspectors or nature-users is taken seriously and does not involve a risk to the career of the person who informs	Informing about participants ' illegal behavior is ineffective and risky for the informant's career (and sometimes health)
Illegal actions of inspectors lead to sanctions against them	Illegal actions of inspectors lead to sanctions against them rarely since the top management itself is also corrupt and benefits from the existing informal relations

Figure 3. Corruption in the management of fish resources (Source: compiled on the base of the materials from the article Sundström, Aksel. 2015. Covenants with broken swords: Corruption and law enforcement in the governance of the commons, Global Environmental Change, 31: 253-262.)

Paul Robbins, an American researcher at the US Institute of geography, also notes that corruption is not only the result of disobeying formal rules but the result of inequality and instability in the social system [8]. Consequently, corruption in natural resource management leads to unsustainable use of resources and rapid degradation of the components of the ecosystem. Moreover, the likelihood of corruption rises when state officials have a monopoly on controlling the use of a resource. One striking trend is that corruption

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increases over time, as it becomes a part of local culture.

In conclusion, it should be noted that the existing link between corruption and the management of natural resources is of increasing interest to representatives of various sciences: ecologists, political scientists, and researchers of sustainable development. At the moment, it can be argued that this relationship is expressed primarily in the increasing degradation of the environment since corruption distorts the rules and their application in the management of common natural resources. State structures play a significant role in the management of common resources, as well as in the enforcement, coordination, and regulation of the use of such resources. Currently, however, resource-rich countries tend to have lower rates of economic development. This phenomenon is considered in modern scientific literature as the "resource curse." [13].

What is the reason for this phenomenon? Do weak institutions combined with natural wealth, generate corruption? Do corruption and weak institutions lead to overexploitation of natural resources? The answers to these questions are still to be found. However, the majority of researchers agree that corruption hinders the achievement of sustainable development goals as it inhibits economic growth, increases the number of poor people, reduces the country's investment image and affects the general well-being of the population.

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The Ombudsman in Nigeria: A Jurisprudential Overview

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Abstract- The Ombudsman or Public Complaints Commission which came up in the 19th century is a body established by law to address administrative radicalism and injustice in public institutions. This body was of boisterous use in the Scandinavian countries in Europe to address administrative injustices without resorting to courts of law. In Britain, it is called Parliamentary Commissioner. In Russia, it is called Prosecutor General, and in Nigeria, it was introduced in 1975 as Public Complaints Commission and attached to the legislature as the supervising agency. This body is recognized by the 1999 Constitution of Nigeria but its performance appears to be unnoticed because of certain bottlenecks. This paper intends to highlight these gridlocks which include incapacity to give effect to its decisions, financial incapacity and other administrative setbacks. It is our belief that if these bottlenecks are removed the Ombudsman will perform in Nigeria as in other countries where it has favourable conditions.

Keywords: *ombudsman, administrative, injustice, remedies, constitution.*

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Benjamin O. Igwenyi [α], Njideka Helen Ekpe [σ] & Nnamdi P. Ben-Igwenyi [ρ]

Abstract- The Ombudsman or Public Complaints Commission which came up in the 19th century is a body established by law to address administrative radicalism and injustice in public institutions. This body was of boisterous use in the Scandinavian countries in Europe to address administrative injustices without resorting to courts of law. In Britain, it is called Parliamentary Commissioner. In Russia, it is called Prosecutor General, and in Nigeria, it was introduced in 1975 as Public Complaints Commission and attached to the legislature as the supervising agency. This body is recognized by the 1999 Constitution of Nigeria but its performance appears to be unnoticed because of certain bottlenecks. This paper intends to highlight these gridlocks which include incapacity to give effect to its decisions, financial incapacity and other administrative setbacks. It is our belief that if these bottlenecks are removed the Ombudsman will perform in Nigeria as in other countries where it has favourable conditions.

Keywords: ombudsman, administrative, injustice, remedies, constitution.

I. Introduction

The Ombudsman or Public Complaints Commission which came up in the 19th century, is a body constituted to deal with administrative radicalism and injustice emanating from public institutions. This body was of boisterous use in the Scandinavian countries in Europe to address administrative excesses without falling back on the courts of law. The body is called Parliamentary Commissioner in Britain. In Russia it is referred to as Prosecutor General while in Nigeria, it was established in 1975 as Public Complaints Commission and attached to the legislature as the supervisory agency. This body is recognized by the Constitution of the Federal Republic of Nigeria, 1999 as amended though its performance is quite unnoticed as a result of some bottlenecks or setbacks. This paper intends to bring to light these short comings to enable us find solutions to the problem of the peoples' advocate.

In the light of the above, we shall commence this work with the meaning of Ombudsman or Public Complaints Commission, its brief history from Sweden to Nigeria and the major provisions of the law establishing it. Then we shall look at the major bottlenecks that negate its operation, a little comparism between the Nigerian Ombudsman, Russian and British practice. Before we conclude with our recommendations.

II. Meaning of Ombudsman

The concept of Ombudsman was first used in Sweden, a Scandinavian State, in 1809. It simply means official appointed by the constituted authority to investigate complaints by individual citizen against administrative injustice by public officers.[1] According to Iluyomade and Eka, Ombudsman implies that citizenry aggrieved by an official action or inaction reserves the right to make his grievances known to an independent body legally authorized to investigate the complaint.[2] Such a system guarantees impartial review of administrative injustice arising from action of public officer as well as abuse of powers.

Writers have various views in relation to the meaning of Ombudsman. According to *Wikipedia,* Ombudsman is an official that represents public interest investigating and addressing complaints of bad administration or breach of rights.[3] It is normally appointed by the government or the parliament as the case may be, with a reasonable level of independence.[4] The word ''Government'' as used in this context, may be national, state or local government.

The core responsibilities of Ombudsman are to investigate complaints and make efforts to address and settle them by way of recommendations. Though in some countries, Ombudsman sometimes finds out what causes administrative bottleneck and maladministration[5], the core idea of an Ombudsman is simply that complaint of maladministration or administrative misrule is investigated or examined by an

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[1] Sambit, "Ombudsman: Origin, Nature, Power and Functions/Public Admin.; <www.yourarticlelibrary.comombu...>, accessed on 4th December 2019.
[2] B.O. Iluyomade, and B.U Eka, *Cases and Material on Administrative Law in Nigeria,* (2nd ed.) (Ife: OAU Press Ltd, 1992), p.455
[3] Wikipedia, "Ombudsman," ?https://en.m.wikipedia.org> accessed on 5th December, 2019.
[4] *Ibid*.
[5] *Ibid.*

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official with appropriate power and clearly independent of the administrative authorities.[6]

Some other writers contribute their own quota in different dimensions. E. Malemi, expresses the view that Ombudsman adopted alternative dispute resolution mechanism such as Mediation, Arbitration, Conciliation and among others in settlement of disputes between parties.[7] Another author described Ombudsman as an institution that directly challenges the decisions and practices of governmental bodies.[8] By necessary implication, it is only when a complaint is brought by an aggrieved individual against public body that Ombudsman performs the function of its office.

