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Ethnic Federalism in Ethiopia: Genuine Federalism or Divide and Rule?

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Introduction

Ethnic federalism is certainly a new system of governance in Ethiopia, where a unitary structure was the hallmark of the old multi-national state throughout its evolution and where power had been concentrated in the hands of the few at the centre. Many people sought some form of federalism instead of the weary unitary state of Ethiopia but not the unprecedented ethnic federalism that we see since 1991. In fact, this strangely ethnic based form of federation, owing to the complexities it entailed, was unthinkable to most people except the elite of the TPLF and some other like-minded ethnic entrepreneurs. This raw ethnic federalism was introduced by the current ruling party, the Ethiopian People's Revolutionary Democratic Front (EPRDF), whose core component is the ethno-nationalist Tigray People's Liberation Front (TPLF) soon after its seizure of power in 1991. According to Article 46 of the 1995 EPRDF-sponsored constitution of the 'Federal Democratic Republic' of Ethiopia, settlement patterns, identity, language and consent of the people concerned seem to delimit the formation of the new states (regions) that constitute the federation; yet the practical application of the Article takes language as the only defining feature. This is demonstrated in the formation of the nine member states (Article 47) as well as in the delimitation of the units within each state. The form of government is thus a language-based ethnic federalism, but without a balanced division of power between the central government and the constituent political units invoked in a genuine federation. There is also the central authorities' heavy-handed interference in the management of regional state affairs, including their fiscal administration, which forced them to depend on the central government and thereby disabling them to perform their local duties independently. Constituent units do not have the power to influence the decision-making process at the centre, nor is there a constitutional court where the units could appeal for the dispensation of justice when the federal arrangement is trampled. The circumstances in which the ethnic federalism in Ethiopia was introduced are still subject to controversies, but more so, the implementation of this new governance system appears to be a source of discord and conflict. In this essay we first look at the conventional understanding of federalism and ethnicity in order to have a general picture of what ethnic federalism typifies and then investigate how and why the TPLF/EPRDF adopted the path of ethnic federalism to govern the country. Finally, we will assess the implications of EPRDF-sponsored ethnic federalism as it clinches the power politics of the multi-national state of Ethiopia.

Federalism and Ethnicity: A Volatile Marriage

Federalism, as commonly understood, is a system of governance where political power and its functions are shared between central and regional authorities with the aim of maintaining a degree of autonomy and integrity of a diverse society. It is an act of devolving power from a unitary whole to its components when the centre fails to perform effectively. Thus, it seeks to preserve a balance in which the central government cannot dictate decisions on regional units, and when units ought to differ and claim a share of what power entails, differences are resolved by consent. Since federalism, by and large, involves the dispensation of power and resources (both bones of contention), the centre is bound to accommodate and resolve differences with its constituent units through mediation if the federation has to work. As Wildavsky elaborates, "Federalism requires mutuality, not command, multiple rather than single causation, a sharing instead of a monopoly of power"¹. In such an arrangement, federal units have the power to influence decisions and the central government cannot impose any task on constituent units. Therefore federalism (unlike ethnicity) is a rational arrangement in which both diversity and freedom co-exist, and where sovereignty is constitutionally divided between central authority and constituent political units such as states, regions, provinces ... and ethnic groups (in our case of discussion).

Federalism is an important component of an equitable constitution, and equally important is the nature of the constitution (how and by whom it was created) and its application in determining whether a federation is nominal or genuine. As Tesfatsion Medhanie accented "The strength of participatory constitution-making process is that it secures the consent of all the elites and stakeholders. All have to be included because 'in divided societies, inclusion is a prerequisite of a genuine consent'"². When the constitutional provisions of a federation are strictly adhered to by both the central authority and the regional units, and the independence of the constitutional court is strictly functional, we may then speak of genuine federalism. Some of the outstanding advantages of a constitutional, democracy-based federalism are that the rights and unity of a diverse society are maintained, minority groups can participate in decision-making processes at the center, and the extreme options of unitary rule (with no division of sovereignty) or conversely secession (the break-up into small independent units of ethnic or other collectivity) could be avoided. Therefore, federation may offer a system of good governance for an ethnically divided society even though ethnicity is characteristically fluid, malleable and unruly, and hence difficult to manage.

Ethnicity is intrinsically about collective identity and belongingness to a specific ethno-cultural or ethno-linguistic group often expressed in relation to a powerful or dominant collectivity in a multi-ethnic society. In this manner, it is a set of relationships that sustains primordial links, cultural content and a

¹ Wildavsky, (1998) 17

² Tesfatsion Medhanie, (2008) 7

sense of security³ against real or imagined treats. Although it often involves the dichotomy of ‘us’ and ‘them’, this far ethnicity in itself or ethnic diversity per se is not harmful; it is only when combined with greed and wild political ambitions that it causes conflict and violence. In considering the totality of those complex features of ethnicity then, it is fair to argue, on the one hand, that as a basis of identity and quest for rights, ethnicity could be “liberatory” when it stands for equality, but on the other hand, being self-seeking and prone to manipulation by politically self-centered ethnic entrepreneurs, it could be “parochial”⁴ and unruly. Politicized ethnicity, which could easily evolve to ethnic-nationalism, is, therefore, a risky enterprise in a society where resources are scarce and power has been contentious ever since. In the absence of institutional mechanisms to regulate or resolve interest-group differences and where traditional mechanisms are receiving staggering blows from all directions, the carving out of a federal structure based on ethnic identity may invite risks of protracted instability that could end up in violent conflicts, as we shall see below in the circumstances created by the ethnic federalism of Ethiopia.

In a federation, constituent units may have different forms, such as geographic, regional or ethnic, and may claim territorial autonomy, self-rule or self-determination the scope and extent of which is defined in a constitution, and when disputes arise they could be settled in a constitutional court. The relationship of a central body with its constituent units is thus defined not only by the theoretical formulation of a federation but also by the practical application of the provisions, which requires prudent negotiations and amicable settlement of differences. So when we speak of ethnic federalism, the follow-up assumption is that ethnic units are fairly well represented in the power politics at the centre and that the centre does not dictate decisions on the constituent ethnic units; and in case the ethnic units feel marginalized from the decision-making process at the centre or differences arise among themselves, they could present their case in the constitutional court and seek justice. Such a system could be referred to as constitutional democracy, wherein genuine federalism could take effect. Whether Ethiopia has such a constitutional system to fairly and effectively accommodate the over eighty ethnic groups in the country in a federal structure is a crucial question that will lead us to investigate how the existing ethnic federalism is operating in Ethiopia.

