

Review

The dilemma of adopting ethnic federal system in Africa in light of the perspectives from Ethiopian experience

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This article aims to analyse the major challenges of adopting ethnic federal system in Africa with special focus on the context of Ethiopia's ethnic federal system. It is argued that though the adoption of ethnic federal system in Ethiopia has created the opportunity for minority groups to exercise their cultural and linguistic rights, the ethnic federal experiment has faced enormous challenges. The challenges include problems of legitimacy, unprecedented emphasis on ethnicity and lack of genuine democratization process. The article argues for concrete measures to be undertaken on political accommodation of various political groupings, realization of genuine democracy and establishing efficient political institutions as well as the need to accommodate minority rights in a manner that fosters social cohesion and national unity in the country.

Key words: Ethnicity, federalism, Ethiopia, diversity, democracy, democratization.

INTRODUCTION

The post-Second World War international development in human rights has been largely based on the assumption of a nation-state which is understood to refer to the convergence of the territory of a state with a nation, whose members are united by ties of history and culture and commitment to a common future (Ghai and Cottrell, 2008). The principal basis of rights and obligations in a nation-state is citizenship based on equality before the law and enjoying the same rights. The sovereignty of the people is expressed through the state, which provides a common regime of laws, the machinery for justice, democratic rights of franchise and candidacy in elections, and the protection of other rights of individuals (Ghai and Cottrell, 2008). In such systems, a citizen's linguistic, religious, and cultural affiliations are largely ignored or undermined. In fact, there has been considerable consensus among many Marxist and non-Marxist scholars that ethnicity is reflection of isolation of communities and lack of efficient communications and blame ethno-cultural conflicts on temporary factors that would disappear through time (Karmis and Norman, 2005; Kymlicka and Opalski, 2001). It has been expected that industrialization, urbanization and the spread of modern education would reduce ethnic tendencies in the process. Marxists were also certain that socialism would mean the end of the ethnic tension and consciousness that existed in pre-socialist societies (Spiro, 2007). Assimilation of

minorities into a large integrated whole was viewed as the inevitable future (Jalali and Lipset, 1992).

It is now clearly established that the assimilationist assumptions are not valid. According to scholars there is no much evidence in western democracies that demonstrate the achievement of democracy, economic prosperity and personal tolerance would lead to abatement of ethno-cultural mobilization (Kymlicka, 2002:82-83). On the contrary, ethno-cultural demands have increased throughout western and non-western societies. Rather it is argued that the achievement of democratization, prosperity and tolerance have direct implications to increased ethno cultural mobilization (Kymlicka, 2002). The nation-state model has come under considerable attack in recent decades, challenging the very basis of the system that privileges the culture or language of the majority and marginalizes other communities despite the fact that the state professes neutrality (Ghai and Cottrell, 2008). In such systems, exclusion of minority groups or their under-representation in the institutions of the state, limited opportunities in the economy, social discrimination, lack of access to the legal system, and the denial of justice in many sectors of life have become grounds of mobilization for minority groups (Ghai and Cottrell, 2008). The challenge to citizen-oriented nation states is expressed in terms of different collective demands such as rights to autonomy, language, special

measures or representation in the government and proportionality in public services (Ghai and Cottrel, 2008).

The contemporary challenge to multicultural society is, thus, how to accommodate the national and ethnic differences in stable and morally defensible manner (Kymlicka, 1995). In the last few decades, a number of attempts have been made to accommodate ethnic diversity in different political discourses. One of the most effective mechanisms devised so far to accommodate ethnic and religious diversity is through adopting a multicultural federal system that grants territorial autonomy to minority groups. Western democracies such as Belgium, Switzerland and Canada have established effective multicultural federal systems that accommodate cultural pluralism. The relative success of accommodation of multiculturalism in western democracies is largely attributed to the existence of economic prosperity and democratic system.

On the other hand, challenges of accommodating ethnic diversity are very intense in developing multi-ethnic countries of sub-Saharan Africa. In Africa, since there is an inclination for individuals to think of themselves primarily as Oromo, Hutu, or Masai rather than an Ethiopian, Rwandan or Kenyan, craving for a political system based on civic nationalism has never been an easy task (Spiro, 2007). Furthermore, despite the glaring diversities, most African states are in the practice of ignoring or suppressing political manifestations of ethnic identities for fear of ethnic fragmentation.

