

NEAR EAST UNIVERSITY
GRADUATE SCHOOL OF SOCIAL SCIENCES
DEPARTMENT OF INTERNATIONAL RELATIONS

MASTER'S THESIS

**ETHNIC BASED FEDERALISM IN ETHIOPIA 1991-2016: ISSUES AND
PREDICAMENTS**

BEZAWIT TADESSE

NICOSIA

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PREPARED BY
BEZAWIT TADESSE
20167708

SUPERVISOR
Dr. ZEHRA AZIZBEYLI

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**We certify the thesis is satisfactory for the award of degree of
Master of International Relations**

**Prepared by
Bezawit Tadesse**

**Date of Approval:
.././....**

Examining Committee in Charge

Asst.Prof.Dr.Nur Köprülü

Near East University

Department of International Relations

Dr. Zehra Azizbeyli

Near East University

Department of International Relations

Asst. Prof. Ali Dayio lu

European University of Lefke

Department of International Relations

Approval of the Graduate School of Social Sciences

**Prof.Dr.Mustafa SA SAN
Acting Director**

Abstract

This thesis provides a cursory view of Federalism, ethnicity, and self-determination in Ethiopia. It explicitly explains the origination and evolution of the concept of federalism in Ethiopia in 1991 when the Ethiopian People's Revolutionary Democratic Front (EPRDF) came to power and introduced the political ideology of self-determination for nationalities in conjunction with the new Ethiopian Constitution that was launched in 1994. This implies undoubtedly that the Federal and regional governments to have three different code of arm made up of Executive, Judiciary and the Legislator. The main aim of this thesis is to carefully analyze the main causes of failure of sustainability of ethnic-based federal form of government in Ethiopia and the type of government that can be implemented to reinstate peace in the country. The methodology that was utilized in this thesis is both qualitative and quantitative methods. The main argument of this thesis is that secession cannot inclusively act as an intellectual solution to the problems of a multi-ethnic society and thereby it acts as a threat to Ethiopian Federalism. Despite the fact that Ethiopian politics have changed several times since the Imperial era; from the reign of the kings to a dictatorial regime of the Derg and presently to an ethnic based Federalism, the country have been in the state of constant ethnic conflict. This thesis finally suggests that consociational democracy is the possible form of power sharing arrangement that will uphold the rule of law in any society requiring universal or near-universal adherence to the principle of equality under the law for all members of the society into a set of consensual norms that can produce and sustain set of rules, principles and procedures to hold all parties equally accountable for their actions. Even though consociational democracy has failed in Cyprus and Lebanon, it has achieved tremendous results in Switzerland and Belgium, so why not Ethiopia?

KEY WORDS: Federalism, Ethnicity, Multi-ethnic Society, Self-determination, Secession, Power-sharing, United Nations Charter, Ethiopian Constitution, and Consociational democracy.

Öz

Bu tez, Etiyopya'da federalizm, etnisite ve kendi kaderini tayin hakkının kapsamlı bir görünümünü sunmaktadır. Etiyopya'daki federalizm kavramının kökenini ve gelişimini, Etiyopya Halkın Devrimci Demokratik Cephesi (EPRDF)'nin 1991 yılında iktidara geldiği ve 1994 yılında kabul ettiği yeni Etiyopya Anayasası ile birlikte uluslar için kendi kaderini tayin etme siyasi ideolojisinin kabul edildiği açık bir şekilde açıklanmaktadır. Bu, şüphesiz ki Federal ve bölgesel hükümetlerin, Yargı ve Yasama Meclisi'nden oluşan üç farklı yasaya sahip olduğunu ima etmektedir. Bu tezin temel amacı Etiyopya'da etnik kökenli hükümetin sürdürülebilirliğini artırmanın ana nedenlerini ve ülkedeki barışı yeniden sağlamak için uygulanabilecek hükümet türünü dikkatle incelemektir. Bu tezde kullanılan yöntem, niteliksel ve niceliksel yöntemlerdir. Bu tezin temel argümanı, ayrılmanın, çok uluslu bir toplumun sorunlarına entelektüel bir çözüm olarak dahil edilememesi ve dolayısıyla Etiyopya Federalizmi için tehdit oluşturmasıdır. Etiyopya siyaseti imparatorluk döneminden bu yana birkaç kez değişmiş olsa da kralların hükümdarlarından, Derg'in diktatör rejimine ve şu andaki etnik kökenli federal sisteme kadar, ülke sürekli etnik çatışma halindedir. Bu tez, ortaklaşa demokrasi, toplumun tüm üyeleri için yasada eşitlik ilkesine evrensel ya da evrensel olarak bağlı kalmasını gerektiren herhangi bir toplumda hukukun üstünlüğünü sağlayacak güç paylaşım düzenlemesinin mümkün olduğunu, tüm tarafları eylemlerinden eşit derecede sorumlu tutacak kurallar, ilke ve usuller üretebileceğini önermektedir. Ortaklaşa demokrasi Kıbrıs'ta ve Lübnan'da kabul edilmesine rağmen İsviçre ve Belçika'da muazzam sonuçlar elde etmiştir, bu yüzden Etiyopya'da da kabul edilmesinin hiçbir nedeni yoktur.

ANAHTAR KELİMELER: Federalizm, Etnik Köken, Çok etnikli Toplum, Kendi kaderini tayin hakkı, bölünme, Güç paylaşımı, Birleşik Milletler artışı, Etiyopya Anayasası ve ortaklaşa demokrasi

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Dedication

This piece of work is dedicated to the joyous satisfaction of my dearly beloved Father Mr. Getachew Tadesse in Addis Ababa.

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Acronyms

FDRE	The Federal Democratic Republic of Ethiopia
UN	United Nations
HPR	House of peoples Representatives
HF	House of Federation
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
GA	General Assembly
OAU	Organization of African Unity
OLF	Oromo Liberation Front
TPLF	Tigray People’s Liberation Front
EPRDF	Ethiopian People’s Revolutionary Democratic Front
TGE	Transitional Government of Ethiopia
CPDRE	Constitution of people’s Democratic Republic of Ethiopia
ONC	Oromo National Congress
EDP	Ethiopian Democratic Party
NDR	National Democratic Revolution

INTRODUCTION

The form of federal governmental practice in Ethiopia is completely different from other federal governmental practices in countries like Nigeria, United States of America, China, Brazil to name a few. The problem, which is usually faced by post independent countries (after the decolonization period especially in Africa) is the distribution of power between the various ethnic groups in the society. Following the end of the Derg regime in 1991, Ethiopian political system proved remarkably well ordered. The power-sharing arrangement introduced by the Tigray people's Liberation Front in the form of Ethnic federalism, as an oligarchic arrangement between the elites of Tigrayans. This institutionalized power-sharing model bestowed stability to the country but also fostered elitism within the political leadership. Arend Lijphart's theory of consociational democracy has been highly influential in the comparative analysis of a modern democratic politics. Seemingly, unlike any provocative and insightful ideas, he defines consociational democracy based on four principle ideas: the forerunners must be willing and able to recognized the disadvantages which is inherently link in a fragmented system, the forerunners must be capable to maintain the system, the forerunners must to able to attain a grand coalition between them, the forerunners must be able to come out with a solutions to their problems that will be acceptable by all (Lijphart, 1968, 25). These types of democratic system will be best fit the political system of Ethiopia; this is because Ethiopia is a deeply divided pluralistic society. Democratic attitudes instructed by federal arrangement at the top of the political system were clearly expressed by the constant agitation of other ethnic groups like the Oromo and Amhara. It has also given rise to a complex conflict driven by a clash of ethno-nationalist identities that is exacerbated by political fragmentation and interference of self-interested regional powers.

The Federal Democratic Republic of Ethiopia is a country of diverse cultural, linguistic and religious order. It constitutes more than 80 ethnic groups with different languages; an example of those ethnic groups includes Oromo, Amhara, Somali, and Tigray to name a few. A large population of the country speaks Afro-Asiatic languages that are linked with either Cushitic or Semitic origin. The main religion in Ethiopia is Orthodox Christianity and Islam, although a majority of the population practices Christianity. Ethiopia is the only African country

that holds the unique privilege of not being colonized by any major western imperial power during the search for overseas territories in Africa in the 19th century.

In 1995, after the end of the dictatorial regime of the Derg regime and the transitional period, a constitution was enshrined in Ethiopia that entrenched a federal system of government that gave the legal right of self-determination to Ethiopian ethnic communities.¹ This includes the right of secession, and created many loopholes within the Ethiopian federal system. This has happened because the right of self-determination up to secession is never put in the constitution in a conventional federal system (Allen.E, 2004, 400). Therefore, it turns the system into a kind of a confederation instead of a federation. At the end of the process, nine states were created with a parliamentary federal system of government. Scholars like T King (2008) have wondered if this form of government is to prepare grounds for inter-ethnic conflict or is a way to resolve them peacefully. The military form totalitarian government *Derg*² was ousted by a combined force of revolution groups in 1991. The newly created democratic government and the ruling party was Ethiopian People Revolutionary Democratic Front (EPRDF) and this new form of government has established a free society based on the democratic principle of freedom of speech, the respect of the rule of law, based on ethnicity which is the side-splitting political transgression adhered by the *Derg*. The *Derg* improvisation were indistinguishable which constituted of tortured, infantile error-ridden and cringe worthy discontent that stood out like a sour thump. But this federal form of government is extremely flexible and has reiterated the obligation to uphold human rights standards and encourage the use of transparent legal means to address issues.

I. Aim of the Study

The main aim of this study is to carefully analyze the main causes of failure of sustainability of the ethnic based federal form of government in Ethiopia and which types of government can be implemented to reinstate peace in the country. This research aims to produce an outcome to fill the gap in the existing literature to help the Ethiopian government to reinstate a new form of

¹**The constitution of the federal democratic republic of Ethiopia** proclamation no 1/1995, federal negarit gazeta 1st year no 1, Addis Ababa, 21st August 1995

² Derg means in Amharic language military committee

democracy based on consociational democracy: a form of power-sharing design on the reconciling of society fragmentation along ethnic and religious lines. If it is implemented in Ethiopia, the power sharing arrangements will create a stable political situation in Ethiopia and ethnic conflict will reduce significantly and will help actors like the United Nations (UN), African Union (AU), and the European Union (EU) to resolve conflicts in other war torn zones in the world.

II. Problem Statement

Most governments in the post independent countries (decolonization period) especially the one a large ethnic division like in the case of Ethiopia faces the problem of power sharing between different factions of the group in a diverse society. But the national question that Ethiopians should ask themselves is: “*can this new ethnic federal form of government lead Ethiopia to a national unity*”? The creation of institutional structure that will regulate the behavior of various ethnic groups in these types of deeply divided society like Ethiopia is considered as an ultimate solution to curb out any tribal bias and maintain modesty and temperance in a post-colonial state like Ethiopia. It will be short sided to criticize international actors like the UN, AU and EU in their activities in Ethiopia because these actors prove worthless in resolving the deadly conflict in a pluralistic society like Ethiopia. Basically, these actors have made insignificant achievements in Ethiopia even though they have excelled greatly in other conflict zones. Patently, the problem in Ethiopia cannot be overemphasized on ethnicity because economic factors play a great role in the conflict, the country is highly blessed with mineral resources such as gold and other precious stones, coffee, and these economic resources have helped to escalate party power and federal regional politics. Moreover, the power struggle between the various diverse and culturally different groups had been a great problem in Ethiopia even before it had changed from the monarchy to the Federal system of government. Seemingly, power sharing through consociational democracy may be considered an ultimate solution to Ethiopian ethnic problems.

III. Hypothesis

The hypothesis for this thesis is “*will power-sharing model of consociational democracy diminish ethnic-based cleavages in Ethiopia*”? According to Köprülü et al. (2017), the differences in a divided society separated by ethnic, religious, and linguistic differences are attached to opposing demand for security, political power and sovereignty and territory (Köprülü, 2017, 4). In accordance with the data analysis that was carried out by Köprülü et al., on power sharing, if it could be reinstate in Cyprus to solve the Cyprus problem and it was carry out on six different identity namely: Cypriot, Greek Cypriot, Turkish Cypriot, Turkish, Greek, and European Union National. It shows that consociational government survives during a transitional period, which may end in a decentralized federative structure in a long run because the research has proven that community should have more power than the central State (Ibid, p.19). Consociational power sharing would not wipe out ethnic-based cleavages in Ethiopia, although it has worked in Belgium and Switzerland, it still has some shortcomings like external threats and segment isolation by the various ethnic groups. For this reason, it has failed fatally in Lebanon and Cyprus. In a constructive attempt to refine and elaborate Arend Lijphart’s typology of democracy, a new form of integrated grand approach of democracy known as consociationalism and centripetalism would be an ultimate solution to clear out ethnic-based cleavages in Ethiopia. The main goal of this integrated form of government is to create a perfect room for interethnic power sharing. According to Donald. L Horowitz, consociationalism tried to solve political problems by establishing a regime of agreed guarantees including proportional groups taking part in government activities and minority vetoes of ethnically sensitive policies. The essence of this is to replace the adversary-democracy of government and opposition with a grand coalition of majorities and minorities whereas, centripetalisms do not proffer to substitute a consensual regime for majority rule, but attempt instead to create incentives, principally electoral incentives for moderates to compromise on conflicting groups claims to form interethnic majority rule (Horowitz, 2014, 6).

IV. Scope and Limitations

This research is carried out in Ethiopia from 1991 to 2016 as a case study. Three major principles of democracy are examined: politics of ethnicity, the right of self-determination and secession

that grants any autonomy to Ethiopia to secede from the federal government is carefully analyzed in detail. The Tigray people's Liberation Front (TPLF), Ethiopian people's Revolutionary Democratic Front (EPRDF) The Federal Democratic Republic of Ethiopia (FDRE), have been focused as they cover a wide area of activities in the Ethiopia in terms of humanitarian activities and peacebuilding process in the country. Moreover, the time frame was not enough to evaluate local ethnic differences and cultural diversities of Ethiopia. This can provide future research direction.

V. Methodology

This project consists of both quantitative and qualitative methods of research. It was conducted in several libraries including the Near East University Library, the Cyprus International University Library and the Eastern Mediterranean University Library in North Cyprus and further uses primary sources of information that are gathered in the UN offices in Turkey on conflict techniques in general. It also examines some firsthand information from which source of information given by the personnel from the African Union and from government officials from the Federal Democratic Republic of Ethiopia and kept in their achieved concerning the conflict in Ethiopia that is to say to what extent the Ethiopian government have achieved their aspiration in peace enforcement and state building under their new constitution of self-determination. Secondary data includes articles from academic journals, and textbooks concerning the conflicting situation in Ethiopia such as: Federalism and Ethnic conflict in Ethiopia by Asnake Kefale (2013) and Federalism and the way to peace by Daniel J. Elazar D (1987). Electronic data sources like EBSCO, Internet sources, newspapers, articles like "Ethnic-based federalism and Ethnicity in Ethiopia: Reassessing the experiment after 20years" (Abbink, 2011).

a. Units of Analysis

The population targeted during the course of the study consisted of government officials, university students and representatives from Non-Governmental Organizations (NGOs) in Ethiopia. This study has also considered as part of its units of analysis members of civil society organizations especially the International Crisis Group

A total of 50 respondents from 9 different organizations were interviewed during the course of the research and these respondents were taken from Addis Ababa, the capital city of the Federal Republic of Ethiopia. As a frame from where these respondents were taken, this research focused on the causes of failure of sustainability of the ethnic-based federal form of government in Ethiopia and the type of government that can be implemented. This was critically assessed considering the nature of the study before specific groups were targeted from where respondents were taken.

Two of these units forming part of the frame were part of the public sector and the other seven were part of the private sector but having a strong relationship with the public sector considering the causes of failure of sustainability of the ethnic based federal form of government in Ethiopia and the type of government that can be implemented.

18 of these 50 respondents were women and this was because of the key roles they perform in the various offences from where they were chosen. All other 32 respondents were men and this was to ensure certain details and their critical view on their experiences.

b. Validity and Reliability

To possess a clear and concise data this thesis unlike other academic research has identified the pivotal unit associated on the causes of failure of sustainability of the ethnic base federal form of government in Ethiopia and which type of government can be implement. Each of these units has been represented so as to explore the views of these respondents with a view to clearly discern current operations in these departments as to enhancing the best form of government to be implemented in Ethiopia.

Fundamental ethical issues were explicitly operationalizes accordingly in this research in order to codified with the rules and practices of an academic research so that all information that will be provided are accurate and flawless so as to target the groups of peoples in which this research is intended for.

All possible errors as a result of deficiencies inherent in this thesis were considered. Suggestions were made from other experts in the Ethiopian's studies.

VI. Structure of the Thesis

This thesis is divided into three chapters. The first chapter is made up of three basic sections, the general introduction, which is the new form of ethnic federalism in Ethiopia since 1991, this made the country to change from a dictatorial form of government to a federal constitutional government. This chapter includes the aim of the research, the scope and its limitations, the methodology and the hypothesis. The second chapter presents the historical background of Ethiopia from an imperial form of government to the military regime of the Derg and finally to the development of ethnic based federalism that started with the development of the Tigray people's Liberation Front and thereafter the creation of the Ethiopian People Revolutionary Democratic Front and finally the Federal Democratic Republic of Ethiopia. The last part of the thesis consists of the challenges of ethnic federalism in Ethiopia, the right of self-determination up to session a quintessential hallmark of the Ethiopian federal system and this chapter examines the reasons why ethnic federalism failed in Ethiopia and proposes that consociational democracy should replace Ethnic federalism in Ethiopia, this is because in consociational democracy all the segment of groups will take part of the political activities in the States and there will be a balance of power.

CHAPTER ONE: FEDERALISM AND SELF-DETERMINATION

This chapter discusses federalism in Ethiopia and the right to self-determination up to secession. A form of federalism that was instituted in Ethiopia in 1994 by the People's Revolutionary Democratic Front when they came to power and initiated the idea of self-determination for the nationalities and self-determination in which politics will be ethnically defined in a multifarious society like Ethiopia.