Before we tackle the question of constitutional democracy as a contemporaneous condition of ethnic federalism though, it is necessary to understand the complexities surrounding the “unruly” ethnicity, especially when considering a federal structure based on it. Where institutional mechanisms of resolving differences are not in place and the tendency of resorting to violent means of achieving ends is a habitual option, attempts to forge an ethnic-based arrangement have proved to be a risky engagement. We saw this at least in some African countries like Somalia, Sudan and Rwanda, and also in Europe, Asia and the Americas. In countries where a number of ethnic groups have been enduring the repression of a unitary state for many years, it is not difficult to deduce that the assemblage of the ethnic units in an ethnic federalism is evidently problematic, to put it mildly.

³ Horowitz, (1994) 49

⁴ Doornbos, (2006) 12

As main concerns of the various ethnic units may vary from economic to political or from linguistic to religious issues, like in Ethiopia, the central authority which hitherto was unitary may also lack the knowledge and experience or even the will to fairly accommodate the various challenging interests in the country. When the TPLF/EPRDF seized power in Ethiopia in 1991 through the ‘barrel of the gun’, it suddenly declared that the country should be governed by a language-based ethnic federal system and immediately imposed it. People, including even the rank and file of the incumbent party, had no prior knowledge of federalism. The new ruling party brought a number of ethno-national groups that were previously resisting the rule of the Ethiopian unitary state under an ethnic federal structure before it established the necessary democratic mechanisms that allow units to resolve differences through peaceful means. It did not even attempt gather the opinion of the people for whom the federation was intended to serve, nor look for alternative options to resolve the various challenging demands of the numerous ethnic units. In fact, the manner in which the current Ethiopian constitution was crafted and consequently the federal structure was established raises many more fundamental governance questions than it answered – a question that implies a lack of genuineness of the ethnic federation and the cynical scheme of divide and rule associated with it. Abbink⁵ critically observed, “an underlying failure of the Constitution and the federal structure is that the Ethiopian polity is not defined as, or designed as, an arena of compromise or issue politics”. Indeed, it is a predetermined plan to install a one party rule by using the vagaries of ethnicity to control a diverse society.

Some other related questions are: why was the EPRDF driven to restructure the unitary state of Ethiopia on language-based ethnic federalism while other forms of federalism (like provincial, territorial or regional) could also be seen as possible options? Why envisage ethnic federalism whose components are fluid and unruly ethnic groups best known for their volatility? To what extent did ideological and political pursuance play a role in carrying out the planning and execution of the federalism based on ethnicity? Are there institutional mechanisms through which ethnic units could control or intervene in the authority at the centre? In other words, is authority shared between the central government of the EPRDF and the constituent political units or ethnic groups? The attempt to answer these questions will understandably give us a better picture whether indeed the ethnic federalism in Ethiopia is genuine or not. Equally so, we shall have a grasp of the rationales why the EPRDF chose the path of ethnic federalism to govern a multi-ethnic society that had survived a longstanding unitary state for many years. Let us now first look into some aspects of ethnic- based resistance in the diverse society of Ethiopia and how it impacted the thinking of the EPRDF in configuring the language based ethnic federalism.

⁵ (Abbink, (1997) 173

Causalities of Ethnic Conflicts in Ethiopia

Before the emergence of the ethno-nationalist movement of the TPLF on the scene in 1975, there had been a number of ethno-regional rebellions in several parts of Ethiopia. Some of these rebellions took place in Bale, Gojjam, Afar, Ogaden and Tigray (1st Woyane, 1942-43). Although their demands varied from self-administration to regional autonomy and from land reform to tax reduction, they had an ethnic character as well, and all were inspired and led by traditional leaders who felt marginalized from the central political authority and state-managed resources. Those regional leaders claimed to represent and share the sentiments and grievances of the local people and targeted the dominant elite class who controlled the state as their oppressors. They called this class the Showan⁶ aristocracy or broadly the *makuannent* (nobles). These peasant based rebellions took the form of armed struggle but were crushed by the forces of the Ethiopian state which had superior military organization and external support as was evident in the case of the 1st Woyane. Although the rebellions were squashed one after the other, the problems that they triggered were not resolved and their resurgence, perhaps in a more impassioned form ('ethnicised' form being one), was, however, inevitable as the state continued its repressive measures. Since "suppressing minority nationalism would require restricting liberal democratic rights, and might even drive minority nationalists away from peaceful mobilization into violent conflict"⁷, the resurgence of ethno-nationalist resistance was just on the horizon. Thus in the late 1960s and early 1970s, another wave of ethno-nationalist movements sprang up, this time with revolutionary and better educated and skilled leadership but still holding fast to the old grievances and forms of struggle. The TPLF, the OLF, the SLF and ALF were some of the ethno-nationalist movements that made compelling inroads.

Parallel to the rise of the ethno-nationalist movements, there were a few multi-national organizations like the Ethiopian People's Revolutionary Party (EPRP), All-Ethiopia Socialist Movement (MEISON) and Ethiopian Democratic Union (EDU), who also claimed to incorporate the plights of the ethnic movements, but soon their development was effectively dwarfed by the bustling rise and progress of the ethno-nationalists from the rural areas and by the incessant assault of the military regime from the urban areas.

The success of ethno-nationalist forces in Ethiopia, one of the oldest states in Africa, while the gravity of multi-national organizations remained in limbo, raises serious questions on the nature and role of ethnicity in framing political conflicts in that country. The pervasive character of ethnicity, therefore, has to be seen not only in relation to what it had entailed in the past but also in its present ambitions with regards to the disposition of political power and the running of the central state. Evidently, the state had

⁶ Showa denotes the ethno-regional base of the ruling class. Members of this aristocratic class were called *mokuannent* (nobles). They lived comfortably at the expense of the peasantry which led a miserable life not only in Showa but also throughout the country. This class also referred the rebellions by their ethno-regional names, like *ye Tigre ametse* (the Tigrayan rebellion), *ye Bale-Oromo/Galla ametse* (the Bale-Oromo/Galla rebellion) etc.

