

THE CONTRADICTIONS BETWEEN THE PROCLAIMED AND THE PRACTICED IN HUMAN RIGHTS IN ETHIOPIA: BLAMING CULTURES AND THE VICTIMS FOR THE VIOLATIONS

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I. Introduction

Human rights violations are rampant in Ethiopia at the State, community and family levels. Arbitrary arrest and detention, ill-treatment of detainees, termination of the employment to opponents of the regime, much restriction on assembly and association, interference with the privacy of individuals and homes, restrictions of freedom of press, lack of fair trial, and other violations are prevalent at the State level through out the country. Domestic violence (beating wives and children), abduction and rape, female genital mutilation, early (below 18 years) marriage, child labor exploitation and other abuses and violations are common in most parts of the country and are practiced by the overwhelming majority of the ethnic groups. Ethiopia is one of the least developed and poorest counties in the world. Over half of the total population lives in abject poverty, close to half of the children are not in primary schools, and life expectancy at birth is about 43 years.

This multi-ethnic, multi-cultural and traditional country has several social, economic and political problems. Among these, violations of human rights at interpersonal, family, community and State levels are daily living affairs despite the fact that most of the violations are unconstitutional and against the international human rights standards adopted by Ethiopia. Various UN declarations, covenants and conventions, and the Ethiopian Constitution (adopted in 1994) proclaim that individuals and social groups have the right to life, security of the person, equality, property, privacy and communication, education, attain state of physical health, marriage and build a family, fair hearing, protection from arbitrary arrest and torture, peaceful assembly and association, and work. Also freedoms of conscience, expression, religion, movement and cultural participation are guaranteed. Despite the proclamation, some of the human rights violations continue to be the “cultural values” of the dominant culture in Ethiopia. (Please refer to the Annex for more detailed list of rights and freedoms enumerated in the Constitution).

The respect and protection of human rights are highly related to democracy, peace, and socio-economic development. Development itself is being considered as an inalienable human right. The UNDP(1998) indicates that “Development is unsustainable where the rule of law and equity do not exist; where ethnic, religious or sexual discriminations are rampant; where there are restrictions on free speech, free association and the media; or where large numbers of people live in abject and degrading poverty”(6). Based on these and other criteria, the past and present situation of Ethiopia does not seem to be conducive for development unless some of the government/party operations, the society’s values, beliefs and practices change radically. At the outset it should be noted that the author is aware of human rights violations through out the world, particularly in developing (Sub-Saharan African) countries. The question is, how bad is the situation?

Looking at some human development indicators (some are provided in chapter 2), Ethiopia seems to be on top of problems.

In this brief paper, efforts are made to answer the following key questions:

1. What are the major human rights violations at the State, community and family levels in Ethiopia?
2. What are the most common cultural values which seem to contribute towards the continuation of human rights violations?
3. What are the common official explications for the rights' violations?
4. What should be done to minimize human rights violations in Ethiopia?

To answer these and other related questions data from national (Ethiopian) and international sources will be used. Some of the empirical data were collected by the author in the past few years. It is a descriptive study using a large amount of data. Both qualitative and quantitative approaches of analyses are used.

The objectives of the paper are pointing out the main human rights violations, indicating that some of the cultural values, beliefs and practices of the dominant culture are not in line with the universally accepted standards of human rights, and suggesting some strategies to use to reduce/minimize the violations. It is also hoped that the study would instigate some studies, debates and considerations for alternatives among human rights advocates, researchers, teachers, policy/decision makers, and the community at large.

The paper will have the following units: Brief socio-economic situation of Ethiopia, universal and Ethiopian cultural values, human rights situation in Ethiopia, most common violations at the State, family and community levels, and explications for the violations. The last chapter contains the conclusion and suggestions of strategies to use to reduce the violations.

II. Brief Socio-Economic Situation of Ethiopia

Ethiopia is a multi-ethnic country with an estimated population of 65 million in 2001 (CSA,2001). Only 33% of the population is literate and out of the 13 million primary school age children (ages 7 to 14) about 50% are in schools (UNICEF, 2001). Secondary school gross enrolment is 12% for Ethiopia and 28% for Africa. It is estimated that there are about 100,000 street children through out the country (MOLSA&UNICEF,1996). With the large population growth (3%) and a large number of deaths of parents due to HIV/AIDS, I would think that the number of street children would be larger than the above figure. Life expectancy at birth is 43 years while Africa's average is 52 years (ADB).

The GNP per capita is US\$ 100 for Ethiopia while Africa's average is US\$ 687. 84% of the Ethiopian population resides in rural areas and 90% of the labor force is working in agriculture and related areas. The UNICEF (2001) estimated that 46% of Ethiopians live on income less than US\$ 1 a day, below the international poverty line. Only 25 and 46 per cent of the population has access to safe water and health services, respectively (UNICEF, 2001).

Ethiopia has about 80 ethnic groups (nations, nationalities and peoples). Those ethnic groups which account for about 1% and above, each, of the total population are Oromo,

Amhara, Tigraway, Somale, Gurage, Sidama, Wolaita, Silte, Afar, Hadiya, Gamo, Gedeo, Kaffacho, Agew and Kembatta and account for 94% of the total population (CSA,1998). The two most populous ethnic groups, the Oromo and the Amhara, account for 62.8% of the total population. Ethiopia's 1994 Constitution (FDRE, 1995) defines a nation, nationality or people as " a group of people who have or share large measure of a common culture or similar customs, mutual intelligibility of language, belief in a common or related identities, a common psychological make-up, and who inhabit an identifiable, predominantly contiguous territory"(Article 39-5). The concept of ethnic group roughly refers to this notion in this paper. Despite the diversities in languages, settlement areas, historical background and some customs, the ethnic groups in Ethiopia reflect tremendous amount of similarities in various socio-economic and cultural aspects (Habtamu, Beit-Hallahmi & Abbink, 2001). Living under the same political system for years, having the same religion, the same mass media, and educational system, some mobility through out the country, trade, and intermarriages have greatly contributed to the similarities.

The population of Ethiopia is predominantly Coptic Orthodox Christian (51%) and Moslem (33%). Protestants, Catholics and others account for 10,1 and 5% respectively (CSA, 1998). The Orthodox and Islam seem to have greatly affected the culture, the values, the traditions, the outlooks and practices of the Ethiopian people.