1. Federalism

Federalism has its roots in a strand of thought, which is often traced back from a Latin word-meaning covenant (Firew, 2001, 10). In general, federalism is a form of government, which is characterized by power-sharing within the various fractions of member states, and vibrant central government for example the Federal Republic of Nigeria. But in communities like Cyprus, that gain its independence in 1960 and consociational power-sharing was introduced and lasted only 14 years and conflict broke out between Greek Cypriot and Turkish Cypriot, it might be difficult to exist because of both conflict of interest and conflict of value. According to Preston King (1982), a highly credible scholar in federalism studies defines federalism as a political ideological or a political system in which each power of initiative is balanced against a matching counter-initiative whereby each social forces is delightfully obstruct by some other (King, 1982, 64). Meanwhile, Daniel Elazar (1987) defines federalism as it concerns the need of the people and policies to unite for common purposes yet to remain separate to preserve their respective integrities (Elazar, 1987, 33). For Elazar (1987), federalism is a system of government where regional states strove for self-sufficiency, homogeneity, and with a few exceptions concentration of authority and power in a single center under the new paradigm.

Generally, federal constitution stands as the pillar to create a federal system of government, which helps to regulate the power of government and its constituent units. This means that the central government cannot change the power of the units without changing the constitution and if the central authority desires to do that the procedure is very long because it must seek the consent of all member states and this model of the amendment is mandatory in a federal system of government. An example of countries whose federalism is based on ethnic principle includes

Nigeria, India and the former USSR. There are different types of federalism that are operating in the world today are: dual federalism, corporative federalism, fiscal federalism, new federalism, and creative federalism. Dual federalism is a type of federalism in which the states and the federal government shares power. However, the federal government has more power than the regional states. The function of the federal institute is limited by a constitutional mandate this is a typical example of the current U.S system of government (Burgess, 1987, 19). Corporative Federalism can be defined as a system of government and the various states shared equal power. It should be said that no country on earth have ever applied this form of federalism because the federal government and the states may always be in a loggerhead and therefore unable to reach a compromised over important legislation. For example, this was the type of federal government that was practice in Nigeria between 1964- 75. Fiscal Federalism uses fund to control the entire system. In this type of federalism, Congress is in high possession of power as can be seen in the American treasury. It has the power to limit the budget of any state. It does not believe in working for the interest of the people. An empirical example can be seen in the USA in 1964 when the Congress passed the Tonkin Gulf Resolution in which president Johnson was given full control of the treasury and he used this to convey the consolidation and stick on the ability of the United States in advocating freedom and indemnify peace in the Southeast Asia.³

The fourth one is new Federalism; this type of federalism occurs when a state's government loses its power due to enforcement of civil rights. In 1960's during the reign of Roosevelt, the state government lost its owner and it was only corrected in 1981 by President Nixon implementation of new federalism by returning the provision of block grants and revenue sharing to the state and the local government.⁴ Finally, there is creative Federalism; it is the type of federal system in which more power is being vested in the national government, where the relationship between the federal government and various states are directly related. In this light, the federal government and the state have same policies to achieve their goals. But today it is real to see the existence of creative federalism due to the rise of power of the federal government in modern democratic arrangements.⁵

³ <http://www.hightbean.com/doc/10/04-fiscal-federalism.htm> (accessed date 17 April 2017)

⁴ <http://www.cas.umt.edu/policy/faculty/greene/federalism-history.htm> (accessed date 17 April 2017)

⁵ <http://staggov.pworks.com/w/page/7199067/types20%20federalism>(accessed date 17 April 2017)

Actually, federalism and federation are two different concepts in a democratic political institution. The definition of federalism includes significant belief and perspective that aggrandizing the federal solution. Meanwhile, federation is a practical reality, a specific type of institutional arrangement (King, 1982, 76). However, they share views on what a federal system is and what criteria must be implemented to differentiate federation from other political systems. Preston T. King (1982) has provided a simple definition of the term, which includes the main characteristics of a federal political system. Etymologically, federation is concerned with territorially based regional units called states cantons; provinces, regions, republics and these types of representation strictly adhere to the given Constitution (Elazar, 1991, 76). This means that the central government cannot amend rights and responsibilities of the constituent units without the constitutional requirement of an acceptance of all or majority of the units. Basically, federalism, as an ideal standard concept that focuses mainly on promoting the view of the territorially based regional units that should be presented in the national legislature (Ibid, 75).

Seemingly, Watts (2000) is cautious to define federalism as a broad generic term, it constitutes different forms with some ground but due to the fact that the term federalism is disambiguous as an expressive term, it becomes controversial in its definition. As a result of this, following King's model of definition (1982), Watts (2000) uses three terms; federalism, federal political system, and federation as important terms, but as for Watts (2000), while considering federalism as a normative concept, federal political system must be comprehended as a generic descriptive term for all logical definition which constitutes a wide variety of political systems joined with self-ruled and shared-ruled. Moreover, he considers putting federation forward as one specific form or species of a federal political system but he fails to mention if they may exist a hybrid combination of some federal attribute of the various types of the federal political system (Watts, 200,14).

Basically, the definition of federalism by King (1982) contents all the attribute of federalism in practice:

- The basic of its representation is territorial:
- The jurisdictional representation is in possession of two echelons; local and governments;

- By virtues of electoral process, the regional body is inclusive in the adjudication process at the national level.
- The powers of such locality front man at the central government cannot be easily amended by utilizing the simple majority procedure, is applicable in conventional purposes (King, 1982, 143).

The last two points show how the central government and regional units are incorporated and the procedures to amend the regional representation are significant on how the federal system function in practice. Federalism has also been considered to be the solution of a deeply divided society made up of a different cultural background. Therefore, it is worthwhile to explain vividly about federalism in complexed ethnic society.

1.1.1. Federalism in a Complexed and Ethnic Society

It will be important to separate the state from the society. When one deals with political developments in a nation state,⁶ the society and the state are conceptualized as two interesting and potentially independent variables (Kefle, 2013, 18). Ethiopia is a state with ethnic multiplicity; it has approximately 84 ethnic groups. At least 12 of these ethnic groups account for more than 500000 to 1000000 out of a total population of 97000,000 in December 2016.

Table 1: Distribution of Ethnic Groups (100,000+) in Ethiopia, 2016

Ethnic Group	Population	% of the Total population
Oromo	33,692,000	34.4
Amhara	20,4001,000	27.1
Tigray	3,284,568	6.1
Somali	5,453,000	6.2
Guragie	2,290,274	2.5

⁶ A form of political organization under which a relatively homogeneous people leave in a sovereign state

Sidama	1,842,314	4
Wolaita	1,269,216	2.3
Afar	1,723,000	1.7
Gumuz	1,0005,000	1.4
Hadiya	927,947	1.2
Gamo	719,905	1.2
Gadeo	599,188	1.1
Keffa	499,825	0.9
Kembata	397,491	0.7
Agew/Awini	331,483	0.6
Kullo	241,530	0.5
Goffa	173,123	0.3
Bench	172,327	0.3
Kemant	165,184	0.3
Yamsa	158,231	0.3
Agew/Kamyr	157,000	0.3
Arisi	155,002	0.3
Konso	153,419	0.3
Alaba	123,900	0.2
Jebelawa	118,530	0.2
Koyra	107,595	0.2

All other (including 53 Ethnic groups)	18,276,000	3.0
Total	97,132,296	100.0

Source: FDRE Central Statistical Authority, The 2016 population and housing census of Ethiopia results at country level volume II Analytical Report Addis Ababa CSA.

The two major groups in the country are Oromo and Amhara; they constitute about 62 percent of the total population. But Tigray, the third largest ethnic group is predominantly dominating the ethnic groups since from the creation of the Federal state in 1991, and yet their population constitutes only 6 percent of the total population in Ethiopia.⁷ The Oromo, Amhara, and Tigray constitute about two-thirds of the country's total population. According to the 2016 population statistics, some ethnic groups can be named as: Somali Gurage, Sidama, and Welaita that have populations of more than a million. These ethnic groups, which in total seven in number, made up the eighty-five percent of the total population of the county. Moreover, five of the other ethnic groups that are Afar, Hadiya, Gamo, Gedeo, and Keffa constitute a population of about two million. These in total twelve ethnic groups have a population of about 92% of the total population. However, 14 other groups are 500,000 in number. 28 ethnic groups constitute 100,000 people. And finally, 23 minor groups constitute 10,000 in number.

Concerning the religious composition; Christians are 61.7%, Muslims are 33.9%, traditional faith is about 2.7%, others are 0.6% and finally non- stated religions are the 0.9% of the total population. Here, traditional faith refers to the Ethiopians that follow the indigenous religion of the Solomon dynasty, they are popularly known as Ethiopian Jews and sometimes they are called as Bete Israel or Falasha. Basically in Ethiopia, Christianity is made up of three different denominations: Orthodox Christians constitute 43.5%, Protestants constitutes 18.2% and finally Catholics make up 0.7% of the whole population. Followers of traditional faith are around

⁷ The military powers the Tigray people liberation front demonstrated in the struggle against military rule enabled it to acquire political dominance since 1991.

100,000. It shows that nearly all of them have migrated to their ancestral land in Israel in the early 1990s after the collapse of the military regime.

Table 2: Distribution of Mother Tongues (100, 00+) and Second Languages in Ethiopia, 2016

Mother Tongue	Population	% of the Total population	Second Language pop	% of total Population
Amharic	20,372,913	27.70	5,104,150	9.61
Oromiffa	33,777,976	34.58	1,535,434	2.89
Tigrinya	5,056,000	6.07	146,9330.28	0.28
Somali	5,187,053	6.00	95,572	0.18
Guragigna	1,881,574	3.53	208,358	0.39
Sidamigna	1,881,574	3.53	101,340	0.19
Wolaitigna	965,462	2.32	89,801	0.17
Afarigna	1,723,958	1.82	22,848	0.04
Hadiyigna	923,958	1.74	150,889	0.28
Gamogna	690,069	1.30	24,438	0.05
Gadeo	637,082	1.20	47,950	0.09
Keffigna	569,626	1.07	46,720	09
Kembatigna	487,655	0.92	68,425	0.12
Agew/Awingiga	356,980	0.67	64,425	0.12
Kulogna	313,228	0.59	19,996	0.04
Goffigna	233,340	0.44	33,449	0.06
Benchigna	173,586	0.33	22,640	0.04
Arigna	158,857	0.3	13,319	0.03

Konsogna	149,508	0.28	5,658	0.01
Agew/Kamyrgna	143,369	0.27	11,026	0.02
Alabigna	126,257	0.24	25,271	0.05
Gumuzigna	120,424	0.23	15,738	0.01
Jebelawigna	116,084	0.22	15,738	0.03
Koyrigna	103,879	0.20	2,371	0.00

Source: FDRE Central Statistical Authority, The 2016 population and Housing Census of Ethiopia results at country level volume II Analytical Report. Addis Ababa CSA.

National congress was organized in July 1991, which was spearheaded by Ethiopian People’s Revolutionary Democratic Front. As a result of this, a transactional Government charter was reinstated under a transitional charter. The attendee of the charter comprised of 27 political groups.⁸

Most of the groups were created just a few days before the conference. The preliminary transitional charter, which was signed on the 22nd July 1991 changed Ethiopia from a military regime to a democratic country. This charter stipulated that self-government of all the peoples shall be respected.⁹ According to the Article 2 of the transitional charter, each ethnic group has the right of self-government, plus the right of secession.¹⁰ Whereas, the Article 13 enumerates the incepting of local and regional governments on the grounds of nationality based on the different ethnic groups (such as the President, the Prime Minister, the Vice-Chairperson and Secretary of the Council). 87-member council of representatives was reinstated in the charter of the conference in accordance with the Article 7, whose members are made up of representatives of the national liberation movement, some influential individuals, and other political organizations. Members of the council of Representatives acted as an ad-hoc national

⁸ In addition, there were trade union and university representatives. For a list of the groups see Aaron Tesfaye, political power and Ethnic Federalism

⁹ One of the governing principles of political economic and social life “from this time on. It emphasizes the need to end all hostilities, restore ethnic tension and create peace and stability in Ethiopia” (Addis Ababa, July 22, 1991)

¹⁰ “The right of nations, nationalities, and peoples to self-determination is affirmed. To this end, each nation, nationality and people is guaranteed the right to exercise the right to self-determination of independence, when the concerned nation/nationality and people is convinced that the above rights are denied, abridged or abrogated”

parliament for a transitional period of six months. The ethnic group with the largest number was the Ethiopian People Revolutionary Democratic Front (EPRDF) with 32 seats. The second largest group was Oromo Liberation Front (OLF) with 12 seats.¹¹ This issue is discussed in detail in chapter two of this thesis. The system continued like this until the Council of Representatives finally drafted a Constitution and it was later presented for public discussion and finally led to the ratification of the Constitution by the present Constituent Assembly in December 1994, and the Federal Democratic Republic of Ethiopia came into force in August 1995. This implied that all the ethnic groups would act collectively rather than as individual citizens. This clearly indicates that Ethiopia's ethnic federalism is based on ethnic communities.¹²

In this respect, ethnic Federalism in Ethiopia has two important components: Linguistic pluralism and regional autonomy. This is a very important factor in relation to the linguistic pluralism because it has created great hostility between the various ethnic groups such as the Oromo group and the Amhara group. The Democratic Republic of Ethiopia nearly has 80 different languages. Ethiopian Amharic was taken as the language of instruction during the imperial period and the influence of the language was extended up to the time of the military regime of the Derg. Nevertheless, after 1991 a federal state was created in Ethiopia, which was characterized by cultural pluralism plus the linguistic pluralism. Amharic was taking over as their working language. For example, the federal government uses Amharic as the working language but the media and the entertainment industry uses Amharic, Oromiffa and Tigrigna languages to perform their duties and responsibilities. But each state has their right to choose their own language to utilize as an official language of their in the state. In general, Ethiopian Amharic is the working language in the federal government as it is being used in the federal court and offices on a regional basis, and the official language depends on the decision of each state.

¹¹ There was no explicit reason given for the allocation of the seat. They probably reflected the relative political and military strength of the attending parties

¹² According to (Smith), an ethnic community (ethnic) "is a named human population with the myth of common ancestry, shared memories, and cultural element; a link with a historic territory or homeland; and a measure of solidarity" Anthony D. Smith 1993, "The Ethnic Sources of Nationalism," **Ethnic Conflict and International security**, Cd Michael Brown Princeton: Princeton University Press, London, 1993 P. 28-29

Table 3**Distribution of Religions in Ethiopia, 2016**

Religion	Population	% Total Population
Orthodox	27,877,660	43.5
Protestant	5,405,107	18.2
Catholic	459,458	0.7
Muslim	18,412,431	33.9
Traditional	2,455,053	2.7
Others	478,226	0.6
No stated	42,756	0.1

Source: FDRE Central Statistic Authority, the 2016 Population and Housing Census of Ethiopia Results at Country level Volume II Analytical Report. Addis Ababa: CSA.

As a concern of regional autonomy, each subsection stands for specific ethnic and regional groups, which can be accepted as a perceived request from major ethnic groups. The constitution of the Federal Republic of Ethiopia created nine regional states, which was ethnically homogenous. The exception of this is the southern regional state, which is made up of 46 different ethnic groups and Ethiopia also have two Federal territories Addis Ababa and Dire Dawa. According to Article 39 of the Ethiopian Constitution, “Every nation, nationality and people shall have the unrestricted right to self-determination up to secession. A Nation, Nationality or people in respect to this Constitution, is a of category people who possess a large measure of a mainstream culture or similar customs, mutual coherence of language, belief in a ubiquitous identities, a common mentality, who lives in an identifiable, predominantly confined locality”.¹³ The Federal House is responsible for the interpretation and accepted as the guardian of the Constitution. It is the house where all the ethnic groups in Ethiopia are directly represented without any point of contrast that is to say this house comprises of at least one member of

¹³ **Article 39 of the Constitution Federal Democratic Republic of Ethiopia 1994**

representative from each of the ethnic group in the country. Totally most groups are represented on a federal level with 112 members. The southern state alone has 54 representatives although it has 46 ethnic groups; Amhara and Oromo, which are consider as the largest autochthonous in the country, have 19 and 17 seats respectively. The Tigray which is considered as the politically dominant ethnic group in Ethiopia, has 3 seats in the Federal House nonetheless, the multiplicity of the federal territories of Addis Ababa and Dire Dawa have no seats in the Federal House.¹⁴

Table 4: Population of Ethiopia by Regional State, and Number of Ethnic Groups in Each Regional State, 2016 (In Thousands)

Regional States	Population	Number of Ethnic Groups
Tigray	5,056,000	3
Afar	1,823,000	1
Amhara	20,401,000	5
Oromia	33,692,000	1
Somalia	5,453,000	1
Benishangul-gumuz	1,005,000	5
SNNP	18,276,000	46
Gambella	409,000	4
Harari	342,000	1
Addis Ababa	3,273,000	Not Applicable
Dire Dawa	440,000	Not Applicable
Total	97,132,000	67

¹⁴ The two are federal territories directly answerable to the federal government . Since specific ethnic communities do not inhabit them, they are deemed to have no right of ethnic representation. However, their inhabitants are represented in the House of Representatives. The Federal House of Representative (lower house) is elected on the basis of population size; the total number of representatives is 547

Source: FDRC Central Statistical Authority, Ethiopia Abstract 2016. Addis Ababa: CSA, FDRE House of Federation Secretariat.

Despite all these facts, federal ethnicity has not been successful in Ethiopia because of the following reasons: First of all, it is a fact that the revenue from regional states emanated from the Federal Government is a big blow to the system due to the uneven distribution of the national budget based on bias and prejudice. Some regions like the Tigray region is favored at the expense of other regions like the Somali region. Even though the system is being strategized into regional development, some regional state turns to do little or no progress in terms of development. Secondly, the private sector of Ethiopia is less developed; and does not have access to sufficient finance to carry out their economic development. This is due to high taxes, which are being imposed by the Federal government. It is only big regions like Amhara, Addis Ababa, Tigray and Oromia that have access to finance that is use for the economic development of their area (Jon, 1997, 83). Moreover, despite the economic menace in some regional states, other regional states do not have enough administrative staff to carry out their administrative duties due to the facts that these regions do not have sufficient education and training center (Tegegne, 1998, 41). This implies that other regional states with autonomy do not have sufficient administrative and social staff. This has led to a regional imbalance in the federal system. The Ethiopian Federal System of government has a *sui generis* form of federalism due to the use of political pluralism and the right of secession; the smooth functioning of its fragile political system depends on the flexibility of the federal and regional states. This has led to the failure of the ethnic-based federal system in Ethiopia, but very successful in other places like Belgium and Switzerland because the elites from different groups consult and accommodate each other and hence peace and stability is being prevail. According to the Article 39 of the Constitution, each state has the right to secede if it chooses to do. Therefore, it is important for this thesis to examine the power and the various functions of the federal and regional states government in the Federal Democratic Republic of Ethiopia.

