

QUIZZES IN ETHIOPIAN FAMILY LAW

ANSWERS

Answers to the Quizzes in Vol. VIII No. 1

Ato Abraham Kibrom, from Asmara, is the winner of the Journal of Ethiopian Law's first quiz. His very good answers to the first problem are printed below. He will receive a gratis subscription to Vol. IX of the Journal of Ethiopian Law and off-prints of the published answer.

For those interested in the quizzes we also publish the answers of Professor Krzeczunowicz who was the author of the quizzes.

1. ANSWER TO THE FIRST PROBLEM

BY ABRAHAM KIBROM

Parliament's reversal to the effect that the bond of affinity subsists notwithstanding that the marriage creating such bond is dissolved - Art. 555.

1. has prohibited marriage between persons related by affinity even though the marriage which created the affinity is dissolved - Art. 583.

2. has made the obligation to supply maintenance not to subsist in case the bond which created the affinity has been dissolved by divorce - Art., 809.

2. ANSWERS BY G. KRZECZUNOWICZ

Without participating in the contest or affecting its result, the author of the quizzes hereby proposes the following answers to the four problems involved:

PROBLEM 1

QUESTION 1

The effect of the reversed rule is to *extend* the effects of the (non-reversed) Article 583 beyond marriage-dissolution.

QUESTION 2

The effect of the reversed rule is to *extend* the effects of the (non-reversed) Article 808(1) in fine beyond marriage-dissolution, except in the case of divorce (Article 809).

PROBLEM 2

QUESTION 1

The allegation of redundancy is right. Reason: The wording of Article 852 excludes all persons *other* than relatives or the State from (intestate) succession. For

example, the spouse is excluded despite absence of a specific rule to this effect. The presence of such a rule in relation to the concubine (irregular union) adds nothing to the law: Article 713 is redundant.

QUESTION 2

The decision is wrong. Reason: The rule of Article 713 is not infringed, since it is *not* the "irregular union" but the juridical act called will or testament that has created the legacy (Article 909(1-b) cum 912).

PROBLEM 3

QUESTION 1

Article 591(c) concerns:

- (i) *not the effects* of marriage, but the conditions for its valid conclusion, and
- (ii) *not the consummation* of marriage, but errors regarding the others spouse's incapacity to consummate it.

QUESTION 2

Article 696(3) concerns the effects *not of marriage* but of its dissolution.

PROBLEM 4

We choose the proposition *No. 4* for the reasons given in K. O'Donovan, "Void and Voidable Marriages in Ethiopia", *Nj. Eth. L.* (1972), Vol. 8, No. 2.