Chapter One
Understanding Civic and Ethics

1.1 Introduction

Civics or citizenship education primarily deals with the rights and duties of citizens in a state or political system. It mainly focuses on the civil and political rights of citizens and the respective obligations as well as rights of state as defined by constitution. Citizen refers to a person who has rights and duties with bound of a certain political system or country. On the other hand Ethics derived from **Greek word "ethos" meaning" character"** and deals with principles or standards of human conduct. It focuses on teaching citizens about morality and civic dispositions or character traits to make help citizens to behave or act in a desired way.

Ethics vs. Moral

Ethics and **morals** relate to "right" and "wrong" conduct. While they are sometimes used interchangeably, they are different: **ethics** refer to rules provided by an external source, e.g., codes of conduct in workplaces or principles in religions. Ethics are external standards that are provided by institutions, groups or culture to which an individual belongs. For example, lawyers, policeman, doctors all have to follow an ethical code laid down by their profession, regardless of their own feelings or preferences. Ethics can also be considered a social system or a framework for acceptable behavior. **Morals derived from a** Latin word "mos" meaning "custom" and it refer to an individual's own principles regarding right and wrong. While morals also prescribe dos and don'ts, morality is ultimately a personal compass of right and wrong.

1.2 Origin and Development of Civic and Ethics

Education encompasses both the teaching and learning of knowledge, proper conduct and technical competency. It focuses on the cultivation of not only of skills, trades or professions but also mental, moral and aesthetic developments. It is the part of civic and Ethics to deal with matters of good citizenship and proper conduct and morality. All forms of education given at all times and at all levels have in some ways some aspects of citizenship and character education. Thus, it is safe to say that the origin of Civic and Ethics is the same as the origin and development of education. In fact, it is not always and everywhere known by the same name and offered in the same manner. At times it is given integrated along with other disciplines while at others it is a separate subject.

In the ancient two great states of Greece and Rome it was an already established order to govern their various affairs with the help of rules framed by citizens of these states. They had their small city states known as *Civitas*. Afterwards the words "Civics" and "Civitas" came to English language and the concepts such as "Citizen and "City" began to be used. The education system

in Athens, for example, was aimed at the development of responsible citizens.   Similarly, in ancient Rome and in its expanded empire there was some sorts of citizenship education**.**

As the result of the close linkage existing between state and church in the medieval period citizenship and character education was given as part of religious education. This partnership between the state and church continued until the coming of the Renaissance (known as the "rebirth of revival of man's interest in the learning and art of the ancient Greeks and Romans). As a result, education, in general, and Civic and Ethics, in particular, became free from religious interference. Moreover, the economic and intellectual activities due to the subsequent social revolutions that took place in Britain, America and France contributed more to make Civic and Ethics include modern and democratic concepts that continued to constitute its main contents afterwards.

At present Civic and Ethics exists everywhere, but the nomenclature and its contents vary greatly depending upon a nation's philosophy, stage of development and the nature of the educational policies of their governments. This means that whether the nation's government is democratic or undemocratic, the school program usually provides for some study of the state and its laws and of civic responsibilities of citizens.

 In different countries various labels and names are given to civic and Ethics:
1. Citizenship education;
2. Democratic and human right education;
3. Political and moral education;
4. Peace and human rights education;
5. Civic education;
6. Political education;
7. Human rights education (HRE) ;
8. Civics and ethics education;
9. Values/moral education;
10. Education for human dignity;
11. Education for citizenship and democracy;
12. Human rights, peace and democracy;
13. Globalization and multiculturalism, etc.

Today, both developed (industrialized) and developing countries offer some form of civic and Ethics to their students in schools and colleges. We can refer to the situations in the USA, UK, Canada, Australia, South Africa, Uganda, Kenya, Ghana, Zambia, Singapore, and Malaysia, to name but a few.   Most of these countries designed the syllabus of civic and Ethics or any of the above subjects to cultivate some of the desired characteristics, such as, duty mindedness, self-control, accepting differences, patience, independence, hardworking, communicating well with others, able and willing to work with others as well as cherished values including love, cooperation, freedom, happiness, honesty, humanity, peace, respect, responsibility, simplicity,

patriotism, justice, sovereignty, tolerance, truth, unity and equality. Particularly, at this time to great urge for the whole world becoming a single unit and the need for fraternity and peace the importance of this subject has enormously increased.

Likewise, some sorts of citizenship and character education were made to constitute the curriculum of Ethiopian modern schools since its birth at the beginning of the twentieth century. In fact then the main objective was to let students know about the glory of those on the throne their unlimited power and the hereditary rights of the family. Again during the *Dergue* regime there was an independent subject called "political education" given at all levels of the educational system. The dominating purpose for this was to indoctrinate the young with the particular ideology and political dogma centered upon socialism.

Today Civic and Ethics that is offered at all levels of Ethiopian education is based on democratic principles majority rule, individual liberties, faith in the reason of the common man, individual worth and human dignity. Schools and higher institutions have given it due importance to teach the principles and etiquette of democracy.

1.2. The Meaning and Scope of Civic and Ethics

The word civics comes from the Latin word *civitas* which means citizen. Having derived from the Latin, civics has developed many working definitions. Working definitions are derived from the tasks or activities of a subject. Accordingly, the following are some of the possible definitions of civics:

1) Civics is a branch of social Science which deals with the rights and duties of Citizens;
2) It is the intensive study and understanding of political institutions such as lawmaking institutions, executive bodies, political parties, etc;
3) It studies the theory and practice of free and open democratic society;
4) It is the study of the purpose of government, the nature of the law, and the way private behavior affects the public order and the political system; and
5) It also studies the international socio-economic and political conditions.

The definitions clearly indicate the concerns of civics. For instance, in the first definition, you can understand that civics teaches us about the rights and responsibilities our citizenship rights and duties. In the relationship between you and your state, you have rights to enjoy and duties or obligations to perform or fulfill. The privileges or benefits that you are entitled to get are called your rights while the responsibilities that you are required to fulfill are called your obligations.

In the second definition you can see that civics is concerned with the study of political institutions of various kinds existing in the country. It studies, for instance, executive body; its organization, powers and functions. It is also referring to the fact that Civics is primarily and education in self-government, which implies active participation and involvement of members and not passive acquiescence to other members' actions.

In the third definition it is clear that civics studies the theory and practice of a democratic society. This means that Civics studies the values, commitments and assumptions of democracy; it studies challenges of democracy; and history of democracy.

In the fourth definition civics attempts to answer such questions as: What is the purpose of government: Why do we need government? What is the nature of the law? Is the law equally serving all citizens in the country? Or is it only the instrument of the rules? How does individual behavior affect the public order and the political system? If an individual has a bad behavior (like theft, crime, corruption, etc.) that behavior may affect the order of the society and political system. Civics studies the social economic and political conditions operating in the world. These are the areas which civics deals with.

In the context of political and social relationship there are many duties to be performed and correspondingly many rights to be respected. It is mainly with these that Civic and Ethics is concerned about. It is a study of institutions that govern their members with rules, regulations, customs, values and traditions so that members properly discharge duties and responsibilities and receive their benefits and rights.

Civic and Ethics is a useful branch of human knowledge that deals with the political, economic and social as well as intellectual aspects of a political community. This is believed to help students understand the political system, economic policies, social realities of their country and the world at large.

As mentioned above, Civic and Ethics is made of two interrelated subjects: Civics as an aspect of social sciences and Ethics as a branch of philosophy. The following discussion treats the two concepts separately in order to help you clearly understand the meanings of both.

Civic and Ethics is not a subject which stands by itself. Rather it is a subject which is interdisciplinary. What makes a subject interdisciplinary is when it borrows, shares or takes knowledge, theories, principles and explanations from different disciplines. What should be taught in civic and Ethics is **an** important question that should be raised here.

Many countries expressed great concerns on how best to teach civic and Ethics. Law makers and policy makers expressed great concern on developing right kind of civic and Ethics. In the United States, education sector and congress addressed to this civic education issue. They have collaborated in construction of an elaborate set of standards for civic and government in order to enhance "informed and responsible participation of political life." Several independent research institutions are also devoted to curriculum development of civic education with wide participation of experts and practicing educators. Learning resources are extensively developed by the Center for Civic Education and several academic institutions. For example, *We the People*

is one of the model learning resources in which major knowledge and attitudes are carefully engraved to aware knowledge on political system and qualities of citizens. Each unit is constructed to lead a distinctive outcome of learning by encouraging thought-provoking and critical-thinking. Also, as key components of civic education, Cogan (1998) postulated five attributes: a sense of identity; enjoyment of certain rights; fulfillment of corresponding obligations; a degree of interest and involvement in public affairs; and an acceptance of basic societal values. As a social being, human beings encounter decision-making in various social situations. Most of the time, these situations demand problem-solving skills. The contents of civic education are not merely limited to dissemination of civic knowledge to produce law-abiding people. Rather, knowledge, and skills, and values as effective citizens must be integrated in textbooks and generic learning resources for every individual to ensure to be equipped with due qualities of mature citizens.

In short, it is important to note that for a well directed and concerted shaping of citizens civic and Ethics should have the following constituent:

- Human Rights
- Children, Women and Minority Rights
- The Rule of Law and Fair Trial
- Democracy
- Fundamental Freedoms of Expression, Association, Religion …
- Citizenship
- Equality and Non-discrimination
- Globalization – Interdependence, Communication and Market;
- State and Government
- Peace, Violence, Conflict Resolution
- Media and Communication
- Poverty, Corruption and Development
- HIV/AIDS and Reproductive Health
- Environment and Heritage

1.3. The Purposes and Objectives of Civic and Ethics

Introduction

This section discusses the purposes of teaching and learning civic and Ethics. In addition to that it gives you in detail the aims and objectives of civic and Ethics. Try to keep in mind these points as they serve as good elements of the checklist that will help to audit the changes achieved at the end.

In the new century synonymous with digital revolution and knowledge-based economy, all sectors of society face enormous challenges including education. Nurturing mature and responsible citizens becomes one of the key agenda among policy-makers and educators in many

countries. For a society to be genuinely democratic, each and every member of its society should share consensus on common good and be equipped with the qualities of "good" citizen. Among other things right kind of civic education is considered as an instrument to build a harmonized place for all. The main reason for teaching and learning Civic and Ethics in a constitutional democracy like today's Ethiopia is also for the very reason that the health of the body politic requires the widest possible citizens' participation consistent according to the public interest and respecting the rights of individuals.

Civic education, based on genuine understanding of man and cherishing human relationship, is truly in need. We have great mission to cultivate positive traits of man and provide enriching life experience for bettering living. Also, understanding civic virtues and realizing in real life should be integral part of one's entire span of life. More than any other time in history, education for civic virtues and universal values like compassion and altruism becomes paramount priority in national agenda. Therefore, the purpose and importance of Civic and Ethics is said to be **multi faceted.** The major ones are the following.

1. *To enhance the culture of civic responsibilities*

   Civic responsibility is a firm determination or commitment to fulfill the duties of citizen ship. Duties or responsibilities of citizens includes, among others, to pay tax; respect the human democratic right of others; help the needy through voluntary service; actively participate in decision making to improve quality of government functioning; to participate in election (either as voter or candidate); check the power of the government etc.

   So much we human family have dire aspiration for democratic society, all the members of global citizens demand appropriate civic and Ethics regardless of age, race, and gender. Civic and Ethics should not be limited to formal instruction at elementary and secondary levels. As Boggs (1991) articulates that responsible citizenship involves thoughtful evaluation and responsible involvement in public issues. As our society is moving forward to lifelong learning, it should take place from home to every corner of community. Engaging in community issues through service learning is considered as a significant mode of civic and Ethics. Therefore, all the members of society, policymakers and ordinary citizens alike, should address the sense of community to build genuine democratic society. It is of great importance to instill conviction that each member of a society can make a difference and change the community positively.

2. *To promote the culture of tolerance*

   The promotion of human rights and consolidation of democracy depends on culture of tolerance. Tolerance is respect, acceptance and appreciation of rich cultural diversity, our forms of expression and ways of being human.

   Tolerance is also "harmony in difference" (and it is not only a moral duty but also political and legal requirements. It is the virtue that makes peace possible, contributes to the replacement of the culture of war by a culture of peace). Tolerance is not concession. It is above all, an active attitude promoted by recognition of the Universal human rights and fundamental freedom of

others. Tolerance as an element of civic education is certainly of great importance for the countries like, Ethiopia, Sudan, Nigeria, South Africa and others where societies are multi racial, multi ethnic, multi cultural, and multi lingual. Therefore, one of the purposes of civic Education is the cultivation of tolerance and the eradication of negative stereotypes (and prejudice) and serves as a guarantee of peace and stability and as an obstacle to the outbreak of violence, war, conflict.

3. To build civic competence of citizens

This is concerned with the capacity or ability of citizens to participate effectively in the political system civic competence is very important for citizens to effectively participate in the affairs of their nation state. It is a relative term because citizens can develop their civic competence through time as there is no absolute civic competence

4. *To provide the students with historical and contemporary information* about the existing realities of their countries and the world as well.
5. *To enable students to recognize the importance of moral and Ethical values.* We have to identify what is good and what is bad, and act accordingly. The knowledge and skill we acquire from Ethics enable us to avoid bad practices and develop what is labelled by the society as good.
6. *To enhance good governance.*

One of the purpose of civics educations is to promote good governance by creating accountable and transparent citizens; those who stand for their right and respect the right of others; those who fight mal-administrations, waste of resources and corruptions; those who influence the government to administer scarce resource in accordance with the real needs of the people /Citizens. Good governance, development and peace are closely interlinked and together they become a vehicle to improve the human conditions. Good governance enables to fight corruptions, waste of resource and bad administration which are among the greatest obstacles to development. Democracy and Good governance are very much interrelated concepts. But "democracy" alone is not a sufficient cause of "good governance."

- ❖ Participation
- ❖ Rule of Law
- ❖ Transparency
- ❖ Accountability
- ❖ Responsiveness
- ❖ Consensus Oriented
- ❖ Equity &inclusiveness
- ❖ Effectiveness and Efficiency

To say there is good governance in a certain country, there should be transparency, accountability and responsiveness in public administrations. The people have the right to know how decisions that affect them are arrived at; how public resources are administered, by whom and how? The diversion of scarce resource from basic development priorities such as educations, health, food security to words low-priority and sometimes economically abused uses

such as excessive Military spending, personal enrichment etc is a serious violations of social and economic rights of citizens.

1.4. The Sources (Foundations) and Interdisciplinary Nature of Civic and Ethics

It is apparent that Civic and Ethics has several sources and takes knowledge and theories from different disciplines or subjects. The sources of Civic and Ethics can be generally classified in to two:

3.1. **Theoretical Sources:** This refers to the various disciplines which lends theories, Principles and explanations to the subject. Civics is actually a social science; however, in certain respects it forms a part of political science, philosophy and other field of study. Obviously, political science, philosophy, and Law occupy a central area in the study of Civic Education but other disciplinary areas such as history, sociology, geography etc. make important contributions to the studies of Civic Education. The study of Civic Education, therefore, requires relating and integrating knowledge, experience and skills obtained from these various areas of study. This multi-disciplinary nature of Civic Education enables students to **widen their mental horizon**, their thinking and problem solving abilities and to apply their intellectual skills in investigating issues related to the affairs of their community and nations.

3.2**. Documentary Sources:** This refers to the various materials that include:-

International instruments such as the Universal Declaration of Human Rights, and the various kinds of Covenants and Conventions including covenants on Economic, Social and Cultural Rights as well as conventions on the elimination of all forms of Discrimination against women, convention on the rights of Child etc.

Furthermore, constitutions both Federal and regional as well as legal enactments and decisions made by legal bodies such as parliaments, state councils and various Federal ministries are also sources of civic education.

Civic and Ethics is not a subject which stands by itself. Rather it is a subject which is interdisciplinary. What makes a subject interdisciplinary is when it borrows, shares or takes knowledge, theories, principles and explanations from different disciplines.

Civic and Ethics belongs actually to social sciences. However, in certain respects it forms part of political science, philosophy and other field of study. Obviously, political science, philosophy, and Law occupy a central area in the study of Civic and Ethics but other disciplinary areas such as history, sociology, geography etc. make important contributions to this study. The study of Civic and Ethics, therefore, requires relating and integrating knowledge, experience and skills obtained from these various areas of study. This multi-disciplinary nature of Civic and Ethics enables students to widen their mental horizon, their thinking and problem solving abilities and to apply their intellectual skills in investigating issues related to the affairs of their community and nations.

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Although some allowance may be made for postgraduate needs, whether academic or vocational, wider considerations should determine the main design of the undergraduate curriculum. In the first place, it should not be too specialized for at least two reasons. One is that undue specialization at this stage will militate against the ideal of a liberal education which is the primary aim of university studies. The other is that studies by immature mature minds which are too narrowly concentrated will defeat their object. An undergraduate student who studied nothing else except political science would probably understand less about the subject than one who had broadened his outlook by learning something of history, sociology or economics. There are many signs of an increasing recognition by social scientists of the value and possibilities of cross-fertilization among the social sciences.

In the next place, every effort should be made to achieve a satisfactory unity among the studies which are taken by a student for his undergraduate course. The almost unlimited range of choice permitted in some American colleges and universities has serious disadvantages because of the lack of any 'carry over' from one field of study to another; and for this reason the leading institutions in the United States are tending to limit the student's choice to related fields, or at least to achieve a certain coherence.

Chapter two
Society, State,and Government

3. 1. Society

Society refers to collective existence of human beings in various forms of organization and associations over a period of time in a defined place. It is a grouping of individuals, which is characterized by common environment and may have distinctive interests, culture and institutions. According to relationship perspective, society in the widest sense includes every kind of interactions entered in to by people. Societal life includes the whole issue of human relation without any boundary. It comprises the entire web of societal relations. Alternatively, in person's perspective, society is shared life. It is made up of interconnected and overlapping groups. It is neither solely determined by number of participants nor physical size of territory they occupied.

According to anthropologist, humans' closest biological parental relatives are chimpanzees. Sociologists differentiate societies based on level of technology as hunters and gatherers, simple agriculture, advanced agriculture & industrial. Conflict and integration theorists have produced a system of classification based on evolution of social inequality as hunter-gatherer bands, which are generally egalitarian; kinship societies in which there are some limited instances of social rank and prestige; stratified structures led by chieftains; civilizations, with complex social hierarchies & organized governments. Hunter gatherer clans permanently settled around seasonal food stockers to become agrarian villages which grew to towns & cities. Cities turned in to city-states & nation-states.

3. 2. State

3. 2. 1. Definition: state is politically organized territorial entity with the following elements:

A. **Population**: this refers to people who are residing within certain area. No minimum number is required to constitute population of a state but must certainly be great enough.

B. **Territory:** this refers to definite earth's surface portion marked off from other states portion. It includes land, topographical contour, air, waters and natural resources.

C. **Government:** is state agent to maintain order, give services and carry out international obligations.

D. **Sovereignty:** this means state is supreme, highest and most powerful organization of society. It has legitimacy to exercise power internally and externally. It possesses power monopoly and determines how this power shall be exercised in a country. It is sole bearer of emporium & final source of laws. It cannot have rivals as a law making power and an object of allegiance. It is subject to no other power above itself whatsoever. It is also recognized to interact with other states on equal status.

3. 2. 2. Historical Development

Since about 5000 B.C., facilitated transition to crop cultivation and surplus production have led to large-scale state systems development in Tigris, Euphrates, Huwang Ho, Yangtze, Indus, Ganges and Nile valleys. Embryonic foundations of state and principles of politics also linked to ancient Greek city states (polis). Greeks political system was constantly nourished by

philosophers one of whom was Aristotle whose work contributed much to theories and practices of state systems. There are many contending theories on the origin of state.

A. Natural/Evolutionary theory: this claims state's gradual evolution out of earlier communities.

B. Divine Right Theory: this views state as an institution created by God and rulers as God's representatives on earth. It claims that it is of God's will that in human society some are born to rule while others are born to be ruled. It served as a justification for the power of feudal emperors.

C. Force Theory: this associates states emergence to endemic wars of conquest and conflicts. State is created through a process of coercions and occupation of the weak by the strong. Hence, military might or physical strength is considered to be of paramount importance for consolidation of state.

D. Social Contract theory: this was developed from 16^{th}_18^{th} centuries in revolutionary fight against absolute monarchs. Its major exponents were British political thinkers Thomas Hobbes (1588-1679) & John Locke (1632-1704) and French scholar Jean-Jacques Rousseau (1712-1778). It holds that state is an artificial creation based on voluntary consent of people and its purpose is to safeguard peoples' inalienable rights. However, it gives priority to individual over society. It is difficult to reconcile contradiction between its individualistic premises as individual is born in to and indefinitely tied to society. Nevertheless, this theory is currently operational in international politics.

E. The Marxist Theory: according to this theory, historically, state originated from the split of society into social classes with sharp & polarized economic interests. The formation of social classes is associated with emergence of private property. It stands for the interests of the rich against the poor. Thus, proponents of this theory believe that with historical process of disappearance of private property and antagonistic social classes, state will wither away. Thus, an envisioned Social system, (communism) where everybody will be equal and all have whatever they want would prevail.

Idea of modern nation state is traced to Westphalia settlement in 1648, which ended European Thirty years' war. Vienna congress, European Concert, Berlin Conference and International institutional innovations of 20^{th}c have contributed a lot. Today, nation-state has expanded and become a universal model of state though there have been historical distinctions from continent to continent.

3. 2. 3. Structure: this refers to state forms on how power and responsibility are distributed at various levels. Based on this, there are 3 major arrangements.

A. **Unitary:** this is a structure in which there is power concentration in central government. All laws and principles emerge from center. Strengths of unitary structure include uniformity of rules, policies, decisions, political activities and services as well as emphasis on equal access to public services and resources to all units. However, though there may be existence of more than one tire of governments that are merely established for convenience of central government,

sovereignty of national government is indivisible. Unitary constitutions do not recognize authorities and functions of sub-territorial (local) governments, which are extensions of national government and can be created or even abolished by central government. Weaknesses of unitary structure include lack of participation at the lower grass root level or absence of inter-regional competition; in ability to manage diversities or failure to reflect reality, difficulty of effective administration and lack of check-balance so there might be misuse of power. Nonetheless, internationally, majorities of states are unitary including Great Britain, France, Spain, Belgium, Netherlands, Scandinavians, Bulgaria, Romania, Poland, Japan, most African states and most Latin American states. In unitary states, such as the United Kingdom and Belgium, the constituent subdivisions of the state are subordinate to the authority of the national government. The degree of subordination varies from country to country.

