

In 2014 E.c. At Andode Secondary School Grade 12th Civics & Ethical Education Short Notes

By: Teacher Tilahun Dessalegn

UNIT: 4 JUSTICE

Lesson: -1 Equity of Benefits & Burdens

It is imp't that people share the benefits & burdens equally. This creates a sense of belonging to a country, people live harmoniously. This related to that those who work hard should benefit more.

In the absence of equal distribution of benefits and burdens, those who shoulder the biggest burden & do not get the biggest benefit could be hurt.

Nations, Nationalities & peoples of Ethiopia contribute to the development of their country within their own capacity. The contribution of the various peoples of Ethiopia is very imp't for all of us. This is b/c sharing the burden is one of the requirements needed for dev't. When all people participate in shouldering this burden, accordingly reap the benefits, their sense of belonging increases and life becomes harmonious. For this reason, many countries have policies that promote income equality among people.

Lesson: -2 Justice & the Judiciary

The role of judiciary; deals with controversies, sustaining democracy, defending and enforcing constitution with the exception of interpreting it & upholding international norms and values.

Art.83 Of FDRE constitution: Interpretation of Constitution;

1. All constitution disputes shall be decided by the House of Federation/HF/.
- 2.The HF shall, within 30 days of receipt, decide a constitutional dispute by Council of Constitutional Inquiry

In order for judiciary to formally defend international norms and values they must pass through domestication. **Domestication** is a process where the country officially recognizes certain international principles as important and includes them in its own laws. This is usually done by signing international conventions and approving these in the parliament to make them the law of the land. In Ethiopia the responsibility for signing the international conventions and agreements is given to the executive branch of the government, which must be approved by HPR. This approval is called ratification and must be printed in the official newspaper-Negarit Gazeta.

Lesson: -3 Crime & Justice

Types of Justice: Corrective Justice, Distributive Justice & Procedural Justice

Corrective Justice deals with correcting unjust acts. E.g Crime. Acc. To John Stuart Mill, Crime is the wrongful use of power or wrongful aggression against someone. So corrective justice controls wrongful aggressions and misuse of power over others. Aggression is often caused when there is inequality of power b/t individuals. The instrument through which corrective justice is dispensed is called criminal law.

Different Types of Crime: These include; genocide, drug trafficking, terrorism, deliberately transmitting diseases and corruption.

Genocide: is the act to exterminate family or people. It comes from the Greek words 'genos' meaning clan, family or people while 'occidio' means total extermination. It is the worst or cruelest type of crime of all.

Drug Trafficking: Is a crime of using, distributing narcotic drugs. This crime causes a serious damage to peoples' health, social life & economy of the country.

Terrorism: is the deliberate act of endangering the lives of people or property. Terrorists harm innocent people who are unaware of the situation.

Deliberate Transmission of Disease: is another crime that has developed with the expansion of incurable diseases. The most common of these is HIV/AIDS. In the Ethiopian Penal Code (the law related to the punishment of the crimes) there are two major articles that are related to the deliberate transmission of disease. Art. 503; criminalizes any kind of deliberate transmission of diseases. Art.521; related to criminalizing of the causing of death of human being, no matter what the means.

Corruption: is the abuse of public office for private gain. It is an international phenomenon and no country free of it.

Impacts (negative effect) of corruption;...

- ❖ it hinders the development efforts of a country. This mainly comes through reduced investment.
- ❖ it undermines the rule of law b/c corrupt officials tend to do things illegally.

Thus, corruption is an evil that countries need to fight it.

Measures to be taken are;

- promulgation of the appropriate laws & increasing the scale of punishment
- creating awareness among people about their rights &
- encouraging them to reveal corrupt activities by officials

Fighting corruption is something that requires the concerted efforts of all people.

In Ethiopia, the Federal Ethics & Anti-corruption commission has been established to investigate, prosecute, check and prevent corruption.

Having discussed the major types of crime, it is important to discuss the rights of accused. When a person is accused it does not automatically mean that he/she is an offender. It just means that he/she is suspected of committing a crime & the judiciary is responsible to check whether he/she is in fact a criminal or not. This is done through conducting a public trial. Therefore, all person has a right to a public trial. Another right that accused person has is the right to full notice of the charge, presumption of innocence until proven guilty through trial, present adequate evidence of innocence, right to counsel of their choice or at state expense & right to an interpreter and the right to appeal. *Refer: Art. 20- Rights of Person Accused. (Sub. art 1-7). in u'r text book page 57.*

Lesson: -4 Justice in Taxation

The illegal avoidance of taxes is called tax evasion. **Tax evasion or fraud** is where people do not reveal their total income. Another illegal act of avoiding tax is contraband. **Contraband** is illegal international trading of goods to avoid trade taxes. Tax evasion is different from tax avoidance. They are different b/c tax avoidance is legal while tax evasion is illegal. **Tax avoidance** is the act of changing a business venture or investment to one that pays less tax.

The government has role of creating a conducive situation for the private sector to accelerate growth. This include issuing licenses, maintaining security enforcing the rule of law, building infrastructures etc. These are components that are vital for the development process. In order to do all these things the government requires money. The major source of money for the government is tax from the people. Tax laws are promulgated mainly to monitor the fair collection of tax to maintain income equality of people. *Refer; Ethiopian Tax Laws 2004 Criminal Code Art.349 on u'r text book page 59.*

End of Unit 4

Justice

God Bless all of u,

4 u'r Study