Following seventeen years of a protracted civil war that ended in 1991, constitutional devolution of political power along ethno-linguistic lines has been underway in Ethiopia. This mode of devolving power to the various tiers of government is generally referred to as ethnic (or ethnic-based) federalism. It has been a unique and quite controversial way of restructuring the state. Nevertheless, what makes it more contentious is that the federal constitution does not only devolve political powers along ethno-linguistic lines but it also incorporates "the right to self-determination up to and including secession" as its fundamental precept. This book examines and analyzes why ethnic federalism is adopted in Ethiopia, and explores how and in what ways this type of federal arrangement could be linked to issues of peace and conflict. To this end, the book, based on the ongoing experiment in Ethiopia, delves deep into the debates, risks and opportunities associated with ethnic federalism. This book can serve as a brief reference for those wishing to know about the 'what', 'why' and 'how' of Ethiopia's ethnic-based federalism.

Federalism and the Quest for Peace
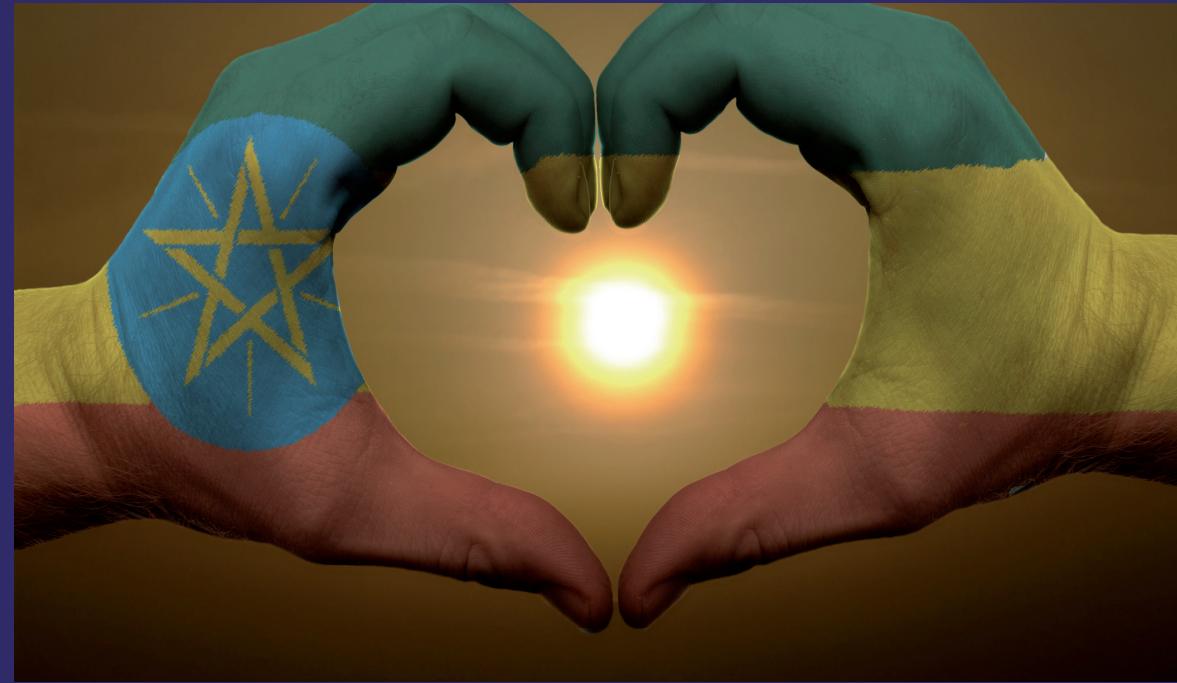
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Ethiopia: Ethnic Federalism and the Quest for a Lasting Peace

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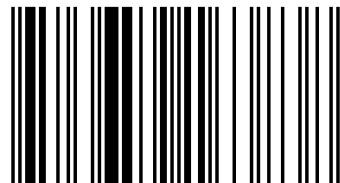
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Democratization and Decentralization

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Map of Ethiopia showing its international boundaries

Source: Conflict Trends, ACCORD, 2010 (http://www.accord.org.za)

Regional States of FDRE

ACRONYMS

AEUP	All Ethiopian Unity Party
CUD	Coalition for Unity and Democracy
EDP	Ethiopian Democratic Party
ELF	Eritrean Liberation Front
EPLF	Eritrean People's Liberation Front
EPRDF	Ethiopian Peoples' Revolutionary Democratic Front
ESM	Ethiopian Students' Movement
FDRE	Federal Democratic Republic of Ethiopia
EPRP	Ethiopian People's Revolutionary Party
MEISON	Amharic acronym for All Ethiopian Socialist Movement
OFDM	Oromo Federalist Democratic Movement
OLF	Oromo Liberation Front
ONLF	Ogaden National Liberation Front
OPC	Oromo People's Congress
OPDO	Oromo People's Democratic Organization
PDRE	People's Democratic Republic of Ethiopia
SNNP	Southern Nations, Nationalities and Peoples
SNNPR	Southern Nations, Nationalities and Peoples Region
TPLF	Tigray People's Liberation Front
WPE	Workers Party of Ethiopia
WSLF	Western Somali Liberation Front

Chapter One

1. Introduction

1.1. Background

In one of its controversial reports about Ethiopia, the International Crisis Group (ICG)[1] stated that there is a perturbingly 'growing ethnic consciousness and polarization' in the country due to policies followed by the incumbent political party. The report mainly argues that the on-going ethnic-based *regionalization policy* has raised the level of ethnic consciousness and tensions in the country and would have "explosive consequences". Nevertheless, the government rebuffed the report and labeled it 'unfounded'.[2]

Actually, arguments, like that of ICG's report, directed against the on-going experiment of ethnic federalism in Ethiopia are not new. Since its inception in 1991, the idea of re-organizing the state along ethno-linguistic lines has been very controversial. Both arguments for and against it are characterized by fears and mistrusts.

Ethiopia is a multi-ethnic state where about eighty ethnic groups have been living together for centuries. It is one of the oldest countries in the world and a home for both Christians and Muslims. However, the long history of the country has been overshadowed by wars, especially wars against aggression and occupation. In fact, as an African state which has never been colonized, it should not be surprising that

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[1] *Ethiopia: Ethnic Federalism and Its Discontents*, ICG African Report No. 153, 4 September 2009.
[2] "Meles Pours Scorn on ICG", Capital, A Weekly Newspaper (accessed at:
  http://www.capitalethiopia.com/index)

part of its history is characterized by wars against the then colonial powers that already had had control all over Africa.[3]

In addition to wars against foreign powers, the country has also been facing the challenges of intra-state wars due to competition over power, revolutionary upheaval and the so-called "nationalities question". Consequently, the internal and external wars have made its current boundaries results of territorial 'reductions and expansions' in the four directions and its people linguistically diverse. The major events that happened during and after the second half of the 19th century, which led to the formation of the state as we know it today, are considered as bones of contention for contemporary politics and root causes of violent conflicts.[4]

Particularly, the civil wars that followed the 1960s and 1970s Students' Movement as well as the 1974 Revolution, had been waged in the name of territorial integrity of the state on the one hand and 'national liberation' on the other. The left-oriented students that started the revolutionary movement in a spirit of freeing the whole people from the exploitative monarchy split into proponents of 'class-based' struggle and 'ethnic-based' struggle. This eventually led them to an ostensibly irreconcilable dispute and civil war.

May 1991 marked the collapse of the military regime, the *Derg*, which ruled the country since 1974. This collapse of the military regime, which is mainly a result of years of civil wars and its defeat by a coalition of rebels, leads to the triumph of the ethnic-based 'national liberation' fronts/movements. In many respects, the events that occurred following the collapse of the military regime appear to be a

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[3] Zewde, Bahru, *Modern History of Ethiopia: 1855-1991,* Addis Ababa: Addis Ababa University Press, 2002.
[4] Gudina, Merera, "Ethiopia: Constraints to Transition and Democratization", In Nhema, A. G. (Ed.) *The Quest for Peace In Africa: Transformations, Democracy and Public Policy,* Addis Ababa: OSSREA, 2004, pp. 245-262.

dual transition: transition from military dictatorship to civilian ('democratic') rule and transition from a highly centralized unitary state to a constitutionally decentralized federal arrangement.

Both the Transitional Charter of 1991, which served as an interim constitution until 1994, and the Constitution that was adopted in 1994 recognized the civil and political rights of the people. Moreover, both the charter and the constitution went as far as recognizing the 'right to self-determination up to and including secession' of the "nations, nationalities and peoples" of Ethiopia.[5]

The main organizing criterion of the federation, among other things, is ethno-linguistic.[6] And this criterion has been the bone of contention ever since the adoption of the constitution. This in turn has led to the re-interpretation and/or misinterpretation of the history of the country mainly by proponents and opponents of the aforementioned criteria of state re-organization and constitutional recognition of the 'right to secession'.

Broadly, there are at least two views regarding this issue. The first view is that the southward expansion and incorporation of various ethnic groups into *Abyssinia* (old name of north and central part of Ethiopia which is considered as the core of the country's long history) which involves the use of force and cooption is just a typical feature of state formation or nation building. Proponents of this view argue that the focus should be on the sovereign integrity of the country and democratization of the political system/process.[7]

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[5] Article 2 and article 39 of the Transitional Charter and the FDRE Constitution respectively.
[6] Ibid, Article 46.
[7] Gudina, Merera, "Contradictory Interpretations of Ethiopian History: The Need for New Consensus" In Turton, D. (Ed.) *Ethnic Federalism: the Ethiopian Experience in a Comparative Perspective,* Ohio: Ohio University Press, 2006, pp.119-130.

The second view, which is the antithesis of the first, argues that the state formation was carried out at the expense of various ethno-linguistic groups which were 'independent entities' at that time. They further argue that the state that was created in this way failed to take into account and accommodate the apparent diversity of the country's ethnic groups. As a result, they used to assert (and there are still some groups) that the country was a 'prison of nationalities'. Hence, they argue for the right to self-determination of these groups[8].

Subsequently, organizing the federation along ethno-linguistic lines remains essential for its proponents and controversial and even malicious for the opponents due to two main reasons. Firstly, proponents of the first view (discussed above) challenge the very idea of ethnic-based federalism and argue that dividing the country along ethno-linguistic lines is both ill-motivated and dangerous which will lead to conflicts and eventual disintegration of the country.

Secondly, proponents of the second view lack consensus as to what extent the right to self-determination shall be exercised. That is, some argue that it should be limited to the right to self-administration (constitutional autonomy and/or 'genuine federalism'), while others push the issue to the extent of the right to secession.[9] One dominant argument within the second view is, however, espoused by defenders of the current federal arrangement. They assert that ethnic-based federalism is the best and only way to prevent ethnic conflicts (mainly to deter secessionist movements) which would otherwise lead to the disintegration of the country and to foster unity by recognizing the collective rights of ethnic groups. Also, they argue that it has a potential to remedy historical injustices and resolve conflicts that are results of years of ethnic-based discord.

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[8]Ibid.
[9] Ibid.

Until now, all the fears and the promises that are related to the aforementioned issues do not decisively manifest themselves. The country does not disintegrate because of the constitutional recognition of the 'right to secession' and ethnic based federation. Nor do the secessionist movements disappear from the country's political landscape. What is apparent currently is that the country is not in a state of civil war as it was from mid 1970s until 1991.

1.2. The Overarching Problem

As mentioned above, the current federal arrangement, due to its peculiar criteria and constitutional recognition of the 'right to secession', has been controversial. Despite the architects' and proponents' argument that it is a way to a lasting peace, those who oppose it are suspicious of both its viability to prevent and resolve conflicts, and the intensions of its architects. The fact that the architects of the federal system (i.e., members of the ruling political party) were the former self-designated 'national liberation' fronts has been one of the major factors which make the opponents of the system extreme worrywarts.

The most important issue therefore is whether the federal arrangement is a response to historical claims, grievances and violent conflicts. If so, to what extent does it relate to the root causes of this claims, grievances and violent conflicts? Is it, as it has been touted by the incumbent, the only best way to peace and to prevent disintegration? Or is it just a pretext for the old political strategy of "divide and rule"? These are mainly related to the debate surrounding Ethiopia's federal system. The debates are not limited to politicians. Scholars and activists, Ethiopians and non-Ethiopians, have also been involved in these debates in one way or another.

In a nutshell, the current experiment of ethnic federalism in Ethiopia has attracted researchers, not only politicians, due to its unique nature. Articles and few books have been published about it. Politicians of the country are still debating about the risks and opportunities that ethnic federalism has brought. Yet no conclusive agreement has been reached as to how and why it poses threats and offers opportunities to the country's peace, stability, territorial integrity and the rights of the people at large.

This book will specifically try to address issues of peace and conflict by examining why ethnic federalism is chosen in Ethiopia and how and in what ways this federal arrangement can be linked to them. Hence, the focus of the book is not merely limited to the nature of the federal arrangement but it rather seeks to investigate if there could be a reasonable nexus between such type of federalism and peace after all.

1.3. The Questions Addressed in this Book

Based on the above backdrop, thus, the main question addressed in this book is: *Why is the current federal arrangement of Ethiopia, which is mainly based on ethno-linguistic criteria, so controversial? Is it, as it has been touted by its proponents, really a viable approach to a lasting peace?*

In an attempt to answer the main question, the book tries to address the following sub-questions: Why does the federal system have to be based on ethno-linguistic criteria? Why not territorial/geographic? Isn't it possible to address issues of collective rights through geographic/territorial arrangements? Can federalism be considered as genuine without democratic governance? What are the merits and demerits of ethnic based federal arrangement? Can we establish a link between federalism and peace in multiethnic/multi-confessional states? In what possible

ways does federalism help prevent, manage and resolve conflicts? How about its role in conflict formation? Isn't it true that federalism, ethnic or geographic, is inherently divisive? What about the growing role of identity politics ('politicization of ethnicity')? Would it be a backfire on the whole idea of bringing about peace by recognizing collective rights?

1.4. Objectives of the Book

The general objective of this book is to examine and analyze the viability of federalism, particularly ethnic-based federal arrangement, in multiethnic Ethiopia, and its contribution to prevent and resolve conflicts. Put differently, the major objective of this book is to examine the opportunities and risks for peace in relation to ethnic federalism in Ethiopia. All in all, this book specifically aims to:

a) Examine the relevance of federalism to Ethiopia,

b) Find out why ethnic federalism is chosen over geographic federalism,

c) Determine the extent to which the federal arrangement is a response to historic claims, grievances and violent conflicts,

d) Ascertain whether there could be a nexus between federalism and peace,

e) Find out whether the federal arrangement has to go hand-in-hand with the democratization process to benefit from it,

f) Analyze the changes and continuities pertaining to the causes of conflicts and approaches to their resolution in federal Ethiopia,

g) Determine the merits and demerits of federalism in general and ethnic federalism in particular.

1.5. Methodology and Methods of Data Collection

This book is a qualitative study in which the focus is on examining and analyzing the data related with the research question. In so doing, an emphasis has been given, in addition to the legal framework, to policies and institutional arrangements, the political parties' programs and socio-political alignments, etc.

Secondary sources of data such as books, journal articles, reports, conference proceedings, magazines, newspapers, and websites of major political parties and organizations are used as major sources. In addition, although they are anecdotal in nature, the blogs, social media networks and websites of Ethiopian social groups that are affiliated to various political parties are cautiously used as sources to understand views and opinions on issues related to the objective of book.

1.6. Significance

The findings of this book may have important contribution to the existing knowledge regarding the nexus between federalism and conflict/peace. Particularly, since most, if not all, of studies on Ethiopia's federal system focus on the constitutional/legal framework, the focus on its contribution to conflict prevention, resolution and/or peace would in some way add up some values to the subject matter. In addition, it may positively contribute to the debate concerning the role of federalism in a multi-ethnic state.

1.7. Scope and Limitation

The subject matter of this book is delimited to federalism and its contribution for conflict resolution/peace in the Ethiopian context. Although issues such as democracy and democratization, and human rights would be discussed when

necessary, debates that are not directly related to the objective of the book have not been discussed.

To a certain extent, this book may have some limitations due to reliance on secondary sources of data. This however would not negatively affect the validity of the overall findings of the book. Indeed, an attempt is made to offset such limitations by cross-checking data gathered through secondary sources as thoroughly as possible.

1.8. Organization of the book

This book is organized into an introductory chapter and five subsequent chapters each addressing separate but interrelated topics directed towards the main question presented above. In so doing, following the introductory chapter, the second chapter deals with theoretical/conceptual issues that are (directly or indirectly) pertinent to the issues addressed in the book. Hence, concepts and/or theories such as ethnicity and ethnic conflict, causes of ethnic conflict, federalism, and peace are discussed under the second chapter.

The third chapter mainly focuses on historical overview of state formation and conflict in Ethiopia. Thus, the history of Ethiopia is briefly examined. This chapter generally covers the periods as far back as relevant to the objective although it, in many cases, focuses on the late 19th century and afterwards.

The fourth chapter logically follows from the second and third. It is in the backdrop of both chapters that issues raised in the fourth chapter are discussed. Hence, issues of ethnic federalism and democratization are the main subjects under chapter four. And, it in this chapter that many of the contemporary debates and concerns have been addressed.

Chapter five addresses the changes and continuities in federal Ethiopia. It mainly focuses on issues of peace and conflict and the mechanisms-legal and political-designed to address them. Furthermore, the impact of regional politics, especially that of the Horn of Africa, has been examined within the context of internal peace and conflict.

Finally, the sixth chapter is allotted for concluding remarks and it is mainly based on the findings of the preceding chapters. Thus, chapter six deals with the merits and demerits of the current federal arrangement in Ethiopia.

Chapter Two

2. Analytical and Conceptual Framework

This chapter focuses on the analytical and conceptual framework that is pertinent to the overall analysis of the book and its findings. Accordingly, this chapter is divided into four major sections and several other sub-sections. Although organized in separate sections, the topics discussed here are highly interrelated.

2.1. Ethnicity and Ethnic Identity

The term *ethnicity* is relatively new both as a subject in academic fields and as a word in English language. Eriksen said that it is first used by an American sociologist, David Reisman, in 1953. However, the word 'ethnic' is much older.[10] It is derived from the Greek word 'ethnos'. Although it has been used arbitrarily in daily conversation, the term 'ethnic' refers to different things for different people. This book does not delve deep into etymological details since it is beyond the scope of the book. However, it is necessary to provide a working definition of the term 'ethnicity' and 'ethnic groups'.

According to Thomas Eriksen, the term ethnicity "refers to relationships between groups whose members consider themselves distinctive…."[11] On the other hand, the term ethnic group refers to:

> *…a collectivity within a larger society having real or putative common ancestry, memories of shared historical past, and a cultural focus on one or more symbolic elements defined as the epitome of their peoplehood. Examples of such symbolic elements are: kinship patterns, physical contiguity (as in localism or sectionalism), religious affiliation, language… etc.[12]*

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[10] Eriksen, Thomas. "Ethnicity, Race, Class and Nationalism." In *Ethnicity*, by John Hutchinson and Anthony Smith, 28-31. Oxford: Oxford University Press, 1996.
[11] Ibid., p.30.
[12] Hutchinson, John and Smith, Anthony D. *Ethnicity.* Oxford: Oxford Univesity Press, 1996, p6.

Generally, to be regarded as 'ethnic', groups should exhibit at least the above definitional features. The list of features may vary depending on the perspective from which the term is viewed. However, most commonly mentioned features are a *myth of common ancestry*, *shared historical memories, common culture/language, and a sense of solidarity.*

Contemporary discourse, both academic and political, on ethnicity and ethnic identity is characterized by contradictory explanations. There are a number of competing theories that seek to explain the nature of ethnicity and ethnic identity. Highly influenced by scholars of sociology and anthropology, the theoretical explanations forwarded have commonly been categorized into three major approaches, i.e. the *Primordialist*, the *Instrumentalist* and the *Constructionist* approaches.

2.1.1. Primordialist Approach (Primordialism)

The primordialist approach is perhaps the earliest and most frequently cited in many academic works. Pioneered by Edward Shils's 1957 seminal article[13] and further developed and popularized by subsequent works of Clifford Geertz[14], it is considered as one of the two dominant theoretical approaches alongside the instrumentalist approach.[15]

Primordialism views ethnicity as an identity marker which is biological, i.e. acquired mainly by birth. Hence, loyalties and self-identifications to one's ethnic group are seen as innate/inherent. In explaining this, Shils stated that ethnic

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[13] Shils, Edward. "Primordial, Personal, Sacred and Civil Ties: Some Particular Observations on the Relationships of Sociological Research and Theory." *The British Journal of Sociology* 8, no. 2 (June 1957): 130-145.

[14] Geertz, Clifford. "The Integrative Revolution: Primordial Sentiments and Civil Politics in the New States." In Geertz, Clifford(Ed.), *Old Societies and New States* , Glencoe: Free Press, 1963, 105–157.