1.1.2. The Power and Functions of the Federal and Regional State Governments

The Ethiopian Constitution which came into effect in August 1995 stipulated that the central government with its legislative body would have two chambers; the House of People's Representatives and the House of Federation which made it to be a bicameral form of parliamentary system.¹⁵ The legitimate head of the state is given the following duties and responsibilities among other things; national defense, monetary policies, foreign policies and diplomatic relations, foreign investment and the establishment and implementation of national standards for health, education, science and technology to erect and execute the state constitution and other laws.¹⁶ Both the federal and the regional governments have the right to impose taxes and collect revenue, but heavy amount of revenue is being paid to the federal government since the federal government is responsible for financing the other regional states (Article 95-97). There is a concurrent power that is given to the central government as well as to the various regional states. According to the Article 50, subsection 9 of the Ethiopian Constitution, the federal government is granted specific ascendancy to entrust most of its powers to the localities if it deemed appropriate. For example, in the case of any state of emergency the federal government can grant some of its power to a regional state for security purposes. In accordance with the Article 93, the federal government during the state emergency has the right to suspend all constitutional provisions, which are empowering the regions. The exception of this can be seen in the Article 39 of the constitution of the FDRE, which grants the right of national self-government and secession.¹⁷

In the Federal House, the highest authority is bestowed to the House of the People's Representatives (HPR). It is tantamount to the lower house of a legislature. Its main purpose is to serve the interest of all. According to the Article 54, subsection 1, comrade of the HPR is chosen through a majority of votes lob in the universal assembly. The Article 54, subsection 3 stipulated that members of the house on the basis of population and special representation of minorities that belong to nationalities and peoples of Ethiopia should not be more than 5,500. Nationalities and

¹⁵ A bicameral parliament refers to a parliament in which the legislator is being partitioned into two separate houses.

¹⁶ The constitution of the Federal Democratic Republic of Ethiopia Article 52 sub section 1

¹⁷ Other rights that cannot be suspended during a state of emergency are article 1(the nomenclature of the state); article 25 (the right to equality) (stated in Article 93)

peoples shall have at least 20 seats in the House of People's Representatives. Some pertinent seats shall be determined by law. Therefore 20 seats are for officially recognized ethnic groups with less than 100,000 people for the purpose of including minority groups in governmental policy formation (Kjetil, 2000, 22).¹⁸

The political system of Ethiopia is a pure parliamentary system of government. According to the Article 56 of the Constitution, a political party or coalition of political parties with the majority of seats in the House of People's Representatives (HPR) shall create the Executive branch and lead it. In the HPR, the leading political parties have bestowed the right to approve the appointment of members of the executive Council of Ministers and the Prime Minister. The Article 70 stipulated that the HPR have the right to nominate presidential candidates. The Article 74 of the Constitution grants all powers to the Prime Minister, the President is a symbolic leader; his only function is to sign and approve new laws enacted by the parliament. The Prime Minister is the head of the national armed forces. He is the one responsible for carrying out the foreign policy implementations. More so, the Article 76, subsection 2 permits all executive members not to be accountable to the HPR, but to be accountable to the Prime Minister. This implies that the according to the new constitution in Ethiopia, the Prime Minister would have the supreme power instead of the President of the Federal state.

The next important unit is the House of Federation (HF) and it is considered as the second or upper chamber in the Federal Government of the Federal Democratic Republic of Ethiopia. In a standard federal system, the second chamber acts as the representative institution for all the local state governments. But as the Article 61, subsection 1 of the Ethiopian Constitution stipulates that House of Federal is made up of representatives of the nation, nationalities, and people, instead of the representatives from the various regional units. This makes Ethiopian model of Federation a unique federal system in the world as compared to the other federal system like the People's Republic of China, Nigeria and Belgium.

¹⁸ The fundamental duty of the HPR are to enact laws on issue concerning the Federal level and adhered to ratify national policy standard in accordance with the constitution stipulated in the Article 55.

A political dilemma occurs in the HF between the equality of representation of citizens and regions. The questions for the political dilemma goes thus should all local state have the same voting right or should local States with a large population have more voting right than local States with a small population? In order to pave the way for each citizen should the votes have the same power? The local States with a large population have more voting rights than the smaller counterpart. As a result of these, there is a flaw in the Ethiopian Federal system, which have led to a conflict of interest in the said system and various diplomatic measures to resolve it have produced insignificant results. This is because it is difficult to choose from the dilemma of the quality of citizens and the quality of the region to act as a representative in the HF. Worse still, the Article 61, subsection 2 of the Ethiopian Constitution states that each nation and people shall be represented in the house of the federation by at least a member. One additional representative for each one million people shall represent each nation. Moreover, the Article 61, subsection 1 and 2 gives the Federal House authority to impede the Constitution and to also create a constitutional committee and the main function of the Constitutional committee is to resolve constitutional disputes. According to the Article 67 of the Constitution, the HF is being granted the power to decide upon issues concerning the right of self-determination including right to secession and to look for appropriate solutions to resolve conflicts between states but it has only two sessions per year.

One of the most important features of federal states is that regional units cannot be easily altered as by implementing the majorities wins the vote procedure which serves as a normal purposes (King, 1982, 143) but the question that one can ask he/herself is that does the Ethiopian system of federalism have a unique procedure for how regional unit representatives should be changed? Does it exist an extraordinary rule to change the constitutional order? In the Ethiopian Constitution, the local entity voice in the central decision-making procedures are guaranteed through the House of Federation and it is backed by the Constitution. But the Article 4, subsection 2 states that the right of representative's units is not given in accordance with the number of local states, but instead is given in respect to the various groups of people in within localities and to create their own states or to secede from the said state as stipulated in the Article 39, subsection 1. But the procedures to secede from the Union are impediment and do not follow the normal procedure of majority win the votes (Ibid, p.143). For example, if the Oromo state

intended to secede from the political union it has with the Federal Democratic Republic of Ethiopia, the State Council have the right to accept its decision with a two-thirds majority of vote from its regional Council and have to make proper arrangement for a referendum in the Oromo region whereby most of the balloters agree to it. More so, secession requisition must be accepted by at least two-third balloters of the Oromo people local Council and a vote will be organize for a referendum by the central government as enshrined in the Article 104 of the Ethiopian Constitution. As enshrined in the Chapter 3 of the Constitution, the fundamental rights and freedoms specified in this chapter shall be interpreted in a manner conforming to the principles of the Universal Declaration of Human Rights. Also, the procedures for changing the Constitution cannot be modified without prior notification of all members of state council. Only the majority in each state council and as guaranteed by the Article 105, must have two-third balloters in the legislators. Other allocation of the Ethiopian law can be modified by a two-third of balloters in a combined session of both legislators and in two-thirds of the balloter's state councils. This procedure is universally affirm for all federal government where by the supreme law, which guides the federal and regional states in relation, cannot be changed without phenomenal majority at both federal and regional levels. Ethiopian Constitution has a unique feature that gives right of self-determination and unconditional secession. It is worthy for us to critically examine these unique features of the Ethiopian Constitution.

1.2. The Principle of Self Determination and the Right of Secession

Self-determination can be defined as the right by virtue in which a nation has to determine its own political structure, and pursue its own economic, social and cultural development in a free manner. For example, if today North Cyprus, which is a de-facto State, is granted autonomy by the United Nations the people have the right to create their own government without any foreign intervention. But under international law, self-determination means the legal rights of people to decide on their own destiny in the international order. For example, it is the right of the people to decide which country they prefer to create diplomatic relations with. Self-determination is enshrined in the Charter of the United Nations and the international covenant on civil and

political Rights as the right of all people. The political system of Ethiopia is a federal form of government by the right of nations, nationalities and peoples as stipulated by the Ethiopian Constitution in the Article 39, sub-section 1. Every nation, nationality and people in Ethiopia has an unconditional right to self-determination, including the right to secession and this right still remains adamant even during a state of emergencies.¹⁹ Basically, as defined explicitly by paragraph 1 and 2 of the Ethiopian Constitution, it shows their right of self-determination that have made Ethiopia's communities to enter into a federal system with the aim to guarantee an inter-ethnic share rule of these communities. The Article 20 of the African Charter on Human and People's Rights, explicitly grants self-determination to all peoples and states: "*They shall freely determine their political status and shall pursue their economic and social development according to the policy they have freely chosen*".²⁰ Apparently in respect to the Charter of the United Nations more emphasis is given to representation. It stipulates that states' restorations on the right to self-determination for the preservation of territorial integrity or political unity can apply only where their populations are "possessed of a government representing the whole people belonging to the territory without distinction as to race, creed or color".²¹ Obviously, in the Ethiopian Constitution citizens are classified in their different ethno-linguistic groups, but not as citizens. Fasil Nahum (1977), who was a Legal luminary in Ethiopia constitutional law defined it as: "*It is difficult as all ethnic groups have merged to form the federation*" (Nahum, 1997). Minority ethnic groups with very small population like the Somali and Harari have merged with much larger ethnic groups like Oromo and Amhara within a state or have joined together to create a state and these states created on the basis of ethnicity to come together and form the Federation. This implies that minority groups like the Somali have been victimized. Even when these minority groups threaten to secede it cannot- solve the problem of ethnic federalism in Ethiopia. This thesis supports the only way out is to implement a consociational democracy whereby each segments of group will take an active part in the government without marginalization. Chapter 2 Article 8 of the Ethiopian Constitution is based purely on sovereignty of the people, it goes thus:

¹⁹ Article 93(4)(c), *The Constitution of the federal Democratic Republic of Ethiopia* proclamation No1/1995, Federal Negarit Gazeta, 1st year No.1 Addis Ababa, 21st August 1985

²⁰ **African charter on Human and People's Rights**, June 27, 1981, 21 I.L.M, 58, ART 20, Part 1

²¹ G.D.Res 2625, UN, GAOR 25th Sess, Supp No.28, at 121 U.N. DOCS. A/8028 (1970)

- 1) All sovereign power resides in the nations, nationalities and peoples of Ethiopia.
- 2) This Constitution is an expression of their sovereignty.
- 3) Their sovereignty shall be expressed through their representatives, elected in accordance with this Constitution and through their direct democratic participation.²² Despite the fact that the Constitution of Ethiopia emphasizes the right of self-determination up to secession as stated in chapter 2 of the Constitution, but the condition to attain this right of secession right may make it impossible to exist.

Seemingly, the self-determination right including secession is in the Article 39:

- 1) Every nation, nationality and people in Ethiopia has an unconditional right to self-determination, including the right to secession.
- 2) Every nation, nationality and people in Ethiopia has the right to speak, to write and develop its own language; to express and promote its culture; and preserve its history.
- 3) Every nation, nationality and people in Ethiopia has the right to a full measure of government in the territory that it inhabits and to equitable representation in regional and national governments.²³

But the Article 39, subsection 4 of the Constitution seems to be very pivotal in terms of the right a regional unit to secede it says:

- a) When a demand of secession is accepted by a two-third majority of its members of legislative council of the Nation, Nationality of people in question.
- b) When the federal Government has organized a referendum, which have to take place within three years from the time it received the concerned council's decision for secession.
- c) When the demand for secession is supported by majority vote in the referendum.
- d) When the Federal Government will have transferred its powers to the council of the Nation, Nationality or People who has voted to secede; and
- e) When the division of assets is effected in a manner prescribed by law.²⁴ The concept self-determination contains 3 basic terms namely; Nation Nationality and People to have self-determination and representative of manner described thereafter.

²² Article 8 of the **Federal constitution of Ethiopia**

²³ **Ethiopian Constitution** Article 39 sub section 1-3

²⁴ **Federal Democratic Republic of Ethiopia Constitution**, Article 39 subsection 4

It will be worthwhile to define the terms “Nation”, “Nationality” and “People” in connection with the Ethiopian Constitution, which classified its citizens in three categories. A nation can be defined as groups of people who have or share a common, history, culture and who inhabit an identifiable predominantly contiguous territory.²⁵ This definition is a combination of several objective and subjective elements. In terms of objects the features it contains are: common mentality, familiar culture, similar habitual languages while the subject features are a common psychological make-up and a sense of an aggregate identity. Hereinafter, any community that is made up with these distinctive features, object and subject are bounds to be considered as Nation, Nationality and People and can adhere to right of self-determination (Brietzke, 1995, 27). It is a combination of aggregate identity that comes from shared objective features such as customs. As concerning the special representation in the federal legislature, the right of self-determination is being conferred to every ethnic community, be it major or minor communities. Basically, the Article 39 does not distinguish between ethnic communities on the basis of their respective population size or their position. After all, the right of secession is something very difficult to attain both practically and theoretically due to its constraint procedure. Therefore, the threat to secede as enshrined in the secession clause is almost impossible because two-thirds of the members of the regions have to accept and they need to wait for about three years before a referendum can take place. In order to understand the politics of Ethiopia it is worthwhile to look at the international law on the principle of self-determination through an analysis of the UN charter and the General Assembly Resolutions on self-determination.

1.3. The UN Charter and the General Assembly (GA) Resolution on Self Determination

The Article 1(2) of the UN Charter, stipulates that one of the objectives of the United Nations are: “to establish a cordial relations among nations based on spectrum for the principle of equal rights and self-determination of people, to take other significant actions to strengthen universal peace”, “the UN as a custodian for peace should create a cordial relationship amongst nations based on respect for the principle of equal rights and self-determination of people”.²⁶ The UN charter of self-determination has been the impetus behind the formation of the modern State of

²⁵ Ibid Article 39 subsection 5

²⁶ Art 1(2) of the **UN charter**

Ethiopia's Ethnic Federalism based on the right of the people to decide their own government, which is related to the question of independence, autonomy, referendum elections and the legitimacy of government. The underpinning of the post-colonial movement of the post Second World War period emanating from the accepted "declaration of the given of statehood to all trusteeship territories and people" on the 14th December 1960.²⁷ The granting of Statehood to all UN trust territories by the UN (Resolution No 1541) acknowledges self-determination as a subterfuge of decolonization for the justification to assure international peace and stability and the respect for human and people's right. However after 24 months Self-determination based on economics was accentuated in a resolution relating to permanent sovereignty over natural resources.²⁸ In the proclamation of the concept of international law concerning cordial relations and collaborations among states, the General Assembly Resolution 2625(xxv) of 24 October 1970 states the right of political self-determination and the manner in which it can be utilized can be further developed. It bestows a legal framework in which tension between two paramount principles of international law can be resolved: equal rights and self-determination of all people plus the sovereignty and territorial integrity of States. The principle of mediation as is expressed in resolution 2625 (xxv) of the General Assembly is theoretically feasible but practically unrealistic because it is receptive to dispute in which several factors must be taken in consideration for it to be applicable and these factors include the political system and the constitution of the given country and the repercussions that can be incurred by members of the society at large.

Apparently, after the proclamation of friendly relations that necessitated the utilization of the right to respect each and every state of territorial integrity and political unity implies that people can now enjoy equal rights. However, a state can be considered to be unrepresentative if a certain group of people in the state is excluded from political process mainly because of race, creed or color (Hamnum et al, 1996, 65-66). Musgrave (1999), in his book on self- determination and national minorities argues that the General Assembly resolutions were declared on purpose to reduce the scope of the right as compared to the two human rights conventions, even though there is the decolonization process only (Musgrave, 1999, 90). This face of the right is recognized by the International Courts of Justice as an imperious norm of international law

²⁷ **General Assembly resolution** 1514 (xv), 14 December 1960

²⁸ **General assembly resolution**, 1803 (xvii)

(Nowak, 1993, 13). Notwithstandingly, as it concerns the economic point of the right of self-determination a significant contribution was made by the proclamation of 1 May 1974, which stipulated “the creation of a new international economic integration”.²⁹ The charter of economic rights and duties of states stress the urgency to establish generally accepted norms to coordinate international economic relations systematically.³⁰

This chapter has focused specifically on federalism, the various types of federalisms and the principle of self-determination up to secession. As enshrined in the Ethiopian constitution in particular and in general how self-determinations is been back by international Law in the UN General Assembly Resolution 3201. As a result of the principle of self-determination, ethnic federalism has been put in place in Ethiopia. In order to comprehend the ethnic federalism of Ethiopia better, it is crucial to explore the historical background of Ethiopia.

²⁹ General Assembly resolution 3201 (s-VI)

³⁰ General Assembly resolution 3281 (xxix)

CHAPTER TWO: POLITICAL HISTORY AND TRANSITION OF ETHIOPIA

2.1. Historical Background of Ethiopia

Notwithstanding the fact that many scholars such as Teshale (1995), Bahru (19991), and Harold (1995) considered Ethiopia to be a country characterized by famine, dictatorial and totalitarian with profoundly complex regime. Ethiopia is found at the edge in the Eastern part of Africa and for a longtime is considered as a land of great men. Ethiopia can be seen as a peculiarity in the continent of Africa with its early acceptance of the faith of Christianity, its own written language, its own form of agriculture system and its own calendar that is around seven years behind the Gregorian calendar. Accordingly, it holds the unique privilege as the only Country, which was not under the siege of any foreign colonialism. As a result of this it made Ethiopia to have a special image in the face of African continent. As for the pan-African movement some scholars appraised Ethiopia to be the “sanctuary inherently link to the holy land for Africa liberation, a clearly, succinctly and objectively pillar of the black race aversion against the white race expropriation, a living tabernacle, an epitome of African independence” (Tibebu, 1995, xv). From the works of researchers in Ethiopian politics it can be clearly seen that there is a debate on the nature of Ethiopian states and the activities carried out by the Ethiopian elite in peace building and state building in Abyssinia.³¹ The bone of contention by student of Ethiopian History is to clearly bring out facts to shows that Ethiopia is a classical amalgamation created through inclusion of proportionately modern State acquired by subjugation and intramural colonization³² Ethiopia’s kingdom was first established in the 1st century AD and it was in Axum a town in the Tigray region. The first faith to be adopted by the people of Ethiopia was Christianity around the 4th century but it began to diminish when the Muslims gained full control of the Red Sea in the 7th century. Creation of the modern Ethiopian state only began around the mid-19th century after the political deadlock era of the Zemena Mesafent (the time of the princes)

³¹ Abyssinian is the ancient name of the homeland of the Amhara and the Tigre in the northern and central highland of Ethiopia. The Amhara and Tigrinya speaking highlanders also called themselves Habesha (Donham and James 1988; 23).

