

Weaknesses of Ethnic Federalism in Ethiopia

Siraw Megibaru Temesgen

Abstract : *Ethnic federalism has been exploited to plant division among ethnic groups so as to institutionalize and facilitate rule by the TPLF and other politically affiliated groups, representing a small proportion of the population. Under the cover of ethnic federalism, the “divide and rule strategy” of the TPLF/EPRDF regime, weaken interregional and interethnic cooperation, and exacerbate conflict. The strategic government action to crack-down unity over cross-cutting cleavages such as religion, common historical experiences and national feelings increases the vulnerability and risk of interethnic conflict and national disintegration. The administration is federal only in a structural sense, top-down policy directions control lower level activities and challenge regional autonomy. The power of regional states to provide contextual local decisions is minimal. Conflict is still prevalent at the lower level especially in those regional administrations where multiple ethno-linguistic groups are found. In those regions, the rights of the minority are not protected; and access to resources and the right of political representation of out-group members, as per the principles of ethno-linguistic self-administration, are often denied. The contradiction between citizenship (individual) rights and group (cultural) rights has not been solved and caused protracted conflict in many of multi-ethnic regional states. The ethnic tension and conflict among dominant group are often politically manipulated in order to fracture potential political alliances that might threaten the political supremacy of TPLF. The consociational principle of power sharing, e.g., mutual veto, proportionality and quota should be used to mute ethno-political conflict by avoiding violent decision against the rights of the minority (either ethnic or political). Common historical experiences, religion and other cross-cutting cleavages should be promoted so as to enhance common values, cooperation and coexistence.*

I. Background

Sub-Saharan Africa is the scene of a quarter of the world’s conflicts (Conflict Barometer, 2014). Most of these conflicts are intrastate and currently occur in Central and Eastern Africa. In Sub-Saharan Africa three coup attempts were recorded in 2014 (Conflict Barometer, 2014). Even though it characterizes many African countries, communal conflict is not common in most of modern multi-ethnic societies (Shoup, 2008). In the most ethnically diversified African country, Nigeria, conflicts are strongly rooted in ethnic differences, arising among the national majority Hausa-Fulani peoples and Yoruba-speaking peoples of the southwest and Igbo (Ibo) peoples in the southeast. The tension between the Southern Christian and Muslim north has been also significant. Ethno-racial politics and regionalism are also part of the recent history of South Africa (Dickovick, 2012).

In Africa, the persistence, exacerbation and intensity of ethnic tension and conflict is mainly caused by ethnicization of state institutions, and ethnic clientelism where different groups fight to place their own representatives in key political and economic positions (Jinadu, 2007). In response to such dynamic intrastate confrontation, some African countries, such as South Africa, Nigeria and Ethiopia have adopted a federal system. However, still all forms of intrastate conflict including identity-state struggle, and communal conflict are prevalent and terrible. The persecution and expulsion of out-group members also become common in many African states (Teshome and Záhořk, 2008). Thus, African countries are still challenged to find governance system conducive for diversity management safeguarding both group rights and individual liberties (Mengisteab, 2011).

Ethiopia is a diversified nation with more than 80 ethnic groups. No single ethnic community in Ethiopia constitutes more than 50% of the country’s population. However, the Oromo, Amhara, Somali and Tigre are the major ethnic groups with significant proportions, 34.5%, 26.9%, 6.2% and 6.1% respectively (Central Statistics Agency, 2008). Except in a few urban areas such as the capital city of Addis Ababa, most ethnic communities predominantly live in their respective distinct geographic areas (Tewfik, 2010). Most of Ethiopia’s communities are divided by crosscutting cleavages such as religion. The major religions, Orthodox Christianity and Islam, certainly had a moderating role by limiting the intensity of ethnic tensions and conflict (Tewfik, 2010).