B. **Federalism:**

Federalism also referred to as federal government, a national or international political system in which two levels of government control the same territory and citizens. The word *federal* comes from the Latin term *fidere,* meaning **"to trust**." Countries with federal political systems have both a central government and governments based in smaller political units, usually called states, provinces, or territories. These smaller political units surrender some of their political power to the central government, relying on it to act for the common good. Federal states are established either by devolving/devolution/ power from a pre existing central state or by aggregating/aggregation/ power of the pre existing petty states. Federal states of Ethiopia and Germany respectively can be taken as good how federal states emerged by devolution and aggregation.

In a federal system, laws are made both by state, provincial, or territorial governments and by a central government .This provides a mechanism which units separate polities allowing each polity to maintain its fundamental integrity. It is a covenant between pre-existing groups and federal government. Power of federating units and federal are clearly stated by constitution which cannot be changed without agreement of the two and power is shared between the two. Powers and functions of sub-territorial governments are recognized. Each level of government can make final decisions with respect to its area without federal permission. All regions may have their own constitution, flag, police force, anthem etc. However, some functions like foreign policy, national defense, international trade and currency are considered as central government functions which need uniformity. Strengths of federalism include devolution of power to units, units coordination (not subordination) to federal and units self governing. Conversely, weaknesses include authority duplication, resources unfair distribution, decision delay and problem of accountability. Federal states, such as the U.S. and Switzerland, comprise unions of states in which the authority of the central or national government is constitutionally limited by the legally established powers of the constituent subdivisions..

C. **Confederalism:** this is a voluntary association of independent states in which central government is weak but state governments are strong. However, central government is expected to coordinate and facilitate some activities among different states. A confederation gives less power to the central government. The loose alliances of countries or other political entities that make up a confederation seek to cooperate with one another while retaining ultimate control of their own internal policies. Unlike federal systems, confederations usually give each member nation absolute control over its citizens and territory. The central government decides only issues that affect all members of the confederation. In the 18th century the United States was founded as such a system under the Articles of Confederation. More recently, the Soviet Union dissolved in 1991, and many of the former republics formed a confederation called the Commonwealth of Independent States (CIS) to coordinate domestic and foreign policy. Confederations tend to be weak and unstable because member nations often resist relinquishing final authority on any matters and insist on their right to withdraw from the confederation at any time. Confederations are uncommon; most are international bodies with limited and specific responsibilities, such as the European Community (EC) and the British Commonwealth. State structures of Switzerland, German and USA are preceded by confederation. Currently, confederalism is more observable in regional, continental and global organizations.

3. 3. Government

Government is political organization comprising the individuals and institutions authorized to formulate public policies and conduct affairs of state. The word *government* may also refer to the people who form the supreme administrative body of a country.

3. 3.1 Definition and Functions

Government is an apparatus by which state maintains its existence. It exercises authority of a state and speaks or works on behalf of state. It accomplishes state's purposes & functions and realizes its policies & objectives. One of the main functions of government is to secure the common welfare of the members of the social aggregate/society or political system/ over which it exercises control. It includes offices, personnel and process by which a state rules. Thus, government is never identical with state. State constitutes entire society but relatively government is only small proportion of society. Even though, they are not one and same, the concept of state and government is not seen in isolation because if there is no government then there is no state.

3. 3. 2 Organs: refers to branches of government. Government organs serve common national interests & ends as they do not compete but complement or supplement each other. Their functions are directed towards ultimate goal and welfare of general mass. They are separate but equally important together constituting the whole.

A. Legislature: this is a lawmaking body and its functions consist mainly in laws' enactment. Process of law- making includes formulating and introducing bills, giving them successive readings, referring to committees, voting on and sending them as completed measures for

respectful assent. There are countries with a unicameral but many countries have a bicameral (two chambered) parliament.

B. Executive: this is the biggest institution with many departments to administer laws and mobilize resources. It has much power and vital roles. Its power scope may be residuary i.e. any function not assigned to legislative or judicial may be performed by it including taxes collection, maintaining order and defending country from enemy. It also involves in quasi-judicial activities. For example, tribunal at Federal Civil Service Commission acts as appellate court for grievances presented by civil servants against government disciplinary committees decisions. It passes decisions following - *court - like procedures.* Parties who are aggrieved by executive decisions go to judiciary by appeal. Some executive cases require extensive knowledge of particular discipline or handling by technical persons since judges are less familiar with technicalities. Court procedures are very protracted and decisions may require longer time than decisions of executive.

C. Judiciary: this is expected to be detached from politics and act in neutral manner. It is anticipated to render impartial decisions. Independent judiciary can stand as a guardian, defender and bulwark/safeguard/ for individual rights protection. Justice is needed to be dispensed fairly and general public feels confident in integrity of judiciary. Judiciary is needed to be directed only by law and should be free from any influence of legislative or executive.

3. 3. 3 Systems and Types of government

3. 3. 1. Systems One classification of government in democratic nations, parliamentary or cabinet governments is distinguished from presidential ones.

A. Parliamentary: this is a system led by a party or a coalition of parties with majority seats in legislature. President or king/queen is ceremonial state head. Premier or chancellor is chief executive and deals with day-today political activities. Prime minister is either appointed by state head or elected by legislature from majority party whose leader usually becomes prime minister, although not in all countries. There is a **collegial** (e.g. ministers' council, which incorporates Prime Minster and cabinet). Prime minister has certain amount of personal choice to select ministers. In some countries (e.g UK, India) all ministers are **parliamentarians** but in some others (e.g. Ethiopia) some ministers may not be. A government is directly responsible to assembly and indirectly to electorate since it is appointed from constituents' representatives in assembly. Legislature controls executive's functions nearly on a day-to-day basis. In governmental control, many parliamentary democracies pose confidence or no confidence vote which has been considerably improved but its importance has been considerably diminished. Parliaments theoretically hold power of life or death over governments. In practice, however, procedures of parliamentarianism are used less and less. In some cases, when a government finds itself in difficulties, following repeated defeats and disagreements with its majority, it is sometimes forced to resign without any vote of any confidence. In parliamentary governments, of which the United Kingdom, India, and Canada are examples, the executive branch is subordinate to the legislature

There is executive flexibility if serious failures call for new leadership. Moreover, executive-legislative fusion results in effective policies and avoids deadlock/stalemate. If friction arises it can be resolved by a no confidence vote. Furthermore, there is a strong party whip/beat/ which ensures that members of a party have obligations to support proposals of their respective party with the same political opinion and rare internal debate. Whenever a party member feels that his party's program is against his conscience, he has to withdraw from the party. Government also **has not fixed tenure** as it may be removed at any moment if majority in parliament passes a vote of no confidence with respect to governing party programs. Accordingly, prime minister may resign or request the president to invite parties to form a coalition government or house may be dissolved and election conducted. Moreover**,** when legislature fragmented into many small groups, cabinet becomes unstable as it is exposed to frequent disintegration and dissolution due to disagreements or changing alignments. Such instabilities may take place between elections without any popular involvement.

B. **Presidential:** this is a system in which president is both state and government head. President could be elected directly by people or by Electoral College (public delegates grouping to elect representative). President enjoys ultimate power and complete responsibility for all executive actions and only president makes very important decisions. President appoints secretaries (executive departments' heads) up on assembly approval and dominates cabinet (president's meetings with secretaries). Since president can appoint his ministers from people who do not belong to legislature, he has wide range of possibilities to select people of great caliber, individuals of competence and integrity without political considerations. Ministers hold office entirely at his pleasure and are accountable to him. They are merely instruments through which his policy is carried out. President, in most presidential systems can dismiss any of ministers as he likes with fast decision. In presidential governments, such as in the U.S., the executive is independent of the legislature, although many of the executive's actions are subject to legislative review.

Presidential theory requires assembly to remain separate from government. In most presidential systems, neither president nor any of his secretaries can be a member of legislative organ. A member of legislature can join executive only after resigning his membership in legislature. Executive does not depend for its survival on legislative whim. The president may be member of majority party or he may be even member of minority party in legislature. It is usually assembly which holds president ultimately responsible to constitution but not to assembly itself. Although legislature has certain controls on president, it cannot cause executive dissolution. Assembly cannot dismiss president; president may not dissolve assembly. Ministers are neither responsible to legislature nor do their function based on collective responsibility but individual. This would result in fragmented policies.

Presidential government is stable since it cannot be dismissed before the expiry of its fixed tenure by an adverse vote in legislature. President may be removed from his office only through

death, resignation, inability to discharge powers and duties of office or by unusual and exceptional congressional impeachment (accusation because of grave crime against country and constitutional order) and conviction on charges of treason, bribery or other serious crimes. However, president's fixed term breaks political process into rigidly demarcated periods, leaving no room for continuous readjustments that events may demand.

Party discipline in the legislature is loose and legislature members enjoy considerable freedom to oppose or support any proposal even though it may be part of the president's program. Members of parliament are guided by their conscience rather than a strict party discipline. This could enable them to express their feelings with lesser control of a party whip.

E. **Semi-presidential/Hybrid:** this is an alternation between presidential and parliamentarian phases which solves both executive-legislative dead lock of presidential and legislature's uncritical support of government in parliamentarianism. Hybrid system combines advantages of direct democratic election and stable tenure associated with a presidential executive and flexibility of a parliamentary cabinet and prime minister. Moreover, president, prime minister and cabinet together offer much better opportunities than pure presidential government belongs to a general type of governmental system that could be called '**dual leadership**.' However**,** all of the advantages of parliamentarianism and presidential cannot logically be claimed simultaneously but in phases. In its presidential phase, semi- presidential has much less potential for coalition-building than parliamentarianism and in its parliamentarianism, government head lacks advantage of being directly elected. France and poland can be taken as examples having a hybrid government. The French constitution gives executive authority to both the president and prime minister. The former is head of state; the latter, as leader of the Council of Ministers, is head of government. The president is elected by direct popular vote for a term of five years. In this power-sharing arrangement, known as *cohabitation***,** the prime minister and president may disagree about policy goals and work to limit each other's influence.

3. 2. Types of Government

Still other classifications hinge on varying governmental forms and powers among the nations of the world.

A. Personalist: this exists in a society where development of organization is extremely weak and solid procedural methods to govern society are almost null. Governance base is tradition, culture and history. These lead to charismatic individuals to prevail and assume power. Institutions are not effective to offset influence of charismatic leader since individual leader is source of power, command and chief executive to portray themselves as they are leading by virtue of God.

B. Bureaucratic Authoritarian: this has multi-party system, civic association, highly politicized Civil services and allows parties participation. It survives as a result of its military set up which intervenes in political arena. Election can take place but easily manipulated by coercive methods and pre-determined. The ruling party is over whelming powerful and popular participation is marginalized.

C. Populist: this is inclusionary of the mass support and has institutional viability. Most often it tends to lead mass mobilization. Expressive of popular support for populist regime solicited by mass rallies, demonstration, marches, different means and ways are employed to ensure the

commitment of the masses. A heavy degree of indoctrination, agitation etc are employed to develop a sense of belongingness to the regime. Common goals are defined to which the majority subscribed.

D. Liberal Democratic: this is signified by political power derived from constitutional sources and electoral legitimacy. Competition for power is undertaken on popularity base on which divergent of interests compete peacefully. Formal freedom & liberty are adopted and rule of law is strong. There are check-balances, transparent and free market economy. The liberal democratic government is fashion of the day because international organizations are influencing states to adopt this regime. The most important thing here is identifying whether these governments are similar in words and deeds.

Chapter Three

Citizenship

3. 1. The Conceptual Framework and Historical Development

Etymologically, the word citizen is derived from a Latin word "**Civis**" means **city resident**. The origin of the term is associated with ancient Greek city states whose full members were known as citizens. Citizen is legally recognized member of a state. Citizenship is legal status or official identification of individual to be integrated in to a state. It is a contractual relationship between state and citizens. Citizenship understood as active participation in political life by those persons who live within the scope of action of a State. "Citizenship is that status granted to members of a community with full rights and its beneficiaries are equal in rights and obligations that implies. Marshall 1998, distinguishes three types of rights that historically have been established in succession: (1) the *civil,* or the rights necessary for the development of individual liberty; (2) *political,* i.e. the right to participate in the exercise of political power, as an elected member or as a voter and (3) *social* rights, which are those that guarantee the right to public safety, health, the right to education, etc., that is the right to a decent life. It is precisely these rights that give us the status of citizens to enjoy i.e. being a full member of a democratic society.

3.1. 2. MODELS OF CITIZENSHIP

Society needs people committed to their community, and not just rights-holders. And most contemporary works that address the issue of citizenship speak of three models: liberal, republican, and communitarian.

3.2.1. Liberal citizenship

Liberal citizenship is identified as a distinct conception and institutionalization of citizenship and whose primary value is to maximize the individual liberty. For liberal citizenship what matters "is guaranteeing the right to be governed by a State that enjoys consensus, that respects individual rights and permits him to develop without interference, his own life plan, according to his tastes and ability "However, communitarians and republicans, consider citizenship as a link with the community, which imposes duties and obligations rather than as a status that grants citizens certain legal powers. And two predominant threads emerge with in liberal citizenship discourses; neo liberalism and political liberalism. The core concept of political liberalism is an individual who can freely think, express ideas and act and whose freedom to think, express and act should be protected by the state. However, in practice such an ideal of the liberalist citizen may be founded on dubious assumptions. Political liberalism envisions a more limited political arena, with greater focus on procedures that would ensure fair, inclusive deliberation about governance and policy" Two important beliefs of those who support liberal citizenship include freedom from the tyranny of the majority or authority, and the value of disagreement, discussion, and consensus building.

3.2.2. Republican citizenship

Republicans attach much value to the political institutions because they feel that they are the means to develop autonomy, which is why they link freedom to citizenship. There are two views of republican citizenship; Rousseau's patriotic republican citizenship and J. Stuart Mill's republican citizenship."For republicans, citizenship requires identification with the commitment to the political community's goals, gained through the processes of education and active engagement in the democratic process". According to republicans the republican citizen is not indoctrinated in a particular policy option, but rather instructs himself to be aware of his civic duties and develops a reflective and critical capacity. Compared with liberal citizenship, the republican view often stress the value of love and service to ones political community, wishing to promote a civic identity and commitment among the youth. Accordingly, a good citizen is one who integrates his/her self realization with public participation in order to pursue the common good. For proponents of civic republican citizenship, in order to be a good citizen, one is required to have feelings and take active civic actions contributing to the common good and solidarity of the community.

3.2.3. **Communitarians citizenship**

Communitarians stress that individuals who are well integrated into communities are better able to reason and act in responsible ways than isolated individuals, but add that if social pressure to conform rises to high levels, it will undermine the individual self. Communitarians argue that the identity of citizens cannot be understood outside the territory in which they live, their culture and traditions. Communitarians pay special attention to social institutions. Moreover, they believe that the basis of its rules and procedures and legal policy is the shared common good. The political subject, above all, belongs to a community, a community to which he owes allegiance and commitment. As a result, the good of the Community is much above individual rights. Contrary to the liberalists, the communitarians resoundingly reject state's neutrality. Rather they argue that the State must provide a policy for the common good, according to the way of life of the community. "The State must intervene with a strong cultural policy to preserve the dominant conception of the good in the community, which is not incompatible with tolerance of minorities, although it motivates them positively for their integration into the hegemonic community"

3. 4. 2: Ways of Acquiring and Loosing

3. 4. 2. 1. Major Ways of Acquiring

3. 4. 2. 1. 1. Citizenship by Birth

A. *Jus Sanguinis:* **this** is Latin phrase which means right of blood whereby a child acquires citizenship of his/her parents. What matters is the lineage, descent or blood relationship, not the place of birth.

i. Jus Sanguinis Materni means blood line of mother, e.g. followed by Israel

ii. Jus Sanguinis Paterni means blood line of father, e.g. followed by Bulgaria. *Ethiopian follows legal parents' blood principle (father or mother or both) for historical make up.

B. *Jus Soli:* this is also a Latin phrase which denotes soil right whereby a child attains citizenship from a birth state. However, children of diplomatic missionaries and representatives of international organizations may not claim this citizenship in line with international conventions such as 1930 Hague Convention on Conflict of Nationality Laws, 1961 Vienna Conventions on Diplomatic Protocols and 1963 Vienna Consular Protocols of United Nations. Most European & North American (Anglo-Saxon) countries adhere to *Jus soli* with hope that it will facilitate intermingling of nations.

3. 4. 2. 1. 2. Citizenship by Law (**Naturalization**)

A. Citizenship by Registration

i. Marriage: according to this principle, if a woman marries a man of another state, she can have her husband's citizenship. If marriage takes place without legal procedures, married woman/man can claim citizenship of her/his husband/wife. This is considered as *defacto* or Apparent Nationality.

ii. Legitimation this is citizenship whereby an illegitimate child gets citizenship of his/her care taker.

iii. Option: a multi-citizenship person chooses citizenship of one selected state.

iv. Acquisition of Domicile: this is through permanent residence in a certain country.

v. Appointment as Government Official: is acquired by serving as a worker in a defined state.

vi. Grant on Application: this is acquired based on specific rules and principles.

B. Citizenship by Political Case or Process

i. By Force –occupied state individuals are forced to acquire conquering state citizenship.

ii. By Voluntary Process (Cession): due to willful merger of one state with another state, people of state which decided to join another state will get citizenship of that state. People of Louisiana decided to join USA in1803 from France. Saar valley voted through plebiscites to join Germany in 1934-35.

C. Citizenship by Re-integration/Restoration: this is a system whereby a person who had lost citizenship of a state due to certain reasons can get back citizenship on fulfilling conditions laid down.

D. Citizenship by Option: this takes place due to voluntary partitions or exchange of territories. In such cases, residents are given the option to choose the citizenship of one of the two states.

E. Citizenship by Legislation: a state can grant honorary citizenship to prominent figures.

F. Citizenship by Special Case/Functional Nationality: this is a possibility whereby citizenship is given without undergoing all legal procedures. .

*When a person has citizenship status of two countries at a time, it is known as dual citizenship. One can be acquired by birth place (*Jus soli*) and the other by blood line (Jus *Sanguinis*) or through naturalization.

2. 4. 2. 2. Ways of Loosing Citizenship

I. Renunciation (Expatriation): this happens either when a person gives up previous citizenship because of being naturalized in another country or harassment and state ideologies personal dislikes.

II. Deprivation: this takes place when a person commits serious crimes against the state such as exposing the secrets of his own country to alien forces, siding enemy forces in times of war and Carrying out diplomatic, economic, political and military intelligence for another state within own state.

III. Substitution: this happens if naturalization substitute's original citizenship or state is conquered by another state and conquered territory citizenship replaced by conqueror citizenship.

IV. Lapse: this takes place as result of long and continuous stay outside one's own state. E.g. If an Indian stays outside his country for more than seven years, he will lose Indian citizenship.

*Statelessness is lack of citizenship or a person is not a citizen/national of any country. This happens if:

-the homeland of a person denies him/her citizenship as punishment, e.g. by expatriating.

-a person renounces citizenship of his/her country but does not acquire another citizenship.

-a child is born from alien parents without being citizen of a country that does not recognize *jus soli*.

-the laws of some countries pertaining to marriage do not give citizenship right.

-a person's homeland has been destroyed by another country.

3. 4. 3. Citizenship in Ethiopian Context

The first Ethiopian citizenship Decree was issued in July 1930 (amended in October 1932) based mainly on general principles of *jus Sanguinis.* According to article 12 sub-articles 1 of that law, Ethiopian Citizen is required to reach majority legal age, stay in Ethiopia for at least 5 years**,** not dependent upon others**,** speak and read Amharic and not accused of crime and other legal problems, have good health condition and moral character**.** A person born in Ethiopia or abroad from Ethiopian parents is entitled to be an Ethiopian. However, there are some qualifications to this general principle as follows:

-Every child born in a lawful mixed marriage follows the nationality of his father.

-A legitimized child follows his/her foreign father nationality if his/her father's state law grants him/her nationality with all inherent rights. Otherwise the child will preserve Ethiopian nationality.

The Decree further states that Ethiopian nationality is lost if:

-Ethiopian woman contracts lawful marriage with foreigner and acquires her husband's nationality. Article 4 of the law confirms that woman can choose citizenship of her husband but if she is divorced her Ethiopian citizenship cannot be removed.

- Child born in lawful marriage b/n Ethiopian woman & foreigner follows his/her father nationality.

-Ethiopian subject changes his nationality and acquires foreign nationality.

Despite this, Ethiopian nationality may be retained by:

-Ethiopian woman married foreigner whose country law does not entitle her to husband's nationality.

-A child born outside marriage where his/her father law does not allow him/her father nationality.

- if Ethiopian child adopted by a foreigner and adopting parent national law does result in a change of original nationality of adopted child.

The PDRE constitution of Ethiopia (1987, in Art.31) glossily provided that "Any person with both or one parent of Ethiopian citizenship is an Ethiopian"

The 1995 Constitution of Ethiopia reaffirmed the principle of *Jus Sanguinis* marking departure from patrilineal inclination. Once citizenship is established, it cannot be deprived without the consent of the citizen or there is no loss of citizenship by way of penalty. Naturalization privilege may be terminated if it was acquired on the basis of false information. Citizens are given the right to change their nationality. Thus, the modern philosophical elements of public contract are reflected in the constitutional rights. These rights are composed of free movement of citizens within state, choosing one's own residence, freedom to leave the country, return to the country at any time etc.

On the Basis of FDRE constitution, in 2003 Ethiopian Nationality Law that deals with citizenship issues enacted and is known as Ethiopian Nationality law Proclamation Number

378/2003. Accordingly Ethiopian nationality is acquired in two major ways; acquisition by descent and acquisition by law.

Activities about citizenship issues

> ➤ What conditions should be fulfilled by a foreigner who applies to acquire Ethiopian nationality by law?
> ➤ In what conditions and how Ethiopian citizenship or nationality can be lost?
> ➤ If an Ethiopian decides to renounce his /her nationality to which federal institution does the person should apply in advance?

Chapter 4

Constitution and Constitutionalism

4. 1. Meaning of Constitution and Constitutionalism

Constitution consists of fundamental laws of a country. It includes basic rules, regulations, values, beliefs, traditions, norms, customs, standards and aspirations that channel internal affairs of a country and give direction to country's foreign relation. It is a document containing essential principles on distribution of governmental powers as well as rights and responsibilities of citizens. It indicates economic, political and social policies of a given country. Yet constitution is different from specific laws, because it is the highest law of a given country. It is brief and general outline. Constitutionalism means government by constitution or practice of government regulated by a constitution.

