

The Right to Self-determination and Accommodation of Cultural Diversity: The Case of Ethiopian Ethnic-Federalism.

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1. Background

1.1. The Birth of Modern Ethiopia

Ethiopia is a country with ancient roots and its statehood goes back to the pre-Christian times of the Axumite Empire (c. first millennium B.C. to the 10th century A.D.), the Zagwe empire (c.1100 A.D. - 1270), Abyssinian empire (c.1270-1750) and has reached the present era uninterrupted. Modern Ethiopia took its current shape at the end of the nineteenth century with usurpation of power by Tewodros (1855-1868) and "Menelik [1889-1913] as emperor completed the process of territorial expansion to the present boundaries of Ethiopia"(Addis Alem, 2003:61) by conquering and annexing huge territories in the south during the Era of Scramble for Africa though the expansion was internally driven.

Especially, Menelik II's reign (1889-1913) "witnessed the culmination and consolidation of the vast territorial expansion launched by Menelik...which turned Ethiopia into an empire in fact as well as in name. In a burst of furious energy, the Ethiopians overrun the southern part of the plateau... imposing its rule on a large number of peoples of diverse origin and cultures. As a result, the composition of the society found within the enlarged boundaries of Ethiopia changed radically. The Christian group, the Abyssinians of old, found itself a minority, albeit dominant, in its own state. The homogeneity achieved in the northern plateau through a century-long process of integration within the framework of the Christian state was now overshadowed by the incorporation of numerous, sizable alien groups. Expansion on such a scale was bound to have profound effect upon both the conqueror and the conquered" (John Markakis, 2006:38). Of course, the expansion continued to expand its territory until 1950s and 1960s.

The succeeding feudal monarchy and military regimes pursued their predecessors' state-building strategy which was highly characterized by highly centralist unitary political system of governance. Following the south ward expansion, state building in Ethiopia was widely perceived as forging a nation-state with a common culture and identity. Ethnic groups were expected to give up their identity and to adopt some common national culture, which essentially meant the culture of the dominant nation. As a result, a unitarist centralizing strategy of state building was widely adopted in Ethiopia by the succeeding feudal monarchies and the military regime.

Like most African countries, "Ethiopia's state-building strategy was highly characterized by highly centralist unitarism accompanied by unbridled arrogance of the ruling elite"(Kidane, 1977:120). The different national entities, especially those newly incorporated by conquest, were allowed little space for autonomous cultural development

much less for self-rule. They were instead forced to assimilate into the culture of the dominant nation—mainly the Amhara nation. The centralist unitary strategy of state building clearly allowed assimilation of individuals and groups to the dominant culture. Many, in fact, were successful in rising to join the top echelons of the military and the ranks of the bureaucracy. Despite creating a parliament to disguise the nature of his rule, Emperor Haile Sellasie (1930-1974) remained an absolute monarch with a highly centralized political system. Haile Sellasie's drive for centralization of the empire went too far and created dissatisfaction in the regions.

"The attempt to displace the language and culture of other nationalities by that of the ruling nationality, the Amhara, and the neglect of their socioeconomic institutions were the main causes of early revolts" (Addis Alem, 2003:75). These revolts were suppressed by brute force with little consideration given to rectifying the problems. A number of violent uprisings by different regions and nations resulted at least in part due to over centralization. Eritrea's 30 year old struggle for independence following the abrogation of its UN-instituted federation with Ethiopia and its annexation in 1962 is one such rebellion. The 1943 Woyane rebellion, the 1963-70 unrest in Bale and the 1968 uprising in Gojjam were also the early symptoms of deep-rooted flaws in the system.

The military government/the *Derg* (1974-1991) that overthrew the monarchy in 1974 also remained as centralized as its predecessor. In an attempt to reduce social unrest and the problem of nationalities, the military government implemented a radical land redistribution program. This largely freed the southern tenants from the bondage of the landlords who were mostly descendants of the occupation troops and administrators. However, the land redistribution program proved to be insufficient to overcome the problem. The program was undermined by a number of factors, including the government's failure to create access to other essential resources for the peasantry, its attempts to collectivize peasant agriculture and absence of a serious political reform to decentralize decision making. The military regime resorted to military build up in order to suppress the different liberation movements, including the Eritrean Peoples Liberation Front (EPLF), the Tigray People's Liberation Front (TPLF) and the Oromo Liberation Front (OLF).

