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The Influence of Relationship Stability Patterns in Emerging Adulthood on Chronic Illness and Health Behaviors

By Patricia N. E. Roberson, Jerika Norona, Jennifer Bishop & Deborah Welsh

University of California

Abstract- Objective: Relationship status (e.g., married, single) is linked to mental and physical health outcomes. However, beyond this static, binary measure of relationship stability it is not known how different patterns of moving in and out of these static statuses effect outcomes. Therefore, using a recent, nationally representative sample of emerging adults, the present longitudinal study examined patterns of relationship stability among young people between the ages of 17 and 27 and their links with mental and physical health outcomes.

Method: Using mixed-method, participants' romantic relationship status was coded across five waves into types of relationship stability patterns. Then, using quantitative methods, we determined if relationship stability patterns differed on self-reported measures of mental health (i.e., psychological distress), physical health (e.g., chronic illness, self-reported health), and health behaviors (e.g., sleep, binge drinking, smoking) using appropriate regression models (i.e., linear, Poisson, logistic).

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The Influence of Relationship Stability Patterns in Emerging Adulthood on Chronic Illness and Health Behaviors

Patricia N. E. Roberson ^α, Jerika Norona ^σ, Jennifer Bishop ^ρ & Deborah Welsh ^ω

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Method: Using mixed-method, participants' romantic relationship status was coded across five waves into types of relationship stability patterns. Then, using quantitative methods, we determined if relationship stability patterns differed on self-reported measures of mental health (i.e., psychological distress), physical health (e.g., chronic illness, self-reported health), and health behaviors (e.g., sleep, binge drinking, smoking) using appropriate regression models (i.e., linear, Poisson, logistic).

Results: Participants ($N = 694$) were five relationship stability patterns were determined: *Stable Single* (42.6%), *Stable Committed* (2.5%), *Moving into Commitment* (34.2%), *Moving Out of Commitment* (3.9%), and *In and Out of Commitment* (16.9%). Linear regression analyses revealed that these relationship stability patterns differed on health outcomes, including mental health, self-reported physical health, and problematic health behaviors such as alcohol use.

Conclusions: Emerging adults in the *Moving Out of Commitment* group seemed to fair the worst compared to those in the *Stable Single* group across various mental and physical health problems, while those in the *Moving In And Out of Commitment* group only fared worse on problematic health behaviors.

I. INTRODUCTION

Emerging adulthood (ages 18 to 29; Arnett, 2015) is a developmental period during which young people transition from adolescence into adulthood. Arnett (2000, 2015) proposed that the primary goal of emerging adults is to establish their roles and responsibilities in the domains of love and work. Emerging adults thus strive to gain independence from their families of origin and behave autonomously, as well as create a coherent identity (Arnett, 2015). To

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add to this journey toward independence, emerging adults are also expected to establish long-term, committed romantic relationships. These tasks are not easy and can often be daunting for young people; indeed, novel experiences such as pursuing higher education, joining the military, joining the workforce, establishing a career, and forming intimate relationships are not small feats. Given the inherent stress of being in transition, it is important for researchers to better understand the factors that contribute to optimal health and well-being for emerging adults as they establish their roles in love and work. Relationship status (e.g., married, single) is linked to mental and physical health both among emerging adults and older adults with those in committed relationship experiencing improved health outcomes (e.g., Ditzen, Hoppmann, & Klumb, 2008; Kumar, Mohan, Ranjith, & Chandrasekaran, 2006). However, beyond this static, binary measure of relationship stability it is not known how different patterns of moving in and out of these static statuses effect outcomes. Specifically, for Emerging Adults, it appears that timing of transitioning into a committed may be linked to health outcomes (Roberson, Norona, Zorotovitch, & Dirnberger, in press) Therefore, using a nationally representative sample of emerging adults, the present longitudinal study examined patterns of relationship stability among emerging adults people between the ages of 17 and 27 and their links with mental and physical health outcomes.

II. ROMANTIC RELATIONSHIPS IN EMERGING ADULTHOOD

Much empirical attention has been given to romantic relationships in emerging adulthood because they contribute greatly to physical and mental health across the life course (Davila, 2004). Unlike in other developmental stages, emerging adults can take various trajectories toward adulthood in terms of their romantic relationships (Roberson et al., in press); although getting married during this life stage is somewhat uncommon (especially compared to decades ago), emerging adults might choose to cohabitate with their committed romantic partners (Stanley, Whitton, & Markman, 2004). Emerging adults also engage in romantic experiences outside the context of romantic

relationships, which can include casual sex (Claxton & van Dulmen, 2013). Although romantic experiences can take different forms in emerging adulthood, forming a long-term, committed romantic relationship is reportedly a common goal for emerging adults by the time they turn 30 years old (Arnett, 2015). What is unknown is how relationship stability or instability might impact later health.

a) Relationship Stability

In investigating the factors that contribute to emerging adults' physical and mental health, it is important to consider the role of relationship stability. Previous research has established the link between quality of interpersonal relationships and health status which include psychological symptoms (e.g., depression, anxiety) and physical health conditions (e.g., number of chronic diseases, prescription medication, healthcare utilization) during adulthood (Priest & Woods, 2015; Wood, Miller, & Lehman, 2015; Woods, Priest, & Roush, 2014; Roberson et al., under review). Additionally, research with adult samples has consistently found a link between being involved in a romantic relationship, particularly being married, and subsequent positive physical and mental health outcomes (Ditzen et al., 2008; Kumar et al., 2006). However, for emerging adults, consistent associations are less clear.

For emerging adults, some studies show that being in a romantic relationship is related to an increase in symptoms of depression (Davila, Steinberg, Kachadourian, Cobb, & Fincham, 2004); in contrast, married and cohabiting emerging adults tend to exhibit fewer depressive symptoms compared to their single counterparts (Brainthwaite, Delevi, & Fincham, 2010; Galambos, Barker, & Krahn, 2006). When these relationships are formed during emerging adulthood is apparently important as those who experience romantic commitment early on during this life stage tend to show decreases in depressive symptoms as they age (Roberson et al., in press). These negative mental health outcomes can potentially affect other areas of life, including work and school (Mayseless & Keren, 2014). Because of the inconsistent findings on the association between romantic relationship status and mental and physical health outcomes in emerging adulthood, further research is needed to deepen our understanding of the factors that contribute to adaptive and maladaptive outcomes.

Emerging adults have been described as shifting in and out of romantic relationships (Shulman & Connolly, 2013) and a handful of studies have found different patterns of relationship instability during late adolescents and early emerging adulthood (Bajoghli et al., 2017; Boisvert & Poulin, 2016; Rauer, Pettit, Lansford, Bates, & Dodge, 2013). While these studies confirm that different patterns of relationship stability

exist they only examine precursors to these patterns. However, research has yet to examine how these shifts specifically affect physical and mental health outcomes for emerging adults. Because emerging adulthood is a stage during which young people are expected to explore and develop many types of romantic connections, relationship stability might not impact health in the same ways as it does among older adults. Further, because emerging adults are generally healthier due to their age, we might not see differences in the quality of their physical health. Rather, their health behaviors might be more accurate gauges of their health during this life stage and might predict health quality in middle and later life.

III. THE CURRENT STUDY

Using a recent sample of emerging adults, the present longitudinal study examined the link between relationship stability and emerging adults' mental health and physical health behaviors. This study extends previous research in a number of ways. The present study begins to fill the current gap in the literature regarding relationship instability and how it is related to health outcomes in emerging adulthood. Specifically, this study can shed light on either the utility or the detriment of relationship transitions over time and whether they contribute to mental health (aim 1) and physical health (aim 2).

Further, emerging adults are younger than most samples for which relationship status has been linked to health outcomes (mental and physical) and health behaviors established in young adulthood tend to extend into later years. Therefore, we also examine health behaviors that may *prevent* future health problems (e.g., exercise, doctor visits; aim 3), or be *problematic* for future health quality (e.g., binge drinking, drug use, poor sleep pattern; aim 4). Importantly, this study is the first step in understanding the relationship among relationship stability and mental and physical health outcomes.

IV. METHOD

a) Participants

Participants (N = 694) ranged in age from 17 to 19 in 2005 with an average age of 18 ($SD = 0.79$). 50% of the sample reported as men and 50% as women. Participants mostly identified as White (49%) or African-American (42%), and $\leq 1\%$ identified as American Indian, Asian, Pacific Islander, or Other. When considering self-reported relationship status, in 2005, the majority reported being *Never Married, Not Cohabiting* (90%), followed by *Never Married, Cohabiting* (5%), *Married* (3%), and then *Separated* < 1%. In contrast, the majority of relationship statuses at follow-up in 2013 were still *Never Married, Not Cohabiting*, although a substantially smaller proportion

(53%), followed by *Married* (24%), *Never Married, Cohabiting* (18%), *Separated* (2%), *Divorced, Not Cohabiting* (2%), and then *Divorced, Cohabiting* (1%).

b) Procedures

Data in the present study were part of the Transition to Adulthood project, which is part of the larger ongoing Panel Study of Income Dynamics (Dynamics, 2016); this secondary data study is exempt from IRB approval. The PSID is a nationally representative sample of Americans and the longest running household study survey in the world. The Transition to Adulthood project (the present sample) participants are the grandchildren of the original PSID participants and were contacted once they turned 18 for biannual phone interviews. For the Transition to Adulthood data set, participants were eligible if their parents were part of the larger study, but only one sibling from each family was selected to participate in the next generation of the ongoing study.

The participants in the Transition to Adulthood project were assessed in 2005, 2007, 2009, 2011, and 2013. We limited the present sample to those ages 17-19 in 2005 in order to capture the approximate beginning of emerging adulthood and an approximate end of emerging adulthood in 2013 when participants' ages were 25-27.

c) Measures

i. Romantic Relationship Status

Romantic relationship stability types were coded from the marital/cohabitation status variable in 2005, 2007, 2009, 2011, and 2013. At each time point participants were coded by the PSID as (1) Never married, cohabiting; (2) Never married, not cohabiting; (3) Married, spouse present; (4) Married, spouse not present; (5) Separated; (6) Divorced, cohabiting; (7) Divorced, not cohabiting; (8) Widowed; (9) Not applicable, don't know.

ii. Mental Health

The mental health measure was developed by the PSID. This composite measure consisted of six items that assess psychological symptoms (e.g., "How often did you feel nervous in the past month?"), with responses ranging from 1 = all of the time to 5 = none of the time. Items were combined so that higher scores indicate more psychological distress ($M_{2005} = 5.33$, $SD_{2005} = 3.58$; $M_{2013} = 4.87$; $SD_{2013} = 3.74$).

iii. Physical Health Status

Number of chronic illness was assessed by, "Has a doctor or other health professional ever told you that you have or had..." (a) asthma, (b) diabetes or high blood sugar, (c) cancer, (d) high blood pressure, (e) other chronic disease. Response options included (0) no, (1) yes, (8) don't know, or (9) not applicable. Response were summed into the used variable ranging from 0 to 5; don't know and not applicable were coded

as missing. In 2005, 50% of participants reported having 0 chronic illnesses, followed by having 1 chronic illness (47%), 2 chronic illnesses (3%), and then 3 chronic illnesses (< 1%). In 2013, 54% of participants reported having 1 chronic illness, followed by having 0 chronic illnesses (42%), 2 chronic illnesses (4%), and then 3 chronic illnesses (1%).

Self-reported physical health was assessed by, "Would you say your health in general is excellent, very good, good, fair, or poor?" with response options of 1 = excellent to 5 = poor ($M_{2005} = 1.17$, $SD_{2005} = .92$; $M_{2013} = 1.20$, $SD_{2013} = .95$).

Body mass index (BMI) was calculated by the PSID. Participants were organized into 4 BMI groups (0) < 18.5, underweight; (1) 18.5 - 24.9, Normal; (2) 25.0 - 29.9, Overweight; (3) \geq 30.0, Obese. In 2005, most participants were coded as having a normal BMI (57%), followed by overweight (26%), obese (13%), and then underweight (4%). In 2013, a smaller proportion were coded as having a normal BMI (42%), followed by overweight (30%), obese (25%), then underweight (2%).

iv. Health Behaviors

Average sleep was assessed by, "How many hours do you usually sleep in a 24-hour period?". Responses ranged from 1-18 hours ($M_{2005} = 7.54$, $SD_{2005} = 1.77$; $M_{2013} = 7.01$, $SD_{2013} = 1.38$).

Cigarette smoking was assessed by, "Do you smoke cigarettes?" with respondents reporting (0) no or (1) yes. Respondents reports of 'don't know' or 'refuse' were coded as missing. In 2005, 76.9% reported as non-smokers and in 2013, 78.5% reported as non-smokers. Binge drinking was assessed by, "In the last year, on how many days have you had (if male then 'five' / if female then 'four') or more drinks on one occasion?" Responses ranged from 0 to 365 days ($M_{2005} = 9.90$, $SD_{2005} = 33.64$, $Median_{2005} = 0$; $M_{2013} = 8.03$, $SD_{2013} = 25.41$, $Median_{2013} = 1$).

Total drug use was assessed by, "On how many occasions (if any) have you used _____ in the past 12 months": diet pills, amphetamines, marijuana, cocaine, barbiturates, tranquilizers, and steroids. We coded each as 0 (never used) or 1 (used at least once) then summed for a total number of drugs used which ranged from 0 to 3 ($M_{2005} = 1.25$, $SD_{2005} = 1.32$, $Median_{2005} = 1$; $M_{2013} = 1.29$, $SD_{2013} = 1.40$, $Median_{2013} = 1$).

d) Analytic Strategy

i. Relationship Stability Coding

For the first research question, we wanted to determine relationship stability patterns for emerging adults. Individual relationship stability patterns were coded based on participants' responses to the marital/cohabitation status variable across all time points. The relationship stability patterns were coded into pre-determined based on the research team's discussion and review of the literature (i.e., Bajoghli et

al., 2017; Boisverut & Poulin, 2015; Rauer et al., 2013): Stable, into relationship, out of relationship, in and out of relationship. Each participant's response across all time points was examined, and only those who responded to the question about relationship status at least three out of the five possible times received a code. In other words, some participants did not provide an answer about their relationship status at all five time points, but if they provided at least three answers, a pattern could be established and was coded.

ii. Health Outcomes

For the second research question, we sought to understand the effects of the relationship stability patterns on a number of outcomes relating to mental health, physical health, and health behaviors in 2013. For each of the outcome variables, we first examined bivariate association in SPSS. Depending on the type of variable (e.g., continuous, dichotomous, or count) we used different statistical tests. Namely, we used cross tabulations for the dichotomous outcomes and analysis of variance (ANOVA) for continuous or count outcomes. Next, we examined the same outcome variable in predictive regression models controlling for baseline levels of each variable, gender (male and female), age in 2005 (17, 18, and 19), and minority status (White and other). In the predictive models, the relationship stability patterns were dummy coded so that the largest category was used as the reference group. For continuous outcomes variables, we use linear regression, for count outcome variables we used Poisson regression, and for dichotomous variables we used logistic regression. All predictive models were run in Mplus so that we could handle missing data using full information maximum likelihood. We examined the 95% confidence interval of each parameter and variance explained (R^2) of the predictive model, in addition to significance level, when evaluating the effect of the determined relationship stability patterns on health outcomes.

V. RESULTS

a) Relationship stability patterns

The patterns of relationships stability for each participant was coded according to the pre-determined patterns. However, during the coding process, we determined that stable had two sub-categories, stable committed and stable single. Coding resulted in five relationship stability patterns: *Stable Single* ($n = 260$, 42.6%), *Stable Committed* ($n = 15$, 2.5%), *Moving into Commitment* ($n = 209$, 34.2%), *Moving Out of Commitment* ($n = 24$, 3.9%), and *Moving In and Out of Commitment* ($n = 103$, 14.8%). *Stable Single* and *Stable Committed* referred to participants who had the same relationship status across all time points. *Moving into Commitment* referred to one or more changes toward more commitment followed by stability. *Moving Out of*

Commitment referred to one or more changes out of commitment followed by stability. Finally, *In and Out of Commitment* referred to multiple changes in either direction of increasing or decreasing commitment. All participants included in the coding fit into one of the relationship stability patterns. To establish reliability of the coding, a research assistant was trained to code responses based on the above descriptions. The second author and research assistant double-coded a random sample of 20% of the data (127 responses) and had excellent reliability (Cohen's kappa = .99).

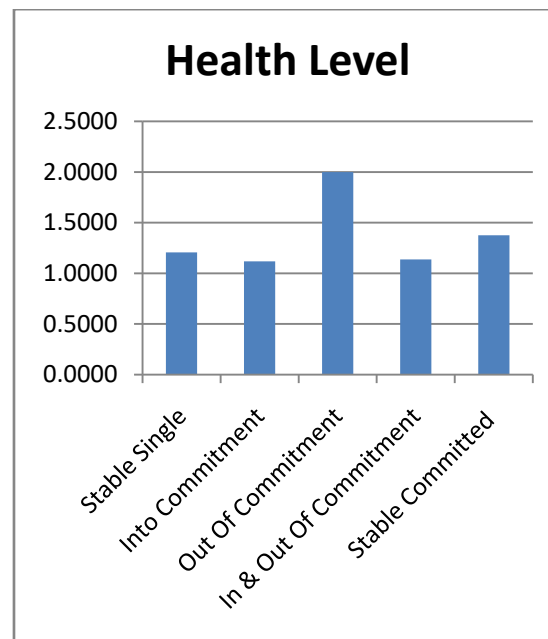
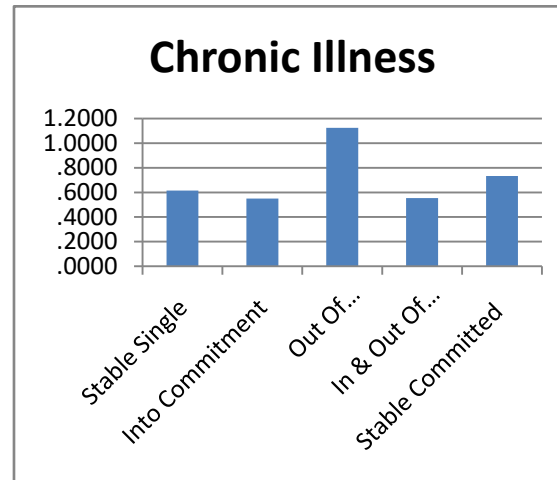
b) Mental Health

Mental Health – Psychological Distress (MHPD).

First, the ANOVA indicated the MHPD means were different across relationship stability patterns, $F(4, 419) = 2.69$, $p < .05$. The post-hoc analysis (Bonferroni) indicated that only the *Moving into Commitment* pattern ($M = 4.29$, $SD = 3.36$) and the *Moving Out of Commitment* pattern ($M = 7.21$, $SD = 3.56$) were statistically different (see Table 1 for all means and standard deviations). To confirm these differences, we ran a predictive regression model which indicated that those in the *Moving Out of Commitment* pattern reported significantly more psychological distress ($B = 2.34$, $SE = 1.05$, $p < .05$) compared to the reference pattern, *Stable Single*.