It is a concept which implies constitutional provisions full realization or implementation. It is a culture in which government officers' act in accordance with the rule of law. All acts of public servants are carried out in accordance with the law and authorized by law in which contents of the law must not be unjust and do not confer unfettered discretionary powers on governments to oppress their people. When government acts within the limits of powers given to it by constitution, it is said that it is acting introverts.

4.2. Purposes and Functions of Constitution

A. Serves as a framework for government: constitution is a plan for organizing   composition and structures of a government. It establishes foundation for government.

B. Grants powers to government: constitution provides authority to government to accomplish its tasks and to make different decisions.

C. Constitution limits government powers: constitution determines what public authorities must do and must not do. It restricts extent or degree of officials' power. Government authorities should not do whatever they wish to do but according to their constitution. The working of government officials in the spirit of constitution ensures the rule of law.

D. Constitution as the supreme law of a country: constitution is the source of all specific laws with regard to different affairs in a country. All other laws are derived from the constitution. When detail laws are made in a country constant reference should be made to the constitution. All laws in the country must conform to the constitution. Likewise, any law that contradicts with the constitution will not be valid as a law in the country. Thus, constitution serves as a binding instrument of all other laws in a country.

4.3. Formulation, Content and Validity of Constitution

Formulating constitution involves imperative decision making on the kinds of principles to be included or excluded in the constitution. It is a matter of making the laws that are going to govern the over all aspects of life in society. Thus, the process of formulation is decisive in determining the nature of a constitution. In non-democratic political systems, constitutions are drafted and finalized by few who are in power. Constitutions would hardly reflect the interests and needs of the people at large. Majority citizens have little chance to contribute and shape the constitution. Thus, there is little chance for betterment for the lives of citizens but mainly characterized by instability and unrest as such societies would be under constant possibility of the rule of dictatorship.

Democratic mechanism of formulating constitution involves active participation of majority of citizens. Initial draft can be outlined by politically active citizens in the context of modern societies as all members of the society cannot come together under one roof to formulate preliminary form of a constitution. Thus, political parties and civic organizations could come up with initial proposals of a constitution and present to the public. And citizens at various levels examine different tentative ideas of the draft. Citizens give their comments, advises and suggestions in order to improve the draft. This creates opportunity for interests and needs of the people to be reflected in the final document. Such constitution becomes not only law by which citizens live but made by citizens, which can easily get public support or approval and culminate

in earning legitimacy or validity. Such constitution facilitates the progress and development of a country and the betterment of the lives of citizens. It also helps to maintain internal peace and stability of the nation. It has an element of permanence without inviting the conditions of problems related to violent upheavals. It is not so flexible or dynamic that may be playing thing in the hands of government organs.

In a democratic culture, citizens do not only participate in the formulation of constitution but also participate in amending some aspects of the constitution. All constitutional provisions are not eternal or should not be strong defences of the existing status quo. Some of the provisions of the constitution may not remain acceptable forever. There are times that call for constitutional adaptability. In response to the vital and inevitable changing circumstances of the society, some articles in the constitution can be amended. When that need arises, citizens take part in the processes of refining their constitution into a better form.

4.4. Classification of Constitution

A constitution can be found in two types: the *written* and the *unwritten.* Constitutions that are found as a single, handy and readable document are called written constitutions. Hence, citizens have easy access to their constitution and make reference to it in monitoring the behavior to their government. Countries like Ethiopia and United States of America have written constitutions. Constitution based on the rules, regulations, declarations and laws passed by either a parliament or other competent government body at different times and are at the same time not compiled in a single document are called unwritten constitutions. Those countries without written constitution use laws passed at different times and widely accepted traditions as their constitution. These laws and traditions concerning various political, economic and social issues are found in different and separate pieces. Therefore, they are not accessible to ordinary citizens. As a result, citizens would be in a difficult situation in accessing their constitutions and in controlling the behavior of their government. Countries like Great Britain, Israel and NewZeland have unwritten constitutions.

On the other hand there are two types of constitutions with respect to amendment procedure. One is called rigid constitution which needs special and formal session to amend its parts or all its contents. In order to do so, two-third of the members of the parliament should be present in the special session and each part or the whole part should be approved or ratified by three-forth of the attendants. The other type of constitution is flexible constitution which does not require

special session or arrangement to amend it. It can be amended by a simple majority or the parliament.

4.5. Origins and Development of Constitution and Constitutionalism

The historical evolution of constitution can be traced back to earlier stages **of civilization**. The ideas of constitution as political phenomena extend further into previous historical periods. In the history of human societies, the emergence of constitutional government is related to the desire to limit the absolute powers of rulers over those who are ruled. Different political experiences of governance, political rights, roles and relations of state and society developed through time. In this regard, many cultures influenced and shaped the development of constitutional thinking. Thoughts and actions of different cultures of societies since ancient times have contributed for the appearance of the modern concept of constitution and the development of constitutional practices.

I. Hammurabi's Law: Hammurabi (r. 1792-1750) was ancient Amorite Babylonian king. His legal traditions were not concerned with issues of freedom and rights of the citizens. Instead attention was given to maintain forceful orders. Rules were aimed at consolidating the authorities of rulers who claimed justifications that their laws originated from supernatural forces or divine being. Subjects who did not obey the law would be seriously punished. Any criticism against the law was unacceptable. Thus, Hammurabi's law established a highly authoritarian rule. Modern sense of constitutionalism was not known. There was no limit on authority of government. The relationship between government and people was not based on equality. Thus, Hammurabi's Law introduced a legal system of governance or legality but not the idea of constitution and democratic practices.

II. Hebrews Theocratic Constitutionalism: Hebrew were the first to practice constitutionalism emphasized on limiting rulers' absolute power by divine law. Subjects claimed that they lived under divine guidance and rulers on earth were considered as God's agents. Thus, rulers were expected to have moral obligation to their subjects. When rulers became unjust in practicing law, *prophets* claiming spiritual authority arose to advice, warn and resist them. This is considered as the first legitimate opposition against established authority. However, Jewish understanding of justice was based on religious thinking, not on free will of the governed. Hence, contemporary ideas of political rights did not exist.

III. Greeks Constitutional Democracy: Greeks were the first to exercise democratic governance during 5th and 4th century. They developed a fully constitutional political civilization. The constitutional ideal of the Greeks included popular participation of all citizens in decision making through direct democracy. There was no possibility for political power to be held in the hands of the few. It also involved sharing of power and state functions. Moreover, that system also included mechanisms of limiting the powers of office holders. The office holders were usually selected by the vote. In some offices that required qualification and knowledge, the office holders were designated by election. All active citizens had access to the public offices. When public officials tend to abuse power, condemnation and exclusion from social acceptance were exercised. The office terms were also short. Therefore, political power was rationally shared. Officials and citizens also made observance to the rule of law. Nevertheless, the constitutional democracy of the Greeks was not absolutely perfect. The assembly of citizens was without any constitutional limitations. That is, the kind of democracy exercised was excessive. As a result of this, the Greek political system was unstable and full of internal disharmony.

IV. Romans Republican Constitutionalism: Romans introduced a republican system of governance from 600 BC to about 100 BC. Republican constitutionalism was not completely left at the mercy of all citizens and not completely controlled by absolute monarchy. Romans exercised distribution of powers among different assemblies which were meant to be complex devices of checks and balances on each other's powers. Officials were elected by assemblies of citizens and for a term of a year at a time. Thus, republicanism was a form of constitutional supremacy of legitimate officials and bodies for limited purposes and periods. The Romans also established a system of civil and criminal law, which is the source for the legal codes of many modern nations. Republicanism emphasized the operation of an elaborate legal system and institutional means of limiting power. Anyhow, the influence of citizens in governance process was limited although it was conducted on legally or popularly acceptable ways. Eventually, the Roman republic degenerated and resulted in absolutist rule.

V. Magna Carta: in its modern sense, constitution emerged in 7th century England. In 13th century England King John used to rule his people unfairly or selfishly. The abuses of his power were asking unusual tax rates and depriving of established privileges. As the result, those who suffered decided for an armed confrontation. However, in 1215 AD John agreed to sign a great charter of liberties called **Magna Carta** which put restriction upon king's power. Magna Carta

has served as cornerstone for modern systems particularly English parliamentary, USA's presidential and French hybrid systems.

4.6.1. **Constitutional Experience of Ethiopia**

Configuration of centralized statehood inEthiopia with present shape and size significantly goes back to Emperor Menilik II's reign   (1889-1913) though attempts to do so were started by Emperor   Tewodros   II   (1855-1868)   and   Yohannes IV (1872   1889). The campaigns carried out by Menilik(r1889-1913) from the centre incorporated various states, nations, nationalities and peoples in south, southwest and east. In the mean time, boundaries were established based on international agreements between Ethiopian government and the surrounding colonial powers of the time. Nevertheless, since its inception, centralized political system gave little recognition and denied autonomy to rich Ethiopian historical diversities in languages, traditions, beliefs, religions and political practices. This has been one of the major causes of questions for freedom, equality and self-governance throughout 20th century.

4.6.2. Traditional Constitutional Documents

A. Kibra Negast: this literally means the glory of kings and gives the account of the Legend of Queen Sheba which is not supported by evidences. This legend served as an ideological justification for those Kings who assumed political power to cement their authority over the natural resources they owned and the peoples they ruled. They argued that they were elected by God to rule others. This way of justifying king's political power had been used almost by all Ethiopian rulers from 1270-1974 being supported by public expressions such as "a king cannot be accused as the sky cannot be ploughed".

B. Fetha Negast: this is legal code which has set religious and secular provisions and served at least since 17[th]c   constitution in Ethiopia.

C. Seriata Mengist: this has provided administrative and protocol directives since 19th c.

4.6.3. Written Constitutions

A. The 1931 Written Constitution

It is important to note that despite the long history of people and state, Ethiopia has little experience with written constitutions. Similarly the principle of separation of power and

separation of state and religion were odd to Ethiopia's legal culture. Another notion which was unfamiliar to the Ethiopia's legal culture was of federalism.

The coming in to power of Emperor Haile Silasse heralded the period of written constitution. This era starts with the promulgation of the first written constitution in 1931. The Constitution, however, was significant not for its liberal traditions but rather for its symbolic role in providing formal definitions of the relations between the emperor and the nobility and the administration of the government.

The Constitution can be considered as more of a formal agreement between the monarchy and the feudal lords. A two chamber parliament was founded, and was given the power to discuss laws, except those on subjects including government organization, the armed forces and foreign affairs, which were reserved to the Emperor; the Senate was appointed directly by the Emperor, and the chamber of Deputies was elected by the nobilities in the Upper House.

The 1931 Constitution did not bother about problems of ethnic, linguistic and religious diversity. For the same reason any form of decentralization of government were contrary to the purpose of the Constitution. Generally, the constitution has two motives:

One of the most important historical goals of the Constitution was to breakdown the powers of the regional lords by bringing them under powerful centralized state machinery. This Constitution strengthened the traditional position of the emperor by weakening the role of nobility. It also marked the culmination of the struggle of centralization process started by Tewedros II during the 19th C. Thus, consolidation and centralization of power was the sole motives of the first written constitution**.**

Secondly, its major purpose was modernization**.** The entrance of Ethiopia to the League of nation directed to introduce a series of political reforms on the basis of advices from the League. Ethiopia was expected to show to the outside world that it is becoming civilized.

☞ | The 1931 Constitution did not bother about problems of ethnic, linguistic and religious diversity.

The most interesting and novel aspect of the constitution was its provision for the establishment of a Parliament of two Houses-the Senate and the Chamber of Deputies. The senate was composed of members appointed by the Emperor from among the nobility (*Mekuanent*), who have for a long time served Him as Princes or Ministers; Judges or high military officers.

The functions of Parliament as a law-making body were limited. Legislative initiative was the monopoly of the Emperor though Deputies could ask his permission to deliberate on subjects suggested by themselves. He could veto any law proposed by the chambers. He had the right to draw up their procedure and to dissolve them. The work of the Parliament from its creation to the time of the Italian invasion is very little. The Emperor continued to issue his own decrees and the reserve of absolute power lay in his hands with the principle "Divine Rights of Kings".

☞ | The most interesting and novel aspect of the constitution was its provision for the establishment of a Parliament of two Houses-the Senate and the Chamber of Deputies.

B. The 1955 Revised Constitution

✎ Why Emperor Haile Silasse revised the 1931 constitution after twenty-four years later?

On the silver Jubilee of his coronation, Haile Silasse proclaimed the "Revised Constitution" which outdated the 1931 Constitution. Similar to its predecessor the revised Constitution solidified the absolutism of the monarchy. The first two chapters were devoted to the institution of the monarchy, the holiness of the Emperor, His dignity, and the Solomonic root of the dynasty, etc.

☞ | Similar to its predecessor the revised Constitution solidified the absolutism of the monarchy.

Apparently, it was the federation of Eritrea (with its liberal constitution) with Ethiopia which necessitated the revised Constitution. However, this constitution nowhere mentions of the federal arrangement. Hence, there was no division and sharing of power as is the case in the tradition of federal systems. What is clearly neglected in this Constitution, similar to its predecessor, was the issue of diversity. Due to the Solomonic monopolization of power all those who did not belong to the line are marginalized and excluded.

The revised constitution is more than twice as long as its predecessor. It has made changes either by expanding concepts presents in contracted form in the old constitution, or by breaking new ground. By far the most striking change, was the provision for the election of the till then appointed members of the Chamber of Deputies. Meanwhile the veto power of the Emperor is still there.

Moreover, the Emperor can use his power to legislate by decree, under article 92. All the tax legislation of the first five years of the life of the revised constitution and most other economic measures have been regulated by decrees.

There is a new ring about the provision regarding the Judiciary, which makes a positive declaration, that "judicial power shall be vested in the courts established by law and shall be exercised by the courts in accordance with the law . . ." The courts are "a Supreme Imperial Court and such other courts as may be authorized or established by law . . ." In actual fact the Emperor's *Chilot* still functions. Thus, the new constitution brought Haile Selassie's power to better and higher heights, and to consolidate the absolutism of the monarchy.

✍ Can you mention some of the indicators to say the Emperor has absolute powers?

C. Constitution of the PDRE

February 1974 saw the demise of the oldest Christian monarchy and replaced by military Marxism. A popular revolution involving peoples from all sections of the society succeeded in overthrowing the ancient imperial regime. The Provisional Military Administrative Council

otherwise known as the Derge replaced the monarchy and started to take revolutionary measures immediately. The Derge then acted as the supreme political organ in the country. After the suspension of the Revised Constitution the country was run by pieces of legislations and proclamation.

At the peak of this activities the 1987(PDRE) Constitution came to force. On the basis of its Article 59, which declared PDRE as Unitary state comprising of administrative and autonomous regions, the state resurrected. Accordingly, the country administrative structure was divided in to 29 regions, few of them given autonomous status. The Constitution starts by making "the Working People of Ethiopia" owners of the Constitution. It goes on at the preamble to note the fact that Ethiopia is a multinational state with various nationalities and diverse communities with essential unity created by cultural intercourse, migration and commerce. Moreover, the equality, respectability and development of all languages are clearly asserted with a rather pragmatic concession to Amharic as the working language of the country.

☞ | The PDRE Constitution starts by making "the Working People of Ethiopia" owners of the Constitution.

The Derge Constitution was not aimed at enshrining popular demands for social justice and democracy because they had already been dealt fatal blows during the first days of its assumption of power. The constitution was to satisfy the constant demand of the soviet patrons to legitimize Ethiopia as a socialist state. Indeed, the constitution created the first republic (PDRE).

In PDRE the organization and functioning of the organs of state is based on the principles of democratic centralism. The preamble states that all organs of state power, from the lowest to the highest shall be established by election. Decision of higher organs shall be executed by lower organs accountable to the higher organs. As per the constitution, all organs of state mass organizations, and other associations and officials shall observe socialist legality.

Sovereignty lies on the workers of Ethiopia and exercised through the National *Shengo*, Local *Shengos* they establish by election, and referendum. According to the Constitution the *Shengo* was the supreme organ of the state power in the country. Candidates to the National *Shengo* were nominated by organs of the Workers' Party of Ethiopia, mass organizations, military units and other bodies. The terms of the *Shengo* would be five years. The members in the *Shengo* were elected from their electoral districts in the country. In the absence of opposition party, the National *Shengo* functioned on the basis of strict party discipline and socialism.

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President of PDRE was elected by the National *Shengo* and answerable to it. He was the head of state, represented the Republic at home and abroad. His major roles include: ensuring the implementation of domestic and foreign policy, commander-in-chief of the armed forces, appoint members of the Defense Council, conclude international treaties, and perform other roles assigned to him by the National *Shengo*.

The Council of Ministers was the highest executive and administrative organ of the PDRE and was accountable to the *Shengo* and between the sessions of the *Shengo* it was accountable to the Council of the State and the President.

The Judiciary branch consisted of the Supreme Court, Courts of Administrative and Autonomous Units and other courts established by law. President, vice president and judges of the Supreme Court were nominated by the president and approved by the *Shengo* for five years term. Other judges were to be elected and recalled by the *Shengos* in the respective levels.

In sum, the PDRE Constitution built a unitary socialist state having no concern of federalism and insignificant concern for ethnicity. The regime's policy of solving ethnic problems provoked massive resistance from ethno-nationalists and regionalists which finally close the fate of the regime and reshaped the trend in Ethiopian political and constitutional history.

☞ | The PDRE Constitution built a unitary socialist state having no concern of federalism and insignificant concern for ethnicity.

D. The 1991 Transitional Charter

After a long and devastating civil war, the military dictatorship regime that ruled Ethiopia for more than seventeen years was overthrown by a coalition of liberation forces in May 1991. The new Ethiopian governors, lead by the Ethiopian People's Revolutionary Democratic Front (EPRDF) declared their commitment to a clean break with the past and the establishment of a new society; a society based on equality, rule of law and the right to self-determination.

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Dictated by the various interests advanced by the ethnic based coalition forces and similar ethnic based political groups, who joined afterwards, the recognition of Ethiopians ethnic diversity become the central principle of the new regime's policy. And this is immediately reflected in the Transitional Period Charter of 1991.

The ethnic based liberation movements came together immediately at a conference and drafted and approved an interim constitution or otherwise known as the Transitional Charter. The Charter is a very brief document with only 20 articles. The aspirations stipulated in its preamble include the guarantee of freedom, equal rights, and self-determination of all peoples; ensuring peace and stability by bringing an end to all hostilities, redressing regional prejudices and safeguarding rights of citizens through democratically elected, accountable government, and rebuilding the country and restructuring the state.

Interestingly the Charter, despite its briefness, puts a high premium on human rights. This is manifested in its direct reference to the Universal Declaration of Human Rights (UDHR) in its Art(1) which states that based on UDHR individual human rights are respected fully and without any limitation what so ever. In accordance with the aspiration of the Charter Art(2) give recognition to the right of "Nations, Nationalities and Peoples to self-determination" there by guarantying their right to a) preserve their identity, culture, history and language; b) self-administration with fair and proper representation at the center; and c) independence when the above mentioned rights are "denied, abridged or abrogated."

Thus, the Charter, in contrast to Ethiopia's legal and political tradition, gave an explicit recognition to the rights of "Nations, Nationalities and Peoples," and also recognized their right to secession. This strong assertion to the rights of "Nations, Nationalities and Peoples" demonstrated the commitment of the new regime towards group rights and decentralization.

The process of decentralization initiated by the Charter was further elaborated by National/Regional Self-Government Establishment Proclamation No.7/1992. Accordingly, 14 National/Regional self-governments, whose boarders were determined, based on settlement structure of nations, nationalities and peoples were established. Hence during this period one can say that some degree of federalism has been introduced even though federalism had to wait until 1995 to appear in the Ethiopia's constitutional public speaking.

In general, the Transitional Charter was a breakthrough in many ways, for example as we have seen it, established devolved administrative units on the basis of ethnic and linguistic criteria. On the basis of the Charter, fourteen regional governments were created; Addis Ababa and Diredawa were given autonomy on the basis of political and population considerations. Each regional government shall have executive, legislative and judicial power in respect to all matters with in their geographic territory, except such matters as defense, foreign affairs, citizenship, declaration of state of emergency, national economic policy and so forth. In any case, decentralization was one breakthrough and the basis of the political program of the Transitional Government of Ethiopia.

Secondly, the charter granted self-determination up to secession to all Nations, Nationalities and Peoples of Ethiopia. Article 2 stated that each Nation, Nationality and People have the right to preserve its identity and have respected, promote its culture and history. Also recognized was the right to administer its own defined territory and effectively participate in the central government on the basis of freedom, fair and proper representation.

Thirdly, the charter allowed the creation of several centers of power and authority. Indeed, different associations, especially political parties were flourished following the promulgation of the Charter. Thus, political pluralism is another departure of the charter from the Ethiopian constitutional tradition.

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> The Transitional Charter was a breakthrough in many ways, for example: it established devolved administrative units on the basis of ethnic and linguistic criteria; granted self-determination up to secession to all Nations, Nationalities and Peoples of Ethiopia; and allowed the creation of several centers of power and authority

E. The FDRE Constitution

The Constitution of the Federal Democratic Republic of Ethiopia (FDRE) came into force in August 1995 after passing through drafting and series of deliberations by bodies set up by the Transitional Government. The text of the Constitution which gives the ownership of the same to "Nations, Nationalities and Peoples of Ethiopia" established a federal state by dividing and sharing power between the federal and state governments. Reducing the number of states recognized by the Transitional Charter by five the Constitution enumerates nine states constituting Federal Democratic Republic of Ethiopia. Hence, according to (Art. 47) member state of FDRE are the following:

⚑ The State of Tigray

⚑ The State of Afar

⚑ The State of Amhara

⚑ The State of Oromia

⚑ The State of Somalia

⚑ The State of Benshangul/Gumuz

⚑ The State of the Southern Nations, Nationalities and Peoples

⚑ The State of the Gambela Peoples

⚑ The State of the Harari People

In line with federal traditions the Constitution stipulated two layers of legislative, executive and judicial organs. Accordingly a parliamentary government is set up at the federal level with bi-cameral Parliament, the upper chamber is the House of the Federation and the lower chamber is the House of People's Representatives. Members of the upper chamber are elected by the states' parliamentary assemblies, whereas members of the lower chamber are elected by popular vote. All recognized national groups are guaranteed representation in the upper house; representation in the lower chamber is on the basis of population, with special set-asides for minorities.

Legislative power is vested in the House of People's Representatives. Also an executive organ led by a Prime Minister whose office is accountable for the House of Peoples Representatives (HPR) is set up. The executive branch includes the President, Prime Minister, Council of State, and Council of Ministers. The president is elected by both legislative chambers for a six-year term. The leader of the largest party in the lower chamber becomes Prime Minister, who submits cabinet ministers for the chamber's approval. All ministers serve for the duration of the legislative session. Executive power is in the hands of the Prime Minister, who is also the commander in chief of the armed forces.