Believing that official recognition of ethnic diversity would foster divided loyalties and separatism, virtually all African states have avoided coming into terms with heterogeneity of their ethnic make-up. Such denial is an unwanted approach both as matter of expediency and as matter of constitutional theory. Far from helping to achieve the goals of national integration and political legitimacy, ignoring or suppressing ethnicity has led to militant ethnic nationalism, conflict and political disorder (Alemante, 2003).

It is only few African states such as Nigeria, South Africa, Ethiopia and recently Kenya that have attempted to address their ethnic heterogeneity through establishing different constitutional and institutional mechanisms. Especially, Ethiopia is experimenting Soviet-style ethnic federal system since 1991 as a mechanism to address the challenges related to accommodation of ethnic diversity in the country. The success or failure of such experiment shall have its own positive and negative signals to the continent that has been troubled by different socio-political setbacks. In fact in recent years some African countries have indicated their interest to 'learn' from the Ethiopian mode of political accommodation of minority rights. In light of such significance, the article assesses the back ground of the Ethiopian ethnic federal system including the merits and challenges the system has faced in the last two decades. In addition to this, the article provides some perspectives

on a balanced approach on accommodation of ethnic diversity in the African context.

BACKGROUND OF ETHIOPIA' S ETHNIC FEDERAL SYSTEM

In many respects, Ethiopia had a very impressive moments in its long history. Its old history has been elevated with the discovery of *Dinknesh* as it is known by the outside world as Lucy in 1974, which is the oldest fossil of humankind as old as 3.2 million years. It is also the only African state that was not colonised by a foreign power. The country has diverse cultures, languages and religions. Particularly, the incorporation of a large number of diverse ethnic groups which now inhabit the larger part of the state in the second half of 19th century has created a complex evolving situation of confrontation between the broader Ethiopian nationalism versus the narrow ethnic nationalist sentiments among minority groups. Ethiopia is also one of the most populated and ethnically diverse countries in Africa with total population of 80 million and with more than 80 ethnic groups. According to the 2007 census, the Oromo comprises the largest ethnic group with 25 million people followed by Amhara ethnic group with 20 million.¹ The Orthodox Christian and Islam religions are the most dominant religions in the country consisting of 43.5 and 33.9% respectively.²

Despite its glaring ethnic and religious diversity, Ethiopia's state-building strategy for long had been characterized by highly centralist tendencies accompanied by force. The long reign of Haile Selassie I (1930 to 1974) further strengthened the centralization process that was initiated earlier by Menilik II in the late 19th century. During the process of centralization, the tendency was towards a policy of one country, one language and one flag. There was no any political willingness and understanding to accommodate the rights of minority groups. Since 1960s attributed to modern education and communication, a new elite group that challenges the old traditional feudal system started to emerge. Especially university students and the intelligentsia began to show dissent to the age old feudal system. In their struggle against the feudal state, the students resorted to Marxist ideology as a readymade tool available to bring about socio-political transformation

¹ Each of the other ethnic groups comprises less than 5 million people. Some of the largely populated ethnic groups are Somali (4.5 million), Tigre (4.4 million), Sidama (2.9 million) Guragie (1.8 million), Welaita (1.7 million) Hadiya (1.2 million), Afar (1.2 million) and Gamo (1.1 million). All the other ethnic groups consist of less than one million populations each.

² Other religions in the country include Protestant (18.5%), Catholic (0.7%), Traditional (2.7%) and others (0.6%). Regional distribution of the population by religious composition shows that the Orthodox faith followers are predominant in Tigray and Amhara Regions as well as in Addis Ababa City Administration. The Muslim Population is significantly larger in Afar, Somali, Harari and Dire Dawa City Administration. Similarly, Protestants are largely concentrated in Addis Ababa, Gambella and Southern Nations, Nationalities and Peoples Regions.

in the country. The students were primarily fond of the Stalinist notion of 'the self-determination of nations and nationalities' to liberate the country's 80 ethnic groups from 'national operation'. But there was no thorough consideration made with regard to the relevance and consequences of Marxist ideology to a country that was deeply traditional and seriously impoverished. Finally, due to mounting opposition from different sections of the society, the emperor was deposed in September 1974 ending the age old feudal system for good.