[15] Eller, Jack and Coughlan, Reed. "The Poverty of Primordialism: The Demistyfication of Ethnic Attachments." *Ethnic and Racial Studies* 16, no. 2 (1993): 183-202.

attachments are "…not merely to the other family members as a person, but as a possessor of certain especially 'significant relational' qualities…."[16] These relational qualities, according to Shils, are not sheer outcomes of social interactions since "…certain ineffable significance…" is attributed to blood ties. Thus, such an attachment can 'only be described as primordial'.[17]

Similarly, Geertz argued that individuals' ethnic attachment and loyalty is mainly attributable to fixed characteristics. In other words, Geertz was saying that

> *One is bound to one's kinsman, one's neighbor, one's fellow believer, ipso facto; as the result not merely personal affection, practical necessity, common interest, or incurred obligation, but at least in great part by virtue of some unaccountable import attributed to the very tie itself….[18]*

By the same token, Thomas Szayna, although not a primordialist himself, explains what primordialists are actually claiming when they say that ethnic attachments are mainly results of blood ties. Szayna said that primordialist views begin by asserting that "certain primitive (or basic) sociological groupings exist in a society".[19] These primitive groupings however do 'exist *a priori*'. This means, according to primordialists, that the primitive groupings "…are natural units that derive their cohesion from some inherent biological, cultural or racial traits which then become instruments of social differentiation".[20]

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[16] Shils, Op. Cit. p.142
[17] Ibid.
[18] Cited in Kefale, Asnake *Federalism and Ethnic Conflict in Ethiopia: A Comparative Study of the Somali and Benishangul-Gumuz Regions.* Ph.D Dissertation, Unpublished, 2009, p 37.
[19] Szayna, Thomas. *Identifying Potential Ethnic Conflict: Application of A Process Model.* Santa Monica: RAND, 2000, p.18.
[20] Ibid.

Therefore, for primordialists, it would be wrong if one tries to reduce ethnicity and/or ethnic identity to mere results of socialization or social interaction. Rather, an individual's membership to one ethnic group, which is mainly a 'result of birth' and once constituted by it, has been perpetuated by socialization of one's 'distinctiveness', "…perceptions of uniqueness and sense of separateness from other, similar, social formations."[21]To recap, the primordialist views of ethnicity can be represented by its three distinct ideas, i.e. *a priority, ineffability* and *affectivity* of ethnicity/ethnic identity.[22]

2.1.2. Instrumentalist Approach (Instrumentalism)

The instrumentalist approach did emerge as a response to the 'weaknesses' of the primordialists' argument.[23] Early instrumentalists such as Abner Cohen and those who followed him emphasize on the 'malleability of ethnic ties' unlike primordialists. They treated ethnicity and ethnic identity as situational. In other words, they consider ethnicity and ethnic identities as negotiable and alterable which are characterized by extensive subjection to elite manipulation both for individual as well as collective goals.[24]

Instrumentalists particularly study the nature of ethnic relations to show how dynamic ethnicity is and refute primordialists' claim that it is *a priori*, *fixed* and *ineffable*. For instance, Eriksen, based on his analysis of a range of instrumentalist literature, said that studies show that ethnicity and also ethnic relations,

> *…are fluid and negotiable; that their importance varies situationally; and that, for all their claims to primordiality and*

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[21] Ibid.
[22] Eller, Jack and Coughlan, Reed, 1993, Op. Cit. p.187-192.
[23] Ibid.
[24] Abner Cohen cited in Hutchinson, John and Smith, Anthony D. *Ethnicity.* Oxford: Oxford Univesity Press, 1996, p.33.

cultural roots, ethic identities can be consciously manipulated and invested in economic competition in modern societies.[25]

This means that, in the eyes of instrumentalists, ethnicity is a crucial "instrument or strategic tool" which is used by competing elites aspiring to control political power and/or economic resources by manipulating linguistic and religious differences. This form of manipulation, according to Hutchinson and Smith, is "… especially true where societies undergo uneven rates of social change and mobilization."[26] The grievances as well as sense of domination and oppression by "others" that has actually been felt/occurred or inculcated in the minds of manipulated groups would then lead people to group adherences aggravating cleavages that are accompanied by the common rhetoric of "us" and "them".

Moreover, instrumentalists assert that ethnicity is not different from other forms of social identities and apparently it is, as mentioned above, situational. In other words, what instrumentalists are actually saying is that "ethnicity is not simply a mix of affective sentiments, but like class and nationality it is also a means of political mobilization for advancing group interests."[27] Hence, ethnic groups are also interest groups, and accordingly, ethnic attachments are highly influenced by calculated gains or benefits. Therefore, "…people become ethnic and remain ethnic when their ethnicity yields significant returns to them."[28]

All in all, unlike primordialists who almost ignored or give very little attention to the role of economic and other functional advantages, instrumentalists give due emphasis to the role of these factors in determining ethnicity. This, in the words of Portes and Bach, means that people remained attached to their ethnic group

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[25] Eriksen, Thomas Hylland. *Ethnicity and Nationalism.* London : Pluto Press, 2002, p.21.
[26] Hutchinson and Smith, Op. Cit.,p.33.
[27] Yang, Philip Q. *Ethnic Studies: Issues and Approaches.* New York: State University of New York Press, 2000, p.46.
[28] Ibid.

because the "functional advantages of ethnicity range from the moral and material support provided by ethnic networks to political gains made through ethnic bloc voting."[29] Hence, according to instrumentalists, ethnicity 'exists and persists' mainly due to these advantages.

2.1.3. Social Constructionist Approach (Constructionism)

Although most of the debates concerning ethnicity and ethnic identity revolve around the two dominant approaches discussed above, it is very important to look at the third approach which has recently become equally dominant in the lingering debate. This approach, well-known in the fields of sociology and anthropology, is known as *social constructionism*.

Some writers such as Richard Jenkins and Sara Vaughan consider Fredrik Barth's 1969 seminal work *Ethnic Groups and Boundaries* as having notable impact on the development of the constructionist approach.[30] His article was partly a reaction to what he described as *the static quality of primordialism*. Barth, cited in Duling, argued that "…the key to ethnicity is not a catalogue of objective racial or cultural traits but rather persons and groups that define and construct their own ethnicity as they go."[31] This implies that ethnic self-descriptions are rather changing than static.

According to Yang, in explaining ethnicity and ethnic identity, social constructionists principally argue that:

> a. *Ethnicity is a socially constructed identity. Thus, ethnicity is something which is created by society;*

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[29] Portes and Bach cited in Yang, ibid. p.46.
[30] Jenkins, Richard. *Rethinking Ethnicity:Arguments and Explorations.* London: SAGE Publications, 2003; Vaughan, Sara. *Ethnicity and Power in Ethiopia.* Ph. D Dissertation (University of Edinburgh), Unpublished, 2003.
[31] Duling, Dennis. ""Whatever Gains I Had...": Ethnicity and Paul's Self-identification." In David B. Gowler et. al., *Fabrics of Discourse*, Harrisburg: Trinity Press International, 2003, p222-241.

> b. *As an extension of constructed identity, ethnic boundaries are flexible or changeable. Hence, ethnicity is dynamic; and*
>
> c. *Ethnic affiliation or identification is determined or constructed by society. Therefore, ethnicity is a reaction to changing environment.[32]*

Based on the above argument, thus, social constructionists assert that membership in an ethnic group is more or less similar to memberships in any other kind of social groups. This is so because memberships are normally premised on the agreement of groups or more specifically group members to treat an individual as a member since "…membership is *fully* socially constructed."[33] Hence, for social constructionists, it is not only ethnicity but also one's membership in a particular ethnic group is socially constructed.

There is one indispensable social constructionist view which is particularly relevant for this book's framework of analysis. That is, the idea of '*ethnicization* of individuals and groups'. According to this view, which is first developed by an American historian Jonathan Sarna, there are two conditions that determine ethnicity, i.e., *ascription* and *adversity*. Put differently, Sarna argued that:

> *…ethnicity is created by two conditions: ascription and adversity. Ascription refers to the assignment of individuals to particular ethnic groups by outsiders such as governments, churches, schools, media, natives and other immigrants. Adversity includes prejudice, discrimination, hostility, and hardship.[34]*

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[32] Yang, Op. Cit., p. 44.
[33] Vaughan, Op.Cit.,p.55.
[34] Sarna cited in Yang, Op. Cit., p.44-45.

In this regard, therefore, adversity plays a major role in two fronts. First, it unites members of the same group against the adversary. And second, it helps members of the group to develop shared identity and solidarity and hence ethnicization of the group. This in turn leads to categorization of 'self' and the 'other' or 'we' and 'they'.[35]

What could, therefore, be taken from the three approaches? As discussed above, each approach sees ethnicity from a different angle. And all the approaches have their own proponents and opponents. However, considering their pertinence to this book, a synthesis of the last two approaches, i.e., instrumentalism and constructionism would be considered by taking the relevant and complementary views from each approach. For example, the book adopts relevant ideas such as the vitality of *elite manipulation* and *malleability* from instrumentalism; and the role of *ethnicization* or *ascription* and *adversity* from social constructionism.

2.2. Ethnic Conflict
2.2.1. Definition

Like many other types of conflicts, Ethnic conflict is a result of *incompatible ends* or *goals* of groups in a competitive socio-economic and political environment. The goals may be control over political power, natural resources, etc. What makes ethnic conflict different from others is that it is defined in ethnic terms. This is not to say however that ethnicity *per se* causes conflicts; but rather it is to emphasize that one or all of those parties to the conflict define their dissatisfaction that led them to the conflict in terms of ethnic differences.

Therefore, as Wolff succinctly puts it, "…ethnic conflicts are a form of group conflict in which at least one of the parties interprets the conflict, its causes and

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[35] Ibid.

potential remedies along an actually existing or perceived discriminating ethnic divide."[36] In this regard, thus, understanding how the parties to a given conflict define or interpret the conflict and subsequently propose a solution is a requisite in analyzing ethnic conflict.

2.2.2. Causes of Ethnic Conflict

A thorough review of the literature about conflicts indicates that the causes of conflicts in general-and ethnic conflict in particular- are mainly rooted in the very structures and processes of states' or societies' socio-political and economic organization. As a result, "…there is no single cause of conflict. Rather, conflict is context-specific, multi-causal and multi-dimensional…."[37] The nature of vertical and horizontal relations between and among social groups is a determinant factor in causing and perpetuating conflicts. The nature of these relations may be characterized either by competition or cooperation or both. Further, the relations may often become conflictual due to incompatibility or irreconcilability of goals.

Here, *horizontal inequalities*, a concept introduced by Frances Stewart, can serve as a conceptual tool in explaining why conflicts do occur between groups in a multiethnic society.[38] This concept is used in contrast with what Stewart calls *vertical inequalities* (inequalities among individuals/households than groups). According to Stewart, thus, the concept *horizontal inequalities* "refers to inequalities in economic, social or political dimensions or cultural status between culturally defined groups", which can become causes of ethnic conflict.[39] Hence,

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[36] Wolff, Stefan. *Ethnic Conflict: A Global Perspective.* Oxford: Oxford University Press, 2006, p.2.
[37] Huma Haider. *Top Guide on Conflict.* Guide, Governance and Social Development Resource Center (DfID and University of Birmingham), 2009, p.5.
[38] Stewart, Frances. *Horizontal Inequalities and Conflict: Understanding Group Violence in Multiethnic Societies.* London: Palgrave, 2008.
[39] Ibid., p.3.

we have four major dimensions to the causes of group conflicts, namely economic, social, political, and cultural dimensions.

a. Political Inequalities

The extent to which groups are allowed to participate at different levels of a political system and/or process reflects the degree of representation of those groups. Obviously, conflicts are highly likely in political systems where ethnic groups feel that they are politically marginalized and neglected by the state. This is particularly apparent in situations where one ethnic group is favored against the other.

Thus, horizontal political inequalities can be explained in terms of political participation. Inequalities in this area can occur at various levels such as "at the level of the cabinet, the parliament, the bureaucracy, local government or the army, amongst others."[40]

b. Economic Inequalities

Economic inequalities are one of the most common forms of inequalities due to unequal access and opportunities to resources. Patron-client relations between elites and their respective ethnic groups could aggravate the level of inequality and hence the resentment of other ethnic groups. This would apparently lead to manipulation of ethnic differences and mobilizing groups so as to get access to the resources.

Horizontal economic inequalities are straightforwardly clear which can be identified by looking at opportunities and accesses to resources. This encompasses

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[40] Ibid., p.13

"access to and ownership of assets (financial, land, livestock and human and social capital), employment opportunities and incomes."[41]

c. Social Inequalities

Providing major social services, and ensuring that all citizens have equal access to them, is one of the crucial responsibilities of governments. Horizontal inequalities in the social sphere are very broad. They generally encompass access to various social services such as education, health, sanitation and housing. Also, they include what Stewart calls "human outcome indicators" such as health and educational achievement.[42]

However, governments may fail to distribute social services equitably either because of discriminatory practices or due to other capacity related challenges. In both cases, nevertheless, since ethnic groups may feel that they are deprived of what they should have gotten there is a tendency to resentment against the group which dominates the political system. This would eventually lead to confrontations and conflicts.

d. Cultural Inequalities

Horizontal inequality can also be observed in terms of cultural status of a group. What constitutes a national culture may not represent the culture of diverse groups living within a state's boundary. It might just be the culture of a single (for example, culture of the dominant ethnic group) elevated at the national level and imposed upon others. The result would therefore be unequal representation or recognition of cultures.

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[41] Ibid.
[42] Ibid.

This, according to Stewart, includes "the extent to which a society recognizes (or fails to recognize) a group's cultural practices (for example, in matters of dress, holidays)."[43] Such a phenomenon would obviously create culturally dominant and dominated groups inviting revolts by the 'dominated'.

These four dimensions of causes of ethnic conflict are not mutually exclusive. As mentioned above conflicts are not uni-causal. Therefore, "there is a causal connection" among the four horizontal inequalities. Inequalities in one aspect may lead to inequalities in one or more aspects. Hence, they are mutually reinforcing.[44]

As can be seen in the proceeding chapters, the issue of horizontal inequality was a major force behind the 1974 Ethiopian Revolution and the subsequent civil war that lasted for seventeen years. Defined in ethnic and class terms, the conflict had a debilitating impact and shaped the current state of the country.

2.3. Federalism: A Conceptual Overview

Depending on structural/territorial arrangements of their political, geographic, and demographic realities, states are usually categorized either as federal or unitary. On the surface, the structural arrangement of a state often reflects the type of power relation that exists between the central government and the constituent units. However, if critically examined, it also tells us how serious challenges emanating from years of intrastate interaction have been addressed.[45]

Although an old concept and practice, federalism in its contemporary sense emerged about three hundred years ago. Its history and emergence is mainly associated with the first two modern federations: the United States (since 1776)

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[43] Ibid.
[44] Ibid
[45] Watts, Ronald L. "Federalism, Political Systems and Federations." *Review of Political Science*, 1998, p.117-137.

and Switzerland (since 1848). According to the Forum for Federations, there are only twenty-five federal states in the world to date. However, "their citizens make up 40 percent of the world's population."[46] Common to most, if not all, of these states is that they are multiethnic.[47]

The question, therefore, is why do states opt for a federal instead of unitary structure? What was their experience and anticipation when they decide to structure or re-structure themselves as federal? There are several theoretical explanations for this question. However, the analysis of this book is based on Alfred Stephan's theoretical model: "Holding-together federalism".[48] But for the purpose of comparison we do also look at one of his two other models: "Coming-together federalism".

2.3.1. Coming-Together Federalism

The *coming-together federalism* assumes that federation is a 'bargaining outcome' in which various independent entities/states bargain to combine their resources, population, territory, etc., to form a strong union. The main rationale behind is security, i.e. defense from external threats.

In this case, the states in question do not immediately form a federation but rather begin with a confederation. At this level, therefore, the states do not fully renounce their independence or sovereignty. Instead, they coordinate their economic, security and foreign policy. Since this is a 'voluntary association' the states can withdraw from the confederation any time. However, successful confederations usually transform themselves into federations to bolster their capacity and ties. The

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[46] Forum for Federation, 2010 (accessed at http://www.forumfed.org/en/federalism/introduction.php)
[47] Ibid.
[48] Stephan, Alfred. "Federalism and Democracy: Beyond the U.S. Model." *Journal of Democracy* 10, no. 4 (1999), p.19-34.

United States and Switzerland are best examples of federation through *coming-together*.[49]

2.3.2. Holding-Together Federalism

Unlike the former theoretical model, *holding-together federalism* sees federation as a result of devolution or decentralization. Instead of independent states/entities creating a federation by renouncing their independence/sovereignty, it is the unitary/centralized state which decentralizes power from center to lower levels of administration.[50]

The fundamental idea here is that unitary states which are characterized by centralization of power devolve the power oftentimes because of internal pressures such as secessionist movements, struggles for autonomy, and quest for accommodating diversity. Hence, the major rationale behind *holding-together federalism* is resolving internal (ethnic/territorial) conflicts, preventing disintegration and fostering national unity. Indeed most federations such as Belgium, Spain, India, Ethiopia, Nigeria, Brazil, Malaysia, etc., are best examples of federalism which aims at 'holding-together'.[51]

Despite certain differences, federations are thus characterized by several commonalties. First and foremost, all federations have *written constitutions*. In fact, a federation without a written constitution is inconceivable and impractical. Second, political powers are constitutionally *decentralized* or divided between the center and the constituent units. Third, unlike unitary states, the central government *cannot withdraw the powers* of the constituent units without amending the constitution. Fourth, amending the constitution requires the *consent* of the

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[49] Ibid., p.22
[50] Ibid., p.23
[51] Forum for Federations, Op. Cit.

majority of the constituent units. Fifth, almost all federal states have *bi-cameral parliaments*. And, in terms of mandate, popular sovereignty resides in the lower chamber/house.[52]

All in all, federalism is a political system in which power is constitutionally decentralized or divided between and among the central government and constituent units. Its main characteristic feature is that it combines *self-rule* and *shared-rule*. That is, federalism in essence allows the exercise of specific and concurrent political powers divided among the various tiers of government through a forethought constitutional formula.

Based mainly on the *Holding-Together federalism*, this book tries to show why and how Ethiopia's ethnic-based federal system was established. In so doing, socioeconomic and political factors that led to the current mode of federal arrangement and the ensuing debate pertinent to it are analyzed.

2.4. Peace and Violence

The word peace, in this book, is used in its broader sense. Primarily based on the seminal works of Johan Galtung, who is regarded as the father of peace studies, an attempt has been made to provide a brief conceptual framework of peace in this section. The reason for adopting Galtung's framework is that it lends us a broader perspective of peace.

Galtung said that a research or discussion about peace shall start with bearing three 'simple but important principles' in mind. That is:

a. *The term 'peace' shall be used for social goals at least verbally agreed to by many, if not necessarily by most.*

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[52] Anderson, Jan Erk and Lawrence. "The Paradox of Federalism: Does Self-Rule Accomodate or Exacerbate Ethnic Divisions." *Regional and Federal Studies* 19, no. 2 (2009), p.191-202.

b. *These social goals may be complex, but not impossible, to attain.*

c. *The statement peace is absence of violence shall be retained as valid.*

In his analysis of the concept 'peace', however, Galtung does not simply treat peace as a mere absence of violence, but he rather goes far beyond this commonly held conceptualization without totally rejecting its merit. Meaning, Galtung has been arguing that although conceptualizing peace as "…absence of violence shall be retained as valid", it cannot be taken as a definition or a holistic definition by itself.[53]

Had violence been viewed broadly then it could have been possible to view peace simply as 'absence of violence' without a need to discuss what we mean by violence or absence of violence. Nevertheless, the widely held view is, or at least was, that 'absence of violence' simply means absence of direct (personal) physical violence which usually results in immediate death or disability. Galtung calls this type of violence *direct violence* and contends that this popular view overlooks the other dimension of violence, i.e. *structural violence*. Hence, it is imperative to look at the two dimensions of violence so as to have a holistic definition of peace.[54]

The notion of direct violence can simply be understood as a violence that is "…intended, usually quick and for that reason easily discovered since the person who was very much alive a second ago is dead -hence, an easy focus of attention."[55] Thus, the typical feature of direct violence is that it is not only intended and quick but also it is overt or manifest. This is particularly apparent in a situation where there is an armed conflict or war.

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[53] Galtung, Johan. "Violence, Peace and Peace Research." *Journal of Peace Research* 6, no. 3 (1969): 167-191.

[54] Ibid., pp.182-182.

[55] Galtung, Johan. "Twenty-Five Years of Peace Research: Ten Challenges and Some Responses." *Journal of Peace Studies* 22, no. 2 (1985), p.145-146.