Table 1: Regression parameters, 95% confidence interval, Means (Standard Deviations), and R2 of participants' (N= 694) for the mental health variables in 2013: Psychological Distress and Risky Behavior

	M(SD)	B(SE)	β	95% CI	R ²	Test Statistic ^a
Model 1: Mental Health – Psychological Distress 2013 ^a						
Stable Single	4.95(3.74)	--	--	--		
Into Commitment	4.29(3.36)	-.72(.41)	-.09	-.18, .01		
Out Of Commitment	7.21(3.56)	2.34(1.05)*	.12	.02, .22	23.6%	$F(8) = 40.29, p < .001$
In & Out Of Commitment	5.08(3.68)	-.10(.50)	-.01	-.10, .08		
Stable Committed	3.88(3.14)	-.98(1.52)	-.04	-.16, .08		
Mental Health – Psychological Distress 2005	--	.31(.35)**	.44	.30, .58		



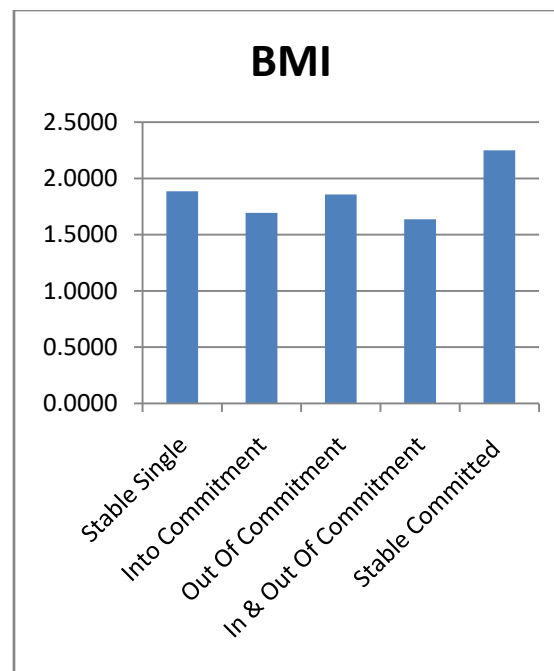


Figure 1: ANOVA for variables associated with current physical health condition in 2013

c) *Physical Health Status*

Number of chronic illnesses. The bivariate association (ANOVA) indicated differences among the relationship stability patterns, $F(4,606) = 5.04, p < .05$. Post-hoc analysis (Bonferroni) indicated that the *Stable Single* pattern ($M = .62, SD = .60$) was significantly different from the *Moving Out of Commitment* pattern ($M = .55, SD = .62$); the *Moving into Commitment* pattern ($M = .55, SD = .62$) was significantly different from *Moving Out of Commitment* pattern ($M = 1.12, SD = .80$); and the *Moving In and Out of Commitment* pattern ($M = .55, SD = .60$) was significantly different from *Moving Out of Commitment* pattern ($M = 1.12, SD = .80$). The predictive model (Poisson regression; Table 2) indicated that only emerging adults who *Move Out Of Commitment* have 60% more chronic illnesses compared to *Stable Single*.

$F(4,413) = 2.27, p = .06$. The predictive model (Table 2) confirmed these results.

d) *Self-reported physical health*

The ANOVA indicated mean differences among the relationship stability pattern, $F(4,419) = 3.04, p < .05$. When examining the Bonferroni post-hoc analysis, the *Moving Out of Commitment* pattern ($M = 2.00, SD = 1.36$) was statistically different from the *Stable Single* pattern ($M = 1.21, SD = .92$), the *Moving into Commitment* pattern ($M = 1.12, SD = .87$), and the *Moving In and Out of Commitment* pattern ($M = 1.14, SD = .92$). The predictive model (Table 2) indicated that those *Moving Out of Commitment* report worse self-reported physical health ($B = .67, p < .05$) compared to the *Stable Single* pattern.

BMI. The bivariate association (ANOVA) indicated no mean differences among the patterns,

Table 2: Means (standard deviations), Poisson/regression parameters, 95% confidence interval, and R2 (for linear regression) of participants' (N = 694) current health condition variables in 2013

	M(SD)	B(SE)	B ^o	β(SE)	95% CI	R ²	Test Statistic
Model 1: Number of Chronic Illnesses 2013 ^a							
Stable Single	.62(.60)	--	--	--	--	--	Loglikelihood -3178.60
Into Commitment	.55(.62)	-.10(.08)	.91	--	.84, .98		
Out Of Commitment	1.12(.80)	.47(.17)**	1.60	--	1.50, 1.69		
In & Out Of Commitment	.55(.60)	-.10(.10)	.90	--	.83, .97		
Stable Committed	.73(.56)	-.03(.20)	.97	--	.90, 1.04		
Number of Chronic Illnesses 2005	--	.42(.06)	1.52	--	1.43, 1.61		
Model 2: Self-reported health quality 2013 ^b							
Stable Single	1.21(.92)	--	--	--	--	11.4%	$\chi^2(8) = 40.66, p < .001$
Into Commitment	1.12(.87)	-.07(.10)	--	-.04	-.14, .06		
Out Of Commitment	2.00(1.36)	.67(.26)*	--	.14	.03, .24		
In & Out Of Commitment	1.14(.92)	-.11(.13)	--	-.04	-.14, .05		
Stable Committed	1.38(1.30)	.09(.35)	--	.01	-.10, .13		
Self-report health quality 2005	--	.28(.06)**	--	.28	.17, .38		
Model 3: BMI 2013 ^b							
Stable Single	1.88(.89)	--	--	--	--	47.4%	$\chi^2(8) = 173.06, p < .001$
Into Commitment	1.68(.79)	-.01(.08)	--	.005(.04)	-.08, .07		
Out Of Commitment	1.86(1.03)	.16(.20)	--	.04(.05)	-.06, .14		
In & Out Of Commitment	1.64(.80)	-.06(.09)	--	-.02(.04)	-.10, .06		
Stable Committed	2.25(.70)	.22(.34)	--	.04(.06)	-.08, .16		
BMI 2005	--	.74(.05)**	--	.66(.03)	.60, .72		

e) Health Behaviors

Sleep: First the ANOVA indicated that there were no significant mean differences among the relationship stability patterns, $F(4,419) = .55, p = .70$. The predictive model (Table 3) confirmed this.

Smoking Status: The bivariate association (Chi-squared) indicated that there was a difference across relationship stability patterns. Post-hoc analysis of the adjusted residuals indicates that a significantly smaller proportion of those *Moving into Commitment* smoked (14.4%; $Z = -2.2$), while those *Moving Out of Commitment* smoked more (42.9%; $Z = 2.2$). The predictive model (logistic regression; Table 3) indicated that emerging adults *Moving In and Out of Commitment* were 35% more likely to smoke compared to those who were *Stable Single* (trending toward significance). Additionally, those *Moving out of Commitment* were 114% more likely to smoke compared to those who were *Stable Single*.

Binge Drinking: The bivariate association (ANOVA) indicated that there were no bivariate associations, $F(4,412) = .86, p = .49$. The predictive model (Poisson regression; Table 3) indicated that those *Moving into Commitment* (80%) or *Moving Out of Commitment* (51%) were less likely to drink, but those *Moving In and Out of Commitment* (122%) were more likely to drink compared to emerging adults who were *Stable Single*.

Number of drugs used: The ANOVA indicated that there were no bivariate associations, $F(4,606) = 1.72, p = .14$. Results of the predictive model (Poisson regression; Table 3) indicated that those *Moving into Commitment*

(20%) and those *Moving In and Out of Commitment* used fewer drugs (19%; trending toward significant) compared to *Stable Single*.

Table 3: Logistic, Poisson, and linear regression parameters, 95% confidence interval, and R2 of participants' (N = 694) problematic health behavior variables in 2013: Total sleep, currently smoking, number of days binge drinking, number of drugs used

	M (SD)/ %	B(SE)	B ^a	β(SE)	95% CI	R ²	Test Statistic
Model 1: Sleep 2013 ^a							
Stable Single	7.07(1.32)	--	--			2.7%	χ^2 (7) = 5.69, p = .58
Into Commitment	6.96(7.29)	-.12(.15)	--	-.04	-.41,.17		
Out Of Commitment	7.36(1.90)	.26(.50)	--	-.04	-.72,1.24		
In & Out Of Commitment	6.91(1.42)	-.15(.19)	--	-.04	.59,1.25		
Stable Committed	6.75(1.16)	-.29(.40)	--	-.03	-1.07,.49		
Sleep 2005	--	.10(.05)*	--	.13	.002,.20		
Model 2: Smoking 2013 ^b							
Stable Single	40.0%	--	--	--		37.6%	χ^2 (8) = 122.86, p < .001
Into Commitment	25.9%	-.25(.72)	.78	--	.19, 3.19		
Out Of Commitment	7.1%	.76(.35)*	2.14	--	1.08, 4.25		
In & Out Of Commitment	24.7%	.30(.17) [†]	1.35	--	.97, 1.88		
Stable Committed	2.4%	.26(.49)	1.30	--	.50, 3.39		
Smoking 2005	--	1.39(.14)**	4.00	--	3.05, 5.28		
Model 3: Binge Drinking ^c							
Stable Single	1.21(1.40)	--	--	--		--	Loglikelihood= -7785.30
Into Commitment	.97(1.30)	-.69(.32)*	.20	--	.27, .94		
Out Of Commitment	1.46(1.44)	-.71(.29)*	.49	--	.28, .87		
In & Out Of Commitment	1.02(1.28)	.20(.36)	1.22	--	.60, 2.47		
Stable Committed	1.47(1.50)	-1.80(.60)*	.16	--	.05, .54		
Binge Drinking 2005	--	.02(.002)**	1.02	--	1.02, 1.02		
Model 4: Number of drugs used ^c (N = 611)							
Stable Single	10.34(34.32)	--	--	--		--	Loglikelihood = -1874.79
Into Commitment	5.68(13.25)	-.22(.10)*	.80	--	.66, .98		
Out Of Commitment	6.23(12.40)	.13(.16)	1.14	--	.83, 1.56		
In & Out Of Commitment	9.38(25.84)	-.21(.12) [†]	.81	--	.64, 1.02		
Stable Committed	1.25(2.76)	-.06(.25)	.94	--	.58, 1.54		
Number of drugs used 2005	--	.11(.04)**	1.11	--	1.03, 1.21		

VI. DISCUSSION

In this study, we sought to investigate different types of relationship stability patterns among emerging adults in the United States ages 17-29 [1] and how those stability patterns differed on health outcomes near the end of this period. After examining these results, four patterns emerged.

First, emerging adults in the *Moving out of Commitment* pattern seemed to fair the worst compared to those in the *Stable Single* pattern. Namely, that the *Moving Out of Commitment* pattern tended to report higher psychological distress, a higher number of chronic diseases, worse self-reported physical health, and were more likely to smoke (although also less likely to binge drink alcohol) compared to those in the reference relationship stability pattern. All in all, it appears that young people who start emerging adulthood in a committed relationship and end it not in a relationship fair worse in terms of psychological and physical health. However, we do not know the direction of association among these variables as previous research has found a bi-directional association among adults (Torvik, Gustavson, Røysamb, & Tambs, 2015).

Future research is needed to further disentangle the association between relationship quality, relationship

stability, and health; however, the findings here make it clear that the patterns that exist in emerging adulthood are similar to those in middle and later adulthood.

The second pattern found that those in the *Moving In and Out of Commitment* pattern did not have any physical or mental health differences compared to the reference group, they were more likely to smoke and binge drink alcohol, but reported using a fewer number of drugs. Therefore, relationship instability during emerging adulthood may be more related to health behaviors than mental and physical health status. However, these health behaviors might be indicative of poorer health in middle and later adulthood (BURNS et al., 2008), but they might also be a function of a lifestyle often reported during this developmental period (e.g., casual sex; (Claxton & van Dulmen, 2013)). If these health behaviors change as individuals move out of this developmental period, their physical health in later adulthood might not be negatively impacted. Future research should examine the long reaching impact of health behaviors during this developmental stage.

The third pattern was that those in the *Moving into Commitment* pattern tended to fair better than the reference group, *Stable Single*. Specifically, this group tended to engage in less binge drink and take a fewer number of drugs. Interestingly, while they were not

significantly different on any physical health measures, they were less likely to engage in problematic health behaviors. Because of the decreased problematic behaviors, it is plausible to assume that those who move into commitment during emerging adulthood may also report improved physical health in middle and later adulthood, provided their health behavior patterns remain similar. We know that relationship distress across the life course causes a steeper decline in physical health (Umberson, Williams, Powers, Liu, & Needham, 2006), indicating that better relationship quality and stability are linked to better health outcomes. The fourth pattern was the disparity in health between those *Moving into Commitment* and those in the *Moving In and Out of Commitment* and those *Moving Out of Commitment*. A substantial body of literature points to the benefits marriage brings to adult physical health (Robles, Slatcher, Trombello, & McGinn, 2014; Schone & Weinick, 1998), particularly for men. The results of this study may point to when and how this disparity begins during the life course. As relationship stability pattern differ on multiple health outcomes, this developmental period may be when this health disparity starts and may be an ideal time to intervene with relationship type interventions, such as Relationship U (Hawkins et al., 2013). As to why this disparity occurs, some argue that the health disparity is partially because of a selection process, those who are healthier select into marriage/relationship commitment and those who are less healthy do not (Waldron, Hughes, & Brooks, 1996). This may be true as is evidenced by those who move out of commitment; however, this is a minority of individuals during emerging adulthood (3.4%). What we believe may explain the marital health disparity for a larger portion of the population is the reduction in problematic health behaviors for those choosing relationship commitment, which should be related to better physical health in middle and later adulthood. Therefore, it might be most effective to improve long-term relational and physical health by implementing brief prevention programs which focus on both characteristics of healthy relationships, as well as improvement of health behaviors during this emerging adulthood.

VII. LIMITATIONS/FUTURE RESEARCH

This study is not without limitations. First, some of the outcome measures are limited in number of items measuring each construct and the variability of some measures. Therefore, results may not be generalizable to emerging adults with more problematic health and should be replicated with such a population. Second, some scholars point to emerging adulthood as lasting until the late 20s or early 30s. Therefore, the findings here may not be an accurate representation of all of emerging adulthood as they only extend to age 27.

Third, we only include self-report measures of health and do not include biological measures such as all static load which is linked to future health problems. While those measures were not available to us, future research should include these to better predict long term effects of relationship stability.

VIII. CONCLUSION

The findings of this study suggest that there are multiple patterns of relationship stability (or instability) during Emerging Adulthood and that these patterns differentially impact subsequent mental health, physical health, and health behaviors. Namely, "*Moving out of Commitment*" is most problematic for health outcomes while "*Stable Single or Committed*" are less problematic for health. These finding can inform future integrative health programs to *target* types of stability patterns (rather than divorce in general) and potentially reduce health problems from manifesting or becoming exacerbated.

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Full or Empty Mode: The Organization of the Full or Empty Spaces on the Covers of the Singles of Depeche Mode between the Years of 1981 and 1998

By Cinla Seker

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Abstract- Music as an art form based on sound and silence recorded as actual sounds since the second half of the 19th century and developed in time according to the technical improvements. Covers both protecting and labeling recording mediums are graphic design spaces to organize. The pre-production design of 2 dimensional printed surfaces called the graphic design. Like every design field graphic design has its own elements and principles as guides. The aim of this paper is to analyze the full and empty space organizations on the covers of the Depeche Mode Singles 81-98 Set. Depeche Mode is a synth pop, new wave, electronic and dance rock and alternative rock band established in 1980 and still active. Depeche Mode has 31 times nominated and 10 times won the highly prestigious worldwide prizes during those years, it is the most popular electronic band the world has ever known and in the list of the 50 bands that changed the world. In the Singles 81-98 Set there are totally 36 covers which grouped as 6 packages each consisting 6 covers. In this paper 6 of the 36 covers have analyzed according to the 6 main graphic design principles. On the 6 cover the full and empty spaces organized according to the 6 main principles to create an extraordinary effect which is consistent to the music in them.

Keywords: *graphic design, cover design, depeche mode, design, music album.*

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Strictly as per the compliance and regulations of:



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I. INTRODUCTION

Music as an art form based on sound and silence. Music has recorded since 1880s and the recording styles and system developed according to the technical improvements. Covers created to protect and label recording mediums are graphic design spaces to organize. Graphic design is the pre-production decision-making process of a two-dimensional printed surface. Graphic design has its own elements and principles as guides like every other design field. The aim of this paper is to analyze the full and empty space organizations on the covers of the Depeche Mode Singles 81-98 Set.

Depeche Mode is a synth pop, new wave, electronic and dance- and alternative rock band established in 1980 and still active. Depeche Mode has 31 times nominated and 10 times won the highly prestigious worldwide prizes. It is the most popular

electronic band of the world and in the list of the 50 bands that changed the world. In the Singles 81-98 Set there are totally 36 singles CDs, which grouped in 6 packages each consisting 6 CDs. In this paper 6 of the 36 covers have analyzed according to the 6 main graphic design principles. On the 6 cover the full and empty spaces organized to create an extraordinary effect which is suits the music of Depeche Mode.

II. SPACE AS A DESIGN ELEMENT

Your Human lives in a world consists figures and grounds which surround. Human eye tries to perceive the figure in front of a ground first as an entity he or she lives and communicate with. This feature of the natural environment forms the visual perception principles. Human attracted with figures and immediately discern. The elements which help human eye perceive something as figure are the elements of grouping. Figure - ground perception is independent from colors or tones. Proximity as horizontal or vertical rows, as symmetry, as continuation and as similarity are different attitudes of organization concluded in perceiving something as a whole, and differ it what is behind (Gordon, 2004 p.15-21). Closure is another characteristic of human eye – brain double: showing things as they are closed shapes by indicating only (Dabner, Calvert & Casey, 2012 p.39).

Graphic design deals with predefined empty spaces as size and shape according to the characteristics of the product. Placing an element in a space as an entity creates figure – ground relationship. Good design takes into consideration all relations between all elements and every element with space. Both space and elements affect each other. Figure – ground is one of the basics of graphic design (Lupton & Phillips, 2008 p.87-88). This means that both the figure and the ground which lay behind are the elements to handle, an integral part of the whole. Figure - ground perceived as negative and positive or full and empty spaces on 2 dimensional surfaces (Landa, 2013 p.21). There are three kinds of figure-ground relationship: stable, reversible and ambiguous (Arnston, 2011 p. 44).

a) *Analysis of the Policy of Truth Cover, Nr.25*

Your First cover analyzed which's number is 25 is the single CD of *Policy of Truth*. 1990 released single CD labeled as synth pop and alternative rock. Synth pop is a pop music made by the synthesizer, which generate electric signals that are converted to sound through instrument amplifiers and loudspeakers or headphones, as dominant instrument besides drum machine and sequencer. It is characterized by a broad set of values that eschewed rock playing styles, rhythms and structures, which were replaced by synthetic textures, robotic rigidity often defined by the limitations of the new technology, including monophonic synthesizers (Borthwick & Moy, 2004 p.121-123; Parker, 2009 p.213). On the other hand, alternative rock is a genre of rock music that emerged from the independent music underground of the 1980s and became widely popular in the 1990s and 2000s. The meaning is obvious in its name: being an alternative is being totally not what is mainstream.

The Singles 91-98 Set has a design attitude which based on black background and white thin circles which derived from the shape of the CD as music recorded medium. A chain made of these circles symbolizes the set concept, which consist 36 CDs. A special numbering system designed as a down going chain made of 6 white thin circles. 6 has a connection with the 6s of the set. The chain placed on top left every time caused a set design attitude. On every CD the number placed on the first circle on top. The plain sans serif font chosen has a visual resemblance with the thickness and color of the lines of the circles. Sans serif fonts are a font group which letters don't have ticks at the end of their lines (Horobin(Ed.), 2003 p.627).

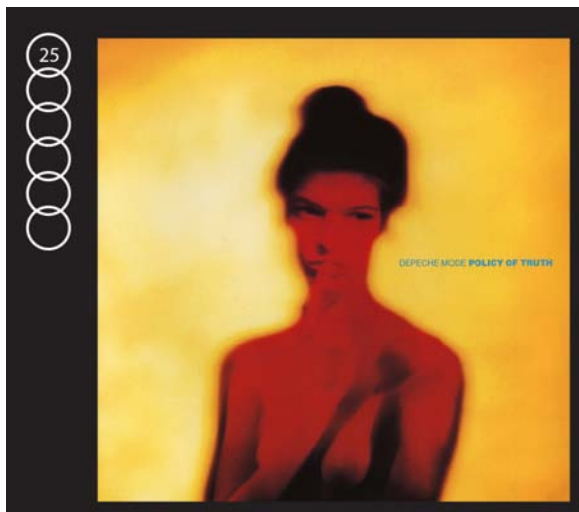


Fig. 1: Policy of Truth Cover Nr.25

Graphic designers often play with figure – ground relationships to add interest and intrigue to their work, active figure – ground conditions churn and interweave form and space, creating tension and

ambiguity (Lupton & Phillips, 2008 p.106). An over blurred photograph seen on the cover over the black background. Another background lies behind a nude brunette woman figure as a very bright yellow. While the bright yellow accepted as a figure in front of a black background, it is also accepted as a background of the figure. This setup has a reversible figure – ground relation. Because the figure is attached from bottom to the black background and the darker tones she has on her body is accepted parts of the background. According to the perception rules, things, which is close to each other and similar as some features, perceived as a united whole. On two-dimensional surface yellow color has the closest effect to the human eye. This characteristic of the yellow color and dark framing around helps the yellow ground with its million tones in it to perceive as figure. Yellow area as empty space is contrasting with the figure as size and irregular form inwards. The usage of warm colors only and reduced number of colors contrasting with the world human lives in. The typographic elements formed the names contrasting as size but harmonious as style of the font used to type the number on the left. The small the letters, the big perceived the area around them. Placing the typographic elements on the right middle as a line balanced verticality of the chains and the figure asymmetrically. Because of all these features cover is highly striking and extraordinary like the music in it.

b) *Analysis of World in my Eyes Cover, Nr.26*

Second cover analyzed which's number is 26 is the single CD of *World in my Eyes*. 1990 released single CD labeled as synth pop and alternative dance. Dance as a musical genre in 1980s is the new name of the disco music which was the dominant sound of 1970s; with the help of its new name the term neutralized (Fikentscher, 2000 p.11). Like being an alternative in rock music, being an alternative in dance means being distinct from mainstream. While listening to the music it can be find out that this distinction lays in a fusion of electronic dance, which is a percussive version of electronic and various subgenres of rock.