Similarly an independent judiciary with the supreme federal judicial authority vested in the Federal Supreme Court is established. Likewise, states have the State Council (with legislative power), State administration (highest organ of state executive) and a judicial power vested in courts. The judicial branch is composed of federal and state courts. The Federal Supreme Court is the highest court and exercises jurisdiction over all federal matters; lesser federal courts hear cases from the states. The president and vice president of the Federal Supreme Court are recommended by the Prime Minister and approved by the lower chamber of the legislature.

An institution with the power to investigate constitutional disputes i.e. Council of Constitutional Inquiry (CCI) is envisaged under the Constitution. Furthermore, the offices of Auditor General, National Election Board (NEB) and National Census Commission (NCC) are established by the Constitution. The National Human Rights Commission and the Office of the Ombudsman are other institutions whose legislative establishment is envisaged by the Constitution.

In view of protecting the constitutional order and ensuring the sustainability of the federalism some norms are stipulated as very significant (fundamental) and placed beyond the reach of governments at both level. These norms will be the subject of the subsequent discussion.

I.   Fundamental Principles of the FDRE Constitution

The Constitution embodied five fundamental principles which relates to sovereignty of the peoples; supremacy of the constitution; human rights; secularism and transparency and accountability of government. These principles give a background to many of the rules that emerge in subsequent chapters thereby setting the framework for a better understanding and interpretation of the rules.

A. Sovereignty of the Peoples

Under Haile Silasse's Constitutions it is to be recalled that sovereignty was vested in the person of the Emperor. However, the FDRE Constitution unequivocally vests this sovereignty in "Nations, Nationalities and Peoples of Ethiopia." By so doing it presumes the existence of

nations, nationalities and peoples who seek sovereignty. This approach of vesting sovereignty in sub-national units has important implications for the federal structure. Furthermore, it is part of an expression of their sovereignty that Nations, Nationalities and Peoples are bestowed with the right to self-determination up to secession.

B. Supremacy of the Federal Constitution

In line with the trend of federal systems the FDRE Constitution under Art.9 declares its supremacy and makes other laws, customary practices and decisions of an organ of a state or public official null and void if it contravenes the Federal Constitution. This supremacy clause is in fact a reflection of the principle of sovereignty of the people.

This nature of federal constitutions, asserting its own supremacy, is a matter of necessity than choice. In the absence of this provision it means that all the states can take any direction that pleases them to the extent that there will not be any single common minimum norm binding upon them.

C. Human Rights

As mentioned earlier, one of the distinguishing characters of the FDRE Constitution from its predecessors is the emphasis given to internationally recognized human rights norms. This fundamental principle is stipulated in Art.10 of the FDRE Constitution which articulates "Human rights and freedoms, emanating from the nature of mankind, are inviolable and inalienable". One can thus readily observe that the long lists in the catalog of rights set out in chapter three of the Constitution are reaffirmation of this principle.

> One of the distinguishing characters of the FDRE Constitution from its predecessors is the emphasis given to internationally recognized human rights norms.

Also the principle of human rights seems to be in the background of the political, social, cultural, economic and environmental policy objectives of the Ethiopian government. The aspiration to promote sub-national self-rule, rights of equality, especially of ethnic groups and to ensure the

enjoyment of economic, social and cultural rights seems to be a programmatic statement of the commitment to human rights.

The weight attached to the fundamental principle of human rights is visible not only in this provision but also in the overriding concern the Constitution extends to rights starting from its preamble to its amendment clause in Art.104. This extra-careful arrangement (majority vote in all state legislators, 2/3 majority vote in the HPR, and similar 2/3 majority vote in the HOF) required for the amendment of provisions of chapter 3 pertaining to rights.

Moreover the whole of chapter three, constituting 1/3 of the Constitution is devoted for human rights and this is a classic evidence to the preoccupation with rights. Of course, there are several illustrations that prove the degree of importance human rights norms are given under the Constitution. The mandate given to the HPR to establish Human Rights commission and the office of the Ombudsman, and to make federal intervention in the states on the ground of rights violations, the textual fact that the policy objectives (especially the political; economic, socio-cultural and environmental ones as propounded in Arts. 88-92) incline toward right protection, taking the fulfillment of most of the rights as subjects of continuous concern; the need to take extra-caution for rights in the exercise of emergency powers of the Executive; and the need for extra-care in the amendment of human rights provisions of the constitution, all testify to the constitution's concern for human rights, thereby reinforcing the importance of rights as one of the basic principles of the contemporary constitutional order.

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D. Secularism:

The FDRE Constitution, under Art. (11)explicitly declare the separation of religion from the state. In spite of the recognition given to religious law system in a restricted manner the

Constitution envisages an entirely secular state in which the state does not interfere in matters belonging to religion and vise versa. Definitely, the principle of secularism can be taken as foundational to the right of freedom of religion to religious equality and non-discrimination based on religion. In view of the ethnic and religious diversity of the country the adoption of secularism will have a paramount importance in encouraging religious tolerance to differences.

E. Transparency and Accountability

It is inscribed in Art.12 of the Constitution as the fifth principle. "The conduct of affairs of government shall be transparent," holds, Art12 (1). Moreover it stresses the fact that "any public official or an elected representative is accountable for any failure in official duties." It also reserves the possibility of recalling an elected representative in case of loss of confidence by the people.

All in all, the Ethiopian constitutional order, as is expressed mainly in its principles and partly in the preamble and the aspiration provisions of the policy objectives, is one in which popular sovereignty, constitutionalism, human rights, secularism, and transparency and accountability of government become visible large.

In general, fundamental rights and duties are one of the important features of the Ethiopian Constitution. We were denied most of the civil and political rights in our past history; hence, one of the important aspirations of the people of Ethiopia was that they should have some basic rights, i.e. right to freedom, right to equality. The FDRE Constitution provides several fundamental rights. These rights include Right to Equality, Right to freedom; Right against Exploitation, Right to Freedom of Religion, Cultural and Educational Rights, and Right to Constitutional Remedies. These Fundamental Rights are justifiable and are protected by the court. In case of violation of any of these rights one can move to the court of law and secure them. Of course, some the Fundamental Rights are not absolute or unlimited. Further, fundamental duties of citizens were also added to our Constitution. Thus, we have to be aware that, rights are our guarantees given by our constitution and we are responsible to protect them.

4.4. Democracy and Good Governance in Ethiopia

Introduction

Although the Ethiopian state traces its roots back to the empire of Axum in the first centuries AD, the modern Ethiopian state took shape in the second half of the 19th century. During that period the territory of the Ethiopian empire expanded considerably. Several ethnic groups were incorporated into the empire and the foundations for a strong, centralized state were laid. Centralization of authority in the hands of the emperor and a strategy of nation building that denied the ethnic diversity of Ethiopian society characterized the rule of Emperor Haile Selassie.

In the 1960s, armed conflicts arose in different regions of the empire and students nurtured the ideas which provided the ideological ammunition for resistance against the imperial regime. This weakened the regime and in 1974 it was not able to react appropriately to the flow of protests and related demands, caused by international and national events. The crumbling state apparatus collapsed and Emperor Haile Selassie was deposed in September 1974. This meant the end for the monarchy in Ethiopia. State power was assumed by a military committee which was inspired by Marxism-Leninism.

Although the military committee took some radical social measures, it did not offer satisfactory solutions to the problems which had accelerated the downfall of Haile Selassie. Moreover, some of these problems were even reinforced by the actions of the military. Therefore, from the beginning of its time in power, the military regime had to deal with the actions of armed resistance movements. This gave rise to increasing resistance from various regional and ethnic liberation movements. The combined effort of these movements caused the fall of military rule in May 1991. The most striking reform undertaken by the new power holders the former resistance movements became the transformation of the unitary state into a federal state with nine member states.

In this unit, you examine the building up of democracy and good governance in Ethiopia by looking important concepts of democracy and good governance: meaning of democracy and good governance, fundamental principles and values of democracy, ways of exercising democracy, models of democracy, actors in democratization process, election, the concept of good governance the relationship between democracy and good governance, fundamental freedoms and rights and finally you will look at the case in Ethiopia specifically.

4.5. Democracy and Good Governance

4.5.1.Meaning of Democracy

Democracy is defined in different ways. There is no universally argued definitions of the term democracy. "Democracy" is used to describe a system of government in which ultimate power (or sovereignty) rests on the people. Democracy describe a system of government in which the powers of government are divided amongst different institutions such that some institutions are responsible for making laws, while others are responsible for executing the laws and yet a third institution may be responsible for mediating or adjudicating in disputes between different individual or groups who violate the laws of the land. In this sense, the presence or absence of such separation or distribution of governmental powers is taken as major indicator of the presence or absence of democracy. Finally democracy can be defined in terms of the procedures by which a political system is governed.

Democracy is not an exclusive property of developed countries or Western societies. Democratic norms and principles are universal, but the institutions which inform democracy and concrete forms of its political practices may vary in time and space (i.e. through historical era and from country to country). Thus, as a universal form of rule with specific manifestations in time and space, democracy is a political concept founded on three underlining ideas, namely, democracy as a value, a process and a practice.

Strictly speaking, there are conceptual and methodological difficulties in understanding and defining democracy. In this case, one difficulty in defining democracy arises from the fact that political systems are in a continual state of evolution. As ideas change, so the content of the word democracy changes in people's minds. A consequence of this change of attitude has been that the term is now used to describe so many different forms of government. It is this very popularity of the term that makes democracy a difficult concept to understand. When a term means anything to anyone, it is in danger of becoming entirely meaningless.

✍ Can you define democracy in your own words?

It is evident that the term democracy is used to cover wide ranges of political systems; some of which are old and experienced, while others relatively new and inexperienced. Their rate of

advance towards their political, social and economic goals varies widely. Despite these facts, scholars, politicians and others attempted to define democracy in various ways. To this end, the following are some of the possible definitions of the term democracy.

The word democracy is a term that comes from Greek and it is made up with two words demos, which means people and kratos, to mean to govern, to rule. "Democracy" can then be literally translated by the following terms: Government of the People or Government of the Majority. Convincingly it can be also said that Democracy is a people centered system, where the people are the heart, the root and also the fruits. The fruits of democracy are prosperity, good quality of life and well being, human security, human dignity and participation of the people in all decisions affecting their lives.

☞ | Democracy is a people centered system where the people are the heart the root and also the fruits.

The dictionary definition of the term entails that democracy is a state of government in which people hold the ruling power either directly or indirectly through their elected representatives. Accordingly, democracy embraces the principles of equality, individual freedom and opportunity for the common people, as those who actually wield political power.

From the perspective of participation, democracy can be explained as, the mobilization of constituent groups around the issues and problems of common concern, the organization of forums for the expression of alternative views on the issues, and the implementation of decision-making procedures based on majority rule. According to this definition, since the practical establishment of democracy depends on individual citizens' participation, in the absence it is difficult to influence government decisions or policies for just and fair public welfare.

To be brief, you may have already heard about the most common definition of democracy: "…government of the people, by the people and for the people" (i.e. the former US president, Abraham Lincoln). To put it another way we can say that a government comes from the people; it is exercised by the people, and for the purpose of the people's own interests. This description

is only a very broad one, to start with, but the pages that follow will explain to you in a more concise way the different facets of democracy.

4. 5.2. **Fundamental Principles and Values of Democracy**

✍Can you mention some of the fundamental principles and values of democracy?

As we have seen above two individuals may speak about democracy, but there understanding might not be similar. However, if we are aware of the fundamental principles and values of democracy such differences may not be as such serious. Now let us see some of the most frequently mentioned universal principles and values of democracy. These basic principles that have identified by people from around the world must exist in order to have a democratic government. These principles often become a part of the constitution or bill of rights in a democratic society. Though no two democratic countries are exactly alike, people in democracies support many of the same basic principles and desire the same benefits from the government.

Citizen Participation: - One of the most basic evidences of a democracy is citizen participation in government. Participation is the key role of citizens in democracy. It is not only their right, but it is their duty. Citizen participation may take many forms including standing for election, voting in elections, becoming informed, debating issues, attending community or civic meetings, being members of private voluntary organizations, paying taxes, and even protesting etc. This active participation of citizens in all affairs of his/her country considered as a cornerstone to build a better democracy.

☞ | Participation is the key role of citizens in democracy. It is not only their right, but it is their duty.

Equality: - Democratic societies emphasize the principle that all people are equal. Equality means that all individuals are valued equally, have equal opportunities, and may not be discriminated against because of their religion, ethnic group, gender or sexual orientation. In a democracy, individuals and groups still maintain their right to have different cultures,

personalities, languages and beliefs.

✍ Do you agree with this idea?

Political Tolerance:

tolerance means acceptance of the differing views of other people, e.g. in religious or political matters, and fairness toward the people who hold these different views A democratic society is often composed of people from different cultures, religious, and ethnic groups who have political viewpoints different from a majority of the population, but all are tolerant of each other. A democratic society is enriched by diversity. Democratic societies are politically tolerant. This means that while the majority of the people rule in a democracy, the rights of the minority must be protected. People who are not in power must be allowed to organize and speak out. Political minorities are sometimes referred to as "the opposition" because they may have ideas which are different from the majority. If the majority deny rights to and destroy their opposition, then they also destroy democracy.

☞ | A democratic society is enriched by diversity. If the majority deny rights to and destroy their opposition then they also destroy democracy. One goal of democracy is to make the best possible decision for the society.

Accountability: - Accountability implies that government officials are answerable to the decisions and acts they took. In a democracy, elected and appointed officials have to be accountable to the people. They are responsible for their actions. Officials must make decisions and perform their duties according to the will and wishes of the people, not for themselves.

Transparency: - Transparency implies openness of the activities of government officials and institutions to the public. For government to be accountable the people must be aware of what is happening in the country. This is referred to as transparency in government. A transparent government holds public meetings and allows citizens to attend. In a democracy, the press and the people are able to get information about what decisions are being made, by whom and why.

For government to be accountable the people must be aware of what is happening in the country. This is referred to as transparency in government.

Regular, Free and Fair Elections:-One way citizens of the country express their will is by electing officials to represent them in government. Democracy insists that these elected officials are chosen and peacefully removed from office in a free and fair manner. Intimidation, corruption and threats to citizens during or before an election are against the principles of democracy. In a democracy, elections are held regularly with fixed time interval. Participation in elections should not be based on a citizen's wealth. For free and fair elections to occur, most adult citizens should have the right to stand for government office. Additionally, obstacles should not exist which make it difficult for people to vote.

Economic Freedom:-People in a democracy must have some form of economic freedom. This means that the government allows some private ownership of property and businesses, and that the people are allowed to choose their own work and labor unions. The role the government should play in the economy is open to debate, but it is generally accepted that free markets should exist in a democracy and the state should not totally control the economy. Some argue that the state should play a stronger role in countries where great inequality of wealth exists due to past discrimination or other unfair practices.

Control of the Abuse of Power:-Democratic societies try to prevent any elected official or group of people from misusing or abusing their power. One of the most common abuses of power is corruption. Corruption occurs when government officials use public funds for their own benefit or exercise power in an illegal manner. Various methods have been used in different countries to protect against these abuses. Frequently the government is structured to limit the powers of the branches of government: to have independent courts and agencies with power to act against any illegal action by an elected official or branch of government; to allow for citizen participation and elections; and to check for police abuse of power.

Accepting the Results of Elections:-In democratic elections, there are winners and losers. Occasionally, even in a democracy, the losers in an election believe so strongly that their party or candidate is the best one that they refuse to accept the results of the election. The

consequences of not accepting election may results in violence or less voter confidence if voters think their will is being ignored. Assuming an election has been judged "free and fair," ignoring election results is against democratic principles. Democratic societies emphasize the principle that all people are equal. Equality means that all individuals are valued equally, have equal opportunities, and may not be discriminated against because of their religion, ethnic group, or gender. In a democracy, individuals and groups still maintain their right to have different cultures, personalities, languages, and beliefs. All are equal before the law and are entitled to equal protection of the law without discrimination.

Human Rights:-All democracies strive to respect and protect the human rights of citizens. Human rights mean those values that reflect respect for human life and human dignity. Democracy emphasizes the value of every human being. Examples of human rights include the right to life, liberty, and security of a person among others.

Multi-Party System: - In order to have a multi-party system, more than one political party must participate in elections and play a role in government. A multi-party system allows opposition to the party which wins the election. A multi-party system provides voters with a choice of candidates, parties, and policies to vote for. A multi-party system, thus, provides voters with a choice of candidates, parties and policies to vote for. However, when a country only has one party, the result has been a dictatorship.

The Rule of Law:-In a democracy no one is above the law, not even a king or an elected President. This is called the rule of law. It means that everyone must obey the law and be held accountable if they violate it. Democracy also insists that the law be equally, fairly and consistently enforced.

Activity: 2

1. In a democratic country, citizens are expected to participate actively in all affairs of his/her country. Do you think if citizens are passive democracy lags behind? How?
2. Suppose Mulatu and his friend Alemu are members of an opposition party. They strongly believes that there party will win the election held in their country. But, unfortunately there party loss the election and they decide to refuse the election result.

Do you think there decision is acceptable? What do you do in such a situation?

4.5.3 **Ways of Exercising Democracy**

There are two ways of exercising democracy i.e. direct and indirect (representative) democracy. In fact both have advantage and disadvantages. In this section you will look at each of them.

Direct democracy: - the expression 'direct democracy' is subject to misconceptions. The equal right of all citizens to participate in the processes of government did not mean that every decision was taken at a kind of mass meeting. Rather it meant that all citizens had equal right to membership of a number of governing bodies. But these governing bodies had a manageable size. Direct democracy (pure democracy) is an exercise of democracy, in which 'all citizens' without the intermediary of elected officials can participate in decision-making process. This belief is based on the right of every citizen over a certain age to attend political meetings, vote on the issue being discussed at that meeting and accepting the majority decision should such a vote lead to a law being passed which you as an individual did not support. Part of this belief, is the right of every one to hold political office if they choose to do so.

Direct democracy also believes that all people who have the right to, should actively participate in the system so that any law passed does have the support of the majority. Direct democracy gives all people the right to participate regardless of religious beliefs, gender, sexual orientation, physical well being etc. Only those who have specifically gone against society are excluded from direct democracy.

The difficulties of direct democracy are well known. When the people of a nation cannot meet to take decisions, direct forms of democracy are incapable of replacing representation. However, there are areas in which they can complement democracy. Direct democracy can

be put to local committees, schools and citizens' associations, where they can be discussed and submitted for collective decision. However, this is not possible with more complex and general matters.

Most constitutions envisage a procedure for the direct consultation of all citizens, namely the referendum. The practice of holding referenda on precise points should be used frequently and defined with precision. Referenda could be held at the local, regional and national levels. Direct democracy is fine in theory but it does not always match the theory when put into practice.

The origin of direct democracy can be traced back to ancient Athens. In the ancient Athenian city-state, all adult male citizens met in assembly and made decisions. Athenians were ruling themselves directly without intermediaries of representatives. Political participation in Athens, however, was not all-inclusive and opens to all. Women, slaves and aliens were not considered as citizens and hence were not allowed to participate in the assembly. In strict words, the Athenian democracy was not an ideal or pure model of democracy. Nevertheless, the Greek experiment of democracy is generally considered to have provided important lesson for today's world. This is partly because of the facts that:

> ➢ It was the first known example of democracy, and
> ➢ It was carried out in circumstances that can never be repeated, which makes it possible to study a much simpler form of democratic government.

Indirect (Representative) Democracy: - This is the modern type of democracy that we have today. A representative democracy is where citizens within a country elect representatives to make decisions for them. In this regard, the meaning of representative form of democracy is that the whole people cannot directly participate in their own affairs but through their representatives, which are periodically elected by the people themselves. For instance, every 5 years in Ethiopia, the people have the chance to vote into power those they wish to represent us in the Parliament. The Parliamentarians meet in the House of People representatives to discuss matters and pass acts which then become Ethiopian law. Within the House of People representatives, each elected Parliamentarians represents all citizens. The voters passed the responsibility of participating in

law making to the Parliamentarians. In this case, leaders must maintain some contact with voters so as to stay in power. However, if they fail to perform (or if the party has done badly during its time in office) they can be removed by the people. In this way, the people exercise control over their representatives.

✍Then what is the difference between direct and indirect democracy?

> The difference between direct and indirect democracy is fairly simple. In a direct democracy citizens make decisions directly by proposing laws or referendums. An indirect democracy on the other hand uses a small group of officials to make decisions of importance on behalf of their constituents. In both cases the input of the people is the cornerstone of the government but the government is run in different ways.

To sum up, let me ask you a question, is representative government working well in our country? The answer to this question depends on what we think the purpose of representative government is. Most research in political science assumes that the purpose of representative government is to represent the will of the people by translating popular sentiment or public interest into governmental policy. It therefore assumes that a good measure of the performance of representative democracy, at least in its representative capacity, involves comparing policy results with public opinion as it is or as it should be.

4. 5.3. Approaches of understanding democracy

There are two views of understanding democracy: substantive and procedural views. In this lesson you will assess each of them in relation with some of the theories of democracy, like liberal democracy, economic democracy, social democracy, and developmental democracy.

4.5.3.1 **Substantive Views of Democracy**

The substantive view concentrates on *what* a government actually does, that is, the policies it makes should fulfill democratic ideals. A substantive theorist would not recognize a decision that violated those ideals as "democratic" even if it were made in response to majority wishes. Substantive theorists, however, do not agree on the contents and nature of these democratic ideals.

Substantive democracy is a form of democracy in which the outcome of elections is representative of the people. In other words, substantive democracy is a form of democracy that

functions in the interest of the governed. Though a country may allow all citizens of age to vote; this characteristic does not necessarily qualify it as a substantive democracy. In a substantive democracy, the general population plays a real role in carrying out its political affairs, i.e., the state is not merely set up as a democracy but it functions as one as well. This type of democracy can also be referred to as a **functional democracy**.

✍ Have you be aware of substantive democracy?

4.5.3.2. Procedural **Views of Democracy**

The procedural view stresses the form and process of government, or *how* the people govern. Procedural democracy emphasizes the principles of universal participation, political equality, and majority rule. Modern nations are too large to employ direct (or participatory) democracy, and they must rely on indirect democracy in the form of representative government. The procedural view of democracy also insists on the principle of responsiveness, that the government should follow the general thrust of public opinion. In other words, the procedural view of democracy sets forth principles that describe how government should make decisions and address three distinct questions:

➔ Who should participate in decision-making?
➔ How much should each participant's vote count?

➔ How many votes are needed to reach decisions?