On the other hand, structural violence is a byproduct of socioeconomic and political structures which are "…settings within which individuals may do enormous amounts of harm to other human beings without ever intending to do so, just performing their regular duties as a job defined in the structure."[56] Therefore, structural violence can mainly be seen as inadvertent or unintended harm done to individuals and groups *as a process* where its effects start to show up slowly, for instance, in the form of hunger/famine, alienation and marginalization. This is in most cases a latent form of violence, according to Galtung, which erodes and finally kills people. However, "if it works quickly it is more likely to be noticed and strong positions for and against will build up so that moral stands emerge."[57]

The question here is therefore why do we need to view violence in such an extended manner? Why is it necessary to make distinctions between direct violence and structural violence? The reason, as Galtung argued, is that with the distinction made between the two types of violence as basic, "violence becomes two-sided, and so does peace, conceived of as the absence of violence."[58]

Eventually, we can make a valid link between violence and peace since the latter should be seen as the negation of the former in its broader, as opposed to the narrower, sense. This, in short, means that:

> *An extended concept of violence leads to an extended concept of peace. Just as one coin has two sides, one side alone being only one aspect of the coin, not the complete coin, peace also has two sides: absence of personal [or direct] violence, and absence of structural violence. We shall refer to them as negative peace and positive peace respectively.*[59]

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[56] Ibid.
[57] Ibid.
[58] Ibid., p.183.
[59] Ibid.

Therefore, following the above line of argument, we can now safely say that peace is also two-sided. By describing it as an absence of violence, it may refer to the absence of one or both types of violence, although the objective should essentially be to consider it as the absence of both types of violence. Let us thus very briefly look at the two dimensions of peace.

2.4.1. Negative Peace

The term negative peace, in simple terms, refers to the absence of direct violence. It is called 'negative' peace because the statement that 'peace is the absence of direct violence' "does not lead to a positively defined condition."[60] That is, negative peace means by definition the absence of 'actor-generated' violence such as armed conflict/war in general and killings, murders, ethnic cleansing, genocide, etc., in particular.[61]

1.4.2. Positive Peace

Positive peace refers to the absence of structural violence. It is termed as 'positive' peace because the very statement that peace is the 'absence of structural violence' leads to a positively defined condition which can be "referred to as social justice."[62] This in other words means that peace is the transformation of structures through "social-political consciousness" and understanding how the structure works so as to fulfill the need for social justice such as distribution of power and

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[60] Galtung, Op. Cit., p.183.
[61] Negative peace as absence of direct violence may possible be seen as too naive and almost impossible to achieve if we simply define direct violence as the absence of any form of killing and murder since every society, including those 'peaceful' ones, has at least criminals engaged in killings and murders. Hence, in this book, unlike Galtung's somehow general statement, by direct violence we are referring to *large scale and systematic* killings and murders.
[62] Ibid.

resources.[63] Therefore, positive peace can be viewed as "the best protection against violence."[64]

Therefore, based on the above backdrop and indeed for the purpose of this book, the term peace is given a broader definition. That is, peace is defined as the *absence or reduction* of both direct and structural violence.[65] This broad definition is relevant for the topic being dealt with in this book that federalism, particularly *Holding-Together* federalism, is viewed as a response to actual or potential conflicts presumably involving both types of violence.

[63] Ibid.

[64] Galtung, Johan. *Peace by Peaceful Means: Peace and Conflict,Development and Civilization.* London: SAGE Publications, 1996, p.32.

[65] Ibid., p.9. Emphasis added.

Chapter Three

3. Historical Overview of State formation and Conflict in Ethiopia (Pre-1991)

3.1. General Overview

Ethiopia is 'one of the ancient countries of the world with a long history of independent statehood' located in the North Eastern part of Africa which is commonly referred to as the Horn of Africa. It is a landlocked country with a total area of 1.2 million square kilometers, neighboring Eritrea in the North and North East, Djibouti in the East, Somalia in the East and South East, Kenya in the South and Sudan in the West.[66] It hosts the headquarters of the African Union (AU), the United Nations Economic Commission for Africa (UNECA), and some other international organizations. The country is officially known as the Federal Democratic Republic of Ethiopia and the system of government is parliamentary.

According to the 2007 official population census report of the Central Statistics Agency of Ethiopia (CSA), the total number of population as of November 2007 was 73.7 million.[67] 83.9% of the 73.7 million people live in the rural areas while the rest (16.1%) are urban dwellers. Since a significant proportion of the population lives in rural areas, agriculture remains the major sector and the economy of the country is highly dependent on agricultural products. Coffee, oilseeds, livestock, and floriculture, are some of the major agricultural products through which the country earns foreign currency.

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[66]Zewde, Bahru. *A History of Modern Ethiopia.* Addis Ababa: AAUPress, 2001, p.1.

[67] (CSA), Central Statistic Agency of Ethiopia. *Summary and Statistical Report of the 2007 Population and Housing Census.* Population Census Commission, CSA, Addis Ababa: UNFPA, 2008. Recently a contradictory number has been reported regarding the total number of population. Some, for instance, the CIA Fact Book stated that total number of Ethiopia's population is more than 85million. However, for the purpose of this book, we will stick to the official reports.

Christianity (63%) and Islam (33%) are the two major religions in Ethiopia although there are others (4%) such as Judaism and traditional belief systems. As a multiethnic country, with about eighty ethnic groups, there are dozens of languages spoken throughout various regions of the country. However, the widely spoken languages are *Amharigna (or Amharic)*, *Oromiffa*, *Tigrigna*, *Somaligna*, and *Sidamigna*. *Amharic* is a 'working language' of the Federal and some regional governments.

Since Ethiopia is a federal state, the country is divided into nine constitutionally autonomous regions (regional states) and two administrative cities.[68] As table 1 below shows population distribution (as of 2007) varies from region to region significantly:

Regions	No. of Population[69]	Percentage[70]
Oromiya	26.9million	36.6
Amhara	17.2million	23.4
SNNP[71]	14.9million	20.2
Somali	4.4million	6.0
Tigray	4.3million	5.9
Addis Ababa[72]	2.7million	3.7
Afar	1.2million	1.9
Benishangul-Gumuz	784,345	1.1
Dire Dawa	341,834	0.5
Gambella	307,096	0.4
Harari	183,415	0.2

[68] We will look at the details of the federal arrangement afterwards.
[69] Data adopted from CSA's 2007 report.
[70] Ibid.
[71] An acronym for Southern Nations, Nationalities and Peoples Region
[72] Capital city of the country and a self-governing administrative city.

The relevance of the above table is that it shows us the fact that more than 80% of the population dwells in the three regions, namely Oromiya, Amhara, and SNNP. This signifies the political and economic role of the regions, though others, particularly the Tigray region, also have determinant role. As the later parts of this book would show, these regions indeed have a significant influence on the political processes, and historically the competing elites and ethnic groups are mainly from the Oromiya, Amhara and Tigray regions.

2.2. Ethiopia: Pre and Post-Southward Expansion

It is important to admit from the outset however that writing a historical overview about Ethiopia is so problematic. The reason for this is that, firstly, Ethiopian history books mainly (though not exclusively) focus on the northern and central part of the country which is considered as the hub of the country's old history.

Secondly, as a result of this, there are some groups particularly scholars and ethno-nationalist historians that challenge whether the hitherto focus on the northern and central part of the country can represent the history of the country as a whole. They argue that the historical events that have happened before the mid or late 19th century is the history of Abyssinia, i.e. northern and central parts of present day Ethiopia. Hence, they assert that the history of the country should be re-written so as to accommodate the 'history of the south'.[73]

Bearing the above debate in mind, this book does focus on the patterns of state formation and subsequent conflicts that had followed giving a particular emphasis

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[73] Markakis, John. "Nationalities and the State in Ethiopia." *Third World Quarterly* 11, no. 4 (1989): 118-130; and Gudina, Merera, "Contradictory Interpretations of Ethiopian History: The Need for New Consensus" In Turton, D. (Ed.) *Ethnic Federalism: the Ethiopian Experience in a Comparative Perspective,* Ohio: Ohio University Press, 2006, pp.119-130.

on the so-called the modern period, i.e. from 1855 to the present.[74] The reason for choosing this particular period as a starting point is because most of the debates and controversies in contemporary politics of the country stretch back mainly to the events that began to unfold in this particular period.

As mentioned earlier, Ethiopia is an ancient country whose history goes, conventionally, as far back as 100 BC. "To the outside world, it has long been known by the name Abyssinia."[75]Howsoever controversial could the history be, one thing that cannot be denied is that Ethiopia had become more multiethnic by the end of the 19th century than it was before.[76]

There is, however, no evidence or research finding that indicates the existence or even absence of ethnic consciousness and mobilization which is currently one of the major characteristic features of Ethiopian politics. Thus, from my perspective, whatever claim one could have about people's ethnic awareness/consciousness prior to 1960s, it seems to be either a speculation or subjective interpretation of history.

The beginning of modern Ethiopian state formation in 1855 was preceded by at least a century of bloody conflict between regional lords and nobilities to control the then political center, Gondar. This period is known as *Zemena Mesafint* (literally meaning Era of Princes) in Ethiopian history. The formation of a modern Ethiopian state was therefore pioneered by Emperor Tewodros II (1855-68) who emerged victorious out of the *Zemena Mesafint.*[77]

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[74] Historians divide the historical periods of Ethiopia into *ancient* (the period before 1270AD), *medieval* (1270-1855AD), and *modern* (from 1855 onwards).
[75] Zewde, Bahru, Op. Cit. pp.1-2.
[76] Gudina, Merera Op. Cit. p.119.
[77] Zewde, Bahru, Op. Cit. p. 27.

According to historians, Tewodros had two major 'imperial policies', i.e. *modernization* of the ancient state and *centralization* of power. However, his attempt to bring about modernization and centralization was met by resistance from within by regional lords, and led him to confrontation with Europeans, mainly Britain which at that time was becoming undisputed colonial power in Africa.[78]

Tewodros committed suicide at the *Battle of Mekdala* refusing to surrender while fighting with the British imperial forces led by General Napier. However, Tewodros's vision to build a modern and centralized Ethiopia was taken up by his successors "…albeit with different enthusiasm and vigor."[79]

Tewdros's successor, Emperor Yohnnes IV (1872-89), pursued the unification of the country albeit with a rather 'less centralist' tendency than that of Tewodros. So far as his authority was recognized by the regional lords and they pay tributes, Yohannes IV did not seem prepared to confront the regional lords and nobilities.[80]Like his predecessor, however, Yohannes IV died fighting with foreign invaders, the *Mahdist* invading forces (from neighboring Sudan) at the *Battle of Metama in 1889* in the western frontiers of the country.[81]

Menelik II (1889-1913), Yohannes's successor, did also pursue the 'twin imperial policies' of modernization and centralization. What makes Menelik II different from his predecessors however was that in addition to consolidating his power in the north, he "…undertook a series of military conquests expanding the frontiers of the country to the south, west and east."[82] As a result, Emperor Menelik has both

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[78] Ibid., pp.32-32 and 39-42.
[79] Kefale, Asnake, Op. Cit.
[80] Ibid
[81] Zewdie, Bahru, Op. Cit. pp.43-44 and 55-59.
[82] Ibid., and Kefale, Asnake, Op. Cit.

been praised and demonized by various groups for creating the modern "empire-state" of Ethiopia, "…with its present geographic shape, capital [city] and ethnic makeup."[83]

Also, in his era, Ethiopia fought a decisive anti-colonial war with and defeated Italians at the *Battle of Adwa* in 1896 which eventually led to the recognition of its boundaries by the then European colonial powers. The victory of Ethiopian forces led by Menelik II at the *Battle of Adwa* had a number of legacies such as consolidation of power at the center, an ostensible end of the state formation process, the recognition of Ethiopia as an epitome of blacks' resistance against European colonialism, etc.[84] Nevertheless, Menelik's southward expansion has also created a 'nation of un-equals' where the northerners (mainly the Amharas; and also Tigrians as 'junior partners') were seen as more privileged in terms of cultural recognition, economic and political power.[85]

While some of the campaigns of the southward expansion were done through peaceful cooptation of and negotiation with regional lords and proxies, many others were results of coercion and ruthless suppression of resistance to submit to the Emperor's supremacy.[86] Consequently, most of the local lords that submitted peacefully were treated more favorably than those regional lords, which fiercely resisted the expansion.[87] In fact, the latter places were left for the *Neftegna* (literally meaning the one carrying rifles), i.e. Emperor Menelik's soldiers of northern origin -mainly the Amhara- who later settled in the south.

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[83] Ibid
[84] Markakis, 1989 Op. Cit.
[85] Ibid., and Merera, Gudina, Op Cit.
[86] Markakis, Op. Cit.
[87] Zewde, Bahru, Op. Cit. pp. 61-68.

Moreover, the reign of Menelik II marked the real beginning of modernization (the term modernization apparently referring mainly to 'catching-up with Europe') of the country. The first modern school, telecommunication (including postal services and telephone), transportation (railway and road), administrative systems (ministerial offices/positions), establishment of diplomatic relations, etc., were begun at the time of his emperorship.[88]

The period following the death of Menelik II (1913-1916) was somehow tumultuous or chaotic due to questions of succession to the throne. Menelik II's legitimate successor, Lij Eyasu, was a controversial personality in the palace due to his 'unique and progressive' (looked at in retrospect by some writers such as Bahru Zewde and Merera Gudina) but unusual and unacceptable (at that time by Menelik's veterans) approach to religious and ethnic minorities. Thus he was ousted by the nobility, and Empress Zewditu, Menelik's daughter was crowned as the queen of the country. This paves ways to the then regent Ras Teferi's (later Emperor Haile Sellassie) long journey to absolute monarchic power.[89]

Emperor Haile Sellassie (1930-74) who dominated much of the country's 20th century history also followed his predecessors 'twin imperial policies' "with a renewed vigor and tenacity."[90] He introduced the first written constitution in 1931 although the aim was to consolidate his power. This was apparent because the constitution provided neither for civil liberties nor did it establish a 'representative legislature.'[91] Except the brief occupation of the country by fascist Italy just before and during WWII (1936-41), Haile Sellassie reigned the country from 1930

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[88] Ibid.
[89] Ibid.
[90] Kefale, Asnake, Op. Cit.
[91] Ibid.; and Nahum, Fasil. *Constitution for a Nation of Nations: the Ethiopian Prospect.* Lawrenceville: Red Sea Press, 1997.

through 1974.[92] The Emperor indeed was credited for expanding modern education (including universities and colleges), institutions of bureaucracy, the first legislature, etc. His reign was relatively stable until the 1960s.

However, his rule did not remain free of internal challenges and rebellions. In fact, unlike Menelik II he faced several peasant rebellions in provinces such as Tigray, Bale, and Gojjam, in 1943, 1963-70 and 1968 respectively. Also, the leaders of the Imperial Body Guard, the Police and Security forces attempted an aborted coup d'état in 1960.[93] The major reasons behind all these were the ongoing exploitation, marginalization and unfair socioeconomic and political processes. Yet the Emperor did not seem to heed the sources of rebellions and dissents apart from his obsession with centralizing political, economic and military powers in his office.[94]

3.3. The Ethiopian-Eritrean Federation and its Discontents

In 1952, the United Nations decided to unite Eritrea with Ethiopia through federation. Prior to the federation Eritrea was under Italian control since the late 1860s until 1941 and under British rule until 1952. The significance of this first federal encounter is that it brought some changes in Ethiopia. That is, firstly it forced the Emperor to revise the 1931 constitution in 1955 with the inclusion of provisions for limited civil liberties, though Eritrea's constitution was still more liberal than the revised constitution. The federation also gave Ethiopia access to the Red Sea and Indian Ocean.[95]

The Emperor nevertheless unexpectedly dissolved the federation in 1962 and made Eritrea just one of the provinces of the country. Although there is still no clear

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[92] Zewde, Bahru, Op. Cit. pp.150-177.
[93] Ibid. pp.209-218
[94] Ibid.
[95] Ibid. p.206

reason as to why the Emperor chose to dissolve the federation, the Emperor may have worried about the apparent constitutional asymmetry between Eritrea and Ethiopia.

The dissolution of the federation led some Eritreans, which were initially dissatisfied by the federation process, to form rebel movements such as the Eritrean Liberation Front (ELF) and later followed by the Eritrean People's Liberation Front (EPLF) with the aim to secede from Ethiopia. This marked not only the beginning of civil war in Eritrea after few years but also the serious beginning of the end to the Emperor's rule. [96]

What are, thus, the legacies of the dissolution of the federation and the reinforcement of absolute monarchy? A number of legacies can be listed, but for brevity let us see some of them:

a) It led to a civil war for more than two decades in Eritrea;
b) The civil war in Eritrea encouraged the archenemies of the country such as Egypt and some Middle Eastern/Arab states to indirectly meddle in Ethiopia's internal affairs;
c) The so-called "national liberation movement" inspired other groups to uphold the same claim in the years to come;
d) In relation to the above, the rebel movements in Eritrea began to offer moral, material and training supports to emerging movements in other parts of Ethiopia, etc.

Generally, from 1960s afterwards the country was plunging into perennial socioeconomic and political crises not merely because of the dissolution of the Ethiopian-Eritrean federation but also due to a chain of other social, economic, and

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[96] Markakis, Op. Cit. pp. 120-121

political malaise occurring throughout the country. Hence, the continuation of the exploitative land tenure system, the marginalization and domination of social groups, etc., led to the emergence of clandestine radical groups in the urban areas mainly in universities and colleges.[97] As can be seen in the next section, the universities and colleges, particularly Addis Ababa University (known as Haile Sellassie I University before the revolution of 1974), served as arenas of revolutionary movements.

3.4. The Ethiopian Students' Movement and the Eve of the 1974 Revolution

It was mentioned in the preceding section that Ethiopia was plunging into socio-economic and political malaise from the 1960s onwards. This was mainly due to Emperor Haile Sellassie's megalomania and inability or lack of willingness to respond to growing demands for social, political and economic reforms. Of all the challenges that the emperor had to face, the implacable opposition from university and college students, known as the Ethiopian Students' Movement (ESM), was unprecedented for its perseverance and gradual move towards radical demands. As one of the country's renowned historian succinctly puts it,

> *For something like a decade from 1965 on [until 1975], the students came out into the streets in almost ritual annual demonstrations, daring to defy a political order that had managed to secure the cowed submission of a large part of the population.[98]*

Prior to the 1960s, the students movement was initially apolitical, in a sense that it was mainly limited to in-campus affairs such as improvement of services including

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[97] Keller, Edmond. "Ethiopia: Revolution, Class, and the National Question." *African Affairs* 80, no. 321 (1981): 519-549.
[98] Zewde, Bahru. *A History of Modern Ethiopia.* Addis Ababa: AAUP, 2001, p.220.

the quality of food, dormitories, etc.[99] It therefore had to pass through various phases before it became a prominent movement in the country's political history. The in-campus affairs, gradually, became not only those services mentioned earlier but also other pursuits such as freedom of expression and association, i.e. free press and independent student's union.[100]

Many writers therefore consider the 1960 aborted coup d'état, attempted by the Imperial Bodyguard, as a turning point for the students movement(as it was for the overall movement against the regime) in terms of overtly expressing their ideas and views.[101] That is, although the students were cautious about the move of those behind the coup d'état, they openly showed their support for the causes of the coup by demonstrating on the streets of Addis Ababa. They were becoming involved more and more on the efforts made to reach out the society. [102] According to Bahru Zewde, therefore, the history of the ESM was that of "steady radicalization".[103]

In a nutshell, there were several factors that led to the radicalization of the ESM some of which are:

a) *The deteriorating living conditions of the peasantry and the urban masses;*
b) *The ever-increasing repression and exploitation of the people by the government;*
c) *Exposure to the real misery of people living in the rural areas of the country while on duty for the mandatory Ethiopian University Services;[104] and,*

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[99] Beken, Christophe Van der. "Federalism and the Accommodation of Ethnic Diversity: The Case of Ethiopia." *Proceedings of the 3rd European Conference on African Studies* . Leipzig: ECAS, 2009. 21.
[100] Zewde, Bahru, Op. Cit. pp.222-223
[101] Kefale, Asnake, 2009; Gudina, Merera, 2000; and Zewde, Bahru, 2001.
[102] Ibid
[103] Zewde, Op. Cit.
[104] University students were required to serve for one year, for example as a teacher, in rural areas before graduation.

d) *Increasing exposure to the outside world due, particularly, to the advent of scholarship students from other countries of Africa since 1958 and the increasing number of Ethiopians returning after studying in Europe and America, etc.*

Hence, in the mid-1960s, it was apparent that the ESM had become militant and/or revolutionary in many respects. Clandestine groups were already playing major roles behind the scene. In other words, the "the students' uncompromising opposition to the regime, as well as the beginning of acceptance of Marxist ideas, is traceable to this period."[105]

Therefore, Marxism-Leninism was embraced as the only ideology both to interpret the reality and address the problems of the country. One of the major factors that made Marxism attractive was, perhaps, exposure of the students' (especially those who went abroad for studies) to the international revolutionary movements across the world. In fact, they were bent on emulating the Marxist revolutions in Latin American and Asian countries, the iconic names of Ho Chi Minh and Che Guevara becoming as popular as the 'battle cries' of the ESM.

Eventually, from 1965 on, radical demands such as "Land to the Tiller", respect for civil liberties, and most importantly equal rights of "nationalities", were raised in street demonstrations, debates and daily conversations. As a feudal ("feudo-capitalist" as some would like to call it) economy, the issue of land was not only economic but also political in a sense that people were reduced to tenants living under the mercy of landlords. This was particularly apparent in the southern part of the country where the land tenure system was extremely harsh.[106]

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[105] Ibid., p.223.
[106] Ibid.