Like every cover on the set the black background and numbering style in chains continues for this cover. In the lyrics of the song an imaginary journey offered to show the world as the writer sees. This offer symbolized in time with a gesture made by hands. On the cover a blurred black silhouette made this special gesture, which makes an immediate connection with the song. The important part of the black silhouette is both hands placed as big as they can be. The silhouette's black and the black background melted into each other, as a conclusion a blue sky left only as an entity. This organization is concluded in reversible figure – ground relation. Because human eye - brain double knows that the black silhouette is a figure, and a figure is always in front of a ground. The silhouette became a part of the

background because of its color. Besides this millions of tones light blue perceived closer than black. This situation changed the perception and blue parts as a united whole accepted as figure on a black background. Reversible figure – ground, as empty and full spaces take the attention of the viewer with its dynamism.

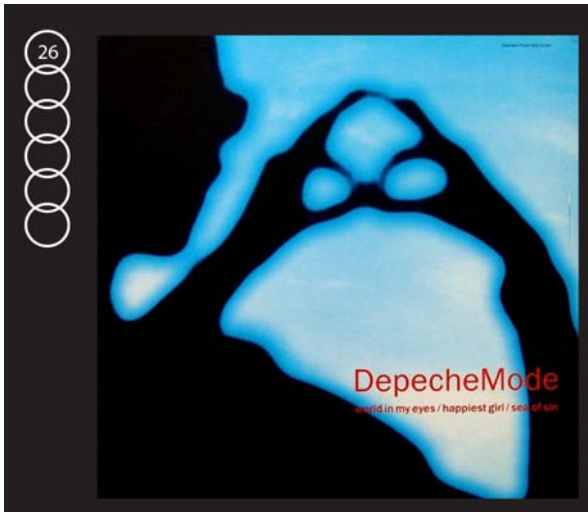


Fig. 2: World in my Eyes Cover Nr.26

Besides all these features of attraction the eye follows the movement of the arm until the glasses shaped fingers and jumped to the sunglasses silhouette on face of the male. The chain on the head led the eye down. The orangey red typographic elements take the eye on and the unstoppable movement began with the direction of the arm through the fingers. Both rebatements used as guides while placing the black silhouette. Rebatement is an unequal but aesthetic division of every kind of rectangle derived from golden ratio, the divine proportion (Olsen, 2006 p.9). These unequal divisions made by head and arm creates an effect of dynamism, because being unequal is something contrasting and challenging. Another contrast the design has is the color scheme of it. Every design product has a color scheme to be a harmonious whole, which is not the sum of the elements only. Orangey red and blue are complementary colors, when using together creates a color scheme which is harmonious. Except neutrals like black and white no other color used to brake the powerful effect of the scheme. Size contrasts between the name of the band and the name of the single CD are also creating dynamism. The high contrast between the two makes them as different as they can be. But the same color they have and the closer positioning as same long lines makes them two inseparable parts of a whole again.

c) Analysis of I Feel You Cover, Nr.27

The third cover analyzed which's number 27 is the single CD of *I Feel You*. This song belongs to the album *Songs of Faith and Devotion*, released in a period

which music of Depeche Mode hardened with guitar riffs. As a conclusion of this, this album and this single CD labeled as synth rock also known as electro-rock, rock music made by electronic equipment. The album is also the first and only one, on which's cover the faces of the band members seen in a square format like mug shots. The portraits also roughened with some visual effects and the backgrounds left as flat surfaces colored light grey like hard natural stones.

The portraits of the band members turned into a four- piece logo as seen on the cover of the single CD. The rough crack black lines divided the four. Rough black lines perceived parts of the background because they are the same color. Four cutout shapes as figures colored as dark purples in front of light grayish grounds. Dark purple is tonally very close to the black. The three-layered placement collapsed with the tonal grading and a reversible figure – ground relation occurred: four grayish spaces perceived as figures.

Like every human the four members of the band looks different than each other. As a conclusion the cutout figures has different size, proportion and shapes. But human has a feeling of balance comes from its nature. To balance the cover asymmetrically the name of the band and the single CD should be somewhere in some size and some color. Freestyle typography used based on the album cover. White typography placed on the cutout shape which is on top right to balance the chained number 27 on top left. The typographic element has grouped within some rules: the name of the band is much bigger than the name of the single CD and placed above to show the dominant element. But the two have the same color, style and line thickness.



Fig. 3: I Feel You Cover Nr.27

d) Analysis of Walking in my Shoes Cover, Nr.28

The fourth cover analyzed which's number 28 is the single CD of *Walking in my Shoes* labeled as synth pop, alternative rock and alternative dance. The cover has a connection with the striking music video of the

song directed by Anton Corbijn based on Divine Comedy by Dante Alighieri (Wikipedians, p.204). The black silhouette of the bird-head creature from the video seen from side view. Huge beak and feathers filled the top of the visual. Like every cover black background is also seen on this cover. Black bird-head figure seen standing as a silhouette on a black ground in front of a dark blue sun set. Like previous covers black figure perceived as part of the black background because of its color. This togetherness let the blue space perceived as a figure despite it is a ground. Third layer comes on the two backgrounds as an eye – typography combination. Like the shine in the eye, name of the band and the name of the single CD shines as white on dark grounds with white thin linear framing. Freehand typography suits with the freestyle silhouette of the bird-head. The name of the band is bigger than the name of the album, but this time the two are small as they can be. Tiny sizes help to create a huge sky feeling. The dark red and navy under the typography helps the words seen and read better.

The chain with the number 28 on top is still standing at the same place. The bird-head figure turned left, looking forward and waiting on one leg together with the chain asymmetrically balanced by the placement and size of the typographic elements. Placing the elements in the middle like flying creates tension concluded in dynamism.



Fig. 4: Walking in my Shoes Cover Nr.28

e) Analysis of Condemnation Cover, Nr.29

The fifth cover analyzed which's number 29 is the single CD of *Condemnation* labeled as gospel, alternative rock and piano rock. A new point of view came to Depeche Mode music with the gospel, which is a genre in Christian music designate African-American style (Cusic, 2002 p.viii). On the cover of the single CD, which belongs to the album *Songs of Faith and Devotion* like the previous two, a praying gesture of Christianity is seen in huge size. A symbol of wishes and

being in a statement of in need. The hands are seen in a dark environment under the effect of holy light. This kind of local illumination seen in Baroque painting and defined as exaggerated lightening (Hopkins & Witte, 2010 p.95). Because of the bright light coming the surface of the hand lost in the dark. It lights a little part in the background but nothing. There is a huge tone contrast between the light and shadow as black and white. On the cover there is three main layers: first black background, a rectangle cover with the chain and square visual on. Second layer is the background of the hands as a semi dark wall. And as the last layer hands' dark surface united with the other two at many points because of the black color and perceived as a united whole irregular space. But at the same time the brain knows that these three couldn't be one. Then the name of the single CD seen in front with its indefinite borders as same tone as the blurring light. These similarities also unite the two as a white layer. Then comes the dark brownish red rectangle with its thin white framing and typography as a fourth layer in between the name of the CD and hands and separated them. Both typographic elements placed into middle aligned with the bottom of the chain to balance the huge diagonal movement asymmetrically. Huge direction, size, tone contrasts and black as a sign of African-American gospel dominates the cover.

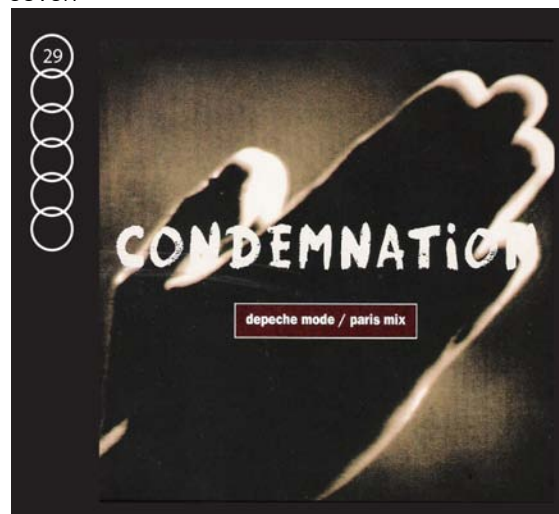


Fig. 5: Condemnation Cover Nr.30

f) Analysis of In your Room Cover, Nr.30

The sixth cover analyzed which's number 30 is the single CD of *In Your Room* labeled as synth pop and alternative rock. Like many other Depeche Mode songs, *In Your Room* is about love. The music video directed by Anton Corbijn, who directed many famous music videos of the band (Wood, 2014 p.20). With a feeling of that this will be the last, Corbijn directed the video as a retrospective, which consist many references from the previous videos. As a uniting element between different scenes he used a huge very bright bulb shape standing on the top of the frame symbolizes his witness. The very

bright white bulb is the main element of the cover of the single CD "In Your Room". A metropolitan view with its millions of rooms seen on black background as usual to the singles set. The city is getting dark under the orangey sunset. The yellow lights coming from windows formed a sea of gold because all blacks united and perceived as a united whole background: a space.

The brain independently knows that the sunset should be behind the city. But the uniting blacks bring the orangey sky front. Then comes the huge bright bulb shape in front of everything as a white space. White is the sign of empty spaces. But being in front of everything creates an extraordinary contradiction. As composition the higher buildings on left half create an asymmetric setup balanced with the typographic elements on top right. Light colors combined these typographic elements with the bulb and modern sans serif font suits with the metropolitan concept. Inequalities on the cover ended in dynamism.

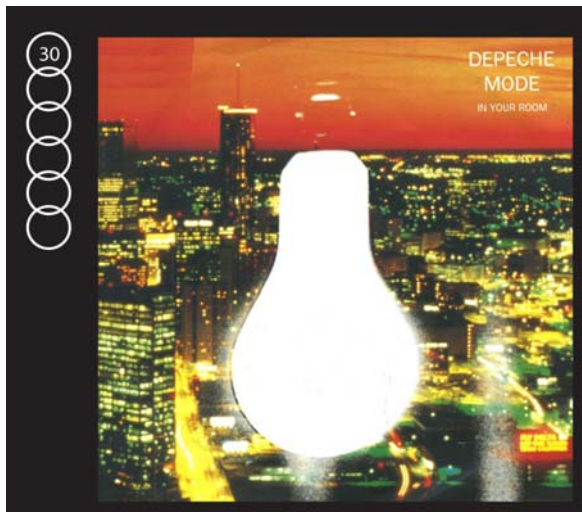


Fig. 6: In your Room Cover Nr.30

III. CONCLUSION

Your Six single CD covers of the band Depeche Mode have chosen as sample unit. The chosen six belongs to the 1993 released Single CD Box Set number 5, CDs numbered as from 25 to 30. The names of the CDs are number 25 - Policy of Truth, number 26 - World in My Eyes, number 27 - I Feel You, number 28 - Walking in My Shoes, number 29 - Condemnation and number 30 - In Your Room. As a general concept all covers has a black background and a chain on top left. Chain formed with 6 white thin circles, indicating that every 6 single CD grouped. The chain divided the height of the CD into two full and empty parts. On every cover a square formatted illustration used. The three side of this square left equal in size only left part is thicker and the chain seen on top. On every cover the black background merged with blacks of the illustrations, in a combination with different colors it creates extraordinary

figure - ground relations, empty – full spaces like the music of Depeche Mode.

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What is the Most Significant Political Legacy of Deng Xiaoping: Thoughts in the 20th Year Since Deng Xiaoping's Death

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Abstract- The policy of reform and opening up is Deng Xiaoping's political legacy, of which the most significant part is the fixed term system of cadres on different levels and of different categories, especially the fixed term of national leaders stipulated by the Constitution of the People's Republic of China. The fixed term system of cadres has played a critical role in the reform and opening up, China's rise, and the development of China's political system. This system under the single-party leadership is a political system that is adapted to China's transition from traditional society to modern society. It is also adjustable with the process of modernization. Its successful implementation lies in that it is what the Communist Party of China, the People's Liberation Army of China, and the Chinese people expect. Its improvement and optimization rely on enhancing the people's right to speak and influence in the election of cadres, i.e., letting the people decide the cadres.

Keywords: *deng xiaoping, fixed term system of cadres, alternation of power, the people's right to speak.*

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Abstract- The policy of reform and opening up is Deng Xiaoping's political legacy, of which the most significant part is the fixed term system of cadres on different levels and of different categories, especially the fixed term of national leaders stipulated by the Constitution of the People's Republic of China. The fixed term system of cadres has played a critical role in the reform and opening up, China's rise, and the development of China's political system. This system under the single-party leadership is a political system that is adapted to China's transition from traditional society to modern society. It is also adjustable with the process of modernization. Its successful implementation lies in that it is what the Communist Party of China, the People's Liberation Army of China, and the Chinese people expect. Its improvement and optimization rely on enhancing the people's right to speak and influence in the election of cadres, i.e., letting the people decide the cadres.

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I. OBSERVATION AND ASSESSMENT

By February 19, 2017, Deng Xiaoping has been away from us for 20 years. Confucius used to say, "The governance of King Wen of Zhou and King Wu of Zhou is written on the tablets of wood and bamboo. When they were alive, their policies flourished; but when they died, their policies declined." [1] Yet for Deng Xiaoping, "his policies thrived when he was alive and continued to prosper even after his death." The reform and opening up initiated by him has been handed down by three successive generations of national leaders with substantial accomplishments and forming an irreversible trend, which is an extremely rare.

Undoubtedly, the reason why the policy of reform and opening up has kept thriving instead of decaying since Deng Xiaoping died is that it has brought incomparable benefits to Chinese people, and it conforms to the basic interests of the Chinese nation as well as the major trend of peace and development in the world. This is what people want and where the global trend goes. In other terms, the policy of reform and opening up is Deng Xiaoping's political legacy, which has appreciated in value increasingly and produced great profits for the last two decades.

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Then, of the political legacy, what is the most important part? It is the fixed term system of government officials of different categories on all levels, especially the constitutional term system of national leaders.

In the Chinese history, the alternation of power remained a critical issue that could unsettle or impede the social development. For the alternation of the supreme power, only three solutions were possible. One is that the incumbent handed over the crown to another person voluntarily. Another is that a successor grabbed power from the incumbent through violence. And the third is that after the incumbent died a successor took his/her place. Abdication, as a peaceful power hand-over, took place when the ruler on the throne was still alive. However, since it relied on the shared willingness of both the abdicating person on the throne and the successor, there was little probability that it would happen and thus it was not an established and constantly observed system. Violent power-seizing sometimes occurred in the same dynasty, and it was more of a major approach to changing dynasties. The successor was eager to rule, while the incumbent was not ready to give up the power. Hence, this way came with a high political cost and social price. Therefore, the alternation of power with the natural death of the incumbent ruler was the most common, and it became an established system in which the incumbent would decide on his/her successor, and the hand-over timing was of natural contingency. Up to the reform and opening up, China's supreme power had been handed down mainly through these three methods for several thousand years.

Deng Xiaoping's remarkable contribution to China is not only the reform and opening up - a right way into which he led China, but also the critical reform he carried out in a key system at the very beginning of the reform and opening up. It is the critical reform that guarantees successors can continue to go in the right way. In the reform, the lifelong tenure of cadres was abolished under his leadership and exemplified by him. Instead a fixed term system of government officials was implemented on a comprehensive scale. In particular, the Constitution stipulates the term of office of national leaders, thus solving the predicament of power alternation that had perplexed Chinese politics for thousands of years.

Early in 1980, Deng Xiaoping explained the reform initiative concerning the Party and the leadership system. His targets were the over-centralization of power and the life tenure of cadres. With regard to the cadre tenure, he said,

The formation of the life tenure of cadres is affected by the feudalism to a certain degree. Meanwhile, it is also related to the absence of proper retirement and dismissal system of our Party. During the period of revolution and wars, people were young. In the 1950's, they were still strong and retirement was not a problem. However, it is unwise that the issue was not addressed in time later. It should be admitted, nevertheless, that under the historical conditions then, it could hardly be resolved completely. The Fifth Plenary Session of the Communist Party of China discussed the draft of the Party Constitution and proposed the abolishment of the life tenure of cadres. Yet that proposal needs further revision and supplementation. The key is to improve the system about election, recruitment, appointment, assessment, impeachment, rotation, etc. of cadres and set proper and clear rules about the tenure of cadres (elected, appointed, or recruited) on various levels and their lixiu, retirement in accordance with different situations. The tenure of any official should not be infinite.

Deng Xiaoping's such ideas and measures were finally written into the 1982 Constitution of People's Republic of China, which is still effective now, and became the official national system. Relevant articles are as follows:

Article 66: The Standing Committee of the National People's Congress... The Chairman and Vice-Chairmen of the Standing Committee shall serve no more than two consecutive terms.

Article 79: The term of office of the President and Vice-President of the People's Republic of China... they shall serve no more than two consecutive terms.

Article 87: The term of office of the State Council... The Premier, Vice-Premiers and State Councillors shall serve no more than two consecutive terms.

Article 124: The term of office of the President of the Supreme People's Court... The President shall serve no more than two consecutive terms.

Article 130: The term of office of the Procurator-General of the Supreme People's Procuratorate... the Procurator-General shall serve no more than two consecutive terms. [3]

In 1989, Deng Xiaoping still emphasized "it is unhealthy and dangerous for the destiny of a nation to rely on one or two persons' reputation. If the person is reliable, that is fine. Otherwise, the situation will become uncontrollable." [4]

From the publication of the 1982 Constitution to now, no cadres as mentioned in the articles above have

served for over two consecutive terms. Namely, no violation of the Constitution has ever occurred. After the publication, Deng Xiaoping did not occupy any post as mentioned above, and he resigned from all his other posts 7 years before he died. Since the 14th National Congress of the CPC in 1992, the alternation of people in these posts as well as the change of national supreme leaders has been conforming to the Constitution in reality. Also, the Constitution has been observed voluntarily. The following three generations of national leaders have handed over the national supreme power peacefully according to the Constitution. This is unprecedented on the national level in China, and it is a substantial reform of the power alternation system that used to last for thousands of years in China.

Although the tenure of Chairman of the State Military Commission is not stipulated in the Constitution, and the tenure of the supreme leader of the Party is not mentioned in the Constitution of the CPC either, there exists a fixed term system in fact for the two posts due to the facts that the Communist Party of China is the only ruling party and the supreme leader of both the Party and the People's Liberation Army of China is either the national supreme leader himself or when they are different persons they serve the same term(s).

Since the 1982 Constitution was first implemented, the fixed term system of cadres has been promoted and generalized on the Central level, on the local level, in power institutions, and in military and official organizations and other enterprises and institutions. Power transition is a norm, resignation or retirement upon finishing the fixed term is accepted by cadres, and common people are accustomed to it, forming a new form of political culture. While the alternation of power on the national level is macro and common people cannot be exposed to its immediate influence, the operation on the local level and in common enterprises and institutions is median or micro and closely related to people's interests. Therefore, it can be concluded that the implementation of the fixed term system of cadres on the median and micro levels for around 30 years is of unique significance in shaping common Chinese people's collective awareness of power alternation.

Throughout China, orderly and peaceful alternation of power according to the Constitution systematically from top down is something that has never happened in history. It is the most important political legacy that Deng Xiaoping left to the generations after him.

II. DEBATES AND DISCUSSION

The fixed term system of cadres carried out all over China without exceptions has provided a stable and controllable order of power and unceasing momentum of innovation for the reform and opening up.

However, this point is not fully understood by various sectors.