Military solution to the ethnic problems proved unsuccessful. Instead it polarized ethnic groups even more and brought the country to the brink of total disintegration. It also wrecked the country economically. The government's program of resettlement of large numbers of peasants from the northern parts of the country into the south also exacerbated ethnic animosities. Although the military rule heavily depended on force to resolve differences and dissent, this attempt led to the proliferation of strong national movements and to the ultimate demise of the regime in May 28, 1991.

In dealing with the history of the emergence of modern Ethiopia, there are some ethno-nationalist interpretations and conceptualizations that need to be taken into consideration

that may help more in understanding the present federal political system, especially the nationality issue in Ethiopia. Before I discuss the nationality issue, I describe the competing and contradictory perspectives of the modern Ethiopian state.

1.2. Contending Perspectives on the History of Modern Ethiopia

As it is described earlier, modern Ethiopia was created by conquest and expansion at the end of the 19th century and continued to expand its territory until the 1950s and 1960s at the cost of entrenching deep ethnic and religious inequalities that led to the rise of nationalist movements in the 1960s and 1970s. These national movements "sought to reverse the unifying historical process of the late nineteenth century. The political, economic and socio-cultural domination by group over a multitude of others meant that the history of the dominant group was portrayed as the authentic history of the whole country [Ethiopia]"(Merera, 2006:119). It is after then that we see an attempt to interpret the history of modern Ethiopia by various nationalist movements taking into consideration their own political goals and interests and propose a solution. According to Merera(2006), there are at least three main ethno-nationalist perspectives: nation-building perspective, national oppression perspective and colonization perspective.

The first perspective is the nation-building perspective. The adherents of this perspective believe that the reunification, conquest and expansion of Tewodros II (1855-1868), Yohannes IV (1872-89), and Menelik II(1889-1913) "are positive historical acts of nation-building which no great power in history escaped. They believe the present day Ethiopia would have been inconceivable without the imposition of the cultural, linguistic and religious values of an ethnic group over all others..." and "they see themselves as the authentic representatives of the indivisible Ethiopian 'nation' and consider it unpatriotic, or even un-Ethiopian, to argue for the recognition of the rights of hitherto marginalized ethnic groups"(Merera, 2006:120). Moreover, these adherents of the nation-building perspective "see no sin in the creation of imperial Ethiopia. On the contrary, it is holy to them" and "they vehemently oppose the views of those who accept the reality of past inequalities. They are equally opposed to those who advance the colonial thesis and they support the use of force against the various ethno-nationalist movements" (Merera, 2006:122).

The second perspective in interpreting the historical event that gave birth to modern Ethiopia is the national oppression perspective, a perspective which had direct link with the growth of the Ethiopian Student Movement in 1960s. The Ethiopian Student Movement aimed at struggle for social justice and national and ethnic equality. According to the adherents of the national oppression perspective, "there was one oppressor [the Amhara] and a host of oppressed [other Ethiopia] nations and nationalities who were politically and economically marginalized and culturally and linguistically dominated"(Merera, 2006:122). This perspective recognized the right of Ethiopian nations and nationalities to self-determination up to secession with increased radicalization of the student movement and the rise of more ethnic-and regional -baesed

liberation movements. This issue of the right of nations and nationalities to self-determination including and up to secession had been a radical position that brought about a split among the student movement and various 'forces of change'. "There were those...who advocated the softer option of regional autonomy; ...who recognized, in principle, the right of nations and nationalities to self-determination, including and up to secession, but who sought a solution to the nationalities problem within the larger Ethiopian Framework; and ... who recognized the right of nations and nationalities to self-determination, including and up to secession, both in principle and in practice" (Merera, 2006:123). This perspective has a decisive effect on the current political situation of the country.