Having examined the views of various writers, we can therefore say that Ombudsman, is a body established by law, conferred with power to investigate cases of administrative misrule or abuse of power brought to it by an aggrieved citizen with the sole intent of resolving the dispute between the parties independent of government interference. Ombudsman has two vital roles, investigation of complaints and improvement of standard of services rendered by governmental bodies and the non governmental bodies alike.

III. Historical Development of Ombudsman

Corruption has been a cankerworm that eats deep into the social, economic and political systems of most countries of the world. There is no gainsaying that poor masses suffer the end product of corruption the most. Research has shown that the problem of corruption is always severe in developing countries.[9] Government was only interested in maintenance of law and order in the past while in the modern society, government cares about welfare of the citizens. This has greatly increased the level of interaction between the government and the governed. Overtime, there has been a tremendous expansion of bureaucratic measures and this negates traditional method of control.[10]

The cases of administrative inefficiency and abuse of power increased with increased powers and functions of governmental agencies and bureaucratic mistakes follow suit. Thus, the need for establishing an independent body to enforce and ensure administrative accountability.[11] Experience has shown that courts and tribunals owing to the expense of time and cost involved, do not ensure accountability in administrative departments.[12] This is the propelling force to establish an institution that can effectively tackle problems of corruption and mal administration and to which the citizens may have recourse to without much cost and formality.[13]

The concept of Ombudsman took its origin from Sweden, in 1809 i.e more than two centuries ago. Other European States started drawing inspiration from Sweden at the inception of the twentieth century. For example, the institution of Ombudsman was established in Finland in 1919, Denmark created its own in 1955 while in 1961 Norway established her own.[14]

The British government was in dare need of institution that would remedy peoples' grievances against maladministration and misuse of power. As a result of this, it appointed a Parliamentary Commissioner in 1966.[15] Swedish government established Ombudsman with the central intent of protecting citizens' rights and privileges.

Ombudsman no doubt serves as a lubricant to any democratic system and without it, ordinary citizens cannot control the government or public administration.[16]

IV. Nigerian and Ombudsman

Several atrocities were committed in Nigeria as the aftermath of the Civil War that lingered from July, 1967 to January, 1970. Arbitrary use of administrative powers was common place that those in higher authority wielded so much power to the peril of the poor masses and the junior officers in the public service. Rules of public service were breached with impunity as the moral of public servants was at the lowest standard.[17] Citizens were living in pains of maladministration and misuse of power by public officers. For this reason therefore, the masses called on the government of the day to address the situation to enable them enjoy their rights and freedoms. This demand propelled the Gowon-led Federal Military

[6] P. Leyland and T. Woods, *Textbook on Administration Law* (2nd ed) (London: Blackstrone Press Ltd, 1999). P. 48

[7] E. Malemi, *Administrative Law* (2nd ed.) (London: Blackstone Press Ltd, 1997) p.48.

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[17] O. Ohaegbu, "Historical Background of the Public Complaint Commission in Nigeria'' https://gjalegal.com.ng/articles/historical-background-of-the-public.complaints-commission in Nigeria, accessed on 17 – 12 – 2019.

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Government to set up the Civil Service Reform Panel,[18] headed by late Chief Jerome Udoji in the year 1972.

Upon enquiry, the Commission discovered that the masses had suffered different forms of injustices in the hands of public officers without remedy. The Commission amongst other things recommended that the government should establish an Ombudsman to give aggrieved citizens opportunity to report their grievances to an independent institution empowered to investigate such complaints.[19]

The then Military Government was still contemplating on whether to establish Ombudsman or not, when the North- Central State (now Kaduna and Katsina States) took a bold step and established the first Public Complaints Commission in Nigeria on May 20th 1974 under the name "Public Complaints Bureau." This was done pursuant to the *Public Complaints Bureau Edith* 1974. An independent Commissioner was appointed to oversee the administration of the Bureau.[20]

He could only be removed from office by the Military Governor on grounds of misconduct, neglect of duty or disability.[21] Having seen the pioneering success of the system in the then North- Central, Kwara State enacted her own *Public Complaints Bureau Edict*[22], 1975 and established the institution in her capital Ilorin. It was after this that the Federal Ministry Government of Nigeria established the Ombudsman under the name 'Public Complaints Commission.[23]

The Commission was designated to checkmate the pervasive incidence of administrative arbitrariness and injustice as well as to fill the gap in our system of administrative justice emanating from the inadequacy of the traditional investigation and adjudicatory process.[24] The Commission was also charged with the duty to receive and investigate complaints from the citizens against mal- administration and mal- practices at federal and state levels.[25]

Following the adoption of democratic rule in Nigeria in 1999, the Commission was retained through the *Public Complaints Commission Act*[26] and empowered to investigate complaint brought by members of the public against maladministration by public officers, corporate bodies or their officials and other matters ancillary there to.[27]

a) Legal Framework Establishing Public Complaints Commission in Nigeria, Major Provisions, Loopholes and other Bottlenecks

i. *The Public Complaints Commission Act*[28]

The Public Complaints Commission is an Act of the National Assembly and has a total of twelve (12) sections. Section 1 (1) of the Act established the Public Complaints Commission and referred to it as the 'Commission.' The later consists of a Chief Commissioner and some other Commissioners as the National Assembly may determine. The National Assembly equally determines the establishment of the Commission's branches in the States of the Federation.[29]

ii. *Appointment of Commissioners, Tenure and Removal from Office*

The National Assembly is saddled with the obligation of appointing the Chief Commissioner and other Commissioners subject to the provisions of the Act.[30] A tenure of office of a Commissioners is three years subject to re-appointment at the expiration of first tenure. This implies that no Commissioner stays in office beyond six years.[31] The National Assembly is empowered by the Act to remove a Commissioner from office at anytime without more.[32]The power given to the National Assembly to remove a Commissioner from office without any justification is absolute and dangerous. By logic and analogy, Commissioners live under the life saving machine of the National Assembly. The later can remove a Commissioner in bad faith since no condition is attached to the exercise of the power conferred on it, because absolute power corrupts absolutely.

iii. *Powers and Duties of Commissioners*

All Commissioners are answerable to the National Assembly while the Chief Commissioner co-ordinates the work of all other Commissioner.[33] A Commissioner has power to conduct investigation either on his own volition or in relation to a complaint lodged by another person, any administrative action taken by;

a. Any department of Ministry of the Federal or any State or any Local Government authority;
b. Any statutory corporation of public institution set up by any government in Nigeria;
c. Corporate bodies registered under Companies and Allied Matters Act, whether owned by government or private individual in Nigeria or otherwise.