After the emperor was deposed, a Provisional Military Administrative Council (PMAC) rather known as *Derg* in Amharic, assumed political power and declared socialism as its ideology. Though the *Derg* had attempted to answer the 'national question' on its own terms, none of the efforts had satisfied the demands of ethnic nationalists. Soon, contrary to the expectation of many scholars and students who made the revolution a reality, the *Derg* pursued a very harsh measure against any political dissent including ethno-regional movements. The complete closure of political space by the *Derg* reinforced ethno-regional movements namely, the Tigrean People Liberation Front (TPLF), Eritrean People's Liberation Front (EPLF) and the Oromo Liberation Front (OLF). According to the assessment of ethno nationalists, the *Derg* rule was simply a continuation of the imperial period when it comes to the issue of ethnic oppression.

Mobilization of these ethno-regional forces coupled with some military gains further strengthened and took the 'question of nationalities' beyond the scope of the Marxist view of the concept that was advocated during the period of the students movement.³ Among the ethno-regional movements, north-based Eritrean People Liberation Front (EPLF) and Tigrean Peoples Liberation Front (TPLF) who fought for the 'self-determination' rights of the Eritrea and Tigray provinces respectively became more prominent in terms of posing threat to the military regime.⁴ Finally, these two groups collaborated their forces and defeated the military regime in 1991. EPLF took control of Eritrea while TPLF controlled Ethiopia through its cover organization, the Ethiopian People's Revolutionary Democratic Front (EPRDF).

Soon after it controlled power, EPRDF called a National Conference on Peace and Reconciliation in July 1991 meant to lay the foundations for a transitional period after the regime change. A precondition for the organisations to take part in the conference was that they need to be ethnically based (Lyons, 1996). Though EPRDF intended to reach beyond its original base and include a variety of political groups, it managed the conference and kept participation, the agenda, and the eventual outcome was

firmly under its careful control (Lyons, 1996). The outcome of the transitional conference, the Transitional Charter, was largely an agenda predetermined by the EPRDF and partly by the Oromo Liberation Front (OLF), rather than a pact between all the political forces that have stakes in the future restructuring of the Ethiopian state.

The Transitional Charter, in unprecedented fashion, recognized the rights of Ethiopia's nationalities to self-determination, including secession and established identity and affiliation. Later, the Transitional Government established a constitutional commission to prepare a draft constitution for submission to a specially elected Constitutional Assembly. But the constitutional drafting process was, once again, largely dominated by EPRDF party structure and ideological convictions. The drafted constitution was submitted to a Constitutional Assembly that supposed to deliberate and ratify the constitution. The election process to the Assembly was largely flawed. As Paul properly noted, 'There was little meaningful public participatory debate, especially debate focused on devolution versus ethnic federalism, let alone sovereignty or self-determination ...Just as the EPRDF controlled the Constitutional Commission's work, so it controlled the election, and then the deliberations, of the Constitutional Assembly' (Paul, 2000). Finally, the constitution was ratified 1995 leading to the establishment of Federal Democratic Republic of Ethiopia (FDRE), heralding the commencement of a new ethnic federal system in Ethiopia's political dispensation.

PRINCIPLES OF ACCOMODATING ETHNIC DIVERSITY UNDER ETHIOPIAN CONSTITUTION

The most striking aspect of Ethiopia's new constitutional design is its complete departure from the past. It has made a transformation from a strong centralized monarchical (later socialist) state to a highly decentralized federal state that institutionalizes ethnic identity as an organising principle of the state. Ethnicity all of a sudden became the predominant explanation of many of the things that went wrong in the society (Hizkias, 2010). The ideological backdrop of the Ethiopian constitutional model is largely the Stalinist notion of 'self-determination of nationalities' that was part of the leftist political movement leading up to the 1974 revolution and its aftermath. Under Ethiopian constitution, state sovereignty is not attributed to the 'Ethiopian people' as it is commonly stated in liberal constitutions rather to 'nations, nationalities and peoples' (Art. 8, FDRE constitution). The attribution of sovereignty to nations, nationalities and peoples means the constitution is a product of consensus among ethnic groups inhibiting the Ethiopian state. This indirectly implies that every Ethiopian should first identify herself with one of the ethnic groups in the country before she claims the Ethiopian nationality.

³ The students' movement, as part of the main stream Marxist ideology, was largely viewing question of nationalities as part of the larger class struggle, while these ethnic organizations mobilized their forces merely to separate from the Ethiopian state.