Of course, there is no simple answer to these questions and as such there are various perspectives on those issues.

> Procedural democracy emphasizes the principles of universal participation, political equality, and majority rule.

In brief, procedural democracy is a democracy in which the people or citizens of the state have less influence than in traditional liberal democracies. This type of democracy is characterized by voters choosing to elect representatives in free elections. Procedural democracy assumes that the electoral process is at the core of the authority placed in elected officials and ensures that all procedures of elections are duly complied with. It could be described as a democracy in which

only the basic structures and institutions are in place. Commonly, the previously elected representatives use electoral procedures to maintain themselves in power against the common wish of the people, thus awkward the establishment of a full-fledged democracy. Procedural democracy is quite different from substantive democracy, which is manifested by equal participation of all groups in society in the political process.

✍ Now what is the difference between substantive and procedural views of democracy?

To understand better what we sow above let's see the **theories of democracy** including: liberal democracy, economic democracy, social democracy, and developmental democracy.

A. Liberal Concept of Democracy

✍ What is the fundamental thought of liberal democracy?

Liberal democracy advocates the principle of private enterprise and the guarantee of basic civil and political rights such as freedom of speech, religion, the right to elect and to be elected, etc. The state intervenes in order to protect an individual and sections of society from the evils of free private enterprise, and to promote greater social efficiency. Liberal democrats, however, have emphasized individual freedom and demanded that the state shall not lose sight of this in the search for social justice. Liberal democrats accept inequality or privilege so as to safeguard individual freedom.

☞ | Liberal democrats accept inequality or privilege so as to safeguard individual freedom.

In nutshell, liberal democracy is a system of government in which the people govern themselves, criticize leaders of their government and choose new ones in an election. A basic belief of liberal democracy is that people of different interests and backgrounds have different political opinions. Democratic government rests on public opinions since in such a system there is a freedom of expression. Liberal democracy aims at the just and rational organization of authority in human society under the guise of the system of capitalism.

B. Economic Democracy

Economic democracy is the transfer of economic decision making power from the few to the many. Capitalist democracy according to economic democracy advocates, does not guarantee universal rights to decent food, housing, employment, child-care, education, or health care. There are no rights guaranteeing control over the fruits of one's labor and control over the work process itself. This is because of the fact that these rights contradict the unequal distribution of wealth and power and the desire to get rich. Formal liberal democracy helps to legitimize corporate capitalism. True democracy, however cannot exist without economic democracy and economic democracy cannot exist under the principles of capitalism. Here, to speak of economic democracy is to advocate democracy for the 'poor' as well as the rich. As such, economic democracy is the transfer of economic decision making from the few to the many. In this case, the assumption is that when workers and the poor control production, democratic choices to work, employment, income, technology, and the like can be extended.

> According to this democracy, true democracy cannot exist without economic democracy and economic democracy cannot exist under the principles of capitalism.

C. Social Democracy

Social democracy is the result of two factors. These are: the changing nature of national economies, and the changing nature of economic relations among society. Social democracy is sometimes called social equality, which aims to give all citizens equal rights under the law. All laws apply equally to all citizens regardless of their wealth, race, and religion, ideological outlook, sex, and the like. The goal of social democracy is to bring about equality and classless society through reform within the guise of capitalism. In this case, it recognizes that individual background, abilities, efforts and so on determine his/ her way of life. And hence this is to ensure everyone an opportunity to make full use of his/her abilities. In other words, social democracy calls for social justice and economic empowerment of the subaltern classes. To this effect, it concerned with the provision, among others, provision of social security service, housing, free education, health and medical cares, and the like.

> The goal of social democracy is to bring about equality and classless society through reform within the guise of capitalism.

D. Developmental Democracy

Developmental democracy believes that economic development and political stability can only be achieved through massive state involvement and guidance. Supporters say that through involvement in government and community affairs, persons can gain an understanding of the public good and what it requires. Good citizens aware of and participate in government and civic affairs through voting, expression of their opinions to representatives, and sometimes even public service. Involvement in democracy is both a way of educating people and increasing their ability to better themselves. Through the exercise of judgment on political issues, citizens can better exercise judgment in other areas of their lives. The Developmental model utilizes indirect representation simply because of the impracticality of direct involvement such as that of the participatory democracy. Political and social equality exist in a developmental democracy which advocates that people can achieve civic virtue and become conscious through active participation in democracy.

☞ Some of the attributes of a good citizen include: civic-mindedness, open-mindedness, tolerance, patriotism, civility, peaceful resolution of conflicts and the like.

4.5.4. Actors in democratization process

Introduction

Modern democracy has procreated the system of political parties, organized interest groups and an independent media as indispensable factor for its operation among others. The fact behind is that the representative system arrange the mobilization of political participation by enjoying upon the members of politically active people to take the mass, as much as possible in

confidence either for the sake of demonstrating their faith or to justify the very legitimacy of their leadership and authority. Previously we have said that democracy is a process. Building up of democracy is not an overnight program it needs not only time but different actors must also involve building democracy and democratic culture.

A. Political Parties

✍ What do you understand when we say political party?

In a political regime characterized by representative democracy, political parties are vectors of democracy. They are essential to the functioning and durability of democracy since they are not only the instruments through which power is attained by means of free, fair and transparent elections but also the setting for working out practical ideas and proposals which may constitute alternative programs to the government. They also constitute the means through which individuals may influence public affairs, express their discontent or support governmental action. Open competition between political parties in the framework of elections is one of the indispensable characteristics of representative democracies. Open competitions between parties contend for the management of a country's affairs is a socially and politically divisive factor and the stakes are generally high for those involved in this competition. It is therefore important and this is one of the conditions for democracy's survival.

> Political parties so they perform as effective actors of democratization and good governance trusted by voters representative and responsive to public needs and concerns equipped to support government and a constructive opposition thus playing a role in ensuring transparency and accountability of government.

B. Party Systems

Political party can be defined an association comprised of a group of individuals who share a common interest and ideology, that engages in political activity mainly with the aim of winning elections and forming the government of a state or country thereby transforming their interest and ideology into the ideology and interest of the whole society . Party systems refer to the number of parties and pattern of relationships among the parties with in a nation. Taking in to

account the number of dominant or existing political parties with in a state, party systems are classified in to three major categories.

1. One party system
2. Two party system
3. Multi party system

Considering the prominent political parties that are active with in the political system of a given state makes this classification. The type of electoral system that is used in a particular country can have an important influence on the number of dominant political parties within the country. Proportional representation is said to foster a multiparty system because it assures that even parties that poll a relatively small vote will win some seats in the legislature. On the other hand, in the first-past-post system, which the winner takes all, may encourage the development of two party systems since it penalizes parties that may poll a substantial number of votes but do not get the plurality that is necessary to elect a legislator with in a specific constituency.

One Party Systems

One party system is, most of the time, ideological in its outlook and authoritarian in its structure. In this system, it is usually not allowed other parties to function either *de jure* or *de facto*. As such, the party and its ideology are the main determinants of governmental policy, style, and the very existence of the media and interest groups and the like. In is case, the party requires that important government officials are members of the party or of satellite groups and expects their behavior to conform to the policies and ideology.

Two Party Systems

Two party systems are characterized by a regular alternation in office between two major dominant parties. Although minor parties exist, two major parties dominate government. It is argued that the system provides the people with a choice of policies and leaders while at the same time guaranteeing governmental stability. The devices of the electoral arrangement in such a system assure a majority for one party or the other, thus enabling that one will have the power to carry out its election promises.

> In two party systems, although minor parties exist, two major parties

☞	dominate government.

The origins of many one-party systems are obvious, but the question often arises as to why some modern countries function as a two-party system when these societies are so complex and that it should be impossible for two parties to aggregate all the prevailing interests present and still stand for anything. Two party systems are common in the political system of Britain, which is mostly dominated by the conservative and labor party. United States of America as a country dominated by the Democratic and Republican parties is also another good example of the two party systems.

Multi Party Systems

Multiparty systems are systems in which we have at least three or more major parties. In multiparty system, one party rarely wins enough seats in the legislature to form government. Consequently, several parties combine forces to obtain a majority and form a coalition government to direct the nation's affaires. As you might expect, when groups with different ideologies attempt to share power with different ideologies, coalitions often break down when disputes or disagreements a rise requiring new elections. In such countries voters have a wide range of choices on election days. The parties in multiparty system often represent widely different ideologies or basic believes about government.

Activity: 3

1. Some politicians argued that in developing countries adopting one party system is better than multi-party system. What do you think is the reason behind? Argue for or against one party system
2. Undoubtedly, there are different political parties in our country. Do you think those political parties (i.e. opposition) play important role in the democratization process in this country? If you say yes, how? And if you say no, why not?

C. Non-Governmental Organizations

Like political parties, Non-governmental associations and organizations are valuable vectors of democracy. They differ from political parties only in their final goal, but they all contribute to consciousness raising, defense of the legitimate interests of groups of individuals and the protection of individual and collective rights and freedoms. The efficacy of the work of civil society depends on the extent to which such associations are autonomous or institutionalized. When they have relatively formal links to the State or political parties, they lose some of their autonomy and thus their ability to intervene in all freedom in the management and conduct of public affairs and in the working of institutions according to arrangements deriving from their governing principle of special interests. NGOs, while being associations, have more pronounced concerns in the area of the protection of human rights and humanitarian law. Such concerns urge them to intervene in the political field even if they claim to have nothing to do with politics. It is nevertheless true that the growth of professional associations and national NGOs is making a strong contribution to the consolidation of civil society in these countries.

D. Interest Groups

✍ What is the difference between political parties and interest groups?

Interest groups, as associations on the basis of the free will of individuals, play a prominent role in the process of democratization. Here, we will deal with the nature of interest groups, their difference with political parties, various types of interest groups and methods they employ to influence government.

Consistent with the freedom of association granted to citizens in democracies, democratic states are characterized by the emergence and operation of several kinds of interest groups. Interest groups are organizations or groups of people, which are autonomous from government or political parties with the objective of influencing government. In democracies we find several interest groups who are attempting to promote and influence the policies of government. In fact interest groups are regarded as essential transmission belts between people and government. They play an important role in helping people interact with government, which is often remote and difficult for the individual to influence. Interest groups, bridge the gap between the citizen

and government. Through interest groups, citizens communicate their wants on policy goals to government leaders.

> Interest groups are organizations or groups of people, which are autonomous from government or political parties with the objective of influencing government.

E. Public Opinion

Public opinion is of a crucial importance for democracy. Are you wondering why? Public opinion is made up with citizens or specific groups that reflect on their community and express their criticisms, their proposals or their agreement to influence the construction of political will. It is not possible to talk about only one, but of several public opinions because in a plural society, there are always several stands.

Public opinion is then a tool to control the politicians that lead the country. On the one hand, this is important for the opposition as the latter is only potentially active in front of the government through this public opinion. Indeed, what important changes would an opposition bring if it was only able to express criticisms in closed rooms? It is when the opposition represents its stands and opinions, finds itself obliged to react, otherwise it is running the risks of disaffection or destitution, from its citizens. Moreover, public opinion serves the whole population in its effort to display criticisms and its incitements to well defined actions.

✍ How can public opinion serve as a tool to control their leaders?

Each citizen has the right to gather information and to contribute somehow to the expression of public opinion when he/she organizes, for instance, a meeting in order to exchange information. In this context, political and social human rights play an important role: the freedom of opinion, as well as freedom to hold meetings and to set up associations which allow citizens to participate in the expression of public opinion, without having to put up with any pressure. Public opinion then constitutes a controlling tool, which is very important in a democracy.

F. Mass Media

What do we mean by mass media?

Finally, we will discuss the roles of the mass media in the process of democratization. Freedom of the media is essential in a democracy. The mass media refers institution and to the methods of communication, which can reach large number of people at the same time. It includes newspapers, television, radio, books, posters, magazines, and cinema etc. Media plays a role in the political training of citizens and democratic culture by informing them of the scope of public policies, the management and conduct of affairs by those responsible at both the State and grass-roots level, by providing and offering the members of the community the means of communicating with each other. But if the media is to perform those functions, it must be free and independent; it must have sufficient material and human resources to deal with all the important problems of society. The importance of the mass media in a country is not dependent on the number of newspapers or private radio and television stations but on the quality of the information provided to the public.

Activity: 4

1. You know that in our country there are different traditional democratic institutions like: Gada system (of Oromo people); Abatoch (of Amhara people); Bayto (of Tigray people); yejoka (of Gurage people) and etc. So, what do you think is there role for the building up of modern democracy in our country? Discuss briefly

4.5.5. Democratic Elections.

In contemporary age of representative democracy, elections constitute one of the most important pillars of democracy. This is, at least and in part, for the very simple fact that democracies are as good as the people who elect their representatives and, in turn, as good as the representatives who are elected. Electoral process is a formal procedure by which individuals decide what to choose. The act that individuals perform while choosing among the different alternatives in an election is called voting. Democratic elections, as such, must meet some requirements that you may already know. In this lesson therefore, we will focus on some of them.

4.5.5.1 **Principles of Democratic Election**

Some of the major Principles in the conduct of democratic elections are presented hereunder:

A. Free, fair Regular intervals for elections as provided for by the respective National Constitutions

Regular or periodic means holding elections on a set schedule known to the electorate, either on a specified date (the first Tuesday of November every other year, as in the United States) or within a particular time frame (within five years of the previous election, as for Parliament in the United Kingdom), thereby guaranteeing citizens the opportunity to change their leaders and to support new policies. Everybody, in that case, has the possibility to know the date of the coming elections, and to get ready for that ahead of time. It is a way to make sure that the current government is defined within a time frame and that its people have the right to remove it from office..

Free and fair, or genuine, means that elections offer equal opportunities for all competing parties and candidates. Such equality requires the ability of political parties and candidates to register for office without unreasonable requirements, balanced access to the media for all candidates, the absence of campaign finance abuse, and an independent electoral process.They must also be free to decide whether they want to use their right to vote or to abstain from doing so, if they prefer.

> Democratic elections are **free** when citizens have the right to choose from several candidates or parties that can run for the election without any restriction.

B. Universal suffrage means that there can be no burdensome impediments to registering or voting for any citizen, with only such legitimate requirements as age or residence. The idea is to have maximum participation in elections. To achieve this, some countries make voting a legal obligation. It should be noted that the principle of **one person, one vote**, is distinct from the principle of universal suffrage and applies more to political systems with direct representation. But both principles mean that no person's vote can be counted twice. **A secret ballot** means that no one—except for the voter—knows how each person has voted. If a voter's choice is observable to others, voters may be subject to intimidation and reprisals by the party in power or by a party seeking power.

> In democratic elections, there must be no way of knowing for which political party or for which particular candidate a citizen has voted.

They are then **secrete**, when each citizen can put his ballot in an envelope, without having been either watched over or influenced, in the secrecy of the polling booth, and when he/she is also able, in the same way, to put his/her envelope inside the ballot box afterwards.

Democratic elections are **equitable** when each citizen who can use his/her right to vote has at his/her disposal a vote and when neither his/her origin nor his/her sex, language, incomes or possessions, job or social stratus/class, training, religion or political convictions have an influence of whatever kind on the assessment of the value of his/her vote.

Democratic elections are, therefore, **public and transparent**. Which means on the one hand, that each citizen has the right to attend the counting of the votes when the ballot box is opened; this also means on the other hand, that it is possible to completely follow the whole process of the passage of the constituents' votes: starting from the ballots inserted into the ballot box till the final counting undertaken to establish the calculation that will eventually share out.

C. **Equal opportunity to exercise the right to vote and be voted for**

In trying to give citizens equal opportunity in election process, there are two separate systems. These are the **absolute majority** votes and the **proportional ones**. Both have crucial importance, given the fact that they influence not only the political structure but also the formation process of the political will. To settle the choice on which polling system to adopt, one has to take into account not only the political traditions and historical situations but also social conditions, because those, eventually, may authorize solely one of the two possibilities. Several parameters may be subject to some variations: the internal regulations of the party, the relations between the parties, as well as the relations between the government and the Parliament, according to the enforcement of either the absolute majority election system or the proportional one. An election loses its primary function if it is manipulated through the choice of a polling system; it will then have negative impact on the so-called "elected" organs which will then lose their legitimacy.

In the **absolute majority system**, the polling area is divided into as many constituencies as necessary, depending on the number of seats to be assigned (at the Parliament, for example).

Those candidates or lists of candidates that can gather the majority of votes from their constituents will be assigned the seats to be filled. In the **proportional system**, the Parliament seats are assigned according to the percentage obtained by the political parties over the total number of votes from the whole constituency. The assignment of seats (at the Parliament, for example) thus reflects, much more than what happens in the absolute majority system, the effective choice of the population. The candidates are elected through the lists in their constituency.

An electoral process of a given state is not only about the simple translation of votes in to seats but also must addresses, at least the following issue:

↳ The number of people and the constituency a candidate represents. And representation takes three forms**:** geographical representation- where each part of the country is adequately reflected in national political organization; descriptive representation – where the national government represents the population in a way that all sectors of the people (the poor, men and women equally, different religions and cultures) have a voice in government; and functional representation – a system whereby no significant parts of the population are disenfranchised but the system takes into account the preferences of most people.

↳ The number of representatives that a constituency would have, and

↳ The electoral system

Activity: 5

1. In principle an electoral commission or boards shall be independent and neutral of any political loyalty. Think of our electoral board, and how do you know whether it is neutral or not loyal to any political party?
2. Find the present electoral code of conduct signed by different political parties and evaluate each article with the principles of democratic election?

E. Full participation of the citizens in the Election process; apart from the underage population, no group should be excluded from participation.

F. Independence of the Judiciary and impartiality of the electoral institutionS

Most importantly, elections are usually coordinated and carried out by an **electoral commissions or boards**. These commissions shall be independent and neutral of any political loyalty or affiliation for undertaking the election properly and in a democratic manner. In addition to an

independent and neutral electoral board, a democratic election also requires an independent judiciary organ. The electorate's votes should be accepted as final and legitimate

Government need to refrain from trying to dictate to or interfere with the work of the courts, as they consider and decide cases. Any interference to prevent the courts from considering any matter will negatively affect the independence of the judiciary. Indeed, the capacity of individual judges to resist the temptation to allow their judgments to be influenced by pecuniary or other rewards has its own effect and judges need to feel great responsibility to be impartial in their judgment.

G. **Political tolerance:**

Being willing to accept ideas or ways of behaving that are different from the other. Candidates and competing parries must learn to be tolerant.

H. **Acceptance and Respect of the election results**.

Political parties and individual citizens, who entered to the election campaign on the basis of existing national laws, need to accept election results proclaimed to have been free and fair by the competent National Electoral Authorities. For democracy to work, everyone must agree to accept the results of freely held elections. The people and parties, who have lost power, or those who failed to gain it, must be willing to accept defeat. If the loser refuses to accept the winner, the election's legitimacy is diminished and the political system may be marked by conflict and instability. A key test for a democracy is the successful and peaceful transfer of power from one party to another. The electorate's votes should be final, meaning that the election results should be enforced effectively, which implies that they must be accepted as legitimate.

I. **Challenge of the election results as provided for in the law of the land**.

Those individuals or parties who disagree with the final decision of the electoral commission need to submit their complaints to courts for final decision.

4.5.6.Democracy and Good Governance

Introduction

Like many other social science terms governance in general and good governance in particular is different thing for different individual. However, classically governance nowadays occupies a central stage in the development discourse. To be sure if you talk about good governance in one way or the other, there should be democracy. This is because democracy and good governance share many values and principles. Thus, in this lesson you will learn the concept of good governance and its relation with democracy.

4.5.6.1 **The Concept of Good Governance**

✍ What do you understand when we say good governance?

Given that the term "governance" means different things to different people, it is useful, therefore, to clarify, at the very outset, the sense in which it understands the word. Among the many definitions of "governance" that exist, the one that appears the most appropriate is the exercise of economic, political and administrative authority to manage a country's affairs at all levels. It comprises mechanisms, processes and institutions, through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences.

☞ | Good governance is the exercise of economic, political and administrative authority to manage a country's affairs at all levels on the basis of pre agreed principles.

Good governance is, among other things, participatory, transparent and accountable, effective and equitable, and it promotes the rule of law. It ensures that political, social and economic priorities are based on broad consensus in society and that the voices of the poorest and the most vulnerable are heard in decision-making over the allocation of development resources. The role of the state is viewed as that of creating a stable political and legal environment conducive to sustained development, while civil society institutions and organizations are viewed as a means of facilitating political and social

interaction and mobilizing groups to participate in economic, social and political activities.

Governance is the manner in which power is exercised in the management of a country's economic and social resources for development. On this meaning, the concept of governance is concerned directly with the management of the development process, involving both the public and the private sectors. It encompasses the functioning and capability of the public sector, as well as the rules and institutions that create the framework for the conduct of both public and private business, including accountability for economic and financial performance, and regulatory frameworks relating to companies, corporations, and partnerships. In broad terms, then, governance is about the institutional environment in which citizens interact among themselves and with government agencies/officials.

☞
> In broad terms, governance is about the institutional environment in which citizens interact among themselves and with government agencies/officials.

Since governance is the process of decision-making and the process by which decisions are implemented, an analysis of governance focuses on the formal and informal actors involved in decision-making and implementing the decisions made and the formal and informal structures that have been set in place to arrive at and implement the decision. Government is one of the actors in governance. Other actors involved in governance vary depending on the country context.

Governance nowadays occupies a central stage in the development discourse but is also considered as the crucial element to be incorporated in the development strategy. However, apart from the universal acceptance of its importance, differences prevail in respect of theoretical formulations, policy prescriptions and conceptualization of the issue itself. Moreover, governance is not only about the 'organs' or actors. More importantly, it is about the quality of governance, which expresses itself through elements and dimensions.

The most important principles of good governance that can be drawn from the fundamental values of democracy are: participation, efficiency, efficacy, sense of responsibility, the act of reporting, adaptation capacity, transparency, rule of law and participation.

✍ Have you understood what good governance is meant?

You surely have already understood that good governance is not only based on the State or its leaders, but also on all the actors and all the groups of actors that take part in the democratization and development of the country. The main actors of the system of good governance is then composed of, apart from the (central) State, the regional decentralized bodies, the political parties, the civil society and the private sector as well as the citizens. Generally, in a good governance system:

- ✤ The roles are clearly defined, well distinguished and balanced among different actors and groups of actors, in the law texts as well as in practice
- ✤ The interests of the different actor groups are articulated in decision making
- ✤ Leaders are characterized in the exercise of their power by a democratic behavior and a democratic type of leadership, like taking into consideration of the fundamental values of democracy, the respect of contrary opinions of others, taking into consideration of laws and rules in force, tolerance, capacity and good frame of mind for dialogue, discussions, non-violence
- ✤ In front of this, citizens and groups of actors are encouraged to express themselves, to take part in the processes of decision making and to control the exercise of power by the leaders in place
- ✤ Between the two camps (the State authorities and the other groups of actors), the controlling mechanisms always function well and in a transparent way; the channels of information and communication are fluid and efficient
- ✤ There are informal and formal participation structures that function well for consultations, dialogues and negotiations, in which all citizens and social groups, man and woman, young and old, minorities or majorities can and have the right to participate freely and without any fear

4.5.6.2 **The Relationship of Democracy and Good Governance**

✍ Can you think of the relationship between democracy and good governance?