In 1974, a socialist-military government took the government power and ruled the country till 1991. There was a monarchical feudal government before the 1974 "socialist revolution" which nationalized land, factories and larger businesses. Both systems were not democratic, did limit and violate human rights. Since May 1991, the Tigray People's Liberation Front led party called Ethiopian Peoples' Revolutionary Democratic Front (TPLF/EPRDF) has been leading the country. It is a federal system of government where some attempts are being made to democratize a backward, economically very poor, multi-ethnic and traditional society. The country is divided into 9 ethnically based regions and two urban areas (Addis Ababa and Dire Dawa). Many political parties have been formed (unfortunately many are ethnic and/or region based just as the ruling party is), local and national elections have been taking place, a number of civil societies and independent press have been established. There is a lot of talk about democracy, participation, justice, equality, peace, human and ethnic rights by the party and government officials, competing parties, civil societies and the mass media. There is a lot to be desired as far as the implementation of these in vogue ideas is concerned. One should refer to Pausewang and Tronvoll's(2000) and Merera Gudina's(2002) books for the details concerning the problems of democracy and elections in Ethiopia.

III. Universal and Ethiopian Values

1. Culture and Values

The concepts of culture and values are complex and difficult to define and come to a consensus among researchers. One of the reasons is that researchers with sociology, social anthropology, social psychology, political science, management and cross-cultural psychology backgrounds are interested in them and define them in line with their respective professions, perspectives and jargons. Furthermore these are every day,

common persons' concepts and difficult to pin down to only specific circumstances. Some sample definitions of culture and values follow.

Culture is defined as “a more or less integrated system of learned skills, norms, values and beliefs that constitute a people's way of life”(Federico,1975:695). To Chiwome and Gambahaya (1998:26), it is a learned, socially transmitted heritage of artifacts, knowledge, beliefs, values and normative expectations that provide members of a particular society with tools for coping. Matsumoto (2000:24) defines culture as “a dynamic system of rules, explicit and implicit, established by groups in order to ensure their survival, involving attitudes, values, beliefs, norms and behaviors, shared by a group but harbored differently by each specific unit within the group, communicated across generations, relatively stable but with the potential to change across time”. UNESCO (1998b:1) defines culture as “the set of distinctive spiritual, material, intellectual and emotional features of a society or a social group, and ...encompasses, in addition to art and literature, lifestyles, ways of living together, value systems, tradition and beliefs”. This definition is adopted in this paper. Hence culture is a relatively stable way of life that has been learned, is shared by most members of the society, and plays a significant role in the shaping of human behavior.

An-Naim and Deng (1990), Triandis (1994), Rokeach (1973) and many others argue that culture is transmitted from parents to children, shared by most members of the community, is likely to survive as long as it yields satisfaction to the (dominant) members, likely to adjust and adapt to the changes in the social environment. Rules and norms that govern interpersonal relations, division of labor (male-female, child-adult, etc.) subsistence patterns, dwelling styles, family relationships and parenting styles are the dictates of the specific culture. Cultural values (sometimes also called social, human or basic values), beliefs and what are often called “harmful traditional practices” are major elements of culture. Our focus will be on cultural values, since they are highly related, as will be discussed later, to human rights' issues.

Values are often defined as principles or standards that lead to judgments of either relative or absolute utility, goodness, or importance or that guide choices among alternatives (Kluckhohn,1951; Williams, 1968; Rokeach, 1973; Schwartz,1992). They refer to the central cultural and individual goals that people hold, aspire to achieve, pass on to others and used as criteria to evaluate own and others' behaviors in various situations. To Feather (2002) values are general beliefs about desirable actions and goals. The Blackwell Encyclopedia of Social Psychology (Monsead & Hewstone, 1995) defines human values as “trans-situational goals that serve as guiding principles in the life of a person or group (e.g., freedom, honesty). Values serve as standards of the desirable when judging behavior, events and people (including the self), when forming and expressing attitudes, and when selecting and rationalizing actions”. Schwartz (1994:20) has defined a value as “a belief pertaining to desirable end states or mode of conduct that transcends specific situations, guides selection or evaluation of behavior, people and events and is ordered by importance relative to other values to form a system of value priorities”. This definition is widely accepted one and is also adopted in this report.

Several cross-cultural researchers from various fields have studied the meaning, content, importance, structure and correlates of values (e.g., Hofstede,1980; Rokeach, 1973; Triandis, 1973; Feather, 1975; Kagitcibasi, 1984; Schwartz,1992). Several lists of

universal values have been developed by these and other researchers. Often, people are asked to tell (indicate) their guiding principles, their important values, etc. For instance, Rokeach (1973) developed two lists of values, with 18 values in each list. Usually subjects are asked to rank order the values based on their relative importance as guiding principles in one's personal life. One list contains the terminal or end state values of: A comfortable life, an exciting life, a world of peace, a world of beauty, equality, family security, freedom, happiness, inner harmony, mature love, national security, pleasure, salvation (belief in God), self respect, sense of accomplishment, social recognition, true friendship and wisdom. The instrumental (daily aspirations to attain) values are: Ambitious, broad minded, capable, cheerful, clean, courageous, forgiving, helpful, honest, imaginative, independent, intellectual, logical, loving, obedient, polite, responsible and self controlled.

Hofstede (1980) reviewed several hundred studies (as reported by Smith, Peterson and Schwartz, 2002) which dealt with values, attitudes, and behaviors and conducted a large scale international study. Based on the review and his own study, he came up with four major dimensions. The empirical study conducted involved over 117,000 workers from 66 countries. A fifth values dimension was added later (Hofstede, 1994) and they are the following:

1. Power distance: the degree of inequality (large or small) which the population of a country considers as normal (e.g., amount of respect);
2. Uncertainty avoidance: the degree to which people in a country prefer structured over unstructured situations (planning, stability);
3. Individualism/Collectivism: the degree to which people in a country prefer to act as individuals rather than as members of groups (personal choice or collective interest);
4. Masculinity/Femininity: the degree to which values like assertiveness, performance, success and competition associated with the role of men prevail over values like the quality of life, maintaining warm personal relationships, service, care for the weak and solidarity which are more associated with the role of women in most societies are reflected (emphasis of achievement or interpersonal harmony);
5. Time orientation: the extent to which people are short term or long term (time) oriented in planning, satisfying their needs and seeking happiness.

