

UNIT 2

The Rule of Law

By the end of this unit, students will be able to:

- recognize the necessity of constitution.
- understand the use of application of rule of law.
- know the importance of limiting power of the representatives of the people and government officials.

2.1 What is the Constitution?

You may remember that you have learnt about the federal and regional constitutions in your grade five lessons. What kind of relations do they have?

The Constitution is the supreme law of a country. It is a document that consists of the political, economic and social objectives of a nation. The Constitution tells citizens how to use their rights and responsibilities. The Federal Constitution is a document that indicates the major political, economic and social issues at the national level. The Regional Constitution is a document that consists of social and development policy and strategies of particular regions.

Activity 1

Answer the following questions:

1. What is the constitution?
2. What are the main contents of the federal constitution?

2.1.1 The Need for the Regional Constitution

- Why do regional states need to have their own constitutions?

The regional state constitution serves the region to guide and rule their people according to the actual situation of the region.

Therefore, the regional constitution is needed for the following major purposes:

1. It assures the nations, nationalities and people, power and authority.
2. It facilitates conditions for self-administration.
3. It helps to produce the law that realizes the particular conditions of the region.
4. It assures gender, language and cultural equality.

Activity 2

Answer the following questions:

1. What is the objective of the regional constitution?
2. State at least three reasons which magnify the significance of the regional constitution.

Group Work

First, read “The Federal and Regional Constitutions of Ethiopia” and answer the following questions and present a short report. Each group has to read the federal and regional constitution.

1. List the major issues on which the federal constitution focuses.
2. Mention the major issues on which the regional constitution focuses.
3. What are the similarities and differences between the federal and regional constitution?
4. Why do we need the regional constitution?

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2.1.2 The Role of Local and Cultural Norms with Respect to the Democratic System

People used to live by establishing different social institutions in their everyday activities in order to cope with challenges they faced. The same is being done today. For instance, in order to solve their social and economic problems they established “Idir”, “Iqub”, and saving and credit associations. Besides to those traditional institutions people establish religious institutions like churches, mosques, etc. Those religious institutions help the society to develop spiritual satisfaction and moral ethics.

When conflicts occur, they established a third body to resolve conflicts. All these institutions have their own norms and guidelines that rule them. They make a big contribution in the application of federal and regional rules.

Activity 3

Discuss the following questions:

1. What is the importance of having local and cultural norms?
2. What is the role of local and cultural norms in practising the rule of law?

2.1.3 The Impact of Lack of Rule of Law on Citizens

- What is the impact of absence of rule of law?

Nominal law

Wujigra first cycle school students, together with their homeroom teacher, have formulated rules for their classrooms. They have agreed to obey the rules. Punctuality and attending the lessons are some of the important issues among their classroom rules.

Bundusha is elected as a classroom monitor. He respects all the rules, however, he failed to make others respect the rules. This resulted in creating

problems in the teaching-learning process. This made many students lack interest towards their education from time to time.

Activity 4

Answer the following questions according to the passage:

1. Who is responsible for the applicability of the rule in the classroom?
2. What would be the role of teacher for the practicality of the rule?

To respect the rules indicates that all citizens are guided and ruled by the law. The practice of law indicates the protection of rules from being violated by others.

If the law is violated, it is impossible to learn in a proper way. It creates lack of peace, which affects the free movement of citizens. Some powerful individuals may harm the life of citizens.

Activity 5

Read the following events and discuss possible measures to be taken:

1. Do you agree with a teacher who usually comes late and says, “Do not be late?”
2. What do think if an employee who is responsible, says, “Take care of the beauty of the school?”

In order to respect the law, first be subject to the law.

Activity 6

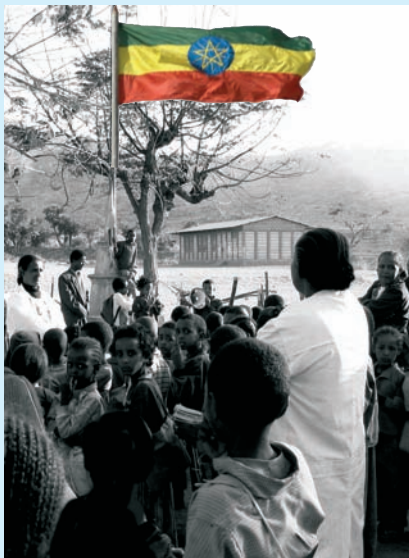
Discuss the following questions:

1. If someone does not obey the law, what might happen?
2. Whose responsibility is it to respect the law?

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2.2 Ethics

2.2.1 What do we mean by ethics?



Picture 2.1. Practice good ethics as guidance

- What kind of activities do you observe from the pictures above?
- Are the actions you observed in the picture good or bad?
- What would be your choice to follow?

