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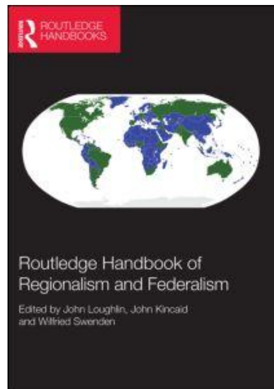

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Federalism in Ethiopia

Hybridity in ambiguity?

Sarah Vaughan

Introduction

Ethiopian federalism is resolutely multinational, ostensibly broadly symmetrical, and – on paper at least – radically devolved. Formally adopted in 1995, the constitution of the Federal Democratic Republic of Ethiopia (FDRE) is at the radical end of decentralized federal systems: it incorporates an unusual right of 'self-determination up to and including secession' (Art. 39) to the country's 'nations, nationalities and peoples', and has even occasionally been labelled 'confederal' (Brietzke, 1995). It offers 'all residual powers not otherwise granted to the Federal Government' or concurrently to both levels (Art. 52(1)) to nine federated states[1] in terms '*on paper* … more like an international treaty', 'rather un-federal and not even very constitution-like' (Brietzke, 1995: 33). This is a thoroughgoing multinational federal model, with strong echoes (further discussed below) of Stalin's conceptualization of the 'National Question'. It is very far from the modified unitary models of 'hybrid federalism', which Baogang He suggests represent 'the form most appropriate to deal with minority issues and the national identity question in Asia' (He, 2007: xvi). In perhaps another echo of its Leninist precedent, however, Ethiopia's constitution tells only a part of the story. This chapter contextualizes its discussion of Ethiopian federalism by examining a series of broader factors – political, historical, institutional and economic – which shed light on how it is evolving in practice.

Federalism was one of three fundamental reforms introduced *de facto* from 1991 by the incoming Transitional Government (TGE) led by the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF). A coalition of ethno-nationalist movements, the EPRDF – fighting alongside Eritrean and Oromo nationalists – had defeated the large army of its military predecessor, known as the *Dergue*.[2] After lengthy civil wars, the TGE inherited an authoritarian one-party state and the ruins of a command economy. Federalism was presented as a radical – even experimental – response to the failures of two highly centralized and autocratic regimes: Emperor Haile Selassie's initially modernizing but ultimately moribund imperial autocracy (1930–74); and the *Dergue*'s soviet-aligned and brutal brand of 'garrison socialism' (1974–91) (Markakis, 1987). Federal decentralization, democratization of the country's politics under a multi-party system, and liberalization of its moribund economy were widely seen as triple mechanisms for the resolution of conflict that had wracked the country. More than two decades later, much has changed, yet the

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nature and scope of decentralization, democratization and economic liberalization have each been more constrained – less liberal – than many observers envisaged in 1991.

Central to the way things have evolved has been the approach of the strongly dominant ruling party, the EPRDF, which, as architect of the federation, has retained power throughout the period at all levels of government, with its allied or satellite organizations governing a number of the peripheral states, regardless of a series of opposition challenges.[3] Ethiopian federalism is best understood in the context of the EPRDF's two other parallel strategies with which it is closely intertwined: 'revolutionary democracy' and a 'developmental state'. Revolutionary democracy, under the vanguard leadership of a Leninist ruling party, privileges comprehensive mobilization of a unified population in support of its revolutionary programme, over liberal democratic choice or political competition, and dates back to the origins of the ruling party in the student movement of the 1960s and 1970s. The developmental state model, meanwhile, emerged in 2001, when the ruling party finally abandoned its erstwhile commitment to 'socialism' (long in abeyance but not until then formally renounced), in favour of a transition to 'developmental capitalism' (*lematawi habt*) led by a strongly interventionist state (Vaughan, 2011). These two strategies – part of an alternative non-liberal official narrative of the 'transformation of state and society' (Meles Zenawi, 2012) – have served to entrench political and economic practices extensively controlled from a party-state centre, which remains strongly elided in a dominant party system. Both are controversial and strongly contested.

After a brief introduction to the country, the chapter reviews the historical background to the introduction of federalism in Ethiopia. It then sets out the key features of the federation, and reviews a series of associated debates about the impact of its ethnic or multinational constellation, and political centralization and the implementation of revolutionary democracy and the developmental state. These shed further light on the emergence of a non-liberal – even illiberal – form of federalism. Ambiguity and paradox has long been something of a cult in Ethiopia's highland culture, not least in the form of its highly valued 'wax and gold' poetry, where overt sense is complemented by a less evident inner meaning, often the subversive contrary of what is apparent (Levine, 1965). The relationship between formal institutional arrangements and their implementation and evolution in political practice is equally ambiguous: does federal decentralization here mean de-concentration of responsibility or devolution of authority, and how can we tell? The patterns identified suggest an ongoing 'hybridity', apparent clarity of constitutional devolution notwithstanding.