³² King Menelik captures many States that were located around Ethiopia and put them under his control and then integrate them into Ethiopia to create a one great nation. It was like an internal form of Colonization practice by Menelik in the 19th century.

has come to denouement.³³ It was a time of ferocious struggle between princess from Gojjam, Tigray and wollo regions to name a few who were scrambling by using extreme measure over the hegemony of an Imperia center known as Gondar (Zewde, 1999). Emperor Menelik II can be accepted as architect of modern Ethiopia because he enlarged his hegemony from the central highlands areas to the east and south and created the borders that Ethiopia used today as the official territorial boarders today. However, some historians still doubt if this type of political expansion by Emperor Menelik II could be regarded either as colonization or unification? In terms of colonial paradigm by some historians, Ethiopia is made up of many independent states that was overthrown and occupied by some Abyssinian kingdoms (Ibssa, 1990, 389). Ethiopia indeed has been an artificial invention whereby the Northern Ethiopian people acted as European settlers in alignment with the European colonial plans to exploit the economic and human resources in Africa. Notwithstanding, the Ethiopian philosophy holds that the expansion and assimilation of Kingdoms in the Abyssinia around the periphery in the 19th century by the Emperor Menelik II and thereby assimilating them was a process of unification rather than colonization. The enlargement of the Abyssinian Kingdom by Emperor Menelik II was not done to exploit or conquer the mentioned kingdom. The goal behind this was as a result of a prompted intramural power tussle between Emperor Menelik II and his rivals (Kebede, 1999, 42). In the low land region of the newly Abyssinia, lands where seized from the local owners by the Emperor and the peasants who owned land were obliged to buy it again from the newly created kingdom's authority (James, 1998, 38-39). From a colonial paradigm hypothesis, the utilization of these exploitative means by this Abyssinian authority makes one to believe that the brain behind the expansion of the Abyssinia was for economic exploitation and conquer of the southerners. The coming of Abyssinia into the southern part of the kingdom ignites the conflict of interest and the conflict of value and the newly created authority uses harsh methods such constant raiding of cities to curb out any rebellion against their authority both overtly and covertly (Marcus, 1995, 67). The local elite were "Amharised" in order to be given access to administrative jobs which entails them to be assimilated culturally in Amhara. In line with the Ethiopians' way of thinking, "the Amharization"³⁴ was a sign of an overt inclusiveness. This feeling better still made the people to forget and neglect the fact that Amhara rulers had

³³ Zemena Mesafent (1769-1855)

³⁴ Amharization is the policy adopted by King Menelik change all the capture States Culturally, Politically, and Economically Amharic people

considered the southerners as backwards, without a culture and religion as they are (Ibid, 1995). This is because power is in the Northern part of Ethiopia and the northerners intended to establish their hegemony in all areas of the Empire. It is worthwhile to examine the various processes in which the modern state of Ethiopia has undergone, to have a comprehensive view of the ethnic based federalism that is in the practice in Ethiopia. In the upcoming part of this thesis, three different regimes are examined, namely: the Imperial Kingdom, the Derg dictatorial regime and the Ethiopian People Revolutionary Democratic Front (EPRDF).

2.1.1. Emperor Haile Selassie's Reign

Basically, the monarchy of Ethiopia came from a mythical descent of the Solomonic tradition and this tradition was part of the Ethiopian Constitution from the time of Emperor Haile Selassie in 1930 until 1955. “The monarchical grandeur shall remain continuously inherently link to the lineage of Emperor Haile Selassie I, who was a direct decedent from the lineage of Menelik I, a product of Queen Sheba of Ethiopia and the King of Israel King Solomon ” (Bekeri, 2007, 14). Queen Sheba was the Ethiopian queen who went to Israel to visit King Solomon in Israel (capital Jerusalem) and she was impregnated by the king of Jerusalem Solomon and the product of that pregnancy was Menelik I. His descendants created in Ethiopia the Solomonic dynasty. Naturally, the Ethiopian monarchy can have traced it roots right from the Axum Empire. The traces of this empire can be found today in the Northern part of Ethiopia, where trade and commerce proliferated. It existed before Christ and even after Christ this empire had controlled some strategic territories around the Red Sea region.³⁵ Due to the fact that the Empire of Axum had a great influence, the rulers of the Empire considered themselves to be the king of kings or in broader sense Emperors.³⁶ As a result of their influence in the Red Sea, the Empire began to be in contact with the Mediterranean culture. As a result of that, Christianity flourished in the Empire around the 4th century AD in the form of Orthodoxy and was automatically considered as the official state religion of the Axum Empire. However, the growth of Islam in the region prevented the Axum Empire's influence over the Red Sea periphery. Power despair and now the regional authority took control of most of the activities in the Empire. There was a complete

³⁵ Today the remains of emperor can still be seen in the town of Axum in a region owned by the Tigray people.

³⁶ The empire of Axum was an ancient kingdom of Ethiopia that existed from approximately 100 AD to 940 AD

power sharing amongst various principalities in the empire and this period was called Zemene Mesafint (era of the princes) until the middle of the 19th century. Then anti-decentralized form of government was established in order to bring power back to the central authority under the auspices of Emperor Haile Selassie during the period of the 20th century. This period of power tussled between the central authority and the local regional authority, the period of the princes finally came to an end, which was in the year 1855 and within this same year kassa Hailu a nobleman from a state in western Ethiopian known as Kuwara was crowned as Emperor Tewodros II (Keller, 1988, 21). During the reign of Emperor Tewodros II, the period of the princess finally came to an end simply because the new Emperor aspired to unite all the principalities in the Empire. Moreover, he decided to create a centralized form of military administration. Notwithstanding, the Emperor Tewodros ever succeeded to establish a centralized form of government and army; he failed utterly to create a centralized form of government due to insufficient financial capability. Nevertheless, during his reign he faced much resistance from regional authority either through insurgency or civil disobedience, but he continued to stay in power by the use of military to suppressed rebellion against his government. Regardless of the use of force to suppressed the internal insurgency this only lead to more rebellions against his government even to the extent of resistance in the international Arana. As a result of this pandemonium political situation in the Empire, the Emperor decided to seek the aid of British government but the British refuses and he decided to hold some British entourage as his hostage, this reaction of Emperor Tewodros led to a devastating effect as this completely tarnished the relationship between the two countries and gave a severe blow to the end of his power. Be that as it may be, when the Emperor realized that his authority has been lost absolutely, he decided to commit suicide. According to Clapham (1970), the regnant of Tewodros is not surprisingly unforgettable because of his yearning and achievements (Clapham, 1970, 12). All the same, there was a brief period of succession struggle; in 1872 Kassay Mercha from the Tigray ethnic was crowned as Emperor Yohannes IV, who was contemporaneously known as the Emperor Yohannes IV. But in the time of Yohannes IV, he faced challenges from Ethiopian sovereignty and territorial integrity after he conquered the Egyptians in the 1870. Also Yohannes VI had to push Italy away. This was because Italy was just unified and as a newly created European state desired to follow the footsteps of other European countries to establish a colonial Empire and Ethiopia was close to invade as a colony in Africa. This implied a war

between Ethiopia and Italy. But the Emperor decided to delay the conflict with Italy and instead Sudanese Mahdists attacked Ethiopia and occupied and stole goods from Gondar. Unfortunately the Emperor was killed in this battle against the Mahdists in March 1889 at Metemma. The reign of Emperor Menelik II, which had ever been considered as the most powerful, reign in Ethiopia came to have during the reign of Yohannes VI because more powerful arms and ammunition were supplied from Italy. This implied that the Italian and the Ethiopians had excellent relations. Emperor Menelik II annexed Eretria in 1889. After it was evident that the Italians not only aimed to annex Eritrea but they aimed to annex the entire Ethiopia, the relationship between Italy and Ethiopia has changed. As a result, there was tension between the two countries, which eventually escalated into war between Italy and Ethiopia in a place in the Tigray region called Adowa and as a result of that Italy was obliged to recognize Ethiopia's independence and Ethiopia's prestige has increased internationally due to the result of the battle between Italy and Ethiopia in 1896. The battle of Adowa was very significant to Ethiopia because it pushed forces to prevent European imperialism in Ethiopia. The Emperor Menelik II is very significant in Ethiopia history because he was the emperor, who protected Ethiopia as a sovereign state and managed Ethiopian territorial expansion. The Emperor Menelik created the present Ethiopia border. The victory of Adowa resulted in European respect towards Ethiopia to the extent that they were forced to recognize Ethiopia's border with an international agreement between Ethiopia and the Italy known as the treaty of Wuchale (Sean, 1896, 37). The expansion of Ethiopia's territorial borders meant that people of different cultures, religion, language, governance structure, social economic activities jointly formed the Empire and finally led to an end to the domination of Orthodox Christians as the main religion as well as the Amharic language of the Empire. The state of Ethiopia became a multi-ethnic and a multi-language state like the other African states, as they were forged as a result of Western colonial expansion. The people of the north belonged to ethnic groups like Tigrayans Oromo and Amhara, but Amharan culture and language was dominant in the Empire. It can be said that the northerners were politically, economically and socially dominant in the state. This expansion of the Ethiopian territory during the 19th century was a fundamental period in the history of Ethiopia because it led to the foundation of Amhara domination. The fully implementation of the centralized system of government by the Emperor Menelik II signifies that he has achieved the ambition of his predecessor Emperor Yohannes IV. But throughout the reign of Emperor Menelik II, he designed a special type of centralized

administration by appointing a governor to help him to place a centralized form of administration. It was only in the newly acquired territories in the southern part of the Empire that Emperor Menelik II had the power to appoint and to dismiss governors. While in the mainland of the Empire, he had to consider the traditional people of the upper class, who typically possessed a hereditary ranks and specific titles. Moreover, Ethiopian army consisted of soldiers who were only available during the war- time and was provided by the regional head. These soldiers had no salaries but during the military campaigns, the local population provided for them what they demanded like food, money and shelter. Emperor Menelik II makes the centralized government stricter and adopted a policy for paying the salary of all Ethiopian soldiers (Keller, 1988, 38). Basically, amid all these political ameliorations done by the Emperor Menelik he still vested a lot of power to regional heads, he implemented power sharing to the various factions of the Empire. However, during the regnant of Emperor Haile Selassie I that the regional heads lost there power completely. They became loyal to the Emperor. Due to Emperor Menelik II's ill health, he died in 1913 and this lead to a succession dispute in his family. Who was going to succeed the late emperor? At the end, he was superseded by his grandson call Lij Iyasu. During his short time as a ruler, there was pandemonium in the thrown. Afterwards, Lij Iyasu was dethroned because he abandoned Christianity, which was the religion of the Empire and was accused of being a Muslim as he changed his faith. According to the tradition of the Empire, the Emperor was supposed to be an advocate of the Orthodox Christianity as a faith, which was considered to be the main religion of the Empire. For scholars like Bahru Zewde (2001), the prelude of Islamism to the Empire was an indirect way of joining Muslims into the Empire (Zewde, 2001, 124). He was the one running both the domestic and foreign policy of the Empire. Unfortunately, the Empress died in 1930, her coordinator Tafari automatically succeeded her and thereafter he was renamed as Haile Selassie I. In the early stage of Emperor Haile Selassie I term of office, he had the ambition to create a centralized government in contrary to his predecessor Menelik, who advocated for a decentralized form of government but he did by creating a modern centralized form of government. His most important inventive was the announcement of a Constitution that was the officially announced in 1931. The principal goal of this was to consolidate power. As stipulated in the Article 1 of this Constitution, "the territory of Ethiopia from its four cardinal points is totally control by his majesty the emperor".³⁷ This

³⁷ Article 1 of the Ethiopian Constitution during the reign of Haile Selassie

implied that all powers have been validated by the Article 6, which states that “in the Ethiopian dynasty the ultimate power rest squarely in the hands of the King”.³⁸ Another political strategy implemented by the Emperor in order to consolidate his power was the creation of Senate members made up of important personalities in the society. The Emperor appointed them and the Senate was acting as one of the two chambers of the Parliament (Nahum, 1997, 21). In October 15, 1935 under the leadership of Mussolini Italian troops entered into Ethiopian territories but this time Italian army bluntly defeated the Ethiopian soldiers and took control over Addis Ababa, Emperor Haile Selassie I abdicated and fled to Great Britain (Zewde et al, 38-40, 138-146). Basically, the contravention of the sovereignty of Ethiopia was very brief. In 1941 with the help of Britain, Italian control over Ethiopia was toppled and as a result of that Emperor Haile Selassie I returned back to Ethiopia to continue his rule as the Emperor. He centralized the administration and used the other reforms that were suggested by his predecessor Emperor Tewodros. For example the creation of a centralized form of administration in which each provide a governor who is decreed by the Emperor or better still the creation of an advanced well train army (Zewde, 1994, 30-34). The biggest aim of Emperor Haile Selassie was to centralize the government to create a nation state out of Ethiopia that was similar to the European states. But the irony of this nation -building was that it was not created based the cultural diversity of Ethiopia but on one language, culture and religion that would be imposed on people or culture of different ethnic groups (Keller, 1988, 136). Cultural diversity did not exist in the new Ethiopian nation-state, it was created as a state of one people: one nation one nationality as had been envisaged by Emperor Menelik II. The government in place tried to create a one ethnic identity in Ethiopia by adopting the policy of Amharization. This means that all ethnic groups would adopt the Amharan people’s cultural language and religion. This is a typical example of what happened to France during the French Revolution whereby the culture and language of Paris was adopted as the country’s only official language and culture. The elites of the country were mostly from the Shoa region of the Amhara and they have been in control of power since the death of Yohannes IV, and which later was transcended to the Emperor Menelik II. The pivotal Policy of the Amharization was the policies of imperial education and administration whereby the Amhara language was being in use practically and pragmatically as the language of instructor and as the

³⁸ Article 6 of the Ethiopian Constitution in in the 1930s

working language in government offices.³⁹ The spread of the Amhara culture and language in both administration and education affected other languages drastically. The ethnic groups other than Amhara people lost political, economical and cultural power. Culturally, the people lost their culture at the expense of the Amhara culture and language in terms of economic their lands were seized and they have to buy it again from the government and politically all the administrative post was given to the people of Amhara identity. As concern the non-Amhara people learned Amhara language and adopted its culture, it was a stepping-stone to acquire administrative jobs in the government. Basically, the policy of Amharization adopted by Emperor Haile Selassie I was not the best cure to reach peace and stability in Ethiopia. Adversely, this policy of Amharization implemented by Emperor Haile Selassie I helped to instigate the spirit of nationalism and the rise of ethnic and regional rebellion. Other ethnic groups were discouraging because of the Amharan dominance mostly in the state dominated by Eritrea and Oromo and Somali. In 1890, Italy established his hegemony over Eritrea and Emperor Menelik II accepted it, and in the same year Eritrea became a colony of Italy. In 1941, it was under British control as a United Nations Trust Territory under the supervision of the United Nations. The United Nations resolutions on the 2nd December 1950 that were passed by the General Assembly as Resolution 390. This resolution stated that Ethiopian and Eritreans should be as one state under a federal government this means that two separate states with autonomy have emerged to create a new federal state. This federal government state was legally endorsed in the Eritrean Constitution and the Eritrean Constituent Assembly in July 1952 (Negash, 1997, 75). As a result of the Constitution, two state federations between Ethiopia and Eritrea, the flag of Eritrea was created and Tigrigna and Arabic were considered as the official language of Eritrea. Better still, the Constitution enabled the creation of Eritrea and the 3-branches of government, namely the Legislative, Executive and the Judiciary bodies.⁴⁰ In Ethiopian Constitution it has been enshrined that the establishment of the Parliament must be made up of two separate chambers of the Parliament namely the Senate and the Chambers of deputies. The Senate was made-up of important personalities in the society such as wealthy men with political influence and were only appointed by the Emperor, whereas the Chamber of

³⁹ As concern education it was well known that Amharic was used only in primary school but as concern the language of instruction for secondary and high schools, English was the language of instruction; Ej Keller oc, p140

⁴⁰ The counterstatement between Ethiopian and Eritrean constitute of 1931 pave the way for the re-examining of the Eritrean constitution 1995.

Deputy members were elected by the members of the Senate and Traditional heads (local chiefs) till the time in which the people will be matured politically to administer them.⁴¹ Basically, the federal form of government between Ethiopia and Eritrea was not in alignment with the centralized form of administration of the Emperor Haile Selassie I. An empirical example can be seen in the post of the Chief Executive of Eritrea as instead of being appointed by the Emperor, he was elected by the people.⁴²

Emperor Haile Selassie I intentionally wanted to curb out the Eritrean autonomy by imposing Amhara as the official language of the state as against the Eritrea's Constitution, which stipulated that Tigrigna and Arabic are the official languages. But this outrageous ideology implemented by Emperor Haile Selassie to diminished Eritrea's autonomy was protected with the pressure of Eritrea to secede from the union. This instigated the struggle for independence and Eritrean Liberation Front first conducted it and afterward, Eritrean People's Liberation Front triggered it more so, the regime also faced greater resistance from the Oromo and Somali in Bale, one of the provinces of Ethiopia found in the southeast. The intensity of the resistance against the imperial regime has increased due to the dominance of the Amhara language and culture and propagation of the Orthodox Christianity over Islam, which means that everybody was Amhararised and the national state is made up of people of different ethnic backgrounds and linguistic differences and different religious beliefs as a result of this it lead to the development of ethnic awareness for example the Ethiopian student union in the 1960s which they demanded for changes in the land scheme. The Ethiopian student union was the brain behind the sabotaging the legitimacy of the regime in power. The challenge, which the imperial regime faced in 1974, was serious blow to the regime. For example, inadequacy by the regime to handle famine plus the fall of the oil prices in the world market helped to weaken the regime in power. During the early years of 1974, there were various protests from the several fractions or groups in the country. The last straw that broke the camel's back was the fact that the regime has lost control of the Army. A military committee (Derge) was made up of representative of army from various fractions overthrown the imperial regime and took in September 1974 (Clapham, 1988, 39-40).

