

Justice

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

- state the importance of just and non-discriminatory procedures for citizens.
- distinguish the judicial procedures of judicial institutions.
- discuss what is meant by fair distribution of social service institutions.

4.1 The Prevalence of Non-Discriminatory and Fair Procedures

- What is meant by fair procedures?
- Discuss with your classmates practices that are discriminatory.

Kebeles of Wonchite

Once, the kebeles of wonchite were respected by the people. They were considered as centres of art and culture and surplus production. Many elders of nearby localities have good memories about the kebeles of wonchite.

Unfortunately during in the last few decades the kebeles of wonchite have lost their former status as centers of culture and economy. They have been titled as the worst places for living. However, during the past two years, the kebeles have begun to experience a revival. The major reason for this revival is considered to be the public discussion and consultation forums, which were launched by the self-initiated efforts of the residents of few kebeles. In the forums, the people were able to identify the causes the weakening of the kebeles and their lack of peace.

Deep-rooted discriminatory practices and injustices were proved to be the causes of the aforementioned problems. The people also agreed to take action to tackle the problems so that they did not recur.

Working for the development of just procedures, from the family level to government institutions, was taken to be the major strategy for the encouragement of peace. In order to implement this strategy, a committee was formed from the elderly, the women, young people, government employees, the clergy and traditional tribal leaders. Among the major roles and responsibilities of the committee are: *Conducting forums of reconciliation and pardon, awareness raising about peace and justice, avoiding discrimination and fostering just procedures in family and community administration, land distribution, resource utilization etc.*

With the implementation of those plans, the condition of peace in wonchite kebeles has shown some improvement. Because of this the kebeles regained their position as centres for art and surplus production. The residents of the kebeles and also the neighbouring people started to benefit from the peace and stability that had been secured.

Activity 1

Answer the following questions based on the above case:

1. List the problems that caused the failure of the kebeles of wonchite.
2. List the actions taken by the residents of the kebeles to bring about non-discriminatory and just procedures. Which activity do you think was very important in this process?
3. Explain the advantages of non-discriminatory and just procedures at the national level.

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Non-discriminatory and just procedures have many manifestations. The way citizens are treated and the respect of their rights are its major manifestations. Just procedures prevail when public officials and government employees fulfill their responsibility earnestly and honestly and when they serve the society in a non-discriminatory way. In general, the prevalence of just and non-discriminatory procedure means that the society has learned to oppose discriminatory.

The following are the major advantages of the prevalence of non-discriminatory and just procedures.

- 1. It strengthens the process of building a democratic system:** The prevalence of non-discriminatory and just procedures strengthens the process of democratization by ensuring equal rights for all citizens. The concepts of democratization and non-discrimination are interrelated in many ways. A country is democratic when its government implements non-discriminatory and just procedures.
- 2. It helps to encourage lasting peace:** Non-discriminatory and just procedures make relations in the community healthy and sustainable. They prevent problems that could cause disputes and conflict in the community. They also make the citizens loyal to the law and prevent them from committing acts that harm others. In turn, they play a great role in encouraging lasting peace in that country.
- 3. It ensures fast development:** Non-discriminatory and just procedures ensure the right of citizens to be engaged in employment their choice and capacity. It also motivates citizens to contribute to the national development of their country.

Activity 2

Answer the following questions:

1. What is the contribution of non-discriminatory and just procedures to fast development?

2. Explain the interrelations between democratization and non-discriminatory, just procedures other than the ones mentioned in the above note.
3. Explain the interrelations between non-discriminatory, just procedures and peace.

4.2 Impacts of Discriminatory Procedures

- Mention the problems that you think may result from discriminatory procedures.

4.2.1 Discriminatory Procedures and their Consequences

Five nationalities lived in a country under the same administration. Even though they were under the same administration, they were not at peace with each other. Moreover, two of them were exposed to many forms of suppression and domination. They were also isolated in many ways.

These nationalities were considered as causes of natural and man-made disasters. For example, drought and epidemic were believed to be caused by their curses. So when such a disaster happened they faced serious hardship and suffering—burning of their houses, looting and even expulsion. Marriage and social life with them were considered as sin.

Even though such discrimination and suffering had gradually reduced, the nationalities continued to be isolated from political and economic participation. Infrastructures and social services were not established in their localities.

These two nationalities used to express their discontent in many ways. For example, they used to fire and cut down forests and in general they did not protect the environment. Moreover, they were also known for collaborating with foreign aggressors.