⁴ Both regions belong to the same culture and language group despite the fact that the former seems to have adapted some new identities due to the occupation of the region by Italy for few decades.

The constitution has established a parliamentary system of government with strong executive body composed of a prime minister and council of ministers that function under a sovereign parliament and a president who has a predominantly ceremonial role. The federal parliament has lower and upper houses. The upper house is composed of representatives from 'nations, nationalities and people'. This chamber has a number of roles including interpreting the constitution and deciding on any issue of self-determination or secession. Unlike the experience of other federal systems, the upper house has not any role in the law making process. The lower house is composed of up to 550 representatives elected directly by the people. Though the house is constitutionally the supreme state organ, due to the fact that the political system is dominated by a single political party and the members of parliament are tightly controlled by Leninist-style democratic centralism, it is merely a rubber-stump organ for the misdeeds of increasingly authoritarian executive branch. The constitution has also incorporated the principles of constitutionalism and constitutional supremacy, human rights, secularism, transparency and accountability of government as the basic pillars of the constitutional system (Art 8-12, FDRE constitution).

Unlike other democratic federations, power to adjudicate constitutional issues is granted to the second chamber of parliament which is known as House of Federations. The chamber is aided by the Council of Constitutional Inquiry (CCI), an organ that investigates constitutional disputes and submits recommendations to the House on cases dealing with constitutional issues. The official justification behind the granting of power of adjudicating constitutional issues to a political organ is related to the principle of sovereignty of 'nations, nationalities and peoples' envisaged under the constitution. According to the argument advanced during the proceedings of the Constitutional Assembly, since the constitution is a political contract made between nations, nationalities and peoples, the constitution need to be interpreted by the nations and nationalities themselves rather than unelected judges (Minutes of Constitutional Assembly, 1994).

In relation to rights of regional governments, every nation, nationality and people in Ethiopia has the right to a full measure of self-government which includes the right to establish institutions of government in the territory that it inhabits and to equitable representation in state and federal governments [Art 39 (3), F D R E constitution]. Furthermore, the constitution has laid down the procedures to be applicable during right to self-determination and secession. The procedure applicable for claims of self-administration or secession right is a demand submitted by a region and approved by a two-thirds majority of the members of the legislative council of the nation, nationality or people concerned. Then after, the federal government has to organize a

referendum which must take place within three years from the time. After such procedures are undertaken, the secession or right to self-determination will be materialized. The constitution seems to have made secession procedure simpler than the actual political reality in the country.

Based on the basic notion of 'self-determination rights of nations and nationalities', entrenched in the constitution, nine regional units have been established. Despite the fact that the constitution claims regional units are to be delimited on the basis of settlement, language, identity and consent of the people, they are largely structured following language and ethnic lines. Though all regional governments are constitutionally symmetrical having equal formal relationship to the federal government, there is glaring social, economic and political differences and leverage among the constituent units. In addition to the glaring gap in population size, all the regions are heterogeneous consisting of two or more ethnic groups. Few of them have one dominant ethnic group and different ethnic minorities, few others have two or more dominant ethnic groups, two of them are multiethnic while city-states are considered distinct⁵. Though the federation consists of solely nine regional units that have regional autonomy; the constitution grants every 'nation, nationality and people' unconditional right to self determination including the right to secession. In practice, it is only few ethnic groups that have full territorial self rule.⁶

The distribution of power between the central and federal units has been made in a way of enumerating exclusive powers of the federal government while assumes all other residual powers are competencies of the federal government. The only concurrent powers provided under the constitution are concerning some taxation competencies. The absence of long list of concurrent powers gives the impression that the regional governments are more empowered than the federal government. In practice, the real powers of the regional governments that have been effective are those related to cultural and language rights. The constitution recognizes equality of all languages while maintaining Amharic as a working language of the federal government. All regional governments have been empowered to use and develop their language and culture including adopting their own working language for instruction in schools and official purposes. In this regard,

⁵ Regions with a dominant ethnic group with other smaller minority groups include Somali, Tigray, Amhara, Afar and Oromo regional states. Two or more minority groups of comparable proportion are found in Benshangul-Gumuz and Gambella regional states while Southern Nations, Nationalities and Peoples Regional State has 56 ethnic groups and Harari Region with diverse ethnic composition. Addis Ababa and Dire Dawa are city states short of having their own autonomous region.