The attempt to establish a centralized modern state by Emperor Tewodros realized by the successful conquests and expansions of Emperor Menelik II had expanded the kingdom of Shewa and established modern Ethiopia as a unitary and centralized state. Together with the establishment of the modern Ethiopian state, the domination of the Amhara rulers and cultural assimilation continued during Emperor Haile Selassie's (1930-1974) and the Derg's regimes (1975-1991). However, the central administration of the Derg junta has faced strong resistance by ethnic liberation movements at the periphery (Tewfik, 2010). Intrastate conflicts were experienced in Ethiopian history between the central government and local governors urging for decentralization and autonomy. With the victory of national liberation movements over the military regime in 1991, the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF) designed ethnic federalism following the enactment of the 1994 constitution to solve the problem experienced in the previous centralized unitary administration (Adegehe, 2009). Therefore, this paper aims to examine strengths and weaknesses of ethnic federalism in addressing the problem of previous unitary administration with particular emphasis on ethnic antagonism and conflict; promoting the cultural or/and group rights of multiethnic groups; enhancing the coexistence of different groups and the experience of autonomy among ethnic based lower level administrations.

II. Federalism as a Tool for Conflict Management in Divided Societies

Despite the horrific experience of interethnic conflict and disintegration in the former USSR and Yugoslavia federations, federalism is still popular for reconciling unity and diversity under a single political system. The academic debate and experiment of this system of administration is ongoing. In the USA, Switzerland, Canada and Australia, federalism and political decentralization contribute to regional stability by sharing power with the lower levels of government to decide on their own affairs (Teshome and Záhořík, 2008). In contrast to these cases some scholars (eg. Kymlicka, Osaghae and Mamdani in Teshome and Záhořík 2008) argue that ethnic federalism accentuates ethnic conflicts, facilitates secession, and eventually leads to the disintegration of countries. It could overemphasize centrifugal forces at the expense of centripetal ones as shown practically in the Soviet Union (1991), Yugoslavia (1991) and Czechoslovakia (1993) where federalism failed to prevent countries from disintegration. Erk and Anderson (2009) also mention the long-term effects of self-administration in promoting ethnic consciousness that strengthens distinctiveness, feelings of in-group and out-group and providing institutional backup for competing nationalists to eventual secession.

III. Ethnic Federalism in Ethiopia

The federal system of governance was established along ethno-linguistic lines by the transitional government of Ethiopia after the defeat of the Derg regime in 1991. The transitional charter of the transitional government recognized Eritrea's secession and the rights of nations and nationalities to self-administration up to and including succession. The 1994 constitution of the Federal Democratic Republic of Ethiopia (FDRE) considers ethnic contradiction as the primary problem in the country's politics and reaffirms ethnic federalism with the right to self administration for all regional states including the right to secession (Adegehe, 2009).

The Ethiopian People's Revolutionary Democratic Front (EPRDF) constitution establishes a federal state structure composed of two distinct entities, the federal state and the regional entities. According to the 1994 constitution, both the federal and regional states establish their own institutional organs, legislative, executive and judicial bodies and exercise autonomous power within their sphere of influence. It recognizes nine regional states and two city administrations. These include Tigray, Afar, Amhara, Oromia, Somali, Benishangul-Gumuz, Southern Nations, Nationalities and Peoples, Gambela and Harari, and Addis Ababa and Dire Dawa city administrations. Regional states are divided hierarchically into zones, woredas, special-woredas and kebeles. The 1994 constitution states that the federal and regional governments are required to respect the power of one another (Art. 50(8)). However, the interference of the federal government on the regional states, and the interference of state organs especially the executive in other organs at both regional and federal state level are tacitly established in the federal constitution and observed in the practical implementation of the ruling government.

The 1994 EPRDF constitution as stated in article 39 (2) recognizes the cultural rights of all ethnic groups "...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". Regional entities have given an exclusive power to determine their own working language (Tewfik, 2010). Many ethno-linguistic groups become visible and eager to promote their own unique identity either for recovering their values or for political and economic advantage. In principle, in its Article 39(3), the EPRDF constitution also allows the right to self-administration and equitable representation at both the regional and federal levels of government. In contrast to the previous regimes, significant improvement has been shown in power devolution from the central government to the regional states.

IV. Weaknesses of Ethnic Federalism

In spite of the rationality of the federal administration in managing the complex ethno-linguistic diversity of the country and reducing conflicts; ethnic competition and conflicts are still critical challenges in the country. According to the 2013 global peace index report measuring countries' peacefulness, Ethiopia is ranked 38th and 146th in Sub-Saharan Africa countries and worldwide respectively with a 2.63 overall score on a 1-5 scale.