⁴¹ Art 32 constitutions of 1931. Apparently in Eritrea constitution, the members of assembly were elected base squarely on the universal. Suffragette only men were allowed to vote]. Article 68 (1) 1952 constitution of Eritrea.

⁴² Article 68 (1) 1952 constitution of Eritrea.

2.1.1.2. The Military Regime

The imperial regime led by Haile Selassie collapse by the Derg but it was obscure at the initial stage to know which type of political system will be implemented now in Ethiopia. Within a very short period of time, the Derg where pressurized by the different groups in Ethiopia who were Marxist oriented and wanted an end to the military regime to create a civilian government (Ibid, p.45). In order to crack down criticism from the pressure groups especially from the student union, and to become more popular, the Derg decided to become harsher in their rule (Elea, 1988, 192). Their regality was expressed by the proclamation of a 10 points program on the 20th of December 1974. These points made it explicitly clear that the new political ideology to be implemented in Ethiopia was to be based on Ethiopian socialism but it is different from other forms of socialism in the world in that it was controlled by a group of military dictators. On the 1st January 1975, the Derg decided to implement their socialist policies by nationalizing private insurance companies and banks (Tiruneh, 1993, 89). These social changes implemented by Derg in 1975 were the largest social reforms ever occurred in the history of Ethiopia (Beurden, 1994, 41). Afterwards, it was followed by the nationalization of all lands in Ethiopia, which was enshrined in social reforms proclaimed by Derg. Proclamation no. 31st March 1975 provided for the public ownership of rural lands (Brietzke et al, 1976, 199). This law terminated the earlier time of the Naftagna scheme.⁴³ This has existed since during the time of Emperor Menelik II until the reign of Haile Selassie I. As a result of this, the Derg handled requests for social reforms demanded by Ethiopian students in the mid of 1960s on matters concerning land ownership. The socialist land reforms on the 4th march 1975 were proclaimed by Derg mainly to meetup with the political ideologies of the Ethiopians and to gain support from the people. This law enforced the creation of peasant associations and local governments, which were, empower to carry out the land reform and were advantages to the conquered southern region so it was highly welcomed by the southerner's peasants. In the previous imperial regime the southerners lost their right of landownership and their traditional rights. Basically, these peasants believed that these new social policies implemented by Derg would give them right to own their lands and they would become economically viable (Clapham, 1988, 47). The Derg achieved the land reform aspiration of the Ethiopian population during the early years of their administration. A peasant association was created and a leader was elected who represent the peasant in the government of the Derg.

⁴³ It refers to the Northern colonization of the conquer territories in the south

At the first few years of the peasant association government relationship went successfully. But in the following years, the government centralized the system of government, which limited the power and the function of the peasant associations. Although their standard of living has improved, the intensive control of the agricultural sector collapsed the reform within a very short period of time. The Derg had a Marxist-Leninist political ideology implemented by the Stalin and was used to create the communist party in the Soviet Union in the 1920s. The main aim of Marxism-Leninism was to create a state in the form of a society (Todd, 1992, 16). This Marxism-Leninism philosophy created chaos in the ethnically divided Ethiopia in 1976; the Derg launched a new program of the National Democratic Revolution, (NDR) which automatically cancelled the old political program of 1974. The goal of this program was to solve the problem of ethnicity in Ethiopia. Ethiopia's ethnic diversity was a fact that could not be contested. However, the Derg created a committee to manage ethnic conflict between the various ethnic groups in Ethiopia since it was a pluralistic state. They stopped the domination of one ethnic group in the society, the Amhara ethnic domination was no more dominant, every ethnic group in the country were treated equally, and their culture, language and religion were respected. Notwithstanding, the fact that Ethiopia has become a communist state, but Amhara domination was no more and added with the fact that the Derg under the leadership of Mengistu Haile Mariam, in 1977 adopted a harsh policy by constantly abducting protesters, extra judicial killings and castigation to curb out any resistance from any ethnic group. During this period of Derg cruelty a political movement called the Western Somali Liberation Front (WSLF) was created by a Somalian ethnic group. The aim of this movement was to make the Ogden region, which is found in Eastern part of Ethiopia to secede from Ethiopia and to join the Republic of Somalia. These Somalia groups in Ethiopia are people who originated from the mainland Somalia but this part of the country of Somalia was captured by the Emperor Menelik II and joined it as part of his imperial territories in the 19th century. Due to the fact that this set of people have been separated from main land Somalia the spirit of Nationalism still reigns in them, Emperor Haile Selassie and his Amharisation philosophy was to no avail to wipe out the spirit of nationalism from the Somalia (Keller, 1988, 157). The WSLF have a strong backing from all Somalia state to unify as one, and Somalia ethnic can be found in Ethiopia, Kenya and Djibouti. Somalia Troops invaded Ethiopia in 1977 in order to energize the WSLF movement in Ethiopia due to their well-trained army and aminations they were able to capture large part of the Eastern Ethiopia in the

Ogden Region. Nevertheless, since the Derg was communist oriented Ethiopia and Union of Soviet Socialist Republic (U.S.S.R) had a cordial relationship and this was the time of Cold War; a war that soared their political ideologies to the world. The U.S.A or USSR was ready to give military aid to any country or countries propagating their ideology. This helped Derg to gain military support from USSR, which finally led to war between Ethiopia and Somalia. The fact that Ethiopia gained strong military support from USSR and the continuous presence of Cuban troops finally led to the defeat of Somalia in 1978 despite the fact that the war has ended. However, there still was periodic guerilla warfare in which certain people in the region were hidden in the bushes and resulted in a surprise attack to people in order to disturb the smooth functioning of the government activities of the Derg in the region (Ibid, 207). Moreover, the Derg also faces resistance from the Oromo ethnic groups who are considered to be the largest ethnic group in the country. These groups of people also threaten for secession. During the land reforms period of the Derg, there was a long generation of the Oromo, who had been living in Ethiopia as slaves to end the Amhara economic malpractices through the creation of a peasant association to free them from the Amhara dominance. The Derg have failed in their political reforms and this paves the way for the creation of the Oromo Liberation Front (OLF). The purpose of this movement was the decolonization of the Oromo ethnic group from the ruthlessness of the Derg. This movement yields little or nothing to upset the Derg (Joirman, 1987, 394). Furthermore, another treat of the Derg government was the Eritrean People Liberation Front, that contributed greatly to the delimiting the power of the Derg, and which finally led to the collapse of the Derg. The Eritrean People's Liberation Front (EPLF) was highly back by the Eritrea Muslims and it was pan-Islamic oriented and as a result of that it was massively supported by the Arab communities in the world. However, Eritrean Christian community in Ethiopia also joins the revolt against Ethiopian control over them. However, the EPLF was weakened by the religious ideology shared between Eritrean Muslims and Christians and it caused the organization to split into two equal parts. At the beginning of the struggle, the Derg intended to resolve the Eritrean problem in a peaceful manner but due to their harsh policies, they decided to use military means to curb out the Eritrean struggle for independent. The rigorous Derg policies invoked a nationalist spirit of nationalism within the Eritrean population. As a result of the invasion of Somalia by Ethiopia in 1977, the Derg Military power was weakened and this paved the way for Eritrean political movement organization to be in

control of most of the Eritrean territories. With military aid from USSR, the Derg was able to crush the Somalia out of their land and concentrated their military on Eritrea rebellion and after some few months, they gained total control of most of their territories. The greatest among all the Derg ever faced during their time was the combination of Eritrean Liberation Front (ELF) and the Tigray People's Liberation Front (TPLF). The TPLF came into existence as a result of the influence, in which the Tigray student got from Ethiopian student union and was created in 1975 and it agitated the right of self-determination to the Tigray people (Young, 1997, 83). In the beginning of the movement the TPLF thought that their right to self-determination meant independence, but all of a sudden, the aspiration for independence of the Tigray people died completely. Their main aim was "to eliminate national domination and restore the national rights of the Tigrayans people" (Abbey, 1998, 197). The spirit of nationalism of Tigray people consisted of their culture and their traditions, which were common in practice and used as a mobilized apparatus movement for the struggle. The last stroke that broke the camels back in the Derg administration was the combination of the uniformed forces of the TPLF and EPLF that thwarted the Derg administration alertly. This movement was very successful because the TPLF movement was substantially unanimous with their words of self-determination of the Tigrayan people. The Derg used all their military might and political tools to the extent that the hard diplomacy implemented by the Derg failed, they decided to use soft power to resolve insurgency and ethnic conflict between the various factions of ethnic groups in the countries. 1987 was a very significant year in Ethiopian History because it marked the period of 30 years in which Ethiopia was ruled without a constitution and a new constitution was approved. When the Derg came to office in 1974 they decided to suspend the 1955 constitution and created their own in 1974 (Jembere, p.68). The constitution, which has just been formulated, created a People's Democratic Republic of Ethiopia (PDRE). It allocated the dissatisfaction laydown by all rebellion be it ethnic or regional, but the United States structure continued to prevail. Basically, the new constitution did not mention independence or federalism concerning Eritrea, but it was clearly stated in the new constitution that all nationalities lived in equality.⁴⁴ The 1987 Constitution stipulated that the PDRE stands as a guarantor for linguistic diversity; this means that all autonomous regions in Ethiopia have the right to implement their local languages as the

⁴⁴ Article 2(1) 1987 constitution. Whereas article 2(5) of 1987 constitution stipulated that the PDRE will stand as a guarantor for linguistic diversity. However, although article 116 of the constitution stipulate that state activities shall be c

main language in their area of jurisdiction. However, the Article 116 of the Constitution stipulated that state activities should be considered in the Amharic language. In addition, the Article 59 of this new Constitution affirmed the creation of autonomous and administrative regions. These newly created institution(s) were provided with their social and regional development plan as well as their economic plan. The laydown of a new Constitution was not a solution to the Ethiopia's problem. In 1988 the leader of the military committee ruling Ethiopia started to lose its powers drastically and in that same year the army of the military committee was also toppled by the joint coalition forces of the TPLF and the EPLF. Thereafter, the TPLF had an ample control of other areas outside the Tigray territory. Their aim of doing this was to finally put an end to the military dictatorship and cruel rule of the Derg. But the TPLF, constituted a minimal account of the total population of Ethiopia, and so they decided to involve all others ethnic groups the struggle of Ethiopia. In 1989, the Ethiopian People's Revolutionary Democratic Front was created, by doing this they aimed to create a coalition government based on ethnicity subsequently due to the fact that the Ethiopian People's Democratic Front (EPRDF) was not a multi-party entity but a consortium of ethnic groups and make it to be accepted by all. During the creation of EPRDF three main organizations joined the TPLF to make the organization to become stronger are: The Ethiopian People's Democratic Movement (EPDM), was a movement spread-headed by the Amhara people. The Oromo People's Democratic Organization (OPDO), a struggle to liberate the Oromo people. Ethiopian Democratic Officer's Revolutionary Movement (EDRM) was dissolved after the struggle because it consisted of the Derg officers who had been made prisoners of war by the leading revolutionary group. After everything, the TPLF had spearheaded the formation of three different revolutionary organizations to overthrow the Derg government in in the leadership of Megistu Haile Mariam. Basically the end of the cold war and the collapse of USSR made the Derg to lose its political, economic and social international support from the USSR. The Derg leader Mengistu abdicated to Zimbabwe in 1990 and the president of TPLF and EPRDF decided to go to the USA and castigated communism. The Derg leader was given political asylum in Zimbabwe and with the help of the united state support the EPLF, captured their capital Addis Ababa and on 28th May 1991, the EPRDF finally entered the capital of Ethiopia Addis Ababa and took the leadership in Ethiopia.⁴⁵

⁴⁵ T.M VESTAL, A POST COLD WAR African state, wester port Prager, USA,1999 p. 5

2.2. The Evolution of Ethnic Federalism

The threefold-coalition movement: the EPRDF, EPLF, and OLF decided to organize a Grand National Conference on 1st July 1991. The aim of this conference was to create a transitional government from the military communist dictatorial form of government to a Federal Republic based on ethnic lines but for the time being an adhoc administration was also created being the EPRDF. The leader of the EPRDF, Meles Zenawi assumed the position of the President and became the interim president whereas the head of administration Tamrat became the interim Prime Minister. The EPRDF continued to manage the country in good faith and after two months it declared a national conference and from statistics, it showed that about 27% of Ethiopian political parties and organizations took part in the conference. Notwithstanding the fact that it was attended by representatives of the University of Addis Ababa and workers' union such as the Oromo workers' Union, the majority of the attendees was political groups based on ethnic line. Some of these groups were created overnight while some have existed for a very long period of time and others have been in existence and had contributed immensely in the struggle to eradicate Ethiopia from the onslaught of the Derg administration under the auspices of Mengistu. The conference commences with discussion on the problem of accepting the "The provisional period prerogative of Ethiopia and this provisional period sufferance was to be endorse by the national conference and will stand as most respected law of the land for a period of the provisional government"⁴⁶ and on 22nd July, 1991 a communique was sent in Negarit Gazeta which was officially considered as the formal gazette of Ethiopia. This new provisional prerogative lay down the framework and function of the ad hoc administration. This government was made up of a Council of Ministers and Council of Representatives. In line with the Article 7 of the Charter, the Council of Representatives was to be made up of joint representatives of all the National Liberation Movements, political entities and influential people in the society but only with a total amount of 87 seats available. Members of this council were not elected but they were proposed by their various organizations in equation. In the beginning, only 24 groups and entities were represented in the Council of Representatives and it had a total of 81 seats. During the National Conference that was held in July, most of the groups that had representatives were

⁴⁶ Article 18 Transitional charter

present at this conference. The number of seats given to each group could be classified as follows: EPRDF 32 Seats, OLF 12 Seats and 5 Seats were given to 5 political struggling groups who did not participate in the conference (Kinfu, 2001, 442). In accordance with the Charter, the executive power includes the Prime Minister, a Council of Ministers and the President but actually a full supreme power was bestowed to the Prime Minister. This charter was very significant to the history of Ethiopia because it was the first of its kind to lay emphasis on the ethnic diversities of Ethiopia. This clearly shows that the charter was trying to heal the wounds of social, political and economic wider ripple effects created by the previous regimes. In respect to the preamble of the charter, a new history of Ethiopia had been created that was based on the democratic principle of freedom of speech and worship, the respect of human rights for all and the right to self-determination was the principle which governed the Ethiopian people politically, economically and socially. Subsequently, the right of self-determination was strongly rested down in the Article 2 of the provisional charter:

“The privileges of nations, nationalities and peoples to Statehood are asserted as stated, each nation, nationality and people is guaranteed the right to; preserve its identity and have it respected, promote its culture and develop its language, administer its own affairs with its own defined territory and effectively participate in the central fair and proper representation. Exercised nation/nationality and people is convinced that the above rights are denied abridged or abrogated ”.⁴⁷ All the various groups of citizens in Ethiopia are been assured the right to uphold its identity and aggrandize their social aspect such as culture and language within his/her periphery and actively partake in the central government with liberty, fair and proper representative. Apparently, the Constitution was enshrined by the transitional government is different from all other constitutions that have ever existed in Ethiopia, because this new constitution refrains from talking about Ethiopian population as Ethiopian people but ascribes it as nation, nationalities and people. This nations, nationalities and peoples have the warrant to prove their culture and the right to partake in the central government and conversely the constitution also guarantee the right of secession for nation nationalities and people to secede they need to fulfill a certain condition. The participation of all ethnic political groups was also emphasized in the Constitution. In regard to the new Constitution, this article clearly stated that, the President, Prime Minister Vice Chairperson and the Secretary of the Council of

⁴⁷ Article 2. Transitional charter of the federal republic

Representatives come from different ethnic groups.⁴⁸ Empirically speaking, this Article 9 of the Constitution was highly respected and implemented as can be seen: the President who was called Mr. Meles Zenawi a Tigrayan was elected by the Council of Representatives. Mr. Tamrat Layne an Amhara was appointed as the Prime Minister and the post of the Vice-Chairman came from the Gurage ethnic group and the Secretary of the Council of Representatives came from the Kambata ethnic group (Kifle, 2001, 442). The national conference finally studied at the future of Eritrea in relation to Ethiopia. The EPLF advocated for the independence of Eritrea and did not take part in Ethiopian government formation claiming that Eritrea was a sovereign state that was captured by Emperor Menelik II and added to the empire of Ethiopia. Eritrea created its own adhoc committee. Isaias Afewerki assumed the post of the head of the Committee in May 1991. Eritrea assumed the statue of a de facto nation. Basically, the new Constitution of Ethiopia allocated the Eritrean people to determine the fate of their future political states by the means of referendum after two years and this took place in April 1993 under the auspices of the United Nations and more than 90% of the Eritrean voted for independence. In the same month, Eritrea became legally recognized as a state under the international law and the final agreement for independence was made between Ethiopia and Eritrea as concerning the defense, security, business and economics but afterwards, the relationship between the two countries relationship was in lower ebb. Subsequently, in 1998 a border conflict in the surrounding regions escalated into full-fledged arms conflicts between the two states that have lived together for centuries.

The newly created Constitution advocated for a decentralized form of government, which will be ethnically divided. However, the Article 2 of the charter stipulated that each nationality and people of the state of Ethiopia had the right of self-determination in his own jurisdiction. Thereafter, the Article 13 stated that all councils both local and regional were to be created based on nationality and it became effective with the declaration No 7/1992 of 14 January 1992. According to this law national/ regional self- determination was to be created based on nations, nationality and peoples were grouped into 64 ethnic groups and were divided into 12 regions. Better still, Addis Ababa and Harari were made as two separate regions and thereby making an incensement of a total of 14 regions. The creation of regional frontier was aimed to create as much possible ethnic groups who are similar in culture and languages into one region (Lyon, 1996, 124).

