Women's Political Representation and Transition to Democracy in Ethiopian Federalism: An Analysis of the Gaps in the Institutionalisation of Women's Rights

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Abstract

The transition to democracy under Ethiopian federalism presents opportunities as well as inherent challenges for the institutionalisation of women's political representation. Among the opportunities, the establishment of the Institutions for the Advancement of Women's Status (IAWS) from the federal to local level and the constitutional recognition of women's political rights can be cited. However, substantive representation of women and gender parity in the political arena are not yet fully institutionalised. The objective of this article is, therefore, to assess the trajectories of the institutionalisation of women's political representation in the transition to democracy under Ethiopian federalism. Informed by the selective use of sociological, historical and feminist theories of neo-institutionalism, this study relies on data collected using key informant interviews, documentary analysis, and media sources. The findings reveal that the IAWS have weak political clout and a limited role in influencing institutional change to promote gender parity in the political arena. Path-dependency in women's policy and associations, narrow political space for democratisation, and the nature of the electoral and quota system are the main factors that inhibit the institutionalisation of women's political representation. The study concludes that building robust IAWS focused on gender and reforming the politico-legal space for exercising political rights and the electoral system would enhance women's substantive political representation as well as strengthen both the institutionalisation of women's representation and multiparty democracy.

Key Words: *Democracy, Transition, Women's right, Gender, Ethiopia*

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1. Introduction

In post-conflict states where there are limited functioning political parties, women's movements are often hijacked and co-opted by the state, resulting in limited institutionalisation of women's political representation (Razavi, 2001). Periods of critical juncture such as transitions from an authoritarian regime create opportunities for women and women's movements to bring some change (Matland, 2005; Vicker, 2011). However, the continuity of change and transformation of institutions is dependent on the success of a transition to democracy.

Theories of neo-institutionalism contend that the transformation of institutions is unlikely unless there is an immense effort to bring change or ideological shift (Peters, 1999). Feminist institutionalism, which is part of neo-institutionalism and the main theoretical framework of this study, contends that re-gendering gendered institutions to promote gender equality is dependent on the role played by women's movements and feminism that function outside and inside the state structure (Krook & Mackay, 2011). The mutual relationship of feminist actors inside and outside the state structure brings about the institutionalisation of women's rights (Razavi, 2001). Here, "women working within the state apparatus" refers to women bureaucrats, officials and members of parliament (MPs), while "women working outside the state apparatus" refers to women engaged in women's movements and feminist activities in civil society organisations (CSOs) as well as within political parties.

In Ethiopia, the institutionalisation of women's political representation began under the Derg regime when policies encouraged women's engagement in the public sphere and recognised some of their political rights; however, this was weakly institutionalised due to internal power struggle and civil war.[1] Following the end of the civil war and the downfall of the Derg regime in 1991, there was a deconstruction of almost all state institutions and the reconstruction of new ones that reflected a paradigm shift. The paradigm shift introduced by the Tigray People Liberation Front/Ethiopian People Revolutionary Democratic Front (TPLF/ EPRDF) changed the state structure from a unitary to a federal

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[1] Regarding the internal power struggle and the civil war and how it affected women's movements and institutions during the Derg regime, see Zewde (2014); Biseswar (2011).

one. With the inception of Ethiopian federalism, Institutions for the Advancement of Women's Status (IAWS) were established to represent women within the state apparatus and enhance their status in all spheres of life. CSOs advocating for the human rights of women also emerged. Women's representation has shown a progressive increase, reaching above critical mass (30 per cent) in 2015 in the fifth national election. However, it is often argued by women's rights advocates and activists that women's political representation is not strongly institutionalised, bearing in mind the limited power that IAWS have in influencing and exercising political authority, as well as the inadequacy of the role played by women MPs and women-based CSOs in promoting and institutionalising women's political rights. The purpose of this study is, therefore, to assess the trajectories and institutional gaps that inhibit the strong institutionalisation of women's political representation in the transition to democracy under Ethiopian federalism.

A qualitative research approach is used to explain trajectories in the institutionalisation of women's political representation since the creation of modern Ethiopia, with a particular emphasis placed on the era of Ethiopian federalism (1995–1920). Data for the study were collected through desk review and interviews. Using desk review, the trajectories of institutionalisation of women's political representation and its limitations were assessed by examining the background of women's movements, women's political engagement and representation, the structure and mandate of IAWS, the challenges to women's equal formal and substantive representation in Parliament, as well as barriers for effective collaboration of women working within the state and outside the state apparatus. The desk review is substantiated and triangulated using interviews. Key informant interviews were held with purposively selected women from political parties, active and ex-MPs, members of the executive organ of the federal government, and members of women's-based CSOs. The data analysis was informed by historical, sociological and feminist neo-institutional theories.

The study has five sections including the introduction. The second section sets out its conceptual and theoretical framework. The trajectories of women's political representation in the modern Ethiopian state before 1991 are presented in the third sec-

tion. The fourth section discusses role of IAWS, women MPs and women's-based CSOs in institutionalising women's political representation and the factors militating against this. The last section contains the conclusion of the study.

2 The Institutionalisation of women's political representation

This section briefly provides the operational definitions of the key concepts of the research, including institution, institutionalisation, women's movement and feminism, women's political representation, democracy and federalism. It then establishes a theoretical framework based on the theory of neo-institutionalism.