The federal structure is responsible for many communal and identity conflicts. These conflicts are associated with issues related to self determination/secession, the politics of resource sharing, political power, representation, identity, citizenship, ethnic and regional boundaries and others. The drawing of boundaries led to the generation of violent conflicts among various ethnic groups and almost in all border areas of regional states. Due to the protracted natures of border disputes, the Somali, Afar and Oromia regions established permanent bureaus dealing with border affairs (Adegehe, 2009).

In contrast to Amhara, Oromo and Tigray regions, where a single group constitutes the majority of the regional population, intraregional conflicts have been violent and more widespread in the multi-ethnic regions such as the Somali, Southern Nations, Nationalities and Peoples region, Gambela and Benishangul-Gumuz. The new systems of entitlement introduced as part of ethnic federalism allows access to resources and other regional opportunities only to those who live in their designated ethnic homelands whereas those who find themselves out of their designated ethnic homelands became non-titular and were denied access to regional resources and opportunities. The narrowed regional and local citizenship to the level of primordial ethnicity frequently led to conflict between the titular and the non-titular groups (Abbink, 2011; Adegehe, 2009).

The risk of discrimination among regional states with one big majority (Somali, Oromiya, Tigray, Amhara and Afar) and regional states lacking such an ethnic majority (Benishangul-Gumuz, the Southern Nations, Nationalities and Peoples Regional State) and regional states of titular minority (Harari) is highly critical. The political rights of those non-indigenous people are undermined and overridden by group rights (Gebremichael, 2012). Following the introduction of ethno-federalism and political manipulation of ethnic identity by local cadres, the relationship among those ethnic groups exposed to confrontation and violence. The involvement of local politicians has been visible after the 2005 national elections in Gida-Kiramu *woreda* in Wollega, where a few thousand Amhara farmers were chased, their land was confiscated and they were forced to take refuge elsewhere (Abbink, 2006). Similarly, the Amhara ethnic group has been evacuated from Guraferda Woreda with the ethnic based self-administration as per the contradicting principles of Ethiopian constitution. Many of the Oromo, Amhara, Tigray and other outsiders have been intimidated and forcefully displaced from Benishangul-Gumuz and Gambela regional states as per the principle of self-determination recognized by the EPRDF constitution (Adimassu, 2013).

The forced migration of non-residents and subsequent violence of basic human and democratic rights, death, and confiscation of property were often caused by ethnic competition and confrontation over local resources and political positions. Adimassu (2013) underlined that this political action violates the right to freedom of movement and residence including the right to freedom from forced displacement and evictions mentioned in the EPRDF constitution and civil code, criminal code, and immigration law of Ethiopia. The evacuation of people at different corners of the country mentioned above are caused by ethnic tension and conflict agitated by local politicians aiming at fracturing potential political alliances that might threaten the political supremacy of TPLF. It is claimed that the confrontation between the two dominant ethnic groups (Oromo and Amhara) is highly political and often manipulated as part of the divide and rule tactics of the TPLF, representing 6.1 % of the population.

The overriding ethno-linguistic identification empowered by ethnic federalism freezes other forms of identification and association, such as citizenship, occupation, religion, class and gender (Abbink, 2011). The deterioration of such cross-cutting cleavages incites ethnic confrontation, conflict and disintegration. The political manipulation of contentious historical relations among different groups as a divide and rule principle of the EPRDF government blurred commonalities and aggravated ethnic tensions and confrontation especially among the politically dominant ethnic groups, the Amhara and Oromo people. The EPRDF government is being accused of manipulating those cross-cutting cleavages especially religious institutions in weakening united opposition. Recently, religious division and antagonism among the two major religions, Orthodox Christianity and Islam is becoming common.