⁴⁸Article 9 of the transition chapter

2.2.1.1. The Tigray People's Liberation Front (TPLF)

The TPLF is a politically motivated group, which was created in 1975 by some Tigrayans at the University of Addis Ababa (Marcus, 1994, 222). The aim of this movement was to bring an end to the class disparity that existed in Ethiopia at that time and to make the Tigray region to be self-determined in all aspects (Ibid, p.221). However, according to some main activists of struggle such as the Ethiopian students Union, Ethiopia was created by its creator with the aim of dominating other ethnic groups with the policy of Amharization, including forceful adoption of the Amhara language, religion and culture which have causes untold xenophobia, ethnocentrism, inferiority complex and thereby have inflicted emotional distress to the victim ethnic groups (Kinfе, 1994, 23). Members of the TPLF strongly believed that modern Ethiopia came into being as a result of Emperor Menelik's expansionist policy, which have brought the people of the southern part under subjugation to the northerners and thereby destroyed the right of self-determination which was an inheritance on the various region that had been captured under subjugation to the northerners. Thereby, it destroyed the right of self- determination of the southerners. Subsequently all the states in Ethiopia were administered in a centralized form of government with iron hands and hence abrogated the right of self-determination which is inheritance on the various regions that had been captured under the Emperor Menelik and causes the identities of the others ethnic groups to be as take (Teshale, 1995, 26). Apparently, the objectives of the TPLF were enticed by the late 1960s and early 1970s with the Ethiopian Student Union, which had castigated several government policies in relation to Agriculture on land reform and class differences in the society and on issues related to nationalities and the secessionist ambitions of Eritrea. However, the student union was highly enticing by the draconic thinking of Marxism-Leninism and Lenin in logical ways in resolving issue related to nationalities, which have abrogated the right of self-determination up to secession. Therefore, as they were part of Ethiopia, the student union inspired them to rise up and stand for the goods of all the Tigray. The Tigrayan student revolutionary movement had instigated the spirit of nationalism, the spirit of consciousness and awareness of the Tigrayans to be ruled by themselves rather than by other people. The differences between the Ethiopian student union and the Tigrayan student union are that; the Ethiopian students concentrated in the inequalities in the distribution of economics and emphasis in land reform, whereas the Tigrayan student union

focuses in self- determination (Clapham, 2002, 21). The Tigrayan students claimed that the severe suffering, which is associated with the economic and social status of the Tigrayans, is caused by the willful acts of government. This is being controlled by the Amhara people to neglect the Tigray region (Aregawi, 2004, 40). For this reason, the Tigrayan self-determination spirit, which was advocated by some prominent Tigrayans and was wholeheartedly accepted as a political tool to free the Tigray region from the hands of Amhara domination? (Teshale, 1995, 173) Seemingly, Leencho (1999) strongly argued that the Tigray were in association with Amhara to create a social political and economic influence over other ethnic groups but later on they were astonished of Amhara's people dominations that entice them to be part and parcel of the struggle (Leencho, 1999, 4-42). Correspondingly, Marcus explicitly stated that the Tigrayans thought that they were marginalized by the Amhara's domination, albeit they took active part in the nation's-building during the imperial rule of the Emperor Menelik II and Emperor Haile Selassie (Harold, 2002, 221). Kinfe Abreham (1994) stipulated that, the Tigray people are discounted about the in just historical process which has cause powers to change hands from Emperor Yohannes IV, a Tigran to Emperor Menelik II, an Amhara ethnic, who instead introduced a stronger centralized system making the Tigray people losing their autonomy (Kinfe, 1994, 159). He further explains that the Tigray revolt is a result of their material and human resource, which is used to build a powerful Ethiopian Empire, and afterwards they are being weakening their own credibilities. It is like a burning candle that withers away in the course of producing light to the surrounding (Ibid, p.159). Moreover, Adhana (1998) stipulates that there was a fear that the Tigrayan people may have created their own separate states because their identity was undermined after Emperor Yohannes IV's death in 1889 (Adhana, 1998, 47). This was the main reason why it was very difficult for Tigray scholars to pay allegiance to the Emperor's administration because their own language has been abridging by introducing Amharic as the official language in schools and state institution. The TPLF strongly argued that the Emperor and his Amharanization policies have hampered the development of the region and was questionable because not only Tigray was neglected for economic and social reforms but other regions were also neglected as well as the Emperor's own province. This has made many scholars to search for the real cause of this movement. According Messay (1999), the highly centralized administration put forward by the Emperor by appointing members from the aristocratic family from the Showa clan, to control both the regional and local administration

have undermined the regional and local authorities and thereby vehemently undercutting their own credibility (Messay, 1999, 316). In Tigray region, a particular clan who originated from the Showa region of Amhara have been dominant in all aspect in the province have caused resistance against them and this spirit of resistance can be seen how the Tigrayan resisted the Derg (Ibid, p.398). Similarly Messay (1999), and Teshale (2002) argued that a rivalry between the Tigray and the aristocratic Amhara people was not rivalry for value but a rivalry for interest because the Tigrayan authorities have been abridged as a result of the introduction of modern education and bureaucratic administration, in Addis Ababa (Teshale, 1995, 175). Teshale (2002) came into the conclusion that conflict between the Amhara and the Tigray people were as a result of the Tigrayan inspiration to establish their supremacy in Ethiopia (Ibid, p.175). Naturally, it is very difficult to bring out the principal cause of the revolution in 1970, it is controversial to know if it was politically motivated or maybe they needed to increase their economic status or because they were afraid that their culture and language could have been wiped out. Apparently, the TPLF movement had indirect means to create the road for liberation of the Tigrayan people over the Amhara people's domination, which was incited during the reign of Emperor Haile Selassie. The Showa-Amhara's region was highly favored survival and modernization (Kebede, 1999, 122). The Derg regime that lasted 17 years did not stratify the society based on ethnicity. Instead, they have abolished ethnic based favoritism that was implanted by the imperial rule and replaced them with military dictators. Ethnicity was insignificant as a concern of their appointment but these military officers where used a diaconal policy to administer the society. The land reform was tactical to be implemented by the Derg in 1971. It curbed out the Showa-Amhara's domination in the economic sector of the Economy. Seemingly, one cannot deny the fact that there was no empirical reason for the struggle emanated by the TPLF. Basically, the Emperor Haile Selassie's domestic policy of highly centralization of administration by using bureaucracy made the Tigray reign lose right of self-determination, culture and language. At that time, all decided to be made in the region and was emancipated from Addis Ababa thereby making the Tigray region to abolish its autonomy (Harold, 2002, 155).

Subsequently, there exists some imperial *raison d'être* for the substantial rise of the TPLF. Basically, the centralized policy adopted by Haile Selassie in 1940's act as a severe blow to the regional autonomy of various states in Ethiopia and Tigray autonomy was not an exception since

the Emperor have implemented a bureaucratic form of administration based in Addis Ababa (Ibid, p.158).

Moreover, the Emperor was unable to handle the peasant uprisings, which was caused by the poor government policies with high taxation, corruption and finally by brigandage. This uprising was very severe and many people were massacre (ibid, p.155). In addition, the population of the Tigray has been induced and added to the Wollo region. Better still, the introduction of Amharaic, as an official language in schools and government offices was a situation not to be compromised. Finally, the famine that occurs in Ethiopia in the year 1984-1985 affected the Tigray region. While they were struggling to survive the calamity in the capital city Addis Ababa they were preparing to celebrate the 10th year anniversary of the military rule. More so, the leader of the military regime used foreign aid given by another country like USSR as an instrument of punishment to rebellion areas by presetting food supply from reaching them.

Apparently, the aims and objectives of the TPLF were contradictory. Some schools say their aim was to restore their self-determination that was lost in their region. However, later the TPLF advocated for secession and independence of their province instead (Ibid, p. 223).

It is still not clear to know what the main intention of the TPLF because the person who spearheaded the TPLF Meles Zenawi initiated the idea, as he later became the Prime Minister. He was also the leader of the Ethiopian People Revolutionary Democratic Front (EPRDF) and it most also be noted that he was the person that strongly advocated for the right up to secession in the new Ethiopian Constitution in 1994 (Eshete, 1993, 326).

2.2.1.2 The Ethiopian People's Revolutionary Democratic Front (EPRDF)

Around 1989, the Tigrayans have successfully discarded themselves from the central government in Addis Ababa, they decided to change their political strategy, they formed a new organization which will be inclusive to all Ethiopians so that the military dictatorial regime can come to an end as a result of that a coalition front was created and it was known as the EPRDF. The goal of this coalition front was to help the TPLF to achieve its aim of self-determination. This implies that, their aim will be now to transform the movement from a unit-ethnic movement to a Pan-Ethiopian, which is characterized by integrating passion for all members and they try to huddle

the Ethiopia together. The reason for this is that if the Tigrayan region gained its autonomy without the other ones regions it will make no sense. Moreover, the Tigrayan leaders stipulated that the prerequisite for the Tigray region to get its independence is the overthrow of the military regime completely because they might one day invade the region and implement their radical policies. It can be seen that after the Tigray people have been released from the hand of the military regime about 35,000 volunteers put down their arms and went into the interior to meet their relatives, but due to pressure from their relative they were obliged to come back and continue with the movement (Leencho, 1999, 123).

With the impeccable objectives of the TPLF their leaders were able to influence the Orthodox priests so that they can get an ample support, which will alter the rate of liberation struggle against the pro-Marxist military dictatorial regime (Harold, 1995, 230).

Politically, it was advisable for the TPLF to continue their fight for liberation but notwithstanding other factors might be responsible for their relentless economic fighting, if the Tigray province is independent it will not be economically viable because the region had suffered greatly from the drought and famine which stroke Ethiopia in 1984. The region is highly dependable to other regions for economical sustainability; it is a poverty striking alleviated region. It was therefore worthless of the Tigrayan leaders to think of succession without any valuable economic means to sustain the population. They therefore changed their political ideology from unit-ethnic liberation to a multi-ethnic pan-Ethiopian one in order to wipe out the draconid regime of the Derg. Logically, the creation of the EPRDF implies that the TPLF have changed its aims and objective from secession to federation based on ethnic line by creating a multi ethnic liberation movement in different regions in the country (Clapham, 2002, 26).

The Synthesizing of the EPRDF has helped the TPLF to play a pivotal role in the formation of a federal state instead of Secession. The EPRDF is made up of 4 major groups: the Amhara National Democratic Movement (ANDM), the Oromo People's Democratic Organization (OPDO), the South Ethiopian People's Democratic Front (SEPDF) and the (TPLF) (Clapham, 2002, 26). In 1980, some members of the EPRD decided to create ANDM, which at that time was the EPRD, was called Ethiopian People's Democratic Movement and supported by TPLF. The EPRD was a multi-ethnic group that included all the tribes found in Ethiopia and in 1989 the two political groups formed a coalition that is to say the TPLF unite with the EPRD to form

EPRDF, so that the struggle can enter into the Amhara sub-regions. For example, the coalition front of Wollo, Gondar and Gojjam and North Showa regions, carry out a pivotal role in the overthrow of the Derg and the establishment of a Federal base system of government based on ethnic line. EPDM becomes Amhara National Democratic Movement; however, it was perceived by the Amhara elites as diplomatic means use by the Tigrayan to rule over Amhara. Basically, most of the Amhara people are not really happy with modern ethnic stratifications, as they believe that Amhara is coincidentally Ethiopian, whereas the member of ANDM, EPRDF believe that Amhara is a representative of the Amhara identity within Ethiopia (Ibid, 29). As a concern of the Oromo People's Democratic Organization (OPDO), the TPLF created the political movement for the Oromo people in March 1990 and the founder of this political party was an ex-prisoner of war who was military personnel under the Derg regime. During the final attack of the capital city in Addis Ababa and the central regions of Ethiopia that is made up of mostly Oromo Territories, the TPLF decided to use some mercenaries and volunteer from Oromo origin so that it will be easier for them to mobilize Oromo people and instigate them to comrade the military regimes under the banner of OPDO. After the overthrow of the Derg regime in the central region in 1991, the two political parties whom jointly overthrow the regime have become the ruling party by creating an alliance between each other and is considered as the only ruling party in the region. A one-party system was reinstated in the region. Any other party that was created for the purpose of Oromo identity was forbidden. Seemingly, Oromo elite in Ethiopia and all the others around the world perceived that the TPLF established the OPDO in other to divert the attention of Oromo Liberation Front (OLF) that intended to liberate the Oromo people completely from Ethiopia. However, the OLF is very popular both internally and externally and have strong support in its domestic and international arena. The creation of the OLF has dealt a severe blow to the integrity of the OPDO (John, 1994, 232). In 1992 South Ethiopian People's Democratic Front (SEPDF) was created by the EPRDF, the main aim of creating this group was to extend their hegemony in the southern part under an ethno linguistic classification and grouping in a one-party system. The SEPDF was a political combination of 20 ethnic groups and most of them were created by the EPRDF as People Democratic Organization (PDO) and some train staff of the EPRDF who was southerners that created PDO. Seemingly, the EPRDF is a combination of Tigray, Amhara Oromo plus the southern ethnic groups. Since after the downfall of the Derg regime the TPLF has taken power by using political manipulation and implementing

asymmetric form of administration in the name of creating political liberator fronts and these asymmetry way of solving political issue in Ethiopia by EPRDF has made many people to perceive that the TPLF is playing the dominant role within the EPRDF. The TPLF was the creators of all liberator fronts; it was the group that plays the most significant role for the liberation of Ethiopia from the harsh military rule of the communist ideological regime. But afterwards, it had used its power in its greatest form by using political manipulation to keep certain subjects off the table of agenda for discussion. For example, in the Oromo region no other front is allowed. If such a thing happens, it is considered as illegal. An empirical example is put forwarded by Merara that the PDO's tactic of creating political support by establishing ethnic groups under their control from various ethnic fraction of form the state of Ethiopia (Merara, 2003, 146). From all indications it is clearly seen that all the other groups that joined to create the EPRDF are all puppet political organizations under the control of TPLF. Therefore, these three major ethnic groups who incorporated with the TPLF to create the EPRDF are deemed inappropriate in their various constituencies and lack credentials to be legitimized by their own people in their respective communities. The formation of the EPRDF was not created based on the democratic principle of legitimacy, equality and transparency; this can be clearly seen in the various groups. The coercive (using force) ways used by the TPLF to control the EPRDF have made the organizations since from its origin to commit the policy of equivocation and thus it is considered as a hybrid organization. The TPLF has even taken some prisoners of war and combined their various ethnic groups of origin in order to create a fake power sharing. There exist two philosophical beliefs concerning the strategy behind the creation of the EPRDF. Some people believe that since Amhara have been the dominant ethnic group and the Oromo the most populated group the only means of the Tigrayan who are very small in the population to reach power was, by creating an ethno-based organization that was also headed by them (Young, 1996, 534). Whereas, others argue that this form of a strategy has demoralized other minority groups like the Somali, Bench and Konso as well as the other majority ethnic groups like Oromo, who are incapable of mobilizing themselves under the auspices of the TPLF. All in all, the EPRDF was created mainly to liberate the nation from harsh rules of the Derg and replace it with the democratic ethnic form of government based on self-determination in the various regions of Ethiopia.

2.2.1.3. The Federal Democratic Republic of Ethiopia (FDRE), And Its Government Structure.

A Federal Democratic Republic of Ethiopia was created in 1994 and in August 1995 a Constitution was laid down to safeguard a lustrous running of the state under the banner of democratic principles and the approbation of the rule of law. This new Constitution, which was handed over by the transitional government, includes the following: the fundamental principles of sovereignty of the people, supremacy of the Federal constitution, human rights, secularism and finally accountability. This new Constitution branded Ethiopia as a nation to be made up of different nationalities and people. In respect with the new Constitution, the 3 major arms of the government, the Legislative, Executive and Judiciary branches were created. Seemingly, a parliamentary form of legislation was created at the federal level that had two chambers of the Legislature.⁴⁹ Hereinafter, as concerned with the executive body, the Prime Minister, whose functions were accountable to the House of People's Representative was Paramount.⁵⁰ The third arm of the government according to the Constitution was the Judiciary, whose power was vested on the Supreme Court since it was independent.⁵¹ Better still, another institution was created that was known as the Council of Constitutional Inquiry and enacted under the Constitution. Its main aim was to use preventive diplomacy, to investigate and manage conflict within states.⁵² The Board for National Election was created (BNE).⁵³ This was an office for National Human Rights Commission, in order to make the Constitution more viable and flexible to all. Some norms are enshrined by the Constitution the fundamental norms in which both the federal and local government is incapable to amend. During the reign of Haile Selassie, the Constitution of the Empire described sovereignty as something that rightfully belongs to the nation of Ethiopia, whereas in the new Constitution of FDRE sovereignty belongs to the nation, nationality and people of Ethiopia.⁵⁴ This implies that it hypothesizes that sovereignty exists in nations, nationalities, and people in a country. These manners of conferring sovereignty in sub-nation units have far fetch consequences for the new power sharing structure in Ethiopia. Better still, it

⁴⁹ The bicameral legislature constitutes of the house of people representative and the house of the Federation and they are the two legislative house under article 53 of the FDRE constitution

⁵⁰ FDRE Constitution Article 78

⁵¹ FDRE constitution Art. 50 (5-7).