The Ethiopian context

Over and above the prowess of its altitude-trained distance runners, and longstanding connections with Christianity, Islam and Judaism, Ethiopia is probably best known for its poverty and the recurrence of devastating famine. Life expectancy in 2010 was estimated at 59 years, having risen from 38.4 in 1960 (World Bank, 2012).[4] A gross domestic product (GDP) of US$29,717,009,196, for a population estimated at 89,950,000 in 2010, gave a per capita GDP of around $350 (around €275) in 2010. Economic growth rates that had been sluggish, fluctuating with rainfall and harvests, have been particularly high through the period since 2003, remaining in double figures for the last five years according to government figures, and comparable with BRIC (Brazil, Russia, India and China) rates throughout and since the global downturn from late 2008.[5] Population growth, however, is also relatively high, estimated to be growing at a rate of 2.6% in 2009. Whilst nominal poverty rates (those living on less than $1 per day) dropped from more than 45% of the population in 1995 to 38.9% in 2004, the gap between rich and poor has also grown over the period, with more than 25 million Ethiopians continuing to live in poverty (DFID-Ethiopia, 2011).

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Literacy rates are estimated at around 30% (2009), and child mortality at 104/1000 remains higher even than continental averages. Agriculture accounts for some 45% of gross domestic income (GDI), and the livelihoods of 80–85% of the population, the rural majority: despite attempts to increase irrigation it is largely rain fed, and thus susceptible to the vagaries of rainfall and climate change. A 'productive safety net' or welfare programme introduced in 2005 has supplemented the incomes of an increasing population of chronically food-insecure farmers, reckoned to number 7.7 million in 2011, over and above emergency food relief beneficiaries estimated in June 2011 to number 3.2 million. The need to support a large population that is not self-sufficient in food has become a structural factor in Ethiopia, and plays a role in underpinning the model of a strongly interventionist state, as opposed to the night-watchman function of neo-liberal conception. Although Ethiopia received somewhere between $3.2 billion and $3.8 billion in official development assistance (ODA) in 2009, and aid flows have grown significantly over the last decade making it the biggest recipient in Africa, per capita receipts at $46 have only just begun to reach the continental average. Nevertheless, Ethiopia's recent socio-economic progress is widely regarded as pro-poor and impressive, achieving the third highest absolute global aggregate progress towards achieving the Millennium Development Goals (ODI, 2010). Its credentials in this area have won the government strong international support, despite misgivings about its commitments to political pluralism and human rights (DFID-Ethiopia, 2011). In 2010 the government embarked on an ambitious five-year expansion of its programme to build its regional infrastructure particularly in transport (roads, rail) and energy (including a controversial series of dams for hydro-electric power).

The Ethiopian state draws on longstanding indigenous traditions of political and judicial administration in the central highlands, and civil service capacitation and reform date back a century. Given its extreme poverty, Ethiopia is considered one of the more effective African states for local administration, service delivery and security, although critics also point to problems of authoritarian governance. Ethiopian state structures are pervasive, reaching almost to the household level in many regions. The expansion of decentralized service delivery since 2003 has trebled the number of civil service positions at the '*wereda*' (or district) third level of the state. Ethiopian citizens are strongly dependent on the local state for myriad services from registration of identification, to education, health, water, business and other licensing, and access to land, which is retained in state ownership. However, the state is much less present in the lowland peripheries (administered under federated 'states' of varying strengths), and its organizational capacity also remains weak in many of the highland states. Although public-sector corruption is generally regarded as lower than the continental average, it seems to be increasing in a context of economic growth. A related aspect of the technocratic integrity of the bureaucracy is also of widespread concern: namely, its weak capacity to deliver critical, autonomous advice to the political executive. Both of these problems are compounded by meagre public-sector pay scales, a low educational baseline and (in the view of many) the dominance of the ruling party.

The prevalence of a strongly hierarchical socio-political culture is arguably a further underlying factor inhibiting the development of some aspects of national organizational capacity and pluralism. Pronounced patterns of social stratification and public deference tend to reproduce clientelistic or top-down organizational structures, inhibiting the growth of more professional, devolved, or competitive norms. These issues inform the nature of the pervasive state system, but also present problems that affect the commercial, private and voluntary sectors, which are all strictly regulated, as well as associational life at the micro level. In this context, for instance, a perception of inadequate judicial protection of assets drives down productivity and inhibits market efficiency: both private-sector entrepreneurs and consumers prefer to rely on relations of trust, rather than shopping around for value, such that non-productive businesses continue to operate

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alongside more efficient competitors (Vaughan and Mesfin Gebremichael, 2011). Associational life often also reflects hierarchies, with important local organizations for funeral expenses, revolving credit and religious celebration drawing together close groups of peers. Elder men often operate as gatekeepers at the community and household levels, with women and some occupational groups regularly marginalized. However, many of these norms are shifting as the educational base expands. Ethiopia's resilient communities are widely considered to draw on strong social capital, not least with respect to the tolerance of religious division, or ethnic diversity. Ethiopia has more than 70 recognized language or ethnic groups, from the large Oromo population representing a significant proportion of the national population, to the myriad micro groups concentrated in the south-west of the country.