Recently, the opposition of these nationalities to the government increased and they began an armed struggle. The forceful measures taken to suppress

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their movements become fruitless. The deteriorating peace and security situation resulted in restrictions on the movement of people, the failure of commercial activity, and an economic crisis.

Activity 3

Answer the following questions based on the above case:

1. Identify statements in the passage that imply discriminatory procedures.
2. Do you think that the collaboration of the two nationalities with foreign aggressors was justified? Why? What do you think were their reasons for this?
3. Why is that the five nationalities lacked a sense of ownership and responsibility?

The following are major problems caused by discriminatory procedures:

- 1. Carelessness and Low Motivation for Work:** Discriminatory procedure at any level and in any place result in many problems. For example, weakened patriotism, carelessness for public property, reduced concern about the environment and the country are some of the consequences.
- 2. Chaos, Uprising and Insatiability:** Discriminatory procedures result in increased discontent with the government. This may

cause lawlessness and encourage revolt. This may also lead to the failure (dissolution) of the state.

Activity 4

Answer the following questions:

1. Explain what should be done to prevent discriminatory procedures in your locality and at the national level.
2. Mention impacts of discriminatory practices other than those given in your notes.

4.3 Social Service Institutions

4.3.1 Fair Distribution of Social Service Institutions

- Which institutions are considered as social service institutions?
- What is meant by the fair distribution of social service institution?

Woreda A and Woreda B

Woreda A and Woreda B are woredas of region Y. The two woredas are relatively similar in some aspects like topography, climate and population, but the difference between them is increasing. The reason for this is the unfair distribution of social service institution as shown in Table 4.1.

Table 4.1: Distributions of social services in Woreda A and Woreda B

Name of Woreda	Population size	Kebele offices	Schools	Health institutions	Agriculture institutions
Woreda A	80000	25	46	26	18
Woreda B	75000	12	14	10	2

Activity 5

Answer the following questions based on Table 4.1:

1. List the factors that you think cause such a gap in the distribution of social service institutions.
2. Discuss how the discriminatory distribution of social service institutions can be corrected.
3. List the impacts of an unbalanced distribution of social service institutions.

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Social institutions are considered to be the major essentials for the survival of a society. Therefore, for citizens to get appropriate services from these institutions, the distribution of the institutions must be just.

Fair distribution of social institutions means the balanced presence of the institutions at all places without any discrimination. In other words, the distribution should not be complete in some places while incomplete in the others. Services should not be in excess in some places while they are lacking in others.

In the past, the distribution of social institutions showed great inequalities between urban and rural areas and between regions. Nowadays, however, efforts are being made to create a fair distribution of social institutions. The success of the effort depends on the support and full participation of citizens.

Activity 6

Answer the following questions:

1. List some problems that you think will occur if the distribution of social institutions in a country is unbalanced.
2. Who is responsible for the correction of unfair distribution of social services?

4.4 Judicial Institutions at Different Levels

4.4.1 The Importance of Fair Procedures in Local Judicial Bodies

- List the names of judicial institutions in your localities.
- Why are fair procedures important in these institutions?

The importance of traditional judicial bodies

Every society has its own judicial institutions. These institutions are classified as either modern

or traditional. In our country, there are many nations, nationalities or peoples which have their own institutions for ensuring justice and conflict resolution.

These institutions play an important role in resolving violations of rights and in keeping peace and security. Even though their names differ from place to place, the institutions serve their communities by giving justice according to the culture and norm of the respective society. The acceptance of such traditional judicial bodies is now increasing. This is because giving justice to a society through the local judicial bodies which has its importance.



Picture 4.1. Traditional justice institution on task

However, it is important to modernize the judicial procedures of these institutions to make them complement the modern judicial institutions. For example, some traditional judicial institutions are influenced by gender stereotypes and they do not make fair judgements for violated women. In their procedures they may show also bias in favour of people who have wealth and power or social acceptance.

Activity 7

Answer the following questions:

1. List the traditional judicial bodies in your society.
2. Identify the strengths and weaknesses of these traditional institutions and report them to your class.

The judicial institutions in our country are of two types. These are:

1. **Traditional Judicial Institutions:** These are local, judicial institutions that play the role of reconciling differences, keeping peace

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and resolving violations. Examples of such institutions include local elders, Idir, family councils and religious leaders.

2. **Modern Judicial Institutions:** These are government-established judicial institutions. They are given legal responsibility for the peace and security of the society. Examples of these institutions include police stations, and Kebele offices.

Case one: Some residents of a kebele constructed a water reservoir with a large capacity. They built it to solve the water shortage that occurred in the locality. When the reservoir came into service, those who were involved in the construction felt strongly that those who were not involved in the construction should not be allowed to use it. This created discontent and hatred between the two groups and fear among the residents of the kebele and neighbouring kebeles.

