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Federalism and the Management of Inter-regional State Conflict in Ethiopia: The Case of the Oromia and Somali Regional States

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Abstract

Both as an institutional principle and in practice, federalism is expected to address the root causes of inter-regional state conflict and manage such conflict before it escalates into violence. Ethiopia is, however, grappling with violent conflict, which accounts for more than 70 per cent of internal displacement. The aim of this article is to examine the management of conflict between the Oromia and Somali regional states and ascertain to what extent federalism provides an institutional solution to the conflict. The research is qualitative in approach and utilised key informant interviews and focus group discussions to obtain an in-depth con- textual understanding of the causes and effects of conflict between the Oromia and Somali regional states, particularly that which occurred in 2017/18. The findings are that the major causes of conflict include the power struggle with the ruling party at the centre, competition over scarce resources and control of trade routes, territorial boundary claims and counterclaims, and lack of implementation of the outcome of the 2004 referendum. In addition, it would appear that federalism, originally intended as a mechanism for managing conflict in Ethiopia, is either one of the drivers of the conflict or unable to prevent a relapse into violence. Various measures – including joint peace conferences, a referendum, and bilateral peace and development agreements – have been adopted, but the underlying causes of conflict remain barely addressed and cooperative relations between the two regional states are weakly institutionalised and unsustainable.

Keywords: federalism, conflict, internal displacement, Oromia, Somali, Ethiopia

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1. Introduction

The popular protests witnessed in Ethiopia from 2015 to 2018, largely in the Oromia and Amhara regional states, involved a variety of intergovernmental and inter-ethnic conflicts. When relationships between governments and ruling political parties went wrong, inter-ethnic relations became conflictual. The 2017/18 conflict between the Oromia and Somali regional states is a case in point.

The conflict began when two Oromo officials were allegedly killed by Somali regional police at the border between the two regions in September 2017. This was followed on 12 September by a protest by Oromos in Aweday that led to the death of several Somali khat traders – according to Oromos, there were 18 fatalities, whereas Somalis contended that the figure was as high as 40. In retaliation, the Somali Regional State (SRS) displaced Oromos in Jigjiga (Jeffery, 2017). In mid-April 2018, at about the same time that Prime Minister Abiy Ahmed came to power, at least 1,073,764 people were already displaced by the conflict along the Oromia-Somali border (OCHA, 2018).

Various attempts over the years to address the conflict have taken the fire-fighting approach of seeking to end violence by way of peace conferences, dialogue, and negotiations rather than resolving the conflict at its root. A referendum in 2004 was one such measure, one that sought to address the question of demarcating administrative boundaries. This had indeed resolved the demarcation problem in many kebeles, but in other instances it remained unresolved. In addition, bilateral peacebuilding and development agreements were signed in 2006 and 2020 between the two regions in order to deal with issues of common concern to them. Following the momentous changes in the country's political climate in 2018 when the Tigray People's Liberation Front (TPLF) – previously the dominant force in the Ethiopian People's Revolutionary Democratic Front (EPRDF) – was ousted from the federal centre (and a new president appointed in the SRS), it appears that cooperative intergovernmental relations (IGR) were restored between Oromia Regional State and the SRS. It is not clear, however, whether the underlying causes of the conflict between these regional states have been effectively addressed or whether the cooperative relations they currently enjoy are sustainable.

The aim of this article is to examine the causes of conflict between the Oromia and Somali regional states and ascertain whether federalism provides institutional and practical solutions to them. In particular, this study aims to revisit the major drivers of conflict between Oromia and the SRS; identify the major factors at work in the events of 2017/18; consider why that conflict led to massive internal displacement; assess institutions and practices for managing conflict; and recommend proactive policy measures for preventing and managing conflict between the two states.

The research is qualitative in approach and utilised key informant interviews and focus group discussions (FGDs) to obtain an in-depth contextual under-

standing of the causes and effects of conflict between the Oromia and Somali regional states. Fieldwork was conducted in February 2023. In addition, the study has drawn on, inter alia, scholarly research, media reports, and government press releases so as to understand official or governmental narratives about the conflict and its consequences.

The article has five sections. After this introduction, the second section presents the conceptual framework of the study. The third identifies the major causes, actors and consequences of conflict between Oromia and the SRS, with a focus on the conflict of 2017/18. The fourth section examines how that conflict is managed within Ethiopia's federal arrangement. The last section provides concluding remarks and policy recommendations.