Historical state formation

Ethiopia is unusual in not having been colonized at the end of the 19th century by any of the European powers. Modern Ethiopian state formation reflects a peculiar mixture of European and African patterns and processes. At the old Abyssinian core (essentially what is now the two northern highland states of Tigray and Amhara, together with parts of highland Eritrea), a more centralized polity capable of taxing and conscripting its populations evolved in the mid-19th century, regulating its frontiers through the kind of warfare between neighbours familiar from Europe (Tilly, 1990). This process drew on centuries – even millennia – of political development oscillating between more and less centralized extremes, epitomized for many writers on federalism by the concentrated power of the early Axumite empire (4th century BC to 1st century AD), and the fractious 'Era of the Princes' (*Zemana Mesafent*, 1769–1855), respectively (Assefa Fiseha, 2010; Solomon Negussie, 2008). Under Menelik II (1889–1913), meanwhile, the newly centralized polity expanded southwards in a process of conquest of a series of peripheries: the southern part of the highland massif (much of what is now Oromia and SNNPRS), which was economically and administratively integrated within the empire state; and a lowland 'fringe periphery' (Donham and James, 1986) (much of what is now Afar, Somali, Gambella and Benishangul-Gumuz NRSs, as well as lowland areas of SNNPRS and Oromia), which was not. The campaign was explicitly competitive with the adventures of European colonial powers, and some continue to regard it as having been equally 'colonial'. If Ethiopia's political core evolved organically, the modern state's borders, like those of the rest of Africa, were determined by treaty rather than by military competition with neighbouring powers, in areas where the state 'petered out' (Clapham, 2001).

The newly incorporated and agriculturally resource rich areas of the southern massif drew in a settler class from the north, and the evolution of recognizably 'feudal' arrangements for land expropriation, the organization of labour and extraction of surplus. The constellation of power developed a strong ethnic edge, with the assimilation of local elites into a hierarchical Ethiopian political culture marked by the Amharic language and Orthodox Christianity of the empire builders. Beyond the sharp drop of the escarpment, meanwhile, the lowland fringe formed a geopolitically useful buffer zone which continued to be raided for gold, ivory and slaves in some instances as late as the 1970s. Mobile, acephalous lowland clans, lineages and age sets of pastoralists and shifting cultivators were distinguished from their sedentary neighbours by sharp religious, cultural and socio-economic differences. Highlander suspicion of lowland Islam in the east (what is now Afar and Somali regional states) was bolstered by the narrative of Ahmed Gragn/Gurey's 16th-century invasion from the Adal Emirate at Harar; many groups in the west (now Gambella and Benishangul-Gumuz) were despised and abused as 'black slaves' or *shankalla*.

Mussolini occupied Ethiopia in 1935, carving it into the six governorates of the wider Italian Imperial East Africa (a number of which were drawn up on a distinctly ethno-linguistic basis[6])

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and prompting a wide variety of options and claims for Ethiopia's post-war dispensation, when the British restored Emperor Haile Selassie in 1941. Whilst Africa overall has a comparative 'secessionist deficit' (Englebert and Hummel, 2005), conflicting experiences and conceptualizations of the Ethiopian state drove dozens of 'liberation movements' to challenge the status quo in the Horn of Africa over the last 50 years. The imperial state, meanwhile consolidated an educated administrative class which usurped the power of the regional aristocracy and centralized administration. In response to rebellions in the periphery Emperor Haile Selassie established an effective military to defend centralized rule. It was the army that seized power in the 'creeping coup' of 1974. The *Dergue*'s various socialist programmes of mass-education, villagization, resettlement, national conscription and the establishment of a uniform system of local government peopled by civil servants, army officers and political cadres consolidated the state, especially across the country's small towns and garrisons. In rural and peripheral areas, meanwhile, ethno-nationalist and secessionist movements won increasing support, fuelled by its political and socio-economic abuses. Many also won international cross-border assistance from co-ethnics and hostile neighbouring regimes committed to the Horn of Africa's perennial credo that 'my enemy's enemy is my friend'.

There are a number of historical reasons for Ethiopia's adoption of a radical rather than an *ad hoc* or 'hybrid' form of federalism in 1991. Hybrid, *ad hoc* and asymmetrical arrangements have a particularly bloody history in this part of the Horn of Africa. Emperor Haile Selassie's incremental dissolution of the UN-sponsored arrangement that constituted Eritrea between 1952 and 1962 as 'an autonomous unit federated with Ethiopia under the sovereignty of the Ethiopian Crown' (Tekeste Negash, 1997)[7] ushered in a 30-year war, and the eventual secession of Eritrea, *de facto* in 1991 and *de jure* in 1993. In another example, provisions made by the military Marxist *Dergue* government in 1987 for unitary civilian government distinguishing between 'autonomous' and 'administrative' regions, offered ethno-nationalist opponents too little, too late (Clapham, 1990: 252ff; Andargachew Tiruneh, 1993: 265ff). They were similarly swept away as the architects of the Ethiopian multinational federation and Eritrean secession came to power by force of arms in 1991. By then, over three decades an estimated 525,000 soldiers and insurgents and 300,000–500,000 civilians had been killed in Ethiopia's various wars (Gebru Tareke, 2009).

