

**St' MARY'S UNIVERSITY COLLEGE
FACULTY OF LAW**

LL.B THESIS

**THE IMPLEMENTATION OF WOMEN'S RIGHT
IN AMHARA REGIONAL STATE, HAIK TOWN**

BY: ELISABETH WOLDEMICHEAL

ID: ELD0988/99

ADDIS ABABA, ETHIOPIA

JULY, 2010

ACKNOWLEDGEMENT

I would first and for most, like to thank GOD for being by my side in all my endeavor. Next I express my sincere thanks and gratitude to my advisor Ato Aron Degol for his full support, constructive comments, encouragement and guidance for the success of this research. My special thanks go to Genet Meseret , my sister who constantly looked after me .

Table of Contents

	Page
1. Chapter one	1
Introduction -----	1
1.1. General background-----	1
1.2. Statement of the problem-----	13
1.3. Objectives of the study-----	14
1.4. Significance of the study-----	14
1.5. Scope and methodology of the research-----	15
1.6 The respondents & sampling procedure-----	15
1.7. Methods of Data Collection-----	15
2. Chapter two -----	15
Theoretical and Historical Overview -----	17
2.1. Historical Background-----	17
2.2 .Defining Women rights-----	17
2.3. Forms of discrimination against women-----	18
2.5. Contribution of Women in development activities-----	20
Chapter three -----	23
Ethiopia Policies, Laws and Institutions on Women’s Rights -----	23

3.1. Ethiopian Laws-----	23
3.1.1. Constitution of the Federal Democratic republic of Ethiopia (FDRE)-----	23
3.1.2. Womens Policy-----	24
3.1.3. The Courts-----	25
3.1.4. Woreda Administration Office-----	25
3.1.5. Profile of the Amhara Region-----	26
3.1.6. Charactrsics of the Area-----	27
3.1.7. Charactrsics of Respondents-----	27
3.1.8. Gender division of labor-----	28
3.1.9. Knowledge of their constitutional rights-----	29
3.1.10. Practicality of implementing women’s right-----	30
3.1.11. Relationship and support from the Kebele women’s desk.-----	30
3.1.12. Equal rights of Women with their Husband-----	31
3.1.13. Responses from the kebele Women’s office-----	32
3.1.14. Problems of implementing the women’s policy in	

the kebele-----	33
Chapter four	34
Conclusions and Recommendations-----	34
4.1. Conclusion-----	34
4.2. Recommendation-----	36
Bibliography	

Declaration

I hereby declare that this paper is my original work and I take full responsibility for any failure to observe the conventional rules of citation.

Name: Elsiebeth Woldemicheal

ID.NO:ELD0988/99

Signed: _____

CHAPTER ONE

INTRODUCTION

1.1. General Background

According to Dr. Jamal A. Badawin "the status which women reached during the present era was not achieved due to the kindness of men or due to natural progress. It was rather achieved through a long struggle and sacrifice on woman's part and only when society needed her contribution and work, more especial; during the two world wars, and due to the escalation of technological change¹

Ancient civilisations

In ancient India, women are believed to have enjoyed equal status with men in all fields of life. Ancient Hindu scriptures describe a good wife as follows "a woman whose mind, speech and body are kept in subjection, acquires high renown in this world, and, in the next, the same abode with her husband." In ancient Athens women were always minors and subject to a male, such as their father, brother or some other male kin. A women's consent in marriage was not generally thought to be necessary and women were obliged to submit to the wishes of her parents or husband. Ancient Rome subject all legitimate children, regardless of age or sex to the authority of their Pater Familias while he lived, and they would only acquire any legal independence when he died. The Pater Familias could grant any of his children or slaves a Peculium, but that belonged to him and they were merely allowed to use it. All transactions made by a child in power regardless of age or sex had to be directly approved of by their Pater Familias.

¹ Internet.<http://en.Wikipedia.org>.Legal rights of in history

All children inherited equally from their Pater Familias regardless of age or sex, by the Imperial Period of Roman history even bastards were included as intestate heirs. Early in the Republic women were subject to Manus Marriage, but the custom died out by the Late Republic in favor of marriage without Manus which did not grant the husband any rights over his wife. When married without Manus a woman was not only free of her husbands legal authority, but could divorce him as she pleased without any reason required. Women in Ancient Rome when no longer under the control of their Pater Familias could and did contract, work for wages (usually without many other options), own property, and perform some (but not all) legal functions, Islamic marriage contract²

Early reforms under Islam

Efforts to improve the status of women in Islam occurred during the early reforms under Islam between 610 and 661, when Arab women were given greater rights in marriage, divorce and inheritance. In 622 the Constitution of Medina was drafted by the Islamic prophet Muhammad, outlining many of Muhammad's early reforms under Islam, including an improved legal status for women in Islam, who were generally given greater rights than women in pre-Islamic Arabia and medieval Europe. Women were not accorded with such legal status in other cultures until centuries later. Indeed according to Professor William Montgomery Watt, when seen in such historical context, Muhammad "can be seen as a figure who testified on behalf of women's rights."³

² Internet.<http://en.Wikipedia.org>.Legal rights of in history

³ Encyclopedia of Women's history.Jone Johnson Lewis

The general improvement of the status of Arab women included prohibition of female infanticide and recognizing women's full personhood. "The dowry, previously regarded as a bride-price paid to the father, became a nuptial gift retained by the wife as part of her personal property. Under Islamic law, marriage was no longer viewed as a "status" but rather as a "contract", in which the woman's consent was imperative. "Women were given inheritance rights in a patriarchal society that had previously restricted inheritance to male relatives." Annemarie Schimmel states that "compared to the pre-Islamic position of women, Islamic legislation meant an enormous progress; the woman has the right, at least according to the letter of the law, to administer the wealth she has brought into the family or has earned by her own work.

