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The Society of Hunger Ethiopia Government (1930-2014) and Famine: The Importance of Constitution

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The Society of Hunger
Ethiopian Governments (1930 – 2014) and Famine:
The Importance of Constitution

By

Tewodros Asfaw

A Thesis

Submitted to the Faculty of Graduate Studies
through the Department of Sociology, Anthropology and Criminology
in Partial Fulfillment of the Requirements for
the Degree of Master of Arts
at the University of Windsor

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2015

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Ethiopian Governments (1930 – 2014) and Famine:
The Importance of Constitution

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ABSTRACT

This thesis is a critical examination of the discursive construction of hunger using Ethiopia's 1955, 1987, 1994 constitutions. The focus is on whether there is a match or mismatch between constitutional mandate and the level of hunger as well as the related government response in Ethiopia. It examines the relationship between the level of hunger and regime type. The findings suggest that there is a strong association between level of hunger and the absence of constitutional mandate and a strong association between regime type and level of hunger. Based on the findings, it is recommended that constitutional mandate and politicization of hunger are a necessary ingredient to protect the body from the perpetual onslaught of hunger.

Key words: Ethiopia, The Body, Constitution, A Hunger Contract, Separation, Regime.

DEDICATION

To the past and present victims of hunger. To my Mother, Hiwot Gebre-egziabher, and to all the women of Ethiopia and beyond who are still suffering from the system of patriarchy.

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CHAPTER 1

INTRODUCTION

Since the later part of the 20th century, Ethiopia has been the site of separation between the body and food in the form of famine, starvation and chronic malnutrition. Hence, in that very period, the prevalence of this separation (especially famine) was handed down from Monarchical rule which lasted until 1974 (Bailey, c1980; Halliday & Molyneux, 1981; Lefort, 1983; Markakis & Ayele, 1986) and the Military regime which lasted until 1991 (Vestal, 1999; Aalen & Tronvoll, 2009; Aalen, 2011; Markakis, 2011). There now resides a market oriented and ethnic-based government in Ethiopia that succeeded the military regime of 1991. The three regimes, which were accompanied by famine and instability, established for Ethiopia three different constitutions in less than a half century. While Ethiopia has seen governmental and constitutional change in the last part of the 20th century, she has yet to witness the departure of starvation, famine, endemic malnutrition from her territory (Braun & Olofinbiyi, 2007; Oakland Institute, 2011; UNICEF, 2012 and Reuters, 2014).

Hence, in the past, various academic and non-academic pundits have narrated on the horrors of Ethiopia¹ via books, journal articles, TV and radio programs, newspaper articles, Live Aid concerts and so forth. Despite these analyses accompanied by specific recommendations to alleviate famine, Ethiopia continued to be weakened by her relationship with hunger and regime instability, regardless of the country rich natural resources.² This very fact calls for further

¹ The separation of food from the body via famine, starvation and malnutrition, and government instability, arising in large part from lack of adequate attention to the relationship between the body and food as it was argued by them.

² Ethiopia seats in the horn of Africa. with a land mass of 1,104,300 sq. km, land 1,000,000 sq. km and water 104,300 sq. km (The World Factbook, 2014). Of the land, 65% is suitable for agriculture (US Aid, 2011). While 74 million hectares (0.73999 sq. km) are arable, only 13 million hectares (0.12999 sq. km) are being used for agricultural activities (emphasis added; Davis et al, 2010). Ethiopia is not only the source of Blue Nile; there are also over 12 River basins and 11 fresh and 9 saline lakes (Awulachew, 2007). Due to the abundance of rivers and lakes, Ethiopia is known as 'the water tower of East Africa'. Currently, Ethiopia's population size lies over 90, 000,000 (World Bank,

research into those areas. Therefore, the purpose of this case study is to examine Ethiopia's experiences with constitutions and regime types as two related entities interact with hunger and food.

There are two approaches that will be used to study the issue of hunger: i) an Entitlement/Demand-Centered Approach and ii) a Supply-Centered Approach. The former approach views lack of entitlement rights over food as the real culprit for the separation of food from the body. By contrast, the latter approach mainly focuses on availability of food as the main reason behind such separation. Using these two approaches, this thesis critically examines the management of hunger and its consequences during three regimes and corresponding constitutions which are: monarchial, military and The Ethiopian People's Revolutionary Democratic Front (hereafter EPRDF). The key research question for this thesis is: Is there a match or mismatch between the three regimes and their respective constitution of 1955, 1987, and 1994 and the level of hunger measured by life expectancy at birth and infant mortality rate.

The thesis has seven chapters. Chapter 2 introduces the theoretical framework. After theorizing hunger as the fundamental condition of the body, this chapter introduces a demand-centered and a supply-centered approach in order to analyze the relationship between the body and food. Chapter 3 starts with an examination of United Nation General Assembly Resolution 2200 of 16 December 1966 and continues the analytical process by examining the work of various scholars in order to identify the relationship between food and the body, as well as the reason for the separation of the two.

2012). Of this figure, 63% are under the age of 25 (The World Factbook, 2014) and 80 % are rural dwellers. "About 12.7 million smallholders produce 95 percent of agricultural GDP" (ruralpovertyportal.org, 2014).

Chapter 4 presents the various methods of inquiry. The first part of this chapter presents a discussion on positionality. Using “working the hyphens” as a conceptual tool, the thesis conducts an objective scientific dialogue between the various positions of the author³ in order to position the author within the work. This is followed by a discussion of the methodological framework for the analysis of the constitution. Here, using hunger as the original position of the body, my interest lies in furnishing a conceptual tool to examine the rhetoric of Ethiopia’s 1955, 1987, 1994 constitutions regarding a hunger contract. Specifically, using Rights to Adequate Food and Freedom from Hunger as an indicator of a hunger contract, the presence of rhetoric will be examined from the text of the three constitutions. The last part of chapter 4 presents a discussion on a quantitative research method. With this methodological approach, this paper aims to measure the effect of key indicators⁴ on the body. Using regression methods as a statistical technique, and life expectancy at birth and infant mortality rate as indicators of hunger, the effect of hunger on the body will be evaluated. Chapter 5 presents an analysis of the three constitutions, and chapter 6 will evaluate the various predictors of life expectancy and infant mortality with a focus on regime types. The final chapter offers concluding thoughts from the research and presents recommendations for future work.

³ Object, citizen and researcher.

⁴ Regime type, permanent cropland area, food production index and foreign development assistance.

CHAPTER 2

CONCEPTUALISING HUNGER

“Man *lives* on nature – means that nature is his *body*, with which he must remain in continuous interchange if he is not to die” (Marx, *The Economic and Philosophical Manuscripts of 1844*, c1988, p.112).

This section seeks to analyze the nature of hunger within the body and the role of hunger within and outside of the body in relation to others and food. It begins by constructing a dialogue with Marx in order to explain the function of consumption/eating, and follows with a definition of hunger. This definition is followed by various accounts of the body from the perspectives of major scholars. Using hunger as an analytical tool, this work studies the journey of the body across time and space in order to establish a theoretical ground for the natural precarious condition of the body and presents a case for a hunger contract in alleviating such adverse conditions of the body.

In light of the assertion by Marx, I was compelled to raise the following question: what does Marx mean by ‘nature is his body’? In other words, how does nature become one’s body? For me, the answer to this question emerges from the act of consumption. The act of consumption transports nature into one’s stomach and, thereafter, via the digestive system nature/food becomes one with that given body. However, answering this question in such a way, far from satisfactory, raises yet another question. What is the function of consumption? In other words, does consumption arise to make food part and parcel of the body or does it have other functions? For me, the answer to this question comes through careful examination of the deeper meaning behind the act of consumption with respect to the last word of Marx’s claim: die or death. Using such an angle, I argue the body consumes not to make nature/food part and parcel of the body, but rather to keep death at bay.

The first part of the argument positions nature as part of the body, treating the body as an inorganic matter; however, the latter part of the argument- keeping death at bay- views the body as an organic matter. When one conceptualizes the body in the first sense as the relationship between the body and food, the body is then visualized in mechanical terms. Such an approach will bring to one's mind the following argument: The body has the capacity to make nature/food part and parcel of itself through the act of consumption with the aid of the digestive system. Therefore, in this sense of the argument, the body consumes food because of its capacity independent of the threat of death. By contrast, the later assumption perceives the body not as a mechanical being but as a biological one. Here, consumption arises not to see nature becoming one with the body but to safeguard the body from death. This is so because the body is capable of consuming itself to death by consuming fat and muscle whenever that given body fails, voluntarily or involuntarily, to provide itself food. From such an assumption flows the notion of 'continuous interchange' with food as vital schemes for the body to keep itself healthy and alive.

Bearing in mind the aforementioned dialogue and function of consumption, let me bring to light the very target of consumption (hunger) by asking the following question: what is hunger?⁵ According to Lovell-Smith et al (2010), "the biochemical and neurophysiological mechanisms regulating food intake are complex. Despite advances in understanding regulatory molecules...no simple means to control food intake has been identified" (p.172). Therefore these writers by utilizing the "subjective experiences associated with ... hunger" (p.172) propose 'hunger as food intake regulator'. In other words, hunger regulates food intake by indicating when food is needed.

⁵ In German ideology, Marx (c1978) calls hunger "the first premise of all human existence..., namely, that man must be in a position to live in order to be able to make history. But life involves before everything else eating and drinking... the first historical act is thus the production of the means to satisfy these needs..." (p. 155-156).

In line with this understanding of hunger, this paper conceptualizes hunger in relation to all of the ‘biochemical and neurophysiological’ sensations associated with food intake. Therefore, hunger has been defined in this paper as the state of the body before and after birth characterized by an empty stomach sensations accompanied by physical and mental sensations such as “tiredness, light-headedness, faintness, weakness and loss of concentration” (Lovell-Smith et al, 2010, P.172). Since the nature of the body-under normal circumstances- is to grow and develop, I treat starvation, malnutrition and famine as hindrances to such development and growth.⁶ I also treat the inability to fill that empty space as a sign of adaptation to societal conditions and social norms that may be counter to the essential nature of the body to grow and develop. Hunger is found in each and every body and will continue to exist, provided that the evolutionary process continues its biological journey. Taking such a character of the body into account, I call hunger the natural fundamental condition of the body, thereby making it a significant aspect of the human experience.

This notion of the body, I understand, is one among many other conceptions of the body. In fact, in the past, other scholars have put forward fear and power (Hobbes, c2002), aggression and libido (Freud, c1989), and aloneness (Fromm, 1976) as the conditions of the body. However, I differ with them on one single fundamental ground; for me, the aforementioned biological modes of representation are not the dominant conditions of the body. Rather, hunger, as conceptualized above is the dominant condition of the body; and fear, libido and aloneness are attributes of the body. Here, I also recognize another vital condition of the body: oxygen. However, a discussion of the condition of air as related to body goes beyond the scope of this paper, beyond the simple

⁶ Since the point of eating is to keep the body healthy and alive, overburdening the body with ‘excessive caloric intake’ does not enter into my development and growth equation because such a form of food intake has been associated with “obesity, diabetes and heart disease” on account of “poorly regulated eating” habits (Lovell-Smith et al, 2010, p.172).

truth that the body needs air to survive. Thus, the focus of this section and throughout this paper revolves around hunger.

The body has been designed by nature to rotate around hunger,⁷ live with hunger,⁸ and to deal with hunger.⁹ Being faced with this fundamental natural condition, the body has no choice but to employ ‘the natural forces of its own body’ (labor) as the vital instrument of its own biological existence to ward off death by acquiring food from the womb before birth and ‘the fruit of the earth’ after birth. In this manner, hunger, the adversary¹⁰ of the body, becomes the ally of the body as it urges the body to engage with the fruit of the earth. Engagement, in return, helps the body to produce food. In other words, engagement becomes the main means to withstand the perpetual onslaught of hunger against the body. From such an angle, I can consider that the body must produce edible items in order to consume; the body must consume edible items in order to grow and to develop. The body’s hope for biological survival lies nowhere else but in the production, distribution, circulation and consumption of edible items by making “continuous interchange with nature” (Marx, c1988, p.112). As a result, laboring day in and day out to sustain one’s life by mixing up one’s labor with nature¹¹ and others’ labor¹² becomes the only rational rule for the management of hunger. In this, hunger rightfully solidifies its position as the permanent foundation of interaction with nature and others’ labor.¹³

⁷ After each food intake

⁸ On account of its nature: condition by hunger

⁹ Its primary duty in order to stay alive.

¹⁰ This is so because whenever the body is unable to “replace even the energy *it loses* in basal metabolism, consumes whatever is stored in *its body*; that means *it* literally consumes *itself* to death” [italic added] (Wolde-Mariam, 2014).

¹¹ Nature grows food on her own, say, as in the case of apple tree. But cultivation of apple tree in large quantity to ensure steady supply of such products require the mixing up of one’ labor with apple seed and apple tree via tilling the soil, watering the soil and etc.

¹² As in my example of the cultivation of apple tree, no one can hope to grow food without somehow and somehow mixing up his/her labor with others’ labor.

¹³ I define labor as the by-product of food destined to become the “natural force of the body” (Marx, 1906, p.198).

Hunger is universal because its presence is felt not only by one particular body but also by every form of life here on earth. On account of its universal nature, hunger, therefore, makes all forms of life here on earth interact with one another. For instance, due to hunger, a plant, an ant, a bee, a bird, an elephant, a shark and a human being interact with one another to sustain their respective lives via their respective labors. When one examines the journey of hunger across the circle of life, one is certain to get the picture of the Hobbesian (c2002) world from its voyage which is: ‘war of all against all’. By contrast, the examination of hunger within each field reveals an image of conflict and consensus inside each given field. In the animal kingdom, for instance, fights over grazing and hunting ground is common among similar species. Similarly, human beings have also been waging war among themselves over ‘the fruit of the earth’ for millennia (Dyer, 1986) in order to sustain their respective bodies. With respect to peaceful coexistence, brute force for the animal kingdom and brute force¹⁴ and a social contract¹⁵- oral or written- for humans, respectively, transfer them from the state of conflict into relatively peaceful coexistence. Although peaceful coexistence is obtainable on the basis of brute force, I argue that this result will by no means make brute force the legitimate basis of peaceful coexistence. Since “no man has a natural authority over his fellow”, for this very reason I “must conclude that conventions form the basis of all legitimate authority among men”¹⁶ (Rousseau, 1961, p.7).

¹⁴ As in the case of slavery, colonization etc.

¹⁵ As it was discussed by Rousseau (1961).

¹⁶ From this conclusion, flows the following question: can there be a social contract before some form of morality? For me, having social contract prior to some form of morality is an impossible proposition. As the society of hunger views it, the very act of coming together for whatever reason, say hunger, requires some form of common understanding or ‘common meanings and direction’. For example, organizing individuals based on hunger, before one come to understand what hunger is and its universal character, I argue, is a problematic scenario. Without such level of understanding there is no reason for one to rally with others under the banner of hunger and, thereafter, to form solidarity with others on basis of hunger. Whenever, I argue, individuals motivated by such level of understanding form a decision, to rally together on account of hunger, I call such decision the basis of moral act on the account of ‘common meaning and direction’.

"Man" Sabine (1964) writes, "has no leathery armor like a turtle or spine like a porcupine, but he does have the social life and the capacity to organize it effectively for survival purposes" (p. 3). Accordingly, I argue human beings' internal vulnerable condition (hunger) and external conditions (conflict with other beings over 'the fruit of the earth' on the account of scarce resources and the forces of nature: drought, flood, earthquake, and so forth) encourage humans to enter into a social contract to safeguard themselves from the harm of hunger by utilizing social life as a shelter from hunger. For Dillon (1958), the act of organizing oneself for whatever reasons constitutes the ground of politics because politics arise whenever one strives to govern himself/herself by rule. In this way, the concept of politics refers to "...the rules and practices by which they resolve conflicts and make communal decisions..." (Eulan and March, 1969, p. 5). In this fashion, politics emerges as a social system to distribute "reference, income and safety" (Lasswell, c1950, p. 3) among people. By such doing, for Lasswell, politics realizes its role as mode of distribution along the following lines of inquiry: 'who gets what, when and how'. "This version of politics", he writes, "is not novel to all students of social development. Yet it is constantly in danger of attenuation" (p. v). The ever-presence of hunger makes a strong case for Lasswell's 'version of politics'. To that end, I have utilized his question's format in the following way: who should get food? When should one get it? How should one get it?

Since hunger is a perpetual condition of the body, I argue, one should be allowed 'continuous interchange with nature' to obtain food. However, history tells us that the function of politics as the distributor of adequate food for a few and inadequate food for many. For instance, in such societal systems as "...freeman and slave, patrician and plebeian, lord and serf... oppressor and oppressed..." (Marx, c1978, p. 473), the bodies of the slave, plebeian, serf and oppressed automatically become the victims of hunger under the auspices of its respective mode of

distribution.¹⁷ In view of the aforementioned historical account, it is easier to see an unequal distribution of food as the cause of separation between the body and food and, simultaneously, the significance of Lasswell's third question: How should one get food?

In the past, supply-centered (See, Bowbrick, 1986; Devereux, 1988; Lin & Yang, 2000; Devereux, 2001; Clement, 2012) and demand-centered approaches¹⁸ (See, Sen, 1981; George, 1977; Lappe et al, 1977; Kent, 1984; Kent, 2005; Dreze et al, 1995; Ellman, 2000; Magdoff, 2000) have been employed simultaneously as the analytical framework to analyze the causes of separation between food and the body and as a possible remedy to cure unequal distribution of food within a given nation. The supply-centered approach focuses on the supply of adequate or inadequate food on the basis of quantity of food available within that given nation. The demand-centered approach, by contrast, views quantity of food not as the main reason for the occurrence of adequate or inadequate food supply but as one of the possible reason for the separation of adequate food from the body and for the manifestation of such a phenomenon in various forms: famine, starvation and malnutrition.

