



# Comparing Bench Sheko Zone, Gidi Bench Woreda, and Bench People as Instances of Bench Ancient Cultural Affairs Impact on Female Fundamental Rights

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## Abstract

This study's overarching goal is to evaluate the impact of Bench traditional culture on women's human rights in Bench Sheko zone, Gidi Woreda Bench people. Men are viewed as being superior to women in traditional Bench culture. Women are viewed as disrespectful in society if they do not acknowledge the dominance of men. It is acceptable for men to propose to women. However, men assume that women who beg them to marry them are bad wives because of their bad behavior. The same goes for claims that divorce is an immoral act, especially when the spouse is actively involved in their wife's disease and complicit in it. Compared to men, women make fewer decisions. Women who subtly accept their husbands' decisions about the sale and exchange of the family's possessions are seen as good housewives. The majority of domestic labour is left to women in the traditional culture of the Bench people. The community ignores and belittles men who share the burden of household duties with their wives. Descriptive research design was employed in the study. For the investigation, primary and secondary data sources were both employed. The study's conclusions demonstrate that there are numerous traditional cultures that restrict the protection and implementation of women's human rights, including the long-standing cultural tradition of male dominance, the payment of brides (Tilosh), to women's families, the right to select one's spouse, the right to a divorce, the right to decide what should happen to family property, the right to equality, and the right to dignity. The traditional culture of the Bench people violates the human rights of these women.

**Keywords:** Rights of women, traditional culture, and human rights

## Introduction

### Backgrounds of the Study

The UN Charter and the Universal Declaration of Human Rights (UDHR) were ratified and adopted by Ethiopia in 1945 and 1948, respectively, as a member state. These international agreements outlaw harmful sexism in discrimination against women. Women have reportedly experienced several, diverse human rights violations. Therefore, it is imperative that they receive specific protections. Human rights for women have received considerable attention in international conferences, which have also resulted in significant governmental pledges to the protection and equality of women. The world conferences lay the framework for world conferences in the 1990s and saw unexpected activism on the part of women all around the world. Women's rights were discussed at the Fourth World Conference on Women, which was held in Beijing in 1995.

Human rights are fundamental entitlements granted to all people without distinction on the basis of their nationality, skin color, sex, ethnicity, or religion. At the international, regional, and national levels, these rights are recognized in a number of treaties and conventions. People's sense of identity, belonging, how to conduct themselves in daily life, and what

to do is shaped by their culture. It encompasses beliefs and living styles that affect societal attitudes and behaviors, and it can influence behavior, morale, and productivity at work. Members' values and ideas are reflected in the traditional cultural traditions that represent the accepted practices in the neighborhood. Every group in the world has specific customs, traditions, and ways of life. While some cultural customs and beliefs benefit all members of traditional society, others are detrimental to some groups, such as women.

All human rights are women's rights because both men and women are human. As a result, women's rights should be respected in the same manner as other human rights. Women's rights need the same kind of promotion and protection that other human rights do as human rights. In Ethiopia, women make up around half (49.9%) of the population. This demonstrates the need for women to be empowered and to exercise all of their rights if the nation is to develop at the anticipated rate. This means that women should be encouraged, given an equal opportunity to succeed, and allowed to fully develop their ability, creativity, and intellectual capacity in all areas of the development process. The emphasis must be on the effective implementation of

the rules and regulations passed to uphold the rights of women and eliminate barriers.

Traditions are well-established patterns of conduct and practices that are frequently passed down within a community over many generations and are carried out in accordance with the beliefs and values held by community members. Culture is the entire composite of unique religious, material, intellectual, and emotional characteristics that define a civilization or a social group. It covers the arts, lifestyles, fundamental human rights, value systems, and various customs and religious beliefs. The main sources of identification among ethnic groups are found in the cultural context of identity. Therefore, the environment of change and extreme vulnerability adds new difficulties to our ongoing search for global human rights protection. Traditional culture serves as a foundation for self-expression, feeling of group identification, and self-definition. Cultural identities alter the norm as civilizations come together and interact. While unsettling, this process can be motivating. Fundamental changes that define and express cultural variety are reflected in the present-day insecurity of cultural identity. One might infer from Ethiopia's amended family code that the basic requirements for marriage were the permission of the prospective spouses and the applicant's age. Women have the same rights as men to inherit their family's property, according to the Ethiopian Civil Code.