The Middle Ages

According to English Common Law, which developed from the 12th Century onward all property which a wife held at the time of a marriage became a possession of her husband. Eventually English courts forbid a husband's transferring property without the consent of his wife, but he still retained the right to manage it and to receive the money which it produced. "French married women suffered from restrictions on their legal capacity which were removed only in 1965." In the 16th century, the Reformation in Europe allowed more women to add their voices, including the English writers Jane Anger, Aemilia Lanyer, and the prophetess Anna Trapnell. Despite relatively greater freedom for Anglo-Saxon women, until the mid-nineteenth century, writers largely assumed that a patriarchal order was a natural order that had existed. ⁴

⁴ Mary.W. A Vindication of the rights of women. (1792)

This perception was not seriously challenged until the eighteenth century when Jesuit missionaries found matrilineality in native North American peoples.

The *Debutante* (1807) by Henry Fuseli; the woman, victim of male social conventions, is tied to the wall, made to sew and guarded by governesses. The picture reflects Mary Wollstonecraft's views in *A Vindication of the Rights of Woman*, published in 1792.

In the late 18th Century the question of women's rights became central to political debates in both France and Britain. At the time some of the greatest thinkers of the Enlightenment, who defended democratic principles of equality and challenged notions that a privileged few should rule over the vast majority of the population, believed that these principles should be applied only to their own gender and their own race. The philosopher Jean Jacques Rousseau for example thought that it was the order of nature for woman to obey men. He wrote "Women do wrong to complain of the inequality of man-made laws" and claimed that "when she tries to usurp our rights, she is our inferior".

In 1791 the French playwright and political activist [Olympe de Gouges](#) published the [Declaration of the Rights of Woman and the Female Citizen](#), modelled on the Declaration of the Rights of Man and of the Citizen of 1789. The Declaration is ironic in formulation and exposes the failure of the French Revolution, which had been devoted to equality. It states that: "This revolution will only take effect when all women become fully aware of their deplorable condition, and of the rights they have lost in society". The Declaration of the Rights of Woman and the Female Citizen follows the seventeen articles of the Declaration of the Rights of Man and of the Citizen point for point and has been described by Camille Naish as "almost a parody... of the original document". The first article of the Declaration of the Rights of Man and of the Citizen proclaims that "Men are born and remain free and equal in rights. Social distinctions may be based only on common utility." The

first article of Declaration of the Rights of Woman and the Female Citizen replied: “Woman is born free and remains equal to man in rights. Social distinctions may only be based on common utility”. De Gouges expands the sixth article of the Declaration of the Rights of Man and of the Citizen, which declared the rights of citizens to take part in the formation of law, to:⁵

Australian women's rights were lampooned in this 1887 *Melbourne Punch* cartoon: A hypothetical female member foists her baby's care on the House Speaker

“All citizens including women are equally admissible to all public dignities, offices and employments, according to their capacity, and with no other distinction than that of their virtues and talents”. De Gouges also draws attention to the fact that under French law women were fully punishable, yet denied equal rights.

Mary Wollstonecraft, a British writer and philosopher, published *A Vindication of the Rights of Woman* in 1792, arguing that it was the education and upbringing of women that created limited expectations. Wollstonecraft attacked gender oppression, pressing for equal educational opportunities, and demanded "justice!" and "rights to humanity" for all

The 19th Century

In his 1869 essay *The Subjection of Women* the English philosopher and political theorist John Stuart Mill described the situation for women in Britain as follows:

⁵ Internet.<http://en.Wikipedia.org>.Legal rights of in history

"We are continually told that civilization and Christianity have restored to the woman her just rights. Meanwhile the wife is the actual bondservant of her husband; no less so, as far as the legal obligation goes, than slaves commonly so called."

During the 1800s women in the United States and Britain began to challenge laws that denied them the right to their property once they married. Under the common law doctrine of *covertures* husbands gained control of their wives' real estate and wages. Beginning in the 1840s, state legislatures in the United States and the British Parliament began passing statutes that protected women's property from their husbands and their husbands' creditors. These laws were known as the Married Women's Property Acts. Courts in the nineteenth-century United States also continued to require privy examinations of married women who sold their property. A privy examination was a practice in which a married woman who wished to sell her property had to be separately examined by a judge or justice of the peace outside of the presence of her husband and asked if her husband was pressuring her into signing the document

Teaching Women's Rights as Human Rights Linking Past to Present

Alarming accounts of abuses of women's human rights appear regularly in today's media. Accounts tell of families who sell daughters for sex or servitude, of honor killings, of forced or prevented abortions, of the growing problem of aids among women, of worldwide incidences of domestic violence - and these are only a few of the issues of concern. However distressful, the prevalence of such sensational reports offers a unique opening to explore historical attitudes about women and their position in society.

Women's human rights - a new concept: Only relatively recently has the fact that women's rights need to be spelled out as a separate category been accepted

and incorporated into the modern, expanding ideas about human rights. The effort to do so emerged as a distinct aspect of human rights during the international women's movements of the 1980s. Now, after immense efforts on the part of millions of women and men, there is recognition that beyond political and civic rights, there are social and economic arenas where women's' rights have been ignored.

Two important international women's rights documents are now used as tools by women's rights groups around the world. One is the Convention for the Elimination of Discrimination Against Women (CEDAW, entered into force in 1981). The Convention provides the basis for realizing equality between women and men through ensuring women's equal access to, and equal opportunities in, political and public life. It also is the only human rights treaty which affirms the reproductive rights of women and targets culture and tradition as influential forces shaping gender roles and family relations. As of November, 2006, 185 countries - over ninety percent of the members of the United Nations - are party to the Convention, making it the second most widely ratified international human rights treaty.⁶

The second treaty is the UN the Declaration on the Elimination of Violence Against Women (UN Resolution, 1993). It spells out wide forms of violence against women. Its wording includes the phrase, "Recognizing that violence against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men."