⁶ It is only relatively homogenous states of Amhara, Oromia, Tigray, Afar and Somali that relatively have their own wider autonomy. In the case of all other four regions, two or more ethnic groups are forced to establish a kind of coalition government.

the Ethiopian ethnic federal experiment has achieved a lot in terms of protecting the cultural and linguistic rights of the various ethnic groups in the country. But the achievements in relation to protection of cultural rights could not be accompanied by economic and political autonomy of ethnically defined regional governments. The constitutional design and the actual practice in intergovernmental relations indicate the central government has the final say in many of the economic and political issues and all important powers have been controlled by the federal government.⁷

OPPORTUNITIES AND CHALLENGES OF ETHIOPIA'S ETHNIC FEDERAL EXPERIMENT

The Ethiopian ethnic federal experiment which is new in its kind in the political discourse of the African continent has offered different opportunities to the transformation of ethnic tensions into cooperation while it has also faced serious challenges. In an effort to reinstate the autonomy of minority and indigenous groups, the Ethiopian constitution incorporates the most liberal provisions that permit the right to self determination of ethnic groups including the right to independence. This unprecedented move made by the Ethiopian regime is very strange in African political discourse and considered by many informed observers a risky proposition. Not only has such old soviet-style mode of state formation ceased to exist in post cold war political order but also it has been problematic to practice such liberal policy in a country that had never independent institution, genuine democracy and some degree of economic advancement.

The remarkable achievement of the Ethiopian federal experiment has been in relation to the exercise of cultural and linguistic rights that were unthinkable during past regimes. In post 1991 Ethiopia, ethnic groups are allowed to use their language for government and education as well developing their culture. Though Amharic is the language of the federal government, regional governments have adopted different local languages as regional official languages and language of instructions in primary schools. The new political discourse has created sense of inclusiveness among hitherto marginalized ethnic groups into the political process and has pacified some language related claims of the past.

Though the new Ethiopian federal experiment has been successful in terms of protecting cultural rights of minority groups, the federal experiment has faced different challenges that have handicapped the transformation of the system into a viable and vibrant multicultural federal project. The most serious challenges of the federal system are: legitimacy of the federal system in its origin and discourse, the complexities related to the application of ethnicity as the sole principle for structuring the state,

⁷ Particularly, the federal government has monopolized important powers of taxation.

the ideological backdrop of the federal system that promotes centralism, absence of consensus among major political forces on the structure of state and the federalization process is not accompanied by corresponding process of democratization.

As it can be learned from the experience of successful federations, the primary and fundamental basis for federal system of government is consensus and political bargain among the various political groups. Though federalism is a national compromise between the divergent interest groups which history has thrown together⁸, the introduction of the federal arrangement in Ethiopian emerged out of revolution rather than genuine negotiation of political forces (Amorette and Bermeo, 2004; Ghai, 2000). EPRDF as a political grouping that defeated the military regime in 1991, it proposed and implemented ethnic federalism in light of its ideological ideals and under its firm control. Due to the fact that the process was not a result of the bargain of different political forces and all stake holders, the federal structure and the constitution itself suffer from serious problem of legitimacy. On the one hand, the regime is accused by ethno regional political organizations such as Oromo Liberation Front (OLF) and Ogden National Liberation Front (ONLF) arguing the principles of federalism provided under the constitution are not implemented and the existing system is not too federal. On the other hand, there are groups that accuse EPRDF's ethnic project as creating deep division among the various ethnic groups of the country and it is weakening the unity of the country. Due to such lack of legitimacy, both political groupings are waging different struggles including armed insurrections against the Ethiopian regime.

In light of such serious legitimacy deficit of the existing federal system by significant political groupings, the Ethiopian federal system needs to incorporate the political demands of the various political groupings that question the legitimacy of the system. Unless the demands of such political groups are accommodated through renegotiating the terms of the constitution, the ethnic federal experiment will continue to suffer from serious setbacks of legitimacy that not only undermine the relevance of political ideals incorporated in the constitution but also such persistent political divisions on the political discourse of the country may affect the stability of the country. Such negotiations should be aimed at achieving some form of consensus on the form and structure of the political system the country needs to accommodate the various political interests at stake since political census is the most important factor that has never been achieved in the country's long history.