The third perspective is the colonial perspective. The source of this perspective is based on the characterizations of the southward territorial expansion by militaristic feudal monarchs that created modern Ethiopia and the Eritrean issue as a colonial one. The Eritrean national movements "had consistently argued that Ethiopian rule over Eritrea was essentially a colonial one and that the Eritrean issue was therefore a case of delayed decolonization" though "pan-Ethiopian nationalists had always argued that Eritrea was part of historical Ethiopia and that her reunification with the 'motherland' could therefore be justified on historical, cultural, linguistic and demographic grounds"(Merera Gudina 2006:124). However, the Eritrean issue ended in May 1991 when the EPLF took over the whole Eritrea after the bloody 30 year war and eventually its independence in April 1993. There are also other national liberation movements that promote this colonial perspective: mainly the Oromo Liberation Movement (OLF) and Ogaden National Liberation Front (ONLF) that are aimed at establishing independent State and joining to the Greater Somalia respectively.

But both nation-building and colonial perspectives (except the Eritrean issue) have been taken over (though some of the colonial perspectives are still engaged in military operations) by the forces of change with a more accommodative political agenda, that is, the introduction of federal political system in Ethiopia aimed at creating a country of equal nations, nationalities and peoples; and putting an end to authoritarian rule by democratizing the Ethiopian state and society as a whole. The question is, therefore, what were the reasons that led to the introduction of federal political system in Ethiopia?

1.3. The Nationality Issue after the Creation of Modern Ethiopia

Following the expansion of the unifying empire that resulted in the emergence of modern Ethiop, the southern peoples were reduced to almost serfdom, many were sold as slaves and their history and culture was suppressed. They largely lost ownership of their lands to northern landlords and many native peoples were integrated through a series of bloody and brutal conquests. However, such fate was not limited to the southern peoples. The intensity of the oppression might have varied, but other peoples were also subjected to national oppression and discrimination. They were similarly victims of the vigorously promoted centralization and Amharization of Emperors Menelik II(1889-1913) and Haile

Sellasia(1930-1974)."Despite the grievances of many nationalities, Haile Sellasia continued the policy of excessive centralization by denying regional elites the space for local administration. The imperial government imposed Amharic and the Amhara culture not only on those who were made Ethiopians at the end of last[19th] century but also on the newly annexed Eritrea"(Addis Alem,2003:112).

The nationalities of Ethiopia (that numbered over 80 linguistic groups) became victims of the successive governments' economic development policies, which prohibited them from receiving their fair share. The industries were concentrated in Addis Ababa and its environs. The neglect and inequalities were also reflected in the distribution of educational and health institutions. The imbalance was also allowed to continue during the military/ *Derg* era without any tangible effort of correction. Indeed, the military/ *Derg* government followed Emperors Menelik II and Haile Sellasia's lead in its intensified form. The linguistic and cultural discrimination was very intense. These oppression and neglect made the ground fertile for fronts of different nationalities to mushroom all over the country. National fronts such as the Tigray People's Liberation Front (TPLF), the Oromo Liberation Front (OLF), the Afar Liberation Front, and the Oromo People's Democratic Organization (OPDO), and the Ethiopian People's Democratic Movement (EPDM), which was a multinational organization and some other similar organizations were established and engaged themselves in a military struggle. These fronts were instrumental in the downfall of the military regime. The Ethiopian People's Revolutionary Democratic Front was created by the joint efforts of the TPLF, EPDM, OPDO and the Ethiopian Democratic Officers Revolutionary Movement (EDORM) and became a formidable force capable of ending the people's desolation perpetuated by the military dictatorship in May 1991.

Moreover, the other major force that shook the imperial government and then the military regime/*Derg* was the Eritrean resistance. The military regime/ *Derg*, as the imperial government before, concentrated on trying to suppress the resistance by force. "The military solution to the ethnic problems proved unsuccessful. Instead it polarized ethnic groups even more and brought the country to the brink of total disintegration"(Kidane, 1997:121). As it was the case with nationality fronts,, it made successive military campaigns determined to resolve its conflict with Eritrean nationalists but failed to weaken the impact of the military capability of the EPLF. Following the downfall of the military regime/ *Derg*, the EPLF entered Asmara on May 24, 1991.

It was after the downfall of the military regime/ *Derg* that the principle of self-determination has been introduced for federated regional units within aimed at creating a country of equal nations, nationalities and peoples. Before I analyze the Ethiopian ethnic federalism, I below describe what federal political system is in general.