In various explanations and debates about China's rise by domestic and foreign scholars, the fixed term system of cadres is largely neglected. Liberalism tends to explicate the relationship between market economy and democratic politics, which is more or less regarded the same as the multi-party system with the general election system. From this point, it is unreasonable in terms of that democratic norm and perplexing in terms of the reality that China, with its market economy, has not adopted the multi-party system and the general election system. Interpretation on the opposite side is that China's market economy is socialist, and it is characterized by the leadership of the Communist Party of China or the single-party system. This is a fact as well as the norm in China. In this way, the inevitable link between market economy and the multi-party system with the general election system is directly negated, and its inevitable connection with democratic politics becomes indecisive as well. Nonetheless, both the explanations are not complete. They fail to illustrate how the single-party system manages to adapt to and promote the development of market economy. The cause of their failure is that both readings share the same hypothesis that the multi-party system with the general election system and the single-party system are absolutely contradictory.

It is true that the multi-party system with the general election system prevalent in the West and the Communist Party's absolute leadership in China are two distinct political systems. With the fixed term system of cadres, however, the Party's leadership is equipped with another extremely significant function, the orderly renewal of the power system. This function is exactly the key function provided by the multi-party system with the general election system in the West. In other words, despite all the other different functions that the Party's leadership and the multi-party system with the general election system have, their very function concerning the realization of the orderly change of power is the same. If having this function is more democratic than not having it, the single-party system necessarily with the fixed term system of cadres is definitely more democratic than the single-party system without it. Thus, the orderly alternation of power supported by the multi-party system with the general election system and the peaceful alternation of power supported by the Party's leadership are both democratic. The two political systems are no longer totally opposite.

Certainly, the key is not the ideological positions, but the practical effects. In the recent 20 years, people throughout the world have seen that while American people change their national leaders in their way, Chinese people accomplish the same goal through their approach. As regards the current practical effects, while the latter may not be better than the former, the

two are near equals. Thanks to the development in the two decades, China has become the second largest economy only second to America and the largest commodity trade country in the world. Therefore, the orderly alternation of power itself is more significant than the way in which it is realized. In the past, people were obsessed with the way of the power alternation while neglecting the essence - the actual orderly alternation itself. Now, once the essence is grasped, the relationship between market economy and the Party's leadership could be defended in terms of norms and understandable in reality.

In the past, the life tenure of cadres, despite the same Party's leadership, meant that many policy mistakes could only be corrected when the leader died naturally. Hence, the alternation of power was in disorder and evolved into internal rivalry, so the Party's leadership became ineffective and social development was obstructed. Similarly, in a large number of relatively undeveloped countries, though with the multi-party system with the general election system, some parties and politicians were elected for quite a few successive terms or found other ways to take office, or different parties fought with each other unceasingly. Thus, in these countries, the unity was hardly guaranteed, and the orderly alternation of power could not remain the norm. In this case, democracy is just an empty promise, social development was impeded as well.

That is to say, for both the single-party system and the multi-party system with the general election system, whether the orderly change of power can be assured is the key to their success. As for the probability of success, while the single-party system is of low probability, the multi-party system with the general election system is not of high probability. The truth is that, as long as peaceful and orderly alternation of power takes place regularly, politics can function steadily and vigorously and benefit society no matter which political system is in place. Otherwise, when the peaceful and orderly alternation of power cannot be secured, either political system is not able to guarantee the vigorous politics and in the long term, the stability will be undermined, leading to social disasters. In this regard, it is quite uneasy for China to establish the fixed term system within the single-party system, and the effects are conspicuous.

The above analysis shows that the key role of the fixed term system of cadres in the reform and opening up and its innovative significance in the development history of China's political system are greatly underestimated. In fact, all the sectors involved in the debates underestimated them. If Deng Xiaoping occupied his post until his last breath, or the collective shift of central leaders for twice after he died never occurred, will the outcomes of the reform and opening up be as great as can be seen today?



III. REVIEW AND PROSPECTS

The fixed term system of cadres under the single-party leadership is a form of political system that has adapted to China's transition from traditional society to modern society. It is adjustable with the process of modernization.

Before the reform and opening up, China had set up a complete and effective power operation system from the Central to villages, enterprises, institutions, and military companies. This system is different from all those in traditional society based on agricultural civilization. The existence of the life tenure of cadres, however, makes it similar to the approach in traditional society. In the traditional society, the alternation of power, as metabolism of social significance, was determined by metabolism of natural significance. Namely, it was determined by how long the leader could live. In contrast, the modern society employs the law to stipulate the way of power alternation in order to mitigate the negative impact of natural fortuity on politics. The 1982 Constitution defines how long national leaders could occupy their posts, making another breakthrough in the transformation of China's modern power system. Once the limited term is written in the law, China's power operation system has not only become comprehensive and effective, but also gained a stable social metabolic mechanism and source of vitality, thereby forming an institutional guarantee of the reform and opening up.

Since the implementation of the fixed term system of cadres, especially for the recent 20 years, China has developed a healthy political rhythm. A small re-election takes place every 5 years in the Central organs, and a general one occurs every 10 years. Local re-elections and those in enterprises and institutions happen every 3 to 5 years. National leaders do not serve for more than 2 terms, and there is a limit for other cadres' terms. Such a rhythm dominates other political and social rhythms and helps adjust the pace of the reform and opening up. Now Chinese people have become accustomed to it.

Another point is of equal significance. China's political rhythm synchronizes with that in western developed countries and the majority of developing countries and regions in the world. While the ways of election are different, election does occur regularly. Such similarity in political rhythms is undoubtedly of positive significance to mutual recognition between China and the rest of the world in the process of reform and opening up.

The successful implementation of the fixed term system of cadres under the Party's leadership, as other policies and initiatives in the reform and opening up, should be attributed first to Deng Xiaoping's design and promotion and more fundamentally to the fact that it is what the Party, the Army, and the people expect. For around 30 years, the implementation of this system has

affected the political prospects of millions of individuals and families as well as the destiny of more than 1 billion Chinese people. Without the people's understanding, support, and participation or the benefits for the absolute majority, this system cannot be sustained for long. In the political legacy left by Deng Xiaoping, cadres and the people have contributed a precious proportion as well, and all the generations after him are beneficiaries of the legacy.

Nevertheless, compared to the life tenure system of cadres that had existed in China for thousands of years, the fixed term system established for the last 30 years is still too young. In the history of human beings' modernization, the precedents of developing from fixed term system backwards to the life tenure system were in fact too numerous to mention. Even in the West, except the United States, it seems that no other countries have seen smooth implementation of the fixed term system since its creation. One century ago in China, the struggles between the imperial system and the republic, the constitutionalism and restoration, and between peaceful alternation of power and violent usurping killed the first chance with which China might realize its political modernization. Therefore, the more Chinese people learn about the historical experience and lessons, the more they will cherish Deng Xiaoping's political legacy.

Currently, the degree that China's reform and opening up has reached is remarkable. With the accomplishments, more challenges have surfaced. A huge number of problems might be beyond Deng Xiaoping's imagination 20 years ago, and only people who are engaged in the reform and opening up now can feel them. In such a complex situation, in addition to persisting in carrying out the fixed term system of cadres that has been established for more than 30 years, Chinese people should further upgrade it. The primary principle is that the Party's leadership stipulated by the Constitution and people's autonomy should be better combined, and people's right to speak in and impact on the election of cadres should be enhanced.

The preamble of the Constitution specifies that "Under the leadership of the Communist Party of China... the Chinese people of all nationalities will continue to... turn China into a socialist country that is prosperous, powerful, democratic and culturally advanced." [5] The second article writes:

All power in the People's Republic of China belongs to the people.

The National People's Congress and the local people's congresses at various levels are the organs through which the people exercise state power.

The people administer State affairs and manage economic and cultural undertakings and social affairs through various channels and in various ways in accordance with the provisions of law. [6]

Thus, it reveals that in the Constitution, the Party's leadership and all power belonging to the people are both indispensable.

In practice, however, the second article has yet to be carried out. Concerning articles on the people's exercising the state power, the right of decision in the selection and appointment of cadres is the most critical. Therefore, how to safeguard the role of People's Congress in the selection and appointment of cadres is the key to whether the people's state power stipulated by the Constitution could be effectively exercised.

Only when the selection, appointment and rotation of cadres are decided by the people according to the Constitution can it be guaranteed that the nation's fundamental policy and cadres' policy implementation do not deviate from the right direction of serving the people, hence observing and realizing the Party's principles and primary objectives. If the success of the reform and opening up by now can be summarized as the right leadership of cadres and the people's subsequent satisfaction, the success in the future shall rely on a new condition - the people's acknowledgement in legal terms in advance.

Specifically, the current system is that the Party dominates cadres. It means the Party does both the governance and the decision making. In the future, the two aspects should be divided institutionally. While the Party manages cadres, the people should be the one to decide the cadres. That is to say, through a gradual process, the people should be engaged more frequently in the decision making of public affairs, particularly exercising their right to decide the cadres on the basis of the Constitution, fully realizing the basic principles of the Constitution. That is to say, the fixed term system of cadres merely under the leadership of the Party is not enough. This system should be placed under the people's constitutional powers, which will provide sustainable guarantee for the cause of the reform and opening up.

In conclusion, what is Deng Xiaoping's most important political legacy? It is the fixed term system of cadres. How can the value of the legacy be sustained and even raised? The answer is that the people should decide the cadres.

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Impacts of Rural Labour Migration of South Bengal: A Case Study of Bankura and Purulia Districts of West Bengal, India

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Abstract- Labour migration is a pervasive feature of economic development. People mobility for temporary or permanent labour purposes is a routine part of agricultural and industrial activity. There are very significant migration flows in some developing areas, with considerable impacts on individuals, households and regions at origin. Despite the growing debate about motivations and impacts of recent migration flows, costs and returns of this global phenomenon are still unclear and remain far outside the public policy realm. This is true especially with respect to migration of people from rural areas of developing countries. The purpose of this paper is to review key issues relating to rural labour migration and its links to economic development at origin. What is the impact of migration, both personal and social, on rural and socio-economic development in source regions. The study indicates that maximum rural labourers migrated with their family member during the period of peak seasons. The study revealed that poverty (90.2%), unemployment (89.2%) and landlessness (44%) were observed as major causes of rural labour migration.

Keywords: labour migration, rural population, unemployment, lifestyle.

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Impacts of Rural Labour Migration of South Bengal: A Case Study of Bankura and Purulia Districts of West Bengal, India

Rajkumar Ghosh ^α & Sibsankar Mal ^ο

Abstract- Labour migration is a pervasive feature of economic development. People mobility for temporary or permanent labour purposes is a routine part of agricultural and industrial activity. There are very significant migration flows in some developing areas, with considerable impacts on individuals, households and regions at origin. Despite the growing debate about motivations and impacts of recent migration flows, costs and returns of this global phenomenon are still unclear and remain far outside the public policy realm. This is true especially with respect to migration of people from rural areas of developing countries. The purpose of this paper is to review key issues relating to rural labour migration and its links to economic development at origin. What is the impact of migration, both personal and social, on rural and socio-economic development in source regions. The study indicates that maximum rural labourers migrated with their family member during the period of peak seasons. The study revealed that poverty (90.2%), unemployment (89.2%) and landlessness (44%) were observed as major causes of rural labour migration. The results also indicate that migration is prevalent, and is a source of support for households to supplement their livelihood. The majority of migrants moved away from home to look for a better income and employment opportunities at the destination place. Remittances form a significant proportion of the total rural household income, surpassed only by salary and wage earnings. Even though the amounts of remittances and their uses are extremely varied within and between the studied areas with compare to rural non-migrants, they provide one of the important means through, which migrants maintain close links with the households left behind, and contribute significantly to the livelihood of a large proportion of the rural population. In South Bengal it is found that labour migration is more relevant in terms of economic, social, personal and household enhancement compared to non-migrant dwellers.

Keywords: labour migration, rural population, unemployment, lifestyle.

I. INTRODUCTION

Migration is the movement of a person or a group of people, to settle in another place often across a political or administrative boundary. It is the process of shifting from a place of residence to

another place for some length of time or permanently including different types of voluntary movements. It has great impact on economic, social, cultural and psychological life of people, both at place of emigration as well as of migration (Kaur, 2003). In India the labour migration is mostly influenced by social structures and pattern of development. Uneven development is the main reason of migration along with factors like poverty, landholding system, and fragmentations of land, lack of employment opportunities, large family-size and natural calamities. The high-land man ratio, caste system, lawlessness and exploitation at native place speed up the breakdown of traditional socio-economic relations in the rural areas and people decide to migrate to relatively prosperous areas in search of better employment and income. Diversification of economy and increased land productivity in certain areas, rapid improvement in transport and communication means, improvement in education, increase in population pressure and zeal for improving living added momentum to the mobility of population in India (Roy, 2011).

Migration is the barometer of changing socio-economic and political conditions at the national and international levels. It is also a sign of wide disparities in economic and social conditions between the origin and destination. It is generally believed that the globalization processes all over the world has accelerated the migration tend in search of survival, fulfillment and a better life for themselves and their families (Gupta, 1991). Rural migration is the phenomena that describe the movement of people from their villages to urban areas, usually in search of a better livelihood (Roy, 2011). In India there are a vast numbers of partially employed workers in rural sector, internal mobility is critical to the livelihood of many people, especially for people from rural areas who generate a continuous stream of out migrants destined for cities. Migration is not merely a reallocation of human resources but is a process which has three fold impact: a) on the area experiencing in-migration b) on the area experiencing out-migration, and c) on the migrants themselves (Tiwari, 2009).

Bankura and Purulia districts are the agro-ecological zones of West Bengal, India, that regularly

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witness of rural out-migration. Labours of Agriculture, Construction, Manufacturing, Mining and Quarrying are mainly migratory, moving in search of occupation throughout the whole year. This movement has some time helped labourers to get the benefits of growth of development. They mainly migrate to Burdwan, Hooghly, Medinipur, Asansol, Kolkata and also to Jharkhand due to diversification of economy and increased land productivity in certain areas, rapid improvement in transport and communication. As sufficient local labours were not available, economic activities of these regions had to depend on the migratory labour for various operations, especially during peak seasons. Thus labour migration is still largely a survival or a subsistence strategy of rural West Bengal.

II. OBJECTIVES

In above context, the present study has identified the major constraints faced by the migratory labour at their native place which leads to migration and the impact thereof on income and employment pattern of migrants. The proposed study is designed with the following objectives:

- To examine the socio-economic profile of migrants and non-migrant households in the study area.
- To understand the causes and nature of rural labour migration of the study area.
- To assess the impact of migration on the migrant households.

III. METHODOLOGY

Two blocks from Bankura (Ranibandh and Raipur) and another two blocks from Purulia district (Manbajar-1 and Bandwan) have been selected because of maximum rural out-migration is found at these four blocks. Fifteen villages from those selected

blocks are chosen by following stratified random sampling. The survey was done by following questionnaire method along with few Focus Group Discussions (FGDs) with the adivasi intellectuals at the place of origin of migrants. The study was conducted by the selection of respondents from each selected village as a representative sample of 10 migrant and 10 non-migrant respondents which were selected randomly. The total sample size is 300 which were analyzed by the help of SPSS and MS Excel software. In addition, the Chi-square analytical technique was used to test the variations observed in the effects of labour migration in the study areas. Here any household if a person remains out of station for at least one year he/she is considered to be a respondent. All respondent migrants were classified into two groups, viz. short-term migrants and long-term migrants. Migration during peak agricultural or economic season being a common feature in the study area, all persons who migrates only during peak periods and return to their native places within the same year or after one year, were considered as short-term migrants. Persons working permanently with on a yearly contract or year after- year contract (more than two years) and visit their native place occasionally for a few days, were considered as long-term migrants. Thus, the sample was comprised of 75 long-term and 75 short-term migrants.

IV. RESULTS

The results of the study have been discussed under various subheads:

a) Socio-economic Profile of Respondents

The distribution of the respondents according to their socio-economic background is heterogeneous in nature by increasing in labour migration.

Table1: Comparative distribution of migrants and non-migrants according to their socio-economic background

Variables		Migrant	Non-migrant
Age (years)	<20	30.8	22.6
	21-40	60.9	68.0
	>40	8.3	9.4
Caste	General	56.2	53.1
	SC	16.4	40.6
	ST & other	27.4	6.3
Religion	Hindu	85.9	86.9
	Muslim	14.1	13.1
Education	Illiterate	36.0	25.6
	Primary	47.1	58.1
	Secondary	15.5	10.0
	Highersecondary	1.4	6.3
	& above		

Monthly Income	<2000	11.0	6.2
	2000-5000	15.1	38.1
	5000-10000	65.8	52.5
	>10000	8.2	3.1
Socio-economic status	BPL	93.3	84.0
	APL	6.7	16.0
Amount of land	No land	44.0	6.0
	1 to 50 Decimal	20.0	26.0
	51 to 100Decimal	24.7	38.0
	Above 100 Decimal	11.3	30.0
N		150	150

According to the socio-economic profile (Table 1) of the respondents, 60.9 percent of the migrants and 68 percent of the non-migrants were in the age group of 21-40 years, while 30.2 percent and 22.6 percent were in the age group of below 20 years, respectively. Thus, the number of migrants was more in 21-40 years age group because it is the preferred age-segment by employers because laborers in this group can undertake agricultural and other economic operations. Also, this age group has to shoulder majority of the social and domestic responsibilities. The majority of the respondents were of general caste category in both migrants and non-migrants. It was because of the social stigma attached with working as a labourer that they do not work as labourers at their native place but accept it at other place. As far as the religion of the migrants and non-migrants was concerned, nearly 86 percent of the respondents belonged to the Hindu religion, while rests were Muslims. The educational level of migrants was an important factor which gave impetus to migration, as revealed by the study. Among migrant labourer, 36.0 percent were illiterate, 47.1 percent had studied up to the primary level, 15.5 percent up to secondary standard and only 1.4 percent up to higher level. On the other hand, there were 25.6 percent illiterates among non-migrants, while rests were literate. It is the low income in the native place which induces migration to the areas of better livelihood opportunities. In the present study, the

monthly income of 65.8 percent migrants was in the range of Rs. 5000-10000 while among non-migrants, 52.2 percent were earning income in the same range. The result shows that migrant labourers had quite better income than non-migrants. In the study area BPL listed families are of 93.3 percent among migrants and 84.0 percent among non-migrants. The amount of land of the migrant respondents is low in respect to non-migrants. Near about 44.0 percent migrants have no land for cultivation or other uses. But the people who do not migrate, posses at least a little land from which they lead their livelihood. So, they have less interest for migration.

b) Characteristics of Migrants

Table 2 shows the migration related characteristics of rural labour. About half of the sample respondents (50%) considered that they got the beneficial information about migration from their friends and relatives. It was also observed that family member are the major informer (62.5%) for long-term migrants where as friends and relatives are for the short-term migrants (51.2%). It is also noticed that 64.7 percent household are experienced up to two migrant members belonging their family. In case of short-term migration, 29.4 percent households had more than three migrant family members, whereas the figure was much lower for the households of long-term migration (6.7%).

Table 2: Percentage distribution of labour migrants according to their characteristics

Variables		Long-term migration	Short-term migration	Total migration
Informer*	Friends or Relatives	34.8	51.2	50.0
	Family member	62.5	29.5	47.3
	Neighbourers	38.6	27.8	32.7
No. of migrants from the household	Up to 2	84.0	45.3	64.7
	3 members	9.3	25.3	17.3
	> 3 members	6.7	29.4	18.0
Type of work*	Agricultural Labour	78.7	86.5	84.7
	Garden Labour	14.8	28.3	22.7
	Factory and other	38.1	43.4	42.6

	Burdwan District	54.2	45.6	41.3
Destination Place*	Hooghly District	48.1	43.7	48.0
	Other	11.5	17.8	10.7
N		75	75	150

*Multiple Response

The work performance of migrant labourers at destination places is quite interesting. About 84.7 percent are engaged as agricultural labour besides gardening (22.7%) and factory work (42.6%). Therefore, at the study area maximum migrant labourers mainly go for work in agricultural field. The places of destination of the migrant labourers inducing migration at Hooghly (48%) and Burdwan (41.3%) where a little trend towards other places (10.7%). Short-term migration is more concentrated at other places (17.8%) than long-term migration.

The distribution of first migration of labour migrants has been shown in Figure 1 which is displaying

the year when migrants have migrated. The results focused that major migrants started their first migration for work in 1996-1999 (56%). Prior to 1995, only 24 percent rural people started to migrate as labourer. After 1999, the trend of labour migration has started to reduce. It is clear from the figure that after 2003, very few rural people (1.3%) does started to set out from their place of origin for work purpose. Therefore, it is revealed that major labour migrants are working as labour since before 1999.