[18] Popularly known as "Udoji Panel"
[19] *The Public Service Panel Report* 1974, pp 181-189
[20] See sections 3(2) and 9 (2) of the Edict
[21] *Ibid* section 4(1) & (3)
[22] Edict No. 12 of 1995
[23] Subsequently referred to as the ''Commission''
[24] B.O. Nwabueze, *Military Rule and Constitutionalism in Nigeria*, (Ibadan: Spectrum Law Pub., 1992) p. 161
[25] M.C. Okany, *Nigerian Administrative Law* (Onitsha: African First Pub. Ltd, 2007) P. 408.
[26]. Cap p 37 Laws of the Federation of Nigeria, 2004
[27] E. Malemi, *Administrative Law* (4th ed) (Logos: Princeton Pub Co, 2012) P. 313
[28] Subsequently referred to as "the Act''
[29] See section 1 (2) of the Act.
[30] *Ibid* section 2 (1) Any person to be appointed must be of unquestionable and proven integrity
[31] *Ibid.* section 1(2)
[32] *Ibid*. Section 2(3)
[33] *Ibid.* section 5 (1)

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d. Any officer or servant of any of the aforementioned bodies.[34]

By virture of section 5 (3) of the Act;

a. The Chief Commissioner has the power to decide the manner by which complaints are brought.
b. A Commissioner has power to decide in his absolute discretion whether or not to notify the public of his action or intended action as well as the manner to do same.
c. A Commissioner shall have access to all information necessary for the efficient performance of his duties and may visit and inspect premises belonging to any person or body corporate.

A Commissioner has power to investigate with special care administrative acts which are:

i. Contrary to any law or regulation
ii. Mistaken in law or arbitrary in the ascertainment of fact
iii. Unreasonable, unfair, oppressive or inconsistent with the general functions of administrative organs;
iv. Improper or based on irrelevant consideration;
v. Unclear or inadequately explained

A commissioner shall be competent to investigate any administrative procedures of any court of law in Nigeria.[35]

When concurrent complaints are lodged with more than one Commissioners, the Chief Commissioner's decision on who handles the matter is final.[36] All Commissioners and staff of the Commission have duty of secrecy on matters designated to be so.[37] A Commissioner is not subject to control of any person while exercising the powers conferred on him under the Act.[38]

iv. *Limitations on the Powers of the Commission*

A commissioner has no power to investigate any matters that:

a. Is clearly outside his terms of reference
b. Is pending before the National Assembly, the Council of State or the President
c. Is pending before any court of law in Nigeria
d. Relate to anything done or purported to be done in respect of any member of the armed forces in Nigeria.
e. The complainant has not exhausted all the available legal or administrative procedures in the opinion of the Commissioner.[39]
f. The complainant has no personal interest.[40]

v. *Recommendations after Investigation*

After due investigation of a complaint, a Commissioner may make any of the following recommendations to the appropriate authority.
Further consideration of the matter;

a. That offending administrative or other act be modified or cancelled.
b. That a regulation be altered;
c. That full reasons behind a particular administrative or other act be given.[41]
d. He may refer to the National Assembly or State House of Assembly in case he feels that the existing laws or administrative regulations or procedures are not adequate.[42]
e. He may report his findings to an appropriate authority or recommend that a person be prosecuted if he discovers that a crime has been committed.[43]
f. He may recommend that a disciplinary action be taken against a person by the appropriate authority.[44]

vi. *Offences and Penalties*

It is an offence punishable with a fine of N500 or 6months imprisonment or to both such fine and imprisonment for any person except a Commissioner to make public any complaint lodged before the Commission.[45] Same ridiculous punishment is meted out to any person who upon requirement by the Commission refuses to furnish information or gives false information in material particular.[46] Any act of willful obstructions, interference assaults of Commissioner in the execution of his duty under the Act attracts a punishment with a fine of N500 or 6 months imprisonment or both.[47] Any false statement in maternal particular to a Commissioner while lodging a complaint, attracts a one year term of imprisonment.[48]

vii. *Immunity from Legal Action*

Commissioners have immunity under the Act that they cannot be sued for any act or omission committed in the due discharge of their duties under the Act.[49]It is imperative to state that records, statements or other communications or records of any meetings, investigation or proceeding made by a Commissioner, officer or servant in the course of due discharge of their functions under the Act, is privileged. This implies that

[34] *Ibid.* section 5 (2) (a-e)
[35] *Ibid* section 5(3) (d)
[36] *Ibid* section 5 (2)
[37] *Ibid* section 5 (5)
[38] *Ibid* section 5(6)
[39] *Ibid* section see generally section 6 of the Act
[40] The issue of locus standi is already a settled case. By virtue of Order Xiii rule I of the Fundamental Rights (Enforcement Procedure) Rules 2009, any person who desires to be heard by a court of law shall be granted audience whether or not he has interest in the matter.
[41] see sec. 7 (1), *op.cit*
[42] *Ibid.*, section 7 (2)
[43] *Ibid.* section 7 (3)
[44] *Ibid.* sec. 7 (4)
[45] *Ibid.* section 8 (1). Fine of N500 is such a ridiculous amount that will not deter potential offenders
[46] *Ibid* S. 8 (2)
[47] *Ibid* . S. 8 (2)
[48] Ibid . S.8 (4)
[49] *Ibid* S. 10(1)

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such information cannot be produced in any court of law.[50]

viii. *Loopholes in the Law and other Bottlenecks*

1. The biggest problem of the Commission according to the new Chief Commissioner,[51] is issue of visibility. This he said during an interview with *Daily Trust Newspaper*, 2020 that the comparative knowledge of the Commission among Nigerians is low despite that it was established over 46 years ago. He substantiates his position with the fact that the Commission treats less than 10 million petitions in each year whereas Nigerian population is close to 200 million.[52]

The submission of the Chief Commissioner is correct because many Nigerians are unaware of the existence of the Commission.

2. Another challenge militating against the performance of the Commission is inadequate funding. This issue was rightly pointed out by the Chief Commissioner that the Federal Government does not fund the Commission adequately to enhance its performance in discharging its responsibilities.[53]
3. The punishment provision under the Act establishing the Commission makes it a toothless bull-dog. The punishment or sanction for any breach under the Act is so ridiculous that one may choose to breach the law as many times as he desires. Imagine a fine of N500 or 6 months imprisonment for a breach of the provision of the Act. This cannot deter any potential offender.
4. Removal of a Commissioner by the National Assembly at any time without any justification does not guarantee the office of a commissioner. This leaves the fate of Commissioners in the hands of the Federal Law Makers, who can remove them even in bad faith and will equally make a Commissioner vulnerable.
5. Non enforcement of its decision is a heavy blow on the Commission. The later only carries investigation on complaints lodged before it and thereafter makes recommendations without binding force. This makes the Commission nothing but a toothless bulldog. How can the Commission spend its time, finance, expertise and intellectual resources on complaints only to arrive on recommendations that may be dumped inside files without due consideration.
6. The provision of the Act that says that a complaint should not be lodged to the Commission expect all the available remedies are exhausted poses a challenge to complainant. The reason being that one might not have the zeal to lodge a complaint to the Commission after having tried other legal remedies.