⁷ Kymlicka, (2006) 45

been and still is exceedingly important as a terrain of contestation by various interest groups, who use different forms of mobilization, including ethnicity, to get hold of it. Once the battle of who controls it is settled (peacefully or violently) in an arena where ethnicity has been a key factor, the overriding question becomes the recognition and management of an ethnically diverse society in a way to satisfy highly valued interests. In such a case, one could argue, ethnic federalism appears to be the logical response to the puzzle. Then, if the incumbent central state power holders fail to provide acceptable and working mechanisms to regulate the various interests of the ethnically diverse society and resorts to repressive measures to calm down grievances and legitimate demands of ethnic groups, the tendency of the groups to stage resistance against what they consider unjust treatment will be again provoked. In other words, when agitated ethnic groups see that they do not have the institutional means to strive for their assumed or real legitimate causes and “felt their position to be weak and vulnerable, with little defense but their ethnicity”⁸, the likelihood of an ethno-nationalist movement to pop up becomes a question of time. Since the primordial aspect of ethnicity cannot be expunged and in the face of a threat tends to be pervasive, ethnic mobilization as a form of defense or resistance can become dominant depending on the nature of the force against it.

Alluding to the above observation, the emergence of ethnic movements in Ethiopia in the 1960s and 1970s was basically due to their aspiration for a share in the dispensation of political power and resources, in the name of the marginalized and impoverished ethnic group. However, the political elite that controlled the central state were not receptive to the plights and pleas of ethnic movements. Power in their grip, the dominant elite group resisted any change that seemed to threaten its privileges and fought back to maintain the status quo under all sorts of pretexts (stability, national integrity, peace etc.). As one form of defense mechanism in this process, the dominant elite group appeared to reject ethnic labeling and thus downplaying or hiding its own ethnicity in favor of what one social scientist⁹ calls the ‘official nationalism’. This has allowed the dominant elite to define its group, its culture and even its language as non-ethnic while in reality imposing its ethnicity on the others. This cynical approach had a role in confusing the distinction between “chauvinists” and democratic unionists, thereby delaying the formation of a lasting alliance of democratic forces from both the dominant and dominated ethnic groups.

In a new turn of events, soon after the TPLF seized power in May 1991 and when the threat of reprisal was felt by the once dominant ethnic group, the need for ethnic mobilization to launch counter-resistance once again became imperative. This counter-ethnic resistance, in a rather violent form, was expedited by the lack of legal institutions to address such threats and by the absence of all civil rights for a peaceful opposition. People who seemed to detest ethnic labeling suddenly became propagators of ethnic mobilization ostensibly for reasons of security and defense. The absence of democratic space and institutional mechanisms to address grievances and the prevalence of the domineering TPLF force

⁸ Doornbos, (2006) 70

⁹ Anderson (1983)

definitely had pushed those people to resort to ethnicity and rally ethnic force – a force that could easily be mobilized with instant sentimental appeals. This was precisely the circumstance upon which the All-Amhara People’s Organization (AAPO) was created in February 1992. In its declarations it claimed it was formed to challenge the domination of the TPLF and to curb the threats of reprisal¹⁰ from various ethnic groups. The hasty formation of the federal structure on the basis of ethnicity and the propaganda campaign that followed to promote the new federal system of governance had also visible effect on the formation of this organization.

Retracing the situation, immediately after the TPLF-led EPRDF surfaced at the helm of the Ethiopian power politics following the demise of the dictatorial system of the Dergue, it was evident that people began to feel, though vaguely, a sense of strong optimism, equality and self-determination at individual or group level i.e. the ideals the liberation fronts had pronounced so far. Understandably, all the hitherto marginalized or even unnoticed ethnic groups (most of whose existence was only known by researchers in that field) had started to rejoice. Short-lived as it was, this hope arose just as a common impulse after the advent of a victorious force over a disgraced Dergue regime, adding to the fact that the Ethiopian people were longing to be relieved from subsequent oppressive systems and grinding poverty, particularly under the Dergue. In retrospect, it was this condition in general and the ethnic marginalization and domination in particular that created the fertile ground for the TPLF to emerge, to gather ethno-nationalist forces and prevail over its adversaries. The long history of repression of the numerous Ethiopian ethnic groups and particularly that of the Tigraian ethnic group whose political elite was always considered as a perilous rival to the ruling class at the center, definitely contributed to the ethnic awareness and spirit of resistance of the people which the elite of the TPLF skillfully manipulated to create a formidable force that brought the downfall of a well established regime, the Dergue, in May 1991.

Once in power and right from the beginning, the TPLF had to face tough challenges of governing a multi-ethnic society that endured all sorts of repression including ethnic domination and now inspired by fully blown ethno-nationalist ideals of movements like the TPLF itself. These were not superficial or ephemeral challenges although their intensity were TPLF’s own making. They had their roots in the complex history of regional, ethnic and religious power relations and the evolution of the Ethiopian state. Lately, however, the nature of the struggle of the TPLF which was essentially parochial and the ethnic politics it introduced in an authoritarian fashion to restructure the state and to run the country has substantially shaped the direction of the challenges. The imposition of deeply ‘ethnicised’ policies in Ethiopia by an ethno-nationalist force that was confined in Tigray politically and militarily for almost the entire duration of the struggle, coupled with the secessionist stand it held for some time in the second half of the 1970s, made its legitimacy questionable in the eyes of many Ethiopians as it set foot in the capital to govern a multi-ethnic society. Considering the elusive political positions, particularly the dogma of secession it held as it traversed through the sixteen years of armed struggle, many Ethiopians tend to believe that the TPLF had no concern for the unity of the Ethiopian People, and that the idea of

¹⁰ The Arsi, Arba-Gugu and Bedeno etc. killings were by and large acts of reprisal.