The other challenge that affects the viability of ethnic federal experiment in Ethiopia is related to unprecedented emphasis attached to ethnicity. Primarily,

⁸ Regional governments are largely dependent on the subsidies of the federal government that affects the independence of the regions in terms of exercising their autonomy.

the worrying aspect of ethnicity is that it is overshadowing our common humanity and sense of citizenship since people's ethnic consciousness tends to reduce their concern for human rights or public morality (Ghai and Cottrell, 2008). In countries where ethnic identity has been institutionalized, the social bondage that was binding society has been eroded and replaced with a very narrow ethnic identity. Since ethnic politics assumes differences, it does not give much attention to our common humanity and history. In his historic speech in Ghana, President Obama (2009) reiterates, "we all have many identities - of tribe and ethnicity; of religion and nationality. But defining oneself in opposition to someone who belongs to a different tribe, or who worships a different prophet, has no place in the 21st century".

In Ethiopian context, despite the controversy on the making of modern Ethiopia and the injustices that were committed in the past, there have been strong cultural, historical and social ties among the various ethnic groups binding the society in its long history. Contrary to such historical ties, since regime change occurred in 1991, ethnic identity has suddenly become the normative identity on the basis of which the new state prefers to deal with its citizens in many spheres of life including in political, economic and for election registration (Abbink, 1997). Such approach has invented ethnic identity consciousness a fresh or as Messay puts it 'ethnic identities that used to be weak are restructured' (Messay, 2009). As Kymlicka noted, contrary to the traditional application of the principle of self-determination only to groups who clearly showed interest for such group right, the Ethiopian federal system gives the right in blanket to every ethnic group including to people who have not shown any interest for such right or who have not developed any ethnic group identity consciousness or who have no interest to express themselves in terms of ethnic identities (Kymlicka, 2006).

The defining of the political discourse solely in ethnic terms has also ignited conflicts and tensions in the society. Due to institutionalization of ethnicity, social relations have become more and more ethnic oriented, the bias and prejudice of people to 'other' ethnic groups is increasing and clear tensions are emerging for controlling of political power and economic resources among the elites of different ethnic groups⁹. In the last two decades, the ethnicization of the whole political discourse has also resulted in ethnic conflicts in different parts of the country. By a very conservative estimate, several thousand people were killed in inter-ethnic conflicts in Ethiopia between 1991 and 2005 (International Crisis Group, 2009). Ethnic politics has also increasingly become instrumental for ethnic entrepre-

neurs to mobilize their respective groups for controlling the local resources through playing the 'nationality card'.

Stifling of the democratization process is the other major challenge to Ethiopia's ethnic federal experiment. The relevance of democracy to federal systems of government seems to be critical. Except in the case of socialist federations whose down fall was attributable to lack of democracy, federalism is a system of government that only functions in a genuine democratic context. According to Wheare, it may be possible in theory to conceive a federal government in which general and regional governments are dictatorships and yet each remains strictly within its own sphere, but it is difficult to imagine such a federal government coming into existence in the realm of practical politics or continuing to exist or for any length of time. Dictatorship with its one party government and its denial of free elections is incompatible with the working of the federal principle. Federalism demands forms of government which have the characteristics usually associated with democracy or free government. There is wide variety in the forms which such government may take, but the main essentials are free election and a party system, with its guaranty of a responsible opposition (Wheare, 1964).

Different from scholarly opinions and experience of democratic federations, the Ethiopian federal system is pursued without any genuine democratic process. According to international human rights institutions, opposition groups and scholars, the regime is becoming increasingly authoritarian and the federal system is not properly functioning (International Crisis Group, 2009; Human Rights Watch, 2010). Recently, Freedom House has moved Ethiopia from partially free status to 'not free' (Freedom House, 2010). Particularly, the various measures taken by the regime since 2005 have further narrowed down the political space significantly. Ethiopia's democratization process is generally characterized by extreme control, atmosphere of fear and mistrust, lack of strong institutions, problems of protecting rights of citizens, lack of legitimacy and democratic values are largely used for propaganda purposes devoid of any significant practical application.