Another highly sensitive and an "almost taboo" issue -both for the regime as well as most members of the students' movement- was the so-called "question of nationalities", which later became the characteristic feature of the political discourses of the country. John Markakis said that "the taboo was resoundingly broken in the autumn of 1969, with the publication of an article in the university student paper entitled "On the Question of Nationalities in Ethiopia"."[107]

What makes the issue a "taboo" at that time was that since the formation of the modern Ethiopian state, the subsequent regimes were pretending as if the country was composed of a monolithic society. The deep rooted inequalities were simply ignored by the regime, and as we shall see later, the dominance of one group over the rest was openly challenged only after the ESM began to raise the issue.[108]

Due to its ensuing significance even in today's political debates, therefore, let us briefly look at how the author of the article interpreted the reality of the country at that time. The article appeared in a students' union newspaper, *Struggle*, and the author, Wallelign Mekonnen, himself was one of the radical leaders of the ESM. The significance of his article is not just because it broke a "taboo" but because it questioned the very idea of Ethiopian nationalism and the nature of inter-ethnic relations in the country. In his article, Wallelign Mekonnen wrote,

> *What are the Ethiopian people composed of? I stress on the word peoples because sociologically speaking at this stage Ethiopia is not really one nation. It is made up of a dozen nationalities with their own languages, ways of dressing, history, social organization and territorial entity.*

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[107] Markakis, John. "Conflict in Prefederal Ethiopia." *First National Conference on Federalism, Conflict and Peace Building.* Addis Ababa: Ministry of Federal Affairs, 2003. 11-23.
[108] Ibid.

He further argued,

> *And what else is a nation? Is it not made of a particular tongue,*
> *particular ways of dressing, particular history, and particular social*
> *and economic organization? Then may I conclude that in Ethiopia*
> *there is the Oromo Nation, the Tigrai Nation, the Amhara Nation, the*
> *Gurage Nation, the Sidama Nation….[109]*

Moreover, Wallelign Mekonnen, mentioning the political, economic, social and cultural dominance of the northern ruling elite, particularly the ethnic Amhara over the southern masses, asserted that Ethiopian identity or nationalism is a "fake nationalism".[110] He thus said that "is it not simply Amhara and to a certain extent Amhara-Tigre supremacy? Ask anybody what Ethiopian culture is? Ask anybody what Ethiopian music is? Ask anybody what the "national dress" is? It is either Amhara or Amhara-Tigre!!"[111]

By raising issues that had not been raised, at least overtly, he challenged the very foundation of the state whose formation did seem already consolidated. However, Wallelign did not stop his article by attacking the system but rather he proposed solutions, in fact, with copious quotes and interpretation based on Marxist-Leninist literature. He proposed that the state should be reoriented so that "nationalities" can participate equally, have equal opportunity to preserve and develop their language, history, and so on. He said that Ethiopia should become a 'genuine national-state' where "no nation dominates another nation be it economically or culturally".[112]

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[109] Mekonnen, Wallelign. "On the Question of Nationalities in Ethiopia." *Struggle*, November 17, 1969: 1-5 (accessed at http://walilegnfordemocracia.com/onationalqu.pdf).
[110] Ibid., p.2
[111] Ibid.
[112] Ibid., p.3.

In order to achieve this goal, therefore, he suggested a range of options from violent-revolutionary struggle to recognition of the right to self-determination and even secession if necessary (so far as the secession movement was led by 'progressives', i.e. peasants and workers).[113] This is indeed a direct copy of Stalin's 1913 publication "Marxism and the National Question" where Joseph Stalin, supported by Lenin, recognized a nation's right to self-determination including succession. However, both for Stalin and Lenin, such recognition was only tactical in that it was not seen as a possibility.[114]

It was thus used by Lenin and Stalin as a strategy to promote state unity. They presumed that groups would not invoke this right because class struggle would have ultimate primacy over other forms of struggle including the 'national question'. Wallelign Mekennen also did seem to have similar conviction when he bluntly stated that "it is the duty of every revolutionary to question whether a movement is Socialist or reactionary not whether a movement is secessionist or not."[115]

What was/is thus the significance of this 'eye-opening' interpretation of the country's reality? First and foremost, it "caused a sensation and launched a passionate debate within the student movement" which, as discussed above, already became the implacable opponent of the imperial regime.[116] Secondly, due to lack of consensus mainly on the practical implication, not the interpretation *per se*, of Wallelign Mekonnen's idea, that is whether class struggle would have

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[113] Ibid., p.3-5.
[114] Beken, Op.Cit. pp. 3-4.
[115] Mekonnen, Wallelign, Op. Cit. p.5.
[116] Markakis 2003, p.14.

primacy over "nationalities question" (or ethnic-based struggle as the author of this book prefers to call it) or vice versa, the debate resulted in a split of the ESM.[117]

The result of the split in the ESM, which was by then almost entirely a radical Marxist-Leninist movement, was the emergence of political groupings prioritizing either class-based or ethnic-based struggle. That is, on the one hand, proponents of class-based struggle argued that the "nationalities question" can be addressed through the overthrow of the imperial regime and establishment of a socialist state. Hence, class struggle through multiethnic political parties. On the other hand, proponents of ethnic-based struggle argued that the struggle should first be for the right to self-determination. Hence, they begun ethnic-based struggle through mono-ethnic 'liberation movements/fronts'. [118]

Therefore, by the early and mid-1970s we did already have both nationwide and ethnic-based political organizations, though highly clandestine until the 1974 Revolution broke out, such as the All Ethiopian Socialist Movement (MEISON) and Ethiopian People's Revolutionary Party (EPRP) on the one hand; and the Oromo Liberation Front (OLF), the Tigray People Liberation Front (TPLF) on the other. The Eritrean opposition movements, as discussed in the previous section, were already established in early 1960s.[119]

While leaders and members of the Ethiopian Students Movement were both pushing the regime for changes and trying to reconcile their own differences, the regime was on the other hand engaged in trying all forms of repression, to clampdown on the movement, including mass arrest, expelling student leaders

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[117] Markakis, 1989 and 2003; Bahru Zewde, 2001; Merera Gudina, 2006; and Beken, 2009.
[118] Ibid.
[119] Beken, 2009, pp. 4-6; and Merera Gudina, 2006, p.120.

from universities and even killing leaders of the ESM.[120] It was thus within the aforementioned context that the revolution broke out in February 1974. The irony however is that the revolution was so sudden not only to the regime but also to the students themselves. Put differently,

> *The Ethiopian Revolution of 1974 caught almost everybody by surprise. Although they had been calling and fighting for it for almost a decade, even the most radical of the students were unprepared. As for the ruling class, while it might have had a premonition that something might go wrong, it took quite some time for it to gauge the magnitude of the crisis.[121]*

In addition, two immediate factors may have also contributed to the swift explosion of the revolution: the 1973-74 drought-induced famine and the impact of the international oil price crisis that affected many countries. In any case, as Bahru Zewde succinctly puts it, the revolution "certainly did explode in the faces of both the regime and its opponents."[122]

The lack of preparation on the part of the students' movement was particularly apparent in a sense that there was no political organization that was well-prepared to take up the leadership role. Regardless of the mass participation the revolution enjoyed, then, there was indeed a power vacuum up until the *Derg*, a military committee, took over the leadership role in June 1974 promising to return to its barracks once the civilian is ready to assume leadership.[123] No one, including the *Derg* itself, seemed to suspect that the military would be reigning the country for seventeen years.

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[120] Bahru Zewde, Op. Cit.
[121] Bahru Zewde, 2001, p.228
[122] Ibid.
[123] Ibid

3.5. Military Rule and Insurgent Movements (1974-1991)

The military's took over of power did not prevent radical changes that characterize many revolutions. In fact, in the onset of the revolution, the military appeared ready to accommodate the radical demands of the ESM. This was partly due to the fact that many of the members of the *Derg (*committee*)* did not have any prior exposure to the ideology of the day, Marxism, and also the *Derg* itself was 'bereft of political program'.[124]

Hence, until the *Derg* begun to consider itself more socialist and revolutionary than its mentors, i.e. part of the ESM which opted to work with the regime as a tactical approach- mainly the All Ethiopian Socialist Movement (*MEISON*), it decreed and carried out several radical proclamations aimed at addressing issues raised by the ESM.[125] Some of these radical changes were,

a) Overthrow of the emperor and establishment of a *de facto* republic;

b) Abolition of the feudal land tenure system, nationalization and redistribution of rural land 'to the tillers';

c) Nationalization of big business enterprises and industries;

d) Separation of church and state, Orthodox Christianity being the state religion until 1974;

e) Recognition of Muslim holidays, in addition to the Christian ones, as national holidays; and,

f) Recognition of the equal right of 'nationalities' and their language, etc.

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[124] Markakis 2003, p.16

[125] Young, John. "Ethnicity and Power in Ethiopia." *Review of African Political Economy* 23, no. 70 (1996): 531-542; and Tiruneh, Andargachew. *The Ethiopian Revolution 1974-1987: A Transformation from an Aristocratic to a Totalitarian Autocracy.* Cambridge: Cambridge University Press, 1993.

There is no doubt that these measures were unthinkable during the imperial regime. Thus, initially the military regime was able to gain the support of the masses due to these radical moves. More beneficial of the above changes were however those ethnic groups which are found in the southern part of the country. Compared to the north, where communal-hereditary land ownership long existed, the diverse ethnic groups of the south which were once alienated or reduced to mere tenants of landlords of northern origin were more grateful of the military regime's decision.[126]

The *Derg* also declared Ethiopia as a socialist state in a further move to attract the support of radical members of the ESM and the intelligentsia.[127] However, while the *Derg* was moving in the aforementioned direction, violent clashes were looming among the members of the ESM which were not able to settle their differences on the one hand, and between section of the ESM which became the Ethiopian People's Revolutionary Party (EPRP) and the military regime, the *Derg*.

This situation later led to the horrendous bloodshed of the so-called *Qey Shibir* (Red Terror) from 1977 to early 1980s.[128] The increasing animosity and conflict between the *Derg* and part of the ESM which formed political parties can mainly be attributed to the fact that the *Derg* was not ready to accommodate demands, especially, to relinquish power to a civilian government. Hence, the EPRP appeared determined to "recover" the revolution lost to an opportunist military junta that 'stole the people's revolution'.

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[126] Clapham, Christopher. *Transformation and Continuity in Revolutionary Ethiopia.* Cambridge: Cambridge University Press, 1988.
[127] Young, Op. Cit.p.5.
[128] Chege, Michael. "The Revolution Betrayed: Ethiopia,1974-9." *The Journal of Modern African Studies* 17, no. 3 (1979): 359-380.

The outcome of the Red Terror and subsequent suppression of oppositions in major cities and towns of the country was the weakening of struggles in the urban area.[129] Almost all of the political groups fled from the cities and begun waging wars against the regime from remote rural places, particularly in the northern part of the country. Those who feared being targeted by the regime, on the other hand, fled the country seeking asylum in other countries.

The rift and animosity between proponents of class-based struggle and ethnic-based struggle was also so apparent at this time. Even, the political groupings (organizations) within the respective camps were not able to work together on common goals for the reason which still baffles many writers.[130] In the meantime, the secessionist movement in Eritrea was intensified and the province had become a real 'problem child' of the country. Generally, it was in this context that the seventeen years of civil war in the name of 'class' and the 'right to self-determination' of ethnic groups had fermented and eventually debilitated the country for the years to come.

As Abraham Maslow's famous quote goes to say, "If the only tool you have is a hammer, you tend to see every problem as a nail." Understandably, the military regime was typical in its approach to political problems in that it considered the recourse to force as a solution for every political problem. It was not ready for any form of political negotiation. Equally, the opposition forces in both, ethnic-based and class-based, camps opted violent means between themselves and against the regime.[131]

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[129] Ibid, p.15
[130] Teshome, Wondwosen. "Ethiopian Opposition Political Parties and Rebel Fronts: Past and Present." *International Journal of Social Sciences* 4, no. 1 (2009): 60-68.
[131] Ibid

All in all, by the 1980s, the country was already engulfed in a full-fledged civil war in the northern and eastern provinces. As its dictum "Everything for the War Effort" indicates, the military regime was uncompromising in its determination to solve the problem through military means.[132] As a result, not only political but also socio-economic crises became the fate of the country. For instance, the notorious 1984-85 famine which shocked the whole world was a best example showing the extent of the social and economic crises that the country had experienced during this particular period.

3.6. The Prelude to Federalism: Collapse of the Military Regime and the Transitional Period

3.6.1. The Civil War and the Collapse of the Military Regime

Despite its reiterated promise to return back to its barracks and naming itself as the Provisional Military Administration, the *Derg* did seem determined to stay in power indefinitely in the name of protecting the country's national integrity or unity. This became clear when it purged and killed many of the civilian allies, such as the *MEISON* which were part of the student movement, and poised itself to establish a political party that would become the vanguard party of the "People's Democratic Republic of Ethiopia". The time chosen for this indeed was the tenth anniversary of the Revolution and afterwards.[133]

Yet, while the *Derg* was preoccupied with preparation for the tenth anniversary of the Revolution and establishment of the Workers' Party of Ethiopia (WPE), the civil war was ravaging the country mainly in the Northern provinces of Eritrea and

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[132] Tareke, Gebru. "From Lash to Red Star: The Pitfalls of counter-Insurgency in Ethiopia, 1980-82." *The journal of Modern African Studies* 40, no. 3 (2002): 465-498.
[133] Clapham, Christopher. *Transformation and Continuity in Revolutionary Ethiopia.* Cambridge: Cambridge University Press, 1988;and Chege, Michael. "The Revolution Betrayed: Ethiopia,1974-9." *The Journal of Modern African Studies* 17, no. 3 (1979): 359-380.

Tigray. Besides, the provinces of Tigray and Wello were blighted by a famine of biblical proportions which was much worse than that of the 1973-74.[134] The *Derg*, nevertheless, celebrated the anniversary extravagantly albeit the people's and the international community's concern over the devastating impact of the famine in civil war affected areas. [135]

On the other hand, this was the time when the multiethnic political parties such as EPRP, *MEISON* and EDU[136] were debilitated or almost destroyed by the combined effects of the Red Terror carnage, the inter-party rivalry and violent clashes as well as intra-party infightings. Also, this was the period when the ascendancy of ethnic-based "liberation fronts" in the civil war, which were generally referred to as "*tegentayoch*" (secessionists) by the regime, became very clear.[137] Put differently, from this time on the violent conflict was not mainly between the military regime and the aforementioned multiethnic political parties, but rather it was between the regime and those ethnic-based fronts fighting for "self-determination" and/or "secession".[138]

These major ethnic-based fronts were active in Eritrea (ELF and EPLF), Tigray (TPLF), and Ogaden (WSLF[139] and later ONLF). It was also apparent that OLF which claims to represent the interests of the largest ethnic group in Ethiopia, the Oromo, was becoming more visible in the 1980s despite its establishment in early

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[134] Clapham, ibid.
[135] Zewde, Bahru. *A History of Modern Ethiopia.* Addis Ababa: AAUPress, 2001.
[136] EDU was not a radical and revolutionary party but rather it was a "reactionary" led by former land lords, officials and supporters of the emperor. Notable among its leaders was the emperor's son-in-law Ras Mengesha Seyum of Tigray.
[137] Teshome, Wondwosen. "Ethiopian Opposition Political Parties and Rebel Fronts: Past and Present." *International Journal of Social Sciences* 4, no. 1 (2009): 60-68.
[138] Markakis, John. "Conflict in Prefederal Ethiopia." *First National Conference on Federalism, Conflict and Peace Building.* Addis Ababa: Ministry of Federal Affairs, 2003. 11-23.
[139] WSLF (Western Somali Liberation Front) was considered as a proxy rebel organized by the then Somalia Republic's President Siad Barre to advance his irredentist claims on the Ogaden region of Ethiopia.

1970s. There were also dozens of smaller ethnic-based rebels in the peripheries of the country.[140]

In a nutshell, there were both domestic and external factors for the ascendancy of ethnic-based "liberation fronts". Domestic factors that strengthened the ethnic-based forces were the gradual depletion of the regime's legitimacy in the rural areas due to continuing political repressions, forced conscription into the military, the impact of the 1984-85 famine in the north, and defection of members of multiethnic parties into their respective ethnic-based forces following the Red Terror and the inter-party violent conflicts, etc.[141]

Apart from the domestic factors, it should also be noted that there were external factors that strengthened ethnic-based forces. First, the Cold War political situation was devastating for Africa in general and the horn of Africa in particular in that the two superpowers were fighting their proxy wars in the region. Due to the huge presence of the Soviet Union in Ethiopia, therefore, the United States and its allies were generous towards the rebel forces mainly those in Eritrea and Tigray. This was particularly apparent during and after the 1984-85 famine. [142]

Egypt and certain Arab states were also supportive of the rebels against Ethiopia depending on their perceived national interest. Moreover, there was a tradition of subversion among neighboring countries of the Horn of Africa.[143] As a result, Somalia and Sudan were safe havens of Ethiopian rebels where they got political,

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[140] Markakis, Op Cit.
[141] Teshome, Wondwosen, Op Cit; and Gudina, Merera, "Contradictory Interpretations of Ethiopian History: The Need for New Consensus" In Turton, D. (Ed.) *Ethnic Federalism: the Ethiopian Experience in a Comparative Perspective,* Ohio: Ohio University Press, 2006, pp.119-130.
[142] Ibid
[143] Kebede, Solomon. "Conflict and Security in the Horn of Africa." *African Perspective* 4, no. 13 (2003):29-44.

moral and logistic supports. Most of them in fact had their headquarters in the capitals of these countries.[144]

Hence, the military regime which never had full support in most parts of the north (especially in Eritrea and Tigray) and use to enjoy a relative legitimacy in the south in the early years of the revolution had then become illegitimate both in the north and the south. To make things worse, it was also surrounded by hostile neighboring regimes. The combined effect of the domestic and external factors was a fight between an illegitimate regime which mainly relied on forced conscripts and ethnic-based rebels which fought with undying vigor.

Amidst this complicated crisis, however, the military regime officially declared the country as "People's Democratic Republic of Ethiopia" (PDRE) through the 1987 constitution, the first constitution after the abrogation of the imperial constitution in 1974. In the meantime, under the guise of the Workers' Party of Ethiopia (WPE) which was established during the tenth anniversary of the revolution in 1984, the *Derg* presented itself as a civilian government.[145]

The 1987 constitution of PDRE indeed recognized the equal rights of nationalities and provided for regional autonomy of the most troubled regions of Eritrea, Ogaden, Tigray, Assab and Dire Dawa.[146] Earlier, the regime did also establish Nationalities Studies Institute to identify the diverse ethnic groups and languages of the country. And, it was claimed that the constitution was a reflection of the study despite its centralization of power at the center and re-creation of a unitary state structure. In any case, although such measures were meant, perhaps, to change the overall situation in the country, it was just too little too late to save the

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[144] Ibid.

[145] Markakis, Op Cit.; and Zewde, Bahru, Op Cit.

[146] Kefale, Asnake. *Federalism and Ethnic Conflict in Ethiopia: A Comparative Study of the Somali and Benishangul-Gumuz Regions.* Ph.D Dissertation, Unpublished, 2009, p.64-65.

regime from collapsing. It indeed took only four years before the regime totally crumbled in May 1991.[147]

Against the above backdrop, thus, several factors can be mentioned for the collapse of the regime. But none could be a more responsible factor than the protracted civil war in the country. The civil war had claimed the lives of several thousands of people, debilitated the economy and negatively affected the social fabric of the country.[148] Hence, with the collapse of the Soviet Union and other Eastern European communist states which used to provide the regime with arms and other forms of supports, it was apparent that the regime could not further the war. This enhanced the morale of the rebels which formed a coalition, the EPRDF, against the regime in 1989.

All in all, the military regime first lost the war in the north (Eritrea and Tigray) where there was a serious fight for almost seventeen years. Then, the rebels began their advance toward the capital, Addis Ababa, from different directions determined to oust the regime, and in fact they successfully do so after bloody fights on May 28 1991.

3.6.2. The Transitional Period: 1991-94

The defeat of the military regime by a coalition of ethnic-based "liberation fronts", most of which were labeled as secessionists, was of course a triumph for proponents of ethnic-based struggle and a bad fate for multiethnic parties and their supporters. Soon after they took over the capital city, the victors called for the so-called "Peace and Democracy Conference" which was held for five days from 1 to 5 July 1991. Political parties had been invited to participate on the conference.

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[147] Markakis, Op Cit. p. 117.
[148] Ibid.

However, there was still unease between multiethnic and ethnic-based political parties, the issue at this time being not the class versus ethnic based struggle but rather the 'unity/territorial integrity of the country'. [149]

To have a clear picture preceding the transitional period, let us look at the inter-party context some years prior to the collapse of the military regime. The political parties and/or "liberation fronts" of the time can roughly be classified into different groups based on their mode of organization (mono or multiethnic), their view/interpretation of the country's political history/reality ('nation-building', 'national oppression' and 'colonization'), and their political goal (federation, autonomy, or secession).