Adegehe (2009) argues that conflict in Ethiopia persists over different systems of administration, including the EPRDF regime. However, after the introduction of ethnic federalism, the warfare between the nationalist/secessionist movement groups and the central government transferred to communal/interethnic conflicts which are more devastating and difficult to settle. Teshome and Záhofík (2008) also argue that ethnic federalism has failed to solve ethnic conflicts, still common in regional border areas, resettlement sites and universities, composed of different ethnic groups. Hagmann and Abbink (2011) support the argument that political polarization and ethnic computation have been prevalent for the last two decades, in the period of ethnic federalism. Abbink (2006) criticizes the EPRDF ethnic federal administration as a failed strategy in providing long-term solution for protracted conflicts. He argues that the relative silence of armed conflict between separatists and the central government is not the result of ethnic federalism but rather the result of military suppression.

According to Article 39(1) of the Ethiopian constitution, every ethno-territorial community has "an unconditional right to self-determination, including the right to secession". This article is rationalized by the ruling political leaders as aiming to ensure the confidence of regional entities by recognizing the extreme freedom of self-determination when they feel that their constitutional rights have been violated. However, the practicality of this article is still contentious and debated by different politicians and academicians, and accused for the revival of secessionists at different corners of the country. Teshome and Záhofík (2008) argue that article 39 empowered ethnic-based organizations in the country that have secessionist programs such as the Ogaden National Liberation Front (ONLF) and the Oromo Liberation Front (OLF) by exercising the right to self-determination. The conflict between the government and secessionists is still common and has caused the death of government soldiers, secessionists and civilians. Armed secessionists revived, for instance, the Ogaden National Liberation Front (ONLF) and the Oromo liberation (OLF) with the failure of ethnic federalism in developing a peaceful inclusive political atmosphere (International Crisis group, 2009; Adegehe, 2009). Currently, Tigrayan People's Democratic Movement, Ethiopian People Patriotic Front EPPF; Ginbot 7 Movement for Justice, Freedom and Democracy G7; the Amhara Democratic Forces Movement (ADFM) are some among those who use arms to fight the current ruling government, some of them after the 2005 fraudulent election. The grievance and confrontation of all these armed groups against the current ruling government is an indication of the failure of the ethno-linguistic federal administration in accommodating political and ethnic differences.

In Ethiopia, the role of ethnic federalism as a way to check and balance power is insignificant. The subsequent fraudulent elections and political, military and economic advantage of TPLF and other EPRDF coalition parties over opposition parties contribute to the existing weak political and democratic institutions supposed to underpin the separation of powers and to control the activities of the executive bodies and the interventions of the federal government in the affairs of the regional states. The right of opposition parties to control the approval of decisions violating their ethnic group is almost nil at all levels of government, federal, regional, and zonal. The rights of minority groups are not protected. The 1994 EPRDF constitution, the backbone of ethnic federalism, does not allow veto power for the minority representatives within or across parties. The checks and balance system among different state organs is weak and much power is vested in the hands of executive organs. Such constitutional deficiencies provide favorable conditions for the ruling party to act above the constitution and suppress democratic principles, thus causing the discrimination, conflict and underdevelopment of certain communities.

Policies and implementation strategies are highly centralized where regional states replicate policies from the center (Keller, 2003). Similarly, the International Crisis Group (2009) reports the critical risk of EPRDF centralized apparatus over regional and local autonomy and the extensive patronage system and the use of force for democratization. According to this report EPRDF policies and strategic decisions are imposed on the smallest administrative level, Kebele, from the federal ministerial offices, most of them occupied by TPLF, representatives of 6.1% of the population. According to Teshome and Záhofík (2008) the administration in Ethiopia is federal only in a structural sense and Abbink (2011) also confirmed their argument that the federal system is nominal, where central control and top-down rule preclude local initiative and autonomy.

The right to ethno-national self-determination granted by ethnic federalism provides the opportunity to appoint local government officials from their own ethnic (Hagmann and Abbink, 2011). Such administration affects the quality of the bureaucracy especially in regional states with limited expertise. Granting self-administration to dominant ethnic groups thus created new minorities. This has been particularly acute for Amharas and Gurages, who live in cities and across the country (International Crisis Group, 2009). Ethnically defined administrations violate political liberties, human rights and economic equality (Abbink, 2011).