⁵² FDRC constitution Art 82-84

⁵³ FDRC article constitution Article 103

⁵⁴ FDRE constitution Art 8

is an evidence of this sovereignty that nations, nationalities, and people are conferred to the right of self-determination up to secession; however, this certitude has paved the way for a paralytic approach to laws and right. This concerns supremacy of the Federal Constitution in respect to the Article 9, which stipulated that the supremacy of all laws of the nation is the Constitution. Any law, customary practice or decision of an organ of state or a public official which contradict this constitution would be invalid or cancelled.⁵⁵ The supremacy of the Constitution under the Article 9 is very pivotal to the nation building in Ethiopia because without a common law accepted by all, various states will have their own laws and doing whatever they deem as appropriate to them and there would be no national laws that is accepted by all the states. As concern the human right issue of the FDRE, its constitution focuses more on human right as compared to that of the empirical era of the kings and the military regime of the Derg, which neglected international human rights. The principle of the fundamental human rights is being articulated in Article 10 of the Federal Constitution, which stipulated, “human rights and freedoms, emanating from the nature of mankind are inalienable and inviolable”.⁵⁶

However, it can be seen that various rights lay down in Chapter three of the Constitution has been rectified by the principles of human rights and freedom. Seemingly, the principles of human rights are considered to be the backbone of socio-economic, political and environmental policy goal of the government of Ethiopia. The desire by the FDRE was to boost regional self-determination and egalitarianism among the ethnic groups so that everybody can benefit from the economic, cultural and social rights is seen as schedule statement of the commitment of the principle of human rights. The emphasis placed on the principle of the fundamental human rights is ubiquitous as it is vociferously found in the preliminary and in the final cause in the Article 104, which stipulated “ Any proffer for Constitutional alteration, if underpin by a two-thirds preponderance vote in the House of the People Representative or by a two-third predominant vote in the House of the Federation or by two- third of State Council buttress, thereafter it shall be handover for decision and after it will be taken to the general public and as well as to those that the modification will affect them”.⁵⁷

⁵⁵ FDRC constitution Art 9(1)

⁵⁶ FDRE constitution Art 9 (1) and (4)

⁵⁷ FDRE Constitution Art 104

Apparently, the Chapter 3 of the FDRE Constitution concentrated only on the issues of fundamental rights and freedoms; this is an empirical example to show how significance is human rights for the new Ethiopian Republic. Better still, there is a need to take caution in respect to human rights during the time of emergency in order for the state to declare state of emergency. This would be the restricting power of the Executive branch⁵⁸ and also there is a need to be cautious in the course of allocation of human rights terms within the Constitution.⁵⁹

For the issue of secularism, FDRE is conferred as a federal state. It is similar to the empirical kingdom where Orthodox Christianity was considered as the state religion. As stipulated under the Article 2 of the FDRE Constitution, religion is explicitly separated from state, which implies that FDRE is a secular state, notwithstanding the principle of secularism can be considered as the basic right of freedom of religion and equality of all ethnic groups in relation to their religion. Transparency and accountability are also one of the features that made up of the FDRE as compared to the imperial kingdom era or during the military regime of the Derg where the leaders were not accountable to anybody, but the Article 12 of the FDRE its Constitution states that the conduct of affairs of government shall be transparent as the public officials or elected representatives are accountable for any failure in official duties. In the next chapter, some of the challenges faced by ethnic Federalism in Ethiopia like identity crisis and to propose a system of government that may be able to reinstate sustainable peace in Ethiopia are examined to really understand why ethnic federalism cannot produce a sustainable peace in the democratic Republic of Ethiopia.

⁵⁸ FDRE Constitution Art 93(4)

⁵⁹ FDRE constitution Art 105(1)

CHAPTER THREE: THE CHALLENGES OF ETHNIC FEDERALISM IN ETHIOPIA

3.1 Identity Crisis in Federalism

In the Federal Democratic Republic of Ethiopia, political heads have used the instruments of the state over which they lead, they used well trained armies against political opponents in a contest over some detectable national interests are thought to produce identity crisis fuelled by the particularistic identity politics that serve as the main sources of internal crisis. For example: the Tigrayan population constitutes only 6% of the population of Ethiopia but they control the Ethiopian politics. The unscrupulous dealing with group's identity by elites of Tigray is important, as is the synchronous of group identity within the Ethiopian population taken together. These factors are crucial to the process of creating and sustaining a climate, whereby the use of violence in relation to real or perceived grievances is seen inevitable in the modern state of Ethiopia. In this respect, primordialism in Ethiopia has been dominant both for the ethnic identity and political discourses.⁶⁰ For example, the northern settlers in the southern part of Ethiopia are called Amhara even though many of them have adapted to the language and culture of the southerners. Self-determination have utilized primordial factors, an example during the Derg Regime in the 1970's could be the Stalin's doctrine of self-determination becoming very popular in Ethiopia. This helped to empower the primordial elements of identity that includes religion, language, custom, nationality and political identification that resembled Stalin's doctrine and was practiced by the Derg (Hizkias, 1996, 65).

Conversely what sets the FDRE apart with respect to identity is the tendency to which they are fought for causes that are incomprehensible from the particularistic identity that was used to mobilize the combatants for this new government, the FDRE is at base a violent contest between inclusive and exclusive notions of social organizations promoted by social-psychological distinctions of in-groups and out-groups arrayed along ethnic, religious, linguistics or other cognitive signifiers (Daniel, 1994, 43-68). These distinctions are rooted in deep-seated historical and cultural grievances from the various ethnic groups in the FDRE. These grievances are

⁶⁰ Primordialism is one of the theory of ethnicity which was designed by a sociologist called Robert E. Park and this theory stipulated that race is a social category and one of the several factors in determining ethnicity.

sustained through a mix of exaltation of the in-group honor, past and traditions demonization of the out-group motives and action and the manufacturing of an omnipresent threat (Stein, 2001, 189-208). It is clearly seen in FDRE that the Amhara ethnic group who had been ruling Ethiopia for a very long period of time have declined and overtaken by the Tigray ethnic group. Such identities are usually historically derived and therefore have broader and more sustained appeal in the faces of challenges to the nation-state, particularly given the degree of “Amharanization”.⁶¹ This transference or the locus of identity from the nation state to sub-state group lies at the very heart of a system, On 5th August 2016, the Oromo ethnic group carried out a protest against the government and threatened to secede and the protesters were brutalized by the government and the leader of the group was arrested and incarcerated. The government decided to use this political strategy because protesting in a Federal Ethnic State by an ethnic group is associated with an effort by sub-state groups to contest, hijack or weaken the authority of the government in power. Extrajudicial killing (killing without trial) is something, which is common in the FDRE. Therefore, agoraphobia⁶² is the principal philosophy of most ethnic groups in the FDRE. The extent to which the twin crisis of the state and identity are not only related but also mutually reinforcing within the FDRE literature should not be overlooked. Fragile nations like the FDRE are exposed to national cohesion and personal realities, which have caused the FDRE to derail from its objectives which in turn further undermines FDRE extension, and loyalty, in such a situation that prevail now in the FDRE, individuals would look to other sources for both security and identity reinforcement for national identity. In this way ethnic, religious or other primordial identities serve as appealing replacements for national identity, a source closely associated with the state whose capacity is in decline. The Amhara ethnic group has been in power in Ethiopia for more than a century but their influence has declined and it has been taken over by the Tigray population, so most of the Amhara people feel very insecure in the FDRE. However, the criticism levies against primordialism that primordialism believes that ethnic division is static and natural and unshakeable. Mary Kaldor (1999) argued that ethnic identity is something that must be renewed, modified, renegotiated and flexible (Kaldor, 1999, 30). In the federal system the basic calculus of warfare in terms of

⁶¹ Amharamanized means the assimilation of all Ethiopia culturally and socially to an Amhara ethnicity during the imperial rules

⁶² Agoraphobia is a situation whereby a person perceives the environment where he or she is unsafe with no easy way to get out. Most ethnic group in Ethiopia believed that they have erroneously confined themselves into a difficult situation in the name of Ethnic Federalism.

strategy and tactics is transformed. That is not to say that the FDRE lacks a political dimension far from it. Indeed, the FDRE is associated with an effort by sub-state groups with transnational support networks to contest, hijack or weaken the authority of the federal government in Ethiopia. For example, the Oromo Liberty Front is always subjected to similar types of activities but they are often prosecuted to obtain and secure territorial advantages. However, in strategic terms the employment of violence by the federal government veers drastically from the pursuit of traditional political or military objectives.

Ultimately, the FDRE is advanced and shaped by the desire to sow and reap the gained fear and hatred on which particularistic identity politics turn. The various ethnic groups in the FDRE are constantly contemptuous and assembling of their arsenal in order to be in possession of political power and make some financial gain and constantly contemptuous of a join doctrine and restricted on the application of force with descent political right. Rather than a tool to advance the national interests in the FDRE violence is used both as means to reach to an end and also being used as an end into itself. As a result, the FDRE often features the application of what seems from the outside as senseless brutality as well as rampant war profiteering as part of the international political tactics. For example, in May 2016 the federal government announced a plan to extend the capital city in Addis Ababa which means that farmers who own land closer to the capital city will lose their land and the ethnic group who owned land close to the capital city were the Oromo people, as a result of this announcement there was a great protest in the capital city headed by the Oromo people and the government responded with a mass brutality that has led deaths of around 100 people. The main point of departure for the FDRE is that the interest pursued by the various liberty fronts and the source of mobilization are one and the defense and advancement of one's own group relative to the much demonized other. This is established and maintained through the selective and targeted administration of violence to expel or eliminate any challengers particularly those of the out-group. In the FDRE, population displacement, massacres, widespread and systematic human rights, violations and criminal activities are transformed from ancillary outcomes to deliberate strategies. The government uses all these harsh political strategies to suppress any act that may lead to encourage pro secessionists by any major or minor ethnic groups in the FDRE.

Technology is a relatively significant part of the FDRE equation, personal communication devices such as, mobile phones, tablets and also mass media like radio and television are widely used to coordinate activities and perpetuate fear and divisiveness in the FDRE. For example, in 26th May 2017, the mobile Internet was disconnected from all citizens of the FDRE without any prior notification for any good reason. Yet, in terms of the actual application of violence the flood of light arms unleashed with the privatization of arm production after the end of the Derg regime. In the transitional period, cases such as, makeshift and rudimentary implementation of tools like machetes were employed in general in low intensity but extremely bloody spasms of internecine warfare during the Oromo uprising in 2015. The unyielding indiscriminate violent of the FDRE is been executed by well train military men and some mercenaries, they use advance military techniques to fight unarm civilians thereby cause a wide ripple effects of gross human rights violations. These front-line combatants straddle and intentionally blur the distinction between combatant ethnic groups and non-combatant ethnic groups both as a result of their own murky status as well as their favored targets. Indeed, the object of the FDRE violence is typically not the corresponding irregular forces of the other competing ethnic groups but civilians (Ivan, 1996, 100).

However, laws controlling the performance of war include several international conventions and treaties. For example the Geneva Conventions in which FDRE have signed are repeatedly and egregiously violated. In this light, core distinctions between the modern FDRE and the Derg regime is between combatants and non-combatants and being civilized and barbaric are stretched to the point of irrelevance. This is because the leadership of the Derg and that of the FDRE are synonymous in terms of gross violations of the rule, human and people's rights and bad governance. Given the extensity of physical destruction and the weakness of state institutions in most threaten the FDRE, is ruled by the Tigray ethnic group who constituted only 6% of the total population. Unregulated social behavior is the rule rather than the exception. In the FDRE, violence, lawlessness, and economic insecurity are rampant within the various fractions of groups. Such circumstances promote the adaptability and opportunity of shadowy and violent criminal networks, utilizing their structures to equally measure in the pursuit of war booty and the conduct of organized criminal activities on one hand and prosecution of fatal warfare on the other (Kaldor, 1999, 50). This is a form or economic organization and activity that is especially

well suited in societies that are defined by economic scarcity and inequality as can be seen in the FDRE (Belda, 2003, 477-502).

Basis of the FDRE serves as a natural animus for recruiting, fundraising, and propagandizing all along such networks in various cells located in far flung locales wherever immigrant and refugee communities with strong kin loyalties flourish combatants are drawn from all the various ethnic groups in Ethiopia and are relatively easy to recruit and move into and out of the conflict part in Ethiopia by using the channels of transnational (Dietrich, 2003, 46).

The multiplicity of actors involved in the FDRE whether the federal government, the regional government, local political elites, leaders of the various ethnic groups or paramilitary groups, they all share dependence on the perpetuation of violence for both political and economic reasons. The region of the Derg feature rigid vertical bureaucratic hierarchies evident both in the political and military authority structures. Conversely, the FDRE is more closely approximate the flattened and flexible horizontal structure of the network of an organizational arrangement long prominent in the informal (Illicit) economy but also increasingly prevalent in innovative areas of economic activity such as the technology sector. But due to society, which is made up of nation, nationality, and people have proven significant deficiencies to operate as a federal system because of conflict of interest and conflict of value between the various autochthonous in the society. Most of the autochthonous have a perception that they are being victimized and thereby undercutting their own credibility.

3.2 Ethnic Federalism System A Failure in Ethiopia

It is theoretically feasible but practically unrealistic to institute ethnic federalism in country like Ethiopia, which lacks the basic need for democratic principle due to its historical and cultural heritage. Ethiopia is a deeply divided society which is made up of about 80 different ethnic groups with divergent languages and all this groups are aspiring for self-determination, which implies that they have the right to create their own institutions or government in their respective

territories and have the right to send representative territories in both the state and the federal government.⁶³

Not surprisingly, many scholars believe with their breadth and depth that power sharing politics is the only way forward to curb out violence in an exceeding dynamic society. For example Switzerland, which has a federal system that is based on power -sharing. In post-war Countries power-sharing politics is often the only way forward to bring democratic peace and good governance through dialogue to stop violence in Ethiopia. For example, the provisional power-sharing structure drafted by the provisional government plays a significant role of arbitration to initiate peace. Nicholas Sambani (2000) promptly states that power-sharing politics method cannot achieve its aspiration where the security dilemma, which occurs in the society within the various fractions of groups is due to the predatory goals of their leaders (Sambani, 2000, 44).

The FDRE is a type of ethnic federalism, which was designed by the Tigray ethnic group. In any event, the short-period importance and effect of ethnic federalism apparatus should be differentiated from their medium to long-period effect. Although it has proven that it can terminate conflicts; ethnic federalism appears to be insignificant in the longer term, as can be seen in Nigeria where voting has been based on ethnic lines and Hausa people are the most populated group to dominate the government. One important criticism of ethnic federalism in Ethiopia is that it relies on formalized divisions of power along the identity or ethnic lines and this may have a perverse effect to entrenching the ethnic and divisive position that have fuelled the conflict (Rothschild, 2000, 118). It rigidly prevents the fostering of reconciliation and a broader national identity. In Sisk's view (2003), federalism that is based on ethnic lines creates a situation in which parties neither continue to employ violence but nor embark on a serious process of reconciliation (Sisk, 2003, 140).

The research carried out by the International Peace Academy (2000) largely supports the theory that such agreements that are often fundamental to end the violence may have been destabilizing that impact the medium term and may even contribute to entrenching and reinforcing divisions and perceptions of rivalry and threat in the society. In addition, these agreements open the way for a multitude of ongoing disagreements over how ethnic federalism is interpreted and carried out. More extreme factions that define compromises or reconciliatory actions as selling out too

⁶³ Article 39, the 1994 Ethiopian constitution

often undermine liberal ideological leaders in Ethiopia, and the ethnic groups that have agreed to participate in power-sharing arrangement. The government of FDRE has been repeatedly immobilized by the clauses intended to ensure moderation and consensus. In Ethiopia, the federal government has often been paralyzed by the decision-making system. There is often a clash between various ethnic groups in Ethiopia, which at times leads to violence. Moreover, the problem of federalism in Ethiopia is the particular concern on the apparent trend of radicalization of politics, following a power-sharing agreement based on ethnic federalism. It was more entrenched during the power-sharing phase in the transitional government; more moderate leaders that had agreed to participate in power-sharing agreements were easily undermined by more extreme members of the parties that compromise or display conciliatory actions as selling out. For example, the transitional government in Ethiopia was, spearheaded by the Tigray and they persuaded all ethnic groups to create a liberator front under their control. Ethnic groups like Oromo who made up about 60% of the total population were very dissatisfied by how they have to be ruled by the Tigray minority that constituted of only 6% of the total population and only 6% of the population spoke Tigrigna (the Tigray language) and practiced their culture. Moreover, an ethnic group like Amhara are not favored with the federal system because power have been with them for more than 2 centuries and now they intended to take back the power. Paradoxically, even though such an agreement during the peace negotiation stage has long-term benefits, they are also susceptible, simply because it may lead to political deadlock and risk both the entrenchment and the radicalization of divisions. The leading role played by the people from Tigrayan ethnic groups has been the main weakness behind the new power-sharing government that was implemented in Ethiopia. They carried out the drafting of the Constitution and created various procedures needed for the creation of a new democratic form of government based on electoral design to replace the transitional government. This shows that they had a hidden agenda to take power and control the politics in the FDRE. Even though they claim to create a genuine federal system based on ethnicity, their main reason was to seize this golden opportunity to establish their hegemony in Ethiopia, which is something that they have aspired for a long time. They created an electoral system, which is not favorable in a country like Ethiopia, which composed of various nationalities and it is a country of ethnic diversities suitable only for consociational power sharing. Elections are one of the key elements of democratic governance, although it is increasingly recognized that rule of law is another fundamental component and that

election on their own are far from sufficient as can be seen in a Nigeria. Nevertheless, in the FDRE elections are often highly divisive and can easily undermine the chance of building a sustainable democracy.⁶⁴ The Tigrayan elites have designed electoral models that promote moderate voices over extremist ones and to facilitate intra-group as well as inter-group competition (Ibid, 176). The main reason why the Tigrayan elites implement this method of election was to transform the structure of competition for political power. In the FDRE that was created by the Tigrayan elites detailed and increasingly complex electoral provisions have become the order of the day. However, using electoral design in an attempt to engineer certain outcomes such as moderation of under-ethnic compromise is not a straightforward proposition and has a result to a several opposition by various ethnic groups against the Tigrayan. As a result of all these political structures that were placed by the small minority of Tigrayans, the development of nationalism is developed. The consciousness and awareness of some ethnic groups to rule themselves rather than being ruled by other minority groups (self-determination) has increased. Most ethnic groups are demanding for complete autonomy from the federal government whereas; the Tigrayan are the hegemonic power that are not willing to grant that in order to hold the national as one under one umbrella. Minority groups like the Tigrayan has held the other majority ethnic groups as a hostage and refused them their unconditional right of self-determination. Tigrayans are not only interested to protect their hegemonic position and pay little interest in the Constitution. Moreover, in a corrupt system like Ethiopia federal system favoritism nepotism and tribalism is also widely seen. It is almost impossible to propagate the ideology of ethnic prerogative due to the historical and cultural contents of the nation of Ethiopia. The presentation of ethnic prerogative in the FDRE has caused a huge violation of human rights, especially on the minority groups in the suburb area. Some state officials with political power or the local influential leaders can be massively involved in ethnic cleansing and gross human rights violations. An example can be seen in October 2002, when the head of government, the Ethiopian Prime Minister Meles Zenawi confirms that his party and some state personnel have been involved in the abuse of the constitutional rights especially in the less politically influential areas in the southern part of Ethiopia. He also affirmed the fact that some influential members of the ruling party are using EPRDF as a passport to violate the