b) Ombudsman in the United Kingdom

i. *Appointment and tenure*

In Uk, Ombudsman is referred to as Parliamentary Commissioner. The appointment of the later is done by Her Majesty. The core function of a Parliamentary Commissioner is to conduct investigations into administrative actions carried out on behalf of the Grown.[54] A Parliamentary Commissioner holds office for a period not more than seven years[55] and he may be relieved of his office under the following circumstances;

a. If the Commissioner resigns from office.
b. He may be removed by Her Majesty on the ground of misbehavior, pursuant to an address from both Houses of Parliament.[56]
c. If the Queen declares his office vacated upon satisfaction that such a Commissioner is incapable for medical reasons to perform the duties of his office.[57]

ii. *Jurisdiction of Parliamentary Commissioner*

The Act under discussion applies to government department, corporations and unincorporated bodies listed in Schedule 2 to the Act.[58] A Commissioner may investigate any action taken by or on behalf of a government department or other authority subject to the Act, in any case where an individual makes a written complaint to a member of the House of Commons, claiming to have suffered injustice arising from maladministration in connection with the act complained of. The complaint is thereafter referred to a Commissioner for investigation.[59] Any act compliant against must be failure to perform a relevant duty impose by law.[60]

iii. *Limitations*

The Commissioner shall not conduct investigation under the Act in respect of the following matters:

a. Any action in respect of which the aggrieved person has or had a right of appeal, reference or review to or before a tribunal established by law.

[50] *Ibid*. S. 10 (2)
[51] Barrister Chille W. Igbawua
[52] Mustapha Suleima, 'Some Provision in PCC Act Challenging for Operations,'< www.daily trust.com.ng/some-provisions-in-pcc-act-at-challenging for-operaton. Htm,>I accessed on 26th February, 2020
[53] *Ibid*.
[54] See section 1 of the Parliamentary Commissioners Act, 1967, which is the law regulating the operations of the Parliamentary Commissioners in the United Kingdom
[55] *Ibid*. Section 1 (2) (a)
[56] *Ibid. Section 1 (3) (a & b)*
[57] *Ibid.* S. I (3)
[58] *Ibid* S. 4 (1)
[59] *Ibid* S. 5 (1)
[60] *Ibid* S. 5 (3) (b)

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b. Any action in which the complainant has or had remedy by way of proceedings in the court of law, provided that the Commissioner may conduct an investigation notwithstanding that the person aggrieved has had such right or remedy if satisfied that in such a case, it is not reasonable to expect him to resort or have resorted to it.[61]

A member of the public can only bring a complaint by himself or through his personal representative if he is late.[62] A complaint must be brought to a member of the House of Common within twelve months from the date on which the aggrieved person had noticed of the matter alleged in the complaint or else it will not be investigated except to the extent allowed by the Act.[63]

iv. *Powers of the Commissioner During Investigation*

For the purpose of an investigation pursuant to the Act, the Commissioner shall have the same powers as the court in respect of the attendance and examination of witnesses and production of documents,[64] provided that such document(s) or evidence could be produced in the court upon summon.[65] Every person appearing before the commissioner should be given fair hearing.

v. *Obstruction and Punishment*

Act of Obstructing a Commissioner in the performance of his functions without lawful excuse is an offence under the Act and the Commissioner shall refer such act or omission to the High Court which after hearing the witness shall deal with such a person in any manner in which the court could deal with him if he had committed the like offence in relation to the court proceedings.[66]

vi. *Findings and Remedies*

At the conclusion of investigation, a Commissioner sends the report of his findings to the member of the House of Common through whom the complaint was referred to him or to such member of that House if the member who referred the complaint to him is no longer in the Parliament or make a report to each Houses of the Parliament depending on the circumstances of each case.[67]

vii. *The Prosecutor General of the Soviet Union*

The State Prosecutor's office was established on 26th June, 1922 by the third session of the Central Executive Committee of the Byelorussian with the aim of supervising observance of laws as well as curtailing crimes.[68] It is within the powers of Persecutor General to examine the legality of actions of the public institutions, public service and private organizations and citizenry alike.

viii. *Functions and Powers of Prosecutor General of Russia*

(a) Prosecution in court on behalf of the state.
(b) Representation of the interest of a citizen or of the state in court in cases determined by law.
(c) Supervision of the observance of laws by bodies that conduct detective and search activity, inquiry and pretrial investigation.
(d) Supervision of the observance of laws in the execution of judicial decisions in criminal cases, and also in the application of other measures of coercion related to the restraint of personal liberty of citizens.

ix. *Appointment and Tenure of Office*

The Prosecutor General (PG) is nominated by the President of Russia and appointed by the majority of Federation Council of Russia (the Upper House of the Russian Parliament) the PG is appointed for a term of 5 years and his resignation from office before the end of his term, should be approved by both the majority of Federation Council of Russia and the President. The PG and his office are independent from Executive, Legislature and Judicial branches of government.[69]

x. *Comparative Analysis of the Ombudsman System in Nigeria with Britain and Russia*

The three bodies have supervisory and investigative roles in their respective jurisdictions. They aid in curtailing the excesses of their governments and agencies to ensure accountability and responsive governance devoid of gross abuse of power.

c) Areas of Differences

i. *Appointment and Security of Tenure*

1. *Nigeria:* In Nigeria, Public Complaints Commissioners are appointed by the National Assembly and can as well be removed from office before the expiration of their tenure by the National Assembly without any reason or justification.
2. *Britain:* The appointment of a Parliamentary Commissioner (PC) is done by Her Majesty and holds office for a period not more than 7 years. He can resign from office on his own volition or be removed by Her Majesty on the ground of misbehavior pursuant to an address from both Houses of the Parliament. Her majesty may also declare the office of PC vacant if she is satisfied that

[61] *Ibid* S. 5 (2) (a & b)
[62] *Ibid* S. 6 (2)
[63] *Ibid*. S. 6 (3))
[64] *Ibid* S. 8 (2)
[65] *Ibid*. S. 8 (5)
[66] *Ibid* S. 9
[67] *Ibid* S. 10

[68] Prosecutor General's Office of the Republic of Belarus. < www.prokuraturea.gov.by> accessed on 29-02-2020
[69] Wikipedia, Prosecutor General of Russia, < https://en/miwikpedia.org>, accessed on 29th Febrauary, 2020.

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he is incapable of performing the duties of his office by reason of ill-health.

3. *Russia:* The Prosecutor General (PG) is nominated by the President of Russia and appointed to office by the majority of the Upper House of Russia Parliament. He stays in office for a period of 5years.

d) Accessibility

Nigeria: A complainant has the right to directly lodge a complaint to the Commission through a Commissioner.