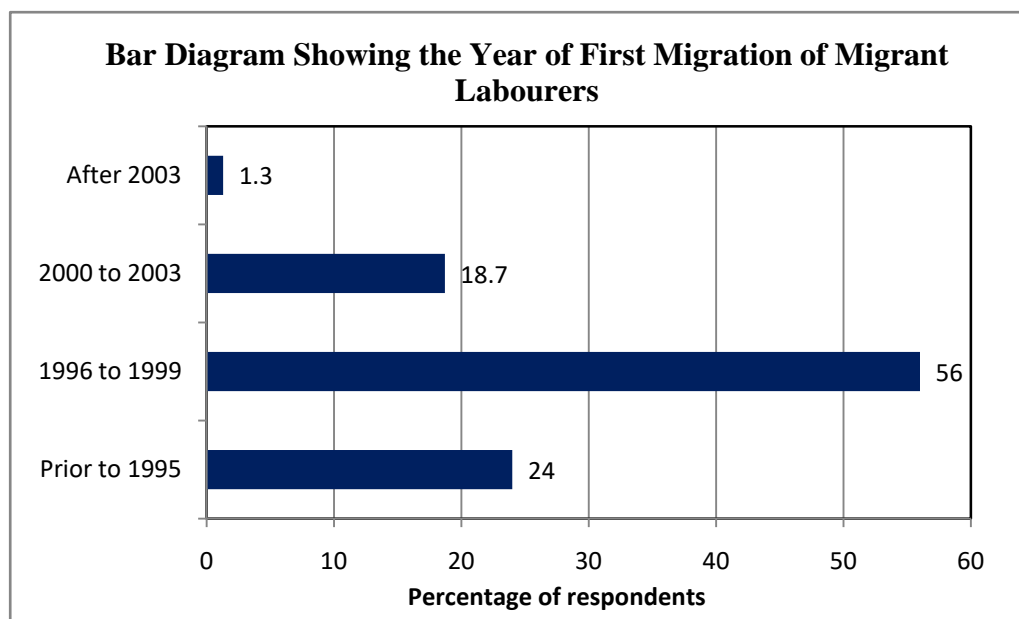


Figure 1: Year of first migration of migrant labourers

c) Factors Leading to Migration

Different economic, social and psychological factors which lead to migration have been depicted in Table 3. The rural people migrate in order to attain a better economic status in life. It was observed that unemployment at the native place was the major economic factor which contributed to the migration of 89.2 percent migrants. Besides, small land holding (52.9%), landlessness (44.0%), low wages (42.5%), crop failure (29.4%) and indebtedness (20.7%), were other economic reasons which led to migration. Therefore, unemployment accompanied by poverty was the major reasons of migration as revealed by the sample respondents. Social factors are more pronounced than economic and thereby induce migration tendency

among people. Poverty (90.2%) and less civic amenities (83.8%) were reported as the major social reasons behind migration. Political intimidation (3.7%) was the social factors leading to long-term migration by some of the respondents (3.0%). The psychological factors inducing migration were leading a poor life (98.3%), high aspirations (79.8%) and demonstration effect (52.5%). Similar trends were seen for both long-term and short-term migrations.

Table 3: Factors associated with labour migration (Multiple response in percentage)

Factors	Long-term migration	Short-term migration	Total migration
Economic			
Landlessness	47.8	37.1	44.0
Small land holding	39.5	63.8	52.9
Crop failure	19.6	29.2	29.4
Low wages	24.3	48.0	42.5
Unemployed	83.5	96.8	89.2
Indebtedness	16.3	24.7	20.7
Social			
Less civic amenities	80.7	83.3	83.8
Poverty	92.2	88.6	90.2
Political intimidation	3.0	5.4	3.7
Psychological			
High aspirations	66.8	73.6	79.8
Poor life	98.7	89.4	98.3
Demonstration effects	49.0	53.8	52.5
N	75	75	150

d) Change in lifestyle of Migrants after Migration

There was a considerable change in the employment status and consequently lifestyle of the respondents after migration (Table 4). The study has revealed that short-term migrants brought their earnings

to their native places personally, whereas long-term migrants used postal money orders either monthly or quarterly for sending remittances to their families at native places.

Table 4: Change in lifestyle since last ten years of migrants and non-migrants (Multiple response in percentage)

Variables	Migrants	Non-migrants	χ^2 value	p value
Economic change				
Life Insurance Policy	17.6	12.0	8.918	0.063
Health Insurance	38.5	11.4	2.935	0.829
ATM card	49.2	11.5	9.421	0.046*
Loan	1.8	38.0	3.803	0.033*
Bank Account	73.0	46.2	0.046	0.018*
Increase of income	76.8	28.5	0.104	0.008*
Increase expenditure	80.3	67.6	7.812	0.031*
Social change				
Increase civic amenities	60.7	53.1	3.814	0.022*
Social satisfaction	72.2	28.0	2.293	0.031*
Health checkup	18.0	16.7	3.703	0.071
Personal change				
Decrease tension	46.5	32.9	9.812	0.052
Alcohol consumption	58.9	49.7	1.343	0.025*
Tobacco consumption	39.0	43.5	2.518	0.082
Household change				
Increase house maintenances	73.8	67.4	0.431	0.019*
Increase standard of living	60.2	58.6	3.802	0.081
Increase responsibility	49.5	45.7	0.912	0.293
Increase of food choice	62.4	41.5	1.353	0.027*
N	150	150		

*Significant at 0.05 level of significance

The views of migrants and non-migrants were recorded to study the migration scenario in depth. Table 4 was designed to find out the perception and changes about life style of migrant and non-migrant since last ten years. The result reveals that there is a distinct positive relationship between socio-economic changes and migration scenario ($p < 0.05$). Regarding economic changes of the respondents, 76.8 percent labour migrants revealed that due to their migration, there was increase in income, while only 28.5 percent non-migrants opined the same due to other causes. Regarding expenditure scenario of the respondents, 80.3 percent migrants reported an increasing trend, while 67.6 percent non-migrants considered the same without any migration effects. As holding of ATM card and Bank Account, the percentage of migrants is comparatively high than non-migrants with a value of 49.2 percent and 73 percent respectively. Other economic benefits like life insurance policy and health insurance are also in a greater percentage for migrants but have no statistically significant relationship ($p > 0.05$). But, it has been noted that the migrants who through their occupations and association with people outside the community have acquired consciousness about life insurance and health insurance. In this instance, 17.6 percent of the migrants have life insurance policies where 38.5 percent possess health insurance. In case of drawing Loan, migrants, as they are poverty-stricken, are not attached to taking any kind of loan except a little proportion (1.8%) whereas, the non-migrants (38.0%) draw loans for the purpose of permanent agriculture. As far as social change was concerned, 72.2 percent of the migrant labourers have social satisfaction; whereas the figure was only 28.0 percent for the non-migrants in the studied areas. On the other hand, among the migrants, 60.7 percent possessed an increasing trend of pursuing civic amenities more than non-migrants (53.1%); but the figure was only 18 percent for their health checkup. The difference, however, was not so much in case of personal changes; but there also non-migrants were in a higher position related to tobacco consumption (43.5%). However the share of alcohol consumption among the respective sample was more in migrants (58.9%) than non-migrant (49.7%). Regarding the pattern of household change differential migrant labourer in South Bengal were found to be slightly better beneficiary; increase of house maintenance (73.8%) is considered to have a lot of bearing on the life of every migrant household. Through the financial improvement of the labour migrant, maintenances of house and food choice have positively changed. So, it may be analysed that due to migration the migrants (62.4%) become richer in comparison to non-migrant (41.5%) in better food consumption. Increase of standard of living (60.2%) and household responsibility (49.5%) were reported as the other changes due to migration benefits.

The overall socio-economic changes since last ten years signify that migration is one of the leading determinants of rural lifestyle choice, which may be because it is closely associated with the completion of their labour migration. So, it is considered to have a beneficial impact on lifestyle of migrant respondents.

V. DISCUSSION

a) *Impacts on left-behind women*

In most cases the female members also accompany the male members. In such incident looking after the male members and doing cooking arrangement become easier. The women members are also equally competent in job. So they also work equally with the male labourers. But the women of the families, who do not go with the male members to work for some reason, mainly attend the household works. They tend the cattle, collect fire-wood, look after the children. But the women, who accompany the male members, also work in harvesting and threshing paddy, sowing potato-shoot, carrying paddy bundle etc. Yet those who stay at home feel lack of security in the absence of the male members.

b) *Impacts on elderly/aged persons*

In most household one or two aged members are found. These old members of the family face problem when their sons, daughter-in-laws and other members shift elsewhere for job engagement. Due to their old-age they neither can work nor do they have any adult with them to take care. The grandsons and grand-daughters, in that situation stay with the grand-fathers and grand-mothers in the residence. If the aged ones are physically active, in that case, rather they look after the children at home. Most of the aged members desire that other young members get jobs within adjacent areas to their habitat. They do not wish that the young members get job in distant places because they feel their absence. It has mainly two reasons- a) If they live together the young ones may look after them and b) During ailment the young ones may get opportunity to take care. There are many such villages in the study area where all the young members set out in search of job in the eastern part of the state leaving the aged ones at home. In this position the aged members face trouble. They feel it safe to attend job close to their dwelling places so that the other members may arrange for treatment in their sickness and may look after them. They feel lonely and deserted in the absence of the young members of the family. But the non-migrant community has no such problem.

c) *Impacts on Health of Children*

Children below poverty line or of insolvent family are helpless to go to private nursing home or clinic due to shortage of funds and they visit either local quack or doctor or Health Centre or Govt. hospital. Those who are

non-migrant or financially a bit well may visit a registered medical practitioner or district hospital. Child health care is not neglected by parents although there are no major threats of chronic disease to the child affecting them with cough and cold, fever, dysentery etc. No major diseases are found of the children at the study area, so the guardians spend little money Rs. 150-200/- per month to their children.

d) *Impacts on children's education*

Those paid wage of Junglemahal go to the east side i.e. Hooghly, Burdwan from Bankura, Purulia and West Medinipur etc. every year in November and return within February. Therefore, their wards cannot go to school as they have to go with their parents. Naturally criminal offence takes place in the name of child labour. The most vital factor is that these children remain illiterate and uneducated because examination is conducted in schools of Junglemahal by that time. Even if some children of upper age remain at home cannot sit for the exams as they remain busy in pasteurization, cooking and other works. So the ratio of illiteracy rises up in these areas.

e) *Drop-out due to Seasonal Migration*

Seasonal migration causes a strange kind of drop-out, which is not captured by conventional ways of looking at the problem. It is possible for these children to be enrolled in schools and to attend for the first few months of the school session (i.e. July to October), but to them drop out for the remaining months to accompany their parents to migration sites. By the time they return the following April to May, the school session is already over. Thus these children have the strange, Predicament of having their names on school registers, but dropping out for part of the year. Over time, the learning deficit this causes gradually leads them to drop out of school completely.

f) *Impacts on expenditure pattern*

The money that earned by the migrants through the year is mostly spent for victuals. Their monthly expense for victuals is Rs.1000-2000, for medical purpose is Rs 200-300, for transportation Rs.200-300. One time up or down fair is provided by the employer. Expenditure for building-maintenance is as it were nil, almost Rs.200. As in the study area, almost all the villages have electricity facility, they have to pay electric bill monthly Rs.200 in average. No water bill is charged upon them. Those who use Mobile phone spend monthly Rs.100 to 150. No expenditure for fuel purpose as all of them collect fire-wood from adjacent forest and very few families use LPG. On the other hand their expense for smoking, consuming alcohol or pan Gutkha is Rs. 100-150. Most of the tribes are addicted to alcohol yet, in the survey, it has been noticed that a great number of people are addicted to intoxication. For clothing purpose also they spend Rs.200-300. Besides, expenditure of Rs. 200 for education purpose of children

is also there. That is to say, their average expenditure per month is Rs.2000 that they pay with the money they earn from attending jobs migrating to the eastern region of Bengal. Certain labourers earn Rs 10000 to 12000 approximately per head in 2-3 months periodic job.

The effects of out-migration of rural labourers on economic welfare in sending areas depend critically on how emigration affects the local capital-labour ratio among non migrants – that is, on the distributional effects of migration. Moreover, an important concern of the literature on migration is that the poorest are often found the major beneficiaries of remittances, at least directly. This is due to the inability to finance expensive moves, such as those overseas or those requiring some degree of education, but also to the largely recognised 'exchange motive' of remittances (to protect an inheritance, to insure property, or to repay educations costs) which make larger remittances flowing to better-off families. Thus, the impact of labour migration and remittances on income distribution in source regions remains a matter of interest in the literature but also of some dispute.

VI. CONCLUSION

Migration impact on labour-market at origin has been identified as a major knowledge gap in the migration literature (Lucas 2005). Indeed, people out-flows entail reduced labour supply of rural areas and, given migration selectivity, a loss of working age adults (both male and female). This may be a cost in origin place for most families who depend largely upon labour income for their livelihood, and more in general for the whole economy in terms of employment and wage responses. If migration tightens or loosens domestic labour markets is an open question along with the concern about the distribution of potential wage swells between skilled and unskilled, urban or rural labourers. Moreover, the impact of rural out-migration on source economies depends on the how integrated are internal and international labour market, local production markets and international trade (Lucas, 2005). Mass departure of agricultural labourers from one region may induce movement to or from neighbouring areas. Moreover, adjustments in agricultural production patterns induced by migration depend on the degree of openness of the economy to international trade. The information derived from further studies on these cross-market effects can be used to identify appropriate complementary interventions. Yet, this same process could reduce the supply response of local economies to policy changes (as market liberalization unfolds) and lead to an impoverishment process in rural regions. Moreover, if this confidence is not balanced by domestic governments' efforts to facilitate remittance investments and to create complementary policy interventions, especially in the agricultural rural sector, migration may entail a net loss for source regions.

Migration is a complex phenomenon and given the new challenges posed by a 'globalised' and rapidly changing world, drawing lessons from the mass migration of the past century is not an easy task either. One lesson we can draw from the existing migration literature is that a major feature of the current 'mass migration' process - besides the creation of high barriers to it - is its strong linkage to regions of origin. Migrants seem to belong to spatially extended families and communities and they play a crucial role in helping or hindering the social and economic development in their home regions. This motivates further research aiming at a better understanding of the migration-development nexus, both when migrants intend to go back home and when they deepen their integration in the host country.

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Conflict of Interest

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Abstract- This research intended to reveal the extent of realization of procedural safeguards & fair trials rights of detained persons during pretrial. Quantitative research design was employed. Legal & document analysis; questionnaire were tools used to collect pertinent data. The finding shows, detention authorities don't conform to procedures prescribed by law to detain suspects; they do not inform detained persons their human rights; they don't bring them before court of law within prescribed time; & they don't allow them to communicate with legal councilor of their choice; they don't provide free legal service for those unable to afford the service privately; & they don't provide the assistance of language interpreter during police interrogation for those who are unable to understand or speak the language. Indeed, the police use improper methods to obtain admission or confession; and there is discriminatory treatment during pretrial. **Key Words:** Pretrial Detention; Suspects; Procedural Safeguards; Pretrial Investigation; Detention Authorities.

Acronym

ACHPR-----African Charter on Human and Peoples Rights

CC-----Criminal Code of FDRE

CJS-----Criminal justice system

CPCE-----Criminal Procedure Code of Ethiopia

FDRE -----Federal

Democratic Republic of Ethiopia

HRC-----United Nations Human Rights Committee

ICCPR-----International Covenant on Civil and Political Rights

PGFTLA -----Principles and Guidelines on the Right to a Fair Trial and Legal

Assistance in Africa

PTD-----Pretrial Detention

SNNPR-----Southern Nation, Nationalities and Peoples Region of Ethiopia

UDHR-----Universal Declaration of Human Rights

US-----United States

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I. INTRODUCTION

a) Background and Justification of the Study

Under the UN Body of Principles for the Protection of All Persons under any form of Detention or Imprisonment (herein after UN Body of Principles on Detention), "detained person" means any person deprived of personal liberty except as a result of conviction for an offence while "detention" means the condition of detained persons.¹ On the other hand, "untried prisoners" are defined as persons arrested or imprisoned by reason of a criminal charge against them, who are detained either in police custody or in prison custody (jail) but have not yet been tried and sentenced.² "Deprivation of liberty" means any form of detention or imprisonment, or the placement of a person in a public or private custodial setting, from which this person is not permitted to leave at, will, by order of any judicial, administrative or other public authority.³ The UN Committee on Arbitrary Arrest, Detention and Exile has defined the term "detention" to mean the deprivation of liberty that begins with the arrest, and that continues in time from apprehension until release.⁴

There is no single international human rights law that encompasses all the fair trials rights of detained persons during pretrial; however, there are some relevant treaty obligations mainly under the Universal Declaration of Human Rights (herein after UDHR)⁵ and International Covenant on Civil and Political Rights (herein after ICCPR).⁶ Besides, there are some relevant

¹ UN Body of Principles on the Protection of all Persons under any Form of Detention, or Imprisonment (herein after "Body of Principles on Detention"). UN Doc. A/Res/43/173. 198. The preamble, Para. a & d respectively.; see also Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa, Para. S (c) and (d) respectively.

² UN Standard Minimum Rules for the Treatment of Prisoners, General Assembly Resolution No.44/111. Rule 84, para.1.

³ UN Rules for the Protection of Juveniles Deprived of their Liberty, General Assembly resolution 45/113. Rule 11, Para. (a).

⁴ UN Committee, Study of the Right of Everyone to be Free from Arbitrary Arrest, Detention and Exile, 34 U.N. ESCOR, U.N. Doc. E/CN.4/826/Rev. I (1964). P.5.

⁵ 1948 Universal Declaration of Human Rights [herein after UDHR]

⁶ 1976 International Covenant on Civil and Political Rights (herein after ICCPR).

standards developed in non-binding instruments such as UN Body of Principles on Detention. The African Charter on Human and Peoples Rights (herein after ACHPR)⁷ & the Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa (herein after PGFTLA in Africa) which is adopted by the African Commission on Human and Peoples' Rights, prescribes enumerations of fair trials rights of pretrial.⁸

Ethiopia ratified ICCPR on 11 June 1993; & it has acceded to the ACHPR;⁹ hence, both of them become part of the law of the land according to the Constitution of Federal Democratic Republic of Ethiopia (herein after Constitution of FDRE).¹⁰ The Constitution of FDRE demands that its provisions dealing with fundamental rights and freedoms to be interpreted in conformity to human rights principles adopted by Ethiopia;¹¹ prohibits not only arbitrary detention of a person, but also detention without a charge or conviction made against him/her;¹² and prescribes enumerations of fair trials rights of pretrial.¹³

However, studies conducted by different scholars and reports of different institutions show that violation of fair trials rights during pretrial is global problem. For instant, Alfred de Zayas stated that tens of thousands of persons throughout the world are subjected to indefinite detention, frequently incommunicado, and governments try to justify such irregular imprisonment on the basis of "national security"; "state of emergency"; "illegal migration"; and other so-called extraordinary circumstances.¹⁴ Open Society Foundations (OSF) reported that excessive and arbitrary use of PTD is a global problem affecting both the developing and developed nations alike.¹⁵ Indeed, OSF reported that in many countries, many of the pretrial detained persons are exposed to torture, & coercion; the arbitrary actions of police, corrupt officials,

other detained persons; and there are denial of access to lawyers.¹⁶ Furthermore, it is demonstrated that persons in PTD are more likely to be found guilty than defendants from similar backgrounds, facing similar charges, who are released awaiting trial.¹⁷

b) *Statement of the Problem*

In Ethiopia, National Report under the Universal Periodic Review Mechanism (2009) reported that lack of awareness and narrow understanding of human rights norms in the society associated with inadequate promotion of human rights; and inadequate translation and dissemination of international human rights instruments into domestic languages are some of difficulties and constraints which affect the implementation of human rights.¹⁸ FDRE the First National Human Rights Action Plan (2013-2015) stated that there is lack of provision of free legal aid service during pretrial to persons who do not have the means to pay for it by themselves; in some cases, arresting officers fail to inform detained persons their right to remain silent, and that any statement they make may be used as evidence against them in trial.¹⁹

The Human Rights Watch (2013) reported that there is arbitrary detention; violation of basic due process rights such as use of coercive methods like torture or other ill-treatments to obtain confession; and denial of access to lawyers and family members in Ethiopia.²⁰ US Country Reports on Human Rights Practices (2015) reported that detention authorities violate fair trials rights of detained persons; there is arbitrary arrest and detention; detention without charge and lengthy PTD in Ethiopia.²¹ Research conducted in Oromia Special Zone Surrounding Finfine by Fisaha Getachew (2015) demonstrated that investigative police do not bring detained persons before a court of law within prescribed time; they do not inform detainees their fair trials rights; there is prolonged PTD without trial; and denial of bail right because of economic status; and

⁷ 1986 African Human and Peoples' Rights Charter (herein after ACHPR), Art. 6, Para. 2 and 3.