Based on the mean scores of the participants on each dimension, countries (cultures, societies) fall somewhere in the continuum. Of all the value dimensions, the individualism/collectivism dimension has been extensively researched, and often been invoked to explain cross-cultural differences (Triandis, 1994; Ball, 2001; Soh & Long, 2002). Predominantly individualistic cultures and values reflect independence, emphasis on tasks, competition, and a low feeling of attachment to the social group while collectivistic patterns emphasize interdependence, conformity, cooperation, and attachment to the social group. Examples of individualistic cultures include the USA, Great Britain, Australia, Canada, the Netherlands, Italy and most of the European countries, while collectivistic cultures include Japan, Ecuador, Venezuela, India,, China, Singapore, Indonesia, and Hong Kong. African countries are also grouped in the collectivistic pattern. Those emphasizing masculine values include Japan, Austria, Italy, Mexico, and Venezuela while those emphasizing feminine values include Denmark, Finland, Costa Rica, the Netherlands and Sweden. African and Arab countries belong to the masculine values group. It is to be noted that individual differences exist within the

individualistic and collectivistic cultures. Individualistic tendencies and characteristics exist in collectivistic cultures and collectivistic tendencies and characteristics exist in individualistic cultures, when individual level data are analyzed. Also, values priorities differ within and across cultures (societies) reflecting the social environment, enculturation, and personal experiences (Schwartz & Bardi, 2001). The critical point to note is that cultural values direct individual and group attention to what is more or less important and guide their behavior. Knowing their values helps in the prediction of their beliefs and behaviors (Rokeach, 1973; Triandis, 1995; Feather, 1975; Schwartz, 1992, 1994; Hofstede, 1980).

Schwartz and his colleagues (Schwartz, 1992, 1994, 1999; Schwartz & Sagiv, 1995; Schwartz & Bardi, 2001; Struch, Schwartz & van der Kloot, 2002), through several large scale cross-cultural studies have developed an instrument to measure universal values. The multidimensional scaling of 56 values items in the Schwartz's Values Scale (SVS) (Schwartz, 1992) has shown that these items measure 10 different value types that are organized along two dimensions : Self-transcendence/self-enhancement and openness to change/conservation. Self-transcendence is an orientation toward the welfare of others, whereas self-enhancement is an orientation toward self-interest. Openness to change reflects the degree to which a person is motivated to follow his or her own emotional and intellectual interests, whereas conservation reflects a motivation to preserve the status quo. Based on data from 63 (originally 44) countries in all continents and on the responses of over 60,000 persons (mostly teachers and students), 10 motivationally distinct, broad and universal (common to people across-cultures) were derived. The following are the broad values and their goals (Schwartz, 1992, 1994; Struch, Schwartz & van der Kloot, 2002:18):

1. Power: social status, dominance over people and resources; authority, social recognition and wealth are given weight.
2. Achievement: personal success according to social standards; being ambitious, capable, influential, intelligent are given weight.
3. Hedonism : pleasure or sensuous gratification; enjoying life and happiness are emphasized.
4. Stimulation : excitement, challenge, and novelty; a varied life is preferred.
5. Self-direction : independence of thought and action; freedom, choosing own goals, and self respect are emphasized.
6. Universalism: understanding, tolerance, and concern for the welfare of all people and nature; equality, wisdom, social justice, protecting the environment and a world at peace are preferred.
7. Benevolence: preserving and enhancing the welfare of people to whom one is close; helpful, responsible, honest, forgiving and spiritual life is valued.
8. Tradition: respect and commitment to cultural or religious customs and ideas; being humble and moderate is preferred.
9. Conformity: restraint of actions and impulses that may harm others or violate social expectations; obedience and politeness are emphasized.
10. Security: safety and stability of society, relationships, and self; social order, being healthy and national and family security are emphasized.

Many items in the SVS are the human rights specified in various UN human rights instruments. For instance, equality (equal opportunity for all), freedom (freedom of action and thought), self respect (belief in ones own worth), a world at peace (being free of war and conflict), respect for tradition (preservation of time honored customs), family

security (safety for the loved ones), social justice (correcting injustice, caring for the weak), broad mindedness (tolerance of different ideas and beliefs), protecting the environment (preserving nature), being healthy (not being sick physically or mentally), and enjoying life (enjoying food, sex, leisure, etc.) are both values and human rights.

Compatible (highly correlated) values are : power and achievement, achievement and hedonism, hedonism and stimulation, stimulation and self direction, self direction and universalism, universalism and benevolence, tradition and conformity, conformity and security, security and power. Conflicting (at the opposite side of the multidimensional figure) values are: self-direction/stimulation versus conformity/tradition/security, universalism/benevolence versus power and achievement, and hedonism versus conformity/tradition. Schwartz (1992) reported that values of power, achievement, hedonism, stimulation and self-direction usually serve individual interests while values of benevolence, tradition and conformity serve collective interests. Universalism and security serve both types of interests.

2. Dominant Cultural Values in Ethiopia

Cultural values refer to the cultural and individual goals that people hold, aspire to achieve, and pass on to others. They are the products of the society and they act on the society and its members. The elders, educators (schools), churches/mosques, families, the media, the political system, and the community at large attempt to transmit the culturally “approved” values to the younger generation. Childhood socialization (upbringing, learning the expected roles, values and behaviors, etc.) is more important than later ages socialization in the development of basic cultural values.

Though not comprehensive and involving all the ethnic groups, several studies have been made on Ethiopian culture, values, traditional practices, and child rearing practices (e.g., Abaineh, 1985; CSA, 2001; Habtamu, 1994,2000; Hirut, Habtamu, and Yusuf, 1997; Korten, 1972; Levine, 2000; Molvaer,1980,1995; NCTPE,1998; Seleshi,1998). Only the relevant aspects of these and other studies will be summarized with more on the author’s findings. Often mentioned values of the dominant culture include: helping each other(cooperation), education and wisdom, aggression(violence), patriotism(nationalism), bravery(heroism), politeness(courtesy), hospitality, power and domination, wealth, obedience, low respect for crafts and labor, low tolerance for differences of opinion, familial orientation, mutual distrust in interpersonal relations, superstitiousness, conservatism, fatalism(pessimism), none-delay of gratification, ethnocentrism, jealousy, patriarchy and hierarchy. These are explicit and implicit values and traditional beliefs. (Some Ethiopian writers/researchers might not list some of those negative/usually implicit/ attributes and values such as pessimism, mutual distrust, superstitiousness, etc. which characterize the typical Ethiopian. This author believes that issues should come out into the open, be debated, some consensus be reached on major issues that would affect the present and mainly the future generation).