The line dividing some of the political parties was however blurry due to some coinciding views. In essence, almost all the groups did adopt Marxism-Leninism as their party ideology and consider the 'nationalities question' as one of the fundamental issues in Ethiopia.[150] The difference was, as mentioned elsewhere, over the priority given to the two dimensions of the struggle.

Therefore, as the table below shows each multiethnic and/or ethnic-based groups of the parties consider "national oppression" (the existence of a politically and culturally oppressive ethnic group/elite, i.e. 'the Amhara and to a certain extent Amhara-Tigray', that imposed its rules over the rest) as the fundamental characteristic feature of the country's political history/reality.

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[149] Gudina, Merera, Op Cit.
[150] Teshome, Wondwosen, Op Cit.

Political Parties		Established	Perspectives on Ethiopian Politics	Political Goal
Multiethnic Political Parties	MESON (All Ethiopian Socialist movement)	1968	National Oppression	A federation that accommodates diversity
	EPRP (Ethiopian People's Revolutionary Party)	1972	National Oppression	A federation that accommodates diversity
	EDU (Ethiopian Democratic Union)	1975	Nation-building	A centralized state
	Waz League (Worker's League)	1976	National Oppression	Regional Autonomy
Ethnic-based "Liberation Fronts"	OLF (Oromo Liberation Front)	1973	Colonization	Self-determination/secession as an independent state
	ELF (Eritrean Liberation Front)	1961/62	Colonization	Secession
	EPLF	1970	Colonization	Secession

(Eritrean People's Liberation Front)			
TPLF (Tigrian People's Liberation Front)	1975	National Oppression	Ethnic-based federation
ONLF/WSLF (Ogaden National/Western Somali Liberation Front)	1977	Colonization	Secession (and unity with the Somali Republic?)

Major political groups/parties, their views and goals during and after the 1974 revolution.[151]

Nevertheless, there were (and still are) generally three different and contradictory interpretations of the country's political history/reality represented by different political groups. As Merera Gudina briefly puts it, "the way the Ethiopian empire-state was created, and the way it evolved, made it easy for contending ethno-nationalist elites to interpret nineteenth century Ethiopian history in markedly different ways depending on their own political goals and ambitions."[152] Hence,

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[151] This table is based on a review of studies by different authors about the political situation during and after the 1974 Revolution. However, Professor Merera Gudina's 2006 article, "Contradictory Interpretations of Ethiopian History: The Need for New Consensus" In Turton, D. (Ed.) *Ethnic Federalism: the Ethiopian Experience in a Comparative Perspective,* Ohio: Ohio University Press, 2006, pp.119-130, served as the main source.

[152] Ibid., p.120.

although the debate within ESM was mainly characterized by the issue of primacy (of class struggle over 'nationalities question'/ethnic-based struggle and vice versa), many of the proponents of ethnic-based struggle gradually took the issue to the extreme bringing on the so-called "colonial thesis".

Thus, with the waning of the idea of class struggle (mainly due to its dwindling significance internally and internationally following the collapse of the Socialist bloc in Eastern Europe, Latin America, Asia and Africa) from the political discourse after 1991, ethnicity and ethnic issues became more dominant during and after the Transitional Period.[153] Merera Gudina classified the groups' perspectives into 'Nation-building', 'National oppression' and 'Colonization' perspectives. These perspectives are not new but rather they are carry-overs of the controversy that was started in the ESM. As indicated above, therefore, their major difference "lies in the way they interpret the historical events that gave birth to modern Ethiopia and in the solutions they propose to the country's contemporary [political] problem" which mainly revolves around the notion of the right to self-determination. [154]

For proponents of the 'Nation-building' perspective the southward expansion and incorporation of various ethnic groups into *Abyssinia* (old name of north and central part of Ethiopia which is considered as the core of the country's long history) which involves the use of force and cooption is just a typical feature of state formation. Proponents of this view argue that the focus should be on the sovereign integrity of the country and democratization of the political system/process.

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[153] Perhaps, one of the reasons for the waning of class-struggle as a political strategy is due to collapse of communist states throughout the world, mainly the USSR, which were sources of military, political, and moral support for many of African leftist movements.
[154] Ibid.

On the other hand, proponents of the 'National Oppression' perspective see injustices in country's political history and try to explain it in a way Wallelign Mekonnen tried to present it.[155] Their goal is self-determination of 'nationalities'; and their acceptance of secession appears more of a tactic than a possibility. Hence, they seek the solution for ethnic or 'nationalities question' within the boundaries of greater Ethiopia.[156] As John Markakis rightly puts it, many, if not all, of "the young radicals were fighting to overthrow the military regime, not to dismantle the state." Adhering to Marxism, their plan/vision was "to use the state to transform and develop the Ethiopian society" not to secede from it.[157]

The third, the 'Colonization' perspective (also known as the "colonial thesis"), took the issue to the extreme presenting the 'nationalities question' as that of a colonial question. This means that, proponents of this perspective consider the state formation process as a colonial conquest and argue that self-determination for them implies nothing short of secession or independence.[158] Hence, unlike the 'National oppression' perspective, the 'Colonization' perspective does not consider the right to secession as tactical.

All in all, the lead up to the formation of the Transitional Government in 1991 was characterized by such contradictory interpretations of the past and solutions for the present and future. Thus, whatsoever happens after the transitional period, it seems that it would or should be a reflection of this contradiction so as to resolve past conflicts and/or avoid relapse into civil wars.

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[155] Mekonnen, Wallelign. "On the Question of Nationalities in Ethiopia." *Struggle*, November 17, 1969: 1-5 (accessed at http://walilegnfordemocracia.com/onationalqu.pdf).
[156] Merera, Ibid; and Markakis, Op Cit.
[157] Markakis, John. "Conflict in Prefederal Ethiopia." *First National Conference on Federalism, Conflict and Peace Building.* Addis Ababa: Ministry of Federal Affairs, 2003. 11-23.
[158] Ibid.

Chapter Four

4. Ethnic Federalism and Democratization

4.1. The *Dual Transition*: Decentralization and Democratization

It was mentioned in the preceding chapter that the transitional period that followed the collapse of the military regime was characterized by the triumph and dominance of ethnic-based 'liberation fronts'. They, mainly under the umbrella of the EPRDF, its affiliates and others such as the OLF, shaped the legal and political framework of the country during and after the transitional period.[159] The OLF, however, withdrew from the transitional government after a disputed election in June 1992 followed by a small scale armed clashes in the Oromo inhabited region.[160] Also, due to EPLF's (Eritrean People's Liberation Front) overwhelming military victory, the secession of Eritrea was apparently inevitable.[161]

In spite of the lingering debates and uncertainties, thus, the post-1991 period can be seen as a period of *dual transition* toward democratization and decentralization. That is, on the one hand, this period was the time that the country would be having an elected (although whether the electoral process fulfills international standards remain an issue) civilian government after seventeen years of brutal military reign.[162] On the other hand, after several years of failed attempts to establish a highly centralized/unitary rule by preceding regimes, the state's power would be

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[159] Geleta, Abiyu. "OLF and TPLF:Major Issues and Outcomes of a Decade of Negotiations since 1991." *Oromo Studies Association Conference.* Washington, DC, 2002. 1-10 .

[160] Washington Post, 1992, "Key Party Boycott Landmark Ethiopian Vote" (accessed at http://pqasb.pqarchiver.com/washingtonpost/access/74033331.html?dids=74033331:74033331&FMT =ABS&FMTS=ABS:FT&type=current&date=Jun+22%2C+1992&author=Keith+B.+Richburg&pub= The+Washington+Post+(pre-1997+Fulltext)&desc=Key+Party+Boycotts+Landmark+Ethiopian+Vote&pqatl=google).

[161] Geleta, Abiyu, Op. Cit.

[162] Human Rights Watch. "Waiting for Justice: Shortcomings in Establishing the Rule of Law." *Ethiopia* (HRW) 4, no. 7 (May 1992).

devolved to its constituent units. Hence, restructuring both the government and the state was pivotal at least from the point of view of the dominant actors in the transitional government.[163]

The major feature, therefore, of the transitional period was that organizers of the July 1991 "Peace and Democracy Conference" and subsequent events encouraged the proliferation of ethnic-based political parties while multiethnic (national) political parties were increasingly and systematically excluded from taking part in the process. In fact, the transitional period was conducive for new parties that were enthusiastic enough to embrace and prop up the ethnicization of the political process and the system as well. Many of those who opposed to such type of approach were targets of either criminalization or state-owned media smear campaign (i.e., portrayed either as 'nostalgic' or 'chauvinistic' groups trying to restore the old system).[164]

In a nutshell, the outcome document of the conference, known as the July Charter or the Transitional Charter, was in favor of "re-making" the Ethiopian state. The content of the charter was ostensibly agreed upon by the EPRDF, OLF and EPLF, perhaps in the London Conference, just few days before the military regime totally crumbled.

In its preamble, the Charter declared that "freedom, equal rights and self-determination of all the peoples shall be the governing principles of political, economic and social life."[165] Particularly, article 2 of the charter emphasized on the

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[163] Gudina, Merera, "Contradictory Interpretations of Ethiopian History: The Need for New Consensus" In Turton, D. (Ed.) *Ethnic Federalism: the Ethiopian Experience in a Comparative Perspective,* Ohio: Ohio University Press, 2006, pp.119-130.

[164] Aalen, Lovise. *Ethnic Federalism in a Dominant Party State: The Ethiopian Experience 1991-2000.* Bergen: Chr. Michelsen Institute, 2002.

[165] Nahum, Fasil. *Constitution for a Nation of Nations: The Ethiopian Prospect.* Lawrenceville: The Red Sea Press, 1997.

"right of nations, nationalities, and peoples to self-determination". To this effect, it provided that "each nation, nationality, and people[166] the right to administer its own affairs within its own defined territory and effectively participate in the central government on the basis of freedom, and fair and proper representation."[167]

Accordingly, the Charter divided power between the center and its constituent units establishing fourteen self-governing regions whose boundaries were delimited mainly, though not exclusively, along ethno-linguistic lines. This was reinforced by Proclamation 7/1991 which exclusively deals with the establishment of National Regional Self-Governments. It enumerated, in article 3, the "nations, nationalities, and peoples" that were going to be grouped in the fourteen self-governing regions.[168]

Eight of the fourteen regions were, thus, "composite regions embracing from three up to 13 identified nations, nationalities, and peoples". Four out of the remaining six regions had "one identified nation" each. Addis Ababa, the capital city of the country, was formed as a region due to its special status.[169] Therefore, it can safely be argued that although the Charter and the Proclamation (7/91) did not mention anything about federalism, the two documents actually re-structured the country, in a way, as a de facto federal state.

While regional self-governing units were bestowed with the right to administer their own affairs, the central (transitional) government has been given the "legal

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[166] The phrase or words "Nations, nationalities and peoples", in the Charter, refer to the various ethnic groups in the country. It is, in my view, a reflection of the ethnic-based "liberation fronts" emphasis on the differences than commonalities. As we shall see it in the proceeding sections, the 1994 constitution also used it in the same sense.
[167] Article 2 (a) and (b) of the Transitional Charter cited in Fasil Nahum, Ibid.
[168] Aalen, 2002, Op. Cit.; and Nahum, 1997, Op. Cit.
[169] Ibid.

and political responsibility" regarding the governance of Ethiopia".[170] The Charter also provided for the establishment of Council of Representatives, a legislative organ, to oversee the activities of the executive body (Council of Ministers).

The Council of Representatives, which served as an interim legislature until the transitional period expired and replaced by an elected parliament, had 82 seats distributed among various small political parties (mostly ethnic-based), coalition of political parties and prominent individuals. The two main groups, i.e. EPRDF (32 seats) and OLF (12 seats), took the lion's share while the remaining was distributed among other political groups.[171]

In accordance with the charter, the Council of Representatives established a Constitutional Commission to prepare a draft constitution. According to Hashim Tawfik, the members of the commission "fairly represented" contending political parties and civil societies.[172] The Constitutional Commission had seven members from the Council of Representatives, seven from political parties, three from trade unions, three from the chamber of commerce, two from lawyers' association, two from teachers' association, two from health professionals association, and three members from women's representatives.[173]It was thus this commission which drew up the draft constitution, after two years of "grassroots level discussion and consultation", and presented it for deliberation and adoption by an elected Constitutive Assembly of 543 members.[174]

Therefore, the new constitution was adopted on 8 December 1994 establishing a de jure federal state based mainly on the principle of "the right to self-determination"

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[170] Ibid.
[171] Ibid.
[172] Tawfik, Hashim. "Federalism in Ethiopia." *International Conference on Dynamics of Constitution Making in Nepal in Post-conflict Scenario.* Kathamandu, 2010. 1-35.
[173] Ibid.
[174] Ibid.

of all ethnic groups in Ethiopia. The drafting and adoption process of the constitution however has been criticized by the country's opposition political parties (mainly the multiethnic parties) and scholars. They contend that the overall process had been dominated by the EPRDF and its allies. [175] They also argue that the grassroots level discussion was not enough and in reality the public had no other choice but to accept the draft presented by the Constitutional Commission. [176]

One of the controversial issues was the 'notorious' article 39 which recognizes not only "the right to self-determination" but also "the right to secession". This in fact has been viewed by a number of politicians and commentators as enshrining the ideology of a political party, in this case that of the EPRDF and its affiliates, in a constitution. The lingering debate relating to this will be discussed in detail later.

4.2. The FDRE (Federal Democratic Republic of Ethiopia) Constitution

As it was discussed in the conceptual framework of this book, all federal systems have or must have a written constitution. A federation cannot be conceived without a written constitution. This is because a constitution is the supreme law that allocates powers between the center and its constituent units, between and among branches of the government, and most importantly it is the most important document where popular sovereignty, as a source of political power in democracy, is expressly stated. Hence, constitutions are the primary sources where we can find underlying principles governing state and society, although the existence of constitution in a state does not necessarily imply constitutionalism.

As a federal state, therefore, it is a necessary condition that Ethiopia has a written constitution. Like many other constitutions, the 1994 constitution of Ethiopia has

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[175] Kefale, Asnake *Federalism and Ethnic Conflict in Ethiopia: A Comparative Study of the Somali and Benishangul-Gumuz Regions.* Ph.D Dissertation, Unpublished, 2009, p.64-65.
[176] Ibid.

several chapters and sections providing for various issues. For the purpose of this book, we will particularly look at how the constitution dealt with issues pertaining to ethnic federalism.

4.2.1. Popular Sovereignty: "We, the Nations, Nationalities and Peoples…"

It has been mentioned frequently that Ethiopia is a country of about eighty ethnic groups. However, the country has never seen a government and a constitution that gives too much (or "due") emphasis to the prevailing ethnic diversity as the incumbent government and the 1994 constitution do.

To begin with, the preamble tells us a lot about the underlying principles behind the constitution. Unlike the common or familiar "We, the people…" phrase, the 1994 constitution of Ethiopia starts with "We, the Nations, Nationalities and Peoples…."[177]This is an indication that citizens of the country are not seen just as "the people".[178] To borrow Fasil Nahum's (the country's prominent constitutional lawyer) words,

> *This is not a constitution of citizens simply lumped together as a people.[179] The Ethiopian citizens are first categorized in their different ethno-linguistic groupings…as the authors of and beneficiaries from the Constitution of 1994….Indeed, "We the Nations, Nationalities and Peoples…"recognizes Ethiopia as a Nation of Nations.[180]*

This reminds us Wallelign Mekonen's argument in his 1969 article, On the Question of Nationalities in Ethiopia, which was discussed in detail in the preceding chapter. The influence of his ideas is lucidly manifested in the 1994

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[177] Constitution of The Federal Democratic Republic of Ethiopia (FDRE), December 1994.
[178] Note that word "people" which is common in constitutions is also replaced by "peoples".
[179] Emphasis added.
[180] Fasil Nahum, 1994, Op. Cit.

constitution. Nevertheless, the definition of, and the difference and similarity between "Nations"," Nationalities" and "Peoples" are not yet clear. The constitution defines "Nation, Nationality, or People", altogether, as a

> …*group of people who have or share large measure of a common culture or similar customs, mutual intelligibility of language, belief in a common or related identities, a common psychological make-up, and who inhabit an identifiable, predominantly contiguous territory.*[181]

Looking at the above definition, one can easily understand that the constitution does not make any distinction between a "Nation", "Nationality" and "People". Moreover, the above definition is more or less similar to the definition of the term "ethnic groups" provided in the conceptual framework of this book.

4.2.2. The Right to Self-determination

What is evident in the constitution is not only the emphasis on ethnicity but also the significance attached to the right to self-determination. As stipulated in the second paragraph of the preamble and article 39 of the constitution, "the right to self-determination up to secession" is fundamental to the constitution and the federation.[182] The guaranteeing and exercise of such rights is therefore presented in the constitution as a condition for the diverse ethnic groups' commitment "to building a political community founded on the rule of law and capable of ensuring a lasting peace, guaranteeing a democratic order, and advancing [their] economic and social development."[183]

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[181] Article 39 (5), FDRE Constitution.
[182] Article 39, FDRED Constitution.
[183] Preamble, paragraph two, FDRE Constitution.

Of all the post-1991 political issues, therefore, article 39 stands out to be the most controversial. This is not mainly because article 39 does recognize the right to self-determination, which is a basis for the establishment of self-governing regional states; but rather because it recognizes secession as a right of the "Nations, Nationalities, and Peoples".[184] In fact, politicians have varying views about self-determination as a right and it consequences. But the debate over the notion of "self-determination" has not been as fierce as it is over "the right to secession".

For its defenders, the right to secession is a guarantee for continued respect for freedom and equality of all groups. They argue that it precludes the state or the central government from taking a course of action that had been taken by previous regimes, i.e. assimilationist policies and oppression against the ethnic groups, because if it does the constituent units (or the "Nations, Nationalities, and Peoples") would invoke their right. Hence, this is a "guarantee" for the ethnic groups to "choose" to live as Ethiopians instead of breaking away from it.[185]

For the opponents, it is just a "time bomb" planted on the country by ill-motivated politicians. They do argue that article 39 is nothing but a "recipe for disintegration".[186] There are also others who view it as nothing better than constitutionalizing the old "divide and rule" strategy which is based on the presumption that a weakened cohesion among people makes it easier for dictators to stay in power longer.[187]

In relation to this, one very common argument posited by vehement critics of the incumbent is that the TPLF's (the top in EPRDF's pecking order) incessant feeling

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[184] Article 39 (1) and (4), Op. Cit.
[185] Fasil Nahum, 1997, Op. Cit.; and Hashim Twafik, 2010, Op. Cit.
[186] Aalen, 2002, Op. Cit.
[187] Kebede, Firew. *Ethiopian Ethnic Federalism: Grooming Regions for Independent Statehood or a Genuine Coming Together.* December 2010.

of insecurity has been the major factor behind EPRDF's paranoia and insertion of "secession" as a right in the constitution. Put differently, those who argue that article 39 serves nothing but "divide and rule" insinuate that TPLF as a party representing a minority ethnic group plays on the mutual mistrust between major ethnic groups in a bid for staying in power indefinitely.

Nevertheless, howsoever good or bad the motive behind is, one does not actually need to be a prophet to foresee the dangers of recognizing secession as a right in a highly diverse state. In a country like Ethiopia, there tend to be a number of centrifugal forces due to social, economic and political reasons. And hence recognizing secession as a right is almost tantamount to providing the centrifugal forces a legal basis for their claims.

The problem here is thus even if one wants to believe that recognizing secession as a right is a "tactic" to maintain the unity and national integrity of the country, the fact that the forces behind the constitution are former "liberation fronts" scares a number of opposition politicians and a significant number of ordinary citizens.[188] It scares them perhaps because of their fear that the "former liberation fronts" may invoke the same article to achieve their narrow objective and eventually dismember the country into pieces.

Indeed, article 39 (1) and (4) would not have been surprising if they were written on a political party's program than a national constitution. However, that is not the case. It would therefore be unrealistic to expect amendment to the constitution in the foreseeable future while the incumbent party, its affiliates and certain opposition political parties are defending it with unrelenting vigor.

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[188] Ibid.

Generally, the controversy that is triggered by article 39 outshined other remarkable provisions of the constitution including the bill of rights which covers one-third of the constitution. This, in one way or another, could be responsible for the stalled democratization process. A viable federation requires steady democratization so that the political rights and freedoms enshrined in the constitution can be exercised. It is also vital to bridge the cleavages in the society. Undemocratic federation, like that of the former the Yugoslavia, may mean a dangerous project that is doomed to fail.

4.3. Ethnic Federalism: The Rationale and the Contention

Elsewhere in this book, it was discussed that there are mainly two theoretical models that can be used to explain the rationale behind many federations or the way they were established. These theoretical models, as developed by Alfred Stephan, are known as *Coming-together* and *Holding-together* federalism. In the Ethiopian context, there is a debate among scholars whether Ethiopia's federalism is that of coming-together or holding-together.