⁸ The African Commission on Human and Peoples' Rights, Principles and Guidelines on the Right to a Fair Trial and Legal Assistance (herein after PGFTLA in Africa) in Africa, DOC/OS(XXX)247.

⁹ FDRE Accession to the ACHPR, Proclamation No.114/1998.

¹⁰ Constitution of FDRE, Proclamation No.1/1995, Art.9, Para.4. It declares that all international agreements ratified by Ethiopia are an integral part of the law of the land.

¹¹ Id., Art.13, Para.2. It states that the fundamental rights and freedoms prescribed under chapter three of the constitution shall be interpreted in a manner conforming to the principles of the UDHR, International Covenants on Human Rights and international instruments adopted by Ethiopia.

¹² Ibid, Art.17, Para.2.

¹³ Ibid, Art.19.

¹⁴ Alfred de Zayas, 2005, Human rights and indefinite detention, International Review of the Red Cross, Vol.87, pp.16.

¹⁵ David Berry, 2011, Socioeconomic Impact of Pretrial Detention: A Global Campaign for Pretrial Justice Report. Open Society Justice Initiative. New York, pp.4., <http://www.soros.org/> Accessed on 3 April 2017. P.12

¹⁶ Id.

¹⁷ Clive Davies, 1971, Pre-Trial Imprisonment: A Liverpool Study. British Journal of Criminology, pp.32-48; Marian R.

Williams, 2003, Effect of Pretrial Detention on Imprisonment Decisions, Criminal Justice Review, Vol.28, pp. 299-316; UN Working Group on Arbitrary Detention, Report of the Working Group on Arbitrary Detention (Geneva: UN Commission on Human Rights, E/CN.4/2006/7, 2006), Para.66.

¹⁸ HRC Working Group on the Universal Periodic Review, 2009, Ethiopia's National Report under the Universal Periodic Review Mechanism. A/HRC/WG.6/6/ETH/1, pp.21.

¹⁹ Federal Democratic Republic of Ethiopia National Human Rights Action Plan of 2013 - 2015, pp.37., [www.absinialaw.com.](http://www.absinialaw.com/) Accessed 6 March, 2017

²⁰ Human Rights Watch, 2013, Torture and Ill-Treatment in Ethiopia's Maekelawi Police Station; pp.1 and 6., [http://www.hrw.org.](http://www.hrw.org/) Accessed on 9 March 2017.

²¹ US Department of State, Bureau of Democracy, Human Rights and Labor, 2015, Country Reports on Human Rights Practices for 2015, Ethiopia 2015 Human Rights Report, pp.1 and 4.

visits are infrequently allowed and only for a few minutes to speak through grills.²² However, no research work has been done in the study area concerning the realization of procedural safeguards & fair trials rights of detained persons during pretrial.

c) *Research Question*

Are procedural safeguards & fair trials rights of detained persons recognized by law are realized during pretrial in the study area?

d) *Objectives of the Study*

i. *General Objectives*

To explore whether procedural safeguards & fair trials rights of detained persons recognized by law are realized during pretrial in the study area.

ii. *Specific Objectives*

To critically examine whether procedures prescribed by law to detain a person; and fair trials rights of detained persons prescribed by law are realized during pretrial in the study area;

iii. *Significance of the Study*

It helps the CJS actors involved in pretrial such as the police, public prosecutors and courts; legislature, policy makers, and human rights institutions involved in protection and promotion of human rights to take appropriate actions to enhance the extent of realization of procedural safeguards & fair trials rights of detained persons during pretrial. Furthermore, it will contribute to the existing discourse on the issue; and it provides insight for further research.

e) *Scope of Study*

The areal scope of the research is limited to Wolaita Nation, where there are 15 PTD centers and only 1 regional prison. It investigates the extent of realization of procedural safeguards & fair trials rights of detained persons on arrest or on remand in pretrial detention centers only.

f) *Methodologies of the Study*

i. *Description of Wolaita Zone*

Under the current Federal Structure of Ethiopia, the name Wolaita indicates both the name of the area and Omotic language-speaking peoples.²³ It is one of those nations²⁴ that comprise Southern Nation,

Nationalities and Peoples Regional (SNNPR) State of Ethiopia.²⁵ Besides, it is one of 14 Zones²⁶ located within SNNPR. It is located at about 330 KMs South West of Addis Ababa, and 160 KMs from Hawassa, the center of SNNPR. It is bordered on the South by Gamo Gofa Zone, on the West by Omo River, on the North West by Kambata Tambaro Zone, on the North by Hadiya Zone, on the North East by the Oromo State, on the East by Bilate River and on the South East by Lake Abaya; & its current total population is estimated to be above 2,463,000.²⁷ For administrative purpose, Wolaita Zone is divided into 12 Woreda²⁸ and 3 Reform Towns. In each of those 15 administrative units, there is police custody, which is serving as PTD center.

In order to get valuable and reliable data and to make the sample more representative of the study area, detained persons found in 53.33% of PTD centers were covered under this study. Those are, PTD centers found in Damot Gale, Damot Sore, Boloso Sore, Humbo, Boloso Bonbe, Kindo Koysha, Sodo Zuria Woreda and Sodo Reform Town.

ii. *Research Design*

To achieve the objectives of this research, quantitative research method was used. The quantitative method concerned with subjective assessment of attitudes, opinions and behavior.²⁹ Besides, the type of research conducted was descriptive research.³⁰

iii. *Study Population*

Both detained persons & personnel of the government institutions involved in CJS are involved in this study. The former refers detained persons, who are detained in PTD center on arrest or on remand. Accordingly, 155 detained persons were involved in this research. Among them, 72.90% are those living within PTD center; and 27.09% are those released from detention pending investigation or trial and found while awaiting trial at the gates of courts. Among the total participants, 26 of them are females, the remaining 129 are males; and 44 are under the category of juvenile offenders.

²⁵ Id., Art.47, Para.1 (7). Accordingly, SNNPR is one of nine states that comprise of FDRE.

²⁶ Revised Constitution, 2001, of the Southern Nation, Nationalities and Peoples Regional State, Proclamation No.5/1995, Art.

80. Accordingly, „Zone“ means an administrative structure below state structure and comprises of Woreda administration and Reform Towns in the case may be

²⁷ FDRE Central Statistics Agency (CSA), 2016, People and Housing Census Extension Report.

²⁸ Revised Constitution of the State of SNNPR, Art.90. Accordingly, „Woreda“ means the administrative unit below Zone Structure and comprises of several kebele administrations. Kebele is the lowest administrative unit under the current Federal Structure of Ethiopia.

²⁹ CR Kothari, 1990, Research Methodology, New Age International Publishers, India. pp. 5.

³⁰ Id., pp.2. According to C.R. Kothari, the major purpose of descriptive research is description of the state of affairs, as it exists at present.

²² Fisaha Getachew, 2015, Respect for Human Rights in Pre-Trial Criminal Investigation, the Case of Oromo Special Zone Surrounding Finfine, pp.56. Unpublished LLM thesis. School of Graduate Studies, Addis Ababa University.

²³ Yilma Teferi, 2011, Dispute Resolution and Reconciliation Mechanisms in Wolaita, Gebre Yentiso (ed), Ethiopian Arbitration and Conciliation Center, Addis Ababa, pp.103-104

²⁴ Constitution of FDRE, Art.39, Para.5. Accordingly, a "Nation, Nationality or People" is a group of people who have or share a large measure of a common culture or similar customs, mutual intelligibility of language, belief in a common or related identities, a common psychological make-up, and who inhabit an identifiable, predominantly contiguous territory

From the CJS actors, heads of police office; heads of peace & security office; coordinators of the pretrial crime investigation core process & investigative police officers were involved. Since their total number is 40 in sampled research area, 34 (85%) of them were involved.

iv. *Sampling Techniques*

Among 15 PTD centers located in the study area, 40% of them were selected through simple random sampling while as 13.33% of them were selected purposely taking into account their accessibility and convenience to collect pertinent data. To sample the target population, purposive sampling technique was employed because of their number is minimal in each sampled area.

v. *Source of Data*

Both primary and secondary sources of data are used. For legal analysis section, the UDHR, ICCPR, UN HRC General Comments on provisions of ICCPR and its communications, and ACHPR are used as primary sources because all of them are adopted by Ethiopia. Besides, the Constitution of FDRE, CPCE, Criminal Code of FDRE, and Federal Detainees Treatment Regulation are used as primary sources among national laws. On the other hand, UN Body of Principles on Detention; and the African Commission on Human and Peoples' Rights PGFTLA in Africa are used as secondary sources. For practical section, the target populations are primary source of data. Books, reports, and scholarly articles are used as sources of secondary data.

vi. *Method of Data Collection*

To collect quantitative data, self-completed questionnaire & interview are used as pertinent data collection tools. For legal analysis section, comparative approach was used to reveal the extent of procedural safeguards & protection to fair trials rights of detained persons during pretrial under the legal frameworks of Ethiopia.

vii. *Method of Data Analysis and Interpretation*

For legal analysis section, inductive-reasoning technique was employed as the main mechanism. For practical section, descriptive statistics like frequency and percentages in the forms of tables to analyze the qualitative data was used; and inductive reasoning technique was utilized.

viii. *Ethical Consideration*

Being patient and friendly; and smooth communications & depending on the principles of informed consent by explaining the purpose of the research to the participants was done to attain their prior consent.

II. LEGAL FRAMEWORKS FOR RIGHTS OF DETAINED PERSONS

a) *Manner of Detention*

The principle of legality adopted under the ICCPR not only demands the existence of national legislation prescribing the grounds and procedures of lawful detention, but also requires the concern state to comply with it.³¹ The UN Body of Principles on Detention prescribes that detention shall only be carried out strictly in accordance with the provisions of the law and by competent officials or persons authorized for that purpose;³² and a judicial or other authority empowered by law to order detention of a person shall order any form of detention.³³

Similar to the ICCPR, the principle of legality is adopted under Article 6 of the ACHPR; & the PGFTLA in Africa prescribed that arrest, detention or imprisonment shall only be carried out strictly in accordance with the provisions of the law and by competent officials or persons authorized for that purpose.³⁴ States are expected to specify the authority empowered to issue detention warrant and to carryout lawful detention under national legislation. If the alleged offence is of minor in terms of nature or gravity and its consequence, detention without warrant should be prohibited. Nevertheless, warrantless detention should be allowed in exceptional circumstances when obtaining a warrant from the competent authority is not possible such as the existence of flight risk, or a threat to public safety.

Ethiopia has ratified both the ICCPR & ACHPR. In Ethiopia, detention can be carryout with or without court warrant. For instant, in case of Flagrant Offence;³⁵ the CPCE allows to detain the offender without warrant where the alleged offence is punishable with simple imprisonment³⁶ for not less than three months.³⁷ Besides, the CPCE empowers any private person to detain flagrant offender without warrant, if the alleged

³¹ ICCPR, Art. 9, Para.1

³² UN Body of Principles on Detention, Principle 2.

³³ Id, Principle 4.

³⁴ PGFTLA in Africa, Para.M [1(b)].

³⁵ CPCE, under Articles 19-21, defines that the offence shall be deemed to be flagrant where the offender is found committing, or attempting to commit it, or has just committed it, or when the police are immediately called to the place where the offence has been committed, or a cry for help has been raised from the place where the offence is being, or has been committed. The offence shall be deemed quasi-flagrant after the offence has been committed if the offender who has escaped is chased by witnesses or by members of the public or when a hue and cry has been raised.

³⁶ Criminal Code of the FDRE, Proc. No. 414/2004. Art.106. It states, "Simple Imprisonment" means "a kind of sentence applicable to crimes of a not very serious nature committed by persons who are not a serious danger to society, and it may extend for a period from ten days to three years; however, it may extend up to five years having regard to gravity of the crime or where there are concurrent crimes punishable with simple imprisonment or the offender has been punished repeatedly".

³⁷ CPCE, Art.50.

crime is not punishable up on complaint;³⁸ however, it requires him/her to hand over the detainee to the nearest police station without unnecessary delay.³⁹ Here, the law is strict only to preclude „unnecessary delay“; however, to what extent it tolerates as necessarily delayed is disputable. So, the provision has to be interpreted very narrowly having regard to the distance and transport access from place of detention to the nearest police station. Besides, the CPCE enumerates circumstances where any member of the police may arrest a person without warrant.⁴⁰ Thus, except circumstances enumerated therein, detention of a person shall be carryout through warrant issued by regular court. Under the CC of FDRE, detention contrary to law or in disregard of the forms and safeguards prescribed by law is declared crime; and punishable with rigorous imprisonment not exceeding ten years and fine.⁴¹

b) Right to be informed of the reason of detention and any charge

Under the ICCPR, the detainee shall be informed promptly the reasons of detention and any charges against him/her.⁴² In the view of the HRC, the reasons of detention must include the general legal basis; the wrongful act, the identity of an alleged victim,⁴³ and the official basis for the detention;⁴⁴ and such information must be in the manner that enables the detained person to seek release if he/she believes that the reasons for detention are invalid or unfounded.⁴⁵ The HRC has demonstrated that if the detainee does not understand or speak the working language, he/she shall be provided with the support of impartial interpreter at the state expense within reasonable time.⁴⁶ The manner of notification can be any form, oral or written; however, the HRC has stated that oral notification is enough to satisfy the requirement.⁴⁷

Regarding time requirement, only „prompt“ notification of both the reasons of detention and the

charge is required under the ICCPR. In the view of the HRC, the phrase “promptly” requires that information be given as soon as the person concerned is formally charged with a criminal offence under domestic law,⁴⁸ or the individual is publicly named as such;⁴⁹ and the reasons of detention must be communicated to the detainee immediately upon arrest/detention,⁵⁰ except a delay, which is the minimum necessary, may be required before an interpreter can be present.⁵¹ However, notice regarding charges shall not be made necessarily at the time of detention.⁵²

The ACHPR do not specifically prescribe this right; however, the PGFTLA in Africa prescribes that any arrested person shall be informed, at the time of arrest, of the reasons for his or her arrest and shall be informed of any charges against him or her promptly; in a language he or she understands.⁵³ Accordingly, „promptly“ shall mean as soon as a charge is first made by a competent authority;⁵⁴ such notice shall include details of the charge or applicable law and the alleged facts on which the charge is based in a manner sufficient to indicate the substance of the complaint against the accused;⁵⁵ and that would allow the detained person to prepare a defence and to take immediate steps to secure his or her release.⁵⁶ Moreover, it prescribes that the detainee has right to free assistance of the competent interpreter if he/she cannot understand the language during at all pretrial proceedings;⁵⁷ and this right shall applies to both written and oral proceedings; and encompasses right to have translation or interpretation of all documents or statements necessary to understand the proceedings.⁵⁸

In Ethiopia, besides ratifying the ICCPR, the Constitution of FDRE prescribes that the arrested persons shall be informed promptly, in a language they understands, of the reasons of their detention and any charge against them.⁵⁹ Besides, it demands that on appearing before a court, the arrested persons have the right to be given prompt and specific explanation of the reasons for their arrest.⁶⁰ Accordingly, such notice shall be specific & only „prompt“ notice of both the reasons of arrest and charge is required. Under the CPCE, the

³⁸ Id., Art.21, Para.1. Under the FDRE Criminal Justice System crimes are classified in to crimes punishable upon public prosecution or compliant. The former refers cases when justice come into motion without the will of the victim while as the later refers cases when justice come into motion only when complaint is made by the crime victim or his/her legal representative.

³⁹ Ibid., Art.58, Para.1.

⁴⁰ Ibid., Art.51, Para.1.

⁴¹ Criminal Code of FDRE, Art.423. It states that any public servant who, contrary to law or in disregard of the forms and safeguards prescribed by law, arrests, detains or otherwise deprives another of his freedom, is punishable with rigorous imprisonment not exceeding ten years and fine

⁴² ICCPR, Art.9, Para.2 ; Art.14, Para.3 (a).

⁴³ HRC Communication No. 1177/2003, Wenga and Shandwe v. Democratic Republic of the Congo, Para.6.2.

⁴⁴ HRC Communication No.1812/2008, Levinov v. Belarus, Para.7.5.

⁴⁵ HRC Communication No.248/1987, Campbell v. Jamaica, Para.6.3.

⁴⁶ HRC Communication No.526/1993, Hill & Hill v. Spain, Para.12.2.

⁴⁷ Human Rights Committee, General comment No.35 on Article 9 of the ICCPR (herein after called General Comment No. 35). Para.26.

⁴⁸ HRC Communications No.1128/2002, Márques Morais v. Angola, Para.5.4.; Communications No.253/1987, Kelly v. Jamaica, Para.5.8

⁴⁹ UN Human Rights Committee, General Comment No. 32 on Article 14 of the ICCPR, Para.31.

⁵⁰ General Comment No.35, Para.27.

⁵¹ Supra note 46.

⁵² General Comment No.35, Para.30.

⁵³ PGFTLA in Africa, Para. M [2(a)].

⁵⁴ Id., Para. N [1(a)].

⁵⁵ Ibid., Para. N [1(b)].

⁵⁶ Ibid., Para. N [1(c)].

⁵⁷ Ibid., Para. M [4(a &c)].

⁵⁸ Ibid., Para. M [4(d)].

⁵⁹ Constitution of FDRE, Art.19, Para.1.

⁶⁰ Id., Art.19, Para.3, Sentence 2.

content of the charge shall encompass the day and exact time where the alleged crime is committed; the property against which or the person against whom the alleged crime is committed; the type of crime committed; and the complaint made by the crime victim or public prosecutor, if any.⁶¹ Therefore, such notice shall include all of aforementioned elements; otherwise, it does not enable the detained persons to challenge the legality of their detention before court.

The Constitution of FDRE demands such notice to be made in the language the detained person understands or speaks; however, it does not expressly require detention authority to provide the detained persons, who are unable to understand the language properly, with impartial and competent language interpreter at the state expense during pretrial.⁶² However, the CPCE guarantees this right during police interrogation. Hence, the authority should provide the detained persons with impartial and competent language interpreter during pretrial.

c) *Right to communicate with legal counsel*

Under the ICCPR, whether the detained person is entitled to have the assistance of a legal counsel at the stage of preliminary crime investigation is disputable.⁶³ However, HRC has demonstrated that states parties to the ICCPR should permit and facilitate access to counsel for detainees in criminal cases, from the outset of their detention.⁶⁴

Similar to the ICCPR, the requirement of assistance of legal counsel at the first moment of arrest is not expressly acknowledged under the ACHPR.⁶⁵ However, the PGFTLA in Africa prescribes that the accused has the right to choose his or her own counsel freely; and this right begins when he/she is first detained or charged.⁶⁶ More importantly, it demonstrates that legal representation is the best means of legal defence against infringements of human rights and fundamental freedoms.⁶⁷ It demands, states must ensure that any person arrested or detained is provided with the necessary facilities to communicate, as appropriate, with his or her lawyer;⁶⁸ prompt access to a lawyer and, unless he/she has waived this right in writing, shall not be obliged to answer any questions or participate in any interrogation without his or her lawyer being present.⁶⁹

Similar to both the ICCPR and ACHPR, the requirement of assistance of legal counsel during

pretrial is not expressly acknowledged under the Constitution of FDRE.⁷⁰ However, the CPCE demands any person detained on remand or on arrest shall be permitted forthwith to call and interview his advocate and shall, if so requests, be provided with the means to write.⁷¹ On the other hand, the Ethiopian laws do not expressly require detention authority to provide free legal aid to those detained persons, who cannot afford the service, during pretrial. Under FDRE the First National Human Rights Action Plan, it is reported that there is lack of provision of free legal aid service to persons who do not have the means to pay for it privately during pretrial.⁷² Thus, detained person must be provided with free legal aid service if he/she cannot afford it, provided that injustice will occur if the proceeding continued without such assistance.

d) *Right to remain silent and freedom from coercion*

The right to remain silent during police interrogation is not expressly acknowledged under both the UDHR and ICCPR. Indeed, whether the right not to be compelled to testify against oneself or to confess guilt during pretrial is enshrined under the ICCPR is contentious.⁷³ In the view of HRC, the right not to be compelled to testify against oneself or to confess guilty shall refer to the absence of any direct or indirect physical or undue psychological pressure from the investigating authorities on the accused, with a view to obtaining a confession of guilt.⁷⁴ The UN Body of Principles on Detention bans using violence, threats or methods of interrogation that impair the detained person capacity to make decision or judgment;⁷⁵ taking undue advantage of the situation of a detained person for compelling him/her to confess; to incriminate him/herself otherwise; or to testify against any other person.⁷⁶ Besides, it demands non-compliance with aforementioned safeguards in obtaining evidence shall be taken into account in determining the admissibility of evidence produced against the accused;⁷⁷ however, it failed to acknowledge the right to remain silent during police interrogation.