Studies concerning child rearing practices indicate that parents, particularly the fathers are authoritarian, physical punishment to discipline children is widely used, children are to obey parents in all circumstances, and there is a lack of adequate verbal interaction between children and adults/parents. The values and child rearing practices listed above are found in all or most parts of the country, at least in the Amhara, Oromo, Tigraway, Gurage, Sidama, Somale, Hadiya, Afar, Wolaita, Gamo, Kaffacho, Selti, Kembatta,

Dawro, and Gedeo cultures. It is to be noted that some of these values and practices would be in violation of human rights standards which will be discussed later.

IV. Human Rights Situation in Ethiopia

1. Proclamations of Human Rights

Despite the frequent use, the concept of human rights has not attained definitional consensus yet. Some definitions are provided below. Human rights are “entitlements due to every man, woman, and child because they are human”(Lawson, 1996: xix). They are claims that individuals and social groups can make against the state and against the society as a whole and guarantees necessary to protect human beings (An-Naim and Deng,1990;Cranston, 1973; Donnelly, 1993). Human rights are claims that people are entitled to make simply by virtue of their status as human beings. Some even argue that they are natural, inalienable and universal rights which every human being any where in the world is entitled by virtue of just being a human being (e.g., Cranston,1973). Human rights are not inherited, earned, bought or given, but are moral, legal and just rights which are conceded and enforced by the law. Some researchers consider them as “globalised political values of our time”(Wilson, 1997). They are “reasonable demands for personal security and basic well being that all individuals can make on the rest of humanity by virtue of their being members of the species, *homo sapiens*” (Messer,1993: 1993: 222).

The Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1976), the International Covenant on Economic, Social and Cultural Rights (1976), the International Convention on the Elimination of All Forms of Racial Discrimination (1965), the International Convention on the Elimination of All forms of Discrimination Against Women (1981), the Declaration on the Right to Development (1986), the Convention on the Rights of the Child (1989), the African Charter on Human and Peoples’ Rights (OAU, 1986), and the African Charter on the Rights and Welfare of the Child (OAU,1999) are the major international and regional human rights treaties adopted by most African countries. Ethiopia has adopted/ratified all of these and other UN and OAU treaties. The Ethiopian Constitutions, particularly the one adopted in 1994 lists many of the rights and freedoms in the international bill of rights (the first three instruments mentioned above) and some rights (group/ethnic rights, duties and obligations of citizens) listed in the OAU Charter (1986).

The rights to life, an adequate standard of living, work, establish family, physical and mental health, education, equality, take part in the government and cultural life, fair trial, press and expression of opinion, association and peaceful assembly, privacy, own property and be free from harmful customs are listed. Children’s right to survival, care and development, to be free from corporal punishment and any harmful practices, and expression of opinion is also guaranteed. Ethnic groups are entitled to self determination (including secession), the use of own language, promote their culture and local self-administration (refer to the Annex for the list). Referring to the international bill of human rights and the OAU Charter will easily reflect that these international and regional treaties are accepted by the Ethiopian legislators (Constitutional Representatives who perhaps drafted and certainly approved the 1994 Constitution). The duties of the Government include respecting those rights (e.g., itself not violating

them), protecting the rights (e.g., forbidding others from depriving citizens from their guaranteed rights), and fulfilling the obligations (provision of necessities, creating the situation). Limitation of resources, national security, and public morals are the key limiting factors for the implementation of the constitutional and international human rights, as is also specified in the Constitution.

The literature (e. g., Balde,1998; Erdmann, 2000; Donnelly, 1999; Walker and Poe, 2002; Jones, 1999; An-Naim and Deng, 1990) tells us that there are three generations of human rights treaties. The first generation focuses on political and civil rights-individual rights to life, property, liberty, free movement, fair trial, freedom of religion, thought and association, equality before the law, participation in one's government as specified in the UDHR (UN, 1948). These are often labeled as Western (Euro-American) oriented and individualistic. The second generation of rights focuses on the social needs of people and are specified in the International Covenant on Civil and Political Rights(1976), and the International Covenant on Economic, Social and Cultural Rights (1976). The influence of socialist and the "Third World" countries in the development and adoption are highly noted (An-Naim & Deng, 1990; Balde, 1998). The third generation of rights is associated with the influence of the developing countries of mainly Asia, Africa, and Latin America. The focus is on self- determination, peace, solidarity, safe environment, sustainable development and access to global resources.

As pointed out by Cerna (1994) and others, western, socialist and developing countries have exerted some influence over the development and adoption of the major human rights standards. The representatives of 172 countries unanimously adopted a comprehensive declaration on human rights in Vienna in 1993, reaffirming the commitment to universal human rights (UN, 1993). The key elements of all the three generations of human (and peoples) rights are included in the Ethiopian Constitution. It is also worth noting that Ethiopia was one of the few developing countries which adopted the UDHR in 1948 as a member of the UN. A brief discussion of the universality and relativity of the human rights will be presented later. First we will look at the rights violations in Ethiopia.

2. Rights Violations at the State Level

Ethiopian men, women and children suffer various forms of abuse, neglect, exploitation and violence through out the country. State level violations include misuse of state power to oppress individuals or groups, exclusive use of common resources for privileged groups or individuals' gains, marginalization and exclusion of certain social or political groups, and ill-treatment of citizens contrary to the dictates of the Constitution approved by the Government itself. According to various UN protocols, violation of rights includes failing to take steps which a covenant requires to take, failing to remove obstacles to permit the fulfillment of the rights, failing to implement the rights specified, failing to meet a generally accepted international minimum standard of achievement, applying limitations to the recognized rights, and deliberately halting/retarding the progressive realization of the rights. These criteria put all violations of human rights in the country, in the hands of the State since it is its obligation to protect, respect, promote, and fulfill the rights.