With the supply-centered approach in mind, Sen (1981) writes, “famines, *separation*, often take place in situations of moderate to good food availability, without any significant decline of food supply per head” (p.1; emphasis added). He, therefore, calls for a paradigm shift in favor of the entitlement approach in order to reunite food with the body. As Sen (ibid) sees it, the supply-centered view (the availability and unavailability of food) informs people very little of why the body goes hungry in its waking and sleeping hours without a decline in ‘food supply per head’.

¹⁷ In here, another common approach to politics is to view it as mode of domination, as it has been the case, in the form of slavery, feudalism, colonialism and etc. Whenever a given society utilize politics as mode of domination via brute force, I argue, food and hunger become automatically the weapon of the oppressor in order to bring under total control the body of the oppressed.

¹⁸ See George, 1977; Lappe et al, 1977; Kent, 1984; Kent, 2005; Dreze et al, 1995; Ellman, 2000; Magdoff, 2000.

The Supply-centered approach also does not tell people why a given body starves to death while other bodies could feed themselves within the same country and between countries. By contrast, the notion of entitlement (demand-centered approach), places the body within the circle of ‘alternative commodities bundle with which the body commands’ (health, education, social equity, public relief, food prices, wages, employment and so forth) to control hunger and thereby keep a ‘separation’ at bay. In other words, entitlement gives wider access to the body by putting great emphasis on the demand side of the relationship over the supply side in order to shelter the body from hunger.

Although the focus of entitlement is the acquisition of food, food production is still a major concern of Sen’s thinking. Sen (1983) writes, “the intention here is not, of course, to argue that the supply of goods - food in this case - is irrelevant to hunger and starvation, which would be absurd, but that the supply is just one influence among many” (p.755). Hence, Sen “built upon three sets of conceptual categories which are: entitlement set- *all possible combination of goods and service-*, endowment set-*tangible: land and intangible: labor, skill, etc.* and exchange entitlement mapping: *production, exchange and transfer*” (Alemu, 2007, p.98; emphasis added). In short, for Sen, “an individual’s entitlement to food depends on what he owns and what he can get by exchanging what he owns or any transfer from the government” (ibid, p.98). In this way, Sen’s conceptual tool makes the body the central unit in the relationship debate between the body and food.

Sen’s entitlement approach has been criticized for putting strong emphasis on “economic aspects of famine, *separation*, above sociopolitical¹⁹ determinants” (Devereux, 2001, p.1; emphasis added). For Osmani (1993), by contrast, Sen’s approach is a “useful organizing

¹⁹ In this paper, however, the shortcoming of Sen’s approach has been dealt with by directing and sharpening the focus of this paper toward politics/mode of distribution.

framework for studying...” the relationship between food and the body “...in any kind of economy” (ibid, p.11). For instance, capitalism /the society of merchant situates entitlement within the private domain under the principle of the ‘cash-nexus’ (Marx, c1978). Accordingly, so long as one has money in his/her pocket, one has political, social, economic and legal entitlement to possess food. In the absence of money, however, regardless of the high volume of food in the market, an individual would either remain hungry or break the law, thus violating the social contract. By contrast, socialism/the proletariat society conceptualizes entitlement to food in relation to the welfare of the body. Hence, this school of thought views public ownership²⁰ of food as the proper social framework to establish the relationship between food and the body.

The society of hunger,²¹ in direct contrast to the society of merchant and the proletariat society, but with close affinity to the latter school of thought,²² utilizes the very condition of the body- hunger- as the rightful natural ground to connect the body with food. Accordingly, the body’s entitlement to food emerges not from its association with a ‘cash nexus’ or ‘natural force of the body’ (labor) but from the very condition of one’s body (hunger). This conceptual position brings me to the notion of social contract as the possible ground to establish rights-based relationship with food via a Rawlsian framework.

²⁰ Here, a vital question arises from the notion of public ownership: the question of free-riders and might. As the society of hunger sees it, free riding and might by virtue of their nature produce advantage for the doer and disadvantage for non-doer. Both entities also cannot be universalized due to their unpleasant consequences. In other words, it is impossible to imagine the society of free riders or the society of might as a social fabric to weave food with the body because both entities are capable of producing food shortage, starvation and famine, the former via stagnation and the later through chaos, plundering. In light of such revelation, I argue, since hunger is universal and actual material condition of each and everyone’s body all must be provided equal access to engage with ‘the fruit of the earth’ via their labor, provided that illness and aging are not hampering one’s ability to exercise his/her labor with that particular society. Whenever that happens the society of hunger should provide food to one.

²¹ By such concept, I mean, more loosely, hunger beings who have a definite characteristic and material experience in common and who organize consciously along that very natural biological line in order to protect the body from the onslaught of hunger by owing land collectively and, thereafter, by producing, distributing and circulating food collectively.

²² Via public ownership of food and demand-centered approach over the issue of food.

For Rawls (c1993), the relationship between the body and its social and material environment must be established at the original position of the body via a constitutional framework. In doing so, he argues, the body would be in a position to avoid an unfair mode of distribution on the account of ‘cumulative social, historical, and natural tendencies’. As he sees it, “the reason the original position must be abstracted from and not be affected by the contingencies of the social world is...to eliminate the bargaining advantages that inevitably arise within the background of institutions of any society from cumulative social, historical, and natural tendencies²³” (ibid, p. 23). In this way, by situating the body above and over the ‘contingency of the social world’, his framework makes the original position of the body a universal “device of representation” (Rawls, 1993, p.24).

In this manner, the Rawlsian framework makes the original position of the body the court of justice between two bodies in order to situate both entities on impartial ground before they interact with one another to negotiate the future of their respective wellbeing with respect to hunger and food. By adopting this original position as a conceptual tool in this paper, I seek to answer the following question: what should be the basis of distribution for food as two bodies interact with

²³ In here, it should be noted that, Rawls asks me to go beyond ‘natural tendencies’ I am not in disagreement with Rawls on this point, because for him ‘natural tendencies’ represent the mind in terms of bright and moderately bright, not so bright from the endowment of nature independent of experience. For him, some of the human minds are able to process, absorb and articulate information quickly on the account of natural endowment and, thereby, enhancing the social, economic and political position of the body within the society. By contrast, others lack such natural endowment. As Rawls sees it, this natural tendency advantages some and disadvantages others. Therefore, should not be used as basis if one desire is to see the creation of society as ‘fair system of social cooperation’. Although carrying a discussion on his assumption and notion of the mind is beyond the scope of this paper, we would like to make the following point: his idea of the mind challenges Locke’s notion of the mind: as tabula rasa. By contrast, far from Rawls’s conceptualization of the mind, we argue, hunger is the great equalizer, because each and every body has it and feels it in similar way. The advantage and disadvantage of hunger emerges not from the endowment of nature but from the lack of food due to the position of the body within nature and society. For instance, a better fed body performs better academically and physically than unfed one. For instance, in 2012 study malnourished body has contributed in Ethiopia, among other things, for 16% of primary school student to repeat class (Unicef.org, 2012).

each other in order to craft a contract? Since hunger by virtue of its universal position always situates each and every one's body on an equal bargaining position with respect to food, the answer to that question emerges when the two interacting entities utilize hunger as a 'universal device of representation' between them in the service of fair mode of distribution via 'fair terms of cooperation'.²⁴

As discussed above, the circle of life manifests itself in the image of the Hobbesian world on account of hunger. Through such a paradigm, it's easier to see the value of an oral or written contract as a possible exit strategy from such a world among rational people. Since brute force by virtue of its nature belongs to the Hobbesian world, oral or written contract between two bodies must arise on the basis of rights in order to replace brute force with a rights-based relationship between them and to protect the integrity²⁵ of both entities from destruction.

Hence, taking Sen's and Rawls's insights, this thesis will incorporate indicators of a demand-centered and a supply-centered approaches in order to evaluate the importance of these theoretical approaches.

²⁴ In here one may raise an alternative form of interaction: 'fair terms of competition'. Since the intrinsic nature of competition produces the society of winners and losers, it is highly risky for the hunger being to rely on it as societal instrument. By contrast, 'fair terms of cooperation' assures one 'continuous interchange' with nature to satiate hunger by carefully monitoring the movement of food within a given society on account hunger contract.

²⁵ Meaning that the human body should not be classified as food item and food items, say animals and plants should not be misused and abused by humans. Rights-based relationship is the surest way to ensure such protection.

CHAPTER 3

SITUATING THE BODY WITHIN THE LITERATURE

In the preceding chapter, hunger was conceptualized as the perpetual condition of the body. The cycle of life that the body follows after birth was referred to as the mirror of the Hobbesian world on account of hunger. Taking that into accounts, a rights-based relationship with food via a constitutional framework has been put forward as an exit strategy from such a world and, thereby, as an assurance to safeguard the body from the onslaught of hunger. Therefore, this section, bearing these assumptions in mind, will situate the body within the literature in order to understand the causes of separation between food and the body, demand-centered driven or supply-centered driven. In so doing, this thesis attempts to verify the merit of rights-based relationship/hunger contract as a connective element between food and the body. It also wants to review the literature to determine the value of a constitutional framework as an exit strategy from this Hobbesian world.

The connection between the societal system (politics, the constitution, and its byproduct-the state and regime type) and hunger is nowhere more obvious than in Ethiopia's 1973 and 1984 famine. The long established monarchical system and the military regime were brought down from power in 1974 and 1991 respectively due to, in large part, the issue of famine (Lefort, 1983; Markakis & Ayele, 1986; Vestal, 1999). With the full knowledge of the nation's historical and societal fault lines in mind, the previous leader of the current governing party, the late Prime Minister Meles Zenawi (1955-2012), promised to feed the people 'three meals a day' under his administration. In this respect, the Prime Minister made hunger the focal point of the societal system. With that view in mind and in order to carry out my analysis on hunger, I reasoned that the selection of literature in relation to Ethiopia in particular and the world in general, under specific themes, (such as: famine, food security, political economy of hunger) are essential to my

research endeavors. For these themes directly deal with the state of the body as conditioned by hunger and, thereby, offers a discourse on the relationship between food and the body.

As the society of hunger views it, the principle of rights is the thread that weaves the body and food together. Without the principle of rights, I argue, the body and food would remain in state of isolation from each other at the expense of the body. Therefore, “defining food as a right is very important in order to prevent famine in Ethiopia” (Vadala, 2008, p.1075). In view of this, my interest, under the themes noted above, lies in finding out from the writing of various scholars the essential connective elements or modes of relation that help analyze the relationship between the body and food. I am also interested in identifying the connective element/s or modes of association, constitutional or non-constitutional, between the body and food. Furthermore, I am interested in learning about the causes of separation between food and the body from their findings.

Rights to proper nourishment and freedom from hunger was adopted by the UN General Assembly Resolution 2200 on 16 December 1966. In this Resolution, the UN implicitly recognized hunger as the natural condition of the body. Hence, freedom from hunger was explicitly proclaimed as a fundamental right of the body. After this remarkable resolution, various authors discussed hunger at a global level (Bowe, 1967; Simon & Simon, 1973; George, 1977; Bomani, 1980; Hancock, 1985; Brandt, 1986; Boucher, 1999; Russell, 2005; Stanford, 2007). Others also addressed the issue of hunger from the angle of food politics (Caldwell, c1977; Balaam & Carey, 1981; Nestle, 2002; Clapp, 2012). The political economy of hunger was also discussed by some researchers (Kent, 1984; Dreze, Sen & Hussain, 1995; Keneally, 2011). Others (Perelman, 1977; Shiva, 2000; Magdoff, Foster & Buttel, 2000; Bollier, 2003; Albritton, 2009; Pearce, 2012) also addressed the connection between profit, land, farming and hunger.

By drawing their inspiration from the 1966 UN General Assembly Resolution, some scholars successfully framed hunger as a human rights issue (Florencio, 1996; Robertson, 1996; Eide, Kracht & Robertson, 1996).²⁶ To further illustrate my argument on this point, let me present Florencio's (1996) work on the principle of rights and constitutional mandate within the context of the Philippines. After discovering the absence of a rights-based hunger contract from the Philippines's constitution, she concedes that not enshrining the right to adequate food in the constitution is a "case of a poor judgment" (p.3) and lack of awareness about the concrete reality of citizens in relation to food security. "It may be argued that", she continues,

a constitution is no assurance of implementation, enforcement.... This is true, but on the basis of what has been happening in Philippines in terms of providing education and housing, there is a merit in having a strong provision for nutrition in terms of the state protecting and promoting the right of all citizens to proper nutrition, and under taking a continuing program that will ensure food security... (p.3).

Therefore, according to her line of thinking, when a given nation grounds food into the constitution on the basis of rights, the benefit for the body will reach the same levels as education, housing and so forth. In other words, a constitutionally mandated government responsibility with respect to food may alleviate some of the ills associated with hunger.

Further, in line with the UN General Assembly Resolution, Eide, Kracht & Robertson (1996) in the editorial page of *Food Policy*, also conceptualize proper nourishment as a fundamental human rights issue. Nevertheless, after successfully connecting food to justice and human rights principles, the editors, acknowledged the difficulties that may arise if the right to

²⁶ In such doing, I argue, those commentators advocated for the principle of rights as connective element between the body and food. From principle of rights also flow, I argue, the notion of food as needs rather than as wants. In here, I define needs as something the body has to have in order to survive-food- and wants as an entity the body likes to have. From the notion of needs follows food as a human rights issue. From the concept of wants, I argue, comes the tendency to treat food as luxury and, thereby, freeing the constitution from considering food in the form of provision via the principle of rights. In view of this, I see the merit of rights-say rights to adequate food, freedom from hunger- within the constitutional framework as protector of the body from the onslaught of hunger.

food is constitutionally enshrined by cautioning in the following manner: “It took centuries for the people to obtain the means to enforce their civil and political rights, and the struggle is far from over. It may be so with the rights to nutrition... ” (p. 2). In here, I argue, freedom from hunger and malnutrition is the first order of political rights and issues. Properly understood, civil and political rights establish themselves on that concrete ground: the body. Civil and political rights without rights to adequate food are meaningless gestures from the perspective of the body. Nevertheless, the authors of the editorial page made a point contrary to their very powerful argument. The body would not be in a position to exercise civil and political rights in the absence of rights over adequate food. Whenever the societal system deprives the body rights to adequate food, the status of food changes swiftly from the fuel of the body into the tool of oppression over that body. To this end, Khalif & Doornbos (2000) write,

it is a fact of life in the Somali region-of *Ethiopia*- that access to food and water...is conditional upon the unqualified allegiance to the central state in Addis...” Accordingly, the authors continue, “clans and individuals suspected of being disloyal to the regime are denied the right to use water wells and to receive food aid donated by the West through the DPPC and local NGOs (p.85).

Sen (1980), under the heading of famine, identifies the historical problematic relationship between the body and food in the following way: “famine is a characteristic of some people not having enough food; it is not the characteristic of there being not enough food” (p. 614). Accordingly, he continues, “food supply statement says things about commodities as such, while statements about famines are concerned with the relationship between persons and commodities” (p. 614). In this manner, Sen conceptualized food in relation to a person and a person in relation to food via the principle of entitlement. Consequently, the relationship between food and the body is not conceptualized by the volume of food production per se but by the quality of the relationship – adequate food sources vs. inadequate food sources- with a person. In his view, an adequate

relationship to food emerges from multiple sources- wage, food price, government policy etc. – and inadequate sources materialize from the absence of multiple sources. In this respect, Sen put forward the notion of entitlement as a connective element for the relationship between food and the body. After making his argument in the aforementioned manner, he supported his theoretical position with empirical evidence from four recent big famines which were: the great Bengal famine of 1943, the Ethiopia famine- province of Wollo 1973 and the province of Haregehe 1974, the 1974 Bangladesh famine and the great Irish famine of the late 1840s.

With respect to the historical separation of food from the body in the forms of famines, he writes the total food availability in the great Bengal famine was 11% higher than the 1941 food availability level. By contrast, in the 1973 Ethiopian famine, the province of Wollo capacities in food output dropped due to drought and crop failure. Such an event on the surface seems to support the FAD's (food availability decline) approach or supply-centered approach. However, from a different unit of analysis, looking at Ethiopia as whole or aggregate,²⁷ "there is little indication of a decline in food production coinciding with famine" (Kumar, 1987, p.13). Thus, Sen refuted FAD's argument on that very ground. However, the drought led famine that followed the 1973 famine in the province of Haregehe in 1974 favors the FAD's approach because food output level dropped both at a provincial and national level. Yet, the causes of the 1974 famine far from vindicating the supply-centered argument, such a scenario strengthens Sen's position when one considers another angle from which to view famine. Famine does not occur from a single drought season but from accumulation of seasons (Webb & Braun, 1990). Such was the case with the 1974 famine. In light of this, the inactivity of the regime, in spite of warning signs, presents itself as a case in point for entitlement failure. Similarly, for the 1974 Bangladesh famine, Sen found FAD's

²⁷ "It appears that while 65 per cent of the districts had normal output, 21 per cent had below normal production and 14 per cent above normal" (Kumar, 1987, p. 12).

approach inadequate in explaining famine, because food output level was high during the 1974 famine year.