Both of aforementioned rights are not expressly acknowledged under the ACHPR. However, the PGFTLA in Africa prohibits taking undue advantage of the situation of a detained person for the purpose of compelling him or her to confess, or incriminate him/herself or to testify against any other person;⁷⁸ and using violence, threats or methods of interrogation

⁶¹ CPCE, see Art.92, Para.1 (a-e).

⁶² Ibid., see Art.19.

⁶³ ICCPR, Art. 14, Para.3 (d).

⁶⁴ General Comment No.32, Para.32, 34 and 38.

⁶⁵ ACHPR, Art.7, Para.1 (c).

⁶⁶ PGFTLA in Africa, Para. N [2(d)].

⁶⁷ Id., Para. N [2(a)].

⁶⁸ Ibid., Para. M [2(e)].

⁶⁹ Ibid., Para. M [2(f)].

⁷⁰ Constitution of FDRE, Art.19 and Art. 20, Para.5.

⁷¹ CPCE, Art.61.

⁷² Supra note 19.

⁷³ ICCPR, Art.14, Para.3 (g).

⁷⁴ General Comment No.32, Para.41.

⁷⁵ UN Body of Principles on Detention, Principle 21, Para.2.

⁷⁶ Id., Para.1.

⁷⁷ Ibid., Principle 27.

⁷⁸ PGFTLA in Africa, Para. M [7(d)].

which impair his or her capacity of decision or judgment during interrogation.⁷⁹

In Ethiopia, the right to remain silent during police interrogation is recognized under both the CPCE and Constitution of FDRE;⁸⁰ and they demand an investigative police or other authority empowered to have the same power to inform the detained person the fact that any statement the later makes voluntarily during police interrogation will be produced at trial stage as evidence against him/her.⁸¹ Moreover, the later prescribes that arrested person shall not be compelled to make confessions or admissions which could be used in evidence against him/her; and any evidence obtained under coercion shall not be admissible.⁸² Besides, CPCE requires the court before which preliminary inquiry is being held to inform the accused person that he/she has the right to remain silent; and any statement he/she makes voluntarily will be produced at trial as evidence against him/her.⁸³ Besides, criminal code of FDRE has declared any improper practices used in violation of aforementioned rights of the detained persons during pretrial are criminal act.⁸⁴ Therefore, the legal frameworks of FDRE have recognized those rights without exception.

e) *Right to communicate with outside world*

The right to communicate with outside world, particularly with family members and friend, is not expressly recognized under both the ICCPR and ACHPR. In Ethiopia, the Constitution of FDRE states that all persons held in custody shall have the opportunity to communicate with, and to be visited by, their spouses or partners, close relatives, friends, religious councilors, medical doctors and their legal counsel;⁸⁵ & it does not prescribe an exception. Thus, even though the law does not expressly prescribe as such, the detention authority should inform promptly the detainee this right during pretrial.

f) *Right to prompt appearance before court of law*

Under the ICCPR, anyone detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power.⁸⁶ In the view of the HRC, this right applies in all cases without exception and does not depend on the choice or ability of the detainee to assert it;⁸⁷ and even before formal charges have been asserted so long as the person is arrested or detained on suspicion of

criminal activity.⁸⁸ In accordance with HRC, the significance of this right is to bring the detention of a person under judicial control.⁸⁹ Accordingly, once the detainee is brought before the judge, the judge should decide either to release or remand him/her in custody for additional investigation or to await trial.⁹⁰ The court must have the power to order the detainee brought before it in person, regardless of whether he/she has asked to appear.⁹¹

The meaning of “promptly” under the ICCPR may vary depending on objective circumstances; however, forty-eight hours is ordinarily sufficient to transport the detainee and to prepare for the judicial hearing;⁹² and any delay longer than these hours shall remain exceptional and justified.⁹³ Besides, the detainee must be brought to appear physically before the judge or other officer authorized by law to exercise judicial power.⁹⁴ Hence, “other officer authorized by law” under Article 9, paragraph 3, of the ICCPR should mean an authority, which is independent, objective and impartial in relation to the issues dealt with;⁹⁵ and it shall not include a public prosecutor.⁹⁶

This right is not expressly acknowledged under the ACHPR; however, the PGFTLA in Africa demands that any arrested or detained person on a criminal charge shall be brought before a judicial officer authorized by law to exercise judicial power; and it states the purpose of such review is to assess whether sufficient legal reason exists for the arrest; to assess the necessity of detention before trial; to determine whether the detainee should be released from custody, and the conditions, if any, for such release; to safeguard the well-being of the detainee; to prevent violations of the detainee’s fundamental rights; to give the detainee the opportunity to challenge the lawfulness of his or her detention and to secure physical release if the arrest or detention violates his or her rights.⁹⁷

Under both the Constitution of FDRE⁹⁸ and CPCE;⁹⁹ persons arrested shall be brought before court within 48 hours of their arrest; and such time shall not include the time reasonably required for the journey from

⁸⁸ HRC Communication No.1096/2002, Kurbanova v. Tajikistan, Para.7.2.

⁸⁹ HRC Communication No.1914/2009, Musaev v. Uzbekistan, Para.9.3.

⁹⁰ General Comment No.35, Para.36.

⁹¹ Id., Para.42.

⁹² HRC, Supra note 89, Para.7.3-7.5.

⁹³ HRC Communication No.336/1988, Fillastre v. Bolivia, Para.6.4 (budgetary constraints did not justify ten day delay).

⁹⁴ HRC Communication No.289/1988, Wolf v. Panama, Para.6.2. and Communication No.613/1995, Leehong v. Jamaica, Para.9.5.

⁹⁵ HRC Communication No.521/1992, Kulomin v. Hungary, Para.11.3.

⁹⁶ HRC Communication No.1547/2007, Torobekov v. Kyrgyzstan, Para.6.2.; and Communication No.1278/2004, Reshetnikov v. Russian Federation, Para.8.2.

⁹⁷ PGFTLA in Africa, Para. M [3(a)].

⁹⁸ Constitution of FDRE, Art.19, Para.3.

⁹⁹ CPCE, Art.29, Para. 1.

⁷⁹ Id., Para. M [7(e)].

⁸⁰ CPCE, Art. 27, Para.2; Constitution of FDRE, Art.19, Para.2.

⁸¹ Ibid

⁸² Constitution of FDRE, Art.19, Para.5.

⁸³ CPCE, Art.85, Para.2.

⁸⁴ Criminal Code of FDRE, Art.424, Para.1 and 2.

⁸⁵ Constitution of FDRE, Art.21, Para.2.

⁸⁶ ICCPR, Art. 9, Para.3.

⁸⁷ HRC Communication No.1787/2008, Kovsh v. Belarus, Para.7.3-7.5.

the place of arrest to the court. Even the later demands as far as the local circumstances allow, the authority shall produce them as soon as possible.

g) *Right to challenge the lawfulness of detention*

Under the ICCPR, detained person shall be entitled to take proceedings before a court, in order that the court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful.¹⁰⁰ UN Body of Principles on Detention states that detained person or his councilor shall take proceeding before judicial or other authority empowered by law to challenge the lawfulness of his/her detention at any time;¹⁰¹ and such proceedings shall be simple and expeditious and at no cost for detained persons without adequate means.¹⁰² In the view of HRC, if the court has ordered detention on remand, it should not involve a return to police custody, but rather to a separate facility under different authority, where risks to the rights of the detained person more likely mitigated.¹⁰³

This right is not expressly recognized under the ACHPR; however, the PGFTLA in Africa prescribes that any arrested or detained person shall be entitled to take proceedings before a judicial body, in order that that judicial body may decide without delay on the lawfulness of his or her detention and order release if the detention is not lawful.¹⁰⁴ Moreover, it prescribes that any form of detention and all measures affecting the human rights of a person arrested or detained shall be subject to the effective control of a judicial or other authority; and the judicial official or other authority shall exercise control over the official detaining the person.¹⁰⁵ Furthermore, the later prescribes that Judicial bodies shall at all times hear and act upon petitions for habeas corpus, amparo or similar procedures; and no circumstances whatever must be invoked as a justification for denying this right.¹⁰⁶

In Ethiopia, the Constitution of FDRE prescribes that detained person have inalienable right to petition the court where the arresting police officer or the law enforcer fails to bring him/her before a court within 48 hours from the commencement of detention.¹⁰⁷ The court reviewing such petition may order the applicant released, if detention is proved illegal; or may order the applicant to remain in custody where the interest of justice requires; or may order continued detention on remand for a time strictly required to carry out the necessary investigation;¹⁰⁸ or may order the applicant released on bail in accordance with the law.

h) *Right to release on bail pending investigation*

Terence Ingman, 1996, has defined that Bail means a release from custody, pending a criminal trial, of a defendant on balancing of competing interests and on the premise that a specified predetermined amount of money will be paid if he/she absconds.¹⁰⁹ It is not likely to release all detained persons on bail because of the danger that some of them might abscond; interfere with witness; or commit further offences.¹¹⁰

Under the ICCPR, this right is enshrined. Besides, this right is recognized under the UN Body of Principles on Detention;¹¹¹ & it prescribes that the arrest or detention of a person pending investigation or trial shall be carried out only for the purposes of the administration of justice on grounds and under conditions and procedures specified by law.¹¹² In the view of the HRC, Bail should be granted, except in situations where the likelihood exists that the accused would abscond; or destroy evidence; influence witnesses; or flee from the jurisdiction of the state party.¹¹³

This right is not recognized unambiguously under the ACHPR; however, the PGFTLA in Africa prescribes that unless there is sufficient evidence that deems it necessary to prevent a person arrested on a criminal charge from fleeing, interfering with witnesses or posing a clear and serious risk to others, states must ensure that they are not kept in custody pending their trial; however, release may be subject to certain conditions or guarantees, including the payment of bail.¹¹⁴

In Ethiopia, this right is recognized under both the Constitution of FDRE¹¹⁵ and CPCE.¹¹⁶ The former states that in exceptional circumstances prescribed by law, the court may deny bail or demand adequate guarantee for the conditional release of the person arrested. The CPCE prescribes the investigative police officer may in his/her discretion release the detained person on bail when the alleged crime do not entail rigorous imprisonment as sole or alternative punishment; or when it is doubtful to conclude that detained person has committed the alleged crime.¹¹⁷

The CPCE prescribes that detained person may be released on bail where the offence with which he/she is charged does not entail death penalty; or rigorous imprisonment for fifteen years, or more and where there is no possibility of the crime victim is dying.¹¹⁸ On the

¹⁰⁰ ICCPR, Art.9, Para. 4.

¹⁰¹ UN Body of Principles on Detention, Principle 32, Para. 1.

¹⁰² Id, Para. 2

¹⁰³ Supra note 90.

¹⁰⁴ PGFTLA in Africa, Para. M (4).

¹⁰⁵ Id, Para. M [2 (h)].

¹⁰⁶ Ibid, Para. M [5 (e)].

¹⁰⁷ Constitution of FDRE, Art.19, Para.4

¹⁰⁸ Id; and CPCE, Art.59, Para.2.

¹⁰⁹ Terence Ingman, 1996, the English Legal Process, Ashford Colour Press, Gosport, Hampshire, p.109

¹¹⁰ Id.

¹¹¹ UN Body of Principles on Detention, Principle 38-39

¹¹² Id, Principle 36, Para.2

¹¹³ HRC, supra note 50, Para.12.3

¹¹⁴ PGFTLA in Africa, Para. M [1 (e)].

¹¹⁵ Constitution of FDRE, Art.19, Para.6.

¹¹⁶ CPCE, Art.28, and Art.59, Para.1.

¹¹⁷ Id, Art.28, Para.1.

¹¹⁸ Ibid, Art.63, a contrary reading of Para.1.

other hand, the court may deny release on bail if it has persuaded that the accused might abscond; interfere with witness; or commit further offences.¹¹⁹ Besides, those corruption offences that are punishable by a term of more than 10 years imprisonment;¹²⁰ and the crime of vagrancy are declared non-bailable from the very beginning.¹²¹

The CPCE demands the court to render decision to release or not on bail within forty-eight hours.¹²² It requires cooperation in finding guarantee for the accused if the later ordered to release on bail;¹²³ hence, such cooperation is required from the authority conducting investigation; or public prosecutor; or court in accordance with Article 13, paragraph 1, of the Constitution of FDRE.¹²⁴ The CPCE prescribes, if the court decided not to release the accused on bail, the later can appeal against such decision to the appellate court; and the decision of appellate court on the issue is final.¹²⁵

i) Protection from discriminatory treatment during pretrial

Non-discrimination, together with equality before the law and equal protection of the law without any discrimination, constitute a basic and general principle relating to the protection of human rights.¹²⁶ Under the ICCPR, each state party is obliged to respect and ensure to all persons within its territory and subject to its jurisdiction the rights recognized in the Covenant without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.¹²⁷ Besides, it entitles all persons not only equality before the law and equal protection of the law, but also prohibits any discrimination under the law and guarantees to all persons equal and effective protection against discrimination on any ground.¹²⁸ A principle of non-discrimination is acknowledged under the UN Body of Principles on Detention;¹²⁹ and it prescribes that measures applied under the law and designed solely to protect the rights and special status of women, especially pregnant women and nursing mothers, children and juveniles, aged, sick or handicapped persons shall not be deemed to be discriminatory.¹³⁰

Under the ACHPR, every individual shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed therein without distinction of any kind such as race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status.¹³¹

Besides, it prescribes that every individual shall be equal before the law; and shall be entitled to equal protection of the law.¹³² Moreover, the PGFTLA in Africa have adopted the principle of Non- discrimination, equality before the law and equal protection of the law.¹³³

In Ethiopia, non-discrimination, equality before the law and equal protection of the law are recognized under both the Constitution of FDRE¹³⁴ and CC.¹³⁵ Besides, FDRE Council of Ministers Regulations on the Treatment of Federal Prisoners demands that treatment of prisoners shall be based on the basic principles of non-discrimination on grounds of gender, language religion, political opinion, nation, nationality, social status or citizenship.¹³⁶ Hence, all the human rights of the detained persons recognized by law should be realized without discrimination to all detained persons during trial.

¹¹⁹ Supra note 119.

¹²⁰ FDRE Revised Anti- Corruption Special Procedure and Rules of Evidence, Proclamation No.434/2005, Art. 4, Para.1.

¹²¹ FDRE Vagrancy Control Proclamation No.384/2004, Art. 6, Para.3.

¹²² CPCE, Art. 66.

¹²³ Id, Art. 62

¹²⁴ Constitution of the FDRE, Art.13, Para.1.

¹²⁵ Supra note 122, Art.75.

¹²⁶ Lawyers Rights Watch Canada, 2013, Pre-Trial Release and the Right to be Presumed Innocent: A Handbook on Pre-Trial Release at International Law, pp.9.

¹²⁷ ICCPR, Art.2, Para.1.

¹²⁸ Id, Article 26.

¹²⁹ UN Body of Principles on Detention, Principle 5, Para.1.

¹³⁰ Id, Para.2.

¹³¹ ACHPR, Art.2.

¹³² Id, Art.3

¹³³ PGFTLA in Africa, Para. A [2 (a-d)].

¹³⁴ Constitution of FDRE, Art.25.

¹³⁵ Criminal Code of FDRE, Art.4.

¹³⁶ Council of Ministers Regulations on the Treatment of Federal Prisoners, Reg. No 138/2007. Art. 3.

III. DATA INTERPRETATION

a) Type of offenders & Manner of detention

Table 1: Category of respondents & manner of their detention

No.	Status of detainees, type of crime and manner of detention	Frequency
1.	Flagrant or quasi-flagrant offenders	28
2.	Non-flagrant offenders	127
	Manner of detention of non-flagrant offenders	
3.	Those detained by police officer with court warrant	32
4.	Those voluntarily appeared in PTD center up on police summoning	0
5.	Detained by police officer without court warrant	48
6.	Detained by private person	0
7.	Detained by kebele militia up on the order of police officer	47
8.	By other officials up on their own initiation	0

Aforementioned data was gathered from the police investigation files of individual sampled detained persons. Hence, Table 1 above shows that among total respondents 18.06% are flagrant offenders and 81.93% are non-flagrant offenders.

The Ethiopian laws require obtaining arrest warrant from court to detain non-flagrant offender; however, only 25.19% non-flagrant offender were detained after obtaining court warrant. Among the total detained persons, 37.79% & 30.32% of them were detained by police officer without obtaining court warrant and kebele militia up on police order respectively. The data shows that the police issue an order of arrest to the kebele militia to arrest the suspect;

however, the law does not prescribe this power for the police. As regards this, all of the participants from the detention authorities strongly agreed that due to lack of enough police staff & lack of transportation facilities the investigative police issue an arrest order to kebele militia to bring the suspect before police office; provided that this is usually done after sufficient evidence is collected to assure that the suspect has committed the alleged crime. Similarly, 27 of them justify that since most of the alleged criminal acts are not serious by nature, they failed to obtain court warrant before arresting the suspects. However, the given justification is not valid according to the law; hence, the law strictly requires them to obtain court warrant.

b) Right to be informed of human rights

Table 2: The right of Detained Person to be Informed of Fair Trials Rights of Pretrial

No.	Information concerning	Responses	Frequency
1	Reasons of detention, or charge	Informed at the time of detention	28
		Informed after detention, but before police interrogation	36
		Informed simultaneously with police interrogation	91
2	The right to communicate with Families friends, etc.	Informed	155
		Not informed	0
3	The right to communicate with legal counselor of one's choice	Informed before police interrogation	0
		Informed simultaneously with police interrogation	0
		Informed after police interrogation	0
		Not informed at all	155
4	The right to remain silent during police interrogation	Informed	0
		Not informed	155
5	The right to challenge the legality of detention	Informed	0
		Not informed	155
6	The right to language interpreter	Informed	0
		Not informed	155

According to Table 2 above, among the total participant detained persons, 18.06%; 23.22%; and 61.93% are informed the reasons of detention or charge made against them at the time of detention; after detention, but before police interrogation; and simultaneously with police interrogation respectively. Accordingly, majority of them are informed of the reasons of detention at the time of police interrogation. Indeed, 100% of respondents are informed of their right to communicate with family and friend. On the other hand, 100% of them are not informed of right to communicate with legal counsel of their choice; right to remain silent during police interrogation; right to

challenge the legality of detention before court; and the right to have the assistance of competent language interpreter during pretrial, if they cannot understand or speak the language. Hence, the police do not comply with the law.

Among the participants from the detention authorities, 13 & 8 of them strongly agreed & agreed respectively that lack of knowledge of those rights by investigative police; 9 & 16 of them strongly agreed & agreed that the perception informing those rights will make the crime investigation ineffective are some of the justifications why detained persons did not informed of most of their rights during pretrial investigation.

c) *The right to communicate with legal councilor during pretrial*

Table 3: The right to communicate with legal councilor ones choice

No.	Human Rights Standard	Alternative Responses	Frequency
1	Is detention authority gives permission to communicate with legal councilor?	Yes	31
		No	82
		Neutral	42
2	If you are permitted, when?	Before police interrogation	0
		After police interrogation	31
		During preliminary inquiry	0
3	Is there favorable situation to communicate with counsel freely and privately?	Yes	6
		No	25
4	Is the time allowed to communicate with counsel is adequate?	Yes	0
		No	31
5	What are the challenges to communicate with counsel in PTD center?	Lack of awareness of such right	138
		Lack of permission from Investigative police	82
		Lack of funds to pay for the service	42
		Lack of access of the service	113
6	Is there free legal aid for those unable to pay for the service?	Yes	0
		No	42

According to Table 3 above, among the sampled detained persons, 20% of them are allowed to communicate with legal counsel of their choice; and 52.90% of them are denied such permission. All of those allowed to communicate with legal counsel of their choice have got such permission after police interrogation; however, 80.64% of them responded that there is no favorable situation to communicate with counsel freely and privately in PTD center; and the time allowed for such communication is not sufficient. Moreover, among the total respondents 89.03%; 52.90%; 72.90%; and 27.09% of them responded lack of awareness of this right; lack of permission from

detaining authority; lack of access to the service; and lack of fund to pay for such service respectively are some the challenges for the detained persons to exercise such right freely. Besides, detaining authorities do not provide free legal aid service for these, who are unable to pay for the service during pretrial.