As indicated above, for clearer discussion and possible strategies to consider to improve the situation, the violations are put in two responsibility levels. State level violations are

those committed by the executive, legislative, judiciary, the police, the army and the administration at various levels (from Kebele/village level to the Federal Government levels) will be discussed first. Then the family and community level violations will be presented.

The following are some of the human rights violations which have been reported by the Human Rights Watch(1997, 2002), the US-Department of State, Country/Ethiopia Report on Human Rights Practices (2002), Amnesty International (2002), The Ethiopian Human Rights Council (EHRCO, 2000/01/02), Southern Ethiopia Peoples' Democratic Coalition (SEPDC, 2001,2002), Ethiopians' Democratic Party(2001/02), Pausewang and Tronvoll (2000), Tronvoll (2001), Merera Gudina (2002), and Walta Information Center (2000/01/02). The list includes the violations which have been reported by at least one of the above sources, though many have reported about some of the serious cases.

1. Arbitrary or unlawful deprivation of life (extra-judicial killings by the police and the army, use of lethal force against unarmed demonstrators);
2. Some deaths and torture in prisons (beating, mistreatment, poor sanitary conditions, etc.);
3. Arbitrary arrest and detention of political rivals, teachers, students, and human rights advocates;
4. Silencing of dissent and detention of the private press journalists;
5. Denial of fair and public trial of some of those in detention;
6. Raping of several women and girls by army members and the police;
7. Rigged elections take place at local, regional and national elections;
8. Freedom of speech, peaceful assembly, association and demonstration limited;
9. Public employment of strong opponents of the ruling party are often terminated;
10. Interference with privacy of the person, property, home and correspondence is common- the police and even the local kebele or village administration enters and searches homes without judicial warrant;
11. The registration and renewal of certificates of NGOs and civil societies are bureaucratic and full of hurdles;
12. Voters are pressured and harassed/threatened to elect only the ruling party (EPRDF) members;
13. Large amount of violence and harassment take place in schools, families and the communities;
14. Ethnic conflicts take place sometimes instigated by the party cadres and local administration;
15. Disparities in educational and job opportunities between the sexes and regions continue; resources allocation favors certain regions and areas;
16. Only about 50% of the relevant age group of children are in primary schools; and,
17. Over 50% of the total population of the country is in abject poverty level (below the international minimum poverty level).

(The last two points might not be considered as direct violations, but are major indicators that rights concerning the basic needs are not being fulfilled either).

Perhaps the following few statements by an internationally credible organization might clearly depict the situation in Ethiopia. The Human Rights Watch, in December 1997 stated "The government daily violates the civil and political rights of Ethiopian citizens

by denying them the basic freedoms of speech, assembly, and association. The practices of arbitrary arrest, ill-treatment and torture in detention continue” (1). Four years later the same organization reported that “there was a marked deterioration of civil liberties in Ethiopia during 2001...The government jailed civil rights advocates, political rivals, students, and journalists without formal charges, and police used lethal force against unarmed civilians”(2002: 1).

3. Rights Violations at the Family and Community Level

Ibbawoh (2000) convincingly argues that human rights research is scanty in Africa. Particularly the impact that culture has on human rights is neglected. The preoccupation of researchers has been on universalism-relativism of international bill of rights in the political sphere. Empirical studies on the role of specific human rights with specific cultural elements are scanty. What are usually called, “harmful traditional practices “(HTP) relevant for our topic of study will be discussed below. Particularly those practices which violate the human rights of individuals and social groups will be enumerated. A National Committee on Traditional Practices in Ethiopia (NCTPE, 1998) lists about 100 practices which are considered as harmful based on a major national study that involved all regions and the overwhelming majority of the ethnic groups. Female genital mutilation (FGM or circumcision), uvulectomy, milk-teeth extraction, tonsillectomy, child marriage, abduction (for marriage) and rape, tattooing, scarification, food discrimination affecting women, and cauterization are some of the HTPs prevalent through out Ethiopia.

Hirut, Habtamu and Yusuf (1997) conducted a national study that involved 11 most populous ethnic groups where over 1170 household heads participated. They found that, *inter alia*, wife and child beating is prevalent among the ethnic groups. The husbands make major decisions, most households’ resources such as land, the house and livestock belonged to the husbands while kitchen utensils, chicken and other minor items are owned by the wives. Boys inherit the land and the house in most cases. Also the women did not have much say on their own marriage. The parents or male elders/ relatives arranged it for them or they were abducted. Abduction seemed common in Arsi and Bale Zones of Oromiya Region and most parts of Southern Ethiopia (particularly in Sidama, Kembatta, Hadiya and Gedeo zones).

The Central Statistics Authority (CSA, 2001) made a national demographic and health survey in 2000 which involved 15,367 women aged 15-49 and 2,607 men aged 15-59. A few of the findings are the following:

- One of every 6 Ethiopian children die before the fifth birthday.
- 85% of the women believe that a husband is justified in beating his wife if she neglects the children, burns the food, argues with the husband, goes out someplace without telling him, and refuses to have sex with him.
- 80% of the women admitted that they have been circumcised and the figure is 100% for the Somale and Afar women.
- 60% of the women stated that they support girls’ circumcision and half of the women participants who had daughters reported that at least one of their daughters has been circumcised.

In two studies which were conducted in Addis Ababa schools on interpersonal violence (1998) and in Southern Ethiopia on various psychosocial issues (2000), Habtamu found the following human rights violations and practices:

- 63% of Addis Ababa high school students who participated in the study have been hit (beaten) by parent in the past year;
- 68% of the students have been hit by their teachers in the school in the past year;
- 61% of the students themselves have hit, punched or slapped someone by hand or fist in the past six months;
- 69% of the students reported that they had a physical fight at least with one person in the past year;
- 91% of the 432 household heads of Dawro, Gamo and Kafficho ethnic groups in Southern Ethiopia preferred having sons than daughters;
- 86% reported that children are forced to eat some food they do not like to eat;
- 92% of the parents use some physical punishment to discipline their children;
- 83% of the parents indicated that children should participate in manual work;
- 75% of the parents reported that children should not participate in adults' discussion, and should lower their voice when talking to adults (80%);
- 54% of the parents divided household chores and farm activities based on sex, cooking and fetching water to girls and farming and looking after cattle to boys;
- 82% of the participants reported that children should obey (with out question) their parents in all circumstances;
- 35% indicated that girls should not be educated as much as the boys.