Those who emphasize on the relevance of the transition to federation and believe that it was a result of 'revolutionary overthrow of the unitary (Ethiopian) state' argue that what happened between 1991 and 1994 is a "bargaining process" between representatives of various de facto independent ethnic groups. Thus the decision which followed from that "bargaining process" is a federation through coming-together.[189]

However, the so-called 'revolutionary overthrow of the state' does not imply independence or sovereignty of the constituent units. It is just a political conviction

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[189] Eshete, Andreas. "Ethnic Federalism: New Frontiers in Ethiopian Politics." *First National Conference on Federalism, Conflict and Peace Building.* Addis Ababa: Ministry of Federal Affairs, 2003. 142-172.

than a reflection of the reality. True, the government had collapsed on 28 May 1991 but the state did not. Rather, the "liberation fronts" used the same state machinery and bureaucracy to transform it into a federation.

This book therefore argues that Ethiopia's federalism is a *holding-together* than *coming-together* federalism. It is a holding-together federalism because the way the Ethiopian federation has been created does not qualify it as a coming-together federalism. Put differently,

1. A federation can be considered as *coming-together* if its constituent units, presumably having an independent existence preceding the federation, willingly renounced their sovereignty to the central government to forge alliance/unity due to a number of reasons.[190] However, the constituent units of Ethiopia's federation did not have sovereign existence prior to 1991 (pre-federal) or after 1994 (federal).

2. A *coming-together* federation is therefore a result of bargaining processes between centripetal forces in different independent or sovereign entities.

3. On the other hand, a federation is considered as *holding-together* if it is a result of devolution of state power, constitutionally, to the lower levels of administration or constituent units. In many cases, the system preceding a holding-together federation is a centralized, although the level of centralization varies from country to country, unitary state. And, the purpose is to hold the state together. [191]

4. As discussed in the previous chapter, therefore, Ethiopia had been a unitary state where centralization of power was one of the "twin projects" of the nation (state) building process. The failure of the nation-building process,

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[190] Stephan, Alfred. "Federalism and Democracy: Beyond the U.S. Model." *Journal of Democracy* 10, no. 4 (1999), p.19-34.
[191] Ibid.

due to its assimilationist tendency and other factors, resulted in the emergence of centrifugal forces; and,

5. The emergence and gradual proliferation of centrifugal forces meant the state was engulfed in protracted civil wars, some demanding autonomy and others claiming to secede from it. Hence, what has been happening since 1991 is devolution of power, constitutionally, from the center to the constituent units.

All in all, Ethiopia's federal arrangement is a result of post-civil war or post-conflict state restructuring where the center re-created its constituent units by delineating their boundaries, not the other way around. This obviously is an attempt by the state (or more appropriately the government of the day) to address claims of centrifugal forces, an endeavor aimed at holding the state together.

The other question that has to be raised in relation to Ethiopia's federal system is the reason why it is ethnic-based federalism. Why is it not territorial or geographic? Different people may have different answers depending on their views either on ethnic federalism per se, or their view on the dominant groups behind the system, or both.

Before discussing about others' perspectives, let us try to look at how the constitution and architects of Ethiopia's federal system (prominent individuals behind it) justify the reason for it to be ethnic-based. It is important to note from the outset however that when we say ethnic federalism it does not mean that ethnicity is the sole criterion. But rather it means that ethnicity is the main criterion of the federalization process among other things.[192]

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[192] Hashim Tawfik, 2010, Op. Cit.

As discussed elsewhere, the governing principle in Ethiopia's constitution is the right to self-determination of the ethnic groups. This in other words means that they have the right;

- to speak, to write and to develop their own language;
- to express, to develop and to promote their culture;
- to preserve their history.[193]

In accordance with these rights, they also have "the right to full measure of self-government which includes the right to establish institution of government in the territory that it inhibits and to equitable representation in the state and federal governments."[194] Thus, when the boundary of regional states delimited, "settlement patterns, language, identity and consent of the peoples" were the criteria.[195]

With the exception of "consent" and to a certain extent "settlement pattern" (which takes into account geographic distribution of the people), the criteria is mainly ethno-linguistic. Hence, the boundary between and within regional states has been drawn along ethno-linguistic lines. This makes Ethiopia's federal arrangement ethnic-based.

Hashim Tewfik argues that the reason for using such criteria is both historical and contemporary. According to him, centuries of historical grievances of the "Nations, Nationalities, and Peoples of Ethiopia" and resulting conflicts can only be addressed through recognition of the right to self-determination. And, this right can best be exercised when these ethnic groups are allowed to administer themselves within their own territory. Furthermore, he argues that with the exception of the urban places, rural areas are characterized by ethnic "homogeneity". Hence, since

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[193] Article 39 (2), FDRE Constitution.
[194] Article 39 (3), Ibid.
[195] Article 46 (2), Ibid.

ethnicity coincides with territory in most part of the country, employing the above criteria was a necessity.[196]

In the same token, in his interview with the Forum for Federations Magazine the Prime Minister, Meles Zenawi, said that Ethiopia adopted federalism to manage the diversity and challenges emerging out of it. Mentioning that there were "17 armed ethnic-based organizations", he argued that establishing a federation that could accommodate the demands and views of these organizations was the only viable solution.[197] He, further, stated that

> *...the various ethnic groups in Ethiopia live in specific geographic locations, so there is a large element of coincidence between ethnic groups and regional geographic divisions. We made it possible in the constitution for people to be on top of their own local affairs, to manage their local affairs in an autonomous fashion, to use their own language, develop their own culture and to participate in the common federal political activities on an equal basis.[198]*

Thus, according to its proponents, including the Prime Minister, ethnic-based federalism is not only a response to historical grievances and conflicts but also a reflection of the reality on the ground. Hence, based on their assertion, even territorial (geographic) federalism cannot purely be geographic in the Ethiopian context because ethnicity and territory do coincide.

Although a valid argument, the above views disregard a number of issues pertaining to the ethno-linguistic boundary. First and foremost, its architects fail to

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[196] Hashim Tawfik, 2010, Op.Cit.
[197] Federations Magazine, Focus on Africa, "Interview with Prime Minister Meles Zenawi", 15 December 2010 (accessed at http://www.forumfed.org/en/products/magazine/vol10_num1/PM-Meles-vision-for-Ethiopia.php)
[198] Ibid.

consider its impact on freedom of movement of the people. That is, in one way or another, ethnic based federalism forces people to remain in areas where they speak the local language. Secondly, the system fails to accommodate the social, political and economic rights of minorities living within a presumably homogenous regional state. Unless they do speak the local language, people cannot be employed in the civil service sector and perhaps they may not get adequate social services.

All in all, as we shall see it in the proceeding parts of this book, the challenges and opportunities pertaining to ethnic-based federalism have diverse features. And, it is not merely limited to managing diversity but has economic, social and political implications.

4.4. Challenges Facing the Democratization Process

As discussed in the preceding sections, the post-1991 period has been a period of *dual transition*. The transition from centralized rule to devolutionary federation, as explained earlier, has been one of the features which characterize this period. In this section, an attempt has been made to examine the second feature of the dual transition, i.e. democratization which, in this book, is understood as a 'transition from authoritarian or autocratic rule to democracy'.[199]

The relevance of democratization here is that federalism without steady democratization (the goal being a consolidated democracy) is an empty gesture at best and possible source of a renewed era of civil war at worst. Federalization without democratization would remain empty gesture because the system fails to allow the exercise of individual and collective rights whose deprivation had, in the

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[199] Samuel Huntington defines democratization as a "transition from authoritarianism to democracy" mainly as a result of crisis of legitimacy: Huntington, S.. *The Third Wave: Democratization in the Late Twentieth Century.* Norman and London: University of Oklahoma (1991).

past, led the country to protracted civil wars. Hence, unless the rights and freedoms guaranteed by the constitution are freely exercised, the transition would remain a mere cosmetic change.

The worst case scenario pertaining to Ethiopia's federation without democratization, therefore, is resurgence of rebellions defined (perhaps simultaneously) in ethnic and territorial terms. Since ethnic groups (after the formalization of the federal structure) have been associated with delineated boundaries, the violence may not take place in isolated peripheral jungles but rather in the middle of cities. This is essentially perturbing; because, in a country like Ethiopia where the "right to self-determination and secession" is a key precept of the constitution and the political process, the conflict may possibly become a "war of all against all" like that of the former Republic of Yugoslavia.

Hence, unless the stated objectives of the constitution are mere façades of balkanization, as some opponents of the federal system argue, the ethnic-based federal system necessitates democratic governance. Determination for federalism should be accompanied by corresponding commitment for democratic governance. Individuals, organized political groups, civil society organizations, etc., must be allowed to operate in an open, competitive and cooperative political environment. Particularly, in such a state structure, civil society organizations should be invigorated as the most viable arenas of transcending ethno-nationalist boundaries and promoting common goals.

In short, democracy and constitutionalism (rule of law) have to replace authoritarian rule so as to achieve the stated objectives of the 1994 constitution: i.e. peace and development. Nevertheless, since 1991, the progress toward democratization in Ethiopia has rather been intermittent and unsteady, albeit the

many legal and political reforms carried out ever since. And, in fact, there is a sign of conspicuous reversal in recent years. In this book, thus, two major factors are considered as crucial, although several other factors may also have been hindering the democratization process.[200]

4.4.1. The Dominant Party under the Guise of Multiparty System

The FDRE constitution extensively and unequivocally provides for the protection of and respect for civil and political rights.[201] Freedom of assembly, freedom of association, freedom of expression and the right to establish political and non-political organizations, to mention but a few, are recognized as fundamental. Accordingly, several political parties are active across the country at local and national level. This gives the political system a façade of multiparty democracy masking EPRDF's (Ethiopian Peoples' Revolutionary Democratic Front) ever-growing hegemony.

Thus far, apart from leading the transitional process, EPRDF has been engaged in relentlessly bolstering its grip on power for the past two decades. Paradoxically, hence, it has been both an agent of and a hindrance to genuine federal democracy in Ethiopia.[202] As a victor in May 1991 and as an agent of change ever since, it had invited several political organizations to participate in the design and implementation of the legal and political framework required both for democracy

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[200] This is not to disregard issues of human rights violations, suppression of the free press and civil society. Rather, the two issues are selected for discussion to highlight their relevance for democratization vis-à-vis the federal system.

[201] About thirty-four articles, from article 10 to 44, of the constitution's 106 articles exclusively deal with human rights or more specifically civil, political, cultural, economic and social rights of the "nations, nationalities and peoples" of Ethiopia. This in other words means that one-third of the constitution is allotted for fundamental rights and freedoms. Nevertheless, as many would argue one of the chronic political problems in contemporary Ethiopia is not lack of constitutional guarantees but lack of constitutionalism or rule of law.

[202] Aalen, Lovise. *Ethnic Federalism in a Dominant Party State: The Ethiopian Experience 1991-2000.* Bergen: Chr. Michelsen Institute, 2002.

and federalism. It was undoubtedly the major force behind the unprecedented constitutional recognition of individual and collective rights in the country.[203] And in fact, it was the first to allow multiparty elections in the country's history. In this regard, its role in initiating democratization has to be acknowledged.

However, EPRDF's commitment for multiparty democracy has been questioned seriously. Many opposition politicians doubt EPRDF's sincerity, especially, due to its systematic, covert and overt efforts to infiltrate, weaken and/or suppress relatively strong political parties.[204] Although an issue since the early years of the transition, this is particularly apparent after the acclaimed (but eventually disputed) election of 2005 in which the opposition parties won more than one-third of the seats of local and national legislatures including all seats in the capital city, Addis Ababa.[205]

As many would argue, the defining character of EPRDF and its members is that they do have the tendency to view themselves as vanguards of the constitution, the federal arrangement and the democratization process.[206] Also, they often tend to view most of the opposition parties as menaces. Consequently, they do act contrary to the constitution having been suppressive of political pluralism and dissidence. This poses a two-pronged challenge to steady democratization.

Firstly, as a coalition of four ethnic-based parties, the EPRDF dominates not only the Federal Government but also four major regional states where about 85% of the

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[203] Lara Smith, "Political Violence and Democratic Uncertainty in Ethiopia" USIP SPECIAL REPORT 192, August 2007.
[204] Kefale, Asnake *Federalism and Ethnic Conflict in Ethiopia: A Comparative Study of the Somali and Benishangul-Gumuz Regions.* Ph.D Dissertation, Unpublished, 2009, p.64-65.
[205] Lyons, Terrence. *Ethiopia:Implications of the May 2005 Elections for the Future of Demoratization Programs.* Washington, D.C.: International Foundation for Electoral Systems (IFES), 2005.
[206] Lata, Leencho. *The Ethiopian State at the Cross Roads: Decolonization and Democratization or Disintegration.* Lawrenceville: Red Sea Press, 1999.

population lives.[207] In other regional states where it does not have direct control, it allegedly created or helped to create either surrogate or affiliate political parties.[208] The net effect of this is that EPRDF has become "omnipresent" in the country making it difficult to distinguish between the party and the government (i.e., the civil service, the army, the police, etc.).

Secondly, due to the above circumstances, the tendency to re-centralize both regional and federal political power at one pole (i.e. the EPRDF), which contravenes the constitution and the basics of federalism, has become an issue of concern. In fact, many of the opposition politicians allege that the EPRDF (especially the TPLF, the dominant party within EPRDF's pecking order) is ruling regional states by proxy.[209] And in an effort to maintain the status quo, it has made it so difficult for opposition political parties to operate vigorously across the country except in urban areas.

The 2010 election, in which the EPRDF claimed a "landslide (99%) victory" at all levels, local and regional, is a case in point. It is not only short of local and international standards but also it is reflective of what the EPRDF has been doing after its major loss in the 2005 election.[210] A number of controversial laws, such as the new press and media law, the civil society law, the law requiring political parties to disclose sources of their funds, and the anti-terrorism law, were some of the reckless measures that the incumbent party took in the aftermath of the 2005 election.[211] All these laws were desperate reactions that eventually led many to

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[207] EPRDF is a front of four parties, namely, the Tigray People's Liberation Front (TPLF), Oromo People's Democratic Organization (OPDO), Amhara National Democratic Movement (ANDM) and South Ethiopian People Democratic Front (SEPDF).
[208] Leencho Lata, 1999, Op.Cit.
[209] Ibid.
[210] Freedom House Report, "Freedom in the World 2011: The Authoritarian Challenge to Democracy" page 9.
[211] The Economist Intelligence Unit Report, Democracy Index 2010: "Democracy in Retreat", page 18.

discuss whether reversal of the democratization process is unfolding. Actually, "reversal" is the only word that can represent the so-called "peaceful election" of 2010.

All in all, the hegemonic aspiration of the EPRDF has a debilitating effect on the democratization process. This in turn, as indicated elsewhere, would have a negative impact on building a genuine federal system. As frequently argued, federalism without democracy cannot be genuine; and it may be tantamount to 'divide and rule'. And, this is contrary to the very basic principle of federalism: self-rule and shared-rule.

4.4.2. Ethnic Identity as a Basis for Political Mobilization

It is now so obvious, especially after 1991, that recruitment and mobilization have been carried out along ethnic lines by the incumbent party, its affiliates and most of the opposition political parties. The federal arrangement itself, since regional states are mainly divided along ethno-linguistic lines, encourages the aforementioned mode of political organizations and movements. This apparently entails opportunities and challenges for democratization.

In a multiethnic state like Ethiopia, ethnic-based parties may well represent the people at the grassroots level than catch-all parties. This may be the case especially in articulating particular demands of a given group. However, neither the theoretical debates nor empirical researches indicate a consensus on as to how ethnic-based parties would promote or debilitate democratization.

For instance, the renowned scholars of ethnicity and ethnically-dominated party systems, such as Horowitz and Chandra, have diametrically opposite views. Horowitz argues that "democracy is likely to suffer where there are ethnically

dominated party systems."[212] On the other hand, Chandra argues that "the extent to which party systems are ethnically dominated is unlikely to affect the quality of democracy." [213] Considering the divergence, the theoretical/academic debate may remain as intense and polarized as ever for years to come. Thus, because the theoretical debate is beyond the scope of this book, we will not delve into its details.

As a recent empirical study on selected sub-Sahara African states attests, however, the extent to which the party system is ethnically dominated negatively affects democratization or democracy.[214] This is mainly due to the fact that ethnic-based parties "are not distinguished from each other based on *what* they represent [policies and programs] but rather *who* they represent [identity groups]."[215] Also, these ethnic-based parties are not always results of the masses demand for ethnic mobilization. But rather, they are

> *…largely the result of supply, which is to say, the result of decisions made by elite politicians to play the ethnic card in reaction to institutional incentives that make appeals to ethnicity more effective when trying to win political power.[216]*

Politicization of ethnicity, as discussed in detail in the theoretical framework of this book in relation to the instrumentalist and social constructionist views, is thus one aspect of mobilization by elites in advancing political and economic gains. This is apparent in the Ethiopian case, especially in the post-1991 context.

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[212] Horowitz, D. *Ethnic Groups in Conflict.* Los Angeles: University of California Press, 1985.
[213] Chandra cited in Lyons, Terrence. *Ethiopia:Implications of the May 2005 Elections for the Future of Demoratization Programs.* Washington, D.C.: International Foundation for Electoral Systems (IFES), 2005.
[214] Dowd and Driessen, 2008, Ibid.
[215] Ibid.
[216] Ibid

Although there were a dozen of them before 1991, the proliferation of more than seventy political parties (most of which are ethnic-based) has not always been a result of the masses' ethnic consciousness and demand.[217] The role of the elites and the current institutional incentives are responsible factors.

The overall effect of ethnic identity as a basis of political mobilization in Ethiopia is that political parties tend to bicker over "who is/was who" and "who gets what" than focusing on what should or could have been done to advance democratization, peace and development. Mutual mistrust characterizes not only the relation between the ruling party and the oppositions but it is also prevalent among the opposition parties.[218] "Hate-politics" or hatemongering is in fact common among many of the political parties. Visiting their websites and reading their press releases attests such detrimental inter-party relationships.

Therefore, except the ruling party's (EPRDF) coalition, the opposition parties are still unable to forge a durable coalition or front that could present itself as a serious challenge and alternative.[219] Even the highly celebrated Coalition for Unity and Democracy (CUD), which won all seats of the capital city's legislature and a significant number of the national and local parliaments in 2005, couldn't survive the aftermath of the election. This in fact is common among ethnic-based and catch-all political parties.[220]

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[217] Vaughan, Sara. *Ethnicity and Power in Ethiopia.* Ph. D Dissertation (University of Edinburgh), Unpublished, 2003.

[218] Teshome, Wondwosen. "Ethiopian Opposition Political Parties and Rebel Fronts: Past and Present." *International Journal of Social Sciences* 4, no. 1 (2009): 60-68.

[219] This is not to say that the incumbent party hasn't been challenged by temporary coalitions. Rather, it is to say that it is so obvious for anyone who carefully looks at the oppositions that they don't really seem as determined as the incumbent to put their differences aside and develop common political agenda. As a result, they couldn't even survive a low level infiltration by the incumbent let alone a crackdown.

[220] Teshome, Wondwosen, 2009, Op.Cit.

In short, the fragmented nature of opposition political parties coupled with the hegemonic aspiration of the ruling party (EPRDF) are the major, but not the only, factors hindering the progress toward consolidated federal democracy. As reiterated above, the current federal arrangement can be meaningful and a means of preventing/managing conflicts, securing peace, and an embodiment of respect for collective rights and representation, only if it is accompanied by democratic governance.

Chapter Five

5. Changes and Continuities

This chapter is allotted to assess the changes and continuities pertaining to the post-1991 Ethiopia. In so doing, selected issues and challenges relating to the ethnic federal arrangement will be analyzed. Nevertheless, only those issues that necessitated the *dual transition* and remained contentious will be discussed in detail.

5.1. Issues and Challenges

The issues and challenges discussed below are identified and selected based on consideration of the major factors that led to the post-1991 "re-making" of the Ethiopian state. They are also identified assuming that there should be a departure, or at least departure of sorts, from the past in terms dealing with them. Accordingly, each issue will be discussed in the context of changes and continuities.

5.1.1. Peace and Conflict

To recap what we discussed in the theoretical framework of this book, it was argued that conflicts are multi-causal. Accordingly, based on the *horizontal inequalities* model developed by Frances Stewart, four major indicators of horizontal inequalities, namely, political, economic, social and cultural inequalities were pointed out as major causes of ethnic-based conflicts.

Also, it was discussed in the historical overview of this book that the anti-government movements and the revolution instigated by the ESM (Ethiopian Students' Movement) were predicated upon the claim that there was conspicuous horizontal inequality, i.e. inequality between ethnic groups. This was explicitly

discussed by the then student leader and ideologue of the ESM, Wallelign Mekonnen, in his 1969 article "On the Question of Nationalities in Ethiopia".