In short, 3 out of the 4 cases reviewed support the entitlement approach as the causes of separation in the form of famine. After doing empirical analysis, Sen writes that famine or separation between the body and food has occurred “from failure on the part of groups of people to establish entitlement over a requisite amount of food” (p.615). In this, according to Sen, the great Irish famine is the best illustration of that line of thinking. While the Irish people were devoured by the late 1940s famine, “ship after ship laden with wheat, oats, cattle, pigs, eggs and butter sailed... from a starving country to one with plenty of food” (p. 620). This would suggest that, as Sen indicated earlier, people in the Irish and Ethiopian famine starve to death from a lack of entitlement rather than from the decline of food supply. As Kumar (1987) puts it, “starvation could still in principle have been avoided if food had been moved quickly into the affected areas from other provinces where output had not declined”²⁸ (p.13).

Hancock’s (1985) findings also corroborate Sen’s analysis and Kumar’s observation. To that end, Hancock writes, “throughout the recorded history of famine in Ethiopia, from the ninth century until the overthrow of Haile Selassie, there is no record of any consistent or well thought-out program to meet the challenge of hunger” (p.71). In regard to Emperor Haile Selassie’s Regime (famine had occurred on his watch in 1973), he writes, “tourist roads may have been built, airports inaugurated and a national airline launched, but at no point was any government body established to address itself directly to meeting the challenge of hunger” (p. 69). While tens and thousands were starving to death, “the Ministry of Information launched a campaign intended to

²⁸ Endale (1993) also shares Kumar’s findings. To that end, he notes, “the affected areas had never really been the major crop producing areas in the country, the total supply of agricultural output for the country as a whole would have very little cause to decline radically” (p.14).

convince both the Ethiopian public and the international community that there was neither famine nor any problem of hunger other than limited, localized food shortages” (p. 70). Finally, the silence was broken by a foreign journalist- Jonathan Dimbleby’s famous documentary (The Unknown Famine). Its airing on various international news channels led to national and international outrage and resulted in the overthrow of the monarchical regime (Hancock, 1985; Kumar, 1987).

For Webb & Braun (1990), however, “opinion remains squarely divided on the central issue of famine causation” (p.41). These authors divided the various research opinions into four groups. The first two groups were designated as macro-level and the last two as micro-level. They then divided up the macro-level opinions into ‘long-term association’ (such as ‘climatic change, solar cycle activity, ecological degradation’) and ‘shorter time span’ (‘correlation between rainfall rates and sea-surface temperature fluctuation’). At the macro level, along with environmental factors, they also added non-environmental determinants (such as ‘international terms of trade and political and economic marginalization of Ethiopia in relation to other African states’). In the micro-level group, low-level farm technology, low fertilizer use, poor land use, inadequate regional infrastructure, government policies, etc. have been classified as the ‘long-term deficiencies’. The analysts categorized ‘logistical ability to intervene, military disruption of production, pest invasions, crop diseases, entitlement failure through a collapse of purchasing power among the poor’ as short term events. After examining the various angles of vision from diverse conceptual tools, they summed up their opinion in the following manner: “Food shortages, like chronic under nutrition and poverty - mass mortality, destitution and social dislocation” (p.2) ...“arise out of a complex etiology of economic, political and environmental factors” (p. 7). However, in the final analysis, drought was identified as the major cause of famine for a number of Ethiopia’s famines. However, as was indicated in their study, drought far from affected the

food production capacity of the nation as whole, it only severely affected certain regions. Thus, food production in non-affected regions was not hindered and the condition even in affected regions vary from crop to crop. In light of this, they recommended, “drought resistance cereals and related varietal selections” (p. 3) as a remedy for drought-prone regions.

In terms of the connection between drought and food shortages, “after examining almost 100 years of rainfall data” Degefu found “no perfect correlation between drought years and subsequent food shortages” (Webb & Braun, 1990, p. 30). Hence, Webb & Braun writes, “isolated drought is not a dangerous drought” (p. 31). From this assumption follows the notion of cumulative drought as the cause of separation between food and the body in the form of famine. This very fact makes the societal system, politics, constitution and its byproducts (the state and government) the real culprit of food shortage. Nature has given Ethiopia plenty of warning signs for what she had in store (sky and land) in the near future (drought). Nevertheless, the societal system failed to secure the body from such mayhem by increasing the capacity of the whole nation in the business of food production and by failing to establish food circulation posts for affected regions in a timely manner.

In light of these observations, Lirens (2001) notes, “previous studies on the 1972/73 and 1984/85 famines have revealed that both natural and human disasters cause all the three forms of food insecurity (chronic, transitory, and cyclical) but categorically put the human action being the major cause” (p.6). Barbour & Dudley (1995) also express similar opinions from a general historical angle articulating that: “hunger was the result of natural phenomenon : droughts, floods and crop failure,... Today, however, advances in technology, and transportation have made these natural factors less relevant... consequently, when famines do occur, they are increasingly viewed as “man-made” rather than natural disasters” (p.13). This assertion is nowhere more evident than

in the recent history of Ethiopia's famines as stated explicitly by Sen (1980), Hancock (1985), Webb & Braun (1990), Keller (1992), Endale (1993), Vadala (2008), and Kumar (1987).

Kumar (1987) called entitlement "a useful analytical framework within which to place the experience of Ethiopia during the famines of 1972-75 and 1982-85" (p.ii). Thus, the relationship between the body and food was grounded in Sen's entitlement concept. Using such a conceptual framework, he successfully associated the causes of separation between food and the body with entitlement failure under the monarchial and the military regime. To that end, he writes, "both regimes initially used state resources for the purpose of self-aggrandizement" (p.60) rather than to tackle the issue of hunger. In addition, he writes, when famine struck, during the monarchial and the military regime, both regimes delayed coordinating efforts to respond. For instance, with the 1984 famine, unfortunately, the media rather than the government played a significant role as it did in previous occurrences to bring to attention the magnitude of the crisis. To that end, Kumar quoted BBC's journalist's powerful remark on 1984 Ethiopia's famine: "Dawn, and as the sun breaks through the piercing chill of night on the plain outside Korem,²⁹ it lights up a biblical famine, now, in the twentieth century. This place, say workers here, is the closest thing to hell on earth." (p.27). While the people were burning in a perpetual inferno arising from the separation of food from the body, the military regime, who ascended to power in 1974 on account of such separation, busied itself in 1984 'with the tenth anniversary of the revolution (Kumar 1987). To this end, Dawit Woldegiorgis³⁰ (1987) writes,

In early 1984, the regime was preparing to celebrate lavishly the 10th anniversary of the revolution and inaugurate the workers' party of Ethiopia. More than \$100 million was spent on the festivities. But the months of March to May in 1984 were also a critical time for preparation of another kind... Drought brought on by the failure of the seasonal rains threatened the lives of 17 million people...when the four-day celebration was held in

²⁹ A district in eastern part of Ethiopia

³⁰ Oddly enough, the head of Relief and Rehabilitation Commission of Ethiopia, whose writing is a vivid testament for entitlement failure argument, I reasoned, deserves quotation at the length.

September 1984, thousands of Ethiopians were dying in the countryside...others trekking across the desert and mountaintops in search of food and shelter. Many walked all the way from the northern part of the country to the gates of Addis Ababa...*However...*I was instructed to stop them, and police were sent to make human fence around the capital to prevent these people from entering the city and spoiling the show (Wall Street Journal, 1987, p.24).

In this manner, entitlement failure via government negligence sent tens of thousands of Ethiopians unnecessarily and cruelly to ‘the closest thing to hell’. Furthermore, Kumar writes, “as the RRC³¹ pursued its international appeals, however, domestic political priorities in Ethiopia dictated that news about the famine should be played down” (p.28) because the focus of the regime at the time was not to protect the people from hunger but, rather, it revolved around celebrating and inaugurating a new workers’ party. Just as cumulative drought resulted in 1972-75 famine, the 1982-85 famine was the product of similar cumulative rain failure. This very fact clearly shows how nature provided ample warning signs and, thereby, where the real problem lies: regime failure in combination with absence of constitutional protection. As it was noted by various commentators, the activity of the nation within the domain of agriculture was crucial not only for food production but also for protecting the environment. In fact, as it was revealed by Kumar’s study, lack of investment in the management of the environment cost Ethiopia “80,000 hectares of land per year through soil erosion - enough in fact to feed 66,000 families” (p.53). In this way, entitlement failure accompanied by regime failure sets the people up for future mayhem via environmental factors. Endale (1993) also shares this insight.

Under the heading of ‘The Ethiopian famine, entitlement and governance’, after analyzing the two famines-1972/74 and 1982/85-, Endale (1993) aptly associated the causes of both famines not with physical phenomenon (such as drought, crop failure) but with a sociological phenomenon: “defective governance” (p.3). By basing his core argument from abovementioned angle of vision,

³¹ Relief and Rehabilitation Commission

he writes, “given the disaster-prone environment and the inevitability in the recurrence of the famine conditions..., the need to secure the right to food of all individuals becomes an imperative requiring few justifications” (p.4). However, both regimes, far from protecting their citizens from hunger by grounding themselves in sound understanding of the nation’s precarious physical environment, have exposed their own population to famine “through neglect, inefficiencies and diversion of available resources away from” (p.5) affected areas and people.

Furthermore, Endale also made a comparison between the historical famines and the two major recent famines. For him, the historical institutional setting was incapable of dealing with or averting famine due to a social orientation centered on an association of drought with the ‘wrath of god’ (p.6) and empirical circumstances, such as rudimentary technical and technological resources. For this reason, he writes, “physical phenomenon may provide adequate explanation of entitlement failures” (p.9). However, in recent famines -1972/75 and 1982/85-, he continues, modern technological apparatus were accessible to Ethiopia. Thus, for him, what explains the separation of food from the body is not natural disaster but the notion of “defective governance” (p.9). For instance, long before the onset of the 1972/75 famine, farmers in Wollo’s region were in precarious environmental conditions in that “stocks of food and assets gone” (p.11) due to the draught of 1964/65. However, the monarchial regime- very far from intervening in this form of “income-support or relief food-aid” (p.12) to avert the situation through its inactivity heightened the situation. Similarly, he also located the trigger of the 1982/85 famine in the 1970s draught. Thus, as he puts it, the 1972/74 and 1982/ 85 famine “had been seriously aggravated by the lack of public intervention at the right time” (p.15). To that end, with respect to the latter famine, Keller (1992) writes, “the ‘Great famine’ 1982/85 exacerbated by ill-conceived policy of the Derg-*military regime-*” (p. 623). This assertion was also shared by Mellor & Gavian (1987) “lack of

sound policies” (p. 544) and by others as “unequal trading systems” between the farmers and the government (Actionaid,2014,p.2), “state-sponsored atrocity” (Puddington,1986, p.31), “militarization of the economy” (Smith, 1987) and “chronic under investment in agriculture” (vestal, 1985, p.8). In light of these findings, I argue that, the link between the entitlement failure and hunger in the form of famine was very strong in pre-1991 periods. Has the link between the body and food remained the same after the military regime departure from power in 1991?

According to BBC’s report in 2003, “after three years of failed rains, some 14 million Ethiopians are relying on food aid and Mr. Meles has warned that his country faces a famine worse than that of 1984”. Here the following question arises: why would the Prime Minister states that the 2003 famine would be worse than the 1984 ones? One would see this as a proactive approach. The Prime Minister could be attempting to lobby the international community on assistance in dealing with a famine. However the underlying factors still not undress. For Wolde-Mariam (2003), a noted authority in the area of Ethiopia’s famine, famine arises not from the perception of Ethiopia’s famine victims- as the ‘wrath of god’ or from the paradigm of the ‘intellectuals’ (drought) but from the socioeconomic reality of Ethiopia characterized by a lack of governmental “accountability and responsiveness” (p.1). Concerning drought, he writes, “intellectual inertia has enthroned this apology for famine as an explanation” (p.1). He, therefore, identified “the oppression and exploitation of the peasants by despotic regimes as the source of famine” (p.1). This insight also shared by Khalif & Doornbos (2000), Lefort (2009) and Gebre- Mariam (2014).

Adimassu, Kessler & Stroosnijder (2014) notes “despite decades of international attention to find solutions for the annual food shortages in Ethiopia, the problem still persists” (p.123). In order to combat this life-threatening situation the current government, with the help of the World Food Program (WFP), put in place a policy measure under the name of ‘Productive Safety Net

Programme' (PSNP) in 2005. After identifying food-insecure households, this program provides assistance (cash or food) in the following manner: "eligible households with able-bodied adults receive transfers for their participation in public works projects, while those households that cannot provide labor or other means of support receive unconditional transfers" (Coll-Black et al., 2013, p.1). Lavers sees (2013), such a policy, however, as far from addressing the issue of hunger in that "the PSNP is used to support failing agricultural policies, limiting urban migration in the interests of political stability" (p.1).

With this approach, Adem (2012) notes that, "Ethiopia's agricultural extension program...reinforced the rural presence and authoritarian powers of the ruling party while largely failing to improve small-holder agriculture" (p.81). Thus, for him, Ethiopia's agricultural policies, in general, far from protecting the people from the relentless harm of hunger, became the weapon of the regime in the management of power. Accordingly, he views the distribution of agricultural resources by the government (such as credit, seeds, fertilizer, high-input technologies) not as a societal scheme to improve food production capacity of the nation as a whole, but as a politically oriented calculative move by the government in the interest of its own political power. To that end, Berhanu (2012) writes, "the ongoing agricultural extension scheme that is a major component of transforming smallholder agriculture is driven by political imperatives aimed at effectively controlling the bulk of the Ethiopian electorate" (p.1). He continues saying that the government can only stay in power indefinitely by controlling the 'electorate'. Accordingly, "almost all of the more than 3.5 million local council seats at sub-district, district and zonal level are controlled by the EPRDF, and not a single seat is held by an opposition party" (Ayele, 2011,p.151). In this manner, in the 2010 national election "EPRDF had secured 99.6 percent of the seats in Parliament" (Tronvoll, 2010, p.1). The sad irony in all of this is, as mentioned above, two decades after the

promise of ‘three meals a day’ by the current government, in 2014 alone, 6.5 million people still awaits the helping hands of UN to keep death at bay from wants of food (Reuters, 2014)

Gaps in the literature

As it was stated from the outset, while I was examining the various literatures my focus revolved around identifying the connective elements or modes of relation between food and the body, and the ground of the connective elements or modes of relation and the cause of separation between food and the body. With exception of a few, most of the researchers overlooked the principle of rights and a social contract as a legitimate ground for the interaction between food and the body. While some hold the regime accountable and others nature and others associate both entities as a cause of separation, most of them failed to analyze the constitutional framework as a possible cause of separation between food and the body.

In contrast, I seek to analyze the nature of the body from the hands of nature, the treatment of the body by the social contract and its byproduct (government). For this very reason, I find my research endeavor unique and relevant. When one study begins beyond the constitutional framework, as the approaches reviewed seemed to do, I argue that one runs the risk of overlooking the constitution as a legitimate ground for governing the interaction between the body and food and, also, as an analytical lens to study the causes of separation between food and the body. I, therefore, directed my attention toward the study of Ethiopia’s constitutions of 1955, 1987 and 1994 in order to utilize them as an analytical lens to examine the causes of separation and the role of regime type in addressing the issue of hunger.

With respect to the three constitutions, my intention is to locate the presence or absence of rhetoric on hunger by using the rights to adequate food or freedom from hunger as an indicator of

rhetoric and a hunger contract. If the three constitutions contain a hunger contract, then the effect of such a contract on hunger will be examined against the experience of Ethiopia. If the three constitutions have been crafted without a hunger contract, then such absence will indicate lack of rights-based relationship between the body and food in Ethiopia. Upon such discovery, I will examine how a lack of constitutional mandate affects the experience of the body with hunger and food in Ethiopia. This analytical angle, in return, will make it possible for me to examine the way in which each regime had dealt or is dealing with the issue of hunger without a hunger contract. It will also allow me to examine the relationship between food and the body using, simultaneously, the demand-centered approach and the supply-centered approach. To that end, using regime type³² in combination with permanent cropland area, food production index and foreign development assistance, I will analyze the effect of hunger on the body under supply-centered and demand-centered approaches by utilizing life expectancy at birth and infant mortality rate as indicators of hunger's effects on the body.

³² As demand-centered variable and the other three variables as supply-centered variables.

CHAPTER 4

METHODOLOGICAL FOUNDATION

The theoretical framework that guide this research emerges from the concept of the body conditioned by hunger. Using hunger as an analytical tool, theoretical arguments have been made in chapter 2 in order to establish rights-based relationship between food and the body via a constitutional framework. As the brief discussion in chapter 1 and the various literatures reviewed in chapter 3 has shown, separation of food from the body has presented itself as an ongoing occurrence in Ethiopia from time immemorial. In view of that, this thesis sets out to examine the causes of separation in Ethiopia by asking the following questions: what were/are the causes of separation: entitlement/demand-centered failure (constitution and regime) or a supply failure/decline of food availability?

With this question in mind, this section presents research methods that have been incorporated in this chapter in order to answer that question. To that end, the first part of this chapter brings a discussion on positionality in order to situate the author within his work. This will follow by introducing the original position as an analytical tool in order to examine the relationship between entitlement approach and food. In the remaining part of this chapter, using regime type, permanent cropland area, food production index and foreign development assistance as predictors of life expectancy and infant mortality rate, analysis will be conducted in order to measure the effect of a demand-centered and a supply- centered approaches.

Methodology

In this research, I will use ‘positionality’ as an analytical tool. With respect to such conceptual apparatus Maher & Tetreaul (1993) write that, “knowledge is valid when it includes an acknowledgment of the knower’s specific position in any context...” (p. 118). Accordingly, my position as ‘object’ of this research on account of, first, my own body’s experience, second, as a citizen of Ethiopia, and third, as researcher will be deployed in a cyclical manner. In doing so, I will be able to avoid Blumer’s (1969) warning that “the initial position of the social scientist and the psychologist is practically always one of lack of familiarity with what is actually taking place in the sphere of life chosen for study” (as cited in Uwe Flick, 2009, p. 12). In my case, however, by virtue of my own body and by its very condition of hunger, I am in a prime position to assert concretely more ‘familiarity’ on the role of hunger within the body and between two bodies and, most importantly, on the role of food within the body and between two bodies.