Case two: Ato Kebede stole a significant amount of money from the bank. He was accused and the task of collecting evidence began. A warrant (court order) was also written for his arrest. After a long time he was arrested and brought before the court. The court found him guilty and sentenced him to 20 years corrective detention.

Activity 8

Answer the following questions based on the above cases:

1. Which judicial institutions do you think are appropriate to each of the above cases? Why?
2. Identify the judicial institutions that could be involved in dispensing justice in the above cases. Describe their responsibilities.
3. List the advantages of resolving the above cases.

The following are some of the advantages of local judicial institutions:

1. **Impartial tribunal/judgement:** Passing fair decisions on judicial issues is the major function of judicial institutions. This is possible only if there is an impartial judgement based on law and on the moral values of judges.
2. **Ensuring sustainable peace and fast development:** Just procedures are the means by which we can ensure the right to equality, avoid violation, encourage peace and security, protect life and property, encourage active participation in development, avoid embezzlement and wastage, and expand the infrastructure and social institutions.

Activity 9

Answer the following questions:

1. What are the advantages of establishing judicial institutions at each level?
2. List the factors that may hinder judicial institutions from following just procedures.

4.5 Measures to be Taken When There are Human Rights Violations and Injustice

4.5.1 Measures to Protect Human Rights and to Ensure Justice

- What measures do you think should be taken when there are human rights violations and injustice?

The role of citizens in the respect of human rights and of justice

Rights may be violated in different places, at different times, and for different reasons. The establishment of judicial institutions at different levels and the existence of laws and rules is not enough to ensure that justice prevails. There are many roles which are expected of citizens. Every citizen must respect the rights of others as they want their own rights to be respected. In this respect, it is good to remember

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the proverb which says “Do for others just what you want them to do for you”.

Citizens have to understand that they have the right to bring their cases before the court if their rights are violated. This can be done in two ways. The first is by bringing cases of violation of rights against oneself before the court. Because, if they do not inform the appropriate judicial institution about the violation of their rights by governmental institution, officials or other individuals, they cannot get solutions. The second is by bringing cases of violation of rights and injustice against other persons to the appropriate judicial body.

Activity 10

Answer the following questions based on the above information:

1. Identify the responsibilities of citizens for the prevalence of justice.
2. Explain what you could personally do for justice to be respected.

Taking the following measures is important when there is injustice or where rights are violated.

- 1. Exercising the right to protect one’s rights:** Every citizen has the freedom to resist unjust procedures and violation against him or her. This right also includes informing the concerned body about the violator of rights or injustice (*i.e.*, to bring ones cases before the court) and the right to request correction and compensation. If one does not protect one’s own rights, one cannot expect others to do so.
- 2. Accusation:** If their rights are not protected by their own efforts and by the efforts of others, citizens have the right to accusation. This is the right to present cases before a judicial body such as local (traditional) judicial institutions or governmental (modern) judicial institutions. However, the type and level of judicial institutions, where cases are presented differ depending on the case. Before bringing all cases to higher governmental judicial

institutions it is better to attempt to resolve them at the local level.

- 3. Exercising the right to appeal:** It is usually good to appeal to a higher judicial body when one is not satisfied by the decision of a lower judicial body. This is called the right to appeal. For example, one who is not satisfied by a Woreda court can bring the case before the next (zonal) court. However, it is not only a convicted person who can appeal; an accuser can also appeal when he/she believes that the decision of a lower court has not properly compensated him/her. The higher judicial body may approve, partially modify or completely cancel the previous decision.

Activity 11

Discuss the following questions:

1. Why do people exercise the right to appeal?
2. Present a group report of your observations and interviews at local judicial bodies about the importance of the procedure of appeal.

4.6 Taxation

4.6.1 The Rights and Responsibilities of Tax Payers

- List the advantages and importance of taxation.
- What are the rights and responsibilities of tax payers?



Picture 4.2. Every citizen is required to pay tax

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The residents of Abaya Kebele held a public forum about tax collection. Delegates from the custom (tax) office called w/t Buro and Ato Selfago made a brief explanation to the delegates at the forum. The discussion is summarized as follows:

Ato Selfago: “Good morning! In the previous session, we discussed about taxation and its importance. The practice of taxation is historical in our country. Since ancient times, citizens have paid a portion of their income to their governments according to the law. With the passage of time, taxation started to be understood as a contribution to growth, development and prosperity. Therefore, every one of us is required to pay tax on time”. He added that the day’s discussion was about the rights and duties of tax payers.