The undemocratic nature of the regime is mainly due to the fact that the ideological background of the federal system is the Stalinist model of federalism that was responsible for the disintegration of the former USSR and Yugoslavia. The hall mark of socialist federations is controlling the regional governments through the mechanism of democratic centralism and establishing client parties. Since EPRDF is a pro-Marxist party; it is led by strong principle of democratic centralism and a policy adopted by the central party organ has to be abided by every party apparatus at regional level. Formal intergovernmental relations are largely surpassed or ignored through the informal albeit powerful party power structures. As clearly highlighted by Human Rights Watch report, 'Local and national government officials from

⁹ Besides common conflicts for water and grazing land, during the 2005 general elections, winning or losing the election was associated with certain ethnic groups. Even the Public Prosecutor filed genocide charges against opposition leaders claiming that they had attempted to commit genocide against Tigrean ethnic group during the uprisings following the 2005 general elections.

opposite ends of the country all seem to speak from the same script when it comes to the partisan administration of government services, whether regarding identification cards, teacher training, university entrance, or fertilizer and the safety net' (Human Right Watch, 2010).

The mechanism used to subdue regional governments in such Soviet-style federations is mainly through establishing regional political parties' that are client to the centre. EPRDF has established its own client parties at regional level that are directly and indirectly controlled and managed by party power house at the centre. Largely, the party apparatus at regional level does not represent the interests of the regional constituency since their existence is highly dependent on the will of party officials at the centre rather than having some form political legitimacy from their respective constituency. Regional parties that claim to represent rights of respective ethnic groups have not been evolved through regional political processes. Due to lack of genuine party structure at regional level, the system is practically a *de facto* unitary state after two decades of federal experiment.

CONCLUSION AND RECOMMENDATION

Contrary to past experiences, the contemporary trend is now accommodating multicultural pluralism rather than attempting to stifle it. In light of such contemporary developments, one of the challenges of sub-Saharan Africa is absence of appropriate system to address ethnic diversity. Believing that official recognition of ethnic diversity would foster divided loyalties and separatism, virtually all African states have avoided official recognition of ethnic diversity. On the other hand, scholars argue that in order to address challenges of ethnic diversity in Africa, constitution makers need to devise mechanisms and institutions that best accommodate the interests of different ethnic groups cohabiting the same state in such a way to integrate ethnically diverse citizens abroad and include national society that shares, represents or respects their ethnicity.

Some African countries have courageously undertaken measures to accommodate cultural diversity through political institutions. One of the countries that have undertaken political reform to accommodate ethnic diversity is Ethiopia. Since 1991, Ethiopia is experimenting ethnic federal system as a mechanism to address the challenges related to ethnic diversity in the country. In 1995, the country has officially adopted ethnic federal system as a political settlement of the ethnic related conflicts in the past. The constitution addresses a wide range of issues dealing with the powers and duties of the federal and regional governments including intergovernmental relations. The most striking aspect of the Ethiopian constitution is its complete departure from the past by making transformation from strong centra-

lized monarchical (later socialist) state to highly decentralized federal state by institutionalizing ethnic identity as organising principle of state. Ethnicity all of a sudden became the predominant explanation of many of the things that went wrong in the society. Despite the measures undertaken by Ethiopian regime to recognize rights of minority rights is commendable, the process lacks political consensus and legitimacy and devoid of genuine democratization process and the federal experiment is fragile. To make the Ethiopian federal experiment a success, concrete measures to political accommodation of various political groupings, realizing genuine democracy and establishing efficient political institutions are critical. Until such corrective measures are undertaken to make the Ethiopian federal experiment a sustainable project, other African countries need take appropriate care when they attempt to formulate their political system in accordance with the Ethiopian model that is still on the crossroads.

In light of the fault lines in addressing ethnic diversity in Ethiopia, there are a number of issues that need to be considered when multicultural federal system is considered for adoption in other parts of Africa. As it has been indicated in the paper, the most important fault line of the Ethiopian ethnic federal arrangement is the absence of consensus on the mode of accommodation of ethnic diversity among the various political groups. Due to lack of agreement on the existing federal structure in the country, the federal system lacks legitimacy among the various political parties. When other African countries engage in a system that provides autonomy to ethno-regional demands, the political discourse need to be made through the discussion of the various political forces and other civil society groups. The other point that needs to be considered in light of addressing ethnic related demands is to take due caution in light of emphasizing ethnicity as foundation for state structure. Since making ethnicity the fundamental basis of structuring of the state invites ethnic polarization and conflicts, other African countries need to take other economic, social and geographic factors in structuring internal boundaries rather than entirely relying only on ethnic boundaries.