In ‘working the hyphen’, Michelle Fine (1994) writes, “qualitative researchers interested in self-consciously working the hyphen-that is, unpacking the notion of scientific neutrality, universal truths, and researcher dispassion-will be invited to imagine how we can braid critical and contextual struggle back into our text” (p.70-71). Accordingly, in my research, I will present carefully crafted dialog between the hyphens as a citizen, object and researcher. In this case, “working the hyphen means creating occasions for the researcher(s)...to discuss what is, and is not ...happening within the negotiated relations of whose story is being told, why, to whom, with what interpretation, and whose story is being shadowed, why, for whom, and with what consequence” (Fine, 1994, p.72). By cautiously navigating through the various positions, my hope is to transcend

‘the hyphen’, “not by dissolving their difference but by bringing them into dialogue” (Burawoy, 1998, p. 8).

Methods

In the interest of research methods, I drew my inspiration from Kant’s (1781) dictum: which is “concepts without perception are empty; perceptions without concepts are blind” (as cited in Harrington, 2005, p.5). As Kant’s timeless wisdom tells me that, if one aspires to acquire data alone, his/her research endeavor will be ‘blind’ due to lack of theory. In a similar manner, theory detached from data gives rise to an ‘empty’ analytical tool. With that view in mind, this thesis has been constructed to interweave theory with data and data with theory. To that end, I will utilize textual analysis of the constitution supplanted with historical data based on UN, IMF and World Bank information on hunger and hunger related crises, such as famine, mortality rate from famine, life expectancy, infant mortality, school performance, health care cost, etc., in order to evaluate the match or mismatch between constitutional discourse and hunger, and the role of the regime in addressing the issue of hunger. By applying a mixed method, I hope to analyze the condition of Ethiopia from the 1930s to present. The ‘central premise’ of such an approach emerges from the following assumption: “the use of quantitative and qualitative approaches in combination provides a better understanding of research problems than either approach alone” (Creswell & Clark, 2007, p.5).

With respect to the examination of constitutional rhetoric on hunger and the role of government articulated by such rhetoric in managing hunger, I will direct my attention to qualitative research methods. This methodology permits me to analyze the objects of rhetoric which are content, words, and text. I, therefore, will focus on ‘words and texts’ (Grbich, 2007) in the three constitutions. I will search for words

and sentences such as “food”, “hunger”, “freedom from hunger” and “right to adequate food”. Moreover, I read in detail the content of three constitutions in order to identify the rhetoric of constitution on hunger and hunger contract.

Qualitative analysis allows one to construct explanatory, descriptive, or interpretive analysis (Silverman, 2000) by examination of the data first. In other words, by carrying out textual analysis on the constitution, I am in a position to interpret the rhetoric of the constitution on hunger and hunger contract. This type of analysis is not necessarily linear (Armer & Brimshaw, 1973) rather, a researcher can begin his/her analysis by going about it in a spiral or cyclical manner (Travers, 2002). In other words, one can carry out a study by going from the data to the analysis and back again to the data, in a repetitive way. In my case, for example, the situation of hunger under the aforementioned constitutions and the treatment of hunger by the three regimes-monarchical (1930-1974), military (1974-1991) and EPRDF (1991- present) - will be analyzed in a cyclical manner. To that end, I will endeavor to answer the following question: do the words and texts of the aforementioned constitutions give constitutional representation to the body or not? This form of analysis will give me some ideas about the device of representation for the craft of the constitution at the time of its inception, universal/empty stomach³³ or particular/full stomach?³⁴

Since my research endeavor revolves around the analysis of Ethiopia’s 1955, 1987 and 1994 constitutions in relation to hunger, I cannot proceed in Rawls’s way³⁵ to seek answers to the aforementioned questions. I, therefore, will utilize the Rawlsian framework in reverse order. In other words, by starting from the constitution, I will attempt to arrive at the original position of the constitution framers at the time of its construction. This exercise³⁶ has a double purpose with respect to my theoretical argument and primary research question informing this paper. First, it allows me to carefully examine the rhetoric of the three constitutions on hunger and hunger

³³ On account of the original position of the body.

³⁴ On account of power, wealth and status.

³⁵ For Rawls original position precedes before the arrival of a given constitution.

³⁶ Examining the constitution in reverse order.

contract and make inferences about the position of the framers/regimes of each of the three constitutions in relation to the original position and hunger contract. In doing so, I will position my paper to analyze the effect of each regime in alleviating hunger via their respective constitutions. Second, such an approach also offers me the opportunity to analyze the role of the constitutional mandate in mitigating hunger. To the former end, I will examine the section contained within each constitution under the heading of ‘fundamental freedoms and rights’³⁷ to discern the rhetoric of the constitution on hunger and hunger contract. The presence of rhetoric and contract on hunger will be measured by the following two key variables: freedom from hunger and rights to adequate food. The absence of such key variables from the constitution will simultaneously indicate to me the absence of rhetoric and contract on hunger and that the position of the constitution framers/regime is ‘full stomach’ at the time of its construction. With respect to the second purpose, death from hunger, as measured by life expectancy and infant mortality rates, will be examined in order to quantify the effects of the regimes and their respective constitutional mandates and regime type on hunger. Accordingly, low life expectancy and high infant mortality rates will be viewed as consequences of the absence of mandates in constitutions which were supposed to be implemented by each regime.

With respect to quantitative methods, a multiple regression analysis will be utilized to measure the effect of hunger on the body. This type of analysis will allow me to study the relationship between two or more variables. In other words, I will be in a position to determine the causal positive or negative quantitative effect of a given variable on another. Since measuring the effect of a single variable upon another without paying careful attention to the effect of other factors may hide spurious relationships, I am conducting multiple regression. The data is drawn

³⁷ The three constitutions do have a section under this very heading. See appendix: A, B, C.

from the *World Bank Group*, under the heading of *World Development indicators data base*. The variables selected include four independent variables,³⁸ which are regime type, permanent cropland area, food production index and foreign development assistance, as well as the following two dependent variables: life expectancy at birth and infant mortality rate per 1,000 live births. In doing so, my hope is to measure the effect of hunger on the body, as mediated by demand-centered variable, regime type, and by the other three supply-centered variables: permanent cropland, food production and foreign development assistance. The consequences or ‘amount of hunger’ incurred by these effects will be measured by two indicators i) life expectancy at birth and ii) infant mortality rate. Regime type will be measured by the year each has been in power. The research uses the monarchial regime, which was in power from 1930 to 1974, as the reference point. The military regime which was in power from 1975 to 1991 and EPRDF regime which is in power from 1991 to present. Permanent cropland area will be measured by percentage of land area³⁹ for each year of each regime. Food production index will be measured by the metric tons of food in each year. Foreign development assistance will be measured in billions of dollars the country receives in each year. Life expectancy at birth will be measured by the number of years from the moment of birth. Infant mortality rate will be measured by the number of infant deaths.

With respect to table formats, the first table will contain the descriptive statistics of the variables used. This table will display the mean, standard deviation, minimum and maximum values of permanent cropland, food production, foreign development assistance, life expectancy and infant mortality. A second descriptive table will be utilized to indicate the mean distributions of life expectancy, mortality, permanent cropland area, food production index and foreign development assistance by regime type. The purpose of this table is to evaluate the average level

³⁸ In here, regime type represent demand-centered approach and the rest supply-centered one.

³⁹ Percentage of square kilometers.

of food production, permanent cropland, and foreign assistance (IVs) and mortality and life expectancy (DVs) as the country moves from monarchical to military, and finally, the EPRDF regime. Tables 3 and 4 will each display four regression models utilizing the four aforementioned IVs and one of the aforementioned DVs. These tables will allow for the analysis of the multivariate quantitative effect of the four IVs upon life expectancy (Table 3) and infant mortality (Table 4). Model 1 will evaluate the effect of regime type on life expectancy. In Model 2, the effect of permanent cropland area will be introduced while retaining regime type. Model 3 and 4 will respectively introduce food production index and foreign development assistance while controlling for regime type. These tables also display the partial contributions of the IVs (b ; beta) and Coefficient of Determination (R^2) for each model.

CHAPTER 5

CONSTITUTUIONAL ANALYSIS

"Beware of listening to this impostor; you are undone if you once forget that the fruits of the earth belong to us all, and the earth itself to nobody" (Rousseau, discourse on inequality, c1964, p. 142).

As presented above, hunger has been conceptualized by this paper as the nemesis of the body. In this respect, when I study the body under the aforementioned conceptual lens independent of status, wealth and power, even with power, status and wealth, I am certain to find the body in a perpetual war with hunger. Thus, a perpetual war with hunger becomes the proper phrase to capture this sort of existence. If a perpetual war with hunger denotes the eternal position of the body, then where does the body's hope to fight the enemy within lie?

In the past, Rousseau, Marx, Sen, and others, have put forward a possible remedy to protect the body from the perpetual onslaught of hunger. For the former, the hope to fight hunger lies nowhere else but from the 'socialization of nature'. Similarly, for Marx, since the fundamental principle of life for the body entails the indispensable notion of 'continuous interchange with nature', socialization of nature and labor is not an option but the necessary ingredient of life to fight hunger. By contrast, for Sen, the body is capable of fighting hunger within the private market under the strong influence of entitlement along the following crucial 'alternative commodities bundle': wages, food price, food aid, etc. For me, as the society of hunger sees it, collective ownership of nature and labor is not only an essential social instrument to subdue hunger but also to prevent the body from harming other bodies and nature under the influence of 'selfish calculation' as is the case in capitalistic mode of production. To this end, Marx (1963) writes,

"The bourgeoisie....drowned pious zeal, chivalrous enthusiasm, humdrum sentimentalism, in the chill water of selfish calculation. It has degraded personal dignity to the level of

exchange value; and in place of countless dearly-bought chartered freedoms, it has set up one solitary unscrupulous freedom — freedom of Trade” (p. 28).

Hence, for me, as for Marx, the perpetual war between the body and hunger cannot be controlled in favor of the body by merely founding society on the basis of ‘selfish calculation ‘but on the ground of ‘social calculation’.⁴⁰

As mentioned above, whenever a given society puts in place an unfair mode of distribution, conflict would definitely arise as the logical outcome of such societal (mis)arrangement between the body and the societal system, as it did in Ethiopia in 1974 and 1991.⁴¹ By contrast, fair politics/mode of distribution protects the interests of all: the body, others and nature. Having said that, let me raise the following question: should brute force or contract be the basis of mode of distribution? For Rousseau, as for Rawls and the society of hunger, brute force is an inadequate social instrument to do the task because it never failed to deliver injustice, inequality, destruction, etc. as its outcome. In direct contrast, contract founded upon the original position under the principle of rights to adequate food or freedom from hunger produces fair mode of distribution.

As argued above, war against hunger cannot be won by might but by social contract on account of original position. This is so because might, by virtue of its nature, is destined to supply adequate food only too a few stomachs by depriving the rest adequate food supply. Consequently, from this premise flows, for me, the vital role of social contract as a social instrument of the body in its fight against hunger under the influence of freedom from hunger via the principle of ‘rights to adequate food’. This angle of vision, in return, necessarily calls for the utilization of the social

⁴⁰ For Chomsky (1999) and Harvey (2007), capitalistic orientation operates under the influence of ‘profit over people’. By contrast, the socialistic approach operates on the following premise: ‘people over profit’ (Bauman, 2007; Callinicos, 2010).

⁴¹ In view of that, I argue, whenever conflict arises between the body and the societal system, the result is always, with respect to the body, ‘mass mortality, and destitution and social dislocation’. In relation to nature, their conflict never failed to produce soil-erosion, soil-exhaustion, degradation, etc.

contract as an analytical lens in order to examine the perpetual war between the body and hunger on one hand, and the principle of ‘right to adequate food’ on the other when examining the constitution itself. In this way, the aforementioned inquiry constitutes the study of the social contract at the conceptual level. In other words, the study of the social contract in relation to the concept of perpetual war, rather than to its practice. To that end, I will ask the following question: Did Ethiopia’s 1955, 1987, 1994 social contracts give the body a contract on hunger?

With respect to the second part of my inquiry, in relation to its practice, my interest lies in examining the act of the government-the monarchial regime-(1930 to 1974), the military regime (1974 to 1991), EPRDF (1991 to present) in accordance with their respective social contract. Assuming that, I found a provision from the aforementioned social contract that endowed the government constitutional power, via the principle of right to adequate food or, in short, hunger contract, to save the body from the onslaught of hunger. Upon such discovery, I expect, on one hand, the body to withstand the onslaught of hunger and, on the other, there will not be famine victims within Ethiopia when a constitutional mandate is followed by the government. If I find no mandate within the social contract, then I will direct my attention to examine the effect of the three regimes on hunger over and above constitutional mandate.⁴²

Ethiopia’s Three Constitutions:

A: 1955 Constitution

The arrival of the 1955 constitution in relation to its predecessors- traditional and religious laws and the first ever 1931 constitution- “marks a further advance of the Ethiopian Government

⁴² See chapter 6 for in-depth analysis on that.

toward the center stage of the modern world” (Lewis, 1956, p. 194). This constitution hurled Ethiopia into the process of modernity. Prior to this constitution, the mode of association between people and between people and the government were subject to biased oral tradition or written document/law such as Fetha Nagest “a work combining spiritual and secular matters” (Strauss, 2009, p. v). However, with the deployment of this public document as specifically stated under the provision of ‘Rights and Duties of the People’, individuals were assured fair and just treatment under the law. Articles 37 and 38 of the 1955 constitution, respectively, attest “No one shall be denied the equal protection of the laws” and “There shall be no discrimination among Ethiopian subjects with respect to the enjoyment of all civil rights” (Ethiopia Const. 37-38, § 3). In such doing, the constitution attempts to make rights as the instrument of association between people and between people and the government.

However, according to Lewis (1956), with the revised 1955 constitution the people far from asserting their legitimate dominant power over the land, they became the subservient of the Emperor. In other words, the constitution as a whole became the instrument of the Emperor (Brietzke, 1995, p. 19). For instance, Article 26 disqualified the notion of rights as the constitutional instrument of all by exclusively assigning constitutional rights to the Emperor in following manner: “The Sovereignty of the Empire is vested in the Emperor” (Ethiopia Const., 1955, art 26, § 3). In this respect, the Emperor became the embodiment of the state/‘Empire’ and, thereby, protected from hunger by virtue of this very position. In light of that, the notion of ‘rights’ that has been stated under the provision of ‘rights and duty of the people’, has been nullified from the get go by Article 26. In other words, when the constitution recognizes one person as the state, the welfare of the rest automatically would become the subject of charity rather than rights; from

this flows the goodwill of the one as the supreme law of the land above and beyond the written will of all/constitution.

Having said that, let me carefully examine the section of the constitution under the provision of 'rights and duties of the people' to further explore its inadequacy in relation to the perpetual war between the body and hunger and a hunger contract. Of its 29 articles, this part of the constitution after asserting the constitutional rights of the body from various external dimensions failed terribly to establish the rights of the body from its internal domain. In other words, the constitution failed to protect the body from the onslaught of hunger by failing to give the body constitutional protection from internal attack under the principle of the right to adequate food. In short, via a hunger contract.

Since the constitution is silent concerning the perpetual war between the body and hunger- in short, it not a hunger contract, I reasoned that it is inappropriate to utilize it as a lens to analyze the act of the government/ state in accordance with the constitutional mandate. I, therefore, directed my attention to offer an explanation on the silence of the social contract in this regard. As discussed elsewhere, during the monarchial era the relationship between the body and food was heavily governed by heavenly and cultural matters rather than by the nature of the body as theorized above. Accordingly, the 'religious and cultural' orientation of the people, by unduly making the body the vessel of external forces rather than the instrument of the internal one, have prepared the body from the start to seek its defense mechanism against hunger from God, angels, the Emperor, etc. As a result, the mindset of the body, under religious and cultural influence, perceived the aforementioned entities rather than a contract on hunger as an ally to maintain an upper hand in its perpetual war with hunger. For this very reason, the 1955 constitution was crafted by registering a profound silence on the precarious condition of the body in relation to hunger. Consequently, I

argue, the inadequacy of the constitution was further exhibited when hunger devoured the body in the famine of 1957/58, 1966 and 1972/75.⁴³ While hunger was devouring the people during those catastrophic periods, in direct contrast to the plight of the people, the Emperor never suffered from the onslaught of hunger during those horrific events. He lived in a state of abundance by guarding his own body from the assault of hunger by making himself the embodiment of the state.

Finally, the lack of sensitivity that was issued from the monarchial regime, reached a boiling point on the onset of the 1972/75 famine. Thus, people throughout the nation demanded an explanation from the government/ state. As discussed elsewhere, after the British journalist exposed the silence of the government/the state concerning this particular famine, the Emperor was left with no choice but to step down from power as a result. After the departure of the Emperor from power in 1974, his successor suspended the 1955 constitution.

B: 1987 Constitution

In looking at the 1987 constitution, Brietzke (1995) notes, “until 1987, the Derg⁴⁴ and then Mengistu⁴⁵ were content to rule by Proclamation: the traditional vehicle for an ordinary piece of legislation in Ethiopia” (p. 20). In this way, the state of affairs between the body and the constitution was relegated from the realm of profound silence into the sphere of obscurity and, thereafter, “the legal unaccountability of officials that was pioneered by Haile Selassie took even more authoritarian directions under Mengistu” (p.20). Consequently, in the absence of legal

⁴³ According to Devereux (2000), the 1957/58, 1966, 197/75 famines took the life of 100,000 to 397,000, 45,000 to 60,000 and 200,000 to 500,000 people respectively (p. 6).