Democracy is fairly vague and encompassing term. It is often used as an elastic synonym for good government, stretching to include whatever is desirable in a state. Of course, democracy is a system of government based on the consent of the people and one in which the mandate to rule is subject to periodic renewal. Modern democratic governance also entails citizen representation.

The relationship between democracy and good governance is fairly straightforward. Democratic governance and good governance share similar values and institutions. Indeed, governance focuses on the administrative and technical aspects of the exercise of public authority; democracy focuses on the political aspects of governance.

☞ | Democratic governance and good governance share similar values and institutions.

In this case, democratic governance fosters transparency, accountability, the rule of law, respect for human rights, and civic participation – all of which are not only necessary for securing economic productivity, equitable distribution and state legitimacy but also denote the existence of good governance. Accordingly, you will see the key elements of good governance, highlighting their links with democracy.

An enabling legal and regulatory framework: An enabling legal and regulatory framework is one in which laws and regulations are clear, transparent, and applied uniformly, and in a timely manner, by an objective and independent judiciary. Where legal systems are weak and the application of law is uncertain and/or enforcement is arbitrary, they tend to distort economic transactions, foster rent-seeking activities, and discourage private capital flows, all of which undermine democratic system and good governance.

✍ What activities are considered as rent-seeking?

Transparency: Transparency refers to openness in the process of governance – in the election process, policy and decision making, implementation and evaluation, at all levels of government (central and local) and in all branches of government (executive, legislature and judiciary). It is broadly defined as public knowledge of the policies and actions of government, existing regulations and laws and how they may be accessed. It requires making the public account verifiable and official behavior amenable to analysis.

☞ | Transparency refers to openness in the process of governance.

Transparency helps to counteract the well-known and universal tendency for public agencies and officials to impose, violate and bend the rules. Transparency has profound socio-political and economic consequences for our societies. It has fostered citizen doubts, distrust, apathy and lack of interest in participation among the society. Without information about rights, entitlements and responsibilities, the relationships between rulers and the ruled as well as between providers of public services and the consumer public have become degraded and contradictory. Lack of transparency is largely responsible for the tendency for the public to believe in wild and fantastic rumors, especially where public officials are involved. Today, there is widespread recognition of the importance of transparency to good governance.

✍ Can you think of ways in which government demonstrate its transparency?

Accountability: Accountability refers to the ability to determine who in government is responsible for a decision or action and the ability to ensure that officials are answerable for their actions. Accountability is also defined as holding responsible elected or appointed officials and organizations charged with a public mandate to account for specific actions, activities or decisions to the public from which they derive their authority. In a narrow sense, accountability focuses on the ability to account for the allocation, use, and control of public assets in accordance with legally accepted standards. In a broader sense, it is also concerned with the establishment and enforcement of rules of corporate governance, avoidance of conflict of interest, and careful as well as competent discharge of public trust.

Accountability focuses on the ability to account for the allocation, use,

☞ | and control of public assets in accordance with legally accepted standards.

Accountability is essential for affirming the obligation of rulers to the ruled, public officials to the public, and government to taxpayers. It is therefore crucial for inducing governmental effectiveness and responsiveness, and generating legitimacy. Accountable governance requires the creation and sustenance of a variety of cross cutting institutions and processes: free, fair and regularly scheduled elections; an independent media; independent judiciary; independent election authority; independent audit body, independent ombudsman and other independent constitutional commissions.

For these agencies of vertical and horizontal accountability to be effective, the processes of appointing and removing the officials in these institutions must be insulated from politics and political regimes, and they must have operational as well as financial independence. In addition, to ensure good governance citizens must be empowered to demand responsiveness and accountability from governmental and public agencies.

An Anti-Corruption environment: Corruption of course is a universal problem, with complex causes. Its net effect is commonly regarded as negative for all societies, especially for developing countries. It leads to economic inefficiencies; bends development; slow down long-term foreign and domestic investments; misallocates talents to rent seeking and away from productive activities; induces wrong sectoral priorities and technological choices. It also undermines state effectiveness in the delivery of services, and the protection of the vulnerable and the environment. Corruption promotes economic decay and social and political instability, changes the ability of the state to foster rule of law, and eventually crash trust and undermines legitimacy. These costs mean that democracy and good governance requires mounting a frontal attack on corruption.

Corruption leads to economic inefficiencies; bends development; slow down long-term foreign and domestic investments; misallocates talents to rent seeking and away from productive activities; induces wrong sectoral priorities and technological choices.

Indeed, corruption is highly rewarding for those who engage in it. Therefore, to possibly avoid corruption it requires the establishment of effective mechanisms of discovery and punishment. To ensure democracy and good governance we must build institutions for preventing, detecting and punishing corruption instead of relying on individual morality. And because of its complex and multi-faceted nature, combating systemic corruption requires partnership and collaboration among public agencies, private sector and civil society, including the media. Maximum effectiveness is possible only when the existing laws and regulations are supportive and transparent.

In this case, democratic societies try to prevent any elected official or group of people from misusing or abusing their power. Various methods have been used in different countries to protect against these abuses. Frequently, the government is structured to limit the powers of the branches of government. This is supported by an independent and impartial court and agencies with power to act against any illegal action by an elected official or branch of government; to allow for citizen participation; and to check the government abuse of power.

Activity: 5

1. Some argued that it is possible to minimize corruption thorough awareness creation program, but some others disagree with this idea. They said that when we create such awareness in one way or the other we are showing how to misuse and abuse their power? What is your position? Argue for or against.

Active participation: one of the most basic indicators of democracy and good governance is citizen participation in government. Participation is not only their right, but it is their duty. Citizen participation may take many forms including running for election, voting in elections, becoming informed, debating issues, attending community or civic meetings, being members of private voluntary organizations, paying taxes, and even protesting. Such participation builds a better democracy and good governance.

Active citizen's participation gives meaning to civil society empowerment, which is vital to making governments and private sectors responsive; and of course, governmental

responsiveness in turn fosters trust and legitimacy. It is also crucial for engaging the energies and securing the commitment of citizens for the development of democratic culture and for fostering equity in the distribution of both benefits and burdens.

Particularly, in our country that has diverse societies widespread civic participation is absolutely essential for generating social capital and societal unity. It helps to foster mutual trust between citizens and our governments, the state and the private sector, and among the different social and political groupings. As we mentioned earlier, participation does not necessarily have to be direct. Democracy and good governance is best served in modern societies through active representative democracy with strong elements of consultativeness and a little bit of direct democracy.

4.6. Fundamental Freedom and Fundamental Rights

Introduction

Fundamental freedom and fundamental rights are much more than a mere component of democracy. It represents sine qua non requirements for the well performing of a democratic system. The development and evolution of human rights are only possible when humans live in a democracy, given the fact that it is only within this system that the population itself can draw up the laws that will rule and publicly control the three powers: the legislative power (power to propose and vote for laws), the executive power (power to enforce laws) and the judiciary power (power to make and to promulgate laws). In this lesson you will see your fundamental freedom and rights.

4.6.1 Human Rights

Human rights are only efficient when the State power is linked to an autonomy and independence right, and when all the individuals are treated on equal terms in front of this justice. In the same way, it is essential, in any democracy, to establish a clear separation of powers, so that the judiciary can be autonomous and independent. The result will be a

triangular relation between Democracy, Human Rights and Separation of Powers, which thus represent interdependent elements.

✎ Would you explain what 'Human Rights' really mean?

A strict definition would describe them as rights that are inherent to the individuality of each person, in terms of protection against any inclination of the State to harm an individual; a human being is endowed with these rights the moment he/she is born and the State cannot withdraw them from him/her. In this section we will, brief explain the different fields that human rights cover:

The Individual Personality Rights constitute the core of human rights, given the fact that they include, for example, the right to life and the right to free personality development. Thanks to these rights, a human being can, for instance, be protected against attacks and manifestations of violence aimed at his/her person, and preserve his/her integrity and human dignity.

Political and Civil Rights are there to make sure that each citizen can participate without any restriction to the political life of his/her community. This means that he or she should not fear any non justified sanction. The most important rights, in this matter, concern not only freedom of speech and freedom of the press but also freedom to hold meetings and to set up associations. Thanks to **Social and Economic Rights**, minimum living wage for the survival of a human being must be guaranteed for him/her. This includes, among others, the right to education; because it is necessary to start from the principle that everybody has to benefit from a training so as not to be left starving and deprived of resources.

 Later on some relatively new rights have been added to this list: these are the **Third generation Rights**. They are there to demonstrate that human rights can evolve and that they are not fixed, stuck at their starting point. In the next section you are going to learn classification of human rights on the basis of their evolution.

4.6.2. **Classification of human Rights**

On the basis of their evolution the United Nations organization (UNO) classified human rights in to three categories. These are (1) first generation rights (2) second generation rights and (3) third generation rights.

A. First Generation Human rights

First generation rights are rights which are the oldest and prepared in a legal form and their date of evolution traced back to the 17th and early 18th centuries. The rights categorized under the first generation are associated with a set of liberal principles and personal rights. As elaborated in the UN universal Declarations of Human rights (UNDHR) of 1948, this group of human rights are core rights and are innately given to human beings. They are inviolable and are also known as negative rights. Examples of first generation human rights are liberty, the right to life, the right to be free from enslavement and etc.

B. The Second Generation Human Rights

The second generation human rights whose emergence dated mostly to the late 19th and early 20th century during the socialist and social democratic movements, are mainly focused on economic, social and cultural rights stated in (UNDHR) of 1948 at its articles 22- 27. Most of them consisted of group rights and are provided and protected by state law. Their application needs state intervention and their full realization needs time because their application is dependent on available resources and favorable conditions. Examples of second generation rights include the right to health care, education, social insurances and etc.

C. Third Generation Human rights

Third Generation Human rights are rights which are relatively speaking recently emerged and the date of their evolution dated late 1950s and 1960s.The social group behind third generation rights are mostly nations of the third World.The underlying value for this group of rights is fraternalism and international solidarity. They demanded solidarity both among the developing states and among developed states in general. One can include in these rights, for example, the Rights to Development, which aim at reducing the gap that separates the rich and the poor. The Rights to live in unpolluted Environment have also been added, in order to make sure that species that are vital to human are not damaged or even destroyed. Those are formulas that all sound very attractive, but their realization requires agreement and cooperation between and among developed and developing nations.

You are totally right and some regulations have been made for that purpose, the 'United Nations' were created; nowadays, almost all the States across the world are members of this institution. In 1948, it published the "Universal Declaration of Human Rights. In order to be able to see to its actual effectiveness, some commissions, sub-commissions as well as committees have been put in place, like for instance, the "Children's Rights Committee". In a situation where one State commits violation of human rights, there is, at The Hague-Netherlands, an International Court of Justice that is entitled to deliver sanctions to any offender.

In the same way, if the starting point of democracy is the right of citizens to have a say in the decisions that affect their lives, on a basis of equality with others, then it requires a framework of other rights to make this basic political right effective. These are freedoms of expression, association and assembly. The right to unhindered expression of opinion requires the existence of independent media and of legislation preventing undue concentrations of media ownership. The right of free association includes the right to found new associations for economic, social and cultural purposes, including political parties. The right of peaceful assembly entails the right of free movement within and between countries. None of these rights can be exercised effectively without the liberty and security of the person, and the guarantee of due legal process. Democracy is thus inseparable from fundamental human rights and freedoms, and from the responsibility to respect the same rights and freedoms for others.

Then, on the one hand, the democratic principles of popular control and political equality require the guarantee of basic rights of citizenship for their realization; on the other they need a set of distinctive political institutions for their effectiveness.

Although such institutions may take different forms according to the culture and tradition of a given country, there must also be a limit to their possible range of variation consistent with democracy. Democratic political institutions are those designed to ensure the popular authorization of public officials, and their continuing accountability and responsiveness to citizens.

4.7. The case in Ethiopia

Introduction

The modern Ethiopian state emerged at the second half of the 19th century with the ascension of Tewodros (1855-1868). This marks the emergence of the country out of two centuries of decline and endless quarrel between provisional rulers. Tewodros initiated the policies of modernization and centralization. Almost all of his successors followed these policies, albeit with different levels of enthusiasm and passion. In this lesson we will give a particular emphasis on the case of Ethiopia. In this manner, you will assess the democratization process in successive regimes.

4.7.1 Democracy and Good Governance in Ethiopia

Emperor Haile Selassie dominated much of the 20th century history of the country. Since the beginning of the 1960s, the imperial government began to face opposition from increasingly radicalized students who rallied behind 'land to the tiller', 'the nationalities question' and armed insurgency in Eritrea. The 1970s saw many changes that would shape the history and politics of contemporary Ethiopia. In 1974, revolutionary upheavals shocked the country. The imperial regime, whose structures failed to handle the increasing demands for change coming from the various corners of the country, was overthrown by a popular revolution in September 1974. This meant the end for the monarchy in Ethiopia. State power was assumed by a military committee which was inspired by Marxism-Leninism.

The new rulers established a 'People's Democratic Republic of Ethiopia'. Although the military committee took some radical social measures, it did not offer satisfactory solutions to the problems which had accelerated the downfall of Haile Selassie. Moreover, some of these problems were even reinforced by the actions of the military. Therefore, from the beginning of its time in power, the military regime had to deal with the actions of armed resistance movements. After a long civil war, the regime was finally defeated in May 1991.

The most striking reform undertaken by the new power holders - the former resistance movements laid down the transformation of the unitary state into a federal state. Thus, the EPRDF that assumed power in May 1991 after its protracted 17 year armed insurgency undertaken the reconstruction of the Ethiopian state. The July 1991 Peace and Democracy Conference, convened by the ERPDF brought together 25 political organizations. This conference adopted a Transitional Charter that incorporated the 1948 United Nations Declaration on Human Rights (UDHR); promised multiparty democracy, freedom of association and speech; and incorporated the right of ethnic self-determination up to and including secession.

Ethiopia has embarked upon what it claims to be a novel experiment in `ethnic federalism'. The ruling Ethiopian Peoples' Revolutionary Democratic Front has asserted that it is intent on forthrightly addressing the claims of ethnic groups in the country of historic discrimination and inequality, and to build a multi-ethnic democracy. Throughout its modern history, Ethiopia has been characterized by ethnic tensions. Until, 1991, however, successive regimes either tried to suppress the unique cultural identities of more than eighty distinct ethno-linguistic groups and, at the same time, to assimilate them into the dominant culture.

On coming to power, the EPRDF decided not to suppress the national aspirations of Ethiopia's grieving ethnic groups but, instead, to allow them the full expression of their languages and cultures. Moreover, within less than two years, it decided that the country would be administratively and politically reorganized, creating what are largely (though not exclusively) ethnically based national/regional governments or states.

This approach was seen as the best way to demonstrate that the regime was committed to social equity and democracy. Democratic principles were eventually enshrined in a well crafted national Constitution. In addition to the institution of a constitution that was intensely democratic, the TGE introduced public policies designed to devolve administrative authority from the center to the states. In such away, the EPRDF committed itself to build multi-party democracy and economic reconstruction. This was significant in that, until that time, Ethiopia had never had pluralist democracy. Optimistically, therefore, Ethiopians currently enjoy

greater political freedoms than at any point in their state's long history. To appreciate the present Ethiopian political development look at the human rights enshrined in the FDRE constitution chapter three thoroughly. Bellow you will see some of the democratic rights and their scopes.

Freedom of Thought, Opinion and Expression (ART.29):- This article contains seven sub articles, which explain the main article in detail. This article gives everyone to hold any kind of opinion without interference. The exercise of these rights could be limited for the sake of higher goods such as the well being of the youth, and honor and reputation of individuals. In addition any propaganda for war and public expressions aimed at injuring human dignity is prohibited by the constitution.

The Right to Assembly, Demonstration and Petition (Art. 30):- Everyone has the right to assemble and demonstrate together with others peacefully and unarmed to present petition. Once again the enjoyment of these rights is subject to legal restrictions. In the interest of public morality, peace and democratic rights, concerned authorities could legally prescribe the time, place and route of public meetings and demonstrations.

Freedom of Association (Art. 31):- Every person is given with the right to form association for any cause or purpose. Citizens of similar interest have the right to join together and form an association. As a result, political parties, pressure groups, professional associations, economic, social or cultural groupings etc could be established in accordance with this right of citizens.

Freedom of Movement (Art. 32):- Ethiopian citizens as well as legal residents in Ethiopia have the right to freely move in every corner of the country and to choose their own area of residence. Citizens have also the right to move even out of the country and come back at any point of time.

The Rights of Women (Art. 35):-Traditionally, irrespective of the immense contribution of women, women were not equal with men. Women were considered as men are subordinate simply to satisfy men's wish and desire. Furthermore, in the eyes the law, women were considered as second-class citizens, who could not stand by themselves and as persons to be

administered by father', husbands or sons. By granting equal rights with men, the constitution tried to redress some of these irrational acts and believes at the level of marriage and family. However, prejudices on women are not limited to marriage only. Irrational beliefs and wrongdoings on women manifest themselves in every walk of life. The rights of women as mentioned by the constitution are:

- Women have equal rights with men in the enjoyment all the democratic and human rights.
- Taking in to account the historical legacy of discrimination and inequality, women are entitled with affirmative measures.
- Maternity leave with full pay before and after they give birth,
- The right to possess, administer, control, use and transfer private property. Particularly women are given equal right with men for using, transferring and administration of land.
- The right to full consultation in the formulation and execution of national development policies, particularly those policies affecting the lives of women, and
- Women are also given with the right to education, employment, promotion, and equal pay for equal work with men etc.

The Right to Elect and be Elected (Art. 38):- Election is a critical component of a democratic political system. The sovereignty of people in a democracy is ensured through the ballot box. Every Ethiopian citizen, without any discrimination, is given with the right to participate in public affairs, and on the attainment of 18 years of age to elect and 21 years of age to be elected. There is also other restriction in accordance with the law.

Right of Nations, Nationalities and Peoples (Art. 39):-Nations, Nationalities and peoples according to the constitution refer to the group of people who share common language, culture, history etc. Nations, Nationalities in Ethiopia are given Un-conditional right to self-determination including the right to secession. Every nation, nationality and people in Ethiopia is given the right to speak, write and develop its own language and to maintain and develop its culture. Furthermore, the right to full measure of self-government and to establish governmental

organs in the territory they inhabit is another right given to nations, nationalities and peoples of Ethiopia.

CHECK LIST

Please check your understanding with the following key ideas of the unit.

N0	Decide	Yes	Need to Revise first
1	I can define democracy		
2	I can describe the fundamental principles and values of democracy		
3	I can evaluate the fundamental constitutional principles		
4	I can differentiate the two ways of exercising democracy i.e. direct and indirect democracy		
5	I can explain models of democracy		
6	I can identify the roles of different actors in the democratization process		
7	I can briefly explain the principles of democratic elections		
8	I can describe the relationship of democracy and good governance		
9	I can discuss the building up of democracy and good governance in Ethiopia		

If you ticked ʿneed to revise firstʾ, please go to the sections of the unit you are going to revise.

Chapter 5

Ethics and Major Ethical Principles

Definition

Ethics, also known as **moral philosophy**, is a branch of [philosophy](#) that addresses questions about [morality](#)—that is, concepts such as [good and evil](#), right and wrong, [virtue](#) and [vice](#), [justice](#), etc. The field of ethics (or moral philosophy) involves systematizing, defending, and recommending concepts of right and wrong behavior. Originally it is derived from the Latin word *Ethos* which refers to *custom*s and *norms* of society that has to be respected by every individual. These ideals of the *ethos* demand immediate and unquestionable obedience because they are respected values of society. Ethics, however, is not guided by values that are not rationally justified. Thus, Ethics is not about unquestionable obedience, rather it is a matter of basing ethical values in rational arguments.

2.2. Approaches of Ethics

2.2.1. Metaethics

The term "meta" means *after* or *beyond*, and, consequently, the notion of Meta ethics involves a removed, or bird's eye view of the entire project of ethics. We may define Meta ethics as the study of the origin and meaning of ethical concepts. When compared to normative ethics and applied ethics, the field of Meta ethics is the least precisely defined area of moral philosophy. It covers issues from moral semantics to moral epistemology. Two issues, though, are prominent: (1) *metaphysical* issues concerning whether morality exists independently of humans, and (2) *psychological* issues concerning the underlying mental basis of our moral judgments and conduct.

2.2.1.1. Metaphysical Issues: Objectivism and Relativism

Metaphysics is the study of the kinds of things that exist in the universe. Some things in the universe are made of physical stuff, such as rocks; and perhaps other things are nonphysical in nature, such as thoughts, spirits, and gods. The metaphysical component of meta ethics involves discovering specifically whether moral values are eternal truths that exist in a spirit-like realm, or simply human conventions. There are two general directions that discussions of this topic take, one *other-worldly* and one *this-worldly*.

A. Objectivism (Universalism)

Proponents of the other-worldly view typically hold that moral values are objective in the sense that they exist in a spirit-like realm beyond subjective human conventions. They also hold that they are absolute, or eternal, in that they never change, and also that they are universal insofar as they apply to all rational creatures around the world and throughout time. The most dramatic example of this view is Plato, who was inspired by the field of mathematics. When we look at numbers and mathematical relations, such as 1+1=2, they seem to be timeless concepts that never change, and apply everywhere in the universe. Humans do not invent numbers, and humans cannot alter them. Plato explained the eternal character of mathematics by stating that they are *abstract entities* that exist in a spirit-like realm. He noted that moral values also are absolute truths and thus are also abstract, spirit-like entities. In this sense, for Plato, moral values are spiritual *objects*. Medieval philosophers commonly grouped all moral principles together under the heading of "eternal law" which were also frequently seen as spirit-like objects. 17th century British philosopher Samuel Clarke described them as spirit-like *relationships* rather than spirit-like objects. In either case, though, they exist in a sprit-like realm. A different other-worldly approach to the metaphysical status of morality is *divine commands* issuing from God's will. Sometimes called *voluntarism* (or divine command theory), this view was inspired by the notion of an all-powerful God who is in control of everything. God simply wills things, and they become reality. He wills the physical world into existence, he wills human life into existence and, similarly, he wills all moral values into existence. Proponents of this view, such as medieval philosopher William of Ockham, believe that God wills moral principles, such as "murder is wrong," and these exist in God's mind as commands. God informs humans of these commands by implanting us with moral intuitions or revealing these commands in scripture.