Britain: Any person aggrieved by any act of maladministration must vent their grievances by addressing their complaint(s) to a member of the House of Common, who will in turn referrer the complaint to a Commissioner who will investigate same. A complaint must be lodged within 12 months from the first day the complainant became aware of the act or omission complained against.[70]

Russia: The Prosecutor General has power to prosecute cases in court on behalf of state and as well represent the interest of citizens. The PG acts as a supreme authority in the judiciary.

e) Compelling Powers

Nigeria: At the conclusion of investigation, a Commissioner has no power to impose sanction if the person or body against whom the complaint was lodged is in breach, rather he can make recommendation(s) to the National Assembly or the appropriate authority as the case may be.[71]

Britain: The case of Parliamentary Commissioner is not different from that of a Public Complaints Commissioner in Nigeria. The PC after investigation sends the report of his finding to the member of Parliament through whom the complaint was brought or he makes report to each Houses of the Parliament as the case may be.[72]

Russia: The Prosecutor General has wide powers just like the Court of Law to compel an agency to correct its administrative misdeeds.

f) Privacy

Nigerian and Britain: In both jurisdictions, the Commissions operate with a degree of secrecy and thereby operate with minimal publicity to ensure confidentiality of their investigations. This has affected them badly in relation to public awareness. The office of the Prosecutor General is relative known to the public especially in relation to its participation in court proceedings. However, some of their criminal investigations are accorded some elements of secrecy, especially those touching on security of the state.

[70] Section 6 (3) of the Parliamentary Commissioners Act, 1967, *op.cit.*
[71] See section 7 of the Public Complaints Commission Act, *op.cit.*
[72] Section 10 of the Parliamentary Commissioners Act, 1967, *op.cit.*

V. Conclusion and Recommendations

Research has shown that Ombudsman irrespective of nomenclature given to it and the clime where it is established has the primary role of investigating complaints by the members of the public, arising from administrative injustice and misdeed of public officers and private sectors as the case may be. Our comparative analysis of the system in the three different jurisdictions reviews that it works better in the Soviet Union, as compared to Nigeria and Britain.

In Nigeria and Britain, there is a minimal degree of awareness of the Ombudsman among the members of the public due to privacy measures adopted during investigation. Ombudsman in the developing countries, Nigeria, inclusive, lacks adequate government support and funding. It is difficult for one to adequately investigate political and bureaucratic corruption without adequate funding and legal back up.

In the right of our observations, we recommended thus:

1. That the Nigerian government set awareness campaign to bring to the notice of the general public the import, duties of the commission and educate the masses on the need to patronize the Commission.
2. The amendment of some of the provisions of the Public Complaints Commission Act is long overdue. *Section 8 of the Act*, in relation to offences and punishment requires urgent amendment. Despite that the commission does not have power to impose sanction, the payment of N500 or 6 months term of imprisonment upon conviction, makes the whole thing ridiculous. A provision should be inserted so that punishment for an offence should serve as a deterrent to potential offenders. We therefore recommend for a fine of N100,000.00 (One Hundred Thousand Naira) or 6 months imprisonment or both for breach of *section 8 of the Act.* This is to make people take a commission serious as an interventionist agency, because leakage of public secret is a serious matter.
3. The Act should also be amended to accord the Commission adequate powers to implement its decision(s) after investigation. It is quite awkward that a Commission vested with power to investigate political and administrative corruption can only make recommendations. There is no guarantee that such recommendations would be implemented. Consequently, it is our recommendation that recommendations from the commission should have the same effect as arbitral awards which can be converted to court order when the High Court is approached by victim of injustice. Thus, when the Commission makes recommendation after investigation, the victim should have power to go to High Court to have it enforced instead of the current

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situation where the big man has option to obey the commission or refuse to obey and nothing will happen to him.

4. The provision of *section 1 (2) of the Act* should also be amended to guarantee security of office of the Commission. It is disheartening that the National Assembly that appoints a Commissioner on the basis of impeccable character can remove him from office without any other condition attached. Conditions should be attached just like in Britain where a Commissioner may be removed from office subject to certain conditions as contained under the *Parliamentary Commissioner Act.* This will help the Commission to be independent and work fearlessly.
5. The issue of locus stand is already a settled case vis-a- vis the provision of *Order Xiii Rule 1 of the Fundamental Rights (Enforcement Proceeding) Rules,* 2009. The provision of section 6 (1) (g) of the *Public Complaints Commission Act* should be removed for being inconsistent with the provision of the law. Thus, access to the commission should not be hindered for whatever reason.
6. The provision limiting period to which complaint should be lodged to 12 months after the date of the occurrence of the act complained of, should be equally amended. The reason being that, a complainant is required to have exhausted all other available legal remedies before having recourse to the Commission. We all know how sluggish our system is, in which case the processes of looking for local remedies may take more than 12 months and of course prevent the victim from approaching the Commission because 12 months have passed. We recommend that the victim can approach the Commission as soon as he exhausts local remedies. After all it is he who feels the pain of inaction.
7. Finally, the National Assembly should make adequate financial provision for the agency in the budget of the country to make it really independent of any person or body.

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Anal Customary Law and its Practices

By Dr. B.D. Thumdal Anal

Abstract- The Anals who reside mostly in the south-eastern parts of Manipur are one of the oldest tribes of Manipur. They have been recognized as the tribe of India since 1951. In this paper the author presents a comprehensive study of the customary laws that the Anals practice in the past and at present. The study focuses on the various aspects of the Anal customary laws and its relevance. The paper presents an overview of the various customary laws that the Anals follow and provides us with a clearer understanding of the Anal tribe.

Keywords: anal, customary law, clan, village, chief, council.

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Keywords: anal, customary law, clan, village, chief, council.

I. Introduction

The Anals are indigenous people and one of the oldest tribes of present mostly settled in the South-Eastern parts of Manipur, India. Racially, they belong to the Tibeto-Burman family of the Mongoloid race. The belief as regards to the origin of the Anal is rooted in oral tradition handed down from one generation to another. Based on the telling of our forefathers, they started their migration right from Mongolia to China Border via Tibet and Burma.

The Anal tribe is divided into two major phratry and moiety called Mosum and Mulchal. Each division contains grouping of seven clans. In Mosum, it has Sintaruwng, Bunghlim and Sello and in Mulchalit has Mate, Turiim, Hranghlu and Kholthu. These clans had their respective graveyards. Each of this sub-division covers many other sub-clans. Marriage is accepted between the two major groups-Mulchal and Mosum only. Any incestuous marriage is a taboo and if it occurs the defaulters are immediately ostracized by the community. In inheritance, the youngest son inherits property and heirloom of the family. Further, the responsibility of looking after parents remains with the youngest son. Ownership of immoveable property like paddy field, jhum stead etc. is of three types, community ownership, clan ownership and individual ownership.

II. Anal Customary Law

Anal customary laws evolved from time immemorial have been handed down from generation to generation. The law was made to deal with their day to day life. Violation of customary law is seriously viewed and subsequent punishment is meted out to the breaker. Law and order is maintained under customary law so that harmony in the society is ensured.