The value of good ethics

Adane is a grade six student. He is well-known for his good manners in his family, with neighbours and at school. Adane is not only respected for his behaviour but is also famous for his academic performance. He is an outstanding student and popular among his friends and teachers.

He is known for up-holding and respecting the rules and regulations of his school. Most people call him “a wise boy (ገብዙ ልጅ).” After school, he participates in different clubs. Especially, his role in the Civics and Ethical club is very high. Because of his active participation, he has been rewarded by the school director twice.

Adane is considered as a model in the community. This is because of his good Ethics and educational achievement. So people say, “ልጅ ከወለዱ አይቀር እንደ አዳኝ ነው”

Activity 7

Answer the following questions according to the passage:

1. Who is responsible for Adane’s good ethics and academic performance?
2. What is the use of being the owner of good ethics?

Ethics are the measure of good or bad actions. The main concern of ethics is to make a person the owner of good ethical values. Good ethics are the behaviours or actions accepted by the community.

On the contrary, bad ethics of behaviours or any action are rejected by the community. In general, it is possible to say that ethics are a measure of good or bad behaviour.

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Activity 8

Copy the following table in your exercise book, and next put a tick “ ✓ ” under good or bad ethics against each expression:

Item	An example of good ethics	An example of bad ethics
Respecting the school and classroom norms		
Helping people with special needs		
Practicing unacceptable acts in the community		
Creating conflicts with people		
Not respecting parents and elders		
Undermining needy people		
Keeping secrets (confidentiality)		
Not being transparent and loyal		
Truthfulness		
Telling lies/lying		
Cheating		

2.2.2 Accepted Ethics from Students at School Level

- What type of ethics are expected from students at school level?
- Why do we expect students to have good ethics in school?

The establishment of student's good ethics begins from the family. Bringing up students with good ethics is the responsibility of parents and guardians. Schools have equal responsibilities like parents to equip children with good ethics. Schools should pay proper attention to create citizens who are well-equipped with ethical values.

There are several ways in which students in school can manifest ethics. Among these, some are described as follows:

A. Respecting the Class and School Norms

It is necessary to establish a system that creates a conducive environment for the teaching-learning process. To create such a system, school rules and norms are considered as special instruments. It is expected from the learners to respect the rules and

regulations of their school. In addition to school rules and regulations, students should obey several other regulations they formulate in agreement with their teachers. It is necessary to respect these rules. So, respecting the rule of the school is one of the manifestations of good ethics.

B. Protecting Classroom and School Property from Damage

The materials in the school and in classroom are bought with public money. They are expensive. If they are destroyed it is difficult to replace them easily. With proper handling they are expected to last a long time. If every student feels responsible, it is possible to transfer them to the next generation.

C. Keeping the Sanitation and Beauty of the School and Classroom

One of the ethical behaviours expected from students is keeping the sanitation and beauty of their classroom as well as their school. In order to meet their objective all students should keep their classroom clean, take care of young trees and plant new trees on the school campus. If there is anything that affects the sanitation, they should report it to

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the school administration. If the school is kept clean, it creates favourable conditions for learning.

When such conditions are created, schools will be considered not just as a centre for learning but also a centre of recreation.

D. Respecting the School Community

The success of the teaching-learning process is the total effort of the whole school community. So respecting those community members who support the teaching-learning process is considered as one of good ethical values.

Activity 9

Discuss the following questions:

1. If tables and chairs were broken because of carelessness, how would it be possible to run the teaching-learning process? Discuss and forward solutions.
2. What kind of ethics are expected from students in school?
3. Why do students need to have good ethics?
4. What is the role of family in building up citizens who have good ethics?

2.3 Limited Power

2.3.1 What is Limited Power?

- Have you ever heard in your Kebele or Woreda of a public official who had been accused of exercising unlimited power?
- What do you recommend regarding the action to be taken in the case of such a person?

Limit of power is the authority given by the law in order to do certain work. In every government, official power and authority is given in order to accomplish tasks. So, it is expected from the official to practice the power and authority in a logical manner. This is called the limit of power. It is forbidden to go beyond the given power and

authority. If anyone works out of the given power, chaos will occur. This enables every person to act according to his ambition. For instance, if the class monitor does certain improper actions, this creates a problem in the teaching-learning process.