⁶ Internet.<http://en.Wikipedia.org>.Legal rights of in history

International recognition of women's human rights does not mean implementation. An essential step toward respecting, promoting and defending those rights is learning about them. Projects that introduce students to not only these treaties, but to the wide range of international and local women's rights organizations are needed if women's progress toward parity with men is to continue. For history teachers, first steps can be taken by having students explore past examples of ways societies have institutionalized gender divisions, and the struggles of some women as well as men to overcome those which they deemed to be repressive and harmful. The multiple international and local women's rights organizations with Internet sites provide places to locate current concerns. For example, there is a discussion on the Human Rights Watch site on inheritance customs in Kenya where, in some areas, the equal rights of widows to their property are obstructed.⁷

Two Examples:

Caroline Norton (1808-1877 England) and Kishida Toshiko (1863-1891, Japan):

Both Caroline Norton and Kishida Toshiko broke social norms by publicly advocating change not only in the legal status of women, but in the way society viewed their roles. Their concerns illustrate issues from reform periods in the nineteenth century where maneuvering for women's rights within the context of marriage often took precedent over others, including female suffrage. Debates about women's expanded rights within marriage and women's access to education were voiced in many nations which were dealing with new ideas about societal change.

⁷ Convection for the elimination of all forms of discrimination against women. (1981)

Caroline Norton's emotional account describes her disastrous marriage. Another reading, her "Letter to the Queen" describes many of the restrictions on women's rights in mid-century England. In 1824, at age sixteen, Caroline was pressured to marry an older politician. Her husband physically abused her; yet, given the laws of the time she was unable to secure neither a divorce nor access to her children when she fled from the marriage. Her husband, instead, had the legal right to desert his wife and hand over the children to his mistress. Caroline, a writer, went public, achieving immense notoriety. In her confessional first person accounts, she wrote dramatic descriptions of her abusive marriage and of her attempts to get custody of her children. In 1855 she also wrote a letter to Queen Victoria in which she detailed not only the denial of her rights but those denied all English women.

Partly as a result of Caroline's lobbying efforts, Parliament passed the Custody of Children Act in 1839, which gave women some visitation rights, and in 1857 Parliament passed the Marriage and Divorce Act. Since domestic violence remains one of the most pervasive human rights abuses, Caroline's experiences can be expanded by student research into the extent of such abuse in their own country. As the new U.N. Secretary-General, Ban Ki-Moon, recently said, "Violence against women is a pandemic. It makes its hideous imprint on every continent, country and culture."

During Japan's Meiji Restoration (1868-1912), male reformers and nationalists argued that improving the status of women was essential if other technologically advanced nations were to accept Japan on an equal status. The phrase "good wife, wise mother" was coined, meaning that in order to be good citizens, women had to become educated and take part in public affairs. This opened door for small group of women to try to raise women's consciousness. In the 1880s Kishida (Toshiko) was the first woman to travel throughout Japan making public speeches. She was a

dynamic spokesperson on behalf of women and their rights, and attracted large audiences.

Kishida and other champions of social change for women faced harsh resistance. Kishida was often harassed by the police, and once was jailed. By the end of the century, the government reinstated the most conservative and oppressive model of the family in the Civil Codes of 1898. Japanese women were lumped together with mental incompetents and minors. Among other restrictions, a wife could not enter into a legal contract without her husband's permission, nor share in his estate after his death. Adultery was a crime for a wife but not for a husband. In the event of a divorce, the wife had no custody rights over the children. Gender-specific curriculum and sex segregation also was instituted in the schools. Two years later, under Article 5 of the Police Security Regulations, women were prohibited from joining political organizations and holding or attending political meetings.

Toshiko's clarion call for "equality and equal rights," plus excerpts from the Japanese Civil Codes of 1898 can be read as an example of the type of reaction women rights activists have had to face. Students can find out the situation for women in Japan today, discover other periods when the struggle for women's rights suffered repression, or try to determine the situation of the global women's movements today.

In Ethiopia, throughout our history deep-seated cultural beliefs allowed women only limited roles in the society. Many people believed that women's natural roles were as mothers and wives. These people considered women to be better suited for child bearing and home making rather than for involvement in the public life of business or politics. The wide spread belief that women are intellectually inferior to men lead most societies to limit women's education to lean domestic skills. Educated men controlled most positions of employment and power in the society.

As a result, women have been one of the most severely discriminated groups in Ethiopia. Rural women, who make up majority of the female population in the country, are even more discriminated due to long held traditional views about their status and role. Majority of the Ethiopian women are poor and illiterate. Deep entrenched illiteracy makes it hard for them to know their rights and enjoy them.

Ethiopian women are actively involved in all aspects of their society's life. Women are both producers and procreator and active participants in the social, economical and cultural activities of their communities. However, the varied and important roles they play are not always been recognized. The discriminatory political, economic and social rules and regulations prevailing in Ethiopia have pushed women from enjoying the fruits of their labors.

Before the 1974 revolution, women's organized activities were run mainly by non-governmental bodies such as the Ethiopian women's welfare association, which was limited in scope, and only existed in the cities. Moreover, they had little or no impact on government policies, laws, regulations or development programs.

After 1974 the revolutionary Ethiopia women's association (REWA) was established by proclamation, but it was too monolithic and close to Derg for the consolidation of its power. As a result, there was little improvement in the lives of Ethiopian women in social, economic or political sphere⁸

⁸ Ethiopian: "A country study". Published by the Federal research division of the library of congress (1985)

Soon after the downfall of derg regime, the various political and national organizations and settings aside their differences, formed a transitional government in which peace was the main principle of governance, brought a period of relief to all citizens especially to women. This democratic process is able to grow and develop effectively when all people are given equal encouragement to exercise their democratic rights, and when women can experience the benefits of their labor on an equal basis with men. With this realization, the government of Ethiopia formulated the national policy for women in 1993.