⁴⁴ Military Regime in Amharic: Ethiopian national language.

⁴⁵ The leader of the military regime up until the demise of the regime in 1991.

accountability feeding the body bullets and horror became the modus operandi of the military regime (hereafter MR). In this way, the MR, freed from legal repercussion, begun openly to utilize the Red Terror and physical/psychological torture to maintain its already unjust institutional dominance over the people. This lawless road also made the MR insensitive to the plight of the people in the 1982/85 famine. As discussed above, while the ultimate agent of hunger-famine-were consuming people, the MR religiously directed its attention elsewhere.

To that end, Andargie (2014) notes, “lack of appropriate and timely measures from the government to cope with the disaster was one of the major causes of the famine... the government was unwilling to divert resources, money and attention away from the preparation for the tenth anniversary celebrations” (p. 186). Subsequently, the MR inactivity allowed hunger to consume tens and thousands⁴⁶ of people at liberty. As discussed previously, lack of social contract released the MR from the domain of legal accountability, and the body from the protection of the societal system, as theorized above. In light of that, I will ask the following: did the arrival of the 1987 constitution two years after the 1982/85 famine make it illegal for the Ethiopian government to hand over the body to death or not? In other words, did the 1987 constitution give the government constitutional mandate to protect the body from hunger? Did the 1987 constitution stipulate freedom from hunger/rights to adequate food as the fundamental rights of the body?

In comparison to the 1955 constitution, the 1987 constitution was founded upon “the alliance of workers and peasants and the participation of the intelligentsia, the revolutionary army, artisans and other democratic sections of society” (Ethiopia Const., 1987, art 1.1, § 7). In this way, this public document sought its legitimacy from the will of all rather than from the will of one as was the case in the 1955 constitution. To this end, Fisseha-Tsion (1988) notes, that the 1987

⁴⁶ Devereux (2000) puts this figure within the range of 500,000 to 1,000,000 (p.6).

constitution “marked the transformation of an old empire into a new Democratic Republic under a ... new administrative structures and institutions” (p. 131). However, in spite of its great socialistic march, the 1987 constitution, far from asserting the right of the body over hunger, by default became the mouthpiece of hunger by not letting the body to proclaim its freedom from hunger within its publicly sanctioned pages. For instance, its 24 articles under the heading of ‘Fundamental Freedoms, Rights and Duties of Citizens’, this public document articulated only the rights and freedoms of the body in the area of ‘speech, press, assembly, peaceful demonstration, free education, rest, work and etc.

If people under the Monarchical regime were “subjected to hunger, disease and mass death”, as the preamble page of the 1987 constitution claimed, in light of such an assertion, it is rational, notwithstanding my argument for a moment, to expect that in the 1987 constitution freedom from ‘hunger, disease and mass death’ merited a place in the form of an article. On this ground, true to its declared intent on the well-being of the body in relation to disease, Article 42.1 decreed the following: “Ethiopians have the right to health care” (Ethiopia Const., 1987, art 42.1, § 7). Although protecting the body from disease via the principle of right is a praise worthy constitutional act, but not extending similar constitutional treatment to hunger and mass death shows clearly the inadequacy of this social contract from the perspective of the body as theorized above. Properly understood, the phenomenon known as mass death never had been observed arising from ex nihilo. It has been seen arising: suffice to say, as the consequence of disease-Black Death, HIV, Ebola- and hunger. For instance, one does not have to go far to collect evidence on the effect of hunger on the body because the experience of Ethiopia alone provides for one verifiable association between them. In spite of that glaring historical evidence, the people behind the constitution made a colossal mistake, first, by not identifying hunger as source of mass death.

Second, by failing to translate already declared source of death from its preamble page into an article, clearly stipulating freedom from hunger/right to adequate food as the fundamental rights of the body. For that very reason, I, therefore, view the 1987 constitution, though somewhat more progressive than its predecessor, not as a break from the past but as the continuation of that very past in a different political mold. In other words, this constitution failed to give constitutional rights for the body against hunger just like its predecessor. Finally, without giving the body a hunger contract, the short life of the 1987 constitution came to an end with the departure of the MR from power in 1991.

C: 1994 Constitution

“While Ethiopia's 1994 constitution contains the politically correct terms and phrases concerning democracy and respect for human rights that are now expected in the post-cold war period” (Young,1998,p. 201), for the third time in the constitutional history of Ethiopia, the body continued to remain, constitutionally speaking, defenseless against the perpetual onslaught of hunger by this very constitution. In other words, the 1994 constitution failed to empower the body with a hunger contract. For that reason, as it was exhibited in article 90.1⁴⁷ of this very constitution, the relationship between the body and food far from being grounded on the basis of the rights of the body, was established on the ground of ‘social objectives’ (Vadala, 2008). In this respect, the section of the constitution that was supposed to stipulate the rights of the body over hunger was filled with other aspects of the body’s rights.

⁴⁷ “ To the extent the country’s resources permit, policies shall aim to provide all Ethiopians access to public health and education, clean water, housing, food and social security” (Ethiopia Const., 1994, art 90.1, § 13).

Hence, by neglecting the body's rights over its internal nemesis (hunger), the 1994 constitution mainly focused on protecting the freedom of the body from external factors: freedom of Religion, Belief, Opinion, Association, etc. In this way, just as its predecessors had done, the 1994 constitution completely overlooked the freedom of the body from an internal factor (hunger) as a constitutional matter. As theorized and argued throughout this paper, the internal and external factors of life have equal weight for the body. From the perspective of the body, both entities pose a massive threat to the body. With respect to the former, death is certain whenever the body either voluntarily or involuntarily is denied food for an extended period of time. In respect to the latter, other beings and nature, either in isolation or in combination, have the potential to keep the body hungry and thereby to cause death. Therefore, as the society of hunger sees it, giving constitutional protection for the body from both sources of death not only helps the body to navigate smoothly here on earth but also it makes the constitution itself a worthy instrument of the societal system.

The 1974 revolution was born to prescribe a solution for the predicament of the body: hunger. However, it came and went without addressing this vital concern of the body within a constitutional framework. Its successor-EPRDF-, ironically with full knowledge of the 1982/85 famine, also gave birth to the 1994 constitution without addressing the fundamental rights/freedom of the body in relation to internal factors. In light of that, one cannot hope to call this constitution vital instrument of the body to safeguard the body from its internal nemesis (hunger). Why does the 1994 constitution and its predecessors fail to address such a grave concern of the body? As the society of hunger views it, the social contract must arise from the position of the body as nature places it. But as my study on the 1994 constitution and its predecessors indicate, they all seem to arise not from the original position of the body/hunger but from the position of status, wealth and

power. Thus, the aforementioned three constitutions became mainly the servant of the latter rather than the former.

Nevertheless, there are indications that each successive constitution differed from the previous one in terms of their outlook on hunger. For instance, as it was indicated by Vadala (2008) the 1994 constitution is “one of only 20 constitutions⁴⁸ in the world which make reference to food” (p.1075). Judging by this standard, the 1994 constitution is moderately equipped, as oppose to its predecessor, in addressing the issue of hunger. By contrast, there were no references to food or hunger in the 1955 constitution. But there was reference to hunger in the preamble page of the 1987 constitution and, beyond that page, there were no mention of food or hunger in this constitution.

⁴⁸ “Bangladesh, Brazil, Colombia, the Congo, Cuba, Ecuador, Ethiopia, Guatemala, Haiti, India, Islamic Republic of Iran, Malawi, Nicaragua, Nigeria, Paraguay, Pakistan, South Africa, Sri Lanka, Uganda, Ukraine” (<http://www.fao.org/FOCUS/E/rightfood/right2.htm>). Of these Congo, Ecuador, Guatemala, Haiti, Malawi and South Africa, and establish the relationship between food and the body based on rights. India makes reference to food in relation to adulteration, tax and trade; Islamic republic of Iran makes reference to food on the basis of Islamic criteria against deprivation of food. Nigeria, Ethiopian, Paraguay, Pakistan, Sri Lanka, Uganda and Ukraine make reference to food as the state policy and social objectives. Nicaragua stipulates freedom from hunger and right to adequate food as the rights of the body.

CHAPTER 6

QUANTATIVE EMPIRICAL ANALYSIS

As theorized above, hunger sets the condition of the body from the womb to the grave via empty stomach. The body, therefore, has no choice but to strive, from dawn to dusk, after food in order to keep the deleterious eventual effect of empty stomach at bay: total annihilation. For this reason, I consider empty stomach as the nemesis of the body.⁴⁹ Since lack of access to food always results in shortening the life expectancy of the body via death, I, therefore, made a decision to utilize life expectancy at birth and infant mortality rate per 1,000 live births in order to measure the effect of hunger/empty stomach on the body. To that end, after obtaining my data on Ethiopia from *World Bank Group*, under the heading of *World Development indicators data base*, I conducted bivariate and multivariate analysis to determine if life expectancy at birth and infant mortality rate in Ethiopia could be predicted by demand-centered variable, regime type (Monarchial, Military and EPRDF), taking into account supply-centered variables, permanent cropland area, food production index and foreign development assistance.⁵⁰

Table 1 gives descriptive statistics of key variables. The data covers 53 years of Ethiopia's political and economic structures 40 % of which was under EPRDF regime. Average life expectancy in this period was 47.8 years and average infant mortality was 111.4. These figures indicates Ethiopia's significant challenge in terms of a problem of hunger in this period. Moreover

⁴⁹ However, this condition the body also function as the friend of the body on account of 'continuous interchange' with the fruit of the earth/food. Here and throughout this paper the two factors, nemesis and ally, have been treated as the two sides of the same coin: empty stomach. Its Digestive system makes stomach the ally of the body via 'Continuous interchange' with food. Empty stomach very presence within the body makes it the nemesis of the body because, as aptly explained elsewhere by Wolde-Mariam, failing to tend to its need-food-, always results in death.

⁵⁰ I have also conducted bivariate and multivariate analysis using drought as one of the predictors. However, the result showed no significant effect with regard to this particular variable. Thus, decision was made to exclude it from the model.

the average permanent cropland area and food production index were .652⁵¹ and 87.6⁵² respectively. This would suggest underutilization of land⁵³ and, thereby, low food production index. In this period also average foreign development assistance reached 1.2510 billion. This figure is low in comparison to the countries maximum potential: 4.08 billion.

Table 1: Descriptive Statistics of key variables

Regime	Minimum	Maximum	Mean/percent	Std. Deviation	N
Monarchial Regime	0	1	27%	-	15
1960-1974					
Military Regime	0	1	31%	-	17
1975-1991					
EPRDF	0	1	40%	-	21
1992-2013					
Permanent cropland (% of land area)	.4414	1.1180	.652	.1352291	51
Food production index (2004-2006 = 100)*	52	143	87.6	26.004	38
Foreign development assistance (\$billion)	.11	4.08	1.2510	1.05839	53
Life expectancy at birth, total years	38	63	47.78	6.546	53
Infant mortality rate per 1,000 live births	47	142	111.35	31.828	47

* Measured in metric tons' price index.

⁵¹ Measured in percentage of square kilometers.

⁵² Measured in metric tons' price index.

⁵³ As discussed elsewhere, 65% of Ethiopia's land is suitable for agriculture. However, on average, Ethiopia only thus far put to use small percentage of her massive potential and, thereby, making herself food insecure nation in the process.

Table 2 shows the distribution of key variables by regimes. It shows that life expectancy at birth during the EPRDF regime is higher when compared to each of previous regimes. That is, life expectancy is 41.9 during the monarchical regime, 44.8 during the military regime and significantly higher at 54.6 during the era of EPRDF. Correspondingly, I have also seen a reduction in infant mortality annually as the country moves from the monarchical regime's rate of 140.4 to the military regime's rate of 133.6, and then to the EPRDF regime's rate of 80.9 as it was indicated in column 3.

Table 2: Distribution of Key Variables by Regimes

Regime	Life expectancy at birth, total (years)	Mortality rate, infant (per 1,000 live births)	Permanent cropland (% of land area)	Food production index (2004-2006 = 100)*	Foreign development assistance (\$Billions)
Monarchial Regime 1960-1974	41.6915 (<i>n</i> = 15)	140.379 (<i>n</i> = 9)	.57311514 (<i>n</i> = 14)	71.8512 (<i>n</i> = 12)	.2307 (<i>n</i> = 15)
Military Regime 1975-1991	44.7917 (<i>n</i> = 17)	133.6017 (<i>n</i> = 17)	.634664 (<i>n</i> = 17)	110.596 (<i>n</i> = 6)	1.0347 (<i>n</i> = 17)
EPRDF 1992-2013	54.5621 (<i>n</i> = 21)	80.9121 (<i>n</i> = 21)	.722396 (<i>n</i> = 20)	90.2420 (<i>n</i> = 20)	2.1549 (<i>n</i> = 21)

* Measured in metric tons' price index.

Column 4 of table 2 shows that there has been an expansion in permanent cropland area from .573 to .635 and to .722 as the country moves respectively from the monarchical to the military and EPRDF regime. Although the expansion in permanent cropland area corresponds somewhat to the increase in food production index during the three regimes the increase in permanent cropland area did not correspond consistently with the increase in food production index as it can be seen in column 5. In fact, food production declined from 110.6 to 90.2 in EPRDF era compared

to the military regime while permanent cropland increase from .63% to .72%.⁵⁴ In terms of foreign development assistance, there is a clear increase in assistance as the country moves from the monarchial to the military and to EPRDF regimes as indicated in column 6 with their respective figures of \$.2307, \$1.0347 and \$2.1549 billion.⁵⁵

Table 3 evaluates the relationship between regime types and life expectancy taking into account the effect of permanent cropland, food production index and foreign development assistance. This table shows that difference in regime types by itself accounts for 74.1 of variance in life expectancy, pointing to a very strong predictive capability of regime differences. As can be seen in model 1, there was 3.1 years of life expectancy increase for the military regime and 12.9 years annual increase for the EPRDF regime in comparison to the monarchial regime. In words, the variation in life expectancy between the aforementioned regimes helps me to understand the role of demand-centered variable type- regime type- as somewhat being responsible for short or long life-span, everything else equal.

In model 2, I observed the impact of permanent cropland area on life expectancy at birth over and above the effect of the regime type. To that end, approximately 93.7% of the variation in life expectancy at birth was predicted by this supply-centered variable and regime type together. This means that 19.6% of variation of life expectancy is accounted by permanent cropland area after I take regime type into consideration. Furthermore, when controlling for regime type, an increase in permanent cropland area by 1% leads to a significant increase of 22.232 years increase in life expectancy. This would suggest that the more permanent cropland area the country has, the

⁵⁴ In here, it should be noted that, one must treat the mismatch between large permanent cropland area and low food production index with caution, when one contrast those variables among the three regimes, because this mismatch could be due to the missing information regarding food production for 11 years of the military regime (from 1981 to 1991).

⁵⁵ Figures are in constant dollars adjusted to 2011.

higher life expectancy is going to be. As well, the introduction of permanent cropland area to the model decrease the effect of regime type from 3.1 to 1.5 for the military regime and from 12.9 to 8.9 for the EPRDF regime when compared to the monarchial regime.

In other words, about 50% of difference between the military and monarchial regime and

Table 3. Unstandardized and Standardized Regression of Coefficients of Life Expectancy Predictors

	Model 1	Model 2	Model 3	Model 4
Monarchial Regime 1960-1974 (reference)	-	-	-	-
Military Regime 1975-1991	3.099*** .223 β	1.496* .115 β	-4.227*** -.222 β	-.071 -.005 β
EPRDF 1992-2013	12.864*** .970 β	8.890*** .709 β	9.764*** .702 β	5.277*** .398 β
Permanent cropland (% of land area)	-	22.232*** .487 β	-	-
Food production index (2004-2006 = 100)*	-	-	.151*** .559 β	-
Foreign development assistance (in billion)	-	-	-	3.943*** .638 β
Constant	41.69***	29.184***	31.485***	40.781***
Adjusted R ²	.741	.937	.983	.918
Number of cases	53	51	38	53

Entries are standardized regression coefficients (β)

Significance levels: * $p < .05$; ** $p < .01$; *** $p < .001$.

* Measured in metric tons' price index.

30% of difference between EPRDF and monarchial regime are due to the differences in available cropland area. Nevertheless, difference in regime type still significantly accounts for life expectancy particularly for the EPRDF regime with strongest beta weight ($\beta=.709$) in comparison to the beta weight of permanent cropland ($\beta=.487$) and the military one ($\beta=.115$) demonstrating on

the role of regime type perhaps as mediating factor between permanent cropland area and life expectancy.

In model 3, the impact of food production index on life expectancy at birth is evaluated. Approximately 98.3 % of the variation in life expectancy at birth is predicated by this supply-centered variable and regime type together. That is, food production index accounts for 24.2% variation in life expectancy over and above the regime type. The prediction capability of the regime types are statistically significant for both regimes. In this model, controlling for regime type, a 1 unit increase in food production index leads to a .151 years increase in life expectancy. In other words, the more food the nation produces, the higher the life expectancy of its people would be. More importantly, when I hold food production index constant, I observed that the effect of the military regime compared to the monarchial one actually becomes negative and significant and the effect of the EPRDF regime compared to the monarchial one decreases from 12.9 to 9.7. In other words, approximately 35% of difference between the military regime and the monarchial one and 24% difference between EPRDF regime and monarchial one are due to the percent of food production index. Since food production index has a minimum of 52 and maximum of 143 then its effect is substantial (see Table 1). For example, at the highest level of food production life expectancy would be 21.593 years higher compared to the lowest level food production index. Additionally, the findings from this model also clearly demonstrate a relatively minor role of the military regime in effecting life expectancy with beta weight of ($\beta = -.222$) in comparison to EPRDF regime beta weight of ($\beta = .709$) and food production index one ($\beta = .487$).