2. Federal Political System

Federal political system is not a single form of political system but it "refers to a broad category of political systems in which...there are two (or more) levels of government thus combining elements of *shared - rule* through common institutions and *regional self - rule* for the governments of the constituent units"(Ronald L. Watts 1999:6-7). Moreover, it refers "to the element of constitutionally established power balance as inherent" and this 'balance element' is "an institutional pillar of vertical separation of powers aimed at providing mutual check and control between different levels of government in particular and of political system in general"(Lidija R. Basta et.al 2000:2). It is, therefore, "a form of institutional power sharing" that "is based on the territorial autonomy of regional subunits, so as to create jurisdictions which are 'coordinate but independent'"(David Turton 2006:2). Federal political system refers to all varieties of specific non-unitary 'species' or categories of federal systems such as "unions, constitutionally decentralized unions, federations, confederations, federacies, associated statehood, condominiums, leagues and joint functional authorities"(Ronald L. Watts 1999:7).

In this case, it is safe to say that "[t]here is no single pure model of federation that is applicable everywhere. Rather the basic notion of involving the combination of shared-rule for some purposes and regional self-rule for others within a single political system so that neither is subordinate to the other has been applied in different ways to fit different circumstances. Federations have varied and continue to vary in many ways; in the character and significance of the underlying economic and social diversities; in the number of constituent units and the degree of symmetry or asymmetry in their size, resources and constitutional status; in the scope of the allocation of legislative, executive and expenditure responsibilities; in the allocation of taxing power and resources; in the character of federal government institutions and the degree of regional input to federal policy making; in the procedures for resolving conflicts and facilitating collaboration between interdependent governments; and in procedures for formal and informal adaptation and change"(Ronald L. Watts 1999:1). It follows that "there is no best version of federalism" and "seems particularly suited to democracies with very large populations or territories or with highly diverse populations that are regionally concentrated"(George Anderson 2008:10).

If a federal political system best matches with democracy and diversity, that is, with "a contest between majority rule, which is needed for unity, and minority rights, which is needed for diversity"(Global Dialogue on Federalism, Volume I, 2005:4110); then it means that it is aimed at accommodating 'group rights' by establishing political and constitutional institutions whereby both unity and diversity are compromised and balanced. This implies that recognition of group (collective) right can be understood as a corollary of the liberal principle that all human beings should be treated with equal respect and concern. Equal respect and concern is, therefore, the basis for the recognition of the rights of ethno-cultural communities. The right to identify and cultural recognition are compatible with liberalism because individuals define themselves and live their lives

as part of a group. Thus, the right to identify, recognition and protection of ones ethno-cultural identity is a fundamental interest of human beings. According to Ellis Katz and G. Alan Tarr(1996), Group rights have been tied to ethnicity(as in American affirmative action programs and in the concept of 'federal character' in Nigeria), to language (as in Canada), and to a host of other factors. Federal systems, with their traditions of shared-rule and self-rule, have generally found it easier to respond to claims for group rights than have unitary systems. In fact, groups seeking recognition of their claims have frequently called for devolution of political power or in short, for some sort of federalism.

Of all the principal international human rights treaties, the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) expressly protects the right of self-determination. Thus, such rights of self-determination could only be realized through some public institutional arrangements whereby a constituent unit "rules itself, or...that the entity can decide alone over certain matters" and whereby "sub-national entities are accorded special participation and input in the decision - making and will formation of the encompassing entity"(Lidija R. Basta Fleiner 2005:42-43). Federalism is such institutional arrangement which is subject to the aggregated will of diverse ethnic communities that "can be expressed by federal constitution, which stipulates the principles and interests commonly shared by the parties to the constitution and the areas and interests to that are peculiar to the parties"(Mehari ,2008:8).

Based on the above background on federalism, I will now analyze the Ethiopian Federation.

3. Ethiopian Federalism

3.1. Ethnic-based Federalism

Following the fall of the military regime, Ethiopia has tried to come to terms with its recent past through accepting the diversity of its population in order to construct a common and better future. Hence, ethnic based federal system of government was introduced in Ethiopia which was intended to decentralize power and resolve the nationality issue by accommodating the various ethno-linguistics groups. "One feature great import throughout the constitution [Ethiopian Constitution of 1995], and one that places this constitution on a pedestal of its own, more or less, is the utmost significance given to the ethno-linguistic components of the [Ethiopian] society"(Fasil Nahom 1997:51).