Hence, the 1974 revolution and the protracted civil war that ensued until 1991 were basically results of claims by ethno-nationalists or ethnic-based "liberation fronts".[221] Some of the claims were indeed shared by multiethnic parties such as MEISON and EPRP during the revolutionary movement. Briefly, the claims were:

1. Politically, the Amhara ethnic group (and also to a certain extent the Tigray ethnic group) was dominant and oppressive that coercively imposed its leadership (i.e. feudal landlords, settled soldiers, etc.) over the rest of ethnic groups in the country;

2. Economically, the confiscation or alienation of lands and the serfdom that followed it especially in the southern part of the country since the second-half of the 19th century was exploitative[222];

3. Culturally, non-Amhara ethnic groups especially those in the south had to learn Amharic language and adopt in certain instances the dominant religion of the north (Orthodox Christianity). As many ethno-nationalist groups do argue, the non-Amhara ethnic groups were forced by subsequent regimes to adopt Amhara culture or pretend as Amhara so as to be considered as 'patriotic Ethiopians'; and

4. Socially, due to the combined effects of the above forms of inequalities, social inequalities in terms of access to education, employment, social infrastructure and other social services were prevalent.

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[221] Leencho Lata, 1999, Op.Cit.

[222] A most frequently discussed example in this regard is the customary land tenure system/policy. While the farmers in the northern regions (ethnic Amhara and Tigriyans) had the right to transfer and inherit land (so-called "*rist*" system in Amharic language), the policy in the southern regions is quite the opposite (known as "*Gult*" system). Accordingly, farmers in the south were forced to work under the feudal landlords imposed on them by the central government until the 1974 Revolution (or more specifically until the land reform proclamation was implemented in 1975).

The above forms of inequalities were therefore posited as and/or believed to be the root causes of the 1974 revolution and the subsequent seventeen years of civil wars. It is thus with the above backdrop that a coalition of ethnic-based "liberation fronts" did manage to overthrow the military regime in 1991. Hence, "…rectifying historically unjust practices…" is one of the major objectives explicitly stated in the fourth paragraph of the constitution's preamble. And this was considered as a way to achieving a lasting peace, among other things.[223] The question therefore is how different is the dynamics of peace and conflict in the post-1991 context? Are the demands of those which waged war on the then government now met? How peaceful is the post-1991 peace?

Compared to the period that precedes it, i.e. 1974-91, the post-1991 federal Ethiopia is characterized by a relative internal peace in that the country is not in a state of civil war. In many instances, pursuing political goals through armed violence has not only become unconstitutional, but its viability has also been significantly dwindling. The increasing number of legally registered political organizations and movements in the country that are trying to attain their goals by peaceful means attests this trend.[224]

In many respects, the relative peace in the country can be attributed to the *dual transition* that has been underway since 1991. That is, firstly, the system accommodates the prevailing diversity in the country through devolutionary federal arrangement and recognition of the collective rights of ethnic groups.[225] This indeed was a long overdue that had been ignored by preceding regimes.

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[223] Preamble of the FDRE Constitution.

[224] According to the National Electoral Board of Ethiopia, there are seventy nine legally registered political parties operating at the national and regional levels (accessed at: http://www.electionethiopia.org/en/political-parties.html)

[225] Assefa Fiseha, "Theory versus Practice in the Implementation of Ethiopia's Ethnic Federalism", in David Turton (ed.) Ethnic Federalism: The Ethiopian Experience in Comparative Perspective, Addis Ababa University Press: Addis Ababa, 2006, pp. 131-164.

Unlike the pre-1991 era, ethno-nationalist political organizations and movements can now operate within a relatively permissive, but also thorny, political environment.

Secondly, the democratization process, with all its limitations, which opened up the political space for opposition political organizations, the free press and civil society organizations has encouraged individuals and groups to pursue their goals peacefully. This, in other words, means the beginning of 'political pluralism' in a country where only a single political party used to have a legal status for several years. Hence, the decentralization of power coupled with the democratization process which gave some kind of space for the exercise of collective and individual freedoms and rights contributed for the relative peace that the country has been enjoying.

However, the post-1991 order should not be taken in absolute terms. In fact, both the federalization and the democratization processes have been far from desirable progress. The adverse effects of the inter-regional state boundaries (such as dispute over resources and jurisdiction), as byproducts of the federal arrangement, have become sources of tensions and localized violence.[226] In addition to this, the sincerity or commitment of the incumbent party for the two projects has been questionable.[227] Violations of human and political rights are still issues of concern.

Also, there are low-key and intermittently violent clashes between the Federal Government forces and armed insurgents that are not satisfied with the status quo. Currently, two insurgent groups (i.e. OLF and ONLF) are operating in the southern borders of the country. Both the Oromo Liberation Front (OLF) and the Ogaden

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[226] Asnake Kefale, "Federalism: Some Trends of Ethnic Conflicts and their Management in Ethiopia", in A.G. Nhema (ed.) *The Quest for Peace in Africa: Transitions, Democracy and Public Policy*, OSSREA: Addis Ababa, 2004, pp. 51-72.

[227] Merera Gudina, "Ethiopia: Constraints to Transition and Democratization", Ibid, pp. 245-268.

National Liberation Front (ONLF), which were major actors (especially the OLF played major roles) in the early years of the transitional period, have been engaged in insurgencies since mid-1990s. Yet, these insurgent groups do not seem to have the capacity to seriously affect the relative peace so far.

In general, compared to the period that precedes it, there is no doubt that relative peace has been achieved in the country following the post-1991 regime change and subsequent reforms. However, peace, as argued in the second chapter, is not only a mere absence of war/civil war. It is also about the absence of structural violence. So far as violation of human and political rights by government agents are issues of concern, there is no reason to rule out the likelihood of relapsing into a new era of armed violence.

In a nutshell, there is a huge deficit of 'positive peace', to borrow Galtung's concept, in the country's political system. Although the constitution has provided for the protection and promotion of rights and freedoms which can be taken as conditions for achieving 'positive peace', thus far the incumbent party's leap into authoritarianism, among other things, has obstructed its realization. Particularly, the recent degeneration of the democratization process may even mean the beginning of the end of the hardly won relative peace.

5.1. 2. Claims for Self-determination and/or Secession

The "right to self-determination up to and including secession", as frequently stated, is the major precept and most controversial provision of the 1994 constitution. It is also the foundation of the federal arrangement. Yet, there is still no consensus among politicians about this precept or foundation. Such a lack of consensus however is not limited to the opposition versus ruling parties' relationships. It is also apparent within the opposition parties' camp. The lingering

debate since 1990s pertains both to the praxis and the theoretical views embedded in the ethnic-based federalization process.

In practice, the right to self-determination has been equated and translated into ethnic-based federation. In theory, the continuing exercise of the right to self-determination is "guaranteed" by the possibility of invoking the "right to secession", if in case the rights of the ethnic groups are threatened. The debate in this case has, thus, not mainly been focused on whether ethnic groups' right to self-determination is justified or not. It rather revolves around the pros and cons of delineating regional boundaries along ethno-linguistic lines and the inclusion of the so-called "right to secession" in the constitution.

The arguments for and against the ethno-linguistic criteria were discussed in the previous chapters so we will not delve deep into it here. Since our focus here is on changes and continuities, let us try to examine the extent to which the current federal system does satisfy those groups (i.e. "liberation fronts") that have been fighting for "self-determination and/or secession".

Despite the existence of more than a dozen of them, there were mainly four major "liberation fronts" in the frontline in the lead up to the collapse of the military regime in 1991, namely:

1. The Eritrean People's Liberation Front (EPLF);
2. The Tigray People's Liberation Front (TPLF);
3. The Oromo Liberation Front (OLF); and,
4. The Ogaden National Liberation Front (ONLF).

These groups were obviously major players, among others, in the transitional period. As can be recalled, the demand of the EPLF (Eritrea) was resolved through

a referendum in 1993 which resulted in the secession of Eritrea.[228]The rest, including other smaller political organizations, were the moving forces behind the draft and adoption of the transitional charter and constitution. The question therefore is how much satisfied are these groups?

In many ways, the establishment of the EPRDF as a front/coalition of four ethnic-based political organizations (orchestrated mainly by the TPLF) and its control of state power were very much to the dismay of the OLF.[229] Especially, the establishment of a 'surrogate Oromo political organization' (the OPDO-Oromo People's Democratic Organization), has been seen by the OLF as TPLF/EPRDF's conspiracy to outmaneuver and weaken it.[230]

Hence, since its withdrawal from the Transitional Government, the OLF has been arguing that despite the constitution's recognition of the right to self-determination, the Oromo ethnic group has not fully attained its right to self-determination. In fact, its claim is not limited only to self-administration but also it espouses Oromos' "right to secession." Consequently, it has been engaged in an intermittent hit-and-ran insurgency in the southern part of the country.[231]

The same is true for the ONLF which claims to represent ethnic Somalis of Ethiopian origin.[232] The then ESDL (Ethiopian Somalis Democratic League) which was later reconstituted as the SPDP (Somali People's Democratic Party) has been

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[228] The irony is, although secession was seen as the only way of ending war in the Eritrean province at the time, it took only five years for Eritrea to wage a bloody war on Ethiopia. The war which took two years (1998-2000) had claimed tens of thousands lives from both sides. Many assume that Eritrea's inability, both politically and socially, to survive as a state had led to the war. Now, both the Eritrean and Ethiopian governments see one another as archenemies. This, since then, has eventually become a source of regional instability in the Horn of Africa.

[229] Lata, Leencho. *The Ethiopian State at the Cross Roads: Decolonization and Democratization or Disintegration.* Lawrenceville: Red Sea Press, 1999.

[230] Ibid.

[231] OLF Mission (accessed at http://www.oromoliberationfront.org/OLFMission.htm)

[232] ONLF Political Objective (accessed at http://www.onlf.org/viewpage.php?page_id=6)

considered by the ONLF as a 'surrogate political organization sponsored by the EPRDF'. Just like the OLF, it also claims that the right to self-determination of the Somali ethnic group (specifically the Ogaden clan) is not yet achieved.[233] As a result, it has been periodically and increasingly attacking government forces in the Somali national regional state.

These discontents however have not been limited to those that are trying to achieve their goals through the barrel of the gun. Ethnic-based and some multiethnic political organizations that are taking part in elections do frequently accuse the EPRDF of acting in contravention of the constitution. That is, by sponsoring surrogates and affiliates in regional states, it has become a hurdle for the exercise self-determination or more precisely genuine self-administration.

These concerns are in fact valid and supported by empirical evidences. As discussed elsewhere, EPRDF's ever-growing hegemony and "omnipresence" is, in one way or another, responsible for the revival or continuation of those choosing violent means. This is not to entirely nullify the argument that some political organizations, operating at the regional-state-levels, may have chosen to work with the EPRDF.[234] They might have believed that the prospect of working with the EPRDF is more realistic than rejecting it. Nevertheless, this does not change the bigger picture, i.e. there are still groups calling for genuine exercise of self-determination (administration).

In fact, with the exception of the ONLF and OLF, ethnic-based political parties that are currently taking part in the political process (as oppositions to the EPRDF)

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[233] Ibid. Obe, Sally. H. Conflict in the Ogaden and its Regional Dimension, A Horn of Africa Group Seminar Report. Londo: Chatham House (accessed at http://www.chathamhouse.org.uk/files/9701_310807ogaden.pdf).
[234] The difficulty here is that there is no way of knowing whether ethnic-based parties that are operating at regional states level are free to decide their matters without EPRDF's intervention. What can rather be said is that no party can control regional states' power without the blessing of the EPRDF.

and trying to mobilize their supporters have not set secession as their goal.[235] Their stated political goal is to attain genuine federal system where self-administration can accordingly be exercised. The two major Oromo opposition political parties, OPC (Oromo People's Congress) and OFDM (Oromo Federalist Democratic Movement), among others, can be taken as best examples. These two organizations ever since their establishment have peacefully pursued "democratic federalism".

Also, the love-hate relationship among opposition political parties can be described in terms of how they view the issue of self-determination and secession.[236] As there is a change with regard to this issue, so is there a continuation from the past. In many respects, even today, the formation of coalitions and/or fronts have been influenced by their position on the so-called the "nationalities question". Although both camps (the ethnic-based and multiethnic parties) are not as militant as they used to be, their relationships have been marred by the mutual mistrust carried over from the 1970s and 1980s.

The dividing line between them lies in the fact that they, in many cases, have a mutually excluding approach to addressing political issues. The catch-all (multiethnic) parties tend to see ethnic-based parties as narrow-minded groups advancing "parochial" political goals that are too divisive. On the other hand, ethnic-based political parties still tend to see the former as "hegemonists" that do not recognize the rights of ethnic groups and menaces for the exercise of the right to self-determination.[237] Consequently, they do rarely cooperate in their opposition against the ruling party. And if they do so, their cooperation is superficial and usually does not last long.

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[235] In order to understand their political goals, I have examined the political programs of major of political parties that are actively participating in the country's political processes.
[236] Teshome, Wondwosen. "Ethiopian Opposition Political Parties and Rebel Fronts: Past and Present." *International Journal of Social Sciences* 4, no. 1 (2009): 60-68.
[237] Ibid.

In a nutshell, issues related with the "right to self-determination including and up to secession" are still the dividing lines between political forces in Ethiopia. Most of the political organizations may not be as manifestly militant as the 1970s and 1980s. Nevertheless, there is still a latent militancy in some groups. Thus, the issue appears to remain as relevant as ever for years to come. This may in turn continue to put opposition forces in an awkward position in that they may not be able to forge a strong coalition that can present itself as an alternative political group.

5.1.3. Ethnic Consciousness and Conflicts

In certain ways, the recognition of the rights of the diverse ethnic groups of Ethiopia has without doubt empowered them. It has enabled them to assert themselves as ethnic "x" or "Y". Also, their languages, cultural attributes, history etc. are being given due consideration. Despite the backsliding democratization process and flawed elections, they are represented at the local, regional and federal levels.[238] Especially, some of the policy approaches such as *Affirmative Action Policies* for minorities and/or marginalized ethnic communities in terms of access to education and opportunities for employment are bringing about favorable socio-economic change.[239] Hence, compared to the pre-federal era, ethnic groups are somewhat benefiting from the post-1991 order.

Nevertheless, the politicization of ethnicity that has begun in the later stages of the Ethiopian Students' Movement (ESM) and that has been reinvigorated since the early 1990s seems to have no limit or end. In this respect, the incumbent party's tenacity and failure to entertain balancing (let alone alternative) views raises a question as to whether the ongoing politicization of ethnicity is being pursued as an

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[238] Young, John. "Regionalism and Democracy in Ethiopia." *Third World Quarterly*, 1998: 191-204.
[239] Aalen, Lovise. *Ethnic Federalism in a Dominant Party State: The Ethiopian Experience 1991-2000.* Bergen: Chr. Michelsen Institute, 2002.

end in itself. This in fact is perturbing when we consider the EPRDF cadres' and the propaganda machine's tendency to confuse empowerment with politicization of ethnicity.[240]

Therefore, despite the touted intensions of allowing the exercise of the right to self-determination and/or other forms collective rights, the ensuing tendency to overplay ethnic diversity over commonality seems to have become counterproductive in certain areas. Indeed, over-politicization of ethnicity is eventually precipitating ethnicization of social relationships in churches, mosques, universities, etc.[241]

The growing number of ethnic-based clashes between university students is a case in point.[242] In my view, these clashes have no particular cause except being by-products of the ensuing politicization of ethnicity. With the exception of students from urban centers, there is a growing tendency among university students to mutually exclude along ethnic lines. Inter-ethnic relations among the major ethnic groups (i.e. Oromo, Amhara, and Tigre) are becoming more superficial and complicated in universities.

From the author of this book's perspective, therefore, such ethnicization of social relationships is not a by-product of ethnicity *per se*. Rather it is, directly and indirectly, attributable to the government's policy and praxis that overplays diversity and its failure to promote commonalities or shared values. Even during those days of intense ethnic-based insurgency, ethnic-based clashes were

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[240] ICG Report, *Ethiopia: Ethnic Federalism and Its Discontents*, ICG African Report No. 153, 4 September 2009.

[241] Ibid.

[242] Since the 1950s, as per the policies and customary practices of Ethiopian higher education, students are expected to attend universities in which the Ministry of Education has assigned them to attend. And, in most cases, students have been assigned in universities outside the regional states of their own (or in places other than where they studied until they graduate from high school). Due to this reason, universities are as multiethnic as the country.

uncommon in the universities of pre-1991 Ethiopia. Actually, the student movements of 1960s and 1970s were multiethnic where students of different ethnic background struggled together to bring down the imperial.[243]

Also, ethnic conflicts involving ordinary citizens (i.e. the masses) are manifesting in certain places at an alarming magnitude. [244] The conflicts in Gambella regional state between the Anywaa, Nuer and so-called "Highlanders"[245]; the conflict in the Benishangul-Gumuz regional state between the locals and so-called "Highlanders"; the conflict between Sidama and Oromo ethnic groups in the adjacent villages of SNNP and Oromiya regions; and the dispute between Somali and Oromo ethnic groups that eventually involved the regional governments are notable examples.

Especially, the 2003-4 ethnic conflict in Gambella regional state which forced the federal government to send the National Defense Forces and the Federal Police stands out to be the most notorious.[246] Unlike the pre-1991 organized armed insurgencies against the central government, this was a conflict between people who are viewed as "aliens" and natives to that particular region. The conflict claimed thousands of lives and strained not only the relations between the two groups but also that of the Anywaa and the Federal Government.[247]

In short, as the 4 September 2009 report of International Crisis Group (ICG) indicated, there is a growing 'ethnic consciousness and polarization' in the country. And, this is directly and directly related to ethnic federalism but most importantly

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[243] Zewde, Bahru, *Modern History of Ethiopia: 1855-1991,* Addis Ababa: Addis Ababa University Press, 2002.

[244] ICG Report, Op. Cit.

[245] The term "Highlanders" in the peripheral lowland regions of the country refers to those ethnic groups (especially, the Amhara, Oromo, and Tigre) that are not "native" to the regions thereof. Since the early 1990s they (especially the Amharas) have been targeted by local peoples.

[246] Dereje Feyissa. "The Experience of Gambella Region", in David Turton (ed.) Ethnic Federalism: The Ethiopian Experience in Comparative Perspective, Addis Ababa University Press: Addis Ababa, 2006, pp. 208-230.

[247] Ibid.

it is related to the concomitant politicization of ethnicity.[248] One thing we may be forced to admit perhaps is that there is nothing black and white about ethnic federalism. The departure from the previous failed policies of centralization has certain positive contributions as discussed elsewhere.

Yet, there are also imminent dangers that can be associated with such a departure some of which are also discussed above. Especially, there should be some way of putting a bridle on the top-down politicization of ethnicity. Unless the policies and practices that tend to increasingly drift groups apart are equipoised by policies encouraging them to get along and work on their shared values or commonalities, it is hard to imagine how ethnic federalism could hold the country and its people together.

5.1.4. Constitution, Constitutionalism, and 'National Consensus'

Both from legal and political perspectives, modern constitutions are believed to be expressions of the will of the people or popular sovereignty. They, especially according to the liberal traditions, are 'social contracts' between the rulers and the ruled. As much as they do guarantee fundamental rights and freedoms, they also preclude unrestrained exercise of political power. That is why constitutions are simply defined as supreme laws of a given country. [249]

In reality, however, not all constitutions are expressions of the will of the people. Although there are several constitutions that can be viewed as 'social contracts', some are imposed by despotic rulers; others are endorsed by very few elites; and many others are endorsed by some kind of rubber-stamp constituent assemblies. Also, the existence of constitutions does not necessarily imply constitutionalism.

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[248] ICG Report, Op. Cit.
[249] Backer, Larry. "From Constitution to Constitutionalism: A Global Framework for Legitimate Public Power Systems." *Penn State Law Review* 113, no. 3 (2009): 101-178.

Unless everyone is equal before the law and the law is above everyone (i.e. rule of law), constitutions by themselves have no more than a cosmetic value.[250]

It is against the above backdrop, therefore, that we should examine the issues of constitution, constitutionalism, and the question of 'national consensus' pertaining to them in the Ethiopian context. The way the current constitution of Ethiopia became the country's supreme law in 1994, like many of the political issues, has been a subject of controversy. If we have to compare it with the three constitutions preceding it, the drafting, deliberation and adoption process of the current constitution is somewhat better.

The 1931 and 1955 constitutions were 'generous gifts' of the absolute monarch, Emperor Haile Sellassie, to his subjects. They were meant to legitimize the power of the Emperor and centralize power in his hands. The 1987 constitution was indeed better compared to the previous in terms of recognizing the 'rights of nationalities' and allowing some kind of regional autonomy. But the process leading up to its adoption (preceded by 'grassroots level discussion' of sorts) was in the hands of the military regime, the *Derg*.[251]

The current constitution, on the other hand, is preceded by a transitional charter which itself was 'a result of negotiation' between the then major political actors ("liberation fronts") or participants of the 'Peace and Democracy Conference'. As discussed elsewhere, the lead up to the adoption of the constitution was also preceded by the establishment of a Constitutional Commission (that prepared the

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[250] Ibid. Samuels, Kirsti. "Post-Conflict Peace-Building and Constitution-Making." *Chicago Journal of International Law* 6, no.2 (Winter 2006):1-20.
[251] Abbink, Jon. "Etnicity and Constitutionalism in Contemporary Ethiopia." *Journal of African Review* 41, no. 2 (1997): 159-174.

draft constitution), 'grassroots level discussions', and deliberation by an elected constituent assembly. [252]

The lack of national consensus with regard to the constitution, therefore, pertains to both procedural and substantive issues. Controversies relating to substantive issues are discussed throughout this book. Thus, there is no need to repeat them here. Let us rather focus on the procedural aspect of the debate.