Though there are some indications (Seleshi, 1998) that child rearing practices are changing towards more democratic (authoritative rather than authoritarian) approaches, major and serious changes would be required to reduce the glaring violations at the family and community level. Examples of commonly violated rights at the cultural level include: protection from all forms of physical and mental violence (FGM, various scars), protection from abuse and maltreatment (beating wives and children), protection from abduction, inhuman and degrading treatment/punishment, protection from domination, equal rights in marital and family matters, children expressing their views on matters affecting them, getting education and health services. Hence it is obvious that most Ethiopians, particularly children and women are not protected from violations due to "cultural" reasons- i.e., in addition to the violations by the State as outlined earlier.

V. Cultural Relativism, Victim Blame and Other Explications

1. Debates of Universality and Relativity of Rights

In this unit, I would like to highlight issues of universality and relativity of human rights (the international bill of human rights) and explications provided by authorities concerning various violations.

An-Naim and Deng (1990) argue that a new universal culture based on human rights is emerging. The purpose of human rights is to protect people, individually or collectively, against the state and other groups including own social group. Individuals are the products and members of their own societies (ethnic or indigenous groups). Some of the key arguments for the universality of the international bill of rights are the following:

- a. Human nature is universal and human rights are based on human physical, social, and emotional needs (Donnelly, 1984, 1999; UN, 1993). All people have the same fundamental needs for survival, existence, security, relationship, and self esteem and these are some of the key human rights in the bill. All individuals exist for themselves first and the differences between people develop due to the socio-historical and cultural circumstances (Erez, 1994; Lynch, Modgil and Modgil, 1992).
- b. Human rights are concerned with the rights of individuals, either on their own or as members of families or some social group and hence are guaranteed to speak their own language, practice their own religion, to educate their children in schools of their own choosing, and to practice own culture. Hence, there is no major contradiction between the individual and collective rights (Howard,1990).
- c. The international bill of rights is in line with collective rights where it guarantees the rights to participate in community and government affairs, advocates tolerance of diversity (differing ways of life), advocates self reliant development, and equality for all (social groups, women, minorities, and individuals) (Paul,1990).
- d. It is usually individuals who feel pain, get killed or tortured, enslaved or oppressed. Often it is the government or those in power who oppose universal human rights because of restrictions imposed on them not to violate (detention, controlling resources, resisting habits like FGM, and abduction) (Jones, 1999).
- e. Status differentiation based on age and sex pervaded African societies. African concept of human rights refers to the ideological creation by the more powerful group to justify their authority and control based on the community status differentiation. Men, elders, and chiefs tended to appeal to tradition in order to maintain the control over the women, youth and the subjects respectively (Howard, 1990).
- f. Universalism of human rights is for dialogue, for the consideration of cultures and historical situations. The marginalized and the weak need to be protected. Gross inequalities and group oppressions and discriminations should not continue in the political system and web of relationships in African countries in the name of relativism and own culture (Penna & Campbell, 1998).
- g. Individualism exists in Africa, but those in power tend to focus/capitalize on collective rights for their own advantages (Pearce, 2001).
- h. Which rights (to life, equality, fair trial, freedom from slavery and torture) should be guaranteed to which social group or society and not to another? What are the justifications for such a “discrimination “? (Donnelly,1993; An-Naim & Deng, 1990).

The proponents of cultural relativism (different standards for different cultures) have the following arguments for emphasizing collective rights and relativity of international human rights standards:

- a. International bill of rights, particularly the political and civil rights are based on Western ideology, individualistic and materialistic/property orientation and not relevant to African cultures (Asmerom, 1980; Ake, 1987).

- b. Societies have different cultures and social values, hence their interpretation and implementation of human rights should vary (Lynch, Modgil & Modgil, 1992).
- c. Many politicians of Africa, Asia, Latin America and Arab countries argue that human rights are ethnocentrically Western and are being imposed on others (Preis, 1996; Baah, 2000).
- d. Formal declarations of rights and adoption of UN covenants are inadequate unless they are supported by the cultural values, norms and customs of the societies (R.Schwartz, 1990).
- e. The understanding and usage of the international human rights depends on the specific identity and the socio-economic development stage of the ethnic group – the level of education, urban/rural impact, influence of religion and the media, and the perceived threat of domination by other ethnic groups (Paul, 1990).
- f. Individual rights are promoted without due emphasis on citizens' obligations and duties (Takougang, 1999).
- g. There are a lot of clashes between the proclaimed and the practiced in many developing countries in family, gender, and property issues. Hence the universal human rights are inappropriate to many developing countries (Walker & Poe, 2002).
- h. Human rights are part of the imperialist and neo-colonialist ideology and ways of imposing its cultural values on other developing, particularly on the formerly colonized countries (Mamdani, 2000).
- i. People of many developing countries are not ready to understand and properly use the rights notion, since they tend to focus on what they can do and what they have rather than fairness, justice, equality, and tolerance (Perry, 1997).
- j. Human rights are “artifacts of Western cultural traditions raised to the status of global normativity” (Wilson, 1997: 28).
- k. Let alone the universal rights and values, even within a given human group, there are varying ways of life and world views; the rich, the men, the illiterate, and the urban have different views/ideology than the poor, the women, the literate and the rural respectively (Wilson, 1997).
- l. The aspirations by the UN and Euro-American States to create a “global community based on human rights”, and a common standard of achievement for all societies is too ambitious and would be the “greatest social transformation “of the 21st century (Messer, 1993: 223).
- m. African governments challenged by ethnic conflicts, poverty, deteriorating environment would prefer focusing on subsistence and development rather than respecting of individual rights and freedoms (Messer, 1993).