Women are half part of the society and their contribution for development of a country is very vital. Economic development is unthinkable without the participation of women. In some economic sectors women even constitute a proportionally larger group of the labor force than men. However, because their participation in the economy has not been valued, women have not received their fair share of the nation's wealth. So, it is crucial to know and respect as well as implement women's right to use as a goal and a means to other goals.⁹

In addition to this, as women are human beings, all policies and laws regarding human beings should include them as human rights are for both men and women. On top of this, women's issues are not only a concern of some group but a concern of government and a society but globally at large.

This study is, therefore, attempts to look into problem of implementation of women's right in Haik Town, Amhara Regional state.

⁹ The Beijing Declaration, 1996

1.2. Statement of the Problem

Women workforce is made up of more than half of Ethiopian economically active population and constitutes half of (49.7 %) (of the total population in the country.

Women also constitute the bulk of the labor force ^{.10}

In rural areas, women are said to contribute 40 percent of all agricultural labor.

While Addis indicated that 50 to 60 percent of the agricultural activity is done by women

Thus, if development of a country is geared toward eradicating poverty and inequality, women potential and the right to participate in the activities and benefits should not be left behind. For this, the equal rights of women and men should be practical on the ground. To practice this exercise, there was a strong agreement to follow the Platform for Action and to monitor the implementation of its goals, objectives and measures in the Beijing declaration.

This study is, therefore attempts to look into the implementation of women's right in Tehuledere Woreda, Amhara Regional state.

The central study questions are:

1. What factors affect women from fully using their rights?
2. Who will be responsible to implement women's right properly?
3. What are the solutions for the problems in implementing women's policy?

¹⁰ Central Statistics Authority, CSA, 1998

1.3. Objectives of the Study

Generally, the objective of this study is to find out the factors affecting to fully implement women's right in Tehuledere Woreda, Haik town, Amhara Regional State.

Specific objectives of the study are:

1. Identify factors affecting women in using their rights as stated in the policy
2. Determine the problem of responsible bodies in implementing women's right
3. Recommend possible ways and means which would help to fully implement the women's policy

1.4. Significance of the Study

The main purpose of implementing women's right and the policy as well is to enhance societal development based on the assumption that women play their own part in the process. Women will be able to develop their total human potential and make their maximum contribution to the society if and only if they are encouraged to exercise their rights as written in the constitution.

Efforts to implement women's right should be viewed not only as a means to make fuller use of all human resources but as a way of improving democratic exercises in the society.

Accordingly, a number of legal documents regarding women's right are produced in different times, women's affairs bureau and offices are established at Federal, Regional and Woreda level to implement these documents. From this fact, it is very important to explore the existing status of implementation in Haik Town and the barriers to its implementation.

1.5. Scope and methodology of the research

Due to time, material and labor constraints, this study is specific to this town. In view of this, the conclusions which will be drawn from this study may not generalize the situations to other parts of the country. The survey method is the basic instrument for this research to assess the condition the women's condition in the area.

1.6. The Respondents and Sampling Procedure

The survey population was comprised of women who were 18 and above, irrespective of marital status and education. Also included were the woreda women's affairs office, desk. The total population in the area 200 house heads. A final sample of 50 household respondents was taken by using random sampling. Random sampling technique was applied in the selection of women respondents. A sampling fraction was obtained by dividing the survey population (N) of the village with required sample of (n) from sampling frame;

$$\text{Sample (K)} = \frac{N}{n} = \frac{200}{100} = 2$$

After determining the sampling frame the selection of the starting point randomly determine true required sample of the respondents and every K^{th} unit thereafter. For example the first respondent was selected from the first two (1-2) of the names on the sampling from 2,4,6,8 etc. Drawing of the random number was repeated until the sample size was completed (50).

1.7. Methods of Data Collection

Data collection was mainly done through personal interviews of the respondents using a semi structured interview schedule as the research instrument. Supplementary data were also collected through informal interviews of key informants such as local officials.

Personal interviews were preferred for a number of reasons. Majority of the respondents are illiterate. Questions therefore had to be interpreted and translated in local languages.

Personal interviewing also gave the researcher more opportunity to probe into clear answers and ensure that all questions were to be answered in the correct order and by the right people. Personal interviewing method was in this case most appropriate as answers to questions asked were given on face-to-face situations which provide better understanding of the responses.

CHAPTER TWO

Theoretical and Historical Overview

2.1. Historical Background

2.2. Defining Women's Rights:

The term women's rights refer to freedoms and entitlements of women and girls of all ages. These rights may or may not be institutionalized, ignored or suppressed by law; local custom and behavior in particular society. These liberties are grouped together and differentiated from broader nations of human rights because they offer difference from the freedoms inherently possessed by or recognized for men and boys because activated for this issue claim an inherent historical and traditional bias against the exercise of rights by women and girls.¹¹

The Ethiopian constitution clearly states the need to set up and implement affirmative action with the view to protect and promote the rights to marginalized groups to the society. As we have seen earlier women particularly in developing countries are good examples of such marginalized groups of the society.

At different international forums, Ethiopia played a very active role in the adoption of international agreements and treaties that protect the rights of women. It has ratified a number of international instruments such as the convention on all forms of discrimination against women (CEDAW) and the Beijing plan of action. While (CEDAW) codified a number of rules which stipulate for a greater protection of women from all forms of discrimination and maltreatment, the Beijing plan of action outlined specific strategies to be taken various actors particularly by governments to implement and promote the rights and welfare of women which is incorporated in CEDAW and other agreements.