2.1. Operational definitions of key concepts

2.1.1. Institution and institutionalisation

Institutions are rules or norms that "structure", "govern" or "constrain" human action (Helmke & Levitsky, 2004, p. 727). The key attributes in this study's conceptualisation of institutions include whether the institutions transcend individual actors, endure beyond individual actor's lives, and constrain behaviours (Peters 1999; Parker 2014). There are two kinds of institutions: formal and informal. Formal institutions are based on rules and procedures created, communicated and enforced through official channels such as the legislature, the state bureaucracy, political parties and interest groups, while informal institutions are "socially shared rules, usually unwritten, that are created, communicated, and enforced outside of official channels" (Helmke & Levitsky, 2004, p. 727). Institutions, both formal and informal, consist in rules and practices that lay down what is normal, what must be expected, what may be depended upon, and what makes sense in the community. Formal institutions give order to social relations, reduce flexibility and variability in behaviour, and restrict the possibilities of a one-sided pursuit of self-interest by being guided by the "logic of appropriateness" and a sense of the rights and obligations derived from membership of a political community (March & Oslen, 1984).

In a study of political change and modernisation, Huntington defines institutionalisation as "the process by which organisations and procedures acquire value and stability" (cited in Ben-Dor,

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1975, p. 311). Keman (2017) also describes institutionalisation as a process intended to regulate behaviours within organisations or entire societies through rule-making, rule-adaptation and rule-changing. The level of institutionalisation is the degree to which formal rules have been built into governing structures, the operations of institutions are governed by explicit rules of procedures in decision-making, and institutions are fluid, ad hoc and responsive to political needs (March & Oslen, 1984; Peters 1999; Parker 2014). An analysis of the level of institutionalisation requires rigorous attention to both formal and informal rules. In this study, institutionalisation refers to the process of making and improving policies, laws, rules and procedures to embed women's representation in the formal institutions of a state such that women are equal to men.

2.1.2 Women's movements and feminism

Women's movements and feminism both entail advocacy for the protection of women's rights, but they differ in their strategies for bringing about change. Women's movements tend to emerge out of a disagreement with the status quo borne from discontent with patriarchal rule and from demands for change. Notably, women's movements have five distinctive characteristics (Biseswar, 2011, p. 34–35). These include, first, in terms of identity, the fact that the majority of members of women's movements are women, who share common experiences as females. Secondly, women's movements are embedded in an understanding of wider social conditions of "sexism" and "patriarchy". Thirdly, in terms of organisation, women's movements are often considered as organised as arms of sisterhood that join their efforts together to gain maximum benefit for women. Fourth, the goals, objectives, strategies and visions of women's movements vary based on the analysis of women's situations and differences in terms of race, age, ethnicity, and so on. Transforming undesirable social conditions of women is the ultimate goal of women's movements.

In contrast, feminism emerged as an ideology following the second wave of the women's movement in the West in the 1960s and 1970s. It called for radical reform at all levels, which included challenging patriarchal institutions and raising issues considered taboo in most societies, such as domestic abuse and violence against women (Jaggar, 1983). Despite the existence of different

schools of thoughts, feminism has common ideological bases that differentiate it from identity-based movements. In terms of identity, feminism recognises that an inner self formulates one's thinking and action, rather than the group identity of being female. Intellect is a crucial element in feminism, one that is developed through critical thinking – not by learning new facts but by looking at those facts through a gender lens (Biseswar, 2011, p. 45). This personal development explains why not all women can be called feminists and not all feminists are women. That said, in this study, the women's movement and feminism are not utilised as one and the same, but as complementary to each other.

2.1.3 Political participation and women's representation

Political participation and representation are key aspects of democratic politics, and in this regard the focus for many feminist is on inclusion, empowerment and equality. Such demands arise on the basis of understandings regarding the equal human dignity of women and men. To this end, international, regional and national human rights instruments guarantee women the right to political participation and representation equal to men.[2] Women's political participation includes taking part in politics through a range of activities such as discussion and debate, lobbying and activism, and setting political agendas as voters in the election process and electorate. Women's political representation can be defined as the representation of women's political agendas using women's agency via, inter alia, women's structures, MPs, and political parties, social movements and groups (Matland, 2005). In this study, the focus is on women's representation, that is, on the representation of women's political agenda using women's agency. Women's agency refers to "reasoning and knowledge, where experience involves social learning and applying the knowledge in a particular context" (Besiswar, 2011, p. 54).

2.1.4 Transition to democracy

The transition to democracy is a long process that can be categorised into three stages: the transition from authoritarian rule to electoral democracy; the transition from electoral to constitutional democracy; and the transition from constitutional to

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[2] See International Convention on the Elimination of all forms of Discriminations Against Women (CEDAW), 1981, Article 7; African Charter on Human and Peoples' Rights (ACHPR) Protocol on Women's Rights, 2003, Article 9(2).

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consolidated democracy (SIDA, 2002). Periods of transition from authoritarian rule to electoral democracy are often characterised by a top-down approach and elitism. Transition from electoral democracy to constitutional or societal democracy is characterised by political and civil pluralism in which voters have control over democratically elected bodies, which in turn entails horizontal accountability between the legislature, executive and judiciary. The transition from constitutional to consolidated democracy has been construed as "the process by which democracy becomes so broadly and profoundly legitimate among its citizens that it is very unlikely to break down" (Diamond cited in SIDA, 2002, p. 15.).

Studies in many countries show that the problem of transition to democracy is found at the second and third stages, that is, during the transition from electoral democracy to constitutional democracy and in the consolidation of democracy. For the development of constitutional democracy to take place, there must be free and fair elections, along with functional political parties and accountable government. In this study, "transition" is understood as a long process that goes beyond establishing an elected government. Ethiopia is still in the initial stage of transition to democracy, since it has not yet held free and fair elections.

2.1.5 Federalism

"Federalism" refers to the notion of combining shared rule and self-rule in the governance of a polity or state, while "federation" refers to the institutional structures of shared rule and self-rule entrenched in a written and supreme constitution (Watts, 2008). One of the principles of federalism is having two houses or institutions of shared rule, with one representing the citizens of the federation (lower house) and the other representing constituent units of the federation that have the rights to self-rule (upper house). In this study, the two houses are referred to as the federal parliament.