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a) Important Features of the Customary Law (Laws Relating to Land and Forest)

Every Anal village is enjoined to reserve a forest with an immediate effect around the village of about one mile radius which is known as 'Hmihlam' (diversion of fire). Each family of the village has the right to have a share of this reserved forest land with due permission from the village authority. However, for the purpose of collection of dry wood for personal consumption permission is not needed. This forest land may be exploited when the village requires funds. Jhum lands beyond the reserved forest were belonging to clans. These lands occupied by certain clans are known as 'Hlihning' (jhumstead), which was inherited by the sons from their fathers and the like process of inheritance is continued. In case a person who has no son, then the question of heir arises. In that case, nearest clans customarily do have the right to inherit it. In case of the absence of rightful clans, a sub-clan has the right to inherit it. A new comer is not naturally entitled to have any land. All the lands of a clan are not lying compact. For example, jhum lands belonging to different clans are found scattered. Jhumming done in a particular area is limited to a couple of years only and then it is shifted to other area. These jhum lands having demarcation gave rise to the existence of rights associated with it.

Again, the customary land law implied that, if an animal is hurt by a hunter in a part of one village but found dead in another village area, then the latter village is entitled to claim for the part of the animal's thigh which is considered a custom. This custom is now obsolete. Unless someone applies it in part of one village but found dead in another village claim part of meat generally the thigh was given to that village. There is claimable by two villages in another village area. Then, village is entitled to claim for the giving of meat is more or less obsolete.

Products of Hlihning (Jhumstead) such as trees, bamboos, roots, fruits, leaves, canes, flowers, etc., can be collected without permission by the villagers except the thatch grasses grown over there. There is a strong restriction of mowing thatches belonging to somebody. Proper permission is required for the purpose. In the case of other products grown uncultivated or unprotected, the right of the owners of the said Hlihning is limited. For such case village authorities have right to regulate or control over natural products of the land. The sale proceeds are usually used by the village or shared by the villagers.

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b) *Inter Village Boundary*

The Anals do have usually clear-cut village boundary with its neighbouring villages. A tax is realized from the villagers of other village upon the utilization of a portion of the land for jhuming or for cutting down trees. If outside villagers utilized the products of a village without the knowledge of the latter then it is treated as trespassing and fine is realized from the offenders in addition to the tax.

c) *Powers and Functions of Anal Village Chief and Subordinates*

Chief and his subordinate officers can summon any person with regard to any case either to settle or dismiss. The chief and his subordinates of the village council have full right to judge cases or disputes relating to land, theft, quarrel, divorce, criminal, murder cases, etc. The chief and his subordinate village officers received Zupar Zuhrin (fresh rice beer) plus a plateful of cooked meat at the time of a feast or a function in the village.

d) *Law of Inheritance*

The property of the father is inherited by his sons by sharing it amongst themselves. The youngest son of the father should inherit the main house of the father which is unquestionable. Inheritance of properties is also extended to the daughter with the knowledge of the brothers. But generally as far as matter of inheritance is concerned there is no hard and fast rule in this particular matter. In case a person is without sons, the daughter/daughters can inherit parental properties with the knowledge of the village authority. It is also done with the full consent of the clan provided that the daughters take care of the parents till their death failing which the property is inherited by the nearest kinsman. The widow can also inherit the properties of her dead parents. The property goes to widow after her husband is dead. In that case, the one who looks after the widow inherits the property of the widow after her death.

e) *Marriage*

Among the Anals there are two exogamous clans namely, Chanang (Musum) and Kori (Mulchal). The two clans have 40 and 41 sub-clans each. Marriage is permitted between Chanang and Kori only, but a marriage within the same clan was 'forbidden' and was called "Ajol inii". Incestuous marriage is a taboo in the Anal society. To perform a marriage among the Anals, no particular customary ceremonies or rites are required. Neither wedding was as in the present day neither fashionable way nor any religious ceremony essential under the traditional practice. Performance of Zuha and Zupum in the presence of at least one Anal elder of the village is the only requirement. Now-a-days, marriage is carried out under two modes: engagement and elopement. In the case of the latter there is no formality like one does for engagement. Anal marriage is performed in churches and under the Anal customary law.

f) *Divorce of Pregnant Wife*

When a person divorced his pregnant wife he was charged rupees six thousand (Rs. 6,000) only with one pig and a jar of rice beer under Anal customary law. In case a baby was born after divorce the mother is required to nurse and look after the baby for a period of three years. On completion of the period the man has to pay nursing charge, also called 'nuju min' (alimony) of rupees six thousand (Rs. 6,000/-) only to the wife and the father was then entitled to take the child home. But in case the wife has divorced the husband in spite of being pregnant she was held responsible to look after the baby for three years; and on completion of the period the husband pays Rs. 6,000/- (Rupees Six Thousand only) as charge of her nursing and care for the baby. After this period was the father permitted to take the child home.

g) *Divorces for Adultery (Sinnu Peru)*

In case a man committed adultery with somebody's wife he was fined rupees twenty thousand (Rs. 50,000/-) only with the usual fine of one pig and one jar of rice beer provided that the husband refused to take her back as his wife. However, when the confession to misdeed of the wife was accepted by her husband sustaining their usual union, the adulterer has to pay rupees three hundred only with one jar of rice beer for bringing shame to the family. If a man had eloped with someone's wife, the punishment charge was rupees fifty thousand for the man and rupees five thousand for the woman.

h) *Widow Dowry (Hmikhu Min)*

If a widow who was with or without children and whose previous marriage was held under proper marriage decided to remarry to another man then her former husband's clan can claim for a widow dowry. The dowry is one khon which was equivalent to rupees three thousand (Rs. 3,000/-) only. The khon is payable in cash or kind. The payment was accompanied with one jar of rice beer. In case of young and tender widow with no child, she enjoyed sympathy and protection from the in-laws and the question of widow dowry does not arise.

i) *Forbidden Marriage (Ajol Inii)*

Among the Anals there are two main exogamous clans. They are Chanang and Kori. The marriage is allowed between the members of these two exogamous Clans only. Endogamy is forbidden. Marriage within the same clan i.e., Chanang with Chanang clan or Kori with Kori clan is strictly prohibited. That is known as in Anal Ajol inii or forbidden marriage. If and when such a marriage takes place under intention or through cohabitation within the same clan, they are immediately separated by imposing a fine of one pig each and one dog from the boy's side. They are usually

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treated as outcaste. But they may be sent out of the village if they continue to violate such prohibition. Moreover, it is customary to carry out that their clothes which were worn during their cohabitation are taken to the outskirt of the village for burning them into ashes. That was done in the presence of Kholpu who made such announcement that these persons are to be recognized by heaven and earth as great wrongdoers. They are not allowed to mix freely with the villagers. They are also debarred from being selected as leaders of the village or of the community. Moreover, Zuha (engagement) and Zupum (marriage) are not entitled to them.

j) Fine Imposed on Thieves

Fine imposed on thieves varies from case to case. If thieves were caught red handed, the materials they stole were returned to the owner. But in case the stolen goods were unrecoverable, the cost of the things is given to the owner. Moreover, the village authority was empowered to demand a pig and a jar of rice beer from the thief.