¹¹ Encyclopedia. Women's history Jone Johnson Lewis

Different measures have been adopted to implement these international principles at the domestic level. In 1993 the transitional government promulgated a national women's policy. In addition, the 1995 constitution which incorporates a number of provisions on protection of women's right to equality is an important step toward the realization of this important goal.

Throughout our history deep-seated cultural beliefs allowed women only limited roles in the society. Many people believed that women's natural roles were as mothers and wives. Some people considered women to be better suited for child bearing and home making rather than for involvement in the public life of business or politics. The wide spread belief that women were intellectually inferior to men led most societies to limit women's education to learning domestic skills.

Since most women lacked the educational and economic resources that would enable them to challenge the prevailing social order, women generally accepted their inferior status as their only option and as the result of these; they lag behind men in all fields of advancement ¹²

2.3. Forms of discrimination against women:

Discrimination against women shall mean any distinction, exclusion made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic social, cultural, civil or any other field. Violence against women both violates and impairs or nullifies the enjoyment by women of human rights and fundamental freedoms.

¹² Haddis .W. Gender equality for development, the pending Agenda (2000)

Taking into account the declaration on the elimination of violence against women and the work of special reporters, gender-based violence, such as battering and other domestic violence, sexual abuse, sexual slavery and exploitation, and international trafficking in women and children, forced prostitution and sexual harassment, as well as violence against women, resulting from cultural prejudice, racism and racial discrimination, xenophobia, pornography, ethnic cleansing, armed conflict, foreign occupation, religious and anti-religious extremism and terrorism are incompatible with the dignity and the worth of the human person and must be combated and eliminated. Any harmful aspect of certain traditional, customary or modern practices that violates the rights of women should be prohibited and eliminated.

Individual within the society have their collective identities as members of families, communities, ethnic or religious groups and nations.

The delicate balance between the rights of the individual and the society, and the groups within a society should be respected. In particular, there should be active encouragement for the social integration of the disadvantaged, particularly women, the vulnerable and the marginalized in society, in order to reconnect and integrate them into the community, through the enhancement of their potential and by making all institutions of societies more accessible to them.

The universal Declaration of human rights affirms the principle of the inadmissibility of discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth there in, without distinction of any kind, including distinction based on sex.¹³

¹³ 5th African Regional Conference on Women (1994)

The international conventions concluded under the auspices of the United Nations and the specialized agencies promoting equality of rights of men and women. However, despite these various instruments extensive discrimination against women continues to exist.

This discrimination against women violates the principles of equality of rights and respect for human dignity, is an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more the full development of the potentialities of women in the service of their countries and of humanity.

In the real situation of poverty, women have the least access to food, health, education, training and opportunities for employment and other needs, in which the convention convinced that the establishment of the new international economic order based on equity on justice will contribute significantly towards the promotion of equity between men and women.

To this end, United Nation conforms that “the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women on equal terms to men in all fields.”

2.4. Contribution of women in development activities:

People are both means and end of development. Women and men are the main actors of development and each constitutes half of the population. Therefore, if development has to succeed the untapped potential of women has to be fully utilized in the process. Women play a crucial role in food security and food production in most developing countries. They are responsible for half of the world food production.

What women do will have an impact on most projects whether or not women are considered explicitly in their design and implementation. Similarly, most projects will have an effect on women’s lives.

To see the importance of women in any project equally with men the United Nation prepares a framework. In this frame work, which focuses on projects where women's roles and responsibilities have not been explicitly noted but are implicitly assumed in project design and implementation.

Development projects are vehicles for generating change. Project design and implementation therefore, require an adequate data base, "Visibility" is the starting point for integrating women into development projects and visibility also comes through data.¹⁴

Women's empowerment and their full participation on the basis of equality in all spheres of society, including participation on the basis of society, including participation in decision making process and access to power, are fundamental for the achievement of equality, development and peace.

In line with this, the Beijing Declaration affirmed that women are key contributors to the economy and to combating poverty through both remunerated and unremunerated work at home, in the community and in the workplace.

However, too often planners have failed to recognize women's role as producers, specific productive activities carried out for all goods and services by men or women should be identified. it is not sufficient to identify only female activities. Male activities must also be specified because the interrelationships can affect or be affected by the project.

Specific delineation of activities is needed for each country and project setting because general typologies can be very misleading. The degree of specificity of the activity should depend on the nature of the project. Those areas most directly associated with a project should carry the greatest detail.

¹⁴ United Nations Organization.convention on Elimination of all forms of Dicrimination against Women (1995)

Activities that are carried out to produce and care for the family members need to be specified according to who does them. They might include but are not limited to fuel and water collection, food preparation, birthing, child care, education, health care, and laundry. These activities are often viewed as non-economic which are directly given to women and are not inline with the constitution regarding equal rights of women.¹⁵

It is important to see that an effective development activity should consider the efforts of women equally with men. Bearing in mind the great contribution of women to the welfare of the family and to the development of society, so far not fully recognized, the social significance of maternity and the role of both parents in the family and in the upbringing of children, and aware that the role of women in procreation should not be a basis for discrimination but that the upbringing of children requires sharing of responsibility between men and women and society as a whole.

To change all the mentioned discriminations the convention determined and agreed to implement the principles set forth in the declaration on the elimination of discrimination against women and, for that purpose to adopt the measures required for the elimination of such discrimination in all its forms and manifestations.