In model 4, I introduce foreign development assistance. To that end, R^2 indicated 91.8 % of the variation in life expectancy at birth was predicted by the introduced variable and regime type together. That is 17.7 percentage of the variance in life expectancy is due to supply-centered

variable, foreign development assistance, after I take into account the regime type. The prediction capability of the regime type is statistically significant for EPRDF regime and not significant for the military one. Therefore, if there was no foreign development assistance during the military regime this regime could not have improved the life expectancy of the people when compared to the monarchial regime. In this model, controlling for regime type, a one billion increase in foreign development assistance leads to 3.9⁵⁶ years increase in life expectancy. In other words, the more foreign development assistance the country receives, the higher the rate of life expectancy would be.

However, when I hold foreign development assistance constant, I observe that the effect of the military regime in comparison the monarchial becomes negative and insignificant. In addition, the effect of the EPRDF regime on life expectancy decreases from 12.9 to 5.3 years. In other words, about 60% of the initial effect of EPRDF, as seen in model 1, is due to the effects of foreign development assistance on life expectancy. This introduced variable also emerged as the strongest predictor in life expectancy with the beta weight of ($\beta=.638$), followed by EPRDF regimes' one ($\beta=.398$) and military regimes' one ($\beta= -.005$). The results from this model illustrates the beta weight of foreign development assistance as the strongest predictor in life expectancy in comparison to the regime type.

Table 4 measures the relationship between regime types and infant mortality rate per 1,000 live births by taking into account the impact of permanent cropland, food production index and foreign development assistance. Model 1 shows that approximately 75 percent of the variance in infant mortality rate being explained by regime types, indicating a very strong predicative capability for regime types. The difference in regime type is statistically significant for EPRDF

⁵⁶ Life expectancy in years * by 1 billion US\$ in assistance

regime and not significant for the military one when compare to the monarchical regime. This suggest that the major improvement in reduction of infant mortality rate took place during the EPRDF regime. As the results show, the EPRDF regime was able to reduce infant mortality rate by 59.4 in comparison to the monarchical one.

In model 2, the impact of permanent cropland area on infant mortality rate is estimated over and above regime type. As the results show, approximately 91.3 % of the variation in infant mortality rate was predicated by this variable and regime type together. This finding suggests that 16.3% of the variation in infant mortality rate per 1,000 live births occurred on account of the introduced variable over and above regime type. Additionally, controlling for regime type, an increase in permeant cropland area by 1% leads to the reduction of infant mortality by 102.730 annually. In other words, the more permanent cropland area the country has the less infant mortality rate the country would have. However, when I hold permanent cropland area constant, the data showed no statistically significant difference in infant mortality rate between the military and the monarchical regime. On the other hand, while the effect of EPRDF on infant mortality rate decreases from 59.4 to 49.1 due to the introduction of permanent cropland area, its difference with the military regime remains significant. The model also shows strong beta weight for EPRDF regime ($\beta = -.803$), followed by the beta weigh of the cropland ($\beta = -417.$) and military regime ($\beta = -.114$). This would suggest that the role of EPRDF regime in reducing infant mortality rate is stronger than permanent cropland area.

In model 3, I observed the impact of food production index on infant mortality rate. It shows that approximately 97.9 % of the variation in infant mortality rate was predicted by this variable and regime type together. This would suggest that 22.9% of the variance in infant mortality rate occurred due to the introduced variable above and over regime type. The prediction

capability of the regime types are statistically significant for both regime when compare to the military regime. Here, controlling for regime type, an increase in food production index by 1 unit leads to a reduction of infant mortality rate by .672. In other words, the more food the country produces the lower the rate of infant mortality rate would be. When I hold food production index constant, the difference in infant mortality rate between the military regime and the monarchial one is 23.423 and between the EPRDF regime and the monarchial one is -52.524. In other words, approximately 11.6% difference between EPRDF regime and monarchial one is due to the influence of food production index. This means that food production index with the minimum figure of 52 and maximum figure of 143 plays considerable role in infant mortality rate. This is so because at the highest level of food production infant mortality rate would drop to the figure of 79.9. In this model, a comparison across all predictors, the military regime has the smallest beta weight ($\beta = .257$), demonstrating that it made the smallest contribution in infant mortality rate. By contrast, EPRDF regime registered a larger beta weight ($\beta = -.756$) followed by food production index one ($\beta = -.486$).

In model 4, the impact of foreign development assistance on infant mortality rate is presented. The table shows that 93.2 % of the variation in infant mortality rate was predicted by this variable and regime type together. This means that 18.2% of the variance infant mortality rate is accounted for after taking regime type into consideration. The predictive capability of the regime variables are statically significant for the EPRDF regime and not significant for the military one. When compared to the monarchial regime, controlling for regime types, a billion US\$ increase in foreign development assistance leads to the decline of 18.211 infant death per 1,000 live births. In other words, the more foreign development assistance the country receives the lower its infant mortality rate would be.

However, when I hold foreign development assistance constant, I observed no statistically significant difference between the military regime and the monarchial one, however there was a statistically significant difference between EPRDF regime and the monarchial one. This would suggest that if there were no foreign development assistance, the rate of infant mortality rate could not have declined on the account of the military regime alone. By contrast, approximately

Table 4: Unstandardized and Standardized Regression of Coefficients of Infant Mortality Rate Per 1,000 Live Births Predictors

	Model 1	Model 2	Model 3	Model 4
Monarchial Regime 1960-1974	-	-	-	-
Military Regime 1975-1991	-6.767 -.103 β	-7.193 -.114 β	23.423*** .257 β	6.932 .106 β
EPRDF 1992-2013	-59.457*** -.939 β	-49.150*** -.803 β	-52.524*** -.756 β	-25.359*** -.400 β
Permanent cropland (% of land area)	-	-102.730*** -.417 β	-	-
Food production index (2004- 2006 = 100)*	-	-	-.672*** -.486 β	-
Foreign development assistance (in \$Billion?)	-	-	-	-18.211*** -.597 β
Constant	140.367***	205.992***	192.337***	145.511***
Adjusted R ²	.750	.913	.979	.932
Number of cases	47	46	38	53

Entries are standardized regression coefficients (β)

Significance levels: * $p < .05$; ** $p < .01$; *** $p < .001$.

* Measured in metric tons' price index.

84.7% of the difference in infant mortality rate between the EPRDF regime and the monarchial one was accounted for lack of foreign development assistance. Furthermore, the model shows the strength of foreign development assistance as strong predictors with the largest beta weight of ($\beta = -.597$) in comparison to smallest beta weight ($\beta = .106$) for the military regime and relative strong beta weight ($\beta = -.400$) for EPRDF regime.

As table 3 and 4 illustrate, there is a strong causal relationship between the type of demand-centered variable⁵⁷ and supply-centered variables⁵⁸ and life expectancy at birth and infant mortality rate. This would suggest that if Ethiopia wants to mitigate the problem of hunger, she must strive to establish a regime that works for the expansion of permanent cropland area, for the increase of food production and for foreign development assistance. In such doing, the country would be in position to withstand the attack of hunger. Both tables also consistently showed the insignificant role of the military regime and the significance of the EPRDF regime in comparison to the monarchial one in mitigating the issue of hunger/empty stomach. This could be due to the absence constitution for the first 15 years of the military rule and, also, to the absence of rhetoric on hunger in its 1987 constitution. By contrast, EPRDF set out to construct constitution 2 years after assuming power and, also, this regime incorporated food as ‘social objectives’ within its 1994 constitution. This would suggest the role of demand-centered variable, constitution, as factor in conjunction with the aforementioned supply-centered variables in increasing life expectancy at birth and in reducing infant mortality.

⁵⁷ Regime type

⁵⁸ Permanent cropland, food production index and foreign development assistance.

CHAPTER 7

CONCLUDING THOUGHTS: ETHIOPIA IN PERSPECTIVE

According to Kumar, as far as Ethiopian historical accounts were concerned, “the first recorded famine⁵⁹ goes back to the ninth century and no century since then has been free from a major devastation: the thirteenth century witnessed four major famines, and no less than twenty-three are recorded from 1540 to 1800” (p. 6). Since the 1888, famine has been a frequent occurrence in Ethiopia. As a result, tens of thousands of people have been victims ever since (Clay & Holcomb, 1985; Hancock, 1985; Barbour & Dudley, 1995). Although Ethiopians have been suffering from it since that time, the years before 1888 were not separation free periods either as was indicated by Kumar’s study. The scope of my study, however, did not allow me to venture into that period. Hence, my research focused on the journey of famine since 1930 when the Monarchical regime first came to power and when the data was available to test the relationship between regime types and indicators of famine.

The 1888-1892 separation, Pankhurst (1966) writes, “was the most terrible natural calamity...an event of considerable historical interest” (p.95) because it was the most detailed documented famine of the nation. This separation of food from the body had occurred before the separation of church and state. The medieval Ethiopia proverbs-‘God cannot be blamed and the Emperor cannot be accused- was the guiding political principle of this era. Consequently, the people may not blame anyone but their ‘sinful-self’ for the cause of drought and separation of food from the body in the late 19th century (Pankhurst, 1992; Endale, 1993). As Dagnaw (2010) puts it,

Since both government and people perceive famine as a special act of God, no mortal being is held responsible for it. Quite surprisingly, for the government this perception of famine, droughts and other food related crises have proved to be a convenient and successful means

⁵⁹ Separation.

of disclaiming its responsibility and obligation to avert the situation. The same perception has enabled the people to accept suffering and death with peace and equanimity (p.10).

However the 1973 famine, far from conforming to the aforementioned perception, led to civil unrest which may have brought down Emperor Haile Selassie of Ethiopia, Elect of God, Conquering Lion of the Tribe of Judah, and King of Kings, from power in 1974 (Hancock, 1985; Keller, 1992). The 1974 revolution did not stop there though; the removal of God from politics was its final resting place. After removing the Emperor and God from politics, the military regime failed to deliver its promises. Specifically, to control hunger and to unite food with the body on solid ground. Because of its failure, separation of food from the body devoured tens of thousands of people unnecessarily in the 1982-85 famine (Vestal, 1985). In due course, the government was deposed from power by armed rebel forces, in large part due to this separation, in 1991 (Gebremariam, 2011).

The human body is not equipped by nature to produce and reproduce food from within; food is obtained, as Marx (c1988) rightfully pointed out, by making ‘continuous interchange’ with nature. Thus, as has been hypothesized⁶⁰ and argued throughout this study, the primary role of politics/modes of distribution in a given society arises to serve the body by maintaining ‘continuous interchange with nature’ so that the body can protect itself from internal attack (hunger) and external attack (others).

With that view in mind, I examined the three constitutions and three regimes of Ethiopia to grasp their understanding of the body in relation to the internal attack and their role on the relationship of food with the body. Based upon my study, the three constitutions failed to establish rights-based relationship between the body and food. However, the 1994 constitution explicitly

⁶⁰ Constitutional mandate/hunger contract as critical and vital social devise to facilitate ‘continuous interchange with nature’.

refers food as social objective in article 90.1. In other words, while the focus of the 1955 and 1987 constitutions revolves mainly on the security of the body⁶¹ from external attack, the 1994 constitution strived to protect the body not only from external attack but also from the internal attack as well.⁶² As table 3 and table 4 illustrate, over 70% of the variation in life expectancy at birth and in infant mortality were illuminated by regime types. During the EPRDF regime which included food as its social objectives in the constitution showed substantive improvement in life expectancy and decrease in mortality rate compared to the previous regimes. Nevertheless, food production, availability of cropland area and foreign assistance also significantly improved life expectancy and decreased mortality rate. Therefore, I argue, by merging a supply-centered approach with a demand-centered approach the country can shelter the body better from the internal attack. Accordingly, my study confirms Sen's and Rawls's arguments that neither supply-centered approach nor demand-centered approach by themselves can be a solution to the problem of famine. Both approaches are necessary to deal with Ethiopian famine/hunger problem.

Conclusion

Currently, the Ethiopian government claimed 'double digit economic growth' (The Economist, 2012). Accordingly, "the national strategy", Gebreselassie (2006) writes, "chimes with a widely held view that poverty reduction in Ethiopia is impossible without significant growth in crop yields for major staples" (p. 4). By contrast, Sen (1995) writes "long-run policies have to be geared to enhancing, securing, and guaranteeing entitlements, rather than to some simple formula

⁶¹ See chapter 5 for in-depth analysis.

⁶² See appendix A, B and C. Specifically see appendix C. article 90.1.

like expanding food output” (p. 63) because focusing on food availability alone, as he puts it, gives no assurance to the body over the issue of hunger.

To this end, as my study shows, the experience of the nation under the reign of the military regime offers a primary empirical evidence for Sen’s assumption. As has been discussed elsewhere, the 1974 revolution coincided not only with the downfall of the monarchical regime but also with suspension of 1955 constitution. Hence, the military regime ruled Ethiopia without a constitution for 15 years of its 17 year reign (1975-1991). During this period, as table 2 showed food production index was high⁶³ under the military regime in comparison to the other two regimes. However, as the findings from Kumar (1987), Endale (1993), Lirenso (2001) and others indicated, entitlement failure caused the body in 1982-85 to separate from food in ‘midst of plenty’. In line with the aforementioned authors’ findings, table 3 model 3 clearly shows the cost of regime failure⁶⁴ and, thereby, entitlement failure⁶⁵ under the military regime with a -4.227 years lower life expectancy compared to monarchical regime when food production was taken into account.

Furthermore, table 3 and 4 also indicates the weaker effects of the military regime in the management of hunger in comparison to EPRDF regime. As a result, my study found a significant variation in life expectancy between the military and the EPRDF regime in comparison to the monarchical one as it was indicated in table 3 model 1 with their respective figure of 3.1 years and 12.9 years. Although my model does not take many other factors (such as rainfall, civil war, disease and etc.) into consideration, my findings would suggest the vital role of constitution and regime type in the management of hunger and, thereby, in increasing life expectancy at birth and in decreasing infant mortality rate by huge margins. In short, my findings are in line with Kumar

⁶³ This finding also corroborated by Sen (1980), Kumar (1987) and others.

⁶⁴ I argue, in conjunction with absence of constitution.

⁶⁵ In line with the narrative and theoretical approach of this paper, entitlement failure should be treated in its two sense: regime and constitutional failure.

(1987), Endale (1993), Lirensen (2001) findings that hold entitlement failure as the leading cause of separation between food and the body. However, table 2 shows that food production increased substantially under the military regime which did not have a constitution for 15 years of its domination. Tentatively, this would suggest that food production could increase without a need for a constitution. Yet, despite high food production rate this period witnessed severe famine.

What is the current cost of hunger in Ethiopia? There is no better answer to the question than UNICEF (2012) empirical findings. Its study, entitled *The Cost of HUNGER in Ethiopia*, reveals the contemporary effect of hunger on the body in the following manner: 2 out of every 5 children are stunted, 28% of child mortality caused by undernourishment, 44% of health care cost is associated with hunger, hunger causes 16% repetition rate in primary school and, the last but not the least, in reducing the workforce by 8% due to stunted related mortality rate (UNICEF, 2012).

In 1974 United Nation General Assembly resolution 3348 (XXIX) declares,⁶⁶

“Every man, woman and child has the inalienable rights to be free from hunger and malnutrition in order to develop fully and maintain their physical and mental faculties. Society today already possesses sufficient resources, organizational ability and technology and hence the competence to achieve this objective” (p. 1).

UNICEF’s findings strongly suggest that this resolution was not enforced in Ethiopia.

In 1987, 13 years from the 1974 UN declaration, the Nicaragua constitution asserted the rights of the body over hunger in the following way: “It is the right of Nicaraguans to be protected against hunger. The State shall promote programs, which ensure adequate availability of food and its equitable distribution” (Nicaragua, Const., 1987, art 63). Similarly, the 2008 Ecuador constitution mentions food rights in this way: “Persons and community groups have the right to safe and permanent access to healthy, sufficient and nutritional food...” (Ecuador, Const., 2008, art 13). By contrast, in spite of UNICEF’s findings, 40 years from the UN declaration, Ethiopia is

⁶⁶ Ironically, in that very year, hunger caused the downfall of Emperor Haile Selassie of Ethiopia.

yet to declare freedom from hunger and rights to adequate food as ‘inalienable rights’ within the pages of her current constitution.

In Rawlsian sense, the moral and ethical premise of a constitution must emerge from the domain of original position by the consent of free and equal individuals. In light of that, I hypothesized a contract on hunger to be one of the articles within the pages of the three constitutions. However, my examination revealed the absence of such a contract in the form of rights to adequate food or freedom from hunger from the pages of the first two constitutions and some minor attention to these issues in the third constitution. Given minimum attention only in the third constitution, I concluded that generally the three constitutions emerged not from the original position of the body but from the ‘cumulative social and historical’ position of the monarchial, the military and the EPRDF regime. Moreover, I showed that there is a strong relationship between the regime type (representing constitutional entitlement) and life expectancy as well as infant mortality (as indicators of famine). In other words, this research paper has attempted to problematize a constitutional framework devoid of a hunger contract as inadequate means to address a fundamental problem of the body with respect to its internal nemesis: hunger. By using hunger as analytical tool, this research attempted to associate separation of food from the body with the absence of a hunger contract⁶⁷ in conjunction with regime failure⁶⁸ and, most importantly, with lack of inter-connection⁶⁹ between a demand-centered approach and a supply-centered approach.

⁶⁷ As it was the case with 1955 1987 and 1994 constitution.