III. Powers, Functions and Privileges of Anal Village Council

Tenure: Contrary to definite term under legislation or enactment of law, there are no particular terms and conditions about chieftainship and its subordinate members in Anal village council. The chief enjoys Khuruwngship (chiefship coronation) so long he enjoys confidence of the villagers. Similar is the case with his subordinate members. The chief and the members enjoy without specific tenure. They can be in the position for life or as long as they satisfy the village community provided that the chief or the village council members want to continue in the office.

IV. Impeachment

The chief and his members can be impeached under certain conditions. If they were found guilty of committing crimes, they were subjected to removal from their office when two thirds of villagers dislike the continuation of the members in office because of loss of confidence. The following are some of crimes for which impeachment can be done.

a. *Ajol-inii:* Incestuous and illicit marriage, invalid marriage and adultery.
b. *Khamtungro pita:* Crime related with non-performance of the installation feast for the members of village council.
c. *Kuhisin:* Shedding of blood committed accidentally or intentionally.
d. *Pamjol:* Disposal of public land for self-gains or interest.
e. *Sorcha:* Misappropriation of public money.

V. Nomination and Installation

The procedure of nomination of members of village council starts with proposal. Then the candidate offers a jar of rice beer with a hen or a cock. The function is known as “Zuparihli” or “Halkisam”. On the approval of the villagers, the nominated member is installed after offering one pig and two jars of rice beer to the villagers. This is a part confirmation of his membership. For the post of chieftainship, the candidate has to offer one mithun and seven jar of rice beer to the villagers during his installation feast (Shangkadon).

VI. Conclusion

The Customary laws of the Anals are the precious legacy of the great forefathers handed down to the younger generations. It embodies truth and justice and act as the custodian of the rich customs and practices of the Anals from time immemorial. The customary laws of the Anals are unique. They strictly follow the customary laws in all the villages. One of the striking facts is that there is no contradiction between Christianity and Anal Customary Law. Eeveryone is treated equally and there is no room for discrimination.

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Introduction

FSSRC/ASSRC is the most prestigious membership of Global Journals accredited by Open Association of Research Society, U.S.A (OARS). The credentials of Fellow and Associate designations signify that the researcher has gained the knowledge of the fundamental and high-level concepts, and is a subject matter expert, proficient in an expertise course covering the professional code of conduct, and follows recognized standards of practice. The credentials are designated only to the researchers, scientists, and professionals that have been selected by a rigorous process by our Editorial Board and Management Board.

Associates of FSSRC/ASSRC are scientists and researchers from around the world are working on projects/researches that have huge potentials. Members support Global Journals' mission to advance technology for humanity and the profession.

FSSRC

Fellow of Social Science Research Council

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

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

Benefit

To the institution

Get letter of appreciation

Global Journals sends a letter of appreciation of author to the Dean or CEO of the University or Company of which author is a part, signed by editor in chief or chief author.



Exclusive Network

Get access to a closed network

A FSSRC member gets access to a closed network of Tier 1 researchers and scientists with direct communication channel through our website. Fellows can reach out to other members or researchers directly. They should also be open to reaching out by other.

Career | Credibility | Exclusive | Reputation



Certificate

Certificate, LOR and Laser-Momento

Fellows receive a printed copy of a certificate signed by our Chief Author that may be used for academic purposes and a personal recommendation letter to the dean of member's university.

Career | Credibility | Exclusive | Reputation



Designation

Get honored title of membership

Fellows can use the honored title of membership. The “FSSRC” is an honored title which is accorded to a person’s name viz. Dr. John E. Hall, Ph.D., FSSRC or William Walldroff, M.S., FSSRC.

Career | Credibility | Exclusive | Reputation

Recognition on the Platform

Better visibility and citation

All the Fellow members of FSSRC get a badge of "Leading Member of Global Journals" on the Research Community that distinguishes them from others. Additionally, the profile is also partially maintained by our team for better visibility and citation. All fellows get a dedicated page on the website with their biography.

Career | Credibility | Reputation

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Future Work

Get discounts on the future publications

Fellows receive discounts on future publications with Global Journals up to 60%. Through our recommendation programs, members also receive discounts on publications made with OARS affiliated organizations.

Career | Financial



GJ Account

Unlimited forward of Emails

Fellows get secure and fast GJ work emails with unlimited forward of emails that they may use them as their primary email. For example,
john [AT] globaljournals [DOT] org.

Career | Credibility | Reputation



Premium Tools

Access to all the premium tools

To take future researches to the zenith, fellows receive access to all the premium tools that Global Journals have to offer along with the partnership with some of the best marketing leading tools out there.

Financial

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Organize seminar/conference

Fellows are authorized to organize symposium/seminar/conference on behalf of Global Journal Incorporation (USA). They can also participate in the same organized by another institution as representative of Global Journal. In both the cases, it is mandatory for him to discuss with us and obtain our consent. Additionally, they get free research conferences (and others) alerts.

Career | Credibility | Financial

Early Invitations

Early invitations to all the symposiums, seminars, conferences

All fellows receive the early invitations to all the symposiums, seminars, conferences and webinars hosted by Global Journals in their subject.

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Get a remuneration of 15% of author fees

Fellow members are eligible to join as a paid peer reviewer at Global Journals Incorporation (USA) and can get a remuneration of 15% of author fees, taken from the author of a respective paper.

Financial

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Fellows may join as a member of the Editorial Board of Global Journals Incorporation (USA) after successful completion of three years as Fellow and as Peer Reviewer. Additionally, Fellows get a chance to nominate other members for Editorial Board.

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And Much More

Get access to scientific museums and observatories across the globe

All members get access to 5 selected scientific museums and observatories across the globe. All researches published with Global Journals will be kept under deep archival facilities across regions for future protections and disaster recovery. They get 10 GB free secure cloud access for storing research files.

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ASSRC

ASSOCIATE OF SOCIAL SCIENCE RESEARCH COUNCIL

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

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Career | Credibility | Exclusive | Reputation



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Earn 60% of sales proceeds

Associates can publish articles (limited) without any fees. Also, they can earn up to 30-40% of sales proceeds from the sale of reference/review books/literature/publishing of research paper.

Exclusive | Financial

Reviewers

Get a remuneration of 15% of author fees

Associate members are eligible to join as a paid peer reviewer at Global Journals Incorporation (USA) and can get a remuneration of 15% of author fees, taken from the author of a respective paper.

Financial

And Much More

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All members get access to 2 selected scientific museums and observatories across the globe. All researches published with Global Journals will be kept under deep archival facilities across regions for future protections and disaster recovery. They get 5 GB free secure cloud access for storing research files.