B. Relativism (Subjectivism)

The second and more this-worldly approach to the metaphysical status of morality follows in the skeptical philosophical tradition, such as that articulated by Greek philosopher Sextus Empiricus, and denies the objective status of moral values. Technically, skeptics did not reject moral values

themselves, but only denied that values exist as spirit-like objects, or as divine commands in the mind of God. Moral values, they argued, are strictly human inventions, a position that has since been called *moral relativism*. There are two distinct forms of moral relativism. The first is *individual relativism*, which holds that individual people create their own moral standards. Friedrich Nietzsche, for example, argued that the superhuman creates his or her morality distinct from and in reaction to the slave-like value system of the masses. The second is *cultural relativism* which maintains that morality is grounded in the approval of one's society – and not simply in the preferences of individual people. This view was advocated by Sextus, and in more recent centuries by Michel Montaigne and William Graham Sumner. In addition to espousing skepticism and relativism, this-worldly approaches to the metaphysical status of morality deny the absolute and universal nature of morality and hold instead that moral values in fact change from society to society throughout time and throughout the world. They frequently attempt to defend their position by citing examples of values that differ dramatically from one culture to another, such as attitudes about polygamy, homosexuality and human sacrifice.

2.2.1.2. Psychological Issues in Meta ethics

A second area of met ethics involves the psychological basis of our moral judgments and conduct, particularly understanding what motivates us to be moral. We might explore this subject by asking the simple question, "Why be moral?" Even if I am aware of basic moral standards, such as don't kill and don't steal, this does not necessarily mean that I will be psychologically compelled to act on them. Some answers to the question "Why be moral?" are to avoid punishment, to gain praise, to attain happiness, to be dignified, or to fit in with society.

i. Egoism and Altruism

One important area of moral psychology concerns the inherent selfishness of humans. 17th century British philosopher Thomas Hobbes held that many, if not all, of our actions are prompted by selfish desires. Even if an action seems selfless, such as donating to charity, there are still selfish causes for this, such as experiencing power over other people. This view is called *psychological egoism* and maintains that self-oriented interests ultimately motivate all human actions. Closely related to psychological egoism is a view called *psychological hedonism* which

is the view that *pleasure* is the specific driving force behind all of our actions. 18th century British philosopher Joseph Butler agreed that instinctive selfishness and pleasure prompt much of our conduct. However, Butler argued that we also have an inherent psychological capacity to show benevolence to others. This view is called *psychological altruism* and maintains that at least some of our actions are motivated by instinctive benevolence.

ii. Emotion and Reason

A second area of moral psychology involves a dispute concerning the role of reason in motivating moral actions. If, for example, I make the statement "abortion is morally wrong," am I making a rational assessment or only expressing my feelings? On the one side of the dispute, 18th century British philosopher David Hume argued that moral assessments involve our emotions, and not our reason. We can amass all the reasons we want, but that alone will not constitute a moral assessment. We need a distinctly emotional reaction in order to make a moral pronouncement. Reason might be of service in giving us the relevant data, but, in Hume's words, "reason is, and ought to be, the slave of the passions." Inspired by Hume's anti-rationalist views, some 20th century philosophers, most notably A.J. Ayer, similarly denied that moral assessments are factual descriptions. For example, although the statement "it is good to donate to charity" may on the surface look as though it is a factual description about charity, it is not. Instead, a moral utterance like this involves two things. First, I (the speaker) I am expressing my personal feelings of approval about charitable donations and I am in essence saying "Hooray for charity!" This is called the *emotive* element insofar as I am expressing my emotions about some specific behavior. Second, I (the speaker) am trying to get you to donate to charity and am essentially giving the command, "Donate to charity!" This is called the *prescriptive* element in the sense that I am prescribing some specific behavior.

From Hume's day forward, more rationally-minded philosophers have opposed these emotive theories of ethics (see non-cognitivism in ethics) and instead argued that moral assessments are indeed acts of reason. 18th century German philosopher **Immanuel Kant** is a case in point. Although emotional factors often do influence our conduct, he argued, we should nevertheless resist that kind of sway. Instead, true moral action is motivated only by reason when it is free from emotions and desires. A recent rationalist approach, offered by **Kurt Baier** (1958), was

proposed in direct opposition to the emotivist and prescriptivist theories of Ayer and others. Baier focuses more broadly on the reasoning and argumentation process that takes place when making moral choices. All of our moral choices are, or at least can be, backed by some reason or justification. If I claim that it is wrong to steal someone's car, then I should be able to justify my claim with some kind of argument. For example, I could argue that stealing Smith's car is wrong since this would upset her, violate her ownership rights, or put the thief at risk of getting caught. According to Baier, then, proper moral decision making involves giving the best reasons in support of one course of action versus another.

iii. Male and Female Morality

A third area of moral psychology focuses on whether there is a distinctly female approach to ethics that is grounded in the psychological differences between men and women. Discussions of this issue focus on two claims: (1) traditional morality is male-centered, and (2) there is a unique female perspective of the world which can be shaped into a value theory. According to many feminist philosophers, traditional morality is male-centered since it is modeled after practices that have been traditionally male-dominated, such as acquiring property, engaging in business contracts, and governing societies. The rigid systems of rules required for trade and government were then taken as models for the creation of equally rigid systems of moral rules, such as lists of rights and duties. Women, by contrast, have traditionally had a nurturing role by raising children and overseeing domestic life. These tasks require less rule following, and more spontaneous and creative action. Using the woman's experience as a model for moral theory, then, the basis of morality would be spontaneously caring for others as would be appropriate in each unique circumstance. On this model, the agent becomes part of the situation and acts caringly within that context. This stands in contrast with male-modeled morality where the agent is a mechanical actor who performs his required duty, but can remain distanced from and unaffected by the situation. A care-based approach to morality, as it is sometimes called, is offered by feminist ethicists as either a replacement for or a supplement to traditional male-modeled moral systems.

2.2.2. Applied Ethics

Applied ethics is the branch of ethics which consists of the analysis of specific, controversial moral issues such as abortion, animal rights, or euthanasia. In recent years applied ethical issues have been subdivided into convenient groups (Professional ethics) such as medical ethics, business ethics, environmental ethics, and sexual ethics. Generally speaking, two features are necessary for an issue to be considered an "applied ethical issue." First, the issue needs to be controversial in the sense that there are significant groups of people both for and against the issue at hand. The issue of drive-by shooting, for example, is not an applied ethical issue, since everyone agrees that this practice is grossly immoral. By contrast, the issue of gun control would be an applied ethical issue since there are significant groups of people both for and against gun control.

2.2.3. Normative Ethics

Normative ethics involves arriving at moral standards that regulate right and wrong conduct. In a sense, it is a search for an ideal litmus test of proper behavior. The Golden Rule is a classic example of a normative principle: We should do to others what we would want others to do to us. Since I do not want my neighbor to steal my car, then it is wrong for me to steal her car. Since I would want people to feed me if I was starving, then I should help feed starving people. Using this same reasoning, I can theoretically determine whether any possible action is right or wrong. So, based on the Golden Rule, it would also be wrong for me to lie to, harass, victimize, assault, or kill others. The Golden Rule is an example of a normative theory that establishes a *single principle* against which we judge all actions. Other normative theories focus on a *set* of foundational principles, or a set of good character traits.

The key assumption in normative ethics is that there is only *one* ultimate criterion of moral conduct, whether it is a single rule or a set of principles. Three strategies will be noted here: (1) virtue theories, (2) duty theories, and (3) consequentiality theories.

2.3 Major Ethical Theories

2.3.1. Virtue Ethics Theories

Many philosophers believe that morality consists of following precisely defined rules of conduct, such as "don't kill," or "don't steal." Presumably, I must learn these rules, and then make sure each of my actions live up to the rules. Virtue ethics, however, places less emphasis on learning rules, and instead stresses the importance of developing *good habits of character*, such as benevolence (see moral character). Once I've acquired benevolence, for example, I will then habitually act in a benevolent manner. Historically, virtue theory is one of the oldest normative traditions in Western philosophy, having its roots in ancient Greek civilization. Plato emphasized four virtues in particular, which were later called *cardinal virtues*: wisdom, courage, temperance and justice. Other important virtues are fortitude, generosity, self-respect, good temper, and sincerity. In addition to advocating good habits of character, virtue theorists hold that we should avoid acquiring bad character traits, or *vices*, such as cowardice, insensibility, injustice, and vanity. Virtue theory emphasizes moral education since virtuous character traits are developed in one's youth. Adults, therefore, are responsible for instilling virtues in the young.

Aristotle argued that virtues are good habits that we acquire, which regulate our emotions. For example, in response to my natural feelings of fear, I should develop the virtue of courage which allows me to be firm when facing danger. Analyzing 11 specific virtues, Aristotle argued that most virtues fall at a mean between more extreme character traits. With courage, for example, if I do not have enough courage, I develop the disposition of cowardice, which is a vice. If I have too much courage I develop the disposition of rashness which is also a vice. According to Aristotle, it is not an easy task to find the perfect mean between extreme character traits. In fact, we need assistance from our reason to do this. After Aristotle, medieval theologians supplemented Greek lists of virtues with three Christian ones, or *theological virtues*: faith, hope, and charity. Interest in virtue theory continued through the middle ages and declined in the 19th century with the rise of alternative moral theories below. In the mid 20th century virtue theory received special attention from philosophers who believed that more recent approaches ethical theories were misguided for focusing too heavily on rules and actions, rather than on virtuous character traits. Alasdaire MacIntyre (1984) defended the central role of virtues in moral theory and argued that virtues are grounded in and emerge from within social traditions.

2.3.2. Duty (Deontology) Theories

Many of us feel that there are clear obligations we have as human beings, such as to care for our children, and to not commit murder. Duty theories base morality on specific, foundational principles of obligation. These theories are sometimes called *deontological*, from the Greek word *deon*, or duty, in view of the foundational nature of our duty or obligation. They are also sometimes called *nonconsequentialist* since these principles are obligatory, irrespective of the consequences that might follow from our actions. For example, it is wrong to not care for our children even if it results in some great benefit, such as financial savings. There are four central duty theories.

2.3.2.1. Major Duty Theories

The *first* is that championed by 17th century German philosopher Samuel Pufendorf, who classified dozens of duties under three headings: duties to God, duties to oneself, and duties to others. Concerning our duties towards God, he argued that there are two kinds:

1. a theoretical duty to know the existence and nature of God, and
2. a practical duty to both inwardly and outwardly worship God.

Concerning our duties towards oneself, these are also of two sorts:

1. duties of the soul, which involve developing one's skills and talents, and
2. duties of the body, which involve not harming our bodies, as we might through gluttony or drunkenness, and not killing oneself.

Concerning our duties towards others, Pufendorf divides these between absolute duties, which are universally binding on people, and conditional duties, which are the result of contracts between people. Absolute duties are of three sorts:

1. avoid wronging others,
2. treat people as equals, and
3. Promote the good of others.

Conditional duties involve various types of agreements; the principal one of which is the duty is to keep one's promises.

A *second* duty-based approach to ethics is *rights theory*. Most generally, a "right" is a justified claim against another person's behavior – such as my right to not be harmed by you (see also human rights). Rights and duties are related in such a way that the rights of one person imply the duties of another person. For example, if I have a right to payment of $10 by Smith, then Smith has a duty to pay me $10. This is called the correlativity of rights and duties. The most influential early account of rights theory is that of 17th century British philosopher **John Locke**, who argued that the laws of nature mandate that we should not harm anyone's life, health, liberty or possessions. For Locke, these are our **natural rights**, given to us by God. Following Locke, the United States Declaration of Independence authored by **Thomas Jefferson** recognizes three foundational rights: **life, liberty, and the pursuit of happiness**. Jefferson and others rights theorists maintained that we deduce other more specific rights from these, including the rights of property, movement, speech, and religious expression. There are four features traditionally associated with moral rights. First, rights are *natural* insofar as they are not invented or created by governments. Second, they are *universal* insofar as they do not change from country to country. Third, they are *equal* in the sense that rights are the same for all people, irrespective of gender, race, or handicap. Fourth, they are *inalienable* which means that I cannot hand over my rights to another person, such as by selling myself into slavery.

A *third* duty-based theory is that by Kant, which emphasizes a single principle of duty. Influenced by Pufendorf, **Kant** agreed that we have moral **duties to oneself and others**, such as developing one's talents, and keeping our promises to others. However, Kant argued that there is a more foundational principle of duty that encompasses our particular duties. It is a single, self-evident principle of reason that he calls the "categorical imperative." A categorical imperative, he argued, is fundamentally different from hypothetical imperatives that hinge on some personal desire that we have, for example, "If you want to get a good job, then you ought to go to college." By contrast, a categorical imperative simply mandates an action, irrespective of one's personal desires, such as **"You ought to do X."** Kant gives at least four versions of the categorical imperative, but one is especially direct: Treat people as an end, and never as a means to an end. That is, we should always treat people with dignity, and never use them as mere

instruments. For Kant, we treat people as an end whenever our actions toward someone reflect the inherent value of that person. Donating to charity, for example, is morally correct since this acknowledges the inherent value of the recipient. By contrast, we treat someone as a means to an end whenever we treat that person as a tool to achieve something else. It is wrong, for example, to steal my neighbor's car since I would be treating her as a means to my own happiness. The categorical imperative also regulates the morality of actions that affect us individually. Suicide, for example, would be wrong since I would be treating my life as a means to the alleviation of my misery. Kant believes that the morality of all actions can be determined by **appealing to this single principle of duty.**

A *fourth* and more recent **duty-based theory** is that by British philosopher W.D. Ross, which emphasizes *prima facie* duties. Like his 17th and 18th century counterparts, Ross argues that our duties are "part of the fundamental nature of the universe." However, Ross's list of duties is much shorter, which he believes reflects our actual moral convictions:

- *Fidelity*: the duty to keep promises
- *Reparation*: the duty to compensate others when we harm them
- *Gratitude*: the duty to thank those who help us
- *Justice*: the duty to recognize merit
- *Beneficence*: the duty to improve the conditions of others
- *Self-improvement*: the duty to improve our virtue and intelligence
- *Nonmaleficence*: the duty to not injure others

Ross recognizes that situations will arise when we must choose between two conflicting duties. In a classic example, suppose I borrow my neighbor's gun and promise to return it when he asks for it. One day, in a fit of rage, my neighbor pounds on my door and asks for the gun so that he can take vengeance on someone. On the one hand, the duty of fidelity obligates me to return the gun; on the other hand, the duty of nonmaleficence obligates me to avoid injuring others and thus not return the gun. According to Ross, I will intuitively know which of these duties my actual duty is, and which my apparent or prima facie duty is. In this case, my duty of non maleficence emerges as my actual duty and I should not return the gun.

2.3.3. Consequentialist/Teleological Theories

In the 18th century British philosopher Jeremy Bentham founded the ethical, legal, and political doctrine of *utilitarianism,* which states that correct actions are those that result in the greatest happiness for the greatest number of people. The utilitarian principle of holds that "actions are right in proportion as they tend to promote happiness; wrong as they tend to produce the reverse of happiness. By happiness is intended pleasure and the absence of pain; by unhappiness, pain and the privation of pleasure."According to consequentialism, correct moral conduct is determined *solely* by a cost-benefit analysis of an action's consequences. Accordingly, an action is morally right if the consequences of that action are more favorable than unfavorable.

Consequentialist normative principles require that we first tally both the good and bad consequences of an action. Second, we then determine whether the total good consequences outweigh the total bad consequences. If the good consequences are greater, then the action is morally proper. If the bad consequences are greater, then the action is morally improper. Consequentialist theories are sometimes called *teleological* theories, from the Greek word *telos*, or end, since the end result of the action is the sole determining factor of its morality.

Consequentialist theories became popular in the 18th century by philosophers who wanted a quick way to morally assess an action by appealing to experience, rather than by appealing to gut intuitions or long lists of questionable duties. In fact, the most attractive feature of consequentialism is that it appeals to publicly observable consequences of actions. Most versions of consequentialism are more precisely formulated than the general principle above. In particular, competing consequentialist theories specify which consequences for affected groups of people are relevant. Three subdivisions of consequentialism emerge:

- *Ethical Egoism*: an action is morally right if the consequences of that action are more favorable than unfavorable *only to the agent* performing the action.
- *Ethical Altruism:* an action is morally right if the consequences of that action are more favorable than unfavorable *to everyone except the agent*.

- *Utilitarianism:* an action is morally right if the consequences of that action are more favorable than unfavorable *to everyone*. It states that correct actions are those that result in the greatest happiness for the greatest number of people.

All three of these theories focus on the consequences of actions for different groups of people. But, like all normative theories, the above three theories are rivals of each other. They also yield different conclusions. Consider the following example. A woman was traveling through a developing country when she witnessed a car in front of her run off the road and roll over several times. She asked the hired driver to pull over to assist, but, to her surprise, the driver accelerated nervously past the scene. A few miles down the road, the driver explained that in his country if someone assists an accident victim, then the police often hold the assisting person responsible for the accident itself. If the victim dies, then the assisting person could be held responsible for the death. The driver continued explaining that road accident victims are therefore usually left unattended and often die from exposure to the country's harsh desert conditions. On the principle of ethical egoism, the woman in this illustration would only be concerned with the consequences of her attempted assistance as *she* would be affected. Clearly, the decision to drive on would be the morally proper choice. On the principle of ethical altruism, she would be concerned only with the consequences of her action as *others* are affected, particularly the accident victim. Tallying only those consequences reveals that assisting the victim would be the morally correct choice, irrespective of the negative consequences that result for her. On the principle of utilitarianism, she must consider the consequences for both herself and the victim. The outcome here is less clear, and the woman would need to precisely calculate the overall benefit versus disbenefit of her action.

i. Types of Utilitarianism

Jeremy Bentham presented one of the earliest fully developed systems of utilitarianism. Two features of his theory are noteworthy. First, Bentham proposed that we tally the consequences of each action we perform and thereby determine on a case by case basis whether an action is morally right or wrong. This aspect of Bentham's theory is known as **act-utilitarianism**. Second, Bentham also proposed that we tally the pleasure and pain which results from our actions. For Bentham, pleasure and pain are the only consequences that matter in determining whether our

conduct is moral. This aspect of Bentham's theory is known as **hedonistic utilitarianism**. Critics point out limitations in both of these aspects.

First, according to act-utilitarianism, it would be morally wrong to waste time on leisure activities such as watching television, since our time could be spent in ways that produced a greater social benefit, such as charity work. But prohibiting leisure activities doesn't seem reasonable. More significantly, according to act-utilitarianism, specific acts of torture or slavery would be morally permissible if the social benefit of these actions outweighed the disbenefit.

A revised version of utilitarianism called *rule-utilitarianism* addresses these problems. According to rule-utilitarianism, a behavioral code or rule is morally right if the consequences of adopting that rule are more favorable than unfavorable to everyone. Unlike act utilitarianism, which weighs the consequences of each particular action, rule-utilitarianism offers a litmus test only for the morality of moral rules, such as "stealing is wrong." Adopting a rule against theft clearly has more favorable consequences than unfavorable consequences for everyone. The same is true for moral rules against lying or murdering. Rule-utilitarianism, then, offers a three-tiered method for judging conduct. A particular action, such as stealing my neighbor's car, is judged wrong since it violates a moral rule against theft. In turn, the rule against theft is morally binding because adopting this rule produces favorable consequences for everyone. **John Stuart Mill's** version of utilitarianism is rule-oriented.

Second, according to hedonistic utilitarianism, pleasurable consequences are the only factors that matter, morally speaking. This, though, seems too restrictive since it ignores other morally significant consequences that are not necessarily pleasing or painful. For example, acts which foster loyalty and friendship are valued, yet they are not always pleasing. In response to this problem, G.E. Moore proposed *ideal utilitarianism*, which involves tallying any consequence that we intuitively recognize as good or bad (and not simply as pleasurable or painful). Also, R.M. Hare proposed *preference utilitarianism*, which involves tallying any consequence that fulfills our preferences.

ii. Egoism

The word "Egoism' comes from Greek word 'ego', 'I' and therefore, literally, 'I-ism'. The central concern of egoism is the 'self' as the beginning and of all consideration.

Generally, in egoism, self-interest is the nucleus or central for every ethical action or decision. In other words, what is right and wrong is to be decided on the basis of the interest of every egoist individual. On the basis of the above two views, egoism can be taken two forms,

1. The psychological egoism
2. The ethical egoism

1. The psychological Egoism

The psychological Egoism is motivated out of self-interests and aims at self-satisfaction. It is also doctrine about human nature, claiming that everyone by nature motivated primarily his or her own interests. The main moral argument of the psychological egoism indicated in the table below.

> According to psychological egoism, people always seeks one's own advantage or self interest, or always does what he thinks will give him the greatest balance of good over evil. This means also that "self-love' is the only basic "principle" in human nature. The 'ego-satisfaction" is the final aim of all activity or that" the pleasure principle". Self love is the basic ethical principle

The psychological egoism theory criticized from the moral points view as it is discussed below.

1. For psychological egoism, one may derive self-satisfaction and rightfulness. But, the core question in relation to this view is that "How are we known what motivates people?" we cannot just assume that people are acting for the sake of self-satisfaction. For example, people themselves are not always the best judge of what motivates them. It is true that we commonly hear or say to ourselves, I don't know why I did that"

2. It is difficult to prove theory of psychological egoism. Even if it were shown that we often act for the sake of our interests, this is not enough to prove that psychological egoism is true.

It is true that we are selfish (a psychological egoism claim). But, it is difficult to conclude that we should be selfish.

2. Ethical Egoism

- Ethical egoism maintains that each of us should look at only at the consequences that affect us. If views that each person ought to perform those actions that contribute most to his or her own self-interest.

> Ethical egoism is a normative theory. It is a theory about what ought to do, how we ought to act as with psychological egoism.

Ethical egoism has two forms.

A. Individual   B. universal ethical egoism.

2.5. A Brief on Applied and Professional Ethics

Applied ethics is the branch of ethics which consists of the analysis of specific, controversial moral issues such as abortion, animal rights, or euthanasia. In recent years applied ethical issues have been subdivided into convenient groups (Professional ethics) such as medical ethics, business ethics, environmental ethics, and sexual ethics. Generally speaking, two features are necessary for an issue to be considered an "applied ethical issue." First, the issue needs to be controversial in the sense that there are significant groups of people both for and against the issue at hand. The issue of drive-by shooting, for example, is not an applied ethical issue, since everyone agrees that this practice is grossly immoral. By contrast, the issue of gun control would be an applied ethical issue since there are significant groups of people both for and against gun control.