Firstly, despite EPRDF's and its supporters' argument that the adoption of the constitution had been preceded by the due diligence normally expected in constitution-making, the process was not as democratic as it is touted by them. That is, the election for the constituent assembly was not that much free and fair by international standards.[253] As opposition parties and a number of scholars alike do argue, the election was maneuvered by the EPRDF in a way that could give EPRDF and its affiliates ('surrogates') the upper hand in the constituent assembly.[254] This means that unlike typical constituent assemblies, there was no proportional representation of major political groups. This leads most opposition parties to conclude that EPRDF has infiltrated its ideology into the constitution. The most frequently mentioned example in this case is article 39, particularly the sub-article that provides for the "right to secession".

Secondly, considering the constitution's incorporation of almost all of the international human rights bills as its integral parts and assuming that it needs only few amendments, some focused on the actual implementation of the constitution, i.e. constitutionalism. However, to their dismay, the EPRDF-led government does not only fail to fully implement the constitution, but also no one in the country has

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[252] Nahum, Fasil. *Constitution for a Nation of Nations: the Ethiopian Prospect.* Lawrenceville: Red Sea Press, 1997.
[253] Aalen, Op. Cit.
[254] Ibid.

frequently violated the constitution as it does. In the name of 'protecting the constitution', it has narrowed down the political space for opposition parties, civil society organizations and the private press. In a number of occasions indeed the idea of "protecting the constitution" or the "constitutional order" served as a façade for unconstitutional acts of the incumbent and its allies.

Hence, there is no question whether there is a deficit of national consensus with regard to constitution and constitutionalism. There surely is a deficit! And, this deficit can be attributed to both procedural and substantive issues that are not adequately negotiated by all concerned political actors.[255] As a constitution aimed at holding the country together through federation, ultimately it has to be a bargaining outcome. Thus, as far as the political actors remain divided and unable to reach a consensus on issues related to constitution and constitutionalism, it seems highly unlikely to see a peaceful transfer of political power from one party to another. Consequently, the very objective of bringing about durable peace in Ethiopia would remain as elusive as ever.

5.2. Mechanisms of Conflict Resolution and Responses to Conflicts

Federalism or devolution of power in itself is not enough either to prevent or manage conflicts. It eases tensions between central and regional forces but it is not an all-out remedy for all forms of conflicts within the boundaries of a country. There should be a web of institutions designed to address conflicts at different levels. As there is a need to have institutions that can manage the central-regional governments' relationship, so should there be a mechanism to manage the inter-regional governments' relationships.

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[255] Alem Habtu. "Multiethnic Federalism in Ethiopia: A Study of the Secession Clause in the Constitution." *Publius (2005):*313-335.

In so doing, the current constitution has created a bi-cameral legislature in which the upper house (House of Federation) is composed of representatives of the "Nations, Nationalities and Peoples" elected by regional states' councils.[256] It is thus the House of Federation that has a pivotal role in preventing, managing and resolving conflicts. As stipulated in article 62 of the constitution, it has the power to:

- *Interpret the constitution;*
- *Organize a council of Constitutional Inquiry;*
- *Decide, in accordance with the constitution, on issues of self-determination and secession;*
- *Promote and consolidate unity based on mutual consent;*
- *Order Federal intervention, if any state in violation of the constitution, endangers the constitutional order; and*
- *Find solutions to disputes and misunderstandings that may arise between regional states.*

Since its inception, the House of Federation has used various methods to settle disputes or conflicts between and within regional states. The most notable are the territorial dispute between Oromiya and Somali regional states, and the demand of the Silte People (an ethnic group within the SNNP regional state) for self-administration.[257]In both cases, the House of Federation opted to carry out referenda in settling the issues. Thenceforth, referendum is considered as one of the effective peaceful methods for settling territorial disputes and/or conflicts between and within regions. And there are scheduled referenda to settle similar issues.

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[256] FDRE Constitution, article 62.

[257]Ahmed Shide. "Conflict along Oromia-Somali States Boundaries", Paper Presented at the First National Conference on Federalism, Conflict and Peace Building, Ministry of Federal Affairs (May 5-7, 2003), Addis Ababa.

So far, the results are mixed depending on the depth of the issues. For instance, the demand of the Silte People has been successfully settled by allowing them to have their own *Zonal* administration (the level of administration lower than regional state) in accordance with the results of the referendum. However, the dispute between Oromiya and Somali regional states has still not been settled even after the referendum.[258] Periodic small scale clashes are common between the pastoral communities of both regions, especially, during the dry seasons when one group tries to cross the 'boundaries' of the other in search of grazing lands.[259]

In addition to the House of Federation, two federal institutions (i.e. the Ministry of Federal Affairs and the Federal Police) do play major roles in matters relating to conflicts. Especially, the Ministry of Federal Affairs facilitates the relations between regional states on behalf of the federal government. With its different departments focusing on different aspects of inter-regional government relations, it has been portrayed by the Federal Government as a vital section of the executive branch in the efforts to prevent and manage conflicts.

Also, there are attempts to revive and reinvigorate traditional conflict resolution mechanisms of different ethnic groups at the local levels. Although its fruits are yet to be reaped, this effort is commendable considering the limited capacity of the state and the potential of the traditional mechanisms.[260] This is so because in a country like Ethiopia where 84% of the population still lives in rural areas and the literacy rate is below 50%, traditional institutions play a pivotal role. Hence, the

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[258] Asnake Kefale. "Federal Restructuring in Ethiopia: Renegotiating Identity and Borders along the Oromo-Somali Ethnic Frontiers." Development and Change, 41, no 4 (2010): 615-635.

[259] Asnake Kefale. "Federalism: Some Trends of Ethnic Conflicts and their Management in Ethiopia", in A.G. Nhema (ed.) *The Quest for Peace in Africa: Transitions, Democracy and Public Policy*, OSSREA: Addis Ababa, 2004, pp. 51-72.

[260] Tirsit Girshaw. "Indigenous Conflict Resolution Mechanisms in Ethiopia", Paper Presented at the First National Conference on Federalism, Conflict and Peace Building, Ministry of Federal Affairs (May 5-7, 2003), Addis Ababa.

revitalization of traditional conflict resolution mechanisms in Federal Ethiopia would be complementary to the formal institutions of conflict resolution.

When it comes to responses to rebellions by those demanding secession, such as the OLF and ONLF, there is a continuation of the old tradition, i.e. the recourse to force. Using the National Defense Forces to quell not only armed rebels but also peaceful demonstrations (like that of the post-2005 election crisis) is still common. Political dialogues and meaningful negotiations between the EPRDF-led government and the opposition forces are not that common. Consequently, peaceful resolution of fundamental political differences and disputes is as rare as it was in the pre-1991Ethiopia.

Generally, the changes in terms of employing the mechanisms of resolving violent conflicts are not as radical as the changes on the state structure. True, there are new institutions that are designed to fit the new political situation. But, these new institutions are being used in the old ways. Despite the constitutional provisions for accommodation of not only ethnic diversity but also political pluralism, the government seems very determined to quell political dissent by force. Therefore, like many of the issues discussed above, the conflict resolution mechanisms created in accordance with the constitution (including the judiciary) are not also effectively used due to the political dynamics of the country.

5.3. Regional Politics and its Spillover Effects on the Country[261]

There might be a question as to why there is a need to discuss about regional (sub-regional) politics and its effects vis-à-vis Ethiopia's ethnic federal system and

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[261] To avoid ambiguities, when we say regional politics we are referring to the relation between and impacts of the political situations in neighboring countries on Ethiopia (not the regional politics with in Ethiopia)

peace. For two major reasons, there is in fact a need to examine the political dynamics of the region:

1. The region (hereafter the Horn of Africa), which mainly includes Djibouti, Eritrea, Ethiopia, Kenya, Somalia and Sudan, is one of the highly volatile regions of Africa where inter and intra-state conflicts have been highly intertwined;

2. There are similar ethnic communities across borders in all the countries of the Horn of Africa where in many cases ethnic-based conflict or rebellion in one country fuels conflict in the other.

More specifically, there are ethnic groups, such as the Afar, Somali, Oromo and Nuer, living within the territories of Ethiopia's neighboring states. Similarly, ethnic groups with similar designation and language are found in Ethiopia. For instance, one of the most conflict-torn regions of Ethiopia is the current Somali regional state which neighbors the Republic of Somalia. Ethiopia and Somalia fought two wars during the Cold War period due to the latter's irredentist claims on the region.[262] And in the post-1991 context, the Somali regional state has been a host of Somali refugees and the most conflict-prone region of the federation.

Similarly, the relation between Sudan and Ethiopia was also bitter until the late 1990s. Governments of both countries used to support rebel groups of one another, a practice which had been quite common during the Cold War era. Particularly, the north and south western frontiers of the two countries were battlefields of subversive wars. After the fall of the military regime, however, the relation between the two countries has improved a lot (especially since the late 1990s).

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[262] Vadala, Alexander A. "Major Geopolitical Explanations of Conflict in the Horn of Africa", Quartal (2003):627-635 (accessed at http://www.giga-hamburg.de/openaccess/nordsuedaktuell/2003_4/giga_nsa_2003_4_vadala.pdf).

Surprisingly, it is with the newly born state of the region, Eritrea, that Ethiopia has a completely deteriorated relation. As discussed elsewhere, one of the post-1991 radical decisions that the EPRDF-led government made was accepting or recognizing Eritrea's demand for secession in the name of ending the civil war and securing peace. However, the honeymoon of the two governments was too short that ended up being the bloodiest inter-state war (1998-2000) in the history of the Horn of Africa.[263]

Even after a decade since the peace agreement was signed in 2000, the two countries are in a kind of "cold war".[264] Both do support the rebels of one another and as many would argue Somalia has become the place where they fight a proxy war. Particularly, Eritrea has been trying to exploit the existing ethnic federal arrangement as Ethiopia's weakness by arming and infiltrating rebels from ethnic Somalis and Oromos. Currently, both OLF and ONLF have offices in Eritrea from which they launch periodic attacks on Ethiopian national defense forces.[265]

All in all, the political dynamics of the Horn of Africa has both a direct and indirect impact on Ethiopia. Especially, the current federal arrangement has increased the vulnerability of the country making it easier for neighboring countries to exploit ethnic differences. Whenever ethnic-based political organizations get dissatisfied or found it difficult to operate within Ethiopia, they do seek safe-havens in neighboring countries. In turn, when there is tension between Ethiopia and its neighbors, these groups have been used to incite violence in Ethiopia. If one carefully follows the recent trend, thus, that is what the EPLF (PFDJ)-led Eritrean government has been trying to do: exploiting the growing ethnic consciousness to destabilize and weaken its archenemy, Ethiopia.

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[263] Ibid.
[264] ICG Report, *Ethiopia and Eritrea: War or Peace?* ICG Africa Report No 68, 2003.
[265] Jon Abbink. "Ethiopia and Eritrea: Proxy Wars and Prospects of Peace in the Horn of Africa." Journal of Contemporary African Studies, 21, no 3 (2003): 407-427.

Chapter Six

6. Concluding Remarks:

Merits and Demerits of Ethnic Federalism in Ethiopia

In the preceding chapters, issues that are related with and pertinent to ethnic federalism have been analyzed in detail. The overarching objective of the analysis, among others, was to find out if there is or there can be a nexus between the ongoing experiment of ethnic federalism and peace in Ethiopia. Put differently, the analysis in this book focused on the way ethnic-based conflicts have been dealt with in multiethnic Ethiopia. In so doing, historical and contemporary political and socioeconomic factors have been taken into account.

So far, even after almost two decades, one can neither entirely discredit nor indubitably endorse the viability of ethnic federalism in the Ethiopian context. There is indeed some sort of link between the relative peace and the ongoing attempt to accommodate diversity. In many ways, the current state organization accommodates ethno-linguistic diversity than the previous unitary systems. That is, it allows ethnic groups to have autonomy from the center far more than ever before.

Thus, there is a kind of correlation between the relative peace and ethnic federalism. However, it would be too hasty to establish a causal link between the relative peace and ethnic federalism. The fact that the post-1991 peace is 'relative' means that it is yet to be consolidated. In other words, the post-1991 order is 'peaceful' mainly because the pre-1991 protracted civil war ended resulting in the 'remaking' of the country by the victors of the war. And the major feature of the 'remaking' process has been focused on accommodating diversity through constitutional autonomy.

Nevertheless, it is important to note that there is a huge gap between the *de jure* and the *de facto* autonomy of the regional states. As discussed in detail elsewhere in this book, the hegemonic position of the incumbent party and its tendency to practically re-centralize political powers has made the evolution of the federal system less genuine lacking congruence with the constitutional principles. Hence, despite the commendable degree of cultural freedom of ethnic groups that is so apparent both in legal and practical terms, the exercise of political freedom, in strict sense of the term, is still quite far from satisfactory. Moreover, human rights abuses are still issues of major concern.

Therefore, the relative peace that has been achieved so far may indeed be a result of several factors in addition to the devolution of power and accommodation of diversity. For example, as one can claim that such a relative peace is an achievement attained through ethnic federalism, it can also be seen as something imposed upon the people by the incumbent. That is, in the EPRDF's typical "carrot and stick" approach, the "stick" has very often been there as a means of securing allegiance and obedience. Too appealing for ethno nationalists as it appears, the ethnic federal arrangement has not been an all-out response to demands such as democratic governance and respect for human rights. Hence, as far as the ethnic federalism-peace nexus is concerned, one cannot claim to have a causal link. After all, what is evident so far is a mere absence of war. But peace, as frequently stated, is more than that.

All the above being said, it is important to point out the merits and demerits of ethnic federalism rather than simply rejecting or endorsing it. These merits and demerits are identified based on the issues analyzed in this book.

6.1. Merits

Federalism, territorial or ethnic based, in general has its own merits. It is obvious that political reformers or founding fathers of a given state usually decide to adopt either federal or unitary system after considering the perceived comparative advantages and disadvantages of each system. Federalism in general is believed to have been suitable for countries with large territorial and population size, a considerable degree of cultural or ethno-linguistic diversity, recurrent tension between the centrifugal and centripetal forces, etc.

For instance, with the exception of China, all countries with large territorial and population size have opted to adopt federalism. This includes USA, Canada, Russia, Brazil and India. In terms of accommodating cultural or ethno-linguistic diversity India, Canada, Switzerland, Belgium, Nigeria, Malaysia and South Africa are notable examples. Also, India, Belgium, Nigeria, Malaysia and Pakistan are federations created in response to recurrent tensions between centrifugal and centripetal forces.

Accordingly, Ethiopia's federal system, despite its unique features, is also a result of attempts to respond to various challenges that the country has been facing for years. The question therefore is what are the merits of Ethiopia's ethnic-based federal arrangement? The answer to this may differ from person to person depending on how a given person views not only ethnic federalism but also ethnicity and federalism respectively. Hence, the merits (as well as the demerits) listed below, I shall admit, may partly be results of subjective evaluation. From my perspective, therefore, ethnic federalism in Ethiopia, among other things,

- Entails devolution of political power to the diverse ethnic groups so as to allow grassroots level representation;

- Allows ethnic groups to maintain, develop and/or use their own language, culture, values, etc.;
- Creates conditions in which local problems can be addressed locally;
- Addresses ethnic groups' quest for autonomy and survival as a group;
- Also, eases the historical tensions/conflicts between the centrifugal and centripetal forces in that it can be seen as a practical and alternative solution for secessionist movements;
- Eases the burden of the central government in terms of political and economic administration helping it to focus on major national priorities and cross cutting issues;
- Encourages competition between regional states in terms of attracting investment as an engine for local development. This in other words means that regional states have to create favorable economic and political environment so that investors can invest in their respective regions (this however requires carefully managing the competition to the level that it is and remains healthy. This applies both for ethnic and geographic federalism).

6.2. Demerits

If one tries to find out a major demerit of any form of federalism, she/he may perhaps find that its potential of divisiveness is ubiquitously mentioned in the literature. That is, unlike unitary states where there is a legal and political tendency to centralize power (or unify), federal systems tend to be inherently divisive. However, a federation solely based on territorial criteria may not be as divisive as ethnic federalism. Ethiopia's experience, just like that of India, Belgium or Nigerian, shows that ethnic federalism is essentially susceptible to manipulation by

ultra-ethno-nationalist, self-centered and ill-motivated elites. Hence, ethnic federalism, among other things,

- Creates a room for politicization (over-politicization) of ethnicity which in turn would result in polarization among ethnic groups;
- Leads to growing ethnic consciousness resulting in the positioning of ethnic nationalism over civic nationalism;
- Limits individuals' freedom of movement in their own country due to language policies and other related factors;
- Encourages the plethora of sectarian, small, weak as well as opportunist political parties whose goal is often limited to local interests than common national agenda;
- Boundaries between regional states are fluid (since the major delineating criteria has been ethno-linguistic) and difficult to determine. As a result, they may become sources of perennial ethnic tensions and conflicts;
- Asymmetric relations between and among regional states seem inevitable since ethnic groups have varying sizes of territory, population and resource endowments. Such asymmetric relations may at later days become sources of conflict.
- Like other forms of federation, Ethiopia's ethnic federal system is a high-costly project that entails a large number of public employees at different tiers of federal, regional, and local administrations. This strains the limited resources available at the disposal of federal and regional state governments.

In general, the merits and demerits of ethnic federalism in the Ethiopian context are dependent on the *de jure* and *de facto* circumstances that are manifest or latent in Ethiopia. If one has to take ethnic federalism's potential to hold the country together and prevent/manage/resolve conflicts seriously, there is a need to act upon

the potential and actual risks associated with it. There should be a political will and flexibility rather than obstinate arguments for or against the current mode of federal arrangement as though it is an end in itself.

Let alone ethnic federalism, territorial/geographic federalism has its own demerits and risks. The point thus is not whether there are demerits or not, but rather it is about whether there is a will and effort to acknowledge and then deal with those demerits. This simply means that the system should not be presented as infallible and hence not subject to change. If it has to serve its purpose, there should always be a room for dynamism.

Therefore, so that the current federal arrangement can serve its purpose, i.e. to effectively redress past injustices; prevent, manage and resolve potential conflicts; create a condition for sustainable peace and development; and hold the country together, there should at least be willingness and commitment to address the following:

1. *Constitution and Constitutionalism*

Although the constitution in itself has not been that much a problem as the lack of constitutionalism, there should be an attempt to reach a consensus on the constitution. In other words, the constitution should be owned by the people not by the EPRDF. This includes organizing public forums to discuss about and decide on the most controversial provisions of the constitution (especially, the so-called "right to secession") or even holding a plebiscite to decide on the matter. So far as the constitution is considered by many as EPRDF's constitution, it would be far-fetching to expect political continuity in the country.

Also, there should be sincerity from the EPRDF's side when it comes to constitutionalism. As much as it does expect the people and the opposition parties

to observe the constitution, the incumbent itself has to act in accordance with the fundamental constitutional principle, i.e. the rule of law. Federalism can only be meaningful, first and foremost, when the system is strictly based on constitutionalism.

2. Democratic Governance and Respect for Human Rights

From my perspective, federalism (ethnic or territorial) without democratic governance and respect for human rights is just an empty gesture. Without these, ethnic federalism is tantamount to divide and rule. Hence, I do suggest that for ethnic federalism to serve its purpose, it must be democratic.

Therefore, all political rights and freedoms that are recognized by the constitution should be respected. Civil society organizations, the independent media and political organizations should be allowed to operate freely and in fact in accordance with the constitution.

3. Advancing Common Goals and Interdependence

Over-politicization of ethnicity, in my view, has proved to be the misfortune of ethnic federalism, which is wickedly pursued by certain political elites to advance their own selfish interest. There should be a limit to such unbridled politicization of ethnicity. A certain degree of politicization of ethnicity may be tolerable and inevitable in any ethnic federal system. However, it should not and cannot be an end in itself.

Thus, economic, political, social and cultural projects aimed at interdependence among ethnic groups and between regional states have to be carried out. Accommodating diversity should not be confused with overemphasizing and/or overplaying differences. Hence, so that ethnic federalism's risk of divisiveness can

be minimized, there should be policies aimed at advancing common goals and socioeconomic and political interdependence.

4. *Follow Up and Dynamism*

There is no perfect political system in the world and hence ethnic federalism's demerits by themselves are not that strange. The most important thing is to leave a room for improvement so that the system can help attain the intended goal: peace. In order for that to be true, however, Ethiopia's ethnic federalism must be enabled to have resilience. The mentality of seeing it as an end in itself has to be halted. Political mobilizations and decisions pertaining to it should be taken based on research not populism.

All in all, policies and practices aimed at reducing inadvertent and unsought consequences of ethnic federalism must be allowed to develop. In short, improving the resilience of the federal arrangement does not require a revolution but rather political will and reform. It requires dialogue between the incumbent and its opponents on the rules of the game and respect for the rules once consensus is reached.

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