⁶⁸ As it was the case with Monarchial and military regime.

⁶⁹ In Sen’s sense, ‘people go hungry in midst of plenty from want of entitlement to food’.

As it was argued by Sen and others, people go hungry in midst of plenty from want of entitlement to food. In the absence of constitutional mandate and the consequent, state intervention, I argue, the body in Ethiopia will be re-visited by famine, starvation and malnutrition from one generation to the next as was the case in the past and is in present (see UNICEF, 2012). I, therefore, recommend the government to re-examine its approach on the relationship between food and the body. I, therefore, recommend the Ethiopian government to re-examine its approach on the relationship between food and the body. This could be done, first by recognizing freedom from hunger and rights to adequate food as fundamental rights of the body in the constitution. Second, by encouraging the people to entitle the state with an active and just role in the production, distribution and circulation of food in order to minimize the perpetual onslaught of hunger. Third, by educating, making aware, mobilizing and organizing the people on the basis of the original position of the body in order to establish universal right-based relationship between food and the body.

Once the right to food is enshrined in the constitution, Ethiopians can mobilize other constitutional rights (for example, free speech, freedom of assembly and demonstration, access to legal representation, etc.) in order to make sure that food is provided and the body is protected from the onslaught of hunger. Right to food also takes away accountability and responsibility from the hand of god (as it was the case under the monarchial reign) and places it in the hand of the people (as the 1974 Ethiopian revolution attempted to do and as the social objective article in the 1994 constitution seems to suggest). The rulers cannot now blame the god for problems of hunger, nor do the people may blame their ‘sinful-self’ for the cause of separation of food from the body.

Overall, this research conceptualized hunger as the condition of the body and a hunger contract via a constitutional framework as a social vehicle to protect the body from the perpetual onslaught of hunger. It attempted to offer a unique and refreshing insight to scholarly understanding on the relationship between regime, constitution and famine. Admittedly, the paper would have benefited from a more detailed study of other nations' constitutions in relation to a hunger contract and inclusion of variables such as expenditures on health care, clean water, disease control and income per capita. Further research, therefore, using hunger as the condition of the body and, thereby, as an analytical tool, should investigate how the relationship between the body and food is being governed via a constitution in conjunction with the regime type(s) in other parts of the world.

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Figure 1. Political Map of Ethiopia under the occupation of Italy: 1935/40

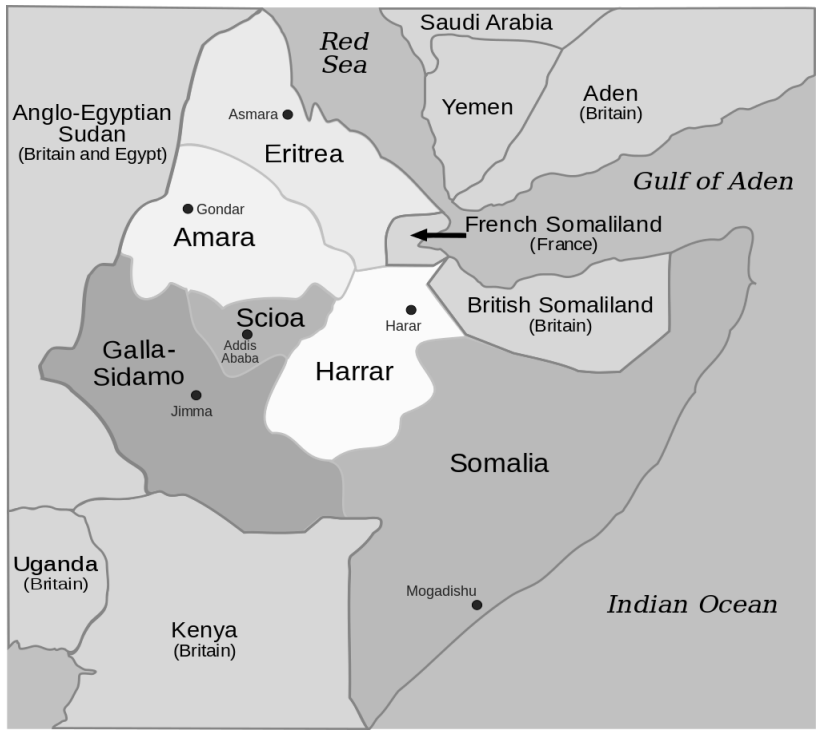
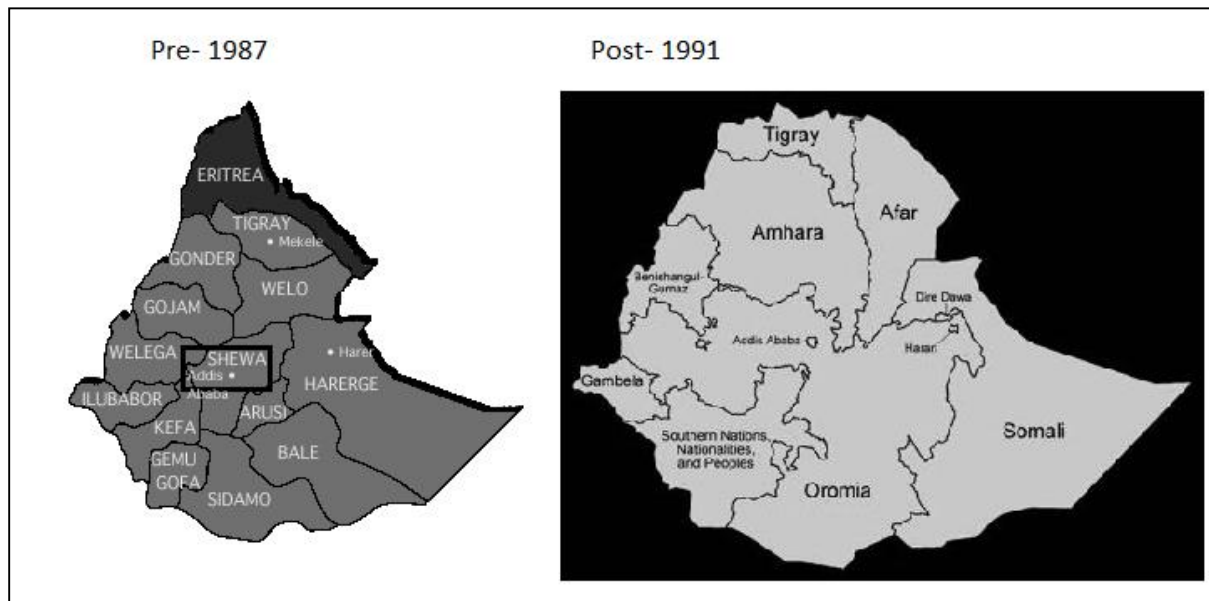


Figure 2. Political Map of Ethiopia



APPENDICES

Appendix A. Excerpt from 1955 Constitution of Ethiopia

RIGHTS AND DUTIES OF THE PEOPLE CHAPTER III

ARTICLE 37

No one shall be denied the equal protection of the laws.

ARTICLE 38

There shall be no discrimination among Ethiopian subjects with respect to the enjoyment of all civil rights.

ARTICLE 39

The law shall determine the conditions of acquisition and loss of Ethiopian nationality and of Ethiopian citizenship.

ARTICLE 40

There shall be no interference with the exercise, in accordance with the law, of the rites of any religion or creed by residents of the Empire, provided that such rites are not utilized for political purposes or prejudicial to public order or morality.

ARTICLE 41

Freedom of speech and of the press is guaranteed throughout the Empire in accordance with the law.

ARTICLE 42

Correspondence shall be subject to no censorship, except in time of declared national emergency.

ARTICLE 43

No one within the Empire may be deprived of life, liberty or property without due process of law.

ARTICLE 44

Everyone has the right, within the limits of the law, to own and dispose of property. No one may be deprived of his property except upon a finding by ministerial order issues pursuant to the requirements of a special expropriation law enacted in accordance with the provisions of Article 88, 89 and 90 of the present Constitution, and except upon payment of just compensation determined in the absence of agreement, by judicial procedures established by law. Said ministerial order, to be effective, shall be approved by the Council of Ministers and published in the Negarit Gazeta.

ARTICLE 45

Ethiopian subjects shall have the right in accordance with the conditions prescribed by law, to assemble peaceably and without arms.

ARTICLE 46

Freedom of travel within the Empire and to change domicile therein is assured to all subjects of the Empire, in accordance with the law.

ARTICLE 47

Every Ethiopian subjects has the right to engage in any occupation and to form or join occupational associations, in accordance with the law.

ARTICLE 48

The Ethiopian family, as the source of the maintenance and development of the Empire and the primary basis of education and social harmony, is under special protection of the law.

ARTICLE 49

No Ethiopian subject may be banished from the Empire.

ARTICLE 50

No Ethiopian subject may be extradited to a foreign country. No other person shall be extradited except as provided by international agreement.

ARTICLE 51

No one may be arrested without a warrant issued by a court, except in case of flagrant or serious violation of the law in force. Every arrested person shall be brought before the judicial authority within forty-eight hours of his arrest. However, if the arrest takes place in a locality which is removed from the court by a distance which can be traversed only on foot in not less than 48 hours, the court shall have discretion to extend the period of 48 hours. The period of detention shall be reckoned as a part of the term of imprisonment imposed by sentence. No one shall be held in prison awaiting trial on a criminal charge the sole penalty of which is a fine.

ARTICLE 52

In all criminal prosecutions the accused, duly submitting to the court, shall have the right to a speedy trial and to be confronted with the witnesses against him, to have compulsory process in accordance with the law, for obtaining witnesses in his favor at the expense of the Government and to have the assistance of a counsel for his defense, who, if the accused is unable to obtain the same by his own funds, shall be assigned and provided to the accused by the court.

ARTICLE 53

No person accused of and arrested for a crime shall be presumed guilty until so proved.

ARTICLE 54

Punishment is personal. No one shall be punished except in accordance with law and after conviction of an offence committed by him.

ARTICLE 55

No one shall be punished for any offence which has not been declared by law to be punishable before the commission of such offence, or shall suffer any punishment.

ARTICLE 56

No one shall be punished twice for the same offence.

ARTICLE 57

No one shall be subjected to cruel and inhuman punishment.

ARTICLE 58

No one shall be imprisoned for debt, except in case of legally proved fraud or of refusal either, to pay moneys or property adjudged by the court to have been taken in violation of the law, or to pay a fine, or to fulfill legal obligations of maintenance; this provision shall not have the effect of absolving the debtors obligation.

ARTICLE 59

No sentence of death shall be executed unless it be confirmed by the Emperor.

ARTICLE 60

Confiscation of property as a penalty shall not be imposed except in cases of treason against the Emperor or the Empire as defined by law; sequestration of property as penalty shall not be imposed except in cases of property belonging to persons residing abroad and conspiring against or engaging in deliberately hostile acts against the Emperor or the Empire as defined by law. Attachment proceedings covering the whole or part of the property of a person made under judicial authority to cover payment of civil liability, or arising out of the commission of an offence or to meet taxes or fines, shall not be deemed a confiscation of property.

ARTICLE 61

All persons and all private domiciles shall be exempt from unlawful searches and seizures.

ARTICLE 62

(A) In accordance with tradition and the provisions of Article 4 of this Constitution no one shall have the right to bring suit against the Emperor. (B) Any resident of the Empire may bring suit in the Courts of Ethiopia against the Government, or any Ministry, Department, Agency or instrumentality thereof, for wrongful acts resulting in substantial damage. In the event that the courts shall find that such suit has been brought maliciously or without foundation, the Government, or any Ministry, Department, Agency, instrumentality, or official thereof against whom or which such suit was brought, shall have a right of action against such resident for malicious or unfounded suit, and the court shall in such cases decree remedies or penalties in accordance with the law.

ARTICLE 63

Everyone in the Empire shall have the right to present petitions to the Emperor in accordance with the law.

ARTICLE 64

Everyone in the Empire has the duty to respect and obey the Constitution, laws, decrees, orders or regulations of the Empire. Ethiopian subjects, in addition, owe loyalty to the Emperor and the Empire, and have the duty of defending the Emperor and the Empire against all enemies, foreign and domestic; to perform public services, including military service, when called upon to do so; and to exercise the right of suffrage which is conferred upon them by the Constitution.

ARTICLE 65

Respect for the rights and freedom of others and the requirements of public order and the general welfare shall alone justify any limitations upon the rights guaranteed in the foregoing articles of the present chapter.

Appendix B. Excerpt from 1987 Constitution of Ethiopia

CHAPTER SEVEN

Fundamental Freedoms, Rights and Duties of Citizens

Article 35

1. Ethiopians are equal before the law, irrespective of nationality, sex, religion, occupation, social or other status.
2. Equality among Ethiopians shall be ensured through equal participation in political, economic, social and cultural affairs.

Article 36

1. In the People's Democratic Republic of Ethiopia women and men have equal rights.
2. The state shall provide women with special support, particularly in education, training and employment so that they may participate in political, economic, social and cultural affairs on an equal basis with men.
3. The state shall ensure that appropriate measures are progressively taken for women to be provided with health services, suitable working conditions and adequate rest periods during pregnancy and maternity.

Article 37

1. Marriage is based on the consent of a man and a woman who have attained majority. Spouses have equal rights in their family relations. Marriage shall be protected by the state.
2. Children, whether born in or out of wedlock, have equal rights.

Article 38

1. Ethiopians have the right to work.
2. The state shall, based on the development of the national economy, progressively ensure that employment opportunities are created and working conditions improved.

Article 39

1. The right of the working people to rest is guaranteed.
2. The state shall determine working hours and rest periods and ensure that social services beneficial for the leisure of the working people are progressively expanded.

Article 40

1. Ethiopians have the right to free education.
2. The state shall progressively ensure compulsory education for school-age children and expand schools and vocational institutions of various types and levels.

Article 41

1. Ethiopians have the freedom to conduct research and engage in creative activities in science, technology and the arts.

2. The state shall encourage the research and creative activities of citizens, and provide special support for research and creative activities that contribute to the improvement of the living standard of the working people and the acceleration of socialist construction.

Article 42

1. Ethiopians have the right to health care.
2. The state shall provide health services **by** progressively expanding health institutions.

Article 43

1. Ethiopians are guaranteed inviolability of the person.
2. Ethiopians are guaranteed inviolability of the home. No one may enter the home of another against his will, except as prescribed **by** law.

Article 44

1. No person may be arrested except *in flagrante delicto*, or by the order of the procurator, or by a court decision, or as may be prescribed by law.
2. Any arrested person shall be produced in court within 48 hours; however, this period shall not include the time required to reach the nearest court.

Article 45

1. No person accused of violating criminal law shall be considered guilty unless it is so determined by a court.
2. The criminal law does not apply retroactively unless it favors the accused.
3. Any accused person has the right to defend himself or appoint a defense counsel. Where a person is charged with a serious offense and his inability to appoint a defense counsel is established, the state shall appoint one for him free of charge, as determined by law.
4. Everyone has the duty to give legal testimony except against himself or as may be prescribed by law; however, no violence or pressure may be applied to compel a person to testify. Any testimony obtained by violence or pressure shall be null and void.

Article 46

1. Ethiopians are guaranteed freedom of conscience and religion.
2. The exercise of freedom of religion may not be in a manner contrary to the interest of the state and the revolution, public morality or the freedom of other citizens.
3. State and religion are separate. The legal status of religious institutions shall be determined by law.

Article 47

1. Ethiopians are guaranteed freedom of speech, press, assembly, peaceful demonstration and association.
2. The state shall provide the necessary material and moral support for the exercise of these freedoms.

Article 48

1. Ethiopians are guaranteed freedom of movement.

2. Every Ethiopian has the freedom to change his place of residence within the territory of the People's Democratic Republic of Ethiopia.

Appendix C. Excerpt from 1994 Constitution of Ethiopia

CHAPTER THREE FUNDAMENTAL RIGHTS AND FREEDOMS

Article 13

Scope of Application and Interpretation

1. All Federal and State legislative, executive and judicial organs at all levels shall have the responsibility and duty to respect and enforce the provisions of this Chapter.
2. The fundamental rights and freedoms specified in this Chapter shall be interpreted in a manner conforming to the principles of the Universal Declaration of Human Rights, International Covenants on Human Rights and International instruments adopted by Ethiopia.

PART ONE HUMAN RIGHTS

Article 14

Rights to life, the Security of Person and Liberty

Every person has the inviolable and inalienable right to life the security of person and liberty.

Article 15

Right to Life

Every person has the right to life. No person may be deprived of his life except as a punishment for a serious criminal offence determined by law.

Article 16

The Right of the Security of Person

Everyone has the right to protection against bodily harm.

Article 17

Right to Liberty

1. No one shall be deprived of his or her liberty except on such grounds and in accordance with such procedure as are established by law.
2. No person may be subjected to arbitrary arrest, and no person may be detained without a charge or conviction against him.

Article 18

Prohibition against Inhuman Treatment

1. Everyone has the right to protection against cruel, inhuman or degrading treatment or punishment.

2. No one shall be held in slavery or servitude. Trafficking in human beings for whatever purpose is prohibited.
3. No one shall be required to perform forced or compulsory labour.
4. For the purpose of sub-Article 3 of this Article the phrase "forced or compulsory labour" shall not include:
 - a. Any work or service normally required of a person who is under detention in consequence of a lawful order, or of a person during conditional release from such detention;
 - b. In the case of conscientious objectors, any service exacted in lieu of compulsory military service;
 - c. Any service exacted in cases of emergency or calamity threatening the life or well-being of the community;
 - d. Any economic and social development activity voluntarily performed by a community within its locality.