V. Policy Directions

In federal state administration, strong institutions, effective policies and unifying symbols need to be set in place together with an independent and impartial judicial system that ensures the protection of minority rights, the rule of law and the secularity of the state. Inclusive political institutions protecting the rights of the minority could reduce their involvement in violent activities and subsequent state repression (Mengisteab, 2011). Such institutions are also crucial to transform conflict and enhance regional integration. The federal administration has to be supported by an inclusive constitutional framework, effective enforcement mechanisms, transparent and accountable governments. Governing elites must abide by constitutional rights and responsibilities and perform through institutional procedures and be accountable to their activities.

Consensus-based structures of political and economic governance could address the factors for diversity-based conflicts. Well-functioning and autonomous democratic institutions are required to facilitate checks and balances and accountability across different organs including the executive bodies and also provide inclusive and contextual decisions that would serve as a venue for diversity management and reduce contradiction and conflict. Institutionalization of the politics of accommodation and democratic bargaining would reduce ethnic antagonism and promote trust, dialogue, tolerance and recognition of differences, moderation and cooperation as critical engines of coexistence (Jinadu, 2007). Consociational democracy, promoting the political culture of accommodation, can be an alternative mechanism to prevent potential sources of conflict such as unequal and arbitrary distribution of political and socio-economic opportunities (Smootha and Hanf, 1992). Consociational power sharing is highly appropriate especially in those multiethnic regional states where the political decentralization does not coincide with ethnic boundaries. Such political culture of accommodation would improve trust and confidence across members of different ethnic groups and eventually discourage the fear of domination (Jinadu, 2007).

Aalen mentioned the idea of common citizenship as a favorable condition for ensuring coexistence in divided societies. Despite their diversity, distinctive groups live in peace, as a community of citizens, cooperating with each other in order to advance their mutual wellbeing (Mengisteab, 2011).

References

- [1] Aalen, L. (2002) "Ethnic Federalism in a Dominant Party State: The Ethiopian Experience 1991-2000", *CMI Report, No. 2*, <http://www.cmi.no/publications/file/769-ethnic-federalism-in-a-dominant-party-state.pdf> (Last consulted: 12 May 2015).
- [2] Abbink, J. (2006) "Ethnicity and Conflict Generation in Ethiopia: Some Problems and Prospects of Ethno-Regional Federalism", *Journal of Contemporary African Studies*, 24(3): 389-413.
- [3] Abbink, J. (2011) "Ethnic-based Federalism and Ethnicity in Ethiopia: Reassessing the Experiment after 20 Years", *Journal of Eastern African Studies*, 5 (4), 596-618.
- [4] Adegehe, A. K. (2009) "Federalism and Ethnic Conflict in Ethiopia: A Comparative Study of the Somali and Benishangul-Gumuz Regions", Doctoral Thesis, Department of Political Science, Leiden University.
- [5] Adimassu, Y.G. (2013) "Implication of Ethiopian Federalism on the Right to Freedom of Movement and Residence: Critical Analysis of the Law and the Practice", Master's Thesis, Addis Ababa University.
- [6] Bindebir, S., Handshin, M., Jovanovic, M., and Rieck, C. E. (2003) "Federalism, Decentralization and Conflict Management in Multicultural Societies-international community", In *EcoMod2003, the International Conference on Policy Modeling*: 3-5, Hotel Conrad, Istanbul.
- [7] Braathen, E., and Hellevik, S. B. (2008) "Decentralization, Peacemaking, and Conflict Management: from Regionalism to Municipalism", *Journal of Peace, Conflict and Development*, 12.
- [8] Center, C. (2009) "Observing the 2005 Ethiopia National Elections: Carter Center Final Report", https://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/Ethiopia-2005-Finalrpt.pdf (Last Consulted: 13 May 2015).
- [9] Central Statistics Agency (2007) "Summery and Statistical report of the 2007 population and Housing Census", Addis Ababa, Ethiopia, http://ecastats.uneca.org/aicmd/Portals/0/Cen2007_firstdraft.pdf (Last Consulted: 15 May 2015).
- [10] Conflict Barometer (2014): The Heidelberg Institute for International Conflict Research, University of Heidelberg, Germany, http://hiik.de/en/konfliktbarometer/pdf/ConflictBarometer_2014.pdf (Last consulted: 11 May 2015).
- [11] CONSTITUTION OF THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA (1994), <http://www.wipo.int/edocs/lexdocs/laws/en/et/et007en.pdf> (Last consulted:12 May 2015).
- [12] David Cameron, D. (2009) "The Paradox of Federalism: Some Practical Reflections", *Regional & Federal Studies*, 19 (2):309-319.
- [13] Dickovick, J. T. (2012) "Comparative Federalism in Africa: Implications for Theory", In *APSA 2012 Annual Meeting Paper*, http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2104723 (Last consulted: 11 May 2015).
- [14] Erk, J. and Anderson, L. (2009) "The Paradox of Federalism: Does Self-Rule Accommodate or Exacerbate Ethnic Divisions?", *Regional & Federal Studies*, 19(2):191-202 <http://www.tandfonline.com/doi/pdf/10.1080/13597560902753388> (Last Consulted: 10 May 2015).
- [15] Gebremichael, M. (2012) "Federalism and Conflict Management in Ethiopia: Case Study of Benishangul-Gumuz Regional State", Doctoral Dissertation, Department of Peace Studies, University of Bradford.
- [16] Global Peace Index (2013) "Measuring Peace and Assessing Country Risk", Institute for Economics and Peace, <http://www.visionofhumanity.org/sites/default/files/2014%20Global%20Peace%20Index%20REPORT.pdf> (Last consulted: 12 May 2015).