Participant: “I have understood the explanation that has already been given, but, what are the responsibilities and rights of tax payers in the process of taxation”. For this and other related questions w/t Buro gave her explanation as follows:

A. Responsibilities of Tax payers: The responsibilities of tax payers include:

- Understanding that taxation is a responsibility and paying taxes willingly and immediately.
- Providing of information for tax collectors honestly.
- Not buying or selling untaxed commodities and refraining from activities that hinder taxation.

B. The Rights of Tax payers: Tax payers have the right to:

- inquire about the amount of tax imposed and to appeal if necessary

- equal access to social service institutions
- know the purpose for which the collected tax is used.

C. Responsibilities of the society: The responsibilities of the society include:

- Paying tax properly and providing sufficient information.
- Not buying or selling untaxed and illegal commodities.
- Opposing and exposing those engaged in illegal trade, who cheat and not pay tax for tax collection.

Accordingly the residents of the Kebele increased their awareness that taxation is the basis for the development of the country and the society. Hence, they became committed tax payers and were rewarded for their good deeds.

Group Work

1. “The government makes its citizens beneficiaries by investing the tax that it collects from the people in public services”. Do you agree with this statement? How? Discuss in your group and report to your class.
2. Interview people about the case below and answer the questions that follow it.
 - (A) Is the comment of the concerned professionals correct? Why?
 - (B) Should the level of government services provided vary from person to person depending on the amount of tax payed? Why? Explain your answer.

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Summary

Discriminatory procedures have adverse effects on peace and development. Non-discriminatory procedures are the bases for the development of a democratic system, sustainable peace and fast economic development. They also create a fair distribution of social institutions. Strengthening the justice of judicial institutions at different levels creates sustainable peace in society. Moreover,

for the prevalence of just and non-discriminatory procedures, citizens have to follow the proper legal channels to protect justice. Citizens in just system know why and to whom tax is paid. They fulfill their responsibilities by paying tax properly and by contributing to the growth and development of their country.

Key Words

<i>Tax:</i>	The money collected from different employment activities in the form of contributions to the government
<i>Subsidy:</i>	Financial support to fill a budgetary gap
<i>Forum:</i>	A meeting attended by many people
<i>Appeal:</i>	A means of expressing dissatisfaction about a decision or action
<i>Fast development:</i>	Different activities that improve the lives of the people and allow the rapid improvement development of the country
<i>Obedience to law:</i>	Acceptance of rules, regulations and procedures by the people

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. Making a fair distribution of social institutions is impossible.
2. The distribution of social institutions in our country in the past was unfair.
3. The problems that result from discriminatory procedures are not very harmful.
4. Paying tax is the duty of citizens.

II. Match words or phrases under column 'A' with correct items of column 'B'

- | A | B |
|---|-----------------------|
| 1. Lack of motivation | A. Paying tax on time |
| 2. Duties of tax payers | B. Taxation |
| 3. Expressing discontent about the judgement of a court | C. Appeal |
| 4. The basis of development | D. Absence of justice |
| 5. Supreme judicial body | E. Kebele |
| | F. Supreme court |

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

1. _____ and _____ are the two ways of respecting the rights of citizens.
2. The distribution of social institutions in a country should be _____.
3. Judicial institutions in a society are classified into _____ and _____.

IV. Choose the correct answer for the following questions

1. The fairness of social institutions manifested
 - (a) By balancing their distribution
 - (b) By protecting the right to receive equal services
 - (c) By giving priority to officials and the rich
 - (d) Both (a) and (b).
2. Which of the following is not the way that citizens should act for justice to be respected?
 - (a) Accusation
 - (b) Appeal
 - (c) Use of force
 - (d) Discussion.
3. Judicial decision making is not the primary role for which one of the following?
 - (a) Kebele
 - (b) Police station
 - (c) Court
 - (d) School.
4. What is the advantage of establishing judicial institutions at all levels?
 - (a) Saves money and energy
 - (b) Saves time
 - (c) Gives easy access to justice
 - (d) All are correct answers.
5. Which one of the following is not a reason to prevent discriminatory practices?
 - (a) Lack of motivation
 - (b) Prevalence of peace and stability
 - (c) Hopelessness
 - (d) Weak interpersonal relation.

V. Give short answers for the following questions

1. Explain your opinions about the responsibilities of citizens for the prevalence of non-discriminatory and just procedures.
2. Explain the impacts of discriminatory procedures in the following places:
 - (a) Schools
 - (b) Family
 - (c) Kebele
 - (d) Courts.