The second requirement for in issue to be an applied ethical issue is that it must be a distinctly moral issue. On any given day, the media presents us with an array of sensitive issues such as affirmative action policies, gays in the military, involuntary commitment of the mentally impaired, capitalistic versus socialistic business practices, public versus private health care systems, or energy conservation. Although all of these issues are controversial and have an important impact on society, they are not all moral issues. Some are only issues of social policy. The aim of social policy is to help make a given society run efficiently by devising conventions, such as traffic laws, tax laws, and zoning codes. Moral issues, by contrast, concern more

universally obligatory practices, such as our duty to avoid lying, and are not confined to individual societies. Frequently, issues of social policy and morality overlap, as with murder which is both socially prohibited and immoral. However, the two groups of issues are often distinct. For example, many people would argue that sexual promiscuity is immoral, but may not feel that there should be social policies regulating sexual conduct, or laws punishing us for promiscuity. Similarly, some social policies forbid residents in certain neighborhoods from having yard sales. But, so long as the neighbors are not offended, there is nothing immoral in itself about a resident having a yard sale in one of these neighborhoods. Thus, to qualify as an applied ethical issue, the issue must be more than one of mere social policy: it must be morally relevant as well.

In theory, resolving particular applied ethical issues should be easy. With the issue of abortion, for example, we would simply determine its morality by consulting our normative principle of choice, such as act-utilitarianism. If a given abortion produces greater benefit than disbenefit, then, according to act-utilitarianism, it would be morally acceptable to have the abortion. Unfortunately, there are perhaps hundreds of rival normative principles from which to choose, many of which yield opposite conclusions. Thus, the stalemate in normative ethics between conflicting theories prevents us from using a single decisive procedure for determining the morality of a specific issue. The usual solution today to this stalemate is to consult several representative normative principles on a given issue and see where the weight of the evidence lies.

a. Normative Principles in Applied Ethics

Arriving at a short list of representative normative principles is itself a challenging task. The principles selected must not be too narrowly focused, such as a version of act-egoism that might focus only on an action's short-term benefit. The principles must also be seen as having merit by people on both sides of an applied ethical issue. For this reason, principles that appeal to duty to God are not usually cited since this would have no impact on a nonbeliever engaged in the debate. The following principles are the ones most commonly appealed to in applied ethical discussions:

- *Personal benefit:* acknowledge the extent to which an action produces beneficial consequences for the individual in question.
- *Social benefit:* acknowledge the extent to which an action produces beneficial consequences for society.
- *Principle of benevolence:* help those in need.
- *Principle of paternalism:* assist others in pursuing their best interests when they cannot do so themselves.
- *Principle of harm:* do not harm others.
- *Principle of honesty:* do not deceive others.
- *Principle of lawfulness:* do not violate the law.
- *Principle of autonomy:* acknowledge a person's freedom over his/her actions or physical body.
- *Principle of justice:* acknowledge a person's right to due process, fair compensation for harm done, and fair distribution of benefits.
- *Rights:* acknowledge a person's rights to life, information, privacy, free expression, and safety.

The above principles represent a spectrum of traditional normative principles and are derived from both consequentiality and duty-based approaches. The first two principles, personal benefit and social benefit, are consequentiality since they appeal to the consequences of an action as it affects the individual or society. The remaining principles are duty-based. The principles of benevolence, paternalism, harm, honesty, and lawfulness are based on duties we have toward others. The principles of autonomy, justice, and the various rights are based on moral rights.

An example will help illustrate the function of these principles in an applied ethical discussion. In 1982, a couple from Bloomington, Indiana gave birth to a baby with severe mental and physical disabilities. Among other complications, the infant, known as **Baby Doe**, had its stomach disconnected from its throat and was thus unable to receive nourishment. Although this stomach deformity was correctable through surgery, the couple did not want to raise a severely disabled child and therefore chose to deny surgery, food, and water for the infant. Local courts supported the parents' decision, and six days later Baby Doe died. Should corrective surgery have been performed for Baby Doe? Arguments in favor of corrective surgery derive from the infant's right to life and the principle of paternalism which stipulates that we should pursue the best interests of others when they are incapable of doing so themselves. Arguments against

corrective surgery derive from the personal and social disbenefit which would result from such surgery. If Baby Doe survived, its quality of life would have been poor and in any case it probably would have died at an early age. Also, from the parent's perspective, Baby Doe's survival would have been a significant emotional and financial burden. When examining both sides of the issue, the parents and the courts concluded that the arguments against surgery were stronger than the arguments for surgery. First, foregoing surgery appeared to be in the best interests of the infant, given the poor quality of life it would endure. Second, the status of Baby Doe's right to life was not clear given the severity of the infant's mental impairment. For, to possess moral rights, it takes more than merely having a human body: certain cognitive functions must also be present. The issue here involves what is often referred to as moral personhood, and is central to many applied ethical discussions.

b. Issues in Applied Ethics

As noted, there are many controversial issues discussed by ethicists today, some of which will be briefly mentioned here.

Biomedical ethics focuses on a range of issues which arise in clinical settings. Health care workers are in an unusual position of continually dealing with life and death situations. It is not surprising, then, that medical ethics issues are more extreme and diverse than other areas of applied ethics. Prenatal issues arise about the morality of surrogate mothering, genetic manipulation of fetuses, the status of unused frozen embryos, and abortion. Other issues arise about patient rights and physician's responsibilities, such as the confidentiality of the patient's records and the physician's responsibility to tell the truth to dying patients. The AIDS crisis has raised the specific issues of the mandatory screening of all patients for AIDS, and whether physicians can refuse to treat AIDS patients. Additional issues concern medical experimentation on humans, the morality of involuntary commitment, and the rights of the mentally disabled. Finally, end of life issues arise about the morality of suicide, the justifiability of suicide intervention, physician assisted suicide, and euthanasia.

The field of *business ethics* examines moral controversies relating to the social responsibilities of capitalist business practices, the moral status of corporate entities, deceptive advertising, insider

trading, basic employee rights, job discrimination, affirmative action, drug testing, and whistles blowing.

Issues in *environmental ethics* often overlap with business and medical issues. These include the rights of animals, the morality of animal experimentation, preserving endangered species, pollution control, management of environmental resources, whether eco-systems are entitled to direct moral consideration, and our obligation to future generations.

Controversial issues of *sexual morality* include monogamy versus polygamy, sexual relations without love, homosexual relations, and extramarital affairs.Finally, there are issues of *social morality* which examine capital punishment, nuclear war, gun control, the recreational use of drugs, welfare rights, and racis

b. Professional Ethics (Project Work)

Professional ethics, as part of applied Ethics, is concerned with the moral obligations and responsibilities expected from office holders and professionals. It deals about the specific and general guide line that should be followed and exhibited by every profession and office holders. Now a day, having a degree or diploma is not sufficient to satisfy the customers and achieve the objective of the employer. Workers/ employees are expected to perform their jobs with a sense of responsibility and professionalism. Some types of professional ethics are: Business ethics, Engineering ethics, Computer ethics, Media ethics, Bio-medical ethics, Legal ethics, Research ethics etc...

Chapter 6
Contemporary Global Issues

In this last section, you will briefly look at some of the most common global issues.

These **include globalization, terrorism, and environmental issues.**

The term globalization is a comprehensive term which denotes the emergence of a global society in which economic, political, environmental, and cultural events in one part of the world quickly come to have significance for people in other parts of the world. Globalization is the result of advances in communication, transportation, and information technologies. It describes the growing economic, political, technological, and cultural linkages that connect individuals, communities, businesses, and governments around the world.

Although most people continue to live as citizens of a single nation, they are culturally, materially, and psychologically engaged with the lives of people in other countries as never before. Distant events often have an immediate and significant impact, blurring the boundaries of our personal worlds. Items common to our everyday lives—such as the clothes we wear, the food we eat, and the cars we drive—are the products of globalization.

Globalization has both negative and positive aspects. Among the negative aspects are the rapid spread of diseases, illicit drugs, crime, terrorism, and uncontrolled migration. Among globalization's benefits are a sharing of basic knowledge, technology, investments, resources, and ethical values.

Most experts attribute globalization to improvements in communication, transportation, and information technologies. Advances in communication and information technologies have helped slash the cost of processing business orders by well over 90 percent. Vast amounts of information can be processed, shared, and stored on a disk or a computer chip, and the cost is continually declining. People can be almost anywhere and remain in instant communication with their employers, customers, or families 24 hours a day, 7 days a week, or 24/7 as it has come to be known. The Internet, the cell phone, and the fax machine permit instantaneous communication. The World Wide Web and computers that store vast amounts of data allow instant access to information exceeding that of any library.

Improvements in transportation are also part of globalization. The world becomes smaller due to next-day delivery by jet airplane. Even slow, oceangoing vessels have streamlined transportation and lowered costs due to innovations such as containerized shipping. Advances in information technologies have also lowered business costs.

Not only do goods, money, and information move great distances quickly, but also more people are moving great distances as well. Migration, both legal and illegal, is a major feature of this era of globalization. *Remittances* (money sent home by workers to their home countries) have become an important source of income for many countries.

Very few people, groups, or governments oppose globalization in its entirety. Instead, critics of globalization believe aspects of the way globalization operates should be changed. The debate over globalization is about what the best rules are for governing the global economy so that its advantages can grow while its problems can be solved.

On one side of this debate are those who stress the benefits of removing barriers to international trade and investment, allowing capital to be allocated more efficiently and giving consumers greater freedom of choice. With free-market globalization, investment funds can move unimpeded from where they are plentiful (the rich countries) to where they are most needed (the developing countries). Consumers can benefit from cheaper products because reduced tariffs make goods produced at low cost from faraway places cheaper to buy. Producers of goods gain by selling to a wider market. More competition keeps sellers on their toes and allows ideas and new technology to spread and benefit others.

On the other side of the debate are critics who see neoliberal policies as producing greater poverty, inequality, social conflict, cultural destruction, and environmental damage. They say that the most developed nations—the United States, Germany, and Japan—succeeded not because of free trade but because of protectionism and subsidies. They argue that the more recently successful economies of South Korea, Taiwan, and China all had strong state-led development strategies that did not follow neoliberalism. These critics think that government encouragement of "infant industries"—that is, industries that are just beginning to develop—enable a country to become internationally competitive.

Furthermore, those who criticize the Washington Consensus suggest that the inflow and outflow of money from speculative investors must be limited to prevent *bubbles*. These bubbles are characterized by the rapid inflow of foreign funds that bid up domestic stock markets and property values. When the economy cannot sustain such expectations, the bubbles burst as investors panic and pull their money out of the country. These bubbles have happened repeatedly as liberalization has allowed speculation of this sort to get out of hand, such as in Indonesia, Malaysia, and Thailand in 1997 and since then in Argentina, Russia, and Turkey. According to critics, a strong active government is needed to assure stability and economic development.

Protests by what is called the anti-globalization movement are seldom directed against globalization itself but rather against abuses that harm the rights of workers and the environment. The question raised by nongovernmental organizations and protesters at WTO and IMF gatherings is whether globalization will result in a rise of living standards or a race to the bottom as competition takes the form of lowering living standards and undermining environmental regulation. One of the key problems of the 21st century will be determining to what extent markets should be regulated to promote fair competition, honest dealings, and fair distribution of public goods on a global scale.

6.8. Terrorism

Terrorism is commonly understood to refer to acts of violence that target civilians in the pursuit of political or ideological aims. Although the international community has yet to adopt a comprehensive definition of terrorism, in 1994, the General Assembly's Declaration on Measures to Eliminate International Terrorism, in its resolution 49/60, stated that terrorism includes "criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes" and that such acts "are in any circumstances unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or other nature that may be invoked to justify them." Terrorism has occurred throughout history for a variety of reasons. Its causes can be historical, cultural, political, social, psychological, economic, or religious—or any combination of these. Some countries have proven to be particularly susceptible to terrorism at certain times, as Italy and West Germany were during the 1970s.

In general, democratic countries have provided more fertile ground for terrorism because of the open nature of their societies. In such societies citizens have fundamental rights, civil liberties are legally protected, and government control and constant surveillance of its citizens and their activities is absent. By the same token, repressive societies, in which the government closely monitors citizens and restricts their speech and movement, have often provided more difficult environments for terrorists. But even police states have not been immune to terrorism, despite limiting civil liberties and forbidding free speech and rights of assembly. Examples include Russia under tsarist rule and the Communist-ruled Union of Soviet Socialist Republics, as well as the People's Republic of China, Myanmar, and Laos.

In broad terms the causes that have commonly compelled people to engage in terrorism are grievances borne of political oppression, cultural domination, economic exploitation, ethnic discrimination, and religious persecution. Perceived inequities in the distribution of wealth and political power have led some terrorists to attempt to overthrow democratically elected governments. To achieve a fairer society, they would replace these governments with socialist or communist regimes. Left-wing terrorist groups of the 1960s and 1970s with such aims included Germany's Baader-Meinh of Gang, Italy's Red Brigades, and the Weather Underground in the United States. Other terrorists have sought to fulfill some mission that they believe to be divinely inspired or *millennialist* (related to the end of the world). The Japanese religious cult Aum Shinrikyo, responsible for a nerve gas attack on the Tokyo subway in 1995 that killed 12 people, falls into this category. Still other terrorists have embraced comparatively more defined and comprehensible goals such as the re-establishment of a national homeland (for example, Basque separatists in Spain) or the unification of a divided nation (Irish nationalists in Northern Ireland).

Finally, some terrorists are motivated by very specific issues, such as opposition to legalized abortion or nuclear energy, or the championing of environmental concerns and animal rights. They hope to pressure both the public and its representatives in government to enact legislation directly reflecting their particular concern. Militant animal rights activists, for example, have used violence against scientists and laboratory technicians in their campaign to halt medical experimentation involving animals. Radical environmentalists have sabotaged logging operations and the construction of power grids to protest the spoiling of natural wilderness areas. Extremists

who oppose legalized abortion in the United States have attacked clinics and murdered doctors and other employees in hopes of denying women the right to abortion.

National governments have at times aided terrorists to further their own foreign policy goals. So-called state-sponsored terrorism, however, falls into a different category altogether. State-sponsored terrorism is a form of covert (secret) warfare, a means to wage war secretly through the use of terrorist surrogates (stand-ins) as hired guns. The U.S. Department of State designates countries as state sponsors of terrorism if they actively assist or aid terrorists, and also if they harbor past terrorists or refuse to renounce terrorism as an instrument of policy.

State sponsorship has proven invaluable to some terrorist organizations—by supplying arms, money, and a safe haven, among other things. In doing so, it has transformed ordinary groups, with otherwise limited capabilities, into more powerful and menacing opponents. State sponsorship can also place at terrorists' disposal the resources of an established country's diplomatic, military, and intelligence services. These services improve the training of terrorists and facilitate planning and operations. Finally, governments have paid terrorists handsomely for their services. They thereby turn weak and financially impoverished groups into formidable, well-endowed terrorist organizations with an ability to attract recruits.

Weapons of Terrorism

Bombing historically has been the most common terrorist tactic. Terrorists have often relied on bombs because they provide a dramatic, yet fairly easy and often risk-free, means of drawing attention to themselves and their cause. Few skills are required to manufacture a crude bomb, surreptitiously plant it, and then be miles away when it explodes. Bombings generally do not require the same planning, organization, and knowledge required for more sophisticated operations, such as kidnapping, assassination, and assaults against well-defended targets.

Not surprisingly, the frequency of various types of terrorist attacks decreases in direct proportion to the complexity or sophistication required. Armed attacks historically rank as the second most-common terrorist tactic, followed by more complex operations such as assassination of heads of state or other well-protected people, kidnapping, hostage taking, and hijacking.

Bombs can consist of commercially produced explosives such as black powder, TNT, or dynamite; military supplies such as plastic explosives; or commercially available materials made into homemade explosives, such as fertilizer (ammonium nitrate) mixed with diesel fuel. Bombs can be either explosive or *incendiary* (designed to cause a fire upon impact). The most effective bombs typically employ a shaped *charge* (explosive) that channels the force of the blast in a specific direction. Bombs are *detonated* (made to explode) by a variety of means. Time-delay detonators use a clock, wristwatch, or other timing device. Remote-control detonators rely on radio or other electronic signals. In command-wire detonation a button is pressed or a plunger pushed to trigger the explosion.

Many terrorists have favoured firearms, including automatic weapons such as assault rifles, submachine guns, and pistols; revolvers; sawed-off shotguns; hunting rifles with sniper sights, especially for assassination; and machine guns. Concern over terrorist use of chemical and biological weapons increased after the 1995 Sarin nerve gas attack on the Tokyo subway and the discovery in 2001 of anthrax spores mailed in the United States. Chemical weapons consist of toxic chemical compounds, such as nerve gas or dioxin, whereas biological weapons are living organisms or their toxins, such as anthrax spores.

Impact of Terrorism

Although most terrorist groups have failed to achieve their long-term, strategic aims through terrorism, terrorism has on occasion brought about significant political changes that might otherwise have been impossible. Moreover, despite the claims of governments to the contrary, terrorism has sometimes also proven successful on a short-term, tactical level: winning the release of prisoners, wresting political concessions from otherwise resistant governments, or ensuring that causes and grievances that might otherwise have been ignored or neglected were addressed.

Terrorism was used by some nationalist movements in the anticolonial era just after World War II, when British and French empires in Africa, Asia, and the Middle East dissolved. Countries as diverse as Israel, Cyprus, Kenya, and Algeria owe their independence to these movements.

Evidence of terrorist success has come more recently in the examples of Gerry Adams and Martin McGuinness in Northern Ireland and Yasir Arafat in the Middle East. Adams, president of the political wing of the Irish Republican Army (IRA) in Northern Ireland, and his deputy McGuinness both won election to the British Parliament in 1997. Arafat, as leader of the Palestine Liberation Organization (PLO), won international recognition for the PLO. Through tactical victories and political achievements, each of their organizations demonstrated how a series of terrorist acts can propel to world attention long-standing causes and grievances.

At the same time, for every terrorist success, there are the countless failures. Most terrorist groups never achieve any of their aims—either short-term or long-term. The life span of most modern terrorist groups underscores this failure. According to one estimate, the life expectancy of at least 90 percent of terrorist organizations is less than a year, and nearly half of the organizations that make it that far cease to exist within a decade of their founding.

Terrorism is designed to threaten the personal safety of its target audience. It can tear apart the social fabric of a country by destroying business and cultural life and the mutual trust upon which society is based. Uncertainty about where and when the next terrorist attack will occur generates a fear that terrorism experts call "vicarious victimization." A common response to this fear is the refusal to visit shopping malls; attend sporting events; go to the theater, movies, or concerts; or travel, either abroad or within one's own country.

The public's perception of personal risk, however, often does not dovetail with the observable dimensions of the terrorist threat. Even though the United States was the country most frequently targeted by terrorists from 1968 to 2000, fewer than 1,000 Americans were killed by terrorists, either in the United States or abroad, during that 32-year period, according to figures tabulated by the U.S. State Department and the Federal Bureau of Investigation. Although more than three times that number was killed on September 11, 2001, the fact remains that the perception of the terrorist threat far outweighs the likelihood of being the victim of a terrorist attack. Nonetheless, terrorism's ability to engender so acute a sense of fear and unease is a measure of its impact on our daily life.

6.9. Environmental Challenges

Though the environmental challenges on human life goes back as long as the existence of man on earth, the response towards the problem has cropped up of late only in the decades of 20th century. Environmental problems led to the world's first environmental conference in 1972 in Stockholm. The most significant product of the conference was the creation of the UN Environmental Program UNEP, which was to act as midwife to safeguard the global environment. Some of the major global strategies in dealing with these problems are contained in the multilateral environmental agreements such as ozone depletion, global warming and desertification. The big progress is that states have come to a recognition that they have to act more collaboratively at the international level in order to search for effective solutions to environmental problems.

It should be mentioned here that the development of a sense of shared vulnerability to environmental threats on the part of states and the catalytic and coordinative role of United Nations Environmental Program (UNEP), however, has faced a number of debilitative responses from the states. The shared vulnerability is due to the fact that the problem brought about in view of sheer neglection to the environment by the states-whether belonging to the Northern hemisphere or the Southern hemisphere-has a drastic impact on all states all over the world. Hence all states are venerable today and thereby creating a corresponding catalytic and coordinative role to the principle programme-UNEP. This is due to the fact that states respond to continuing environmental challenges based upon their national interests.

Consequently, insufficient contributions by governments to environmental fund, insufficient authority and legitimacy of UNEP, collective disintegration and other factors in general have sadly produced a desperate impact on UNEP in addressing sufficiently the continuously deteriorating global environment.

Corruption

What is corruption? The New Webster's Dictionary of the English Language International Edition (1995:219) has several definitions of the word corruption. These meanings comprise the following: "corruption the state of being or becoming decayed, a spoiling, deteriorating, the corruption of taste by cheap

journalism corrupt practices perversion, moral decay, a corrupting influence, a debased form of a word".

It is obvious that it is not all these meanings of corruption that are relevant to our discussion of democracy and good governance.

However, some of the meanings cited above, are at the root of the inability of some countries to operate successful democratic governments. For example "corrupt practice" "perversion" "moral decay" and a "corrupting influence" are all part of the negative effects which corruption has on any society where widespread corruption is practiced. There can be no doubt that a process; phenomenon or institution that suffers from corrupting influences is likely to become decayed or to fall into a state of decay or perversion. Thus in the final analysis, all the meanings given to the word corruption have some relevance in any discussion of economic and political corruption.

However, for the purpose of this unit, one would suggest that you note very carefully this definition of corruption put forward by an Indian

Political Scientist: "corruption is ... the abuse of public office for private gains" (Jain 2001:5)

This definition even though it is very wide helps us to locate corruption in the political process and thus helps us both to appreciate its various ramifications, as well as its devastating consequences both for society as a whole, and sustainable democratic governance in particular. It is perhaps in consequence of its far reaching societal impact that:

(a) "The privatization" of the legitimate use of violence by those in power;

(b) The existence of an occult collegial power structure, which works with or controls those who are the official occupants of power.

(c) The proliferation of economic activities considered illegal by international law and international morals by the occult illegal power structure

(d) The insertion of such economic activities in international criminal networks.

(e) Osmosis between the cultural and historical representation of the

African community in question and the transnational system of representation, that is the motor of globalisation and;

(f) Significant macro-economic and macro political impact of these political practices and modes of accumulation on the society