In the history constitutional development of Ethiopia, the 1995 constitution "recognizes Ethiopia as a nation of Nations"(Fasil Nahom 1997:51) a reality which could be proved by the fact that the preamble of the constitution opens with the unfamiliar "We, the Nations, Nationalities and Peoples of Ethiopia". Article 39(5) of the Constitution defines nations, nationalities and People as " a group of people who have or share a 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." The core aspect used to define the Nations, Nationalities and Peoples as right holders is a linguistic criterion though there are other grounds left open for self-determination. Taking linguistic criterion as a defining aspect, it follows that the right for self-determination of the Ethiopian ethnic-based federalism does not accommodate groups as right holders that identify themselves as one community on the basis of religious, territory or even economic factors.

So, the definition of 'people' in Ethiopian Constitution is quite different from the definition of "people" in international law that defines "People" as "inhabitants of a territorial unit." This constitutional recognition of rights of 'Nations, nationalities and People' can be taken as bold measure compared with the fact that "the international community is generally reluctant to recognize that people themselves decide upon their peoplehood for fear of being confronted with secessionary demands"(Kristin Henrard; Stefaan Smis, 2000:47). In this case, Ethiopians "are first categorized in their different ethno-linguistic groups and then these groupings come together as authors of, and beneficiaries from, the constitution "(Fasil 1997: 51) for the purpose of solving the countries problems in relation to ethno-linguistic groupings and nationality issues.

The emphasis given to the ethno-linguistic components of the Ethiopian society by the 1995 constitution is clearly supported in Article 8 which provides that "all sovereign power resides in the Nations, Nationalities and Peoples of Ethiopia". Hence, the provisions of the Ethiopian Constitution of 1995 "give the impression that the federal state is a union formed through the free consent of each of the nations, nationalities and peoples of Ethiopia and that it is therefore an example of 'coming together' rather than of 'holding together' federalism" and "ethno-linguistic criteria are the sole basis for organizing the units that constitute the federation"(Assesfa feseha :132). In this case, is explained or understood in terms of ethno-linguistic criteria in Ethiopian Federalism.

3.2. Parliamentary Form of Government

According to the constitution of 1995, Ethiopia has "Parliamentarian form of government" (The constitution of FDRE, Article 45) whereby political power is held for a mandated period "on the basis of universal suffrage and by direct, free and fair elections held by secret ballot" (The constitution of FDRE, Article 54.1) because federal system of government "is a democratic form of government, rooted in constitutionalism and the rule of law" (George Anderson 2008:12). Thus, the Ethiopian constitution provides for a two house parliament at federal level, that is, "the House of Peoples Representatives and the House of the Federation" (Constitution of FDRE, Article 53). The former is the lower House and "is the highest authority of the Federal Government" (Constitution of FDRE Article 50.3) and the latter is the Upper House and is the representative assembly of Nations, Nationalities and Peoples vested with specific powers including the ultimate "power to interpret the constitution" (Constitution of FDRE, Article 62.1) and with power to decide on other matters of grave constitutional

concerns such as the right to secession. So, it can be said that this House has little legislative power. The constitution also provides for a one house state council at a state level and “is the highest organ of state authority” (Constitution of the FDRE, Article 50.3). One exception to the one chamber state councils is the case of South Nations, Nationalities and Peoples Regional State (SNNPRS) which is an ethnically heterogeneous regional state with no dominant ethno-cultural community. In this particular regional state, there is another State Council of ‘Nations, Nationalities and Peoples’ in which the members are the representatives of the various ethno-cultural communities.

3.3. Constitutional Division of Powers

The enjoyment of a right of autonomy of the nations, nationalities and peoples does not depend solely on constitutional recognition as autonomous entities but is also measured by the amount and extent of constitutional powers that have been granted to them. According to the Ethiopian Constitution, both “the Federal Government and the States shall have legislative, executive and judicial powers” (the constitution of FDRE, Article 50.2). Regarding the formal distribution of powers, Article 51 of the constitution of FDRE provides a list of 21 powers that are vested on the Federal Government; and in relation to the powers of the states Article 52(1) provides that “all powers not given expressly to the Federal Government alone, or concurrently to the Federal Government and the States are reserved to the States”. Therefore, “the distribution of power has been given the form of defining federal exclusive and concurrent powers, with the residual powers being assigned to the States”(Global Dialogue on Federalism, Volume II,2007:325) though Article 52(2) of the Ethiopian Constitution enumerates certain specific powers in addition to their ‘reserved’ and implicit powers.