2.2 Theoretical framework of the study

In studies of political institutions, gender neo-institutionalism is one of the contemporary theoretical perspectives that is adopted. Its central premise is that "institution matters and brings difference in a political life" (March & Olsen, 1984, p. 747). It involves a

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broad focus that covers not only formal political institutions, but also the less formal institutionalisation of patterns of interaction between different political actors (Peters, 1999). Based on the types of institutions or actors, agencies, level and unit of analyses, there are at least four typologies of new-institutionalism, including rational-choice theory, sociological institutionalism, historical institutionalism and feminist institutionalism (Krook & Mackay, 2011; Peters, 1999).

First, in terms of rational-choice theory, institutions are systems of rules for maximising the utilities of the rational choices of the individuals or actors involved. Secondly, sociological institutionalism is broader in scope than rational-choice theory. It understands institutions as including formal rules, procedures, and norms, as well as symbolic systems, cognitive scripts, and moral templates that provide the "frames of meaning" guiding human behaviour (March & Olsen, 1984). Sociological institutionalism correlates institutions with the cultural systems that frame the myths and meanings governing human actions. According to this theory, institutions are both human constructs and social forces in their own right, and affect the identities, perceptions, capacities and routines of the actors. Actors are the normative creation of their identities, capacities and aspirations, as shaped by the social and political communities to which they belong. The interests and preferences of the actors are, therefore, intrinsic to the identities of the social and political actors. In the words of March & Olsen (1989), actors do not act on the basis of the "logic of consequentiality" but of the "logic of appropriateness" to socio-cultural settings.

Thirdly, historical institutionalism posits that institutions are constrained by past trajectories and paths chosen; that is, policy choices made in the past shape choices made today. In this vein, political and administrative organisations, conventions and procedures regulating the relationship between the state and actors are path-dependent, or, in other words, they are the outcome of historical trajectories (Krasner cited in Peters, 1999, p. 63). According to historical institutionalism and its notions of "path-dependency", once a government policy embarks upon a path, there is an inertial tendency for that initial policy choice to persist. However, "path-dependency" might not occur in a simple manner: instead, "one rule tends to beget another rule to com-

pensate for the inadequacies of the first rule; so too institutional rules and structures attempt to solve the problems that they themselves have caused" (Peters, 65). Change requires a good deal of political pressure, such as a critical juncture or a response to new information through incremental adjustment to changing demands and to inadequacies in the initial design. According to theories of historical institutionalism, once the individual chooses to participate in an institution, he or she agrees to accept the constraints imposed by the institution (Peters, 1991, 71). Hence, historical contexts play a role in shaping not only institutions but also political actors.

Lastly, feminist institutionalism contends that all institutions (both formal and informal) are gendered, that is, they reflect, reinforce and structure unequal power relations between men and women in wider society (Krook & Mackay, 2011, p. 6). Feminist institutionalism looks at how institutions are gendered and how formal and informal rules within institutions operate to construct and maintain gender power dynamics. Institutions such as law, politics and the state historically have been developed by men and interpreted from the male's perspective, leaving out the standpoints of women (Acker, 1992). The theory attempts to change gendered institutions by raising awareness of the gendered institutional dynamics of inclusion and exclusion.

From the perspective of feminist institutionalism, political institutions, particularly political parties, are gendered organisations characterised by traditional concepts of gender relations (Bjarnegard, 2016). This could be one of the main factors accounting for the political under-representation of women generally. Moreover, the role women play in political parties and legislative institutions is often hampered by their party's character, structure and ideological underpinnings. In this regard, one of the objectives of feminist institutionalism is to bring about policies that empower women and put them on an equal footing with their male counterparts in political institutions. Proportional electoral systems and quotas, for instance, are instruments that feminist institutionalists believe ought to be adopted in order to change the status of women in political institutions (Dahlerup, 2005). However, the implementation of feminist policies requires agency on the part of women's movements and activists: feminist institutionalists see women as crucial actors in initiating change

within institutions and policies in a given state.

Thus, this study draws on the three theories of new institutionalism – sociological, historical and feminist institutionalism – to explain change and continuity in women's political representation, and employs them in investigating the role of women's agency in promoting gender parity in the political arena.

3. Women and politics in Ethiopia prior to 1991

In the modern history of Ethiopia, which started in the second half of the 19th century, there were influential women in leadership positions, such as Empress Tayitu.[3] However, the institutionalisation of women's political representation is a recent phenomenon. For example, the idea of gender equality was non-existent in the 1931 and 1955 constitutions of Ethiopia. The 1955 Revised Constitution clearly stated that "males of royal origin had priority over their female counterparts to ascend the throne even if they were not yet born or remotely related to a reigning emperor" (Melaku, 2017, p. 4). This underlines that women, regardless of their class, were discriminated against in leadership positions.

Women's organised engagement in the country's politics began within the Ethiopian Students Movement (ESM) and its debates about the "women's question" along with the "national question" (Zewde, 2014; Biseswar, 2011). In response to this question, the Derg regime (1974–1991) introduced multicultural policies, established the Women's Coordinating Committee (WCC), and started to celebrate International Women's Day on 8 March in 1975. The policies of the Derg helped women to come out of the domestic sphere and organise publicly. The gender policy of the regime at the beginning of its reign considered the "women's question" in Ethiopia as dual oppression, that is, a combination of class and gender oppression. However, this changed in 1978 when the regime started to assert that class oppression superseded gender oppression; hence, the "women's question" would be answered with the resolution of class problems based on socialist ideology (Biseswar, 2011, pp. 112–113). Zewide (2014, p. 87). By way of this kind of policy, the Derg regime failed to have any meaningful strategy to change gender relations. Notwithstanding that the

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[3] Empress Taitu Bitul, one of the founders of the modern Ethiopian state, was admired for her leadership skills, particularly in the struggle against Italian invaders that concluded with the victory of Ethiopia at the battle of Adawa in 1896. See Adugna (2001).

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"women's question" in Ethiopia was clearly analysed by women members of ESM as the product of multiple oppression, that is, of gender, class, religion and ethnicity.

The main measures taken by the Derg regime in top-down fashion to increase women's public participation includes; first, the Derg regime created women's associations from the national to local level, a trend which reached its peak with the establishment of the Revolutionary Ethiopian Women's Association (REWA) in 1980 (Zewide 2014). Leaders of this association were members of the Ethiopian Workers Party, which was the only legally permitted party at the time. Secondly, in 1987 the Derg adopted the People's Democratic Republic of Ethiopia Constitution, which was the first constitution explicitly recognised women's rights to equality (Aalen, 2011, p. 25). However, the 1987 constitution was not put into practice due to the civil war that overthrew the regime in 1991. The ethno-nationalist forces that waged war against the Derg regime, among them the Tigray People Liberation Front (TPLF) in particular, were similar to the Derg regime in their Marxist-Leninist orientation (Biseswar, 2011, p. 120). As a result, the TPLF/EPRDF also addressed the "women's question" and adopted a similar analysis of it, taking the view that it is a double oppression that can be solved with the resolution of class problems. This essentially shaped the post-1991 women's policy and its implementation in Ethiopia, which included some modifications reflecting the global context of the post-Cold War era. This brought the institutionalisation of women's policy in Ethiopia in line with a theory of historical institutionalism which, as noted, contends that once a government embarks upon a policy path, there is an inertial tendency for those initial policy choices to persist (peters, 1999, p. 65).

4. Women's political representation in post-1991 Ethiopia

4.1. Women's political representation in the transition to democracy

The First World Conference on Women in 1975 emphasised the significance of the creation of IAWS, or "national women's machinery" for representing women in the state apparatus; these were reaffirmed by the Beijing Platform for Action in 1995 (Rai,

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2003). Globally, IAWS are considered as institutions for advancing women's rights and interests by mainstreaming gender in all policy areas using mainly women's agency. As Rai notes, "Representing women's interests to governance circuits at different levels is one of the important tasks of national machineries. Thus, they are also seen as conduits between civil society and the state" (2003, p. 22). To achieve these roles and ensure the institutionalisation of women's political representation within the state apparatus, IAWS need, among others, clarity of mandate and stability within governance structure, as well as links with civil society groups supportive of the advancement of women's rights and interests (Rai, 2003).

In Ethiopia, an IAWS under the name of the Women's Affairs Office (WAO) was established under the Prime Minister's Office in 1992, with structures in all levels of government as well as in each of the ministries. However, the mandate of the Office vis-à-vis gender mainstreaming was not clear (Vaughan & Tronvoll, 2003; Biseswar, 2011). With the aim of giving them a clear mandate, IAWS were relocated at ministerial level in 2005.[4] But after five years, when the executive organs of the government were re-established following the 2010 national election, the mandates of the Women's Ministry was widened to include not only Women's Affairs but also issues of children and youth.[5] It was named the Ministry of Women, Children and Youth. Similarly, following the 2015 national election, this ministry was renamed as the Ministry of Women and Children, with "youth" being removed.[6] Another proclamation came in 2018 following political reform in April of the same year. This proclamation also renamed the ministry, which was designated as the Ministry of Women, Children and Youth.[7]

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[4] The location IAWS at the highest level of government enhances the economic and political resources of IAWS if there is a stable and strong head of government, but if the government is not accountable to citizenry, location at the highest level within the governmental structure can lead to the alienation of IAWS from civil society groups (Rai, 2003, p. 29). This in turn allows the Ministry to be manipulated by the incumbent party and to have weak political clout and resources. See also Kardam & Acuner (2003).

[5] See Definition of Power and Duties of the Executive Organ, 2010, Proclamation No. 691/2010, Federal Negarit Gazetta, 17th Year, No. 1

[6] Youth issues were merged under sports. See Definition of Power and Duties of the Executive Organ, 2015, Proclamation No. 916/2015, Federal Negarit Gazetta, 22nd Year, No. 12.

[7] See Definition of Power and Duties of the Executive Organ, 2018, Proclamation No. 1097/2018, Federal Negarit Gazetta, 25th Year, No. 8.

Women's rights advocates and activists see the instability in naming and structure, and the imprecision of mandate and frequent change of ministers, as indicative of weak institutionalisation of women's representation in the legislature and executive branches of government.[8] They also argue that the lack of stability of naming and structure vis-à-vis mandate shows that the government's commitment to the advancement of women is merely symbolic rather than substantive. This is because the advancement of women's rights and interests are on the global agenda which states are pressured into adopting by international organisations and donors (Rai, 2003).

It is argued too that in their current location, the IAWS in Ethiopia are expected to deal with issues that concern more than three-quarters of the population of the country and are thus too broad in focus to be effective; they also still lack a clear mandate. In this regard, the Deputy Minister to the Women's Affairs of the IAWS, or Ministry of Women, Children and Youth (MWCY), stated:

> When you see the proclamation that establishes the Executive Organs of the FDRE [Federal Democratic Republic of Ethiopia], the mandate given to our Ministry is not clear; there is nothing which we do in our own capacity. The duties given to us require collaboration and cooperation. Though collaboration and cooperation are not bad in themselves, there need to be some issues that we address in our own capacity. [9]

This informant further noted that the issues and demands of the youth are different from those of women; hence, this responsibility does not need to be given to the executive organ established in the name of women.[10] Instability in the power and responsibility of the IAWS caused dissatisfaction among some members of women's-based CSOs and raised questions about governmental commitment to women's substantive political representation.

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[8] Key informant interviewees 5 and 6, 17 December and 24 December 2020, respectively, Addis Ababa.
[9] Key informant interviewee 6, 24 December 2020, Addis Ababa. Author's translation.
[10] *Ibid*

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Collaboration between IAWS and women's-based CSOs in Ethiopian federalism is not able to influence political decisions.[11] This was the case particularly since the 2005 national election, which was followed by the oppressive CSO Proclamation No. 621/2009 – many CSOs working on rights and advocacy were put out of the game as a result of it. Following the 2018 political reform, Proclamation No. 621/2009 was amended and replaced by a new proclamation, Proclamation No. 1113/2019, which opened political space for the functioning of CSOs. Nevertheless, the collaboration between IAWS and women's-based CSOs has still not been in a position to influence political decisions in a way that mainstreams gender in the political arena. A good example for this is looking into the detailed process of reform of the election laws of Ethiopia which finally come as Proclamation No. 1162/2019 or Proclamation on Ethiopian Election, Political Parties Registration and Code of Conduct.

The reform of electoral laws in Ethiopia has been well documented from a gender perspective by Geset & Moges (2020), who interviewed key actors involved in the process, such as experts, political parties, CSOs and MPs, and also analysed relevant documents. As per their findings, the initial stages of the electoral law reform process were flawed in that "the agenda-setting is not consultative of women groups or gender experts" (Geset & Moges, 2020, p. 70). In regard to the second stage of the electoral law-reform process, in-depth studies were conducted on the theme of election management bodies, political party registration and management, dispute resolution, and the electoral system. In the drafting of the law, experts and members of political parties were represented, but women's organisations or CSOs did not participate (Geset & Moges, p. 71). During the final stage of the drafting of the law, that is, in the public hearing called by Parliament, some women's-based CSOs members participated and recommended the inclusion of women's constitutional rights through the temporary measure of affirmative action[12] in the revised electoral law as a candidate quota and/or membership quotas in political parties for women to ensure gender parity in the descriptive rep-

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[11] Authors such as Burgess (2013) point out that relatively better collaboration between IAWS, including with women MPs and women's-based CSOs existed prior to 2005 and contributed to the revision of the Family Code in 2000 and to provisions in 2004 in the Criminal Code relating to gender-based violence.
[12] See Article 35(3) of the FDRE Constitution of 1995.

resentation of women and within political parties.

However, none of the recommendations were accepted. Geset & Moges (2020, p. 69) conclude that "the larger contexts that shaped the new electoral law reform in Ethiopia lack[ed] women's representation, both in terms of accommodating women's interest and their participation". Finally, the electoral law of 2019 was ratified by Parliament without any substantive provisions that enhance women's representation, except for the general phrase that encourages political parties to make "gender considerations" in their internal political activities.[13]

Here, one would pose several questions: why did political parties and the parliament fail to take women's constitutional rights to affirmative action seriously? Why did women MPs, IAWS and women's-based CSOs fail to form a common front for the inclusion of an electoral quota for women in the new electoral law? One of the characteristics of gendered institutions such as political parties and parliament is their resistance to gender-equality measures (Krook & Mackay, 2011). As has been indicated, political parties were among the main actors in the electoral-law-reform process that resisted the inclusion of a legislative gender quota, except for one provision that gives primacy to women in case of a tie between a man and a woman during election – this, however, was rejected by Parliament during deliberation for ratification (Geset and Moges, 2020, p. 73). IAWS did not play a direct role in coordinating efforts by women's-based CSOs and women MPs to lobby for the inclusion of some kind of legislative quota in the 2019 electoral law. To ensure gender parity, a temporary special measure or electoral gender quota is needed for two main reasons. First, women's representation in the national parliament has not attained gender parity. Secondly, a voluntary party quota is not reliable as a national quota system since its adoption depends on the will of political parties that are often resistant to gen-

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[13] See Ethiopian Election, Political Parties Registration and Code of Conduct, 2019, Proc. No. 1162/2019, Federal Negarit Gazetta, 25th Year, No. 97, Articles 64(6), 65(5) and 74(4).

der-equality measures.[14] The loose relationship between IAWS, women's-based CSOs and women MPs dispersed the energy that was required from women's movements and activists in order to bring about change for the strong institutionalisation of women's political representation that feminist institutionalists argue for.

4.2 Women's representation in the Federal Parliament

Ethiopian federalism seeks to accommodate the country's eth-no-territorial communities. To this end, the Upper House of Parliament, the House of Federation (HoF), is designed to represent each ethno-territorial community at the federal level, while the Lower House, the House of Peoples' Representatives (HoPR), has representatives elected from each electoral district based on the plurality electoral system. Since the establishment of the Ethiopian federation, six national elections have been held, although the last election is not yet fully complete, i.e., it is not yet held in all parts of the country. The number of women represented in the HoPR during the first national election in 1995 was 15 (2.7 per cent). In the second in 2000, this increased to 42 (7.7 per cent). In the third national election, in 2005, the number of women members was 116 (21.4 per cent). This number increased to 152 (27.8 per cent) in the fourth national election in 2010, while in the fifth national election in 2015, the number of women members of the HoPR reached 210 (38.8 per cent). Similarly, there were 21 women members of the HoF (18.8 per cent of the total) in 2005, a figure which increased to 49 (32.0 per cent) in 2015 (Kinfe, 2019, p. 259).

The numerical increase of women's legislature in the 2015 national election placed Ethiopia in the 18th rank worldwide in the descriptive representation of women in Parliament (Ibid). The introduction of a 30 per cent quota for women in 2005 by the incumbent party was the main factor that contributed to the increasing descriptive representation of women. However, all of the women elected to Parliament in the 2010 and 2015 national

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[14] There are three types of electoral gender quota: reserved seat quotas, legislative candidate quotas and voluntary party quotas. Reserved seat quotas refer to legal quotas mandated in a constitution or within electoral legislation that men cannot contest. It is the most reliable quota system for enhancing women's representation. The second type of national gender quotas are legislative candidate quotas, which require all political parties to have a certain percentage of women candidates. Thirdly, voluntary party quotas are a type of electoral gender quota adopted voluntarily by political parties and have no legal status, unlike reserved seat and legislative candidate quotas. See Hughes et. al. (2019).

elections were members of the incumbent party – these women were elected in the context of a lack of free, fair and competitive elections,[15] which makes the substantive representation of women in Parliament questionable. There are several factors in Ethiopian federalism that impede the substantive representation of women: a political context that hinders free, fair and competitive elections; the principle of "democratic centralism" within the incumbent party, which forces MPs to be representatives of the party and primarily accountable to the party; and the issue of whether women adopt a feminist perspective or not (Fisseha, 2017, p. 366).

Under Ethiopian federalism, many women who have been elected to Parliament have passed through women's movements organised mainly by the former incumbent party (TPLF/EPRDF) who ruled the country for nearly three decades until it was transformed into a new party, i.e., Prosperity Party (PP) following the 2018 political reform. However, the former incumbent party's ideology, "revolutionary democracy", which has a socialist orientation, considers the "women's question" as largely one of class oppression. As a result, its focus is on the economic empowerment of women, that is, on enabling them to access basic education, gain an income, and be employed in the public sphere. Once women have income or are employed in the public sphere, it is assumed that they have been empowered. However, the "women's question" is not only a question of class oppression. Rather, as women students of the ESM made clear in their research and publications, the "women's question" in Ethiopia is one of multi-dimensional oppression, that is, issues of class, gender, nationality and religion are also at work in the social, political and cultural spheres of life.

Thus, the absence of a full analysis of the "women's question" within the ideology and policy of the former incumbent party – that is, the absence of the will to see socio-political and cultural facts through a gendered lens – hinders its members in adopting feminist perspectives. The adoption of a feminist perspective often requires education and rigorous reading that enables one to question gendered structures. However, the extent to which

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[15] In the 2005 national election, five of 116 MPs were members of opposition parties (Shaffo, 2010, p. 34).

the situation in Ethiopia is favourable for education, particularly higher education for women and girls, is questionable since traditional gender-role stereotyping at family and societal level is not yet significantly transformed despite the existence of conducive laws and policies (Presler-Marshall et al., 2020; Semela et al., 2019). Hence, a woman who is elected to Parliament has little able to apply a gender lens due to structural, political and socio-cultural factors that limited her capacity to bring about change. De-institutionalising gendered socio-political conditions and institutionalising new ones built on gender parity are imperative for bringing about change, as theories of sociological institutionalism contend.

4.3. Factors inhibiting the institutionalisation of women's political representation

Four main, and intertwined, factors inhibit the strong institutionalisation of women's political representation and the transition to multiparty democracy under Ethiopian federalism. These are: the path-dependency on women's policy and associations; the narrow political space for civic and political pluralism; the conferral of citizenship based only on androcentric subnational ethnic identity; and the nature of the electoral and quota system.

First, under the Derg regime, Ethiopia adopted a top-down policy, based on socialist ideology, to enhance women's status, a policy which assumed that gender issues would be resolved with the resolution of national problems through class struggle. The post-1991 women's policy was also based on a top-down approach (Biseswar, 2011). During the Derg regime, all women's associations were expected to support the ideology of the regime, and women were used as instruments for the implementation of the regime's policies. Similarly, in the era of the TPLF/EPRDF (1991–2019) IAWS, as well as many women's associations from the federal to local level, were instruments of control to ensure the support and loyalty of women to the party. IAWS are also considered as policy implementers, rather than institutions which represent women to advance their rights and interests in regard to strategic gender issues. These hindered strong collaborations between IAWS and women's based CSOs as is discussed below.

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Secondly, there has been narrow political space for civic and political pluralism in Ethiopian federalism in general and for women in particular. Since the introduction of Ethiopian federalism, numerous civic organisations, including women's-based CSOs and women's movements, have emerged. The roles played by women's-based CSOs and movements for the institutionalisation of gender rights can be categorised into three periods of critical juncture: the first period was between the ratification of FDRE Constitution in 1995 and the 2005 national election; the second period of critical juncture was the post-2005 period until 2017; and the third critical juncture began with the 2018 political reform.

In the first period, 1995–2005, there were several women's-based CSOs, but only a few of them, such as the Ethiopian Women's Lawyers Association (EWLA)[16] and Networks of Ethiopian Women's Association (NEWA),[17] were engaged in high-level advocacy and lobbying for the institutionalisation of women's rights (Burgess, 2013). During this period, many women's-based CSOs preferred to work in politically neutral areas due to the government's intolerant stance and frequent expressions of hostility towards CSOs working on political issues. For instance, EWLA closed down when it dared to take the government to court for failure to uphold the law in 2001 (Biseswar, 2011, pp. 137–138). In spite of the government's stance against those who attempted to make it accountable, this period was considered a high-water mark for women's movements in that they had significant influence in the political arena, particularly with regard to law reforms and opposing violence against women, campaigns which saw close collaboration between MPs and EWLA.[18]

The second period of critical juncture for women's-based CSOs and movements in Ethiopia followed the 2005 national election. On the eve of this election, the government showed its commitment to some extent to a transition to constitutional democracy by liberalising the political space and promising free, fair and competitive elections. Opposition political parties and CSOs took

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[16] EWLA was established in 1995 with three core programmes for protecting women's human rights: providing legal aid; raising public awareness of the rights of women; and advocacy for legal reform.

[17] NEWA was established in 2003 and represents women's associations and organisations throughout the country. Key informant interviewee 9, 29 December 2020, Addis Ababa.

[18] Key informant interviewee 10, 29 December 2020, Addis Ababa.

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the opportunity to capitalise on the government's declared commitments. However, following the announcement of the result of the election, the incumbent party was accused of electoral fraud after winning re-elections in areas, particularly in regional states, where it had been defeated. In doing so, it maintained central power and began to take measures by making new policies and laws against opposition parties and CSOs (Adem, 2012).

The independence and operationality of CSOs in the country have been highly limited by the government, particularly so by the Civil Societies and Charities Proclamation No. 621/2009. Under this Proclamation, CSOs were required to function in priority areas identified by the government (Yantiso, 2016). Furthermore, the Proclamation for the Registration and Regulation of Charities and Societies (Proclamation No. 621/2009) imposed serious limitations on sources of funds for CSOs. As per this proclamation, CSOs engaged in human rights and policy advocacy were not allowed to receive more than 10 per cent of their funds from foreign sources (Yantiso, 2016, p. 7).

Given the limited domestic funding of CSOs, the restriction on funding sources created a huge financial constraint on the functioning and survival of women's-based CSOs working on advocacy. For example, EWLA was "forced to cut off 70 per cent of its staff, and in 2010–2011, it [....] ceased functioning" (Amnesty International cited in Eden, 2017, p. 368). In addition, the funds raised by the association (8.6 million Ethiopian Birr, or about USD 800,000) were confiscated by the government, while the director of the association fled the country out of fear of government retaliation (Burgess, 2013, p. 107). These kinds of measures taken by the incumbent party or government made advocacy for democracy and gender equality near-impossible, and CSOs began devising mechanisms to ensure their survival.

At same time, during this period (2005–2017) the government was engaged in the creation of government-based CSOs for women led by senior officials. These competed with non-governmental organisations, with their advocacy around rights and policies being favoured by the government (Biseswar, 2011). Such CSOs include the various women's associations (Women Association/ Democratic Associations, WDA) that were formed in Ethiopia's regional states, including in Addis Ababa and the Dire Dawa City

Administration. These associations were structured around governmental administrative organs at regional, zonal, woreda and kebele levels and work in collaboration with IAWS at regional and woreda level to create women's movements for the implementation of the agenda and policies of the former incumbent party (TPLF/EPRDF).

In 2009, these associations established the Ethiopian Women's Federation (EWF) under the leadership of the then first lady, who was a member of the central executive committee of TPLF/EPRDF. For more than a decade, she was Chairwoman of the Federation.[19] The EWF has several limitations that hinder it from being a genuine voice for women. First, its emergence from the incumbent party (TPLF/EPRDF) and an ideology in which women's economic empowerment and participation in associations are seen as emancipation, makes it an outdated structure with limited credibility among the majority of women in the country. Secondly, the roles the EWF assumes have similarities with the roles given to IAWS. Thirdly, the EWF has been accused of legitimating government corruption as well as perpetuating maladministration, particularly with regard to using funds and common properties of women.[20] Lastly, the federation has no clear procedures for the selection of its leader. Further investigation is needed in order to understand why women leaders and their associations allow oppressive structures to be perpetuated in their names.

The narrow political space for political pluralism is related to the TPLF/EPRDF's socialist orientation. Its ideology of "revolutionary democracy" that prioritised the interests of the party and subnational ethnic groups above those of the people of Ethiopia. In this regard, Aalen (2011, p. 34) states that in terms of the ideology of revolutionary democracy, democracy "should be based on communal collective participation in which representation is not individual but based on collective consensus". Revolutionary democracy, by giving primacy to the protection of the interests of the party and subnational ethnic groups,[21] turned people's representatives or MPs into mere instruments of the party. This is par-

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[19] See Ethiopian Women's Federation 10 Years Report (2020).

[20] Key informant interviewee 4 and 6, 25 November 2020 and 24 December 2020, respectively.

[21] Here, it is interesting to note that, as per Article 93(4)(c) of the FDRE Constitution, rights to self-determination are non-derogable even during states of emergency.

ticularly the case with women MPs, given that many women, on being elected to parliament, face complex political and socio-cultural barriers that hinder them from being effective political actors who are taken seriously and heard.

The third main factor that inhibits the strong institutionalisation of women's political representation is the tendency to think of citizenship in terms of androcentric subnational ethnic identity, which is determined on the basis of patrilineal bloodline. This is partly related to the genesis of Ethiopian federalism, which lies in the attempt to address the "national question" and "women's question" separately (Hussen, Hassen & Shiferaw, 2020). Historically, though, the "national question" and the "women's question" were discussed side by side within the ESM; in addition, women members of the ESM identified nations (that is, cultures) as one of the causes of women's oppression (Biseswar, 2011). However, the impact of the right to self-rule of ethnic communities on gender political rights to equality is not well articulated in Ethiopian federalism, and the "women's question" was considered only in terms of class and gender oppression.

This in turn has hindered recognition of women as one of the main subjects of political representation at subnational level, since the guarantee of ethnic self-determination for every ethnic community assumes that every ethnic community is homogeneous and located in neatly defined, or definable, territorial areas and every individual is an ethnic citizen. However, these assumptions are far from the reality, since many areas in the country are ethnically heterogeneous, while a significant number of individuals have mixed or complex ethnic identities, or simply want to be recognised by an Ethiopian identity alone. Individuals with a mixed or complex ethnic identity, or those who wanted to be recognised by Ethiopian identity alone, cannot be recognised as residents so as to exercise their political rights to elect and be elected. In order to be elected, the possession of an identity card that expresses a single ethnic identity is a must, whether the individual has a mixed or complex ethnic identity, or prefers to be recognised by an Ethiopian identity (Aalen, 2011, p. 40). This has forced individual citizens to identify themselves with a single ethnic identity, which is often preferred to be their androcentric ethnic identity due to gender and cultural stereotypes.

Consequently, ethnic-based federalism in Ethiopia has "failed to consider women as legitimate political subjects by basing the criterion on a deep-rooted androcentric, ethnic foundation" (Hussen, Hassen & Shiferaw, 2020, p. 67). This is reflected in the FDRE Constitution in the way it reflects gender role categories in the division of power, for example by giving the competency on elections to the federal government, with regulation of the family accorded to subnational levels of government, including in regard to customary and religious institutions.[22]

In less formal, but politically significant, ways, the "purity" or homogeneity of a once-ethnic identity is taken into account in ethnic-based political parties, which include the TPLF/EPRDF. This is especially problematic for women, since they carry the burden of continually readjusting their identity due to marriage to new patrilineal (inter-ethnic marriage), which is increasing with the expansion of modernisation, particularly urbanisation and the decline in polygamy and agricultural employment in sub-Saharan African countries (Bandyopadhyay & Green, 2020). The concept of "pure" ethnic identity is embedded in the primordial definition of ethnicity, or, using constitutional parlance, "nations, nationality and people" in Article 39(5) of the FDRE Constitution. There are four theories of ethnicity: primordial, instrumental, constructionist and integrationist (Yang, 2000). Aalen (2011) analyses how the absence of a social constructionist conception of ethnic identity complicates political problems in Ethiopian federalism.[23] Yang argues that depending on the political context, it is possible to use an integrationist approach to ethnicity, that is, by integrating primordial, instrumental and social constructionist theories of ethnicity, since the ethnic identity of individuals have some elements from each. In sum, the Ethiopian federal political system's focus on androcentric subnational ethnic identity has in principle excluded women from being political subjects.

Finally, since half of the total population of Ethiopia are women, who have equal political rights with men, gender parity in descriptive political representation needs to be the norm. To ensure equality in the descriptive representation of women, the type of electoral system and the electoral gender quota play key roles.

[22] For a discussion of how the division of power reflects traditional gender role categories and thereby undermines the promotion of gender parity, see Williams, 2018, pp. 591–519.
[23] In social constructionist theory, ethnicity is seen as fluid, flexible and varying over time in that individuals may change their ethnic group in different situations.

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The electoral system and the type of gender quota adopted in Ethiopian federalism has features which inherently inhibit women's nomination as candidates and hence their representation in the legislature. The FDRE Constitution in its Article 54(2) stipulates that the Ethiopian electoral system is a plurality electoral system, specifically a first-past-the-post (FPTP) electoral system. In this type of system, political parties often prefer to nominate a man rather than a woman (Matland, 2005). This is because in the FPTP electoral system political parties are allowed to nominate only one candidate per district for the national parliament. For example, the total number of women nominated to Parliament in the 2005 Ethiopian national election was only 273 (17 per cent), out of a total of 1,594 candidates (Eden, 2017, p. 364).

The FPTP electoral system is also a factor, not only in terms of the under-representation of women in Ethiopian federalism, but also in regard to the absence of multiparty democracy in the country (Tesfay, 2016). In terms of providing representation of parties and ideologies, the FPTP electoral system is blamed for the wastage of votes, for mis-representing or under-representing smaller and opposition political parties, as well as for undermining multiparty democracy in diversified societies.

Though the FDRE Constitution guarantees temporary special measures (affirmative action) in Article 35(3), in the political arena this constitutional provision does not translate into a legislative gender quota, nor have political parties adopted a voluntary party quota (Forster, 2020) – an exception is the incumbent party.[24] Following the 2018 political reform, there was an electoral law reform aimed at improving laws related to elections and political party registration, as well as instituting a code of conduct to facilitate multiparty democracy. During the electoral law reform of 2019, reform of the electoral system was strategically side-lined.[25] Nonetheless, there were debates on the gender quota system. There was a recommendation for the adoption of some kind of legislative electoral gender quota. However, this idea was

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[24] Of course, in the six national elections held in June 2021, in addition to the incumbent, one opposition party (the Ethiopian Citizens for Social Justice Party) adopted a voluntary party quota of 30 per cent.

[25] The need for reforming the electoral system as a mixed system combining proportional representation and FPTP was tabled by the former incumbent party (EPRDF) before the reform aimed at encouraging inter-party coalition, reducing the number of wasted votes, enabling geographic representation, and ensuring fair results for all political parties and their voters. See Tesfay (2016).

rejected on the ground that there was a narrow and hostile political environment for women to be active political party members on the part of opposition political parties, and it was discriminatory on the part of Parliament (Geste & Moges, 2020, p. 73). Hence, the absence of any reform regarding electoral system and gender quota are politico-legal factors that inhibit enhanced representation of women, or promotion of gender parity in the political arena; and thus, full institutionalisation of women's political representation and multiparty democracy.

5. Conclusion

The historical institutionalism of women's associations and women's policy manipulates the IAWS into a narrow political space for civic and political pluralism and socio-political culture. The focus on institutionalising the androcentric subnational ethnic identity of an individual as the sole subject of political representation, and the absence of women's agency in the 2019 electoral law reform, are gaps in the institutionalisation of women's political representation in Ethiopian federalism. Limited progress towards a transition to democracy that has not yet transformed the Ethiopian federal system from an electoral to a constitutional democracy is the underlying cause of the path dependency of the TPLF/EPRDF regime on women's policy and women's associations. Weak institutionalisation and manipulation of the IAWS, as well as the absence of a conducive democratic, socio-cultural and politico-legal environment for women's agency and an adoption of feminist perspectives, have resulted in weak collaboration between women in the state apparatus and women's-based CSOs. The emphasis on androcentric subnational ethnic citizenship as the sole subject of political representation in the federal system has in principle excluded women from being political subjects of representation in Ethiopian federalism. This reinforces a patriarchal tradition resistant to gender-sensitive reform within political parties and Parliament. The transformation of gendered political institutions and actors requires women's agency and the unified voices of women and feminist actors working within and outside the state apparatus, which in turn requires, among other things, the transformation of ethnic-based federalism into multinational federalism and a transition from an authoritarian electoral democracy to a constitutional democracy.

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