### Statement of the Problem

The Protocol to the African Charter on the Rights of Women in Africa is certain that any cultural or traditional practice that jeopardizes women's ability to develop normally and, as a result, has an adverse impact on their physical and psychological development, should be abhorred. To guarantee that women's rights are upheld, supported, and fully realized so that they can fully exercise all of their human rights, they are committed to doing so. According to Article 1 of the United Nations Charter, "Human rights are protections for all human beings who are unrestricted by their humanity, regardless of their social situation. The fundamental tenets of the UN encourage the achievement of international cooperation in promoting and supporting respect for all women's fundamental freedoms and human rights, regardless of their sex, language, religion, or race.

When Ethiopia incorporated a book governing family issues in its civil code in 1960, it did so for the first time in her legal system, enacting a statute to advance the protection of women. The practice of eliminating all forms of discrimination against women and respecting fundamental human rights are two ways to achieve equality between men and women. However, during their lives, women all around the world frequently have their human rights violated.

First, women have the right to a supportive cultural environment, as stated in the Protocol on the Rights of African Women's Article 17; women have the right to live in a supportive cultural environment and to participate in the formulation of cultural policy at all levels. But in the traditional culture of the Bench, women receive little consideration when it comes to sharing the load of domestic chores with males. Women still have a difficult time asserting and ensuring their rights to be protected realistically, notwithstanding considerable advances in the formal legislative acknowledgement of their right to land and other properties. This demonstrates that women in Bench society do not live in a favorable cultural setting that protects their human rights.

Second, the majority of women's families in traditional Bench culture choose their marriage partner. In contrast to the African Charter on Human and Peoples' Rights of Women in Africa, article 6 sub articles, it is understandable that women in Bench people do not fully use their right to choose their spouse. According to the article, member States shall put equality above gender in practice and law. Women and men are viewed as equal partners in marriage in the eyes of the law. They must implement the proper national legislative safeguards for marriage. As a result, no marriage is allowed without both parties' free and informed consent. The legal minimum age for women to get married is 18, and monogamy is recommended as the ideal type of union. Women's human rights in marriage and parenthood, especially in polygamous marriages, are supported and safeguarded by legislation. From the amended family code of Ethiopia, it is clear that age and permission of the spouses are the two main requirements for marriage. However, in traditional cultural marriages among the Bench people, which are an illegal custom, neither the agreement of the woman nor the age of their partner is taken into account. However, since the men's family received the consent of the women's family, they decided to have a marriage relationship with their daughter. Out of consent and uneven age marriages are prevalent. The bench people engage in this behavior because it is driven by their culture. Additionally, since males have the financial means to control the women they have acquired through bigamy, it is a common practice among Bench people.

### Objectives of the Study

- i). To determine how well-informed the Bench Sheko Zone Gidiworeda Bench population is on women's human rights.
- ii). To comprehend how the Bench Sheko Zone Gidiworeda Bench people currently practice their culture in connection to women's human rights.
- iii). To investigate how Bench Sheko Zone, Gidiworeda Bench people feel about traditional culture as it relates to women's rights.
- iv). To determine the different traditional cultures that have an impact on the human rights of women among the Bench People in Gidi Bench Woreda.

### Methodology

The researcher employed a descriptive research design for this investigation. Studies that describe the traits of a certain person or group are referred to as descriptive research studies. In order to evaluate the impact of Bench traditional culture on the protection of women's rights in Gidi Bench Woreda and the promotion of women's rights in connection to Bench traditional culture

**Research Approach:** In order to determine the meaning of a phenomenon from the perspectives of participants speaking in their responses, the researcher in this study employed a qualitative approach that includes an ethnographic design and behavior observation. The strategy made it easier for the researcher to perform the study using open-ended interviews and narration. The researcher used a narrative strategy to collect data on an individual basis for this study. That implies that people will be thoroughly interviewed to learn about their own experiences with Bench traditional culture.