The other most important factor that needs to be considered in light of accommodating ethnic diversity is the need for democratization of the African state. The attempt made by the Ethiopian regime to accommodate ethnic diversity without corresponding process of democratization is a complete fiasco. Theoretical and empirical evidences suggest that process of accommodating ethnic diversity through process of federalization is closely linked with the level of democratization of the system. In light of the significance of democratization process in the process of accommodating ethnic diversity in Africa, there has to be always commitment to democratization through the establishment of democratic institutions, freedom of association and expression and enhancing the role of

civil society groups. The other most important perspective that needs to be considered in transplanting the accommodation of ethnic federal system in the rest of Africa is avoiding the fault lines of adopting former soviet-style way of accommodating minority rights. Since the Soviet model of ethnic federal arrangement that has been transplanted in Ethiopia has been devoid of appropriate division of power between the central and regional governments due to control of the whole system by a single political force that resulted in the exclusion of other political forces, following such authoritarian federal arrangement to address ethnic related demands in other parts of African exacerbates the tensions between the central government and minority groups rather than cooling down ethnic animosity.

REFERENCES

- Abbink J (1997). Ethnicity and Constitutionalism in Contemporary Ethiopia. *J. Afr. Law* 41(2):159-174.
- Alemante GS (2003). Ethnic Federalism: Its Promise and Pitfalls for Africa". *Yale J. Inter. Law* 28:51-107.
- Amoretti U, Bermeo N (2004). *Federalism and Territorial Cleavages*. John Hopkins University Press.
- Freedom House (2010). Ethiopia Available at www.freedomhouse.org
- Ghai Y, Cottrell J (Ed.) (2008). *Creating the New Constitution: A Guide for Nepali Citizens*. International Institute for Democracy and Electoral Assistance.
- Ghai Y (2000). Ethnicity and Autonomy: A Frame Work Analysis in Y Ghai (ed) *Autonomy and Ethnicity Negotiating Competing Claims in Multi-ethnic States*. Cambridge University Press.
- Hizkias A (2010). Ethnic conflict in the Horn of Africa: Myth and reality. <http://www.unu.edu/unupress/unupbooks/uu12ee/uu12ee06.htm>.
- Human Rights Watch (2010). *Development without Freedom: How Aid Underwrites Repression in Ethiopia*. Available on line at <http://www.hrw.org>.
- International Crisis Group (2009). *Ethiopia: Ethnic Federalism and Its Discontents*. Africa Report N°153-4.
- Karmis D, Norman W (2005). *The Revival of Federalism in Normative Political Theory* in D Karmis & W Norman (eds.), *Theories of Federalism: A reader*.
- Kymlicka W (2002). *Contemporary Political Philosophy: An Introduction*. Oxford University Press.
- Kymlicka W (1995). *Multicultural Citizenship*. Oxford University Press: Oxford.
- Kymlicka W, Opalski M (2001). *Can Liberal Pluralism be Exported? Western Political Theory and Ethnic relations in Eastern Europe*. Oxford University press.
- Kymlicka W (2006). *Emerging Western Multinational Federalism: Are they Relevant for Africa?* in D. Turton (ed.), *Ethnic Federalism: The Ethiopian Experience in Comparative Perspective*.
- Lyons T (1996). *Closing the Transition: the May1995 Elections in Ethiopia*. *J. Modern Afr. Stud.* 1(34):121-142.
- Messay K (2009). *In Search of Peace: Ethiopia's Ethnic Conflicts and Resolution*. <http://www.ethiopianreview.com/content/10016>. Minutes of Constitutional Assembly (1994). Addis Ababa.
- Obama B (2009). Retrieved from http://www.usatoday.com/news/world/2009-07-11-obama-ghana-speech-text_N.htm
- Paul CN (2000). *Ethnicity and the New Constitutional Orders of Ethiopia and Eritrea* in Yash (ed), *Autonomy and Ethnicity: Negotiating Competing Claims in Multi-ethnic Societies*.
- Jalali R, Lipset SM (1992). *Racial and Ethnic Conflicts: A Global Perspective*, *Political Sci. Q* 107(4):585-606.
- Spiro N (2007). *Can Ethnic Federalism Prevent 'Recourse to Rebellion? A Comparative Analysis of the Ethiopian and Iraqi Constitutional Structure*, *Emory Inter. Law Rev.* 321:331-72.
- Wheare KC (1964). *Federal Government*. Oxford University Press.