Article 19

Right of Persons Arrested

1. Persons arrested have the right to be informed promptly, in a language they understand, of the reasons for their arrest and of any charge against them.
2. Persons arrested have the right to remain silent. Upon arrest, they have the right to be informed promptly, in a language they understand, that any statement they make may be used as evidence against them in court.
3. Persons arrested have the right to be brought before a court within 48 hours of their arrest. Such time shall not include the time reasonably required for the journey from the place of arrest to the court. On appearing before a court, they have the right to be given prompt and specific explanation of the reasons for their arrest due to the alleged crime committed.
4. All persons have an inalienable right to petition the court to order their physical release where the arresting police officer or the law enforcer fails to bring them before a court within the prescribed time and to provide reasons for their arrest. Where the interest of justice requires, the court may order the arrested person to remain in custody or, when requested remand him for a time strictly required to carry out the necessary investigation. In determining the additional time necessary for investigation, the court shall ensure that the responsible law enforcement authorities carry out the investigation respecting the arrested person's right to a speedy trial.
5. Persons arrested shall not be compelled to make confessions or admissions which could be used in evidence against them. Any evidence obtained under coercion shall not be admissible.

6. Persons arrested have the right to be released on bail. In exceptional circumstances prescribed by law, the court may deny bail or demand adequate guarantee for the conditional release of the arrested person.

Article 20

Rights of Persons Accused

1. Accused persons have the right to a public trial by an ordinary court of law within a reasonable time after having been charged. The court may hear cases in a closed session only with a view to protecting the right to privacy of the parties concerned, public morals and national security.
2. Accused persons have the right to be informed with sufficient particulars of the charge brought against them and to be given the charge in writing.
3. During proceedings accused persons have the right to be presumed innocent until proved guilty according to law and not to be compelled to testify against themselves.
4. Accused persons have the right to full access to any evidence presented against them, to examine witnesses testifying against them, to adduce or to have evidence produced in their own defense, and to obtain the attendance of and examination of witnesses on their behalf before the court.
5. Accused persons have the right to be represented by legal counsel of their choice, and, if they do not have sufficient means to pay for it and miscarriage of justice would result, to be provided with legal representation at state expense.
6. All persons have the right of appeal to the competent court against an order or a judgment of the court which first heard the case.
7. They have the right to request for the assistance of an interpreter at state expense where the court proceedings are conducted in a language they do not understand.

Article 21

The Rights of Persons Held in Custody and Convicted Prisoners

1. All persons held in custody and persons imprisoned upon conviction and sentencing have the right to treatments respecting their human dignity.
2. All persons shall have the opportunity to communicate with, and to be visited by, their spouses or partners, close relatives, friends, religious councilors, medical doctors and their legal counsel.

Article 22

Non-retroactivity of Criminal Law

1. No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence at the time when it was committed. Nor shall a heavier penalty be imposed on any person than the one that was applicable at the time when the criminal offence was committed.

2. Notwithstanding the provisions of sub-Article 1 of this Article, a law promulgated subsequent to the commission of the offence shall apply if it is advantageous to the accused or convicted person.

Article 23

Prohibition of Double Jeopardy

No person shall be liable to be tried or punished again for an offense for which he has already been finally convicted or acquitted in accordance with the criminal law and procedure.

Article 24

Right to Honour and Reputation

1. Everyone has the right to respect for his human dignity, reputation and honour.
2. Everyone has the right to the free development of his personality in a manner compatible with the rights of other citizens.
3. Everyone has the right to recognition everywhere as a person.

Article 25

Right to Equality

All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall guarantee to all persons equal and effective protection without discrimination on grounds of race, nation, nationality, or other social origin, colour, sex, language, religion, political or other opinion, property, birth or other status.

Article 26

Right to Privacy

1. Everyone has the right to privacy. This right shall include the right not to be subjected to searches of his home, person or property, or the seizure of any property under his personal possession.
2. Everyone has the right to the inviolability of his notes and correspondence including postal letters, and communications made by means of telephone, telecommunications and electronic devices.
3. Public officials shall respect and protect these rights. No restrictions may be placed on the enjoyment of such rights except in compelling circumstances and in accordance with specific laws whose purposes shall be the safeguarding of national security or public peace, the prevention of crimes or the protection of health, public morality or the rights and freedoms of others.

Article 27

Freedom of Religion, Belief and Opinion

1. Everyone has the right to freedom of thought, conscience and religion. This right shall include the freedom to hold or to adopt a religion or belief of his choice, and the freedom, either individually or in community with others, and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.
2. Without prejudice to the provisions of sub-Article 2 of Article 90, believers may establish institutions of religious education and administration in order to propagate and organize their religion.
3. No one shall be subject to coercion or other means which would restrict or prevent his freedom to hold a belief of his choice.
4. Parents and legal guardians have the right to bring up their children ensuring their religious and moral education in conformity with their own convictions.
5. Freedom to express or manifest one's religion or belief may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, peace, health, education, public morality or the fundamental rights and freedoms of others, and to ensure the independence of the state from religion.

Article 28

Crimes against Humanity

1. Criminal liability of persons who commit crimes against humanity, so defined by international agreements ratified by Ethiopia and by other laws of Ethiopia, such as genocide, summary executions, forcible disappearances or torture shall not be barred by statute of limitation. Such offences may not be commuted by amnesty or pardon of the legislature or any other state organ.
2. In the case of persons convicted of any crime stated in sub-Article 1 of this Article and sentenced with the death penalty, the Head of State may, without prejudice to the provisions here in above, commute the punishment to life imprisonment.

Article 29

Right of Thought, Opinion and Expression

1. Everyone has the right to hold opinions without interference.
2. Everyone has the right to freedom of expression without any interference. This right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any media of his choice.
3. Freedom of the press and other mass media and freedom of artistic creativity is guaranteed. Freedom of the press shall specifically include the following elements:
 - a) Prohibition of any form of censorship.
 - b) Access to information of public interest.
4. In the interest of the free flow of information, ideas and opinions which are essential to the functioning of a democratic order, the press shall, as an institution, enjoy legal protection to ensure its operational independence and its capacity to entertain diverse opinions.

5. Any media financed by or under the control of the State shall be operated in a manner ensuring its capacity to entertain diversity in the expression of opinion.
6. These rights can be limited only through laws which are guided by the principle that freedom of expression and information cannot be limited on account of the content or effect of the point of view expressed. Legal limitations can be laid down in order to protect the well-being of the youth, and the honour and reputation of individuals. Any propaganda for war as well as the public expression of opinion intended to injure human dignity shall be prohibited by law.
7. Any citizen who violates any legal limitations on the exercise of these rights may be held liable under the law.

Article 30

The Right of Assembly, Demonstration and Petition

1. Everyone has the right to assemble and to demonstrate together with others peaceably and unarmed, and to petition. Appropriate regulations may be made in the interest of public convenience relating to the location of open-air meetings and the route of movement of demonstrators or, for the protection of democratic rights, public morality and peace during such a meeting or demonstration.
2. This right does not exempt from liability under laws enacted to protect the well-being of the youth or the honour and reputation of individuals, and laws prohibiting any propaganda for war and any public expression of opinions intended to injure human dignity.

Article 31

Freedom of Association

Every person has the right to freedom of association for any cause or purpose. Organizations formed, in violation of appropriate laws, or to illegally subvert the constitutional order, or which promote such activities are prohibited.

Article 32

Freedom of Movement

1. Any Ethiopian or foreign national lawfully in Ethiopia has, within the national territory, the right to liberty of movement and freedom to choose his residence, as well as the freedom to leave the country at any time he wishes to.
2. Any Ethiopian national has the right to return to his country.

Article 33

Rights of Nationality

1. No Ethiopian national shall be deprived of his or her Ethiopian nationality against his or her will. Marriage of an Ethiopian national of either sex to a foreign national shall not annul his or her Ethiopian nationality.

2. Every Ethiopian national has the right to the enjoyment of all rights, protection and benefits derived from Ethiopian nationality as prescribed by law.
3. Any national has the right to change his Ethiopian nationality.
4. Ethiopian nationality may be conferred upon foreigners in accordance with law enacted and procedures established consistent with international agreements ratified by Ethiopia.

Article 34

Marital, Personal and Family Rights

1. Men and women, without any distinction as to race, nation, nationality or religion, who have attained marriageable age as defined by law, have the right to marry and found a family. They have equal rights while entering into, during marriage and at the time of divorce. Laws shall be enacted to ensure the protection of rights and interests of children at the time of divorce.
2. Marriage shall be entered into only with the free and full consent of the intending spouses.
3. The family is the natural and fundamental unit of society and is entitled to protection by society and the State.
4. In accordance with provisions to be specified by law, a law giving recognition to marriage concluded under systems of religious or customary laws may be enacted.
5. This Constitution shall not preclude the adjudication of disputes relating to personal and family laws in accordance with religious or customary laws, with the consent of the parties to the dispute. Particulars shall be determined by law.

Article 35

Rights of Women

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 of such measures shall be to provide special attention to women so as to enable them to compete and participate on the basis of equality with men in political, social and economic life as well as in public and private institutions.
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.
 - a) Women have the right to maternity leave with full pay. The duration of 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.
5. Women have the right to full consultation in the formulation of national development policies, the designing and execution of projects, and particularly in the case of projects affecting the interests of women.

6. 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.
7. Women shall have a right to equality in employment, promotion, pay, and the transfer of pension entitlements.
8. 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, information and capacity.

Article 36

Rights of Children

1. Every child has the right:
 - a. To life;
 - b. To a name and nationality;
 - c. To know and be cared for by his or her parents or legal guardians;
 - d. Not to be subject to exploitative practices, neither to be required nor permitted to perform work which may be hazardous or harmful to his or her education, health or well-being;
 - e. To be free of corporal punishment or cruel and inhumane treatment in schools and other institutions responsible for the care of children.
2. In all actions concerning children undertaken by public and private welfare institutions, courts of law, administrative authorities or legislative bodies, the primary consideration shall be the best interest of the child.
3. Juvenile offenders admitted to corrective or rehabilitative institutions, and juveniles who become wards of the State or who are placed in public or private orphanages, shall be kept separately from adults.
4. Children born out of wedlock shall have the same rights as children born of wedlock.
5. The State shall accord special protection to orphans and shall encourage the establishment of institutions which ensure and promote their adoption and advance their welfare, and education.

Article 37

Right of Access to Justice

1. Everyone has the right to bring a justifiable matter to, and to obtain a decision or judgment by, a court of law or any other competent body with judicial power.
2. The decision or judgment referred to under sub-Article 1 of this Article may also be sought by:
 - a. Any association representing the Collective or individual interest of its members;
or
 - b. Any group or person who is a member of, or represents a group with similar interests.

Article 38

The Right to Vote and to be Elected

1. Every Ethiopian national, without any discrimination based on colour, race, nation, nationality, sex, language, religion, political or other opinion or other status, has the following rights:
 - a. To take part in the conduct of public affairs, directly and through freely chosen representatives;
 - b. On the attainment of 18 years of age, to vote in accordance with law;
 - c. To vote and to be elected at periodic elections to any office at any level of government; elections shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors.
2. The right of everyone to be a member of his own will in a political organization, labour union, trade organization, or employers' or professional association shall be respected if he or she meets the special and general requirements stipulated by such organization.
3. Elections to positions of responsibility with any of the organizations referred to under sub-Article 2 of this Article shall be conducted in a free and democratic manner.
4. The provisions of sub-Articles 2 and 3 of this Article shall apply to civic organizations which significantly affect the public interest.

Article 39

Rights of Nations, Nationalities, and Peoples

1. Every Nation, Nationality and People in Ethiopia has an unconditional right to self-determination, including the right to secession.
2. Every Nation, Nationality and People in Ethiopia has the right to speak, to write and to develop its own language; to express, to develop and to promote its culture; and to preserve its history.
3. Every Nation, Nationality and People in Ethiopia has the right to a full measure of self-government which includes the right to establish institutions of government in the territory that it inhabits and to equitable representation in state and Federal governments.
4. The right to self-determination, including secession, of every Nation, Nationality and People shall come into effect:
 - a. When a demand for secession has been approved by a two-thirds majority of the members of the Legislative Council of the Nation, Nationality or People concerned;
 - b. When the Federal Government has organized a referendum which must take place within three years from the time it received the concerned council's decision for secession;
 - c. When the demand for secession is supported by majority vote in the referendum;
 - d. When the Federal Government will have transferred its powers to the council of the Nation, Nationality or People who has voted to secede; and
 - e. When the division of assets is effected in a manner prescribed by law.
5. A "Nation, Nationality or People" for the purpose of this Constitution, is a group of people who have or share large measure of a common culture or similar customs, mutual

intelligibility of language, belief in a common or related identities, a common psychological make-up, and who inhabit an identifiable, predominantly contiguous territory.

Article 40

The Right to Property

1. Every Ethiopian citizen has the right to the ownership of private property. Unless prescribed otherwise by law on account of public interest, this right shall include the right to acquire, to use and, in a manner compatible with the rights of other citizens, to dispose of such property by sale or bequest or to transfer it otherwise.
2. "Private property", for the purpose of this Article, shall mean any tangible or intangible product which has value and is produced by the labour, creativity, enterprise or capital of an individual citizen, associations which enjoy juridical personality under the law, or in appropriate circumstances, by communities specifically empowered by law to own property in common.
3. The right to ownership of rural and urban land, as well as of all natural resources, is exclusively vested in the State and in the peoples of Ethiopia. Land is a common property of the Nations, Nationalities and Peoples of Ethiopia and shall not be subject to sale or to other means of exchange.
4. Ethiopian peasants have right to obtain land without payment and the protection against eviction from their possession. The implementation of this provision shall be specified by law.
5. Ethiopian pastoralists have the right to free land for grazing and cultivation as well as the right not to be displaced from their own lands. The implementation shall be specified by law.
6. Without prejudice to the right of Ethiopian Nations, Nationalities, and Peoples to the ownership of land, government shall ensure the right of private investors to the use of land on the basis of payment arrangements established by law. Particulars shall be determined by law.
7. Every Ethiopian shall have the full right to the immovable property he builds and to the permanent improvements he brings about on the land by his labour or capital. This right shall include the right to alienate, to bequeath, and, where the right of use expires, to remove his property, transfer his title, or claim compensation for it. Particulars shall be determined by law.
8. Without prejudice to the right to private property, the government may expropriate private property for public purposes subject to payment in advance of compensation commensurate to the value of the property.

Article 41

Economic, Social and Cultural Rights

1. Every Ethiopian has the right to engage freely in economic activity and to pursue a livelihood of his choice anywhere within the national territory.

2. Every Ethiopian has the right to choose his or her means of livelihood, occupation and profession.
3. Every Ethiopian national has the right to equal access to publicly funded social services.
4. The State has the obligation to allocate an ever increasing resources to provide to the public health, education and other social services.
5. The State shall, within available means, allocate resources to provide rehabilitation and assistance to the physically and mentally disabled, the aged, and to children who are left without parents or guardian.
6. The State shall pursue policies which aim to expand job opportunities for the unemployed and the poor and shall accordingly undertake programmes and public works projects.
7. The State shall undertake all measures necessary to increase opportunities for citizens to find gainful employment.
8. Ethiopian farmers and pastoralists have the right to receive fair price for their products, that would lead to improvement in their conditions of life and to enable them to obtain an equitable share of the national wealth commensurate with their contribution. This objective shall guide the State in the formulation of economic, social and development policies.
9. The State has the responsibility to protect and preserve historical and cultural legacies, and to contribute to the promotion of the arts and sports.

Article 42

Rights of Labour

1. a) Factory and service workers, farmers, farm labourers, other rural workers and government employees whose work compatibility allows for it and who are below a certain level of responsibility, have the right to form associations to improve their conditions of employment and economic well-being. This right includes the right to form trade unions and other associations to bargain collectively with employers or other organizations that affect their interests.

b) Categories of persons referred to in paragraph (a) of this sub-Article has the right to express grievances, including the right to strike.

c) Government employees who enjoy the rights provided under paragraphs (a) and (b) of this sub-article shall be determined by law.

d) Women workers have the right to equal pay for equal work.
2. Workers have the right to reasonable limitation of working hours, to rest, to leisure, to periodic leaves with pay, to remuneration for public holidays as well as healthy and safe work environment.
3. Without prejudice to the rights recognized under sub - Article 1 of this Article, laws enacted for the implementation of such rights shall establish procedures for the formation of trade unions and for the regulation of the collective bargaining process.

Article 43

The Right to Development

1. The Peoples of Ethiopia as a whole, and each Nation, Nationality and People in Ethiopia in particular have the right to improved living standards and to sustainable development.
2. Nationals have the right to participate in national development and, in particular, to be consulted with respect to policies and projects affecting their community.
3. All international agreements and relations concluded, established or conducted by the State shall protect and ensure Ethiopia's right to sustainable development.
4. The basic aim of development activities shall be to enhance the capacity of citizens for development and to meet their basic needs.

Article 44

Environmental Rights

1. All persons have the right to a clean and healthy environment.
2. All persons who have been displaced or whose livelihoods have been adversely affected as a result of State programmes have the right to commensurate monetary or alternative means of compensation, including relocation with adequate State assistance.

Article 90

Social Objectives

1. To the extent the country's resources permit, policies shall aim to provide all Ethiopians access to public health and education, clean water, housing, food and social security.

VITA AUCTORIS

I came out of my mother's womb while Ethiopian was suffering from famine under the monarchial regime. Grown up in the midst of famine under the military regime. I left Ethiopia while the military regime was in power. Canada became my home since the early part of the 90s. In there, being hunted by the memory of hunger, famine and political oppression, I passionately devoted my time, money and energy to find solutions to the multi-faceted problems facing Ethiopia. In Canada, I obtained my undergrad and graduate degree from the University of Windsor.