¹⁵ Haddis.W.Paper on gender equality for development, the pending agenda (2000)

CHAPTER THREE

Ethiopian policies, Laws and Institutions on Women’s Rights

3.1. Ethiopian Laws

3.1.1. Constitution of the federal democratic republic of Ethiopia (FDRE)

The constitution of the Federal Democratic Republic of Ethiopia, ratified on Dec 8, 1994 unequivocally guarantees gender equality in social and economic matters. It also incorporates international agreements ratified by Ethiopia. Article 13 of the constitution requires all Government organs to comply with and interpret the provisions “in conformity” with international human rights conventions to which Ethiopia is a party. In Ethiopia, therefore, the broad legal framework within which legislation or regulations may be issued is clear: discrimination on the bases of gender is unconstitutional. ¹⁶

In the Constitution of the Federal Democratic Republic Ethiopia (1st year No.1, 1995) Article 35 clearly mentioned the rights of women as follows:

1. Women shall, in the enjoyment of rights and protections provided for by this constitution, have equal right with men.
2. Women have equal rights with men in marriage as prescribed by this constitution
3. The historical legacy of inequality and discrimination suffered by women in Ethiopia taken into account, women, in order to remedy this legacy, are entitled to affirmative measures. The purpose such measures shall be to provide special attention to women so as to enable them compete and participate on the basis of equality with men in political, social and economic life as well as in public and private institutions.

¹⁶ The Women’s Affairs Office, FDRE and the World Bank Implementing

the Ethiopian National Policy for Women.(1998)

4. The State shall enforce the right of women to eliminate the influences of harmful customs. Laws, customs and practices that oppress or cause bodily or mental harm to women are prohibited
5. (a) Women have the right to maternity leave shall be determined by law taking into account the nature of the work, the health of the mother and the well-being of the child and family.
(b) Maternity leave may, in accordance with the provisions of law, include prenatal leave with full pay.
6. Women have the right to full consultation in the formulation of national development policies, and particularly in the case of projects affecting the interest of women.
7. Women have the right to acquire, administer, control, use and transfer property. In particular, they have equal rights with men with respect to use, transfer, administration and control of land. They shall also enjoy equal treatment in the inheritance of property.
8. Women shall have a right to equality in employment, promotion, pay, and the transfer of pension entitlements.
9. To prevent harm arising from pregnancy and childbirth and in order to safeguard their health, women have the right of access to family planning, education and information and capacity.

At the Regional level, the Constitution of the Amhara Regional state also took all the listed women rights by contextualizing for its implementation.

3.1.2. Women's Policy

In addition to the constitution there is also National policy on women for a better understanding and implementation of women's right at all levels. The women's policy puts clear strategy on how to implement the policy starting from awareness creation to formulating a framework by addressing institutional and regulatory

issues and the promulgation, in 1994, of a new constitution (enacted on December 1994 became effective on August 21, 1995). The women's policy aims to encourage the equitable participation of women in the political, social and economic life of the country and outlines the government's strategy.

3.1.3. The Courts

Courts have a significant role for implementing women's right through proper decision based on the constitution. However, courts can implement the laws on the rights of women if and only if women are in a position to understand their rights and ready to bring the issue to the courts.

In the Woreda, the women's affairs desk and the Woreda court judges mentioned lack of education, limited awareness and low capacity of women to bring the issues with full confidence makes it difficult for the courts to play their role effectively. On the other hand, when we see from the side of the courts, there is slow decision making process and low implementation of the laws standing for women's right which affects the confidence of women to come to the courts and use the legal laws equal to men as a member of the society.

3.1.4. Woreda Administration office

The woreda office coordinates different sector offices and one of these offices is the women's affairs desk at woreda and kebele level for the functionality of the womens issues. However, still there is critical problem of implementation at all levels specifically at woreda and kebele levels as observed from the result of this study.

The study was conducted in Hiak town women's situation, Amhara Region. Hiak is one of the towns in Dehub Wollo Zone. It was chosen as the study site based on the following criteria:

- 1) Women are not actively participating in different activities
- 2) No study was done about the status of women's policy implementation in the area.

3) Most of the people in the village especially the women are illiterate. The early 1980s witnessed the increasing of schools in the district but nothing much has changed in the field of women's education which is the base to understand and practice their rights.

3.1.5. Profile of the Amhara Region

The Amhara region encompasses a wide part of the country's northern, north eastern and north western location stretched over an area of 168,000 sq. km that makes it the second largest state in Ethiopia. This region has a lot of sceneries ranging from extreme highlands to contrasting lowlands.

Amhara National Regional State (ANRS) is the Region with the high population density in the country inhabited dominantly by Amhara along with Oromo's, Agaws and other minority nationalities.¹⁷

The region is known for diversified and untapped resource potentials. For example, it has 4.6 million hectares of land that can be used for agricultural purpose. These are also about 51 major rivers and lakes that can be exploited for irrigation purposes. It also endowed with abundant fish resources.

With regard to the mineral resources and mining potentials of the region, the availability of coal, cement, marble, limestone, clay, mineral water, hot spring, salt, gypsum and gemstones are ascertained so far moreover, tourism makes an important contribution to the region's economy.

¹⁷The Amhara Development Association -ADA (1995)

3.1.6. Characteristics of the study Area

Hiak is situated in Tehuledre woreda of north Wollo zone and has basic social infrastructure services like primary school, secondary school and health post were set up there since 1987. The main source of livelihood is agriculture and has good harvest of major crops including teff, maize, chick pea, sorghum and lentils among others. Livestock production and beekeeping are other sources of livelihood of the area.

3.1.7. Characteristics of respondents

Majority of the women respondents (20%) belonged to ages 18-37 years, which is considered to be young. The middle age group constitutes about 66 percent of the respondents and about 14 percent belong to older group.

More than three-fourths of the respondents (68%) were married the remaining 32 percent were widowed, divorced, or separated.

About 84 percent of the respondents had an extended family type while almost half (16 %) had a nuclear type.

Regarding their educational attainment, out of 50 respondents only 1 percent had education above secondary level (2years College), 6 percent reached secondary level and 8 percent, at the elementary level. Only 24 percent were capable of reading and writing. However, about 60 percent of the women had never attended any educational institution and, therefore, were illiterate. Based on these, it can be concluded that there was high illiteracy rate among the respondents.