2. Common Explanations for Rights Violations

Some of the above arguments for the relativistic position concerning the adoption and application (rather for the in-application) of the international bill of rights serve as the rationale for the violations. Political and civil rights are Western impositions and do not fit their culture, the society is not ready for the implementation of all or most human rights, priority has to be given to economic development, subsistence and collective type of issues getting more weight rather than individual rights are some of the reasons provided for the lack of implementation of the international human rights standards

and/or for the gross violations (An-Naim & Deng, 1990; Jones, 1999; Perry, 1997; Walker & Poe, 2002).

Cohen (1996) reports that literal denial (claiming that nothing or no violation has happened), interpretive denial (what happened was really something else), and implicatory denial (what happened is justifiable) are some of the official responses to allegations about human rights violations in many developing countries. Claiming that there are no political prisoners, no one was tortured, and the reported violations did not occur are the common explications in the district (woreda), zonal, regional and national levels in Ethiopia. Another common rationalization is the claim that the situation forced the violations, the police or the army had to shoot in self-defense, it was to protect other citizens and/or much larger damage. Such justifications are provided after firing on unarmed demonstrators or on some gathering opposing the regime's policies or actions (e. g., AAU students demonstration opposing Eritrea's secession in 1991; Awassa area residents demonstration in May, 2002 opposing the decision that Awassa is a chartered city and not the Sidama capital any more). Several people were killed and wounded in these incidents.

If and when the specific human rights violations are accepted, blaming the culture and/or the victims or finding scapegoats take place. These happen at the family, community and state levels. The following are some examples as interpreted by the author (in most cases):

- Abduction and rape, beating wives and children, FGM, etc. are parts of the culture. Their fathers and grandfathers (and mothers) practiced them and passed them to the present generation. Those who respect their ethnic identity and culture are to continue these practices. It is also argued that the practices not causing harm could be verified by "looking at them".
- Many claim that they are not aware of human rights and their advantages over the traditional ways of doing things. They argue that they would like to do what the elders, community leaders, church/mosque leaders, religious institutions guide and advise them to do.
- It is sometimes argued, by many that these group of people, like children, women and some social groups deserve (asked for it) to be treated that way and the violations are for the good of them and the society. For instance, the physical punishment is supposed to lead towards the correction of the "bad behavior" which could have led the person to more dangerous or mischievous habits and behaviors.
- Some of the HTPs such as FGM have "good justifications" among the members of the community. Prevention of promiscuity by reducing sexual sensitivity, promotion of cleanliness (avoiding secretions in the clitoris), aesthetics (more pleasing for the sight and touch of the husbands), and in general the improvement of the male's/husband's sexual pleasure are some of the reasons provided in studies done in some African countries including Ethiopia (African Center for Women, 1997; NCTPE, 1998; Inter-Africa Committee, 1987). Hence other personal security violations such as making scars on some parts of the body will have ethnic identity, health, social and cultural explanations. But the negative consequences of pain, bleeding, infection and psychological effects are not taken into consideration or are undermined.
- Sometimes, the violations such as firing on peaceful demonstrators, torturing of prisoners and armed conflicts/clashes taking place between neighboring ethnic

groups are admitted by higher authorities. However, a few cadres, administrators, the police or some “instigators” are blamed for the incidents. The state and higher officials claim that they are free from all the violations committed and the scapegoats are some of those who were somehow involved. Some examples of major incidents are the following: A number of people, mainly of the Amhara ethnic group were killed and tortured in Bedeno and Woter area of Hararghe Zone in 1992 by the cadres of political parties; the Dizi and Suri of Maji area, in South Western Ethiopia had a clash where dozens of people were killed from both side (Abbink,2000); a major fighting took place in 2001 between Gerri, a Somale clan and Boran-Oromo living in Moyale area in which over 60 persons died and 200 injured; in March,2002 ethnic violence erupted in Tepi area, in the districts of Burji and Amaro, South Western Ethiopia in which over 100 people were killed, hundreds wounded and thousands of houses burned (SEPDC, 2002). I think these violations would suffice for our purposes. For all these incidents, authorities have freed themselves from any wrongdoing and have jailed a few cadres and the so called “instigators”.

- When there are conflicts/clashes between various social groups, where killings and burning of houses take place, it is often explained that such clashes took place in the past too. It is reported that it is their custom to fight and elders in cooperation with the Government officials have solved the problem. Details of the incidents, causes, damages, participants, and measures taken are not reported to the public. Lessons are not learned from these and other incidents. As would be expected the conflicts will flare up again some years later in the same or other areas.

VI. Conclusion

Ethiopia is a poor, multi-ethnic, and traditional country with a population of 65 million. Since 1991, efforts are being made to build a democratic federal system of government in Ethiopia. The State has adopted the international bill of human rights and made most of the rights and freedoms listed in those UN treaties as articles of the 1994 Constitution. Talks about democracy, peace, development, justice, equality and human rights are in vogue among the politicians and government officials. Despite the constitution and the UN covenants and the talks, human rights violations are rampant at the family, community and the State levels.

Abduction and rape, domestic violence, FGM, and various child abuses continue. It is argued that the dominant culture supports and perpetuates the various violations. At the State level, arbitrary arrest and torture of prisoners, detention of free press journalists, interference with the privacy of the person and home, and rigging of elections are common.

Interpersonal, family and community levels violations of human rights, mostly of children and women are justified (by the violators and the common person) on one’s culture and relativistic types of explanations. State levels, from the village/kebele administration to the federal government rational for the violations include blaming the victim, finding scapegoats, and some form of denial. The culture and socio-historical experiences are also invoked in certain violations such as ethnic or tribal conflicts.

The dominant culture of Ethiopia does not reflect most of the universal human rights values. Most of the rights enumerated in the Ethiopian constitution seem to be unknown and not applied. There seems to be a lot of work to do in the schools, families, the villages, the media, government offices, and the society at large in the learning, understanding, accepting, being committed to and the implementation of human rights values. The following are some of the suggestions to improve the situation.