2. Federalism and conflict

Although there are many ways of defining it, "conflict" is understood as a dynamic and complex matter which is essentially about "relationships" (Jeong, 2010; Lederach, 1997). It can arise from complex motives, as well as from failure to manage antagonistic relationships; it can also stem from perceived identity differences and power asymmetries between opponents (Jeong, 2010). To understand a particular conflict, one needs to examine its root causes, key players, and the nature of the relationships between the parties to the conflict.

Federalism has become increasingly important in managing, if not resolving, violent conflicts, and is seen as contributing to peacebuilding and a means of promoting democratic governance (Anderson & Keil, 2017). The essence of federalism is said to lie in the institutionalisation of relationships between levels of government and the ways in which these levels adopt joint policies, make joint decisions, and resolve disputes (Elazar, 1987). Inasmuch as "relationship is the basis for … conflict and its solution" (Lederach, 1997, p. 26), intergovernmental institutions in a federation can serve as collaborative mechanisms for managing conflict.

Within the comparative literature, the debate about the link between federalism and conflict is ongoing, and so one cannot identify a straightforward relationship between them. On the one hand, federalism is said to be a device for managing conflicts (Linz & Stephan, 1996; Gurr, 1993). Seen from this perspective, federalism as a form of government has contributed to peace and development in countries such as Switzerland, Canada, and the United States of America. Federalism as a form of territorial self-governance regulates ethnic conflict by making a multi-ethnic society less heterogeneous through the creation of more homogeneous territorial sub-units (O'Leary, 2001).

Various scholars thus stress that, if aptly designed, a federal system has the capacity to mitigate ethnic conflict and help accommodate ethnic diversity (Horowitz, 2007; Bermeo, 2002). The positive impact of federalism in granting territorial autonomy and regulating conflict depends on whether groups are territorially concentrated (Erk & Anderson, 2009; Poirier 2008; Wolff,

2013). The relevance of federalism to deeply divided societies like Ethiopia is increasingly recognised. However, the debate about the link between federalism and conflict in the particular case of Ethiopia is far from settled. Three schools of thought are apparent in the literature: the "implementation school", the "design school", and the "contingent factors" school.

The first school of thought holds that, in Ethiopia, conflict and violence (and internal displacement as its consequence) arise due to a lack of implementation of the Constitution and federal project. The federal system has not yet had the chance to be implemented thanks to the centralisation of power by the country's party system and to the lack of a political culture which is suited to the functioning of a federal political order. According to this school of thought, if federalism had the opportunity to be implemented properly, it could address the root causes of conflicts, create the societal expectation that conflict is something to be resolved peacefully, and stabilise the country politically and socio-economically. In this regard, Osaghae (2022) notes that the "contradictions, tensions and troubles that Ethiopia is going through show that the ethnic federation has not been allowed to work as designed" (p. 3). The "design" school of thought is critical of Ethiopia's federal design, or what it calls "ethnic federalism". For this camp, the primacy given to ethnic identity and ethnicity in the design of the federal system was a mistake because it provides an institutional context and incentive for generating conflicts (Zewde, 2022). Ayele et al. (2022), for instance, stress that multiple forms of violence proliferate as a result of the country's ethno-federalist institutional architecture. Ethiopia's version of ethno-federalism is said to shape and incentivise violence for a number of reasons.

First, the Constitution grants an extreme set of ethno-federal rights that allow any group to declare territorial sovereignty at the local, regional or even national level. It is disintegrative rather than unifying and intended to foster a collective of autonomous states, since it legitimises extreme forms of ethnic nationalism and empowers groups to seize authority in established regions. Ethiopia thus stands in stark contrast to other African federations such as Kenya, South Africa and Nigeria. For instance, Sahledengil & Amsalu (2022) claim that "ethnic federalism" is a recipe for conflict in that political actors exacerbate and manipulate ethnic divisions. The authors note that the EPRDF, formerly the pre-eminent force in the country's dominant-party system, was able to suppress conflict through its "strong grassroots surveillance mechanism", whereas the current regime under the Prosperity Party lacks such a mechanism; as a result, previously suppressed conflicts have been on the rise since 2018.

The third school of thought takes the view that federalism per se is neither a cause of nor a solution to conflict. For this group, the causes of conflict go beyond federalism and include such factors as pre-federal state- and nation-building projects, long-standing political traditions, and geopolitical issues. Seen in this light, federalism's ability to deal with conflict is contingent on political will, political culture, the inclusivity or representivity of shared

institutions, and other considerations (Erk & Anderson, 2009; Suso, 2010; Fessha, 2012; Coakley, 2005).

Federalism is one element of conflict resolution, and its ability to contribute to resolution of previously violent conflict is mixed (Keil, 2023 p.155). Cases such as Nepal and Bosnia reveal success, while that of Ethiopia and South Sudan highlight that federalism is not a panacea (Ibid). For example, Fessha & Dessalegn (2022) argue that "the commitment to genuinely implement the federal idea has largely been absent" (p. 571), both in Ethiopia and Africa generally. Rather, politicians have a propensity to polarise their constituents against ethnic "foreigners" as a means of ensuring their stay in power. According to Osaghae (2022), the greatest danger to federalism is posed by "opportunistic elites who seek state capture at national and subnational levels for personal gain rather than the common good" (p. 4). Most of these leaders are said to be elected along ethnic lines and inadequately held to account for non-performance (Abomo, 2021; Long & Gibson, 2015).

A further array of factors relates to territorial groups' participation and representation in shared institutions. Unless territorial design considers the issue of shared institutions, excessive self-rule can result in fragmentation, polarisation, and isolation (Poirer, 2008). Territorial autonomy is only viable as an option for territorially concentrated groups if its institutions succeed in balancing the recognition of diversity with national unity. Here, it is also important to consider disparities between territorial units in terms of economic and natural resources as well as social cleavages within and between them. Granting territory to each and every ethnic group with a view to achieving territorial homogeneity entails meticulous drawing and redrawing of borders; in the process, the territorial or federal design invariably creates not only new minorities but new conflicts, over and above aggravating pre-existing conflicts (Wolff, 2013; Poirier, 2008; Fessha, 2012; Van der Beken & Fessha, 2013). This being so, achieving heightened autonomy for territorial groups is unthinkable unless such autonomy takes cognizance of socio-economic disparities within and between them (Erk & Anderson, 2009). A key issue in this regard is the allocation of adequate fiscal powers to territorial units (Shaykhutdinov, 2010).

Another set of factors turn around the question of whether the federal system is underpinned by democratic process. Many of the world's post-communist ethno-federations failed due to lack of democratic processes. Where multinational federations have been designed on the basis of democratic processes, this – for instance, in the case of Canada – has helped them remain unified even at times of secessionist threat (Bermeo, 2002); by contrast, non-democratic multi-ethnic federations struggle to respond to diversity and minority claims (Osaghae, 1999).

A further "contingent factor" is the degree of homogeneity of the territorially concentrated unit vis-à-vis other units. If an homogeneous group is territorially concentrated, this has the potential to reinforce an autonomist agenda (Quebec could be the case here); by contrast, if social cleavages are cross-cutting,

the tendency to seek strong autonomy is likely to be diffused (Erk & Anderson, 2009; Wolff, 2011). In addition, territorial solutions requiring territorially concentrated homogeneous groups tend to fail to respond to non-territorial and dispersed minorities. The nature of the party-political system is also an important consideration: if there are strong regional parties that threaten the national or federal centre, this is likely to fan the flames of ethnic conflict (Brancati, 2006).

Last but not least, another factor that needs to be taken into account is the federal political culture itself. Merely seeking the technical perfection of the federal design and its machinery does not in and of itself enhance what Burgess (2012) calls the "federal spirit", namely the commitment and willingness of key political players to act in accordance with the principles and values of federalism. In summary, while federalism has become increasingly important in managing conflict and is seen as contributing to peacebuilding and democratic governance (Anderson & Keil, 2017), its ability to mitigate or exacerbate conflict is contingent on the host of factors outlined above.

3. Causes and actors in conflict and displacement

This section first examines the nature and major causes of conflict between Oromia and the SRS, with particular reference to the events of 2017/18. It then identifies the main actors in this conflict, before discussing the latter's consequences – the most important of which was the massive forced internal displacement which the country witnessed.

3.1 Drivers and causes of conflict

Long before the adoption of the Ethiopian federation, conflict between the Oromos and Somalis used to arise over access to grazing land and water wells. Inasmuch as the Oromo and Somali communities have led agro-pastoral and pastoral lifestyles, conflict between them has been a common phenomenon, with its causes relating to low levels of infrastructural development and environmental factors such as scarcity of pasture and water during dry seasons.[1] However, as Bayu (2022 p. x) notes, the conflict of 2017/18 was far more complex in nature and could not be fully explained alone by the "the dominant narrative of resource-scarcity." Historically, the interaction between the two communities was characterised, as noted, by territorial competition for scarce resources, principally wells and grazing land, and in this regard had little to no connection with the federal dispensation; but with the adoption of ethno-territorial federalism in the 1990s, the political elites of the two regions began framing their respective boundary claims and counterclaims in terms of ethnicity (Kefale, 2010; Tufa, 2011).

As previously mentioned, the conflict of 2017/18 began when two Oromo officials were killed by Somali regional police at the border between the two

1 See Bilateral Development Evaluation Report (2011) of Joint Project Office, Jigjiga.

regions in September 2017. This was followed on 12 September by a protest by Oromos in Aweday that led to the death of several Somali traders; in retaliation, the SRS displaced Oromos in Jigjiga (Jeffery, 2017). One report described the conflict as "localized inter-communal violence" (OCHA, 2018), while other commentators described it specifically as inter-ethnic. However, critical informants who were consulted in the fieldwork for this study characterised it as a case of inter-ethnic conflict pursued by respective elites seeking incompatible territorial and administrative goals.

Seen in this light, the conflict between the two regions, as manifested in their border or boundary areas, is revealed as multidimensional in nature, one with social, economic, and political features that emanate from (1) scarcity of natural resources; (2) limited access to public services; (3) lack of good governance; and (4) lack of awareness of federalism as a complex multilevel form of governance – factors that were combined with misleading actions by various interest groups that benefited from the conflict.

Key informants from both regions concurred that the conflicts witnessed in the border areas between Oromia and the SRS were fundamentally not inter-ethnic in nature, in that political and land-related factors were their driving forces. In this regard, the Jaarsoo and Girhi conflict is illustrative, and is briefly discussed below.

A notable conflict between the Jaarsoo and Girhi occurred between 1982 and 1985 in Tulu Guled, 40 km from Jigjiga; a later one in 1992 lasted nearly a year and cost about 700 lives, with the Jaarsoo winning the conflict and taking control of Chinaksen, a productive agricultural area inhabited predominantly inhabited by Jarso Oromo (Hagmann & Abdi, 2020).[2] In 1994, during the transitional period, the Jaarsoo established a separate political party, the Ethiopia Somali Democratic League, and thereby obtained recognition in the SRS (Hagmann & Abdi, 2020). Later, Jaarsoo political leaders allied with the EPRDF, and Chinaksen became part of the SRS. From 1994 until 2004, the Jaarsoo (in Chinaksen) and Girhi (in Tulu Guled) cohabited peacefully. However, many Jaarsoo felt marginalised within the Jigjiga zone of the SRS, where regional politics favoured the dominant group, the Ogadeen. This led to a referendum in 2004, in which a good number of Jaarsoo-dominated areas voted for joining Oromia.[3] Of the *kebeles*[4] that participated in the referendum in the Jigjiga zone, 43 voted for joining Oromia, eight for remaining in Tulu Guled, and 40 for staying in Somali. This caused division among the Jaarsoo, as some joined Oromia, whereas others remained in the SRS.

However, the Jaarsoo who remained in the Somali region in Tulu Guled[5] faced problems, as members of the Girhi sought to control them (and their fertile

2 KII with Abdi Sani, ex-Babile woreda administrator, 15 February 2023, Babile.
3 It is estimated that more than 76 per cent of Jaarsoo-dominated areas voted in favour of joining Oromia.
4 A kebele is the lowest administrative unit below that of a district.
5 Many still live in Tulu Guled, a place adjacent to the Chinaksen woreda, of Somali regional state.

farm land). Girhi and Darood clan politicians – including a former president of the SRS, Abdi Illey, who had ruled from 2010 to 2018 before being forcibly removed from power less than four months after Abiy Ahmed became Prime Minister – were dissatisfied that Oromia had claimed Chinaksen as a result of the 2004 referendum. Illey had elevated to Tulu Guled to the status of a district in 2016. President Abdille, the new leader of the SRS, promoted Girhi but deprived Jaarsoo, sowing the seeds for conflict between the Jaarsoo and Girhi. As Hagmann & Abdi (2020) report, when conflict broke out, Somali paramilitary forces sided with the Girhi and attacked the Jaarsoo; in retaliation, Oromia's security forces attacked Somalis in Tulu Guled in August 2018.

An informant[6] noted that the Girhi were originally Somali but had been Oromised through the guddifachaa ("adoption") system of the Jaarsoo Oromo. In this way, if the members of Jaarsoo Oromo commit crime against Girhi, he/she would face more serious punishment. This is one of the mechanisms that Jaarsoo Oromo has been practising for peaceful coexistence with Girhi in and around Chinaksen.

3.2 Clash of territorial boundary claims

The Somali and Oromo communities share a 1,400-kilometre-long border between, to the south, Moyale at the Ethio-Kenyan border and, to the north, the Mieso district in West Hararghe zone (Hagmann and Abