

Trends in Splitting Local Governments in the Ethiopian Federal System: The Case of Amhara National Regional State

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Abstract

When the District Level Decentralization Programme was launched by Ethiopia's federal government in 2001, the role of local governments became crucial, their mandate broadened, and the practice of splitting them increased dramatically. This article examines the splitting of local government in Amhara National Regional State. On the strength of a review of literature on the institutional features of local government and data collected through document analysis and interviews, the article considers the basis of and reasons for splitting local governments in this regional state, the mechanisms for popular participation in this regard, and the question of whether decisions to split local government serve the interests of the people. Various criteria exist and provide considerable flexibility in the creation of new local governments. Regional state legislation does not offer clearly defined guidelines as to how to judge the appropriateness of the splitting practices, and, moreover, demands for splitting localities are elite-driven and involve public participation with pre-determined outcomes. This situation presents challenges for the service delivery responsibilities of local governments and infringes their autonomy. It is thus possible to argue that local government boundaries are imposed with limited local public participation and in the service of local elites' interests and the administrative decisions of regional executives.

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1. Introduction

The model of the nation-state, along with its characteristic centralization, is increasingly in doubt as a basis for a governance system that aspires to local development and democracy, a goal which necessitates decentralization and the existence of various orders of government to serve the needs of people (Boadway and Shah, 2009, pp. 461-62). Theorization around multilevel governance has led to increasing interest in the principles and practices of local government, while recognition of local government as a key order of government in federations has increased overtime. This has dramatically changed the conception of federalism, which is no longer thought of as merely a system with two tiers of government (federal and state) but as a system of multi-tiered government (Steytler, 2005, p. 2).

The Constitution of the Federal Democratic Republic of Ethiopia (FDRE) has established a federal state structure composed of nine ethnic-based constituent units, namely Tigray, Afar, Amhara, Oromia, Somali, Benishangul/Gumuz, Gambella, Southern Nations, Nationalities and Peoples (SNNP), and Harari. Ethiopia is a dual federal state in that Article 50(1) of the Constitution stipulates that the FDRE consists of the federal government and member states. However, there is no explicit constitutional recognition of local government in the Ethiopian federal arrangement.

When the District Level Decentralization Programme (DLDP) was launched by the federal government in 2001, the role of local governments became crucial and their mandate broadened (Solomon, 2015, p. 99). Since 2001, two aspects of decentralization have come to the fore in Ethiopia: the introduction of regular local-government-level block grants and the splitting of local governments. Splitting them has resulted in a dramatic increase in regular local governments throughout the country. By 2013, the number of such local government units had increased by 31 percent since 2001; meanwhile, however, ethnic local governments have stayed constant in number (Ayenew, 2017 p. 116). In this scenario, urban administrations with *woreda* (district) status were created by being split from their host *woredas*.

Amhara National Regional State (ANRS) has followed a similar trend and revised its constitution and enacted proclamations to strengthen decentralized local government. The number of local

governments there is continually increasing and has been the focus of state-society relations in contemporary Ethiopian sub national politics in general and in ANRS in particular. Frequent demands have been made by local people claiming a new local government status, with the result that the splitting of local governments is a pressing issue. The trend in this regard, as already suggested, it to create new (special) *woredas* and nationality zones via the splitting of existing ones.

Splitting of *woredas* has been allowed in order to meet two objectives: first, ensuring self-government of ethnic groups, and, secondly, enhancing development and public participation through a decentralized governance system. The first motive and its implementation accelerated the claims of self-determination by many minority ethnic groups. This is one of the pressing issues on the table of the ANRS executive office. The splitting practices aiming to achieve the second goal are accompanied by public requests. Delegates of various groups have frequently appeared before the regional state executive office to claim new local government status in the hopes of receiving service in a more efficient and effective way. According to regional officials, the creation of local governments by splitting pre-existing ones is a result of insufficient infrastructure. People travel long distances to receive services from their respective governments, which is costly and time-consuming; the practice is hence relevant in bringing government closer to the people, at least physically.

However, its criteria, reasons, level of public participation, and impact on the quality of service delivery, with particular reference to ANRS, have not been studied adequately. This article seeks to correct the situation. Two terms are used throughout it: “splitting” and “creation”. The former refers to the practice of forming new local governments by simply dividing the existing regular *woreda* or *zone* into two or more; the latter refers to actions that might include the selection of some *kebele* units to put together in establishing ethnic local government and upgrading of urban centers from one category to the other. As a matter of fact, the splitting practice is mostly the focus of local government politics in ANRS.

Drawing on literature about the institutional features of local government, this article aims to assess the practice of splitting local government in ANRS. It attempts to answer the following ques-

tions: What is the basis of local-government splitting in ANRS? What are the reasons for it? Are there clear mechanisms for popular participation? To what extent do decisions in this regard align with the demands and interests of affected peoples, and what are the implications for the autonomy of local government? To this end, empirical data were collected through key informant interviews and document analysis. Interviewees were selected on the basis of their proximity to the issues by virtue of being government officials or popular delegates. As such, officials of the ANRS president's office, Bureau of Urban Development, Houses and Construction, and Bureau of Finance and Economic Development were interviewed. In addition, informants were consulted from two *woredas* (Farta, from which Guna *woreda* was split out, and Mecha, which was split into north and south Mecha).

2. Political and Social Context

Ethiopia began decentralizing before a formal federal arrangement was endorsed in 1995. From 1991 until 2001, the Ethiopian People's Revolutionary Democratic Front (EPRDF), encouraged the establishment of local government units along ethnic lines. This was deemed a necessary response to accommodate diversity, which was considered the most pressing challenge of the country (Ayele, 2014, p. 109). Proclamation No. 7/1992 was instrumental in initiating the first phase of decentralization (1991–2001). The Proclamation also laid the foundation for the federal constitution, having listed 63 ethnic groups that could establish their own ethnic self-administration.¹ After 10 years, however, the party realized that emphasizing only on ethnicity leads to inefficiency in ensuring development and equitable service delivery, and consequently engaged in the further creation of new local governments as well as the amalgamation with the existing ones (Ayele, 2014, p. 109). Indeed, in 2001, the DLDP, launched by the federal government, began to make administrative convenience, good governance and development considerations the salient justifications for taking the decentralization process forward.

Currently, 76 political parties are recognized by the Electoral Board of Ethiopia.² Depending on their constituency, political

1 Federal Negarit Gazeta, No. 2 National/Regional Self Governments Establishment Proclamation No.7 (1992), Article 3.

2 As at 15 May 2020, the National Electoral Board of Ethiopia had cancelled 27

parties are often classified as national, regional or local parties; they may also be categorized on the basis of their political programmes. The EPRDF, for long the major force in the Ethiopian party-political landscape, is composed of four ethnic-based parties representing the regional states of Amhara, Tigray, Oromia and the Southern Nations, Nationalities and Peoples.³ EPRDF's affiliates are five in number and comprise Afar, Somali, Benishangul-Gumuz, Gambella and Harari regional states.⁴ These parties are ethnic-based and not opposition parties in that they follow the EPRDF's ideological orientation. With few exceptions, most of the opposition parties are ethnic-based: their constituencies are regional and local governments. Ethnic-based local parties are mostly opposition groups seeking regional statehood or status as new ethnic local governments.

Member parties of the EPRDF are represented by an equal number of people in their executive committees despite the difference in the population size each of them is supposed to represent. However, many agree that the TPLF was the most influential member party.⁵ The party structure, which controls all levels of government and their decision-making procedures according to the principle of 'democratic centralism', affected local-government creation and undermined the role of regional states in creating local-government systems based on their circumstances (Ayele, 2014, p. 90). Following the 2016 protests, the EPRDF became increasingly fragmented. This changed its previously centralized nature, with the TPLF having lost its core position.⁶ Enjoying this state of political liberalization, opposition ethnic-based local parties are becoming more assertive in their claims for territorial autonomy.

The ANRS was established officially with the adoption of the parties, leaving 76 as the number meeting the necessary requirements. See <https://bit.ly/2YxZq1t> (accessed 13 May 2020).

3 The Amhara National Democratic Movement (ANDM), currently called the Amhara Democratic Party (ADP); Tigray People's Liberation Front (TPLF); Oromo Peoples' Democratic Organization (OPDO), currently called the Oromo Democratic Party (ODP); and the Southern Ethiopian Peoples' Democratic Movement (SEPDM).

4 The Afar National Democratic Party (ANDP); Somali People's Democratic Party (SPDP); Benishangul-Gumuz People's Democratic Party (BGPDP); Gambella People's Unity Democratic Movement (GPUDM); and Harari National League (HNL).

5 Leaders of the remaining member parties confirmed that, after party fragmentation, there was no equal power balance and the TPLF took the upper hand in decision-making, to the extent of interfering in the internal affairs of member parties.

6 Currently, the regional parties, excluding the TPLF and its affiliate parties have been merged into a monolithic national party known as the Prosperity Party.

Transitional Charter in 1991. Historically, Amhara is associated with a human settlement in the north-central highlands of Ethiopia that was later divided into the provinces of Gojjam, Shewa, Goder/Begemidir and Wollo (Levine, 1974, p. 118). The Amhara were the dominant group in the founding of historic Ethiopia (Ludolf, 1682, p. 13; Markakis, 2003, p. 1); the spread of the Amharic language from the province of Amhara, the place where the restored Solomonic dynasty had its base, to other parts of north, north-western and south-central Ethiopia meant that “Amhara” came to assume the character of an ethnic category (Bahru, 2010, p. 82). From the era of princes, *Zemen Mesafint* (1769–1855), until 1991, barring only the interruption of Italian rule, the four administrative divisions remained largely unchanged.

In terms of diversity, ANRS is one of the relatively homogeneous regional states in the federation. According to the 2007 population and housing census, the population numbered 17,214,056 people, with the Amhara constituting 91.35 percent of the total. The Agaw-Awi, Agaw-Himra, Oromo and Argoba are never the less significant ethnic groups resident in the region. They constitute 3.59, 1.46, 2.74 and 0.42 percent of the total population, respectively. Though not included in this census – one of the sources of their grievances – the Qimant are also a recently-recognized ethnic group of the regional state.

Following the political liberalization of the current political situation, the regional (local) opposition political parties of the Agaw Democratic Party and Qimant Democratic Party have been established in Agaw and Qimant constituencies, respectively. The National Movement of Amhara is also a new political party, one enjoying huge popular support in the region borne out of Amhara protests and emerging Amhara ethno-nationalism.

3. Local Government and Its Institutional Features

Local government is an infra-sovereign geographical subdivision of a sovereign or quasi-sovereign state intended to carry out some portion of public activity and provide public services in a certain geographic area (Watt, 2006, p. 4). In general sense, local government refers to the institution that is closest to the people without there being an intermediary government between it

and them (Steytler, 2009, p. 396). Local authorities vary across countries in size, purpose or composition, and exist in all types of state structures and political systems. In all cases, there are national centers and provincial or intermediate capitals, on the one hand, and the local level, on the other, which is divided into rural and urban sectors (Teune, 1995, p. 15). Local government has different facets in federal arrangements. The evolution of multilevel government has implications for the division of power and interaction between organs of governance that call for a new theory and practice of federalism (Steytler, 2005, p. 2).

After World War II, local self-government grew in importance. The spread of democratic ideals and emergence of a global system have contributed to a revival of local-level government and decentralization (Teune, 1995, p. 11). Changes in how development is understood also contributed to the growing interest in decentralization and local government. The discourse on development in the 1990s emphasized the need to ensure the betterment of human lives. As cited in Ayele (2012, p. 25), the 1999 World Development Report defines development as “sustainable improvements in the quality of life for all people... [brought about] by reducing poverty, expanding access to health services, and increasing educational levels”. International governmental organizations like the IMF and World Bank began to promote decentralization and the importance of local government to economic development and grass-roots democracy. Indeed, they supported projects of developing countries implemented at local level.

The success of decentralization is determined by the nature or design of its process (Ayele, 2012, p. 47). Although there is no “one-size-fits-all” model, development scholars as well as international development institutions identify certain institutional features as having a positive impact on the success of decentralization for development (Ayele, 2012, p. 47). These features are political autonomy, fiscal autonomy, administrative autonomy, and central supervision and co-operation (Ayele, 2012, p. 47). For the purpose of this article, the political autonomy of local government has been selected as a theoretical basis on which to analyze the practice of splitting local government in ANRS.

3.1 Political Autonomy

Political autonomy entails the security of existence of local gov-

ernment as an autonomous entity and the protection of each individual local government, and the establishment of the three branches of governments, along with provision for local democracy and the devolution of original, clearly defined and development-related functions (Ayele, 2015 p. 202).

The institutional security of local government is a crucial element of its political autonomy (Ayele, 2015, p. 202). Political autonomy thus entails the uninterrupted existence of local government on a wall-to-wall basis, and the protection of the institutional security of individual units of its own. In order to protect the existence of local government as a sphere or level of government from encroachment by its senior level of government, constitutional recognition is recommended as an effective formal mechanism in this regard (Ayele, 2015 p. 202). The constitutional recognition of local government as an autonomous level of government not only ensures the certainty of existence of each unit, but also enhances the political and economic role that local government plays (Ayele, 2015, p. 203).

Certainty of existence, which is made manifest in measures to ensure the existence of each individual unit of local government, does not mean that boundaries are not subject to change. As Ayele explains, “rather, it means that it is useful to have clear criteria and transparent procedures, which involves the community, for so doing” (2012, p. 51). The World Bank (1999) emphasizes –as cited in Ayele (2012, p. 51) –that factors such as territorial and population size, resources, developmental level and rural-urban differences are important considerations in demarcating local boundaries.

The establishment of local government should be accompanied by appropriate governance structures, including legislative and executive organs with clearly defined powers and functions (Ayele, 2015, p. 213). The establishment of political institutions of local government with democratically constituted representative councils and executive organs is hence a crucial feature of political autonomy and decentralized development (Ayele, 2012, p. 51), in that local democracy involves the capacity to make local decisions without the interference of senior levels, a condition which is achieved through the participation of the people.

A related feature of political autonomy is that local government

functions should be original, clearly defined, and development-related (Ayele, 2012, p. 55). This is usually achieved by providing local government with full, constitutionally entrenched power over those functions. An original function of local government exists if the national constitution allocates functions of local government. Moreover, functions have to be development-oriented so as to improve the living conditions of the local community. These functions include public health, education, housing, drinking water, and sanitation and hygiene. Functions should also be suitable in the sense that they are both relevant and that their allocation is commensurate with the human and institutional capacity of a local government unit and able to be executed (Ayele, 2012, p. 56).

4. Structures of Local Government in Ethiopia

4.1 Legal Status at the Federal Level of Local Governments

Local government is not elaborated upon in the FDRE Constitution, a situation that paves the way for constituent units to enjoy unlimited constitutional space. Article 50(4) provides merely that “State government shall be established at the state and other administrative levels that they [i.e. the regional states] find necessary”. Indeed, the second sentence of the article gives a specific federal mandate to the region, and reads: “Adequate power shall be granted to the lowest units of government to enable the people to participate directly in the administration of such units.” As Article 80(1) declares, the government is required to “promote and support the peoples’ self-rule at all levels”. Both articles of the Constitution thus hint at non-ethnic reasons for establishing local government units.

In addition, Article 39(3) states that “[e]very Nation, Nationality and People in Ethiopia has the right to a full measure of self-government which includes the right to establish institutions of government in the territory that it inhabits”. According to the latter article, local governments are established along ethnic lines for ethnic groups, and amount basically to “ethnic local governments” (Ayele and Fessha, 2012, p. 93). Here, the federal constitution imposes a duty on the regional states to realize genuine self-government and adequately decentralize power to the local level. Accordingly, all regional state constitutions have provisions

related to local government.

A closer examination of the FDRE Constitution shows that it envisages two kinds of local governments: ethnic and regular (Ayele, 2015, p.203). These two categories have distinct objectives. Ethnic local governments aim at realizing the self-determination rights stipulated under Article 39(3) of the Constitution. In practical terms, these local governments are established in the name of “nationality zones” or “special *woredas*” in all regional states except Oromia, Harari and Somali. Regular local governments are established by the regional states as per the FDRE Constitution’s provisions under Article 50(4).

4.2 Structures of Local Government under the Revised ANRS Constitution

In the Ethiopian federation, the constituent units and local levels have similarities in their government system. This is because they are consistent with the federal constitution. In this regard, the ANRS is no exception.⁷ In parallel with the federal one, the ANRS constitution has provisions for the establishment and organization of both ethnic and regular local governments. Article 39 of the ANRS constitution stipulates the right of self-government to the peoples of the regional state: “The right of the people of Amhara National Regional State to exercise self-government shall include those rights to establish governmental institutions of administrative purposes within the geographical area of its inhabitation.”

Here, the constitution additionally mentions the three ethnic groups that are to have their own local government. Article 39(6) provides that “[t]he national rights stipulated in [this article] hereof shall apply with respect to the problems of Himra, Awi and Oromo as well”. Hence, as with the mechanism used by the federal constitution, this article of the ANRS constitution explicitly establishes ethnic local governments for the listed ethnic groups and hints that the further such measures would obtain in other cases if necessary. The establishment of Argoba Nationality Espe-

⁷ The rights of ethnic groups and the nature of parliamentary democracy, the electoral system, terms of office and the internal structures of legislatures retain parallelism from the federal to the local levels. Nevertheless, there are some dissimilar features, one of which is that the ANRS parliament consists of a single chamber, the Regional State Council.

cial *Woreda* by ordinary law and the ongoing process regarding the Qimant case can be mentioned.

The other constitutional provision which has been the basis of local government creation is found in Article 45(1). It states that “[t]he Regional Council may, however, establish other administrative hierarchies and thereby determine by law their respective power and duties, as may find it necessary”. This provision seems to suggest that the council has the power not only to create sub-state levels but also determine necessary criteria to establish them. Similar to the federal constitution, Article 109(1) of ANRS constitution directs the state government to follow democratic principles and “promote and support the peoples’ self rule at all levels”. Here, the phrase “the peoples’ self rule at all levels” does not clearly indicate either ethnic-based self-rule or the regular one. Hence, one may argue that the two articles could be the basis for creating both ethnic and regular local governments.

4.2.1 Governance Structure

Regarding its administrative structure, ANRS is composed of three levels of local government. Article 45(1) of the ANRS constitution provides that “[t]he regional state is hierarchically structured in such a way as to comprise the Regional, *Woreda* and *Kebele* administrative units”. However, the same constitution establishes “Nationality Administrations” for the three intra-state ethnic groups, the Himra, Awi and Oromo. This local government unit is named as a “Nationality Administrative Zone” and organized between the regional state and those *woreda* governments within its territorial limits.⁸

Regular zones are also established, by ordinary legislation with no council. Zones are deconcentrated administrative bodies of the regional state,⁹ that is, administrative levels just below the regional state and comprising a number of districts (*woredas*) or urban centers. The *woreda* is the local government level standing below the zone. It encompasses *kebeles* and is administratively subordinate and accountable to both the zone and regional state. *Kebele* governments are established by the constitution beneath the *woreda* governments as the lowest administrative

8 Articles 74(3) and 86(1) of ANRS constitution.

9 Article 3(2) of Regulation No. 78/2010.

unit.¹⁰ Like the nationality administrations¹¹ and *woredas*¹², *kebeles* have three tiers of institutional structure, being composed of an elected council, administrative council and judicial body.¹³ As the lowest level of local government, it is subordinate to senior governments such as the *woreda*, city administration or municipality city.

There are three principal categories of urban centers: City Administrations, Municipality Cities and Emerging Towns.¹⁴ Capital cities of the *woreda* administration have a status of “category three city” under the “municipality cities” principal category.¹⁵

4.2.2 Powers and Functions

Since there are no listed functions of local governments in the federal constitution, it is not possible to trace original functions. Similarly, the ANRS constitution does not clearly define the functions of the local units except for mentioning that the layers of local government have the power to discuss plans and policies in the areas of social services and economic development.

The zonal administration has a power to coordinate, direct and support political, social economic and administrative activities carried out within the zonal administration. Article 3(2) of Regulation No. 78/2010 states that “zonal administrative shall carryout their functions on behalf of the regional government and their accountability being to the council and head of the regional government”. The nationality zones have their own government. In addition to performing the powers of regular zones, their councils have a power to decide on identity matters concerning their respective ethnic groups.¹⁶

General powers and responsibilities of *woreda* governments are provided for by the regional state constitution. The *woreda*

10 Article 96(1) of ANRS constitution.

11 Article 73(2) of ANRS constitution.

12 Article 83 of ANRS constitution.

13 Article 96(2) of ANRS constitution.

14 Article 6(1) of Proclamation No. 245/2017 of ANRS. The two principal categories contain sub-categories of urban centers. Under City Administrations, there are ‘Regio-Politian City Administration’, ‘Category One City Administration’ and ‘Category Two City Administration’. ‘Category Three Cities’ and ‘Category Four Cities’ are found under the Municipality Cities category. Emerging Cities shall have a standard of ‘category five’.

15 Article 6(2) of Proclamation No. 245/2017 of ANRS.

16 Article 73(3) of ANRS constitution.

council has the power to discuss and decide on the plans and programmes of the *woreda* related to economic development, social service and administrative matters.¹⁷ However, the council has to exercise these powers within the frames set by higher levels of government, namely the federal and regional. *Kebele* government has only the power to implement plans and directives adopted by the *woreda* council.¹⁸ Hence, the *kebele* council is empowered to prepare programmes of action for the implementation of socio-economic development and administrative plans and programmes as well as exercise oversight of their implementation. This implies that the status of *kebeles* as autonomous local government units is compromised: they remain administrative agents of the *woredas* within which they are organized and of other, higher levels of government.

5. Trends in Splitting Local Government in ANRS

Article 58(3) of the ANRS constitution gives the final decision-making power over the claims of new local government status to the Council of the Regional Government:

Without prejudice to the powers conferred upon the regional council under the provisions of Article 45 sub-art. 1 and Art. 49 sub-art. 3(2) of the constitution thereof, looks into and decides on those questions of territorial allotment or rectification submitted to it by the *woredas* and *kebeles* within the regional state.

According to this provision, the demand for new local government status is expected from the lower levels of local government units. Without prejudice to the fact that the final decision-making power rests on the regional executive government, zones have the power to conduct preliminary investigation over the claims of restructuring and submit a fundamental direction on the issue.¹⁹

After 2001, a steady increase in the creation of new local gov-

17 Article 84 of ANRS constitution.

18 Article 98(1) of ANRS constitution.

19 Article 35 (D) of Proclamation No. 144/2016

ernments, mostly through splitting existing ones, has been witnessed. The following table shows the trend in local-government creation in ANRS from 2003 to 2020

Table 1: Number of local governments and city administrations in Amhara (2003–2020)

Year	No. of local governments except zones	No. of city administrations
2003/4	114	-
2004/5	118	-
2005/6	118	-
2006/7	118	-
2007/8	139	-
2008/9	151	21
2009/10	151	21
2010/11	165	33
2011/12	166	-
2012/13	166	38
2013/14	166	38
2014/15	167	38
2015/16	169	40
2016/17	169	40
2017/18	169	40
2018/19	182	42
2019/20	186	42
2020/21	190	46
Total	190	46

Source: Computed from annual budget allocations for woredas and city administrations, using data from the Bureau of Finance and Economic Development, ANRS, June 2020

As the Table 1 indicates, new local government creation has grown steadily year on year. By 2020, the number of such local government units had increased by 60 percent since 2002, which is double the national growth in new local governments formed by means of splitting. Indeed, in 2007/8, 2008/9, 2010/11 and 2019 there are notable spikes in this trend. Senior officials of the regional state said that the reason for the relatively high increments in certain years relates to the performance of the regional government in responding to claims coming from the

localities.²⁰The budgetary implications of the duplication of human personnel and resource-mobilization have often been mentioned.²¹ During times when there is an abundance of budget secured as a result of financial support from international development organizations, greater-than-usual numbers of new local governments have been created.²²

6. The Basis of Local Government Splitting

Neither the federal nor state constitution specifies the manner in which local government should be split. Information from regional officials indicates that the creation of new local governments comes about by administrative decision rather than via prescribed mechanism with rigid criteria. Nevertheless, the ANRS constitution hints at what criteria should be used in the creation of administrative hierarchies and levels of governments. Article 49(3)(2) gives the regional council the power to “establish additional administrative hierarchies, or self-administrative areas within the limit of the regional state, taking into account the density of the inhabiting population, territorial extent of the region as well as the socio-economic activity of its inhabitants”.

At least four criteria are set out in regional state legislation: ethnicity, population size, administrative convenience, and area size.²³ Given that ethnicity is the organizing principle of the federal order, the federal and regional state constitutions explicitly empower territorially concentrated ethnic groups by providing territorial self-government. Hence, ethnicity has been an official criterion for the creation of local government for territorially concentrated intra-state minorities. As indicated above, the ANRS constitution has created ethnic local governments, designated as

20 Interview with Mr Kefale Esubalew, security and good governance advisor of the regional president (17 June 2020) and Mr Ayinallem Adamu, good governance and capacity-building director in the Bureau of Urban Development and House Construction, ANRS (24 July 2020).

21 As to the data collected from the Bureau of Urban Development and House Construction, ANRS, for the first and second category of urban local governments there were 34 requests as at 2019/20. However, the capacity of the regional state is such that it can answer five requests.

22 Interview with Mr Kindie Alemayehu, former Deputy Head of the Bureau of Urban Development and House Construction, ANRS (23 July 2020)

23 Interview with Mr Merhatsidk Mekonnen, Legal Advisor for the President of Amhara Regional State (13 May 2019) and Mr Kefale Esubalew, a security and good governance advisor of the regional president (17 June 17 2020).

Nationality Administrations, for ethnic groups, in particular the Awi, Himra and Oromo.²⁴ Moreover, the regional state council has established the Argoba Nationality Woreda by ordinary law for the Argoba ethnic group.²⁵ Although not accepted by the elites of the ethnic group, the regional council has recognized the Qimant and established an ethnic local government comprising 42 *kebeles*, which were increased recently to 69.

The second official criterion for splitting local governments is population size, one which was introduced by the federal policy documents, the Interim Poverty Reduction Strategy (IPRS) and Sustainable Development and Poverty Reduction Program (SD-PRP). These documents set 100,000 people as the baseline for the creation of *woreda* governments. However, practice shows that the creation of local government is not guided by the threshold set by such policy documents. The ANRS has suggested population numbers of between 100,000 and 300,000 people, or 15 to 40 *kebeles*, for a *woreda* government, and seven to 20 *woredas* for a zonal unit.²⁶ Until 2016, there had been 12 zones, but two were split out of the former north Gondar zone, which was the largest of them. The federal policy documents above indicate that *woredas'* population sizes have to be reviewed periodically to maintain approximate proportionality. However, there is little consistency in the practice of local-government creation based on the prescribed national threshold.

In regard to urban local government, the ANRS's legislation not only sets a population threshold different to that of the federal government but includes additional criteria such as potential revenue, the occupation of city residents, and strategic importance.²⁷ Regulation No. 2009²⁸ provides a clearly defined and quantified threshold for the criteria of population size and revenue potential for each category of urban local government. However, its applicability in upgrading from one category to another remains uncertain. This is due to the fact that the other criteria are expressed in phrases such as 'strategic importance' and 'oc-

24 Articles 45(2) and 39(6) of the ANRS constitution.

25 Proclamation No. 130/2006, Argoba Nationality Woreda Establishment and Determination of its Powers and Duties.

26 Interview with Mr Merhatsidk Mekonnen, Legal Advisor for the President of Amhara Regional State (13 May 2019).

27 Proclamation No. 144 /2015, ANRS.

28 Although the proclamation was revised in 2015, the regional government is using this without reference to the revision.

cupation of city residents' that lack precision and entail subjective decisions.²⁹

Though it is not determined by the law, the regional executive tried to quantify the criteria by percentage to decide over the claims of *woreda* splitting. According to this criteria, a population number of 200,000 and above would have got 45 points out of a hundred. Similarly, area size, nature of landscape, potential to generate income, and number of *kebeles* has 25, 15, 10, and 5 points, respectively.³⁰ With the exception of population size, there is neither a specific threshold to get those points nor a minimum benchmark for the eligibility of a claim. The absence of clearly defined criteria in regard to both there-organization of urban local governments and the splitting of *woreda* governments leaves fertile ground for elite interests at the local level and subjectivity at the regional-government level.

7. Reasons for Splitting Local Governments

Articles in the FDRE Constitution that make passing reference to local governments are articles 39(3),50(4) and 88(1) (Ayele, 2012, p. 196). Ethnic local government is established for ethnic groups that are territorially concentrated. The local government established along ethnic lines can be either nationality zones or special *woredas*(Ayele, 2012, p. 96). It is safe to say that Article 39(3) entitles ethnic groups to establish local government in order to accommodate ethnic diversity. Hence, the primary reason for local-government creation and the subsequent splitting practices relate to the politics of ethnicity. A further article that deals with local government is Article 50(4), which mandates regional governments to grant adequate power to the lowest units of government in order to achieve public participation. Here, the splitting of local government is related to the motive of ensuring local development, service delivery, and public participation.

29 According to Mr Ayinalem, as per the legislation, more than 80 per cent of city residents should be engaged in an occupation other than agriculture. However, most of the data obtained from the localities regarding residents' occupations are flawed and difficult for the regional bureau to verify.

30 A 'quantified' criterion used by the regional executive to split *woredas* in 2016.

7.1 Ethnic Accommodation

As mentioned, the first phase of decentralization aimed at empowering the titular ethnic groups by establishing self-governing entities. Regional states and other national self-governing territorial entities were established and named after the dominant ethnic groups within them. The (re)establishment of ethnic local governments continued after the promulgation of the federal constitution based on its provision in Article 39. Accommodating ethnic minorities by creating autonomous territorial units has continued to be an organizing principle of the federal order as a whole. In ANRS, the Himra, Awi and Oromo have constitutionally recognized local government. The claims for nationality administration have been underway in the regional state since the ratification of the constitution. The Argoba and Qimant are the examples in this regard. While the claims of the former were settled by creating the Argoba Nationality Woreda by ordinary law, those of the latter are still unfolding due to controversy surrounding the number of *kebeles* to be included in the nationality administration.

7.2 Development and Service Delivery

In the second phase of decentralization (since 2001), administrative convenience, good governance and development issues became the salient considerations in the politics of local-government splitting. These objectives reposed on both the constitutional provision in Article 50(4) and the decentralization policy launched by the federal government, and were supported by international development policies and institutions. Here, the practice of splitting local government is related to the motive of ensuring local development, service delivery, and public participation. Local governments established with such intentions are demarcated based on administrative convenience and are geographical rather than ethnic in nature. The ANRS constitution was revised in 2001 to endorse the objectives contained in the federal policy documents, with local governments having been split to achieve these ends in practice.

The demand for separate local government status has continued to rise in the ANRS under the guise of decentralization. The splitting of new regular zonal and *woreda* governments seemed to have been overshadowed by the emphasis given to ethnic lo-

cal governments. Officials of the regional state claim that local governments were grossly unequal from the outset and that they are using splitting as a way to minimize disparities and reach the local population.³¹

7.3 Public Demand

Practice shows that local governments are also split in response to public demand. Many delegates have appeared before the regional state executive office to petition for new local government status. Such requests are made on the grounds of either ethnic self-government or administrative convenience and the need for efficient and effective service delivery. While the making of these claims is in and of itself a form of public participation, there is widespread agreement that public demands are hijacked by elite interests and ethnic entrepreneurs seeking to access political power and state resources.³²

8. Public Participation and the Autonomy of Local Government

The legal frameworks do not indicate ways of consulting the local people regarding the practice of splitting and creating new local governments. Although local councils are established to enable political representation and participation, their powers and responsibilities are not stipulated in detail. Neither the state's constitution nor legislation provides the local councils, with the exception of zones, a power to discuss or make recommendations on local government demarcation. However, in practice, such initiatives are indeed discussed in local councils and presented informally to the zonal and regional executive.³³

Observation of regional government finds that there are limitations in public participation in regard to claims for new local governments. This also evident in discontentment among the people and in the inefficiency of institutions after splitting has occurred.

31 Interview with Mr Merhatsidk Mekonnen, Legal Advisor for the President of Amhara Regional State (13 May 2019).

32 Interview with Mr Merhatsidk Mekonnen, Legal Advisor for the President of Amhara Regional State (13 May 2019).

33 Interview with Mr Kefale Esubalew, security and good governance advisor of the regional president (17 June 2020).

The local elites, including public servants, merchants and government officials, are crucial in initiating, framing and facilitating requests for new local government status. They call for public participation with some pre-determined outcome basically the inevitability of splitting. Public gatherings are neither inclusive nor genuine.

The democratic deficit of this local government practice is manifested in complaints and resentment amongst sectors of society within the newly established local government. Such practices in the regional state result in rural *woredas* being cut off from the infrastructural and economic core of their former towns. Consequently, tensions arise between the *kebeles* of people who lost relatively good services and those of people who find themselves closer to a new capital. While this is a problem witnessed in many of the newly established localities, it is most pressing, and still unresolved, in *woredas* cut off from Mecha, in West Gojjam Zone, and Farta, in South Gondar Zone. It is true that many demands are made for new local-government creation and that this could be regarded as public participation, but, as mentioned, these demands for better service are often captured by elite interests seeking to advance their own political and material ambitions.

Data obtained from local informants indicates that there are deteriorating relationships between two *woredas* that were formerly one, along with disputes between *kebeles* in a newly split *woreda*. The reason for the latter is that some *kebeles* were expecting to be the capital of the new *woreda*. This expectation stems from the promises of elites during the initiation and framing phase. Many *kebeles* from North Mecha *woreda* returned to their former government. This led to fluidity in local government boundaries, which affects the institutional security of each individual unit. Moreover, many people were surprised, as they had not heard about the decision but happened to find themselves living in a new *woreda*. In addition, after having been split, *woredas* either lose or retain their former names, which could threaten the autonomy of local government. The coining of new names might be welcomed or rejected by the people. In some cases, such as Kuara and Menz *woredas*, there was resistance by the public to the splitting processes many wished to maintain the “greatness” and traditional name of their district. While such scenarios can be moderated by a suitable public-participation process, there has been a clear lack of institutional mechanisms for involving local com-

munities in the splitting process and communicating decisions made. As things stand, demarcation is hardly transparent, free and fair in the eyes of the public, which tends to be suspicious about the process and outcome of local-government creation.³⁴

9. Conclusion

This article raised the question of what the basis and reasons for local government splitting are and what levels of public participation attend it, and then sought to answer it by considering it in relation to the autonomy of local government, which is one of the institutional features of decentralized local government.

It was found that there are multiple bases for splitting and creating local governments in ANRS. In theory, the security of existence of local government is ensured by setting clear criteria and procedures for changing its size and boundaries, but a closer look at the legal-constitutional mechanisms of both the federal and regional state revealed that there are no clearly defined criteria that have to be strictly adhered to, as opposed to being cherry-picked because they suit the exigencies of particular circumstances. Instead, the splitting of local government has been subject to pragmatic and informal considerations and undergirded by elite-driven negotiations among various networks of interest. Hence, the security of existence of local government as a sphere of level of government is compromised and the interests of the local people have got a little, if any, genuine concern.

The creation of new districts is meant to improve service delivery and local democracy by bringing government closer to the people and enhancing public participation. The newly created local governments are not efficient enough on their own to provide services, a situation that in 2019 prompted the regional state to stop creating new local governments. Local government administrations are also supposed to be autonomous administrative units. However, there are no clear functions and mechanisms of popular participation. All local governments are controlled by

34 In 2016, there was a rumour that the Amhara regional state had decided to split north Gondar zone (which is the largest in area) into three zonal local governments by splitting up central and western Gondar. After a few months, the media began reporting events in each area by naming the areas according to the rumor.

ruling-party decisions which overshadow the role of their own legislatures. Hence, it is difficult for them to fulfil their responsibility of ensuring service delivery and grass-roots democracy.

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