Thus, according to the Article 52(2) of the Ethiopian Constitution, States are explicitly granted the right to establish their own administration and civil service; the constitutional right to enact and execute their own legislation; power to formulate economic, social and development policies and strategies; right to administer land and natural resources; levy certain taxes; and establish and administer a State police force. Moreover, Article 98(3) of the Constitution of FDRE provides that the States have the power to establish State Supreme, High and First Instance Courts. These powers are in addition to the most important rights provided in Article 39 and Article 5(3) of the Constitution: right to secession and right to determine their own working languages. It should be noted that the powers given to the Federal Government are not only those powers provided in Article 51 of the Constitution but include those provided across the body of the constitution. In this case, the reserve powers of the states does not include powers only enumerated under Article 51 but also some of the powers given to the Federal Government throughout the text of the constitution such as Article 55 sub articles 55.3, 55.4, 55.5, and 55.13. This constitutional division of power between the center and the states is the very essence of Ethiopian ethnic federalism.

3.4. Ethno-national Self-determination

The Ethiopian Constitution declares that "every Nation, Nationality and People in Ethiopia has unconditional right to self-determination including the right to secession"(Constitution of the FDRE, Article 39(1). What makes the Constitution special and which has come to be a subject of controversy among the academia, politicians and ordinary people is that it explicitly declares this right of secession, if necessary, as an ultimate extension and expression of the right to self-determination by enumerating a set of procedures that should be fulfilled before any claim for secession is realized. Due to the greater significance given to the ethno-linguistic notion of the nation, nationality and peoples; the right to secession is part of the broader right to self-determination and this self-determination as a right "includes the right to develop one's language, promote one's culture and preserve one's history"(Fasil 1997: 53). It also includes self-government rights and equitable representation of nations, nationalities and peoples in state and national government.

To this effect, Article 39(3) guaranteed that "every Nation, Nationality and People in Ethiopia has the right to a full measure of self-government which includes the right to establish institutions of government in the territory that it inhabits and to equitable representation in state and Federal governments". Accordingly, the member states of the Federal Democratic Republic of Ethiopia are the State of Tigray, the State of Afar, the State of Amhara, the State of Oromia, the state of Somalia, the State of Benshagul /Gumuz, the State of the Southern Nations, Nationalities and Peoples, the State of Gambella Peoples and the State of Harari People. Tigray, Afar, Oromia and Somali regional states (taking the name of their dominant native inhabitant ethno-cultural communities) are more or less ethnically homogeneous with a dominant majority ethno-cultural community at regional level. The rest of the regional states (that is, the South Nations, Nationalities and peoples, Gambella, Benshagul/Gumuz and Harari) are multiethnic without a dominant ethno-linguistic community. Under each regional state there are zones, woreda (district), and kebele (neighborhood associations).

In enumerating member states of the Federal Democratic Republic of Ethiopia, the constitution bases itself on "the settlement patterns, language, identity and consent of the peoples concerned"(the Constitution of FDRE, Article 46.2). In this case, ethnic affiliation is also the criterion for establishing the states. Although the ethnic groups enumerated as member states are constitutionally recognized as member states of the federation, they are not the sovereign units because it is the 'nations, nationalities and Peoples' that are sovereign. This indicates that the 'nations, nationalities and peoples' can have the right to separate themselves from the federation by following a specific procedure leading to the creation of their own state. In other words, the federal configuration is one which may vary over time since the minority nations, nationalities and peoples within the nine states may exercise their rights to self-determination and in the long run establish themselves as member state of the federation. This trend had been obvious when in 2002 when "almost every ethnic group wanted to establish its own state

or sub state unit"(Assefa 2006:136) in the South Nations, Nationalities and Peoples Regional State (SNNPRS) where there are more than 50 ethnic groups (or nations, nationalities and peoples).