governing the whole country was not part of its scheme in the first place. Many people were led to believe that TPLF's resolve to govern Ethiopia came up only after it defeated the Dergue in Tigray and when it saw the Dergue faltering in the rest of Ethiopia with no organized force in sight to take its place. The sudden emergence of the TPLF-led EPRDF in the capital caught many people by surprise and there was a mixed reaction. Though people were filled with elation as a result of the removal of the brutal regime of the Dergue, they simultaneously revealed in many ways that they were at least not comfortable to be led by an ethno-nationalist force, the TPLF, that represented one ethnic group ever since its formation and claimed to be a professed Marxist of the Stalinist stance (i.e. more devoted 'Marxist' than the broad range of Marxists). As the TPLF saw the people in Addis Ababa and other major towns brewing resistance, it immediately established a special force from its army ranks and supporters in the name of 'Peace and Stability Committees' to suppress any opposition and rule the country. As Vaughan¹¹ rightly put it, "[t]he selection of proto-administrators and the establishment of the ubiquitous 'Peace and Stability Committees' were part of the same process, whereby the party's ideology was promulgated and new members recruited". This was the precursor of the heavy-handed rule of the TPLF that was to follow as the demand for unrestricted civic rights and related challenges from the people were mounting.

Furthermore, fierce confrontation was to come as the TPLF began to execute its long held and ideologically tuned positions like centralized party rule in the form of 'democratic centralism' and 'revolutionary democracy', that constituted a language-based regionalization of the country and the ceding of Eritrea, with all outlets to the sea and the port of Asab without the consent of the people it was poised to govern. Those policies had far-reaching political and economic implications. People had had more than enough of authoritarian rule during the Dergue era and could not tolerate such imposition anymore. However, like the Dergue, the TPLF too followed the authoritarian way of enforcing its policies than abide by the popular consent of the people to lead and introduce reforms. Hastily improvised ethnic federalism was its answer which it imposed it forcefully. Indeed, the authoritarian behavior of the TPLF was governed by what seemed to be an ideological fixture it held so far. Within the TPLF, a 'vanguard' party of the Leninist type (Stalinist to be specific); the Marxist Leninist League of Tigray (MLLT) was formed in 1985 to guide the Front. This ideological guidance and political course of action was effectively at work throughout the 16 years of the struggle and was eventually reflected in the party-state relationship when the TPLF/EPRDF seized power 1991. The restructuring of the Ethiopian state in an ethnic federalism under the TPLF/EPRDF therefore could be nothing but the image of its thinking, perhaps with some modifications in order to avoid the looming pressure from the donor countries. This stance, as Turton¹² observed, was "the blurring or 'elision' of party and state, according to the Leninist party-state model, a process which began under the Derg [ue] and was continued by the EPRDF". The TPLF and by extension the EPRDF became the ruling party and its ideology was declared to be 'revolutionary democracy' i.e. a reformed Stalinism and essentially in defiance, actually a rejection, of

¹¹ Vaughan, (2006) 185

¹² Turton, (2006) 23

liberal democracy. Meles Zenawi, the leader of the party was at the same time the head of the government, likewise his senior cadres were sent to every ethno-regional unit, ostensibly as political advisors but in reality enforcing the policies of the party under a strictly centralized administration known as 'democratic centralism'. Eighteen years into this day, since the fall of the Dergue 1991, Ethiopia has been ruled by an autocratic group whose ideology is a mix of both 'revolutionary democracy' and ethno-nationalism. This group appears to stick to power despite mounting opposition from almost all ethnic groups in the land some of which, like the Oromos and Ogadenes, have escalated armed resistance in order to secede from the federation and the majority of the Ethiopian people as witnessed in the suppressed people's uprising following the rigged election of 2005. Because there are no legal or democratic institutions through which to peacefully challenge the authoritarian centralism of the TPLF/EPRDF, people are resorting to ethnic mobilization and violent resistance, seemingly the only feasible instrument at their disposal but often manipulated by their elite for parochial interests.

TPLF's Ethnic Politics and the Ensuing Conflicts

To understand the nature of the TPLF/EPRDF rule and how deeply and cynically ethnic politics is blended into its highly centralized administration, pondering over its constitution and the ethnic 'federal structure' it implemented will suffice. Before looking into the main defining features of this ruling party though, it will be also helpful to trace how it evolved from a small ethno-national guerrilla unit to this stage. The whole aim of the TPLF struggle, as stipulated in its program, was to bring an end to the ethno-national oppression in Tigray which by extension was also to resolve the age old ethnic tension and conflicts in Ethiopia. So as perceived by the diverse Ethiopian society, the success of the TPLF, in a broader sense, was taken as a part of the endeavor to establish a democratic system where the rights to self-determination of all ethnic groups are fully respected and the Ethiopian people would live in peace, equality and harmony. For this grand objective to materialize, however, ethnicity was taken as a means of expressing denied collective rights and neglected identity, as well as the determinant tool of mobilizing force against the denounced system. Thus ethnicity became the essential feature of the struggle to fight off ethnic dominance i.e. the other's ethnicity. Ethnic liberation from a dominant ethnicity was thus the central theme of the struggle. Here, one can observe that the struggle was not only involving but also highlighting a 'clash of ethnicity' which undermines or in some cases completely disregards the pursuit for civil liberties and the demand of a democratic system for all which would have been the ideal basis for a genuine federalism.

There was more to what ethnicity entailed when it took a center stage of the struggle in general. Although one of the initial aims of the TPLF was to wage a class-based ethno-national struggle against the ruling elite of the dominant ethnic group, it did not, however, coherently specify or identify the oppressive ruling elite vis-à-vis the ethnic group as the target of the struggle. In fighting ethnic domination, it was assumed that all members of the dominant ethnic group including those who have nothing to do with the stated domination or do not even know the whereabouts of the dominated group, were considered accomplice of the dominant elite class. At the same time, because Marxist

ideology was infused into the program of the TPLF, the struggle seemed directed against the privileged oppressive class of the dominant ethnic group, which in practice also exploited and oppressed its own ethnic masses.