Activity 10

Discuss the following questions:

1. Why is it necessary to limit power?
2. What would happen if there was no limit of power?

2.3.2 The Necessity of Limiting Power of Public Representatives

- Who are public representatives?

“Ato Abebe's boasting”

Ato Abebe is the elected chairman of a Kebele. After being a chairman his conduct gradually changed. He started to exercise unlimited power. It was assumed that he was favouring Kebele people. For instance, by evacuating people who rented a Kebele house, he gave it to his relatives without any reason.

This was done without any decision of the Kebele Social Court. Besides, he sold land prepared for house construction of urban dwellers by lease, by taking bribes. He allowed illegal construction. As a result, people who elected him lacked trust in him. They were unable to criticize him officially or to take measures. One day, during a meeting at the Kebele, a person who knew Abebe's secret expressed his evil act. He asked him to give up his powers and accused him of the crime he had committed.

The people expressed their approval by clapping their hands. However, Ato Abebe did not accept the case and told the people not to take away his power.

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Activity 11

Answer the following questions based on the previous passage:

1. What kind of action did Ato Abebe practice out of the rules?
2. Why did the people clap their hands when a person expressed the case?
3. Is it possible for Ato Abebe to keep in his powers, by his own desires? Why?
4. Have you ever heard about such a kind of situation in your localities? What was the result?

Public representatives are those people who are elected by the local people in order to respect their legal rights and practice them.

The need to limiting the power of public representatives is:

- to protect the violation of laws and norms.
- to protect misuse of resources by individuals.
- to keep public promises.
- to control unlimited power (lawlessness).
- to take action against misbehaving officials etc.

Activity 12

Discuss the following question:

1. List the reasons why power limitation is needed for public officials.

2.4 Secret

2.4.1 Friend's Secret

- What do you recognize when we say secret of a friend?
- Have you ever discussed with your friends any issue secretly?
- For instance, what type of cases should be held as a secret?

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ምነዋ ከዳኸኝ አደራህን ሰብረህ፤
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(ዳግላስ ጴጥሮስ -1977 ዓ.ም)

Activity 13

Answer the following questions based on the above poem:

1. What does the poem teach about keeping secrets?
2. In what way is the pain of a person with lack of confidentiality treated in the poem?
3. What kind of problem will a person face if his/her personal affairs lacks confidentiality?

“A friend’s secret” means a case, which would be held between two or more people as a promise. Telling that secret to a third party is considered as having lack of ethical values. This might cause certain problems in relationships/friendship. Secret could take place between husband and wife, classmates, among school friends, workmates, among villagers etc.

Some people keep secrets, while others are known to expose them. Those people who do not keep secrets lose respect from their friends, family members and the community as well. Finally, they may be rejected and ignored. Even if there may be conflict among friends, they should keep their secrets.

Activity 14

Answer the following questions:

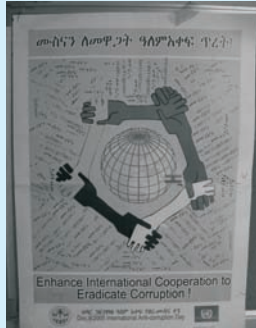
1. What is a friend’s secret?
2. Give examples of the topic of secrets that occurs among friends.

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3. What would happen if a secret is exposed?
4. Have you ever exposed a secret which was expected to stay between you and your friend? What happened after that?

2.5 Corruption

2.5.1 Features of Corruption



Picture 2.2. Corruption affects the prevalence of rule of law

- What are the people doing in the picture?
- Why did they hide their action?
- What would you do if their action affected the public life?

This is the result

Lubaba, who is a student of grade seven, is from a rich family. She is academically poor. Teacher Mamo is her mathematics and homeroom teacher. He knows the background of Lubaba's family. In this case, he called them to talk about their daughter. He told them that their daughter needed academic support.

Lubaba's parents told teacher Mamo to help their daughter after school. They promised to pay for his service. The money he earned from Lubaba's family has more than what he earned in his teaching. This additional money changed his standard of living.

Teacher Mamo understood that if Lubaba has not in a position to pass the examination he would earn additional income from Lubaba's family. So, he decided to give Lubaba exercises and exam questions in secret. Lubaba came to school without any preparation for the examination. However, her result was the top in the class.

Nobody accepted her academic performance. As a result, the students and teachers reported her to the school administration. After careful examination of the case, it was found that teacher Mamo was involved in the case. Then the case of Mamo was directed to the school discipline committee.

Activity 15

Answer the following questions according to the passage:

1. Did teacher Mamo commit corruption? How?
2. What kind of corruption did teacher Mamo commit?
3. What type of punishment should be given to the crime committed by teacher Mamo?