3.5. Language Policy

As a federal constitution and cognizant of the need to recognize and accommodate the language rights of multilingual society of Ethiopia, the Ethiopian constitution also deals with language intending to enhance the autonomy, cultural self-esteem and equality of ethnic groups. The constitution provides for the equality of all languages in Ethiopia by affirming that "all Ethiopian languages shall enjoy equal state recognition"(Constitution of FDRE, Article 5.1) and the practical application of the language at the federal government level by declaring that "Amharic shall be the working language of the Federal Government"(Constitution of FDRE, Article 5.2) ,and their practical application at regional government level by leaving the decision to regional states that "members of the federation may by law determine their respective working languages"(Constitution of FDRE, Article 5.3). When the provision of Article 5 of the constitution is put together with the provision of Article 39(2) that provides the Ethiopian ethnic groups with "the right to speak, to write and to develop its own language, to express, to develop and to promote its culture; and to preserve its history" (Constitution of FDRE, Article 39.2) as part of the right to self-determination. Accordingly, some states such as Tigray, Oromia, Amhara, Somali Regional States have adopted their own majority language as the working language of their respective regional administrations. States which do not have a majority ethnic group such as Benshangul/Gumuz, Gambella and the SNNPRS have chosen Amharic as their working language though some of the ethnic communities in the these states use their own language as a working language and as a means of instruction in schools. The Harari regional State both Harari and Oromifa have been chosen as official languages.

Conclusion

Ethiopia has been experimenting federal political system based on ethno-linguistic criteria as a principle to define the subunits of the federation. EPRDF, the architect of the Ethiopian Federalism, is criticized from two extreme opposing political positions. Some political elites accuse EPRDF as a pro-secession force aimed at disintegrating Ethiopia. The forces of this position work day and night to abolish or/and amend the current federal constitution. The other position portrays the EPRDF as a force preventing/limiting the implementation of the constitutional rights of self-determination of the different nations, nationalities and peoples; and accuses it of intending to continue the hegemonic domination of the previous regimes. However; whatever the validity of these two positions, it is obvious that the introduction of federalism to accommodate ethnic diversity within a single Ethiopian State has helped in redressing the old imbalances and, at the same time, in creating new problems.

An institutional design combining elements of *shared - rule* through common institutions (such as the House of Peoples Representatives and the House of the federation) and *regional self - rule* (that is, the 9 regional States) for the governments of the Regional states has been created for the purpose of empowering the nations, nationalities and peoples of Ethiopia. The use of regional and local languages as a working language and as a means of instruction in schools has assisted in empowering the various ethnic groups in Ethiopia to express themselves, their culture and history; and ultimately redressing societal inequalities.

But although the major problems of Ethiopian federalism are problems of implementation, interpretation problems related to legal lacuna and shortcomings of legislative framework; there are some basic problems which in the longer term could threaten the very existence of the federal arrangement in Ethiopia if due attention is not given to redress these problems. Particularly, There are some problems (especially that can have a negative role in exercising the right to self-determination) facing the Ethiopian federalism.

In Ethiopia, there is a gap between what is legally stated and what is actually practiced in relation to the right of self-determination due to different reasons. Of all, the basic reason is the centralizing federal institutions and attitudes that work against genuine fiscal federalism and devolution of power. The two most centralizing institutions are (1) the central government and its ministries which still maintain monopoly on several areas of public life due to the resource they control particularly from international aid. In turn, the regional states and *woredas* (districts) do not have fiscal powers in the strictest sense as they are dependent for their finance on the central govt. This in turn limits their capacity; (2) the ruling party controls all the regional state legislative and executive bodies and implements its policies through the party channel. Local elected officials and appointees lack an incentive to think independently and dare to challenge the federal government or to exercise powers granted to them by the federal constitution. The ruling party is organized under the principle of democratic centralism and it exercises strict control over the regional and local governments through party structure. Local freedom in political and economic decision making is essential if federalism and devolution is to effectively function and to foster economic growth. Hence, while the federal constitution provides excellent formal institutional ground for peaceful Ethiopia and ownership of decision making powers including economic ones by local people, EPRDF's party culture and structure does not encourage the implementation of the decentralized fiscal powers effectively.

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