Associate	Fellow	Research Group	Basic
$4800 **lifetime designation**	$6800 **lifetime designation**	$12500.00 **organizational**	APC **per article**
Certificate, LoR and Momento **2** discounted publishing/year **Gradation** of Research **10** research contacts/day **1 GB** Cloud Storage **GJ** Community Access	**Certificate,** LoR and Momento **Unlimited** discounted publishing/year **Gradation** of Research **Unlimited** research contacts/day **5 GB** Cloud Storage **Online Presense** Assistance **GJ** Community Access	**Certificates,** LoRs and Momentos **Unlimited** free publishing/year **Gradation** of Research **Unlimited** research contacts/day **Unlimited** Cloud Storage **Online Presense** Assistance **GJ** Community Access	**GJ** Community Access

Preferred Author Guidelines

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

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

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

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

Before and during Submission

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

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

Declaration of Conflicts of Interest

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

Policy on Plagiarism

Plagiarism is not acceptable in Global Journals submissions at all.

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

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

- Words (language)
- Ideas
- Findings
- Writings
- Diagrams
- Graphs
- Illustrations
- Lectures

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

Authorship Policies

Global Journals follows the definition of authorship set up by the Open Association of Research Society, USA. According to its guidelines, authorship criteria must be based on:

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

Changes in Authorship

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

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During submission of the manuscript, the author is confirming an exclusive license agreement with Global Journals which gives Global Journals the authority to reproduce, reuse, and republish authors' research. We also believe in flexible copyright terms where copyright may remain with authors/employers/institutions as well. Contact your editor after acceptance to choose your copyright policy. You may follow this form for copyright transfers.

Appealing Decisions

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

Acknowledgments

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

Declaration of funding sources

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

Preparing your Manuscript

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

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

Manuscript Style Instruction (Optional)

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

Structure and Format of Manuscript

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

A research paper must include:

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

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

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

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

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

Format Structure

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

All manuscripts submitted to Global Journals should include:

Title

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

Author details

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

Abstract

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

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

Keywords

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

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

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

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

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

Numerical Methods

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

Abbreviations

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

Formulas and equations

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

Tables, Figures, and Figure Legends

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

Figures

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

Preparation of Eletronic Figures for Publication

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

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

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

Tips for writing a good quality Social Science Research Paper

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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Informal Guidelines of Research Paper Writing

Key points to remember:

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

Final points:

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

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

The discussion section:

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

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

General style:

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

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



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Mistakes to avoid:

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

Title page:

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

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

An abstract is a brief, distinct paragraph summary of finished work or work in development. In a minute or less, a reviewer can be taught the foundation behind the study, common approaches to the problem, relevant results, and significant conclusions or new questions.

Write your summary when your paper is completed because how can you write the summary of anything which is not yet written? Wealth of terminology is very essential in abstract. Use comprehensive sentences, and do not sacrifice readability for brevity; you can maintain it succinctly by phrasing sentences so that they provide more than a lone rationale. The author can at this moment go straight to shortening the outcome. Sum up the study with the subsequent elements in any summary. Try to limit the initial two items to no more than one line each.

Reason for writing the article—theory, overall issue, purpose.

- Fundamental goal.
- To-the-point depiction of the research.
- Consequences, including definite statistics—if the consequences are quantitative in nature, account for this; results of any numerical analysis should be reported. Significant conclusions or questions that emerge from the research.

Approach:

- Single section and succinct.
- An outline of the job done is always written in past tense.
- Concentrate on shortening results—limit background information to a verdict or two.
- Exact spelling, clarity of sentences and phrases, and appropriate reporting of quantities (proper units, important statistics) are just as significant in an abstract as they are anywhere else.

Introduction:

The introduction should "introduce" the manuscript. The reviewer should be presented with sufficient background information to be capable of comprehending and calculating the purpose of your study without having to refer to other works. The basis for the study should be offered. Give the most important references, but avoid making a comprehensive appraisal of the topic. Describe the problem visibly. If the problem is not acknowledged in a logical, reasonable way, the reviewer will give no attention to your results. Speak in common terms about techniques used to explain the problem, if needed, but do not present any particulars about the protocols here.

The following approach can create a valuable beginning:

- Explain the value (significance) of the study.
- Defend the model—why did you employ this particular system or method? What is its compensation? Remark upon its appropriateness from an abstract point of view as well as pointing out sensible reasons for using it.
- Present a justification. State your particular theory(-ies) or aim(s), and describe the logic that led you to choose them.
- Briefly explain the study's tentative purpose and how it meets the declared objectives.

Approach:

Use past tense except for when referring to recognized facts. After all, the manuscript will be submitted after the entire job is done. Sort out your thoughts; manufacture one key point for every section. If you make the four points listed above, you will need at least four paragraphs. Present surrounding information only when it is necessary to support a situation. The reviewer does not desire to read everything you know about a topic. Shape the theory specifically—do not take a broad view.

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Materials may be reported in part of a section or else they may be recognized along with your measures.

Methods:

- Report the method and not the particulars of each process that engaged the same methodology.
- Describe the method entirely.
- To be succinct, present methods under headings dedicated to specific dealings or groups of measures.
- Simplify—detail how procedures were completed, not how they were performed on a particular day.
- If well-known procedures were used, account for the procedure by name, possibly with a reference, and that's all.

Approach:

It is embarrassing to use vigorous voice when documenting methods without using first person, which would focus the reviewer's interest on the researcher rather than the job. As a result, when writing up the methods, most authors use third person passive voice.

Use standard style in this and every other part of the paper—avoid familiar lists, and use full sentences.

What to keep away from:

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- Skip all descriptive information and surroundings—save it for the argument.
- Leave out information that is immaterial to a third party.



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Results:

The principle of a results segment is to present and demonstrate your conclusion. Create this part as entirely objective details of the outcome, and save all understanding for the discussion.

The page length of this segment is set by the sum and types of data to be reported. Use statistics and tables, if suitable, to present consequences most efficiently.

You must clearly differentiate material which would usually be incorporated in a study editorial from any unprocessed data or additional appendix matter that would not be available. In fact, such matters should not be submitted at all except if requested by the instructor.

Content:

- Sum up your conclusions in text and demonstrate them, if suitable, with figures and tables.
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- Present a background, such as by describing the question that was addressed by creation of an exacting study.
- Explain results of control experiments and give remarks that are not accessible in a prescribed figure or table, if appropriate.
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- Do not present similar data more than once.
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Approach:

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- Give details of all of your remarks as much as possible, focusing on mechanisms.
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- Recommendations for detailed papers will offer supplementary suggestions.

Approach:

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Methods and Procedures	Clear and to the point with well arranged paragraph, precision and accuracy of facts and figures, well organized subheads	Difficult to comprehend with embarrassed text, too much explanation but completed	Incorrect and unorganized structure with hazy meaning
Result	Well organized, Clear and specific, Correct units with precision, correct data, well structuring of paragraph, no grammar and spelling mistake	Complete and embarrassed text, difficult to comprehend	Irregular format with wrong facts and figures
Discussion	Well organized, meaningful specification, sound conclusion, logical and concise explanation, highly structured paragraph reference cited	Wordy, unclear conclusion, spurious	Conclusion is not cited, unorganized, difficult to comprehend
References	Complete and correct format, well organized	Beside the point, Incomplete	Wrong format and structuring

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