Corruption is an evil action that destroys good governance, affects democracy, retards economic development, and harms mutual understanding among people. It erodes the good values of a nation.

Corruption is a lack of faithfulness by others, misuse of power, holding others property or money for personal use. In other words, it is the act of using the property of people and the state for private benefit. Lack of good morals, taking bribes and embezzlement, lack of honesty are examples of corruption that affects the developmental efforts of a nation.

Activity 16

Discuss the following questions:

1. What is corruption? What are its manifestations?
2. What are the effects of corruption?

2.5.2 Corruption Committed by Irresponsible Public and Government Officials

- What are the types of corruption committed by irresponsible officials?

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- In what way, should we practice public power and authority?

Authority is obtained through public election, by political assignment or educational status or work experience.

Those officials who are elected by the people are named as public representatives. Those who come to power through political assignment, educational status or work experience are named as government officials.

Every official is expected to carry out his/her responsibility and obligations according to the rule only. Those public officials at different administrative levels from Kebele to the House of Peoples Representatives should accomplish their responsibilities according to the rules. If they do not do that, it is considered as a lack of responsibility.

Some common types of corruption committed by government and public officials are:

- taking bribes and embezzlement, taking unnecessary benefits in order to make someone a beneficiary by hurting others.
- taking public and government property for personal use.
- misuse of government power to make one's relatives a beneficiary.
- forceful use of properties and running them for personal benefits only.
- transferring secrets to a third party.
- thefts, cheating, partiality, etc.

Activity 17

Answer the following questions:

1. What is the difference between public and government officials?
2. Mention at least four types of corruption that can be committed by government and public officials. Explain them.

Summary

The Constitution is the supreme law of a nation; primarily it is a document that governs major socio-economic and political affairs.

Regional constitutions are laws of the regions that govern self-administration. Respecting the law indicates the rule and guidance of citizens by the law, while upholding the law indicates the protection of laws in a legal way when violated by others.

Absence of limits in power and authority results in disorder in a system. For any public official at any level to perform his action and for the given authority, there are different laws and regulations in order to practice the right thing in that position. So, the need of limits of power is to make officials act according to the law.

Ethics are the measure of good or bad action. They are instruments used to separate good from bad, true from false, logical from illogical, and by identifying righteous and truthful actions we are obliged to do it. There are several ethical issues, which need to be respected.

A "Friend's secret" means a case which is expected to be held between two individuals or more than two friends. If the secret is exposed or transferred to a third party it may cause problems or danger. In this case it needs attention.

Corruption is an evil action that affects good governance; destroys democracy, economic development, complicates mutual understanding and working together. In general, it erodes the good values of a nation. In order to avoid these destructive citizens, people should fight them bravely.

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Key Words

- Public officials:** Local elected representatives who serve local people so they can benefit from their rights and to practice legal actions in the right way
- Limit of power:** An authority given based upon constitution, other laws, norms and regulations
- Corruption:** Misuse of government and public power and authority in an unethical way for personal benefits or making others beneficiaries in an illegal way

Unit Review Exercises

Do these review exercises in your exercise book.

I. Write "True" if the statement is correct and write "False" if the statement is incorrect

1. The Regional Constitution facilitates conditions for self-administration.
2. A citizen has an obligation to be subjected to the law but no obligation to uphold the law.
3. There is no need to limit the power of public officials.
4. No problem will occur if a secret between two friends is transferred to somebody else.

II. Copy the following questions on your exercise book and fill the correct answer on the space provided

1. An action which is accepted by the local community is known as _____ ethics.
2. Good ethics begin from _____.
3. In order to uphold the law respecting _____ and _____ is necessary.

III. Choose the correct answer for the following questions

1. Among the following alternatives which one is not an example of good ethics?
(a) Respecting the classroom and school regulations (b) Keeping the classroom clean
(c) Not taking the property of other students (d) No answer is given.
2. Which of the following is true about the limits of power of public officials?
(a) Working outside the limits of power (b) Under exercising the limits of power
(c) Exercising powers according to the law (d) All of the above.
3. Which of the following corrupt practices may not be committed by top public and government officials?
(a) Taking bribes (b) Using government duty for personal use
(c) Keeping secrets (d) Embezzlement.
4. An agreement which could be held between friends as a promise is known as:
(a) a family secret (b) a friend's secret (c) a national secret (d) a private secret.

IV. Give short answers for the following questions

1. List down at least two reasons why a regional constitution is needed.
2. List down at least three ethical values expected from students.