Furthermore, as to the intended outcome, the TPLF looked to stand for rather contradictory objectives. It seemed to embrace exclusionist self-determination, namely secession or independence on the one hand, and an inclusive arrangement of a united people free from all sorts of exploitation and repression with equal access to every opportunity in the country and respect among each other, on the other. When it comes to its socio-economic program or objectives, the TPLF was totally obscure, as one can see it even today in its program of 'revolutionary democracy' and 'developmental state' that negates multi-party democracy. This confusion appears to emanate from the malleable nature of ethnicity which was infused in the political orientation of the TPLF. "One key problem in understanding ethnicity, however", Doornbos¹³ pointedly notes, "lies in the wide mix of tendencies, strategies and reactions comprised under the 'ethnic' phenomenon and therefore, again, in the virtual impossibility to associate ethnicity, unlike class for example, with any singular kind of social or political thrust". This malleable feature of ethnicity helps opportunist ethnic entrepreneurs to manipulate the legitimate movement of the people in the direction that satisfies the ethnic elite's parochial interest of which the crux of the matter is the appropriation of power and resources. In such a process there is no ground for genuine federation of one form or the other. This in turn leads to counter mobilization by contending elite class in the name of their dispossessed ethnic group allegedly for political equality and fair distribution of resources. In this manner, ethnic tension is re-augmented and with only a little push turned into intensified conflict, as is evident in present day Ethiopia, (see IRIN¹⁴ reports).

The renewed and increasing ethnic tension in the country started with the advent of the TPLF to power, and particularly after it enforced initially the Transitional Charter in July 1991 and later the ethnic-based Constitution in December 1994, ostensibly to regulate and resolve the smoldering ethnic contradictions in the multi-ethnic society of Ethiopia that persisted so far. The TPLF-formulated Transitional Charter that was a reflection of its authoritarian ideology and ethnic politics gave rise to the 1994 Constitution in which the country's language-based ethnic federal structure is promulgated. In its preamble, the Constitution begins with the phrase 'We, the Nations, Nationalities and Peoples of Ethiopia', but in nowhere of the Constitution does it define who or what constitutes those three entities (nations, nationalities and peoples) or how they are related to and differ from each other. Here, we are confronted with what appears to be a 'federation' of undefined entities. So the confusion and hence its implications began right from the preamble of the Constitution. As the Constitution stands fifteen years

¹³ Doornbos, (2006) 124

¹⁴ **Integrated Regional Information Networks**, commonly known as **IRIN**, is a project of the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) tasked with providing information relevant to those responding to and affected by complex emergencies, such a conflict-induced forced migration, and natural disasters etc. IRIN has been reporting regularly on the escalating ethnic-based conflicts in Ethiopia at least since 2000 as indicated further below.

into its adoption, those three asymmetrical entities remain undefined and the federation that was prescribed is indeed nominal but at the same time serves as a means of control. More so, the ethnic federal arrangement has become major source of ethnic conflicts over identity, territory and claims to power and resources.

Further ahead, as the core stipulation of power relations, Article 8.1 of the TPLF sponsored Constitution states that 'All sovereign power resides in the nations, nationalities and peoples of Ethiopia'. Inexplicable enough, again, sovereign power resided in three entities the status and relationship of which were not defined. So according to the Constitution, the most important source of power has been left to be vague, to say the least. Fundamentally though, the TPLF Constitution was not different from what the constitutions of the former Soviet Union (Article 108), North Korea (Article 87) or China (Article 16) stipulated in that 'supreme power resides in the people's assembly which operates under the leadership of the communist party'. Comparatively however, the TPLF constitution appears to be more dubious than that of the others, for the latter clearly states that the communist party gives leadership to the 'people's assembly'. Although the essential mode of operation of both the 'people's assembly' and the 'nations, nationalities and people' are similar and party members or affiliates are drawn to those assemblies, the former does not pretend to be democratic and unequivocally asserts that it is a one party state and power emanates from one sources i.e. no division of power while the latter pretends to be a democratic multi-party state where there is division of power. The paradox, however, is that if supreme power happens to be the prerogative of one body i.e. the elusive council of 'nations, nationalities and people's' that is fully controlled by one party in line with the so-called 'democratic centralism', then there can not be any room for division of power nor for check and balance. This leads us to conclude that "both self-rule and shared rule are practically impossible to actualize under democratic centralism".¹⁵ Under such an authoritarian system, the existence of a legislative body or judiciary is nominal and signifies only division of work rather than a division of power, with no political space for constituent units to exercise their rights and hence no genuine federalism.

Yet, there was power at work and where that power lay was not difficult to locate. Like the communist parties mentioned above, the TPLF/EPRDF drew its members and supporters to the assembly known as *Shengo*, and through this assembly enacted all laws, which were manifestations of its ideological perspective. The hierarchy of power we see in all authoritarian systems, that ordinary members submit their power to a congress, the congress to a central committee, the central committee to a politburo and the politburo in turn to the chairman of the party, has been also operational in the TPLF/EPRDF system and according to its constitution there is no time limit to the chairman's term of power. So, finally we have a reformed system of the Stalinist party-state precedent where the party, TPLF/EPRDF and the state, 'Federal Democratic Republic' of Ethiopia are fused together. This illustrates why one dominant party, the TPLF/EPRDF, under one authoritarian leader, Meles Zenawi whose power is assumed to emanate from the abstruse collection of 'nations, nationalities and people's' has been ruling the country for the last eighteen years.

¹⁵ Alem Habtu, (2005) 333

Following this new paradigmatic party-state structure, the most problematic provision of the constitution, as one can observe, is how those elusive entities of 'nations, nationalities and peoples' are situated to form the 'Federal Democratic Republic' of Ethiopia. By its own insistence and for motives incomprehensible as yet, the TPLF categorized the Ethiopian people into the three entities, 'nations, nationalities and people'. It was only the TPLF that could define and dictate to which category each of the over eighty Ethiopia's ethnic groups would belong to. This imposition in itself reveals the undemocratic nature of the TPLF. More so, it was for the first time the categorization of 'nations, nationalities and peoples' was heard and enforced in Ethiopia and people were wondering and puzzled where to fit in, what the extent of their boundary would be, what the status of people with mixed ethnic identity is going to be etc. This disorderly situation, in turn, has paved the way for many self-seeking ethnic entrepreneurs to emerge and rally ethnic constituency mainly with the consent of the dominant TPLF but also some without its approval on the one hand and for the 'ethnocratic' TPLF to comfortably 'divide and rule' on the other. Confusing and pretentious as it appeared, the constitution right from the beginning "presents itself as though it was the result of a freely negotiated 'bargain', entered into by a group of previously independent, sovereign entities, the 'Nation, Nationalities and Peoples of Ethiopia'"¹⁶. Indeed, there has never been a negotiated bargain and it was neither intended to be so in the first place. It was rather an unfair deal gradually reached between the TPLF, which was in the process of establishing a highly centralized governance, and the opportunist ethnic entrepreneurs who had no mandate whatsoever but for their vested interests, claimed to represent the entities predetermined by the TPLF, "...none of which have clear-cut territorial and linguistic boundaries".¹⁷ Turton further goes to elaborate the dire implications of TPLF sponsored ethnic federal structure:

Because the constitution provides no standard criteria for distinguishing between nations, nationalities and peoples, these terms can be used as required to refer to 'ethnic groups' with population ranging from a few thousands to several millions as though they were of the same order. It also means that the ideology of ethno-national self-determination can be appropriated, even by the smallest group, in the struggle to obtain a bigger share of state and national resources. This helps to explain why the implementation of ethnic federalism in the multi-ethnic western and southern regions of the country has produced some of the worst ethnic-based violence to be seen in the country since the toppling of the former regime"¹⁸.

The ethnic-based conflicts have gone far beyond what Turton has indicated to include the central and northeast regions. Apparently, no ethnic group in Ethiopia seems to have smooth relationship and live at peace with its neighbor. If one refers to, for instance, IRIN reports for the last eight years (2000 to 2007), one can see that the spread and ferocity of ethnic conflicts is alarming. According to IRIN reports, bloody ethnic conflicts erupted between the Afar and Issa in the east since 2000, the Borana and Garri in the south in 2001, the Karrayu Oromo and Afar in the center and the Nuer and Anywaa in the southwest in

¹⁶ Turton, (2006) 14

¹⁷ (ibid: 18)

¹⁸ (ibid: 18-19)

2002, the Oromo and Somali in the southeast in 2003, the Nuer, Anywaa and highlanders in the southwest in 2004, the Oromos and non-Oromos in south and southeast in 2005, the Anywaa, Nuer and Mazingar in the southwest in 2006 and the Nyangatom and Kara in the south in 2007. This is just a random sampling of the ethnic conflicts in Ethiopia and in those incidents alone thousands of people were killed, tens of thousands were wounded, and still more people were displaced. The loss of property is also staggering. A series of reports of the Ethiopian Human Rights Council (EHRCO), including the latest (107th Special Report, February 28, 2008) that gave the details of the tragic death of 33 people as a result of the ethnic conflict in the Derashe and Konso Woredas in the southern part of Ethiopia, also reveal the severity and multiplicity of the conflicts. Focused studies of the sources and implications of ethnic politics in Ethiopia by Jon Abbink (1997 and 2006), Dereje Feyissa (2006), Sarah Vaughan (2006), Assefa Fiseha (2006), Clapham (2004, 2006) and many others give substantial data and analysis of the ensuing ethnic conflicts as a result of the TPLF/EPRDF's tightly controlled 'ethnicized' political dispensation. In this regard Jon Abbink provides a critical assessment on the root causes and implications of ethnic politics in present day 'federal' Ethiopia:

A prescriptive policy of ethnic identity on the micro-political level ... tends to lead people to conceptualize local conflicts in essentialist terms, rooting it in the presumed ethno-linguistic differences. Perhaps this was an unintended effect of the ethno-federal model as proposed, but is nonetheless quite real. ...Indications are also that the current federal system of contested units, of ambiguous division of power and of economic non-transparency, stimulates opportunism and abuse¹⁹.

The fundamental problem of the Ethiopian state is the lack of a genuine federal system of governance based on democratic principles and the institutions that help such a system keep functioning – a system and institutions by which the people can express their will and needs, and mediate for reasonably acceptable outcomes. Contrary to this, the main concern of the TPLF/EPRDF was consolidation of its own elite class power at any cost and against the aspirations of the people and the principles of democratic governance. To maintain the dominance of the political group that seized power through sheer military force, it devised a kind of 'ethnic federal system' without the participation or consent of the concerned people on the necessity for and application of such a structure. It was a top-down directive and imposed in such a way that only the TPLF would cling to and remain in power. This approach of holding power is the direct reflection of its ideological persuasions rooted in Stalinism and in a parochial ethno-nationalism.

If federalism is a system of government where power and functions are distributed with the aim of maintaining an acceptable balance between central and regional authorities and where free and democratic participation of citizens in the decision making process and key issues of concern are secured, then the federal structure devised by the TPLF is not even remotely close to popularly understood federalism. In the evolution of the TPLF, which espoused the Leninist vanguard theory, there has never been true democratic representation or devolution of power at work either during the struggle or right after it conquered power.

¹⁹Abbink, (2006) 402-403

The TPLF designed the ethnic ‘federal structure’ without any kind of popular participation and used it in order to reach out like-minded ethnic entrepreneurs ostensibly representing respective ethnic groups (or ‘nations’, ‘nationality’ and ‘peoples’ as arbitrarily categorized by the TPLF). Owing to the fluidity and unruliness of ethnicity, those ethnic entrepreneurs and elites reacted accordingly by ‘inventing’ or ‘reinventing’ group identities, with the aim of gaining more effective access to state and federal resources (Clapham, 2002; Turton, 2006), and they were put in orbit round the power centre controlled by the TPLF. In most cases they were hand-picked and depended on the TPLF for fund and skill to run their affairs, hence loyal only to the TPLF, for they were not also given the mandate by their respective ethnic groups to represent them. This is the essential feature of what the TPLF calls ‘ethnic federalism’, and amounts to an association of ambitious ethnic entrepreneurs who had only superficial connection with their respective ethnic group. The main cause for the break-up of the former Soviet Union and Yugoslav federations along ethno-nationalist lines was simply because they were constructed by the vanguard parties at the centre in cooperation with communist elements of the different entities, without the free will and participation of the concerned people who at last were the agents for the destruction of the enforced federations.