Table 1. Characteristics of Respondents.

Characteristics	Frequency	Percent
-----------------	-----------	---------

Age	18 - 27	10	20
	28 – 37	23	46
	38 – 47	10	20
	48 – 57	7	14
	Total	50	
Marital Status	Married	34	68
	Widowed	10	20
	Divorced	6	12
	Total	50	
Types of Family	Nuclear	8	16
	Extended	42	84
	Total	50	
Educational Attainment	Never Attend	30	60
	Read and write only	12	24
	Elementary	4	8
	High school	3	6
	College	1	2
	Total	50	

3.1.8. Gender division of labor in percent

As shown in Table 3, the overall contribution of husbands in household activities was very minimal except for marketing, in which husbands contribute quite remarkably. Moreover, it was observed that children assist their mothers in household activities more than the husbands and the wife did most of the activities. This coincides with the study by Chafetz (1991) that found gender division of labor as one of the causes for women's disadvantage position. According to her, the gender based division of labor assigns to women priority to the family and to men priority to economic or other domestic roles regardless of their other commitments.

Table 3. Gender Division of Labor.

Activity	Labor distribution		
	Wife	Children	Husband
Food Preparation	99	11	--
Fuel Wood Gathering	91	2	7
Fetching water	89	5	6
Marketing	39	10	51
Washing Cloth	84	5	11
Child Care	75	25	--

*work allocation is considered from 100%

3.1.9. Knowledge of their constitutional rights

A significant number of respondents stated that they don't have clear knowledge about their rights except the general one. While some respondents asserted that they were informed about their right even if they are not much active in the implementation and they got the information from the kebele officials in the meeting and from the media as well. But there is no strong body working hardly to inform, aware and capacitate them to use their rights in their day to day activities. However, majority of the respondents underlined that they do not have enough knowledge about the constitution.

Table 4.

Activity	Frequency	
	Yes	No

Knowledge of their rights	10	40
Knowledge of the constitution	8	42

3.1.10. Practicality of implementing women's right

Most of the respondents stated that there is no situation to make the women's right practical in all affairs of their life. For this, the respondents cited several reasons given were because of cultural domination (80%) and it is also their low exposure to clearly know and understand how to practice their rights. Besides, they thought that the role of women is tied up to household activities and they assume that it may create misunderstanding with their husbands if they request about equal rights which is not fully accepted and internalized by them. They have a feeling that keeping the situation as it is may be considered as respecting their culture. In general the lack of awareness about their rights and cultural taboos/beliefs serve as hindrance for women to implement their rights.

Table 5.

Activity	Frequency	
	Yes	No
Lack of practicality of women's right	46	4
Participation in development activities	12	38
Awareness creation by the women's desk about their right	5	40
Cultural dominance	40	10

3.1.11. Relationship and support from the kebele women's desk

The respondents stated that they have limited relationship with the kebele women's desk. They sometimes called for a meeting in which the discussion may not be related with their right directly or awareness creation on their constitutional rights and how to use it. Some respondents mentioned that the kebele women's

office call for a meeting for some development activities such as cleaning, vaccination orientation and the like but not directly on the women’s constitutional rights and how to implement it. The respondents strongly mentioned that the need significant support from the kebele women’s desk to aware them about their right and assist them to make it practical as their primary job is to assist them in this regard.

Table 6.

Activity	Frequency	
	Yes	No
No close relationship with the kebele Women’s desk.	36	14
Support from the kebele	10	40

3.1.12. Equal rights of women with their husbands in: Property management, decision on family issues

Most of the respondents who a mentioned that husbands are the one who decides on the mentioned issue. The respondents were undecided that the women’s role in the society should be confined to handling of household activities and taking care of children. It was also noted that the husbands still make the final decision as to the mentioned issues. The husbands were still looked upon as the sole decision maker in the family. From the responses, it can be gleaned that there were clear indications that the women can not use their equal rights.

Table 7.

Activity	Frequency	
	Equal	not equal

Property management	8	42
Decision on family issues	6	44

3.1.13. Responses from the kebele women’s office

Two responsible women are in the kebele women’s office, the chair person and her assistance. As they are directly concerned to women’s issue, there was an interview with them to know the status of implementation of different documents on women’s right issue.

Efforts to aware the women on their constitutional rights and the Amhara Family code

The officers said that they are trying to aware them about their constitutional rights and the family code as well in different forms, meetings, discussions citing best models and the like. As most of them are not educated and bulk of the family burden is on them it makes it very difficult to have them in the meeting or to give those written documents to them. These of course hamper the effort of the office to work as effectively as possible. Regarding their equal rights with their husbands, still it needs continuous effort to change the situation as it is deep seated cultural problem for centuries. However, there is improvement from time to time comparing with the previous times.

Women’s participation in the development activities equally with men and support from the office

The office is working to show that women are equally important with men for development issues and have to participate in the activity. However, the community in general and the husbands in particular are not in a position to understand the reality and they prefer women to take the household responsibilities. To change this condition, it needs a collaborated effort with different sectors. All sectors have to work on gender mainstreaming in their sectoral planning including budget allocation. In addition, the women themselves

are not active in the involvement and not question their rights due to cultural bias and lack of understanding on their benefits.

3.1.14. Problems of implementing the women's policy/Amhara Family code

The kebele officers listed that they think as bottlenecks to implement women's right and the policy as well:

- Lack of awareness and commitment of women to know about their legal rights
- Lack of education
- Shortage of skilled manpower for the office
- Problem of Cultural bias and attitudinal change in the society
- Heavy work load of women in the house
- Lack of institutional capacity and shortage of budget
- Lack cooperation of other sectors in mainstreaming gender issues

Even if they mentioned lists of problems which hinder them from implementing women's legal rights, they have to work in a coordinated manner as their office is primarily established to address the issue using different mechanisms.