### Data Sources

The researcher has used both primary and secondary data sources to examine how women perceive the Bench Tradition

culture's views on the burden of domestic labour, marriage, women's dignity, and freedom of travel. The main sources used in this study were woreda justice chiefs, kebele justice heads, kebele elders, and religious fathers, including women. Focus group discussions were held with the chosen kebele justice chiefs and woreda court prosecutors, while interviews were held with chosen kebele known elders and religious fathers, including women. The secondary sources came from legal texts such various codes, articles, the constitution, conventions, declarations, treaties, proclamations, and protocols. Journals, books, websites, published and unpublished theses, and reports from the woreda were also used to support the primary data.

### Finding of the Study and analysis

#### Women's Knowledge of their Rights

Increasing awareness of human rights inspires and supports women in claiming their protection. It can be utilized as a tactic by justice bodies at various levels who are working to safeguard women's human rights in order to promote the protection and implementation of those rights in practice.

"Government organizations should work with NGOs, civil society organizations, and religious institutions to spread awareness of women's rights. Women ought to likewise, take part in community debates and campaigns to raise awareness in order to teach children about their rights and exhort them to defend and denounce any violations of those rights violated." Because most women do not vehemently assert their equality with men, ordinary people women have limited awareness of their fundamental human rights, according to the focus group discussion participants. Some men regularly torment their wives using both valid and invalid justifications in the traditional cultural way of life. When men had overindulged in alcohol, the majority of torture cases resulted in convictions. Women occasionally suffer from eye loss, broken hands, legs, and teeth. Due to their bad behavior toward their wife, those who are guilty may not be brought before a court. They continued their guilty behavior toward their wife despite being arbitrated on a cultural level with her. This demonstrates that women do not fully understand how to protect their human rights and the law against cruel treatment. Article 25 of the EFDRE Constitution, which is directly related to this, states that "all persons are equal before the law and are entitled to the equal protection of the law without any discrimination." In this regard, the law has ensured that all people are given equal and effective protection without distinction based on race, nation, nationality, or other social origin, color, sex, language, religion, political opinion, property, birth, or other position.

#### Conclusions

- i). The ladies of the Bench community are generally less informed of their fundamental human rights. They made it clear in their expression why they have a poor awareness level. They cited that the majority of women are uneducated, and as a result, they are less aware of fundamental human rights.
- ii). In traditional Bench culture, women are not allowed to use their ownership rights over their possessions, which can be transferred and sold. The role of women in the exchange of their family's mobile and immovable property (housebound and wife) is too legal.
- iii). In traditional Bench culture, men and women are treated with different levels of dignity. Women have slightly less dignity than men, on average.

- iv). The traditional culture of the Bench does not fully grant women the freedom to choose their spouses; in certain cases, the woman's parents make this decision for her without asking her or getting her permission. After that, they compel her to marry against her will.
- v). The majority of domestic tasks are handled by women. Men don't participate in household chores like caring for kids, cleaning the house, cooking, getting the water, or taking care of pets.
- vi). Traditional culture in the Bench has a severe impact on the education of women. Within-the-home activities keep women busy. As a result, kids are unable to concentrate on their schoolwork. As a result, they do not succeed in school.
- vii). When a woman's first husband passes away, in traditional Bench culture, she will be handed to his brother against her choice, a practice known as "barth" that allows the woman to bear children for her husband's family. These are the detrimental effects of traditional Bench culture on how women's rights should be implemented. They are also placed outside/away from home/for roughly a week when their menstruation/period/appears. This exposes them to additional hardship and disease.
- viii). The neighboring court provides bench women with the ability to argue and present their human rights. The fundamental shortcoming, however, is that they lack knowledge, instruction, expertise, and capacity to depend on their fundamental human right before the court.
- ix). To lower the cost of high expenses for women and the entire society, the government has established various judicial branches at the local level. The government has formed various justice bodies at the federal, regional, zonal, woreda, and kebele levels in accordance with these court branches to support the work of the courts in advancing the rights of women.

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