The TPLF has thus constructed the Ethiopian ‘federation’ basically following similar totalitarian ideological and political persuasions, i.e. by concentrating power at the centre, in the grips of the vanguard elite, and without the prior consent of the people who would finally determine its fate. “Paradoxically, therefore, the Ethiopian federal system is in greatest danger not from its opponents but from its creators, who must acknowledge the limits to their own tenure of power if the structure that they have established is to survive them”²⁰. The immediate cause of the ethnic conflicts in present-day Ethiopia may be the wild competition over power and resources, and the net result of such conflicts is that people on both sides of the conflict end up in mutual destruction, especially in terms of human lives and hard-earned property. When both sides to the conflict happen to be the losers, at the end of the day, their cumulative rage, naturally, may be directed against the main source of their misery. In this regard, the TPLF/EPRDF is the party that was the cause for the unpopular ethnic arrangement that could not work but only fuel conflicts. It is a party that has amassed power allegedly to provide rule of law, peace and stability, but has failed to deliver. Right from its inception, Ethiopian ethnic federalism has never allowed democratic participation of the constituent units but served as a mechanism of divide and rule for the ruling elite of the TPLF/EPRDF.

Looking for Genuine Federalism

Evidently, the TPLF had effectively mobilized the people of Tigray on the basis of ethno-nationalism by promising them all sorts of lofty benefits, including the right to self-determination, which basically is the right to determine one’s own (individual or collective) destiny with unrestricted political liberty and economic freedom. The projected assumption is that the right to self-determination could be expressed

²⁰ Clapham, (2006) 238

within the bounds of a genuine federal arrangement. The people had no reason to drag their feet given the miserable life they had to endure under the aristocratic and militarist unitary regimes, and were passionately told that favorable social and political changes would come with the reign of the TPLF. Thus, the people put all humanly possible efforts to the struggle. Equally so, the people placed much trust in the promises of the TPLF without realizing the gap between the aspirations of the leading elite on the one hand and the ordinary people on the other – a wide gap which is often concealed or blurred by ethnic sentiments that feed on ethnic pride and prejudice. There was no institutional mechanism to check or influence the vanguard elite. In this process, the ordinary people were forced to become clients of the elite group which itself is a client of an authoritarian patron; few critical minded individuals who questioned and sought explanation of the fault and its implications did not have a happy ending. Often such observers were blamed for lack of the ascribed ethno-nationalist sentiment which was focused only at the vices of the ‘others’, thereby allowing free ride for the political elite.

After seizing power, the TPLF continued to rule the Ethiopian people in no different manner it was treating the Tigraian people during the armed struggle. The Leninist vanguard principle was slightly modified to what is now known as ‘revolutionary democracy’ and is still the guiding motto of the ruling party, and it is essentially militarist and authoritarian. Despite the TPLF rhetoric of self-determination, equality and social justice, no freedom of expression or opposition organization is allowed to operate in Tigray to this day; even the seemingly independent press that appeared for a short time in the streets of Addis Ababa, the capital city of Ethiopia and the seat of the African Union and other diplomatic community, did not all together show up in Tigray. While partially free economy emerged in the greater part of Ethiopia, in Tigray the TPLF enforced a command economy under the strict guidance of the ‘revolutionary democracy’ program. This policy forced individual Tigraian investors to abandon their region and look for other investment area elsewhere in Ethiopia. The handful investments of the TPLF in Tigray are owned by party leaders, loyal senior cadres and their class accomplices who joined them after the difficult struggle was over. This group feeds on the state they have recreated. The TPLF is running a kind of predatory state in Tigray and its enlarged embodiment, the EPRDF, cannot yield otherwise in the rest of Ethiopia. It is this political elite class that has benefited from the ethno-nationalist struggle while the life of the ordinary people who bore the brunt of struggle anticipating self-determination and better life remained in the same repressive situation and miserable life. A ruling class that oppresses its own ethnic constituency cannot be expected to be a benevolent leader to other ethnic groups of the “federation”.

The general situation in the whole of Ethiopia is fundamentally the same as in Tigray. The one visible difference is that while Tigray has been effectively controlled by the organization’s political structure that started at the village level and developed toward regional level during the armed struggle, in the rest of Ethiopia there has never been such a tightly custodial structure that had longstanding roots to check the movement of people. This condition allowed different social groups in the larger part of Ethiopia to have relative possibilities of resisting the controlling mechanism of the TPLF while Tigrayans are still under the totalitarian surveillance of the organization they supported to conquer power. It is unfortunate, though, to observe that Tigrayans after that painful war for self-determination ended up

only to find themselves under an authoritarian rule and at the same time condemned by the 'others' for helping such an elite to come to power, although this was not their intended objective. Owing to the duplicity of ethnicity, several Ethiopian political activists have directed their campaign not only against the ruling elite of the TPLF whose policies are fueling ethnic tension but also against the whole Tigrayan ethnic community who more than ever are enduring economic subjugation as well as political repression by its own elite group. The situation left Tigrayans in the middle of a double-pronged assault: one from its own ethnic patrons and the other from extremist Ethiopian political activists, both of which manipulate the fluidity of ethnicity. Here comes again the ugly face of ethnicity into play and the opportunist elite group of the TPLF/EPRDF led by Meles Zenawi is exploiting the perceived contradictions among the people by presenting itself as the guardian of the Tigrayan interest. This is one aspect of the mounting ethnic tensions in Ethiopia and also exhibiting the divide and rule device of the authority at the centre.

The other threatening and risky aspect of the ethnic federation relates to the contentious relationship among the multiple ethnic groups in the country. Ethno-national elite groups in many parts of Ethiopia are in constant competition over a range of issues that are associated with ethnicity, ostensibly representing their respective ethnic constituency. The focus of the regime on ethnic politics rather than civic politics has drawn the society into claiming real or imagined opportunities on the basis of ethnicity thereby triggering unregulated ethnic competition leading to violent ethnic conflicts. People are ferociously competing and fighting over ethnic boundaries, over access to state resources, over grazing territory or water, etc., allegedly for the benefit of their ethnic group – competitions which could have been settled without including the equation of ethnicity in the subject matter of the contention or perhaps instituting a genuine federation in which the rights of ethnic units is well guarded. In addition, as Abbink²¹ aptly remarks “perceived cultural-historical differences, ethnic ranking, perception of disadvantages and grievances are there, and are resuscitated under the leadership of aspiring local ethnic elites”.