Among the participants from the detention authorities, 34 of them strongly agreed that since this right is not directly acknowledged under Article 19 of the Constitution of FDRE the suspect cannot claim this right; 26 & 6 of them strongly agreed & agreed that the perception allowing the detained persons this right before police interrogation will make the crime

investigation ineffective are some of the justifications why most of the detained persons did not allowed to communicate with councilor of their choice during pretrial. Similarly, all of them strongly agreed that in case of grave offences the detainee should not be allowed

such right. Therefore, aforementioned data confirmed that detention authorities knowingly denied most of the detained persons their right to communicate with legal councilor of their choice during pretrial.

d) *The right to have the Assistance of Competent Language Interpreter during*

Table 4: The right to have the assistance of competent language interpreter during policeInterrogation

No.	Languages	Skills	Responses	Frequency
1.	Amharic Language	Speaking	Yes	93
			No	62
		Listening	Yes	93
			No	62
		Reading	Yes	77
			No	78
2.	Wolaitigna Language	Writing	Yes	77
			No	78
		Speaking	Yes	146
			No	9
		Listening	Yes	146
			No	9
3.	Is there provision of competent language interpreter during police interrogation for those unable to understand or speak the language	Reading	Yes	68
			No	87
		Writing	Yes	68
			No	87
		Neutral	Yes	0
			No	105

Article 5, Paragraph 3, of the revised Constitution of the state of SNNPR, states that Zones may determine their working language. Accordingly, the working language of the Wolaita Zone is Wolaitigna language; however, the practice shows that this language has been serving only for oral communication and the Amharic language has been used for written communication. Hence, all the proceedings starting from police investigation up to final court rulings written down by using Amharic language in Wolaita Zone. Therefore, there must be the provision of neutral and competent language interpreter at state cost for those who cannot write and read Amharic language. This is because the law requires the answer for interrogation shall be recorded and the detained persons shall read that record and confirm that it is their response by signing.

that there is no provision of the assistance of language interpreter for the mere fact that the suspects cannot understand Amharic language. All of them stated that since all of the investigative police officers understand Wolaitigna language, they simply record in Amharic what the detained persons responded to them in Wolaitigna & order the detained persons to sign over it. Furthermore, all of them confirmed that they provide the assistance of language interpreter only when the detained person cannot understand both Wolaitigna & Amharic language only. This shows that there is clear violation of detained person's right to have the assistance of language interpreter at the state expense during police interrogation.

Table 4 above shows that, among the total sampled detained persons, 50.32% of them cannot write and read Amharic language; however, 100% of them responded that they are not provided with the assistance of neutral and competent language interpreter during police interrogation. Similarly, all of the participants from the detention authorities confirmed

e) *The right to prompt appearance before court of law*

Table 5: Detained persons right to appear before court of law within prescribed time

Human Rights Standard	Responses	Frequency	100%
Are you appeared before court Within 48 hours from the Commencement of detention by the detention authority?	Appeared within 48 hours	0	0%
	Appeared after lapse of 48 hours	70	45.16%
	Not appeared at all	85	54.84%

The data under Table 5 above was taken from the police investigation file of each the sampled detained persons; & it was cross-checked by the detained persons themselves. It shows that 45.16% of the respondents are appeared before court after the lapse of 48 hours from their detention. On the other hand, 54.84% of them totally denied from appearing before court. Hence, the detention authorities do not comply with the time requirement prescribed by law.

Among the participants from the detention authorities, 18 & 11 of them strongly agreed & agreed that lack of enough personnel is one of the justifications

behind why they failed to produce most of the detained persons before court of law within 48 hours from the commencement of detention. Indeed, 24 of them reported that if the alleged crime is minor in nature instead of producing the suspects before court of law, they simply order them to produce sufficient warrant or bail bond to be released according to Article 28, paragraph one, of the CPCE. This implies that the detention authorities do not conform to the law; & their justification for failure to produce detained persons in accordance with the law is unsound..

f) *The right to challenge legality of detention before court of law*

Table 6: Detained persons right to challenge legality of their detention before court

No.	Human Rights Standard	Responses	Frequency
1	Have you made petition before court for review of the legality of detention?	Yes	28
		No	57
2	Why you did not petitioned for review of the legality of detention before court?	Lack of awareness of this right	39
		Lack of facilities to exercise such right	18

Table 6 above shows, from those who were denied from appearing before court by the detaining authority, only 32.94% of them petitioned before court to challenge the legality of their detention; and the remaining 67.05% of them do not.

Among those failed to make such petition, 68.42% and 31.58% of them responded that lack of awareness of their right to challenge the legality of detention before court; and lack of access to facilities to exercise such right respectively are factors hindering them from exercising such right. On the other hand, all of the participants from the detention authorities strongly agreed that they have no mandate as regards realization of the detained person's right to challenge their detention before court of law & to request their physical release.

g) *The right to be released on bail*

Table 7: Detained persons right to release on bail pending investigation

No.	Human Rights Standard	Responses	Frequency
1	Are you allowed bail right?	Yes	113
		No	42
	If you are allowed bail right, by which organ?	By Investigative police officers	57
		Lower court order	47
		Appellate court order	9
2	Among those allowed bail right	Those released up on satisfying required bail bond	72
		Those not released	41
3	Is the required bail bond is fair & affordable?	Yes	37
		No	62
		Neutral	14

According to Table 7 above, 72.90% of the respondents are allowed bail right pending investigation. Among those allowed bail right, 50.44% and 41.59% of them are allowed by investigative police upon his/her own motion; and by lower court order respectively. The remaining 7.96% of them were allowed bail right by appellate court after they were denied by both the investigative police & lower court. About 63.71% of those allowed bail right are released from the PTD center by satisfying the required bail bond & the remaining 36.28% are not. Among those allowed bail right, 54.86% of them responded that the required bail bond is not fair & affordable; and 69.02% of them responded that the amount of required bail bond is not similar for similar types of crime.

Concerning this point, all of the participants from the detention authorities strongly agreed that lack of guideline which helps to fix uniform amount of bail bond when the alleged crimes are even similar in terms of nature & seriousness is one of the challenge in the field. On the other hand, 15 & 13 of them strongly agreed & agreed that the amount of bail bond fixed by the investigative police is fair & affordable. Indeed, 17 & 10 of them strongly agreed & agreed that most of the time the required amount of bail bond may be greater than the fine against the offender under the criminal law of FDRE; & all of them justify that otherwise the suspects do not comply with the bail bond.

h) *The right to freedom from any kind of coercion during pretrial investigation*

Table 8: Detained persons right to freedom from coercion of any kind

No.	Human Rights Standard	Responses	Frequency
1	Is there freedom from any form of coercion during police interrogation?	Yes	53
		No	102
2	If there is coercion, indicate its type?		
	Use of threat/intimidation	Yes	102
		No	0
	Use of promise	Yes	0
		No	102
	Use of inducement	Yes	0
		No	102
	Insulting	Yes	91
		No	11
	Use of force	Yes	79
		No	23
	Separate detention in darkness	Yes	0
		No	102
	Denying access to food and drinking water	Yes	0
		No	102

Table 8 above shows that among the total sampled detained persons, 34.19% of them responded that investigative police do not use coercion against them to obtain admission or confession during pretrial investigation; however, the remaining 65.80% of them responded contrary. Among these responded that there is coercion in PTD center, 100%; 89.21%; and 77.45% of them responded that use of threat/intimidation; insulting; and use of force respectively are prevailing methods of

coercion. On the other hand, 100% of them responded that use of promise; inducement; separate detention in dark places; or denying access to food & drinking water are not used as methods of coercion.

On the other hand, 23 of the participants from the detention authorities strongly agreed that there is no coercion against the detained persons in PTD center; however, the remaining 11 of them hold neutral position.

i) The right to protection from discriminatory treatment

Table 9: Detained Persons Right to Protection from Discriminatory Treatment

No.	Human Rights Standard	Responses	Frequency
1.	Is there discrimination in any ground during pretrial investigation?	Yes	109
		No	46
2.	If there is discrimination, indicate the prevailing grounds?		
	Economic background	Yes	89
		No	20
	Religious background	Yes	71
		No	38
	Political opinion	Yes	0
		No	109
	Gender	Yes	0
		No	109
	Education level	Yes	79
		No	30
	Language	Yes	86
		No	23
	Clan, Nation, Nationality or other social origin	Yes	92
		No	17

According to Table 9 above, among total sampled detained persons, 70.32% of them responded that there is discriminatory treatment in PTD center; while as the remaining 29.67% of them responded contrary.. Among those responded that there is discrimination in PTD center, 81.65%; 65.13%; 72.47%; 78.89%; and 84.40% of them responded that economic background; religious background; education level; language; and clan, nation, nationality or other social origin respectively are the prevailing grounds of discrimination in PTD center. However, 18.34%; 34.86%; 27.52%; 21.10%; and 15.59% of them confirmed that economic background; religious background; education level; language; and Clan, Nation, Nationality or other social origin respectively are not the prevailing grounds of discrimination in PTD center. On the other hand, 100% of these responded that there is discrimination in PTD center confirmed that political opinion and gender are not the prevailing grounds of discrimination.

On the other hand, 18 & 5 of the participants from the detention authorities strongly agreed & agreed respectively that there is no coercion against the

detained persons in PTD center; however, the remaining 11 of them hold neutral position.

IV. FINDINGS AND RECOMMENDATIONS

a) Findings

Detaining authorities, particularly the investigative police, do not respect procedures prescribed by law before arresting the non-flagrant offenders. For instant, the police detain the suspect without court warrant even when the alleged crime is punishable with simple imprisonment not exceeding three months such as assault and minor acts of violence, petty theft and slight petty offences against honour, or slight insult or offensive behavior. Moreover, the police issue detention order for kebele militia to arrest the suspect & brought before it; however, the law do not authorize the police this power. On the other hand, the detention authorities justify that the police issue such order due to lack of enough personnel & lack of transport facilities; hence, these justifications are not valid & sound.

The investigative police do not inform detained persons most of their fair trials rights or they may inform them after unnecessary delay. For instant, they inform detained persons reasons of their detention simultaneously with police interrogation; they do not inform the right to communicate with legal councilor; right to remain silent during police interrogation; right to appear before court within 48 hours of their detention; & right to challenge legality of their detention before court of law and to require physical release. Detention authorities justify that they failed to inform detained persons most of their rights during pretrial due to lack of awareness of those rights by the investigative police & due to the negative perception that informing those rights makes pretrial crime investigation ineffective.

Detained persons are prohibited from appearing before court of law not only within 48 hours prescribed by law, but also after the lapse of such time in most cases. Moreover, detaining authority never allows the detained persons to communicate with legal councilor of their choice before police interrogation in most cases; however, even in cases when they allow, they do not allocate sufficient time; and they do not create favorable condition to make the communication privately. There is no provision of free legal aid for those who cannot afford for the service during pretrial; and there is no provision of competent language interpreter during police interrogation for those who cannot understand properly the Amharic language.

The investigative police use improper methods such as threat or intimidation, insulting and use of force against detained persons to obtain admissions or confessions; which can be used as evidence against them in trial. Besides, there is also discriminatory treatment based up on economic and religious background, education level, language and clan, nation, nationality or other social origin.

Suspects remained detained for long time without their detention being reviewed by court; and because of the required bail bond is not affordable in most cases; and sometimes the required amount of bail bond may exceed the amount of fine the alleged criminal act entail as punishment.

b) Recommendations

To the Federal Government: The FDRE government should adopt comprehensive detention guideline, which clearly encompasses procedural safeguards & fair trials rights of the suspects; the rights and duties of law enforcement officials; administrative and disciplinary measures to be taken against the violators of detained persons rights; it should clearly require the authority responsible for detention to inform detained persons all of fair trials rights either at the commencement of detention or promptly after it; and it should prescribe uniform standards to fix the amount of bail bond having regard to the complexity of the case, the interest of

justice, and the character of the suspect. Moreover, the government of FDRE should adopt both the UN Body of Principles on Detention; and African Commission on Human and Peoples' Rights PGFTLA in Africa.

An independent and impartial department should be established under one of these institution involved in CJS to follow and investigate the realization of procedural safeguards & fair trials rights of detained persons during pretrial; otherwise, the FDRE government should made accessible to the general community national human rights institutions such as FDRE Human Rights Commission;¹³⁷ and FDRE Institution of Ombudsman;¹³⁸ and those institutions should have branch offices at least at Zone level. In so far, those institutions have branch offices only at state/regional level, which makes them inaccessible.

The FDRE government should ensure that those persons going to employ as investigative police throughout the country should have enough human rights training before they are recruited; & it should facilitate situations to give long & short term human rights training to investigative police. Moreover, the FDRE government should amend the provision of FDRE Charities and Societies Proclamation No.621/2009, which authorize only those NGOs that secure 10% of their fund from foreign sources to involve in human rights promotion and protection;¹³⁹ hence, the amendment shall empower all interested NGOs irrespective source of their fund, national or international, to involve in the field.

To the local government: Investigative police should collect sufficient evidence; & obtain court warrant before detaining the suspect, who is non-flagrant. During police interrogation, these detained persons who are unable to understand the language properly should be provided with the assistance of competent language interpreter free of costs. During pretrial, free legal aid should be given to those detained persons who cannot afford for legal counsel service privately. Thus, private advocates should strictly render 50 hours free legal service, in a year, free of charge or upon minimum payment, which is required from them under the FDRE Federal Court Advocates Code of Conduct Regulation No. 57/1999;¹⁴⁰ & the local government should create enabling environment for the advocates to render those services.

The local government should give human rights awareness in general & procedural safeguards and fair trials rights of detained persons in particular to the general community at kebele level. The local government should encourage the local media to involve actively in creating human rights awareness by using local language, Wolaitigna. As part of human rights awareness creation, local governments should officially compile and translate to the local working language, these laws dealing with human rights in general and human rights of detained persons in particular.

V. COMPETING INTEREST

The author declares that he has no competing interest. Besides, this research work is original and it has never been published in any other journal. Besides, he confirms that other people's works and materials he has used have been duly acknowledged.

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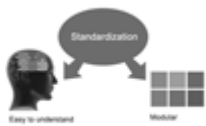
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- Numbering of Second Main Headings (Heading 2) must be in Alphabets, Italic, and Font Size of 10.

You can use your own standard format also.

Author Guidelines:

1. General,
2. Ethical Guidelines,
3. Submission of Manuscripts,
4. Manuscript's Category,
5. Structure and Format of Manuscript,
6. After Acceptance.

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- (c) Up to ten keywords, that precisely identifies the paper's subject, purpose, and focus.
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- (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, unless non-standard.
- (f) Results should be presented concisely, by well-designed tables and/or figures; the same data may not be used in both; suitable statistical data should be given. All data must be obtained with attention to numerical detail in the planning stage. As reproduced design has been recognized to be important to experiments for a considerable time, the Editor has decided that any paper that appears not to have adequate numerical treatments of the data will be returned un-refereed;
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- (h) Brief Acknowledgements.
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TECHNIQUES FOR WRITING A GOOD QUALITY RESEARCH PAPER:

1. Choosing the topic: In most cases, the topic is searched by the interest of author but it can be also suggested by the guides. You can have several topics and then you can judge that in which topic or subject you are finding yourself most comfortable. This can be done by asking several questions to yourself, like Will I be able to carry our search in this area? Will I find all necessary recourses to accomplish the search? Will I be able to find all information in this field area? If the answer of these types of questions will be "Yes" then you can choose that topic. In most of the cases, you may have to conduct the surveys and have to visit several places because this field is related to Computer Science and Information Technology. Also, you may have to do a lot of work to find all rise and falls regarding the various data of that subject. Sometimes, detailed information plays a vital role, instead of short information.

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27. Refresh your mind after intervals: Try to give rest to your mind by listening to soft music or by sleeping in intervals. This will also improve your memory.

28. Make colleagues: Always try to make colleagues. No matter how sharper or intelligent you are, if you make colleagues you can have several ideas, which will be helpful for your research.

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- Present surroundings information only as desirable in order hold up a situation. The reviewer does not desire to read the whole thing you know about a topic.
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Approach:

- It is embarrassed or not possible to use vigorous voice when documenting methods with no using first person, which would focus the reviewer's interest on the researcher rather than the job. As a result when script up the methods most authors use third person passive voice.
- Use standard style in this and in every other part of the paper - avoid familiar lists, and use full sentences.

What to keep away from

- Resources and methods are not a set of information.
- Skip all descriptive information and surroundings - save it for the argument.
- Leave out information that is immaterial to a third party.

Results:

The principle of a results segment is to present and demonstrate your conclusion. Create this part a 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. Carry on to be to the point, by means of statistics and tables, if suitable, to present consequences most efficiently. You must obviously differentiate material that would usually be incorporated in a study editorial from any unprocessed data or additional appendix matter that would not be available. In fact, such matter should not be submitted at all except requested by the instructor.



Content

- Sum up your conclusion in text and demonstrate them, if suitable, with figures and tables.
- In manuscript, explain each of your consequences, point the reader to remarks that are most appropriate.
- Present a background, such as by describing the question that was addressed by creation an exacting study.
- Explain results of control experiments and comprise remarks that are not accessible in a prescribed figure or table, if appropriate.
- Examine your data, then prepare the analyzed (transformed) data in the form of a figure (graph), table, or in manuscript form.

What to stay away from

- Do not discuss or infer your outcome, report surroundings information, or try to explain anything.
- Not at all, take in raw data or intermediate calculations in a research manuscript.
- Do not present the similar data more than once.
- Manuscript should complement any figures or tables, not duplicate the identical information.
- Never confuse figures with tables - there is a difference.

Approach

- As forever, use past tense when you submit to your results, and put the whole thing in a reasonable order.
- Put figures and tables, appropriately numbered, in order at the end of the report
- If you desire, you may place your figures and tables properly within the text of your results part.

Figures and tables

- If you put figures and tables at the end of the details, make certain that they are visibly distinguished from any attach appendix materials, such as raw facts
- Despite of position, each figure must be numbered one after the other and complete with subtitle
- In spite of position, each table must be titled, numbered one after the other and complete with heading
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Discussion:

The Discussion is expected the trickiest segment to write and describe. A lot of papers submitted for journal are discarded based on problems with the Discussion. There is no head of state for how long a argument should be. Position your understanding of the outcome visibly to lead the reviewer through your conclusions, and then finish the paper with a summing up of the implication of the study. The purpose here is to offer an understanding of your results and hold up for all of your conclusions, using facts from your research and generally accepted information, if suitable. The implication of result should be visibly described. Infer your data in the conversation in suitable depth. This means that when you clarify an observable fact you must explain mechanisms that may account for the observation. If your results vary from your prospect, make clear why that may have happened. If your results agree, then explain the theory that the proof supported. It is never suitable to just state that the data approved with prospect, and let it drop at that.

- Make a decision if each premise is supported, discarded, or if you cannot make a conclusion with assurance. Do not just dismiss a study or part of a study as "uncertain."
- Research papers are not acknowledged if the work is imperfect. Draw what conclusions you can based upon the results that you have, and take care of the study as a finished work
- You may propose future guidelines, such as how the experiment might be personalized to accomplish a new idea.
- Give details all of your remarks as much as possible, focus on mechanisms.
- Make a decision if the tentative design sufficiently addressed the theory, and whether or not it was correctly restricted.
- Try to present substitute explanations if sensible alternatives be present.
- One research will not counter an overall question, so maintain the large picture in mind, where do you go next? The best studies unlock new avenues of study. What questions remain?
- Recommendations for detailed papers will offer supplementary suggestions.

Approach:

- When you refer to information, differentiate data generated by your own studies from available information
- Submit to work done by specific persons (including you) in past tense.
- Submit to generally acknowledged facts and main beliefs in present tense.



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<i>References</i>	Complete and correct format, well organized	Beside the point, Incomplete	Wrong format and structuring



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