1. The average citizens should be made aware of human rights and freedoms in a language understandable to them. The specific elements of the constitution, the international bill of human rights, the Convention on the Rights of the Child and other instruments need to be written and presented in a common language rather than the legal or political format. This would require the preparation of manuals, wide debates and discussions, translations, pilot testing, continuous work and periodic evaluations.
2. As has already been recommended by the UNESCO (1978,1998a) and others, human rights education (HRE) should be offered to students at all levels, and particularly in the teachers training institutes and colleges. The contents should be prepared in such a manner that addresses the cognitive, affective, and action aspects of learning. HRE is a conscious and planned effort to develop in the learners awareness of their rights and responsibilities, to sensitize them to the rights of others. In this regard, in addition to the instruments and recommendations made by the UNESCO (e.g.,1978,1998a), Lynch, Modgil and Modgil (1992), Claude (1996), Sifuna (2000), Osler and Starkey(1996), Reardon(1995), Balde (1998), Chanda (1999), and other sources would be of some help. HRE should also be offered through non-formal education programs such as in in-service courses, agriculture extension programs, through the radio, and various literacy programs in the country. The contents, principles, methods, and follow up mechanisms would have to be worked out based on the needs, level, age, and the overall situation of the learners/participants. HRE should not be a small portion of the civic/political education course being planned by the government to be offered beginning in the academic year of 2002/03 at all levels of formal education system (Civil Service Reform Program Office, 2002).
3. Child rearing practices, the total socialization processes, the dominant cultural values and traditional practices would have to be looked into. There is a large amount of research on the relevance of parenting styles and values to the development of democratic personality, on productivity and other variables relevant for peace, democracy, and development (Donnelly,1999; Munene, et al.,2000; Hamm,2001; Evans, 2001; Harrison & Huntington, 2000; Mesfin,1994; Munywaki, 1994; and others). The relationships between democracy, human rights and development are not as strong as some expect (or would like them to be), but there are some correlations, though not strong. These gamut of issues are worth series and serious deliberations and perhaps the gradual adoption of the better approaches, attributes and values which are in line with the rights standards.
4. The roles of the media are immense. They can teach, and sensitize the public about human rights in local languages, expose various violations, and suggest ways to improve situations to reduce violations at all levels.
5. The ruling party officials and members, the Government officials at all levels, the police, the judiciary, and the administration need to be committed to the application of universal human rights in their daily activities. In addition to the training on human rights and follow up of the implementation, serious measures would have to be taken on those who violate rights.

6. Some efforts need to be made to persuade and sensitize the elders, church/mosque and community leaders about human rights. These are the people who are working towards the perpetuation of the HTPs. These groups of people have to be convinced that some cultural values and practices such as FGM, abduction and early marriage are harmful, outdated and violate human rights. The task requires dialogue, discussion, examples, etc. and not coercion and lecturing/ordering.
7. Civil societies, NGOs, and international organizations can pressure the Ethiopian Government to promote human rights standards and to reduce violations. These bodies, particularly the major donors can also support HRE at all educational and administrative levels, participate in capacity building, advocate human rights and expose the violations. Also workshops, conferences, skills development/improvement/training programs, and seminars on human rights could be run with diverse groups through out the country.
8. More detailed, perhaps more empirical studies concerning socialization in general, parenting styles and values in particular, the integration of human rights values with the cultural values, and related issues could be considered. The studies would have to be multi-disciplinary, the findings are to be debated, and general consensus is to be reached on the direction and strategies that would lead to the wished democratic development of Ethiopia.

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Annex

The following are some of the rights enumerated in the Ethiopian Constitution (FDRE, 1995). Only the key phrases are listed.

1. The right to life: each citizen having the right to live and no citizen shall be deprived of his/her life;
2. The right to live in dignity: respecting the dignity of the person and not subjecting him/her to any form of torture, harm, inhuman and degrading treatment; respecting the reputation and honor;
3. To security of the person: protection against bodily harm;
4. To liberty: free movement, not to be detained with out a charge or conviction against him/her;
5. To equality: equal treatment, equality before the law with out discrimination between sexes or social groups;
6. To justice and fair trial/hearing: to be informed of the charges, to be brought to court within 48 hours of arrest, to obtain judgment/decision by courts of law, etc.;
7. To protection against cruel, inhuman and degrading treatment at all times, including under custody;
8. To be free from slavery, servitude or trafficking in human beings;
9. To be free from forced or compulsory labor;
10. To privacy of the person, home, property and correspondence- not to be subjected to search, confiscation, etc.
11. To freedom of religion, belief and opinion: the right to hold or adopt religion or belief of ones choice;
12. To thought, opinion and expression: one can have and express opinion without interference;
13. To freedom of press and other media: prohibition of any censorship, and having access to information of public interest;
14. To association, assembly, peaceful demonstration and petition: the right to hold meetings, peaceful demonstrations, forming trade unions, etc.
15. To freedom of association for any cause or purpose;

16. To liberty of movement: to choose residence, to leave the country and return;
17. To nationality: being an Ethiopian or changing it;
18. To marry and found a family: spouses have equal rights before, during marriage and in divorce; family will be protected by the State;
19. To equal treatment (particularly women and girls) in various aspects such as employment, education, marital matters, etc.
20. To be free from harmful customs and practices;
21. To participate in the formulation of national development policies, projects and strategies (particularly women are to involved);
22. To participate in public and government affairs: to vote, to be elected, hold offices, etc.
23. To ownership of private property: to acquire, use, and dispose of property; (But the main property in the country, land, belongs to the State);
24. To engage freely in any economic activity: to labor, to pursue a livelihood of choice, etc.
25. To equal access to publicly funded services, such as primary health care, education, etc.
26. To clean and healthy environment;
27. The rights specific to children include:
 - Name, nationality and to be cared for,
 - Life, survival, protection and development,
 - Not to be subjected to hazardous labor or exploitation,
 - Expression of opinion freely,
 - Getting education and health services,
 - Being free from corporal punishment at home, school, and the community,
 - Being free from any harmful (to health, the well-being) practices,
 - Having the “best interest of the child” in mind and practice in all decisions,
 - Being kept separately, from adults as offenders admitted to juvenile rehabilitation institution
28. Persons with disabilities and the elderly will get special assistance from the state;
29. The main entitlements guaranteed to ethnic groups include:
 - To improved living standards and to sustainable development: as a notion and each ethnic group is entitled to development and to meet its basic needs.
 - To self-determination, including the right to secession (i.e., each ethnic group);
 - To speak, write, and develop own language;
 - To express, develop and promote its culture;
 - To preserve its history;
 - To self-government, the administration of the territory (region, zone, woreda, kebele) inhabited by the group;
 - To equitable representation in the State and federal governments.