The diverse Ethiopian society is now in a state of mind bogged down in local and parochial issues, where the federal government and all the ethnic entrepreneurs have attached every entitlement to ethnicity. Those protracted local skirmishes in turn have left the ethnic units in a situation where they could not, even remotely, influence policy formulation at the centre. Gebru Asrat, himself former governor of region Tigray under the TPLF/EPRDF regime, concurs that:

For a long time, the federal government has been endeavoring to manage the inner working of most of the regions under party structure by assigning party cadres. Eventually though, the cadres were replaced by more robust officials from the ministry of federal affairs. In this manner the internal independence principle of regional units in a federal structure is made impotent”²².

²¹ Abbink, (2006) 403

²² Gebru Asrat, (2009) 23

Furthermore, Gebru Asrat goes on, “the existence of the party structure that stretches from the regions down to *woreda* and *gotte* (village) has disabled the power of the regions to conduct their duties freely and without interference. The federal government’s heavy handed command over the country’s wealth has also reduced the status and capacity of the regional governments to a level of ordinary (old form) provinces”²³. And as Alemante observed “In Ethiopia the central government controls all major revenue sources, which limits the regions to levying and collecting income tax from state- and private-enterprise employees, private farmers and people forming cooperatives”²⁴. Therefore, the Ethiopian federal system is a structure of governance without devolution of power (political or economic).

What then is, if any, the merit of the Ethiopian ethnic federalism that has brought ethnic tension to an unprecedented level? In analyzing the complications associated with ethnicity, Doornbos²⁵ is also to the point when said that “the politics of ethnicity in many places has been blurring rather than accentuating the civil society-state equation, precisely through the pervasive infusion of ethnic calculus into the control over and the operation of the state”. Thus the proliferation of ethnic conflicts in Ethiopia since 1991 (as documented by various scholars and international agencies) is basically a result of the current TPLF/EPRDF federal system – a federal system that opens the possibilities for entrepreneurs of ethnic groups to contest on a number of material as well as ideological and political issues informed by and associated with ethnicity. To further complicate the ethnic contentions, this system does not provide a coherent dispensation of power relations between the federal government and the ethnic units on the one hand and the ethnic units among themselves on the other. Because of its ‘vanguardist’ ideology, it could not allow national consensus to evolve and become a standard norm. “Without national consensus on the modality of democratic governance and the ‘political rule of the game’ successful democratization is an illusion at best and hypocrisy at worst” Merera²⁶ propounds. Indeed, there must be a national consensus that approves the institution of a genuine federal setup in which the concerns of various social groups including that of ethnic groups could be meaningfully redressed if stability and development is to prevail. For the TPLF/EPRDF, its own party policies are equated with national consensus. It is this system that has created a precarious relationship among the numerous ethnic groups which at the same time instigates the propensity for violent conflicts among them. As long as the ethnic politics of the TPLF/EPRDF is the governing policy, the tumultuous relationship among the various ethnic groups in Ethiopia will only go from bad to worse. If “Western European states have transformed and reinvented themselves in a new self-styled civic order bound by non-ethnic principles of equality” (Premdas: 2003, Frankman: 2004) and live within a broader federation like the European Union, Ethiopia and for that matter most African states need to embrace this experience with urgency before the worst

²³ *ibid*, (2009) 26

²⁴ Alemante G. Sellassie, (2003) 51-107

²⁵ Doornbos, (2006) 126-127

²⁶ Merera, (2006) 129

comes. As Edward Said²⁷ eloquently put it: “history has shown us very clearly and painfully that pure ethnicity is a delusion” and thus one can observe that the consequences of the language-based ethnic federalism in Ethiopia are beyond delusion.

To sum up, the traditional unitary political philosophy that failed to recognize the very vivid diverse nature of the Ethiopian society or conversely the parochial ‘ethnicist’ and secessionist project of the TPLF/EPRDF that cynically denies the long standing bondage of the people and manipulates its ethnic diversity as a means of ‘divide and rule’ and restrains civil liberties of the various cultural groups in the name of ‘peace and order’, evidently have failed to meet the Ethiopian peoples’ aspiration. Despite the enforcement of ‘ethnic federalism’ that pretended to be a voluntary union of ethno-national entities, but without political pluralism and institutions of democratic rights, the dominant elite group from one particular entity, Tigray, will encounter sequential resistance from those in the periphery of power who would raise the banner of ethnic autonomy or self-determination. This in turn invokes the “we” vs “them” combat and “once ethnic antagonism has crossed a certain threshold of violence, maintaining the rival groups within a single polity becomes far more difficult” (Kaufmann, Muller, 2008). The prevailing tension and conflicts in Ethiopia following the introduction of ethnic federalism manifests this grim reality and the regime is in no position to avert this looming crisis.

No matter how uncertain the future may look, the overwhelming majority of the Ethiopian people whose aspirations were severely dashed by both the two previous as well as the current TPLF/EPRDF regimes, are becoming aware of their inherent group or individual rights, as connoted in the 2005 election, when the ruling TPLF/EPRDF party lost all the parliamentary seats in the capital and rigged the rest to stay in power. This was just one manifestation that the Ethiopia people, in spite of their ethnic diversity, are primarily opting for an institutionalized system of governance that delivers civil liberties, social justice and an administration that has to be accountable for its actions. This democratic approach can fairly accommodate ethnic claims based on political equality. Any attempt to suppress or ignore ethnic concerns would only provoke violent resistance where the power of ethnicity could be unleashed. Facing ethnicity directly but rationally would lead to a more peaceful and acceptable solution. This is not beyond the scope of a reasoning man or woman. Therefore the need of building democratic institutions that can sustain the free expression of the Ethiopian people at individual or group level in a participatory modus operandi should be the urgent task of all democrats if Ethiopia is to be relieved from the vicious agony of ethnic conflicts and traverse through the path of peace, stability and development. A federalism established with the consent of the people, and only in such a process could claim to be genuine.

²⁷ Edward Said, interview with Development-Issues, ISS V.5, no. 2, September 2003.

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