⁶⁴ Reilly Silver, Design meaning and choice in direct democracy. The influence of petitioners and voters. Ashgate 2013,p 45 The Tigrayans elites have design an electoral models that promote moderate voices over extremist ones and to facilitate intra-group as well as inter-group competition (ibid 176).

constitutional right.⁶⁵ As a result of that the EPRDF decided to terminate one third of the central committee by accusing them on various crimes like inciting violence amongst ethnic group's misuse of public fund corruption, favoritism, partisanship and working for their own selfish interest.⁶⁶

Basically, the Ethiopian federal system lacks strong institutions to handle problems like factional and sectarian need of the various ethnic groups and have led to power tussle among the various ethnic groups with diverse culture and the only way the government can solve this problem is by using threat, intimidation and brutality, extrajudicial killings, incarceration and has acted in a way that transcends the bounds of decency and property. As a result of this, it has led to more resistance from the less privilege ethnic groups, which have manifested to ethnic clashes and genocide. As part of that, the ethnic prerogative (the right bestow to all ethnic groups by the constitution) in Ethiopia has led to both vertical and horizontal conflict. Vertically, the ethnic group in power has been using military might to curb out any further demands made by various factions or groups whereas horizontally, the various ethnic groups have been involved in intra-ethnic and inter-ethnic conflicts rather than working in cooperation (Ethnic groups fighting among themselves instead to join and fight their common enemy the state). A clear example can be seen in Benchi-majji, Wolaita, Teppi, Assosa, Sidama, that have been massively involved in ethnic violence horizontally seemingly, ethnic federalism in Ethiopia is based purely on the satisfaction of the interest of the ruling class (Horowitz, 1985, 677). This is a wide disparity between the rich and the poor due to this ethnic federalism in the new FDRE the entire nation have become satisfy the rich become richer the poor becomes poorer. All the elites who are representing various ethnic groups are involved in Kleptocracy (a situation of rampant political corruption by political leaders) for example, Mr. Fekade Haile, former director general of Addis Ababa city roads autonomy and Mr. Minash Levi el al of Tidhar Construction were accused of embezzling about \$100 million. The functions that elites do to their people are only to instigate them to demand for more rights or even to succeed and also, they play a greater role in mobilizing the masses. The administrative structure of the FDRE is so expensive to maintain and

⁶⁵ Reported in Addis Tribune: <http://www.addistribune.com/archives.2002/10/11-10-02/meles.htm> many resistance groups doubted on the frankness of the prime minister in taking basic changes in this regards as the main source of the problem, ethnic prorogation has not been addressed. Last access 10/06/2017

⁶⁶ Reported in government's news agency, Walta information center on October 12, 2001. www.waltainfo.com/Ennews/2001/oct/12Oct02/oct12es.htm

so this have deprived the government not to provide certain basic economic needs to the people like public and merit goods. The ethnic federalism in Ethiopia is more beneficial to the local elites because they can easily satisfy their ill-gotten desire without any accountability to the higher authority. It will be difficult for the central government to control the local authority in which the local authority monopolized the area. Worst still the local elites consider themselves to have the same identity only with their local communities and this is a flaw to the system and have vocal much criticism. Although in few areas local elites play the role of co-option and patron-client interaction with the local despotism and central government. Notwithstanding, the ethnic federalism model in Ethiopia has produced a weak leadership structure as leadership is based on people of certain ethnic groups rather than based on competent and merits. This implies that they are incompetent to carry out administrative jobs. However, due to the facts that the participatory democracy in Ethiopia is based on ethnic background, these incompetent people are obliged to handle key positions regardless of their incapacitations in this respect either the local communities or the regional people gain from the system. It is a zero-sum game.⁶⁷ Any effort to replace the unqualified personnel with a competent non-indeed is tantamount to a bloody conflict. It is almost impossible for a local indigenous person to give up his position to which law and ideology he or she is entitled to it. This system of ethnic federalism in Ethiopia has a great repercussion for minority groups especially in the southern part. Most of the minority groups are popular and never had the opportunity to go to school to acquire modern education and skills which are required for the smooth functioning of a modern state like Ethiopia, but since Ethiopia is practicing but participation in the democracy of this unskilled local elites are obliged to run the political organ that was created by the federal state in which they lack the basic skilled to handle such a position. An example can be seen in the Benishangul-Gumuz region in which 5 different ethnic groups were merged as one in the process of state formation. In most case these regions lack the basic social and economic facilities such as roads, schools and hospitals. Most of the people in these regions lives in a disperse homes. The indigenes lack farm to market road, this policy of self-development of each and every region have moved the region backwards because they do not have the quality and skilled personnel to carry out the development of the region as compared to region or state like Addis Ababa. This clearly shows that ethnic federalism in

⁶⁷ Zero-sum game are mentioned in a political context when it is believe that resources are limited and every decision will produce both winner and loser

Ethiopia has helped to widen the gap in terms of regional development and economic and social imbalance. Apparently, ethnic federalism in FDRE has become detrimental to the basic tenet of democracy especially in large cities which is made up of multi-ethnic inhabitants, due to the ethnic restriction majority of the people do not have the privilege to participate in the local politics and in the administrative job as well, this is because ethnicity is the principal criteria for an individual to participate in a political system or to hold any administration job. Basically, the voting right of some multi-ethnic group in an election is determined by the just scrutiny of the local elites either to accept or reject their voting and in most cases, have resulted in extrajudicial killing, aggression to the minorities and at time even banishing of some civilians in some urban areas and even in rural areas. The ethnic federalism of Ethiopia is a weak system because it has transformed the country to an oligarchic system in which power have been vested in the hands of few people is ineffective to regulate power abuse or the excessive use of force. Since loyalty is the principal philosophy implemented by the elites in order to be maintained in power, this have led to violation of human and people's rights violating the rule of law, corruption and abduction of local populace. This implies that it is the ethnic federalism in the FDRE is a form of indirect dictatorship by a certain group of people who has clung to power. Generally speaking, the ethnic federal system in Ethiopia has two shortcomings. First one is the issue concerning minority rights and the manner in which TPLF and the Tigrayan elites place themselves in key political position under the umbrella of ethnic federalism and the second shortcomings is based on how autonomy is used for so many different ethno-linguistic groups in the FDRE.

3.3 Consociational Democracy to Replace Ethnic Federalism in Ethiopia.

The concentration of the power sharing discourse has been on the relative desirability of variation of two versions of power sharing, consociational and integrative governance models. The theory of consociational democracy has been one of the fundamental debate that overshadowed comparative politics (Mayer, 2007, 57). Lijphart (1968) has proven that consociational democracy could be an alternative to majoritarian democracy in deeply divided societies. Whereas a liberal like John Stuart Mill has argued that democracy is almost impossible in multi-ethnic societies and completely impossible in linguistically divided countries (Barth, 2013, 120). This policy came from the affirmation that if politics and governance are arranged around societal cleavages will help to create a stable democracy and manage ethnic conflicts.

Basically, consociationalism is a system of governments that recognized culture and ethnic pluralism. There are examples of countries with societal cleavages that have implemented consociationalism successfully. This includes Canada (1840-1867), Lebanon (1943-1975), Netherlands (1917-1960), Switzerland (Since 1943) and Belgium (since 1970). Lijphart defines consociational democracy as concession and accommodation whereby; plural societies with a tendency, towards instability may be transformed into more stable systems by the leaders of the major segments (Jabra, Jabra, 2001, 86). For consociational democracy to exist in a political system the leaders in reality must fulfill the following conditions:

The leaders must have the potential to recognize the shortcoming deep rooted in a shorter system not only when consociational democracy is established but also in future (Lijphart, 1968, 21). However, the leaders who wish to practice consociational democracy as a political solution for a pluralist society most facilitates it by force of habit. Lehbruch (1967) stipulates that consociation norms are re-transmitted by the learning processes in the political socialization of elites and thus acquires a strong degree of persistence through time (Lehbruch, 1967, 6). The leaders must be willing and able to maintain the system. The spirit of solidarity must co-exist within the leaders according the Lipson (1964). The basic tenet of democracy, which includes freedom of speech and the respect of human and people's rights and the rule of law is inapplicable with this system because it is made up of rival parties who prefer to live apart. Seemingly the leader must be willing to break the barrier in the society that is to try to pull the society apart and transform it to force that will bring all the people in the society together as one without this consociational democracy is futile.

There must be mutual understanding between the leader and the society by destroying the barrier that co-exist with different ethnic groups in the society by creating a platform for communications within the various elites of antagonism. If the rivalries and the cleavages that made up the pluralistic society cannot come in consensus, then any effort to establish consociational democracy is tantamount to failure (Lijphart, 1968, 211). The leaders must be able to look for solutions that will be acceptable to all and this is probably the most important of the four conditions and also the most difficult one to satisfy (Ibid, p.25).

From the analysis of the basic tenet of consociational democracy thereafter Lijphart (1968) and Bogaards (1998) vehemently illustrate six conditions under which consociational democracy may develop in pluralistic society practically and pragmatically.

First of all, there must be distinct lines of cleavage between various segments of the pluralistic societies. There must be a short division between rival groups. According to Wright (1951) some scholars have extended that difference cultures embraced by different politically divided groups of the society need not produce tension (Wright, 1951, 196). As for ideology of consociational democracy, Belgium Lorwin (1966) stipulates that if meaningful personal contacts with people of other subcultures are few so are the occasions for personal hostility (Lorwin, 1966, 187).

Secondly, there must be multiple of balance of power amongst all the various groups and subgroups this will facilitate the development of consociation democracy. If these groups of subgroups are minorities they will be more likely to cooperate with this system. The tendency for one group to dominate the others is insignificant in respect with Lijphart's ideology; a multi-balance of political economic and social power has strongly contributed to the successful development of consociational democracy in country like Switzerland, Lebanon and Netherlands (Lijphart, 1968, 27). Thirdly, the pervasiveness of a government's attitude of favoring a coalition between various groups of the society has contributed immensely to the development of consociational democracy. The government created a coalition whereby all segmental groups take an active part in the government and hence feels very secure (Lijphart, 1974, 85). Fourthly, the fear for external aggressor is a very pivotal aspect for the development of consociational democracy, in most cases the spirit of constitutional democracy. Lijphart explicitly stated that the stability of the political system of Lebanon was caused by prosperous economy and cooperation amongst the various segment of groups (Lijphart, 1974, 82). In addition he stated that Lebanon might not be able to maintain its political and economic stability in time of distress. Whereas Hudson (1967) forecasts the same thing when he wrote that Lebanon's apparent stability is precarious, social mobilization appears to be overloading the circuits of the Lebanese political system (Hudson, 1967, 82-837). Finally, the size of a nation is a very important aspect for the development of consociational democracy. The smaller the nation the more it is very light and hence do not require an active foreign policy. Lehmbruch vehemently explained that cases of a country like Austria, Lebanon and Switzerland "show that the preservation of the inner

equilibrium presupposes a reduction of external demands on the political system” (Gerhand, 1967, 4). If consociational democracy is introduced in the FDRE, I believe that it can provide a representation for every segment in Ethiopia and can promote consensual decision-making processes. This can help to prevent ethnic conflict around social divisions and hence brings about a stable democracy and balance of power. Therefore, the Tigrayan people would no more be the dominant ethnic group and this will help to reduce ethnic tensions in the FDRE.

However, according to a scholar like Brendan O’Leary (2001), consociational democracy have led to the freezing and institutionalizing cooperative identities and thereby offset emancipated identities as against those concentrated in gender and class and instead advocating proportional electoral system. Basically, it has failed in Lebanon and Cyprus. In Lebanon it failed because the leaders concentrated on developing their own interest and that of their communities at the expense of the national and secondly, the Arab Israelite war play a greater role in the collapse of the consociational democracy in Lebanon, before the first and second Arab Israelite war there was balance in power between the Christian and Muslim, but during the war the balance of power changes, there was an influx of Muslim from Palestine to Lebanon and this led to a demographic change in the population and the balance of power, Lebanon turn to have more Muslim than Christian and this Muslim and Christian is subdivided into confessional groups and as a result of this in 1975 there was a deadly civil war for over fifteen years between the various fractions of groups in the society and this finally led to the collapse of the system.

In Cyprus, the Zurich accords lead to four significant treaties: A Treaty of Establishment, a Treaty of Guarantee, a Treaty of Alliance, and a Constitution. The First Two Treaties (signed by Greece, Turkey, Cyprus, and the United Kingdom) were intended to bind all four actors to the establishment of the Republic and to the common defense of its independence, while the third (signed by Greece, Turkey, and Cyprus) was designed to defuse inter-communal tensions and external encouragement of them. Finally, the Constitution attempted to balance the interests of both the Greek and Turkish communities by establishing a consociational power sharing arrangement including the allocation of executive and cabinet offices, fixed proportions of legislative seats, and veto power in rough proportion to the demographics of the population. Apparently, this consociational democracy lasted only for a few years followed by a bloody ethnic conflict between the Greek and the Turkish Cypriots. Basically, Consociational

democracy although it has failed in many places, it is the best option for the Federal Republic of Ethiopia because its population is unique; it is made up of Nations Nationality and people. This implies that Ethiopia is a pluralistic society and consociational democracy is best fit in this type of society. Basically Lebanon and Cyprus are less of a pluralistic society so it was bound to fail in the Nation therein.

CONCLUSION

This thesis aims analyzing the ethnic based federalism in the FDRE. The principal goal of this thesis is to examine whether the Ethiopian Federal system is de jure. It analyzes standard norms of federalism that emphasize the significance of looking beyond ideological diction in the justification of ethnic federations and instead utilizes the political use of ethnic federalism that prompted by curiosity from state building along ethnic lines and under these conditions in which the federal system was reinstated. The main argument of this thesis is that federalism in Ethiopia was introduced in a manner that has made the rules, the institutions and the leaders to lose their rightfulness of a hierarchy even before it was legally implemented. Therefore, consociational democracy must be introduced so that elites from different groups can consult and accommodate each other so that peace and stability can prevail.

The TPLF who are considered as the creator of the ethnic federal model dedicated it to the principle of self-determination contrary to the ambitious to designed Ethiopia in a way that will curb out the clientelistic elites in a programmatic and coherence manner. But the fact this state building was done single handedly by the TPLF and excluded other political forces. This shows that the new political system of Ethiopia is lacking democratic values. This made the other political opposition parties to believe that it is something created purely for the TPLF and this made them to understand that they have been victimized and therefore undercutting their own credibility. According to King's (1982) definition of federalism, the Ethiopian federal system has the basic features of a federal state. In respect with Ethiopian Constitution the federal unit has the legitimate right to be presented at the federal House of Assembly, and the representative from various states cannot be changed without the prior notice of the majority of the constituent units. But there are some differences in Ethiopian federal system that makes it different from others in the world and can be considered as a Sui generic federal system. Naturally, in any federal system the sovereignty of the state is given to the federal unit, but in the federal system of Ethiopia the sovereignty is given to the nations, nationalities and peoples of Ethiopia and the right to national self-determination includes the right of secession. This extraordinary right is not tantamount to a federal system, which is always restricted and gives the central government the controlling position. The unconventional combination of the right to secession and the restricted regional powers made Ethiopian federal system different from others. For example, the federal system in

Russia, Spain, Nigeria and Canada do not grant regional groups the right to secede but they grant right of self-determination. More so, another strange thing in the Ethiopian Constitution is that there is no independent constitutional court and therefore, there is insufficient control of the head to control the Executive branch, which is the Prime Minister. This aspect gives the party in power an upper hand over the other political parties. The power-sharing disposition and unequivocal acknowledgement of the right of self-determination including secession to nations, nationalities and peoples define clearly that there is a contradiction in the federal disposition. Apparently, nations nationalities and peoples have been given the right to exist in the federal arrangement without any point of contrast. This clearly shows that the constituent units are highly autonomous as compared to other federal disposition in the world. Moreover, the powers of the member states are insubstantial and regional units still purely depend on the federal government in order for them to carry out their functions. As also explained by Dr. Brietzke (1982), the Constitution advocated self-determination as a solution, whereas the tendency of multi-ethnic federalism is to amplify secession solution through various areas of autonomy, but as for the Ethiopian federalism, it is the contrary, the regional units have the right to secede in Ethiopian federalism, but the power to carry out their duties on the daily bases are limited. According to federal theories, the duties of a federal system are not only determined in regard to the constitutional mechanism, but the states also need to retain their power and independence as much as possible and must be at the very least, on an equal footing with the commonwealth government and have very limited powers. This thesis further aims to analyze the defector nature of the Ethiopian federalism from a political, economic and social standpoint. It aims to prove that Ethiopian federalism is asymmetric in nature. Nonetheless, ethnic federalism has been implemented in Ethiopia and the various federal units have some level of autonomy but it is a fact that the regional units are financially dependent to the federal government. This implies that these regional states do not have their sovereignty in full and the federal government does not respect the rule of law, freedom of speech, good governance and there exist insufficient civil society organizations. Federal government also influences the Judiciary that has severe repercussions in the practices of ethnic federalism in Ethiopia. This thesis suggests that consociationalism, as a form of democracy cannot be the final solution to reduce ethnic tension in a deeply divided society like Ethiopia. Even though consociational democracy model proposes to divide power between competing groups in society independently of the electoral process

through a governance arrangement that includes all political leaders in a grand coalition, it has failed in many countries and even countries like Belgium and Switzerland in which it is currently practice it still faces so many difficulties. According to Arend Lijphart (1974), who is considered as the main proponent of consociational democracy, the essential elements to the model is defined as follows; The merging between political leaders with opposite ideologies from prominent ethnic groups of the society are included in the formation of public policies and exercises executive power. Mutual veto must prevail in other to pacify all spoilers in such a way that decisions can benefit all of them. Pro rata access to state resources and an electoral system in which candidates are elected based on the number of vote casted to them in the government and public service of all segments of society. A system of consociationalism in which minorities' rule not in all domains but particularly in a minority exclusive concern area in order to reconcile societal fragmentation along ethnic and religious lines. This thesis further suggest these advantages of consociational democracy is an integrated approach of government known as Consociational and Centripetal approach will produce an ultimate solution to the problem of Ethiopia which is deeply divided because of the following reasons: both of them are for power sharing, Consociationalism aims at mandatory post electoral governing coalitions of all ethnic antagonists who find their way into parliament through a proportional electoral system; Centripetalisms on the other hand voluntary pre electoral interethnic coalition of moderates (Horowitz, 2014, 6).

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