CHAPTER FOUR

Conclusion and Recommendation

4.1. Conclusion

This study presented the overall picture of implementation of women's policy in Hiak town kebele 02. Some insights about the implementation of women's policy could be gleaned as follows:

1. As women are half of the population of the work force in Ethiopia, their legal and constitutional rights should be practical at all levels. Failure to recognize women's rights could weaken the region as well as national development. The findings showed that the women's right implementation in the kebele is very low.
2. Various factors affect women from knowing and understanding of their legal rights. As most of the women in the kebele are uneducated, with extended family, cultural taboos and low awareness of their rights hinder them from using their rights.
3. Low understanding of the communities towards equality of women and men and high contribution of women for development activities negatively affect using their rights properly
4. The kebele women's officers have no close relationship and capacity to minimize the mentioned problems by supporting the women and implement the policy and regional code by using different mechanisms.
5. Finally, it appears from the findings that implementation of women's right in the kebele is affected by multiple factors. Even though there is

constitution, in addition to the family law and other convections such as convection on the elimination of all forms discrimination against women and the Beijing Declaration the rights are not properly implemented due to traditional, cultural, social, economic, personal and lack of gender sensitivity problems.

According to the Federal women's Affairs office, implementing the women's policy involves institutionalizing a gender perspective in planning and implementation of development strategies, plans, and projects and requires a framework of five mutually supportive and reinforcing sets of conditions.

- A regional gender policy or strategy
- A suitable organizational structure for planning and implementation
- A sensitive process of development planning and implementation
- Coordination with nongovernmental sectors
- A budget for policy implementation

Regional governments have for the most part been unable to concretize the women's policy into an implementable package of programs and projects or to incorporate gender concerns and issues into mainstream development plans. This is part of the reason for the difficulty in implementing the women's policy¹⁸

¹⁸ The Women's Affairs Office, FDRE and the World Bank Implementing the Ethiopian National Policy for Women.(1998)

4.2. Recommendations

1. The implementation of women right in the study area is very low. This is due to various constraints, such as high burden of household activities due to gender division of labor which hinder its practicality. Therefore, policy makers, Planners and women's offices should look into the different roles of women in the household, to minimize the constraints and encourage women to get involved in discussions, seminars and meetings to be aware about their rights.
2. This study found that majority of the women in the area is uneducated. This is one of the reasons for low awareness about their rights. Therefore, planners, woreda authorities and the women's office should focus on maximizing mass education.
3. Cultural practices, social norms, prejudice prevent women from taking equal advantage with men in development activities and knowing their legal rights properly. The result found out that the attitude and understanding of the community on women equality is very low. Hence planners and women's office should include gender training in their strategies.
4. The women's desk officers are not using different mechanisms to implement women's right as stated in the legal documents. This implies that the officers have no commitment and capacity. Hence woreda authorities should establish a means of solving these problems through close monitoring on their plan and implementation and trainings to increase the capacity of those responsible for women's issue.

5. Strengthening of women's organizational capacity, involvement of women in local institutions does need emphasis and support. However, the cultural influences that suppress women's involvement in decision-making structures will make it difficult for women to play their role effectively in such a system. Strengthening women's organizational capacity should be prioritized such as in women's associations. These can create a conducive atmosphere for women to air their problems freely. Such associations could empower women to deal with legal rights issues and gain better negotiation power within the local administration system. Associations can also help empower women to change customary norms.
6. Discussion and training for the community on women's right, education of women and infrastructure investments that would reduce their household roles and give them greater opportunity are wanting.
7. Further deep research is needed to see the overall implementation status of the women's right in the area
8. Finally, a persistent awareness creation should be conducted to make the public aware, the discrepancy that is observed in policy implementation must be corrected, the capacity building in order to have a skilled manpower should be intensified and all who stand for women's right at the woreda or regional level should lend hand to them in every aspect.

Bibliography

1. ADA. A Bilingual Magazine of the Amhara Development Association (ADA), Special Issue, November.(1995)
2. Addis Tiruneh. “The Missing Link Between Micro and Macro- level Gender Disaggregated Economic Data in Economic policy Formulation and planning in Ethiopia. CERTWID Informs, Vol.6 No.1, September (2000)
3. Central Statistics Authority (CSA), Family and Fertility survey. Addis Ababa.(1993)
4. Chafetz,Janet Saltman. The Gender Division of Labor and the Reproduction of Female Disadvantage.In Blumberg, Rae lesser (ed). Gender, Family, and Economy. Sage publications, London. (1991)
5. Convention for the elimination of all forms of discrimination against women (1981)
6. Encyclopedia of Women’s Histroy, Jone Johnson Lewis
7. Federal Democratic Republic of Ethiopia, Constitution, 1995
8. Federal Negarit Gazetta of the Federal Democratic Republic of Ethiopia, (2000) “The Revised Family Code” Proclamation of 2000. No 213/2000.
9. Haddis.W.Gender Equity for Development, the Pending Agenda,(2000).
10. Internet. <http://en.wikipedia.org>. Legal Rights of women in History
11. Implementing the Ethiopian policy for women. Institutional and Regulatory Issues, The Women’s Affairs Office, Federal Democratic Republic of Ethiopia and the World Bank. (1998)
12. Mary.W. A Vindication of theRights of Women. (1792)
13. The Amhara Regiona State Family Code. (2003)
14. The Amhara regional State Constiution. (1987)

15. The Beijing Declaration, Forth World Conference on Women. Beijing, China. (1995)
16. United Nations Organization Convention on the Elimination of All forms of Discrimination Against Women (1995)
17. Women's advancement in Ethiopia. Women's affairs coordinating Department Ministry of Labor and Social Affairs, Addis Ababa. (1992)
18. World Bank, Advancing Gender Equality: From concept to Action. Washington, D.C. (1997)