Ethiopia's ethnic/multinational federation

Ethiopia, then, is a relatively recent federation, adopting the arrangement *de facto* in 1991 (under a transitional Charter) and *de jure* in 1995 (with the FDRE Constitution). Table 30.1 lists the states of the Ethiopian federation and their population figures in 1994 and 2007. Some 80% of the population of the country is found in the three biggest regional states – Oromia, Amhara and Southern Nations and Nationalities and Peoples (SNNP) – both in 1994 and 2007 (FDRE Population Census Commission, 2008: 10). These three states, together with Tigray and Addis Ababa, also encompass the central highland massif.

The introduction of federalism marked an abrupt break with the immediate centralized past, but arguably reflects the continued arc of a pendulum of power swinging between centre and regions over the long durée. Many expressed doubts about the introduction of a radical restructuring that could 'neither trace its roots from the recent history of the country nor is it based on the traditional form of decentralization … The abrupt introduction of federalism coupled with a novel undertaking of ethnicising its form was considered by many as a risky venture. The novelty of the system also casts a shadow of doubt over whether the principal actors of the system adequately comprehended it' (Solomon Negussie, 2008: 25).

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Table 30.1 The states of the Ethiopian federation and their population figures

Region	*1994*		*2007*	
	Number	*%*	*Number*	*%*
Tigray	3,136,267	5.9	4,314,456	5.8
Afar	1,060,573	2.0	1,411,092	1.9
Amhara	13,834,297	25.9	17,214,056	23.3
Oromia	18,732,525	35.0	27,158,471	36.7
Somali	3,198,514	6.0	4,439,147	6.0
Benishangul Gumuz	460,459	0.9	670,847	0.9
SNNP	10,377,028	19.4	15,042,531	20.4
Gambella	181,862	0.3	306,916	0.4
Harari	131,139	0.2	183,344	0.2
Addis Ababa	2,112,737	4.0	2,738,248	3.7
Dire Dawa	251,864	0.5	342,827	0.5
Special enumeration		0.0	96,570	0.1
Country total	53,477,265	100.0	73,918,505	100.0

Source: FDRE Population Census Commission, 2008

Initially mandated for a period of six months at its founding conference in July 1991, the TGE remained in power for four years until 1 August 1995, during which period it undertook the drafting of a federal constitution (approved by members of an elected constitutional assembly in December 1994), the election of regional and local authorities in 1992, and the transfer of power to the winner of national elections held in mid-1995. The TGE established a three-tiered administrative system of 'central government, Regional Self-Government and *Wereda* administration', and formally effected the statutory division of legislative, executive and judicial powers between the centre and the newly established regional state governments. Whilst these three levels continue to be those constitutionally recognized under the FDRE constitution, two other levels – the zone (an administrative level between state and *wereda*) and the *kebele* (the lowest level of local government and first point of contact for citizens) – have no constitutional status, but play particularly important roles in relation to the coordination, capacitation and frontline delivery of services to citizens.[8]

The principles of fiscal and executive decentralization articulated in the Charter were elaborated under proclamation 7/1992 (for the establishment of regional self-governments) and 33/1992 (for the division of revenue raising and expenditure responsibilities between the central and regional governments). Proclamation 33/1992 also set out the principles governing all forms of intergovernmental financial regulations (Solomon Negussie, 2008: 24). Significant spending responsibility was transferred to the regional governments by 1994, but little was done to devolve spending beyond the regional state level. Critics at the time argued that the establishment of local governments had little practical significance, since regional state governments were heavily constrained by a combination of lack of capacity, and lack of political will, to decentralize powers to the *wereda* level (Befekadu Degefe, 1994). In fact *wereda*-level decentralization came later, in an ambitious second phase of reform from 2001, which established a second tier of block grant subsidies from state to *wereda* governments.

In contrast with the interim centrally delegated arrangement, the 1995 FDRE constitution established a radically devolved federation of the 'Nations, Nationalities, and Peoples of Ethiopia' (*biher, bihereseewoch ena hezboch*), which (following Stalin (1973)) it defines as 'group[s] of people who have or share a large measure of a common culture or similar customs, mutual intelligibility of

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language, belief in a common or related identities, a common psychological make-up, and who inhabit an identifiable, predominantly contiguous territory' (Art. 39(5)).[9] FDRE constitutional Art. 47 enumerates the nine member states of the FDRE (sub-article (1)), sets out the procedures according to which additional units may be established (sub-articles (2) and (3)), and specifies that they 'shall have equal rights and powers' (sub-article (4)). Over and above the residual sovereignty they enjoy, Art. 52 further authorizes the states:

a) to establish a State administration that best advances self-government, a democratic order based on the rule of law [and] the Federal Constitution;
b) to enact and execute the State constitution and other laws;
c) to formulate and execute economic, social and development policies, strategies and plans of the State;
d) to administer land and other natural resource in accordance with Federal laws;
e) to levy and collect taxes and duties on revenue sources reserved to the States and to draw up and administer the State budget;
f) to enact and enforce laws on the State civil service and their condition of work; [and] ensure that education, training and experience requirements for any job, title or position approximate national standards;
g) to establish and administer a state police force, and to maximize public order and peace within the States.

The FDRE constitution gives little more than a skeleton framework for the establishment of the states. In constitutional terms, there is little to prevent the states evolving in markedly different directions, and it seems that this was a deliberate move to allow formal flexibility in the face of diverse circumstances. In practice, however, regional state constitutions drafted in the early 2000s show remarkable uniformity, and variation from the *formal* federal model has been relatively limited, with political practice also reflecting the unifying influence of the ruling party. The exception is perhaps provisions related to the management of ethnic or multinational identity. The nine states have highly asymmetric profiles in terms of history, demography, culture, ecology, levels of development, economy and so on, and no attempt has been made to divide larger groups between several states (as, for instance, in Nigeria) to create more evenly matched units. The demographic asymmetries are reflected at the state constitutional level, with modified political and administrative arrangements marking the representation of areas where mixed or multiple ethnic groups complicate the application of the ethnic federal principle (van der Beken, 2012).

Thus the multi-ethnic SNNPRS forms a 'federation within a federation', of ethnically defined zones and 'special' *weredas* each with their own legislative and executive powers. In the micro city-state of Harar elections to part of the legislature are, exceptionally, open to an ethnic electorate living beyond the state's borders, and designed to add influence to the numerically tiny Harari population. Whilst certain of the states are dominated by the single ethnic group for which they are named (Tigray, Amhara, Somali, Afar, Oromia – although this last has minorities of more than a million non-Oromo citizens), others apart from the SNNPRS have also sought controversial arrangements to protect the rights of the 'indigenous' ethnic community, including ethnic territorial zones (Gambella, Benishangul-Gumuz). These differences notwithstanding, all states have 'essentially adopted the same attitude towards ethnic diversity' (van der Beken, 2012: 288). Finally, in addition to the nine states, two 'chartered cities' with mixed ethnic populations remain under the administration of the Federal Government: Addis Ababa the Federal Capital, and Dire Dawa, to which three proximate regions (Afar, Oromia and Somali) had laid claim.

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Notwithstanding the clear declaration of residual sovereignty to the states (Art. 52(1)), there remain sufficient 'gray shady areas of power' (Fasil Nahum, 1997: 41), even at the constitutional level, to raise myriad questions. Brietzke observes that 'in jurisprudential terms the apparent absence of an Ethiopian attachment to westernized positivism or natural law is actually an advantage, because it facilitates purposive (unionist) interpretations or modifications of the [then] Draft Constitution' (Brietzke, 1995: 33). This view is widely echoed by those who stress that 'a legalistic approach to implementation could throw up all sorts of difficulties in precisely defining the power and jurisdiction of Federal and Regional Governments. Disputes over jurisdiction would need to be settled in the courts or by the Federal Council. But this is only one possible scenario. The Constitution provides for reciprocal delegation of power, and it may equally be possible for Federal and Regional Governments to work together within the Constitution on the basis of common interests and consensus' (Lister, 1998: 16).

A number of important sub-articles of Art. 51 combine to give high levels of authority to the Federal Government, particularly (4) and (8), which reserve powers in relation to financial, monetary and foreign investment policy and strategy, and in relation to international agreements. Other key powers reserved to the centre include defence (6), foreign policy (8), and the proclamation of a state of national emergency in all or a part of the country (16). In addition, arguably the major effective constitutional check on the states' power is embodied in constitutional Chapter 10, which sets out 'National Policy Principles and Objectives' binding on Federal and State Government bodies alike. In combination with Art. 51(2) (which reserves to the federal government the power to 'formulate and implement policies, strategies and plans in respect of overall economic, social, and developmental matters') and Art. 51(3) (regarding the establishment and implementation of 'national standards and basic policy criteria for health, education', etc.), these vague and overarching principles offer the Federal Government extensive scope for policy leverage – even veto – over the states. The manner in which Art. 51(2), in particular, is interpreted is critical to the establishment of the balance of power between the two levels of government (cf. Lister, 1998) and there remains plenty of scope for change and refinement of the position over time. To date, however, with one party or its allies governing at all levels of the federation, this scope has been little tested.

Two parliamentary bodies operate at the federal level: the legislative body is the House of People's Representatives (HPR), to which delegates are elected every five years, with the majority party bloc electing the prime minister and approving his or her cabinet (a pattern replicated at state level in terms of Councils and state presidents). Whilst most of the members of the HPR are elected on the basis of a first-past-the-post majority, 20 additional seats are allocated to protect the interests of very small minority nationalities. Brietzke (1995: 25) suggests that the constitution 'combines presidential and parliamentary forms of government in ways which minimize the separation of powers and checks and balances', and this is a point made again recently to highlight the broad scope for executive authority (Aalen, 2011). The second parliamentary body, the House of the Federation, is made up of representatives of each of the country's nationalities or ethnic groups, one per group, plus an additional one for every million of population. Its members are elected by the states, and meet only a few times a year to oversee three key functions also reviewed by standing committees: interpretation of the constitution (a role more usually carried out by a constitutional court); inter-state relations; and the federal-states allocation of funds.

Art. 62(7) entrusts the House of the Federation with the power to 'determine the division of revenues derived from joint Federal and State tax sources and the subsidies that the Federal Government may provide to the States'. Here the constitutional balance is bolstered in favour of the federal government, by a financial balance of power decisively tipped towards the centre, where an overwhelming majority of revenues are generated, not least because of the economic

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dominance of the capital. Arts 95–99 enumerate respective powers of taxation, a division logical according to jurisdiction, but which results in strong vertical imbalances as revenue raising powers do not follow expenditure responsibilities. Art. 100 adds a number of peculiarly vague 'directives on taxation' which seem designed to give either level of government – but presumably primarily the federal level for the time being – the right to reign in aberrant or unacceptable taxation policies. In practice, the House of Federation has regularly determined the envelope and distribution of the federal subsidy to the states, using a combination of the three factors of population, developmental level and revenue-raising capacity. As the calculation has continued to drift in favour of population, the House recently agreed to contribute an additional 1% of the subsidy to the four lowland peripheral regions, which are sparsely populated and acutely underdeveloped.

The politicization of ethnicity?

Constitutional provision and legal, political, economic and administrative order in contemporary Ethiopia are based essentially upon ethnicity, upon the collective identities of Ethiopia's nations, nationalities and peoples. Ethiopia's novel approach to ethnicity has been widely seen as risky – potentially limiting democratization and the movement of capital, and fostering partition (Cohen, 1995: 168). This last was of particular concern on a continent where its embrace of secession and ethno-nationalism was out of step with integrative nation-building sentiments both new and old. South Africa's new rainbow nation in 1994, and – ironically – newly independent and strongly nationalist Eritrea in 1993 expressed reservations, continuing the longstanding commitment of the OAU (now AU) to the sanctity of colonial borders, which had been nurtured in Addis Ababa in the 1960s. Having sanctioned Eritrean secession *de facto* in 1991 and *de jure* in 1993, the new government and the federal system it proposed were criticized for introducing a system likely to ethnicize and disintegrate the remaining empire state. In the context of the ongoing collapse of the Former Yugoslavia, this seemed a cogent critique, and it has flourished intermittently ever since, despite the fact that the state seems stronger than ever.

In this highly contested context, then, it is not surprising that Ethiopian federalism has been a polemical as well as a political project. The politicization of ethnicity pre-dates both the EPRDF and its coming to power, with the emergence of the 'National Question' amongst the Ethiopian Student Movement during the late 1960s, and multiple ethno-nationalist mobilization against the *Dergue* regime during the late 1970s and 1980s. Nevertheless, it is a widespread criticism that federalism has 'institutionalized' ethnicity, with negative consequences (Abbink, 2011), including the revival of and legitimation of 'traditional' norms (Aalen, 2011). Pan-Ethiopianist opposition groups (notably but not only the Coalition for Unity and Democracy which made a strong challenge to the ruling party in the 2005 national poll) have called for its reform along regional lines, decrying what they call the divisive 'ethnic politics' (*ye gossa politika*) of the government. Whilst ethnic or multinational federalism has undoubtedly rendered these identities newly and differently relevant to political life, institutionalizing them as the 'dominant rhetorical figure in Ethiopian politics' (Abbink, 2011: 596), this has had complex and diverse results about which there is much debate.

EPRDF's views of the likely or desirable long-term outcomes of its mobilization of ethno-nationalism are opaque. Inclusion of a constitutional right of secession suggests an unusual degree of 'ideological rigour' in the application of Leninist thinking on the National Question (Kymlicka, 2006), suggesting in turn that the ruling party perhaps also embraces the Leninist view that the salience of nations, nationalities and peoples will naturally subside as the economy grows and integrates.[10] Others have suggested that EPRDF's perspective has more in line with Bauer and Renner's views of the persistence and enduring appeal of nations, nationalities and peoples (van

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der Beken, 2012). Be that as it may, whilst the secession clause arguably does not stimulate co-operation or unity between groups (ibid.: 292), it almost certainly also 'does not pose a threat to the smooth functioning of the federation as long as there is no significant institutionalized political pluralism' (ibid.: 294). Many inside and outside government, meanwhile, continue to be concerned both with the divisive and conflictual potential of ethnicity, and with its utility in mobilization.

Ethiopia's leaders justify their federal initiatives as attempts to resolve what they see as the chauvinism and narrow nationalism of the past,[11] and increasingly conceptualize Ethiopia's nationalities in terms of their shared histories of oppression, seeking to downplay the more apparently 'primordial' or intractable aspects of their collective profiles.[12] This contrasts with the approach taken during the 1990s, when it was current language use that became the single effective criterion applied by the TGE Boundary Commission in drafting the federal map. The TGE Commission was dismissive of claims based on history, fearing their open-ended potential for dispute, and preferring to deal in currently verifiable demographics. Ambivalence about historical precedent is not surprising: Ethiopia's history is so diverse and complex that it could be raided for material to support pretty much any form of government, unitary or devolved, ethnic or otherwise. Also unsurprisingly, however, demographic distribution has proved plural, mixed and shifting, with relatively few parts of the country presenting uncontested homogenous ethnic territories, and the practical limitations of the federal principle clearly in evidence.

In some instances, the new salience of ethnic identities has contributed additional resources for conflict, and reified sharper divisions between communities (Abbink, 2011; Aalen, 2011: 186–87). Smith observes that 'one should not consider federation, as Enloe (1977) does, as a means of solving inter-ethnic cleavages. Rather federation is primarily a territorial strategy of social control designed to secure ethno-regional coexistence' (Smith, 1995: 13). Coexistence at the local level has often been complicated, with boundary disputes and calls for separate administrative status proliferating since 1991. Many see conflict and patronage politics as inherent in an approach likely to foster particularism and the strengthening of familial, social and ethnic ties (and divisions) between local state officials, bureaucrats and wider social actors. Local inter-communal conflict has almost always involved an element of opportunistic and instrumental manipulation by local politicians tempted to become ethnic entrepreneurs. Whilst ethnic differences have regularly provided the cloak or formula for conflicts that have other socio-economic causes, nevertheless they 'provide meaning' to communities with disputes that are thus not easily reduced to resource competition (Aalen, 2011: 187).

> Inter-ethnoregional tensions in most federal systems are also bound up with a politics of uneven development. As Simeon notes, 'levels of inter-regional and intergovernmental conflict, co-operation or competition, are not primarily a matter of constitution or of intergovernmental machinery. They are a function of the underlying political economy, the issues that arise, the mobilization of interests and the ambitions of federal and provincial leaders' (1988: 45–46).
>
> *(Smith, 1995: 11)*

EPRDF seems to have been taken aback at the enthusiasm with which its own cadres have often spearheaded local drives for autonomy, responding to new and conflictual local incentive structures. The party conducted several crusades against 'narrow nationalism' amongst its members, particularly in the SNNPRS and Oromia during the 1990s, with mixed results. The ethnonationalisms that have emerged in Ethiopia since 1991 are by no means identical, any more than the groups that nominally engage in them operate as homogenous, united or consistent entities,

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however much federal administration may treat them as such. Some nationalisms – arguably perhaps Somali and Oromo forms – often manifest as more strongly premised on an expansionist approach to territory than others, and it is not a surprise that some of the most intractable conflicts over territory have been on the borders of these two regions. Referenda to demarcate borders (notably that between Oromia and the Somali regional state) have run up against the social realities of inter-group mingling and flux. They have proved particularly problematic amongst pastoral communities, whose mobility offers greatly enhanced potential for gerrymandering. The political variation between, for instance, the constellation of politics and governance in and between Sidama and Welaiyta groups in the SNNPRS further demonstrates that ethnic federal arrangements have had contingent rather than unidirectional consequences (Aalen, 2011: 180ff). Recent moves to establish party youth leagues of mixed ethnicity in the name of EPRDF rather than its individual constituents perhaps reflect an attempt to socialize a new generation away from parochial political instincts. Nevertheless, there is an ever-present temptation to exploit the relative enthusiasm of some ethnic communities for federalism to consolidate political support for the ruling party. This became particularly apparent in government rhetoric in the face of the antipathy of multi-ethnic urban strata, as in the wake of the contested 2005 poll: appeals to ethnic sentiment often work.

Federalism, democracy and the developmental state: centralized decentralization

The unified and mobilized participation of ethno-national communities has been key to EPRDF's conception of the achievement of the kind of popular national consensus that it sees as essential to the success of the developmental state. Similarly its commitment to self-determination of nationalities incorporates the notion that a vanguard party may legitimately grant self-determination to a community from above, in that process identifying and prescribing the 'objective' ethnic criteria to define the group and demarcate administrative borders around it, likely reifying it in the process as somehow natural or 'primordial'. Its approaches to democracy and to the National Question are thus intimately linked, and also incorporate contradictory instrumental ideas. Inherent in the EPRDF's attachment to the idea of nationality-based mobilization, along with the idea that it is morally better than other forms (i.e. that ethnic self-determination is democratic, emancipatory and non-discriminatory for the first time in Ethiopia's history), is the idea that it works better – i.e. that people are more responsive to political education and encouragement given to them in their own languages by their own children, and that the collective identities to which they relate are malleable, and can change.

The FDRE constitution, written in the voice of 'we the nations, nationalities and peoples of Ethiopia' provides a 'myth of origin' of the 'coming together' federation (Turton, 2006: 14); its architects saw it as the only means of a conflict-ridden Ethiopia 'holding together' in the face of strong secessionist pressure, whilst critics have described it as 'putting together' federalism from on high (Keller, 2002). Many have also seen a tension between the collective rights of 'sovereign' nations, nationalities and peoples, and the individual rights of citizens. It can be argued that the dichotomy is a normative rather than an empirical one (in practice, individual citizens' rights are just as much embedded in wider social networks as those of collectives, and they are negotiated as such); nevertheless it is noteworthy that EPRDF representatives are now careful to present *both* collective rights *and* individual rights as the 'twin foundations' of the federal project. Once again, at issue is the nature of Ethiopian democracy, categorized in 2001 as 'competitive authoritarian' (Diamond, 2002: 31),[13] rather than open, plural and liberal, and resulting in a 'hybrid federalism … with many features that are characteristically Ethiopian' (Keller, 2002: 21): imposed from the top with little or no popular consensus (Keller and Smith, 2005).

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Keller (2002, citing Horowitz, 1985) argues that a federal approach in deeply divided societies should be to 'proliferate the points of power' to promote intra-group rather than centre-periphery conflict. In this context a number of commentators have questioned why Ethiopian finances remain so centralized, identifying as causes an underdeveloped private sector, poor administrative capacity, problems of making state governments accountable, and corruption (Keller and Smith, 2005). The evolution of a two-speed federation of highland regions and lowland periphery may also be relevant. Solomon Negussie (2008: 117) argues that the problem of centre-periphery flows is complicated by a degree of asymmetry between regions which has made federal-state co-operation unavoidable – albeit in forms operating informally through party channels rather than systems of intergovernmental relations. Profound horizontal imbalances complicate the underlying problem of deep vertical imbalance; the combination has the potential to prove destabilizing and demonstrates the need for strong central policy making to correct those imbalances (Solomon Negussie, 2008: 183).

Assefa Fiseha, meanwhile develops an important critique of increasing centralization in terms of three processes (policy making, the party system and intergovernmental relations), and a series of events (a split in the ruling party in 2001; the Ethio–Eritrean War of 1998–2000; and a new law on federal intervention) (Assefa Fiseha, 2010: 378). There is evidence of a shift of approach taken by the government in different phases of the federation, including a clawing back of the early ethnic 'free for all' in the second half of the 1990s; and consolidation of this approach during a second phase of decentralization after 2001 which shifted the focus of funding, capacitation and service delivery under the developmental state from (ethnically defined) states and zones to (demographically defined) *wereda*. The main reason for continuing centralism, however, is unarguably the centralized nature and 'vanguard role' of the ruling party. The ubiquity of the ruling party at all levels of government throughout the life of the federation means that its constitutional provisions have been little tested in practice.

Conclusion

Many commentators agree that there is a strong central paradox in Ethiopian federalism between constitutional form and political practice: between a constitution which vests so much power in the federated states as to seem 'confederal' and a political practice which (whatever else its merits and problems) remains hierarchical and centralized. The chapter has considered the relation between the theory and practice of Ethiopian federalism, locating federalism in relation to the country's history, to ethnicity, and to two other central trajectories of Ethiopian policy making which, whilst analytically distinct, are intimately connected with it: decentralization of administration and service delivery under the framework of 'revolutionary democracy'; and the recent emergence of the notion of the 'developmental state'. As the FDRE constitution was being adopted, John Cohen (1995: 176) posed a question that continues to resonate: 'if Ethiopia is following a hybrid strategy of administrative decentralization [one that is still part deconcentrated, part devolved] then … how long will it take for it to deliver meaningful devolution? Academic and professional observers closest to the situation have concluded that it will take a considerable period of time.' They still do.

Notes

1 Afar, Amhara, Benishangul-Gumuz, Gambella, Harar, Oromia, Somali, Southern Nations, Nationalities and Peoples (SNNPRS), and Tigray. The majority of the population is concentrated in the four large highland states: Amhara, Oromia, SNNPRS and Tigray.

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2 Literally 'committee' (Amharic), in reference to its initial constellation as the Provisional Military Administrative Committee (PMAC).
3 In 2001 local and regional polls an opposition group won outright control of Sheka wereda (district) in the south-west of the country, in the only highland exception to the rule; they initially faced imprisonment and budget cuts before being able to take up office, but by the end of their term they had reunited with the local EPRDF party.
4 Unless otherwise indicated all statistics given in this section are from the World Bank's World Development Index, updated at June 2012.
5 There has been some disagreement over growth rates, with International Monetary Fund figures placing it several percentage points down on government numbers, but nevertheless above continental averages for the period.
6 'Eritrea' (including much of today's Tigray), 'Italian Somaliland' (including much of Ethiopian Somali region), 'Amhara', 'Scioa', 'Galla-Sidamo' and 'Harar'.
7 UN Resolution 390(V), 2 December 1950, Article 1.
8 Zones in the case of the SNNPRS, which forms a 'federation within a federation', and special zones elsewhere are the exception: see below.
9 No formal distinction is made between the three categories in practice.
10 During the 1990s there was much talk of the EPRDF evolving into a single national party as ethnicity became less and less important. The project now seems to be in abeyance, and is no longer described as a priority for the party.
11 Chauvinism is thought of as characteristic of dominant groups that discriminate against those they subordinate; narrow nationalism as the reactionary and parochial response of those who are 'oppressed'.
12 This, for instance, is one reason given for the organization's rejection of the term 'ethnic' in relation to what they prefer to call Ethiopia's 'multinational' federalism, *vid.* Meles Zenawi's comments to the inaugural Tana African Security Forum, Bahr Dar, 14 April 2012.
13 Larry Diamond might have re-categorized the Ethiopian arrangement as 'hegemonic electoral authoritarian' five years later.

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(As is customary, Ethiopian authors are listed by their own given name followed by their father's name.)

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