- [17] Hagmann, T. and Abbink, J. (2011) "Twenty years of revolutionary democratic Ethiopia, 1991 to 2011", *Journal of Eastern African Studies*, 5(4): 579-595.
- [18] <https://bradscholars.brad.ac.uk/bitstream/handle/10454/5388/Final%20version.pdf?sequence=1&isAllowed=y> (Last Consulted: 11 May 2015).
- [19] International Crisis Group (2009) "Ethiopia: Ethnic Federalism and Its Discontents", *Africa Report No.153*, <http://www.crisisgroup.org/~media/Files/africa/horn-of-africa/ethiopia-eritrea/Ethiopia%20Ethnic%20Federalism%20and%20Its%20Discontents.pdf> (Last consulted: 13 May 2015).
- [20] Jinadu, L.A. (2007) "Explaining and Managing Ethnic Conflict in Africa: Towards A Cultural Theory of Democracy", *Claude Ake Memorial Papers No. 1*, Department of Peace and Conflict Research Uppsala University, Nordic Africa Institute Uppsala, http://www.oozebap.org/biblio/pdf/2011/adele_jinadu.pdf (Last Consulted: 12 May 2015).
- [21] Keller, E. (2003) "Ethnic Federalism and Democratization in Ethiopia", *In Horn of Africa*, 21:30-43.
- [22] Mengisteab, K. (2010) "Diversity Management in Africa: Findings from the African Peer Review Mechanism and a Framework for Analysis and Policy-Making", *Geneva: United Nations, Economic Commission for Africa Governance and Public Administration Division*, <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.233.869&rep=rep1&type=pdf> (Last Consulted 11 May 2015).
- [23] Shoup, B. (2007) *Conflict and Cooperation in Multi-Ethnic States: Institutional Incentives, Myths and Counter-Balancing*, Routledge.
- [24] Smootha, S. and Hanf, T. (1992) "The Diverse Mode of Conflict Regulation Mechanism in Deeply Divided Societies", *International Journal of Comparative Sociology*, 33:1-2.
- [25] Teshome, W. and Záhořík, J. (2008) "Federalism in Africa: The case of Ethnic-based Federalism in Ethiopia", *International Journal of Human Sciences*, 5(2).
- [26] Tewfik, H. (2010) "Transition to Federalism: The Ethiopian Experience", *In Forum of Federations*, Ottawa, Canada, http://www.forumfed.org/pubs/occasional_papers/OCP5.pdf (Last consulted: 13 May 2015).
- [27] UN (2012) *Concluding Observations (2012) E/C.12/ETH/CO/1-3*, Committee on Economic, Social and Cultural Rights, http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E/C.12/ETH/CO/1-3&Lang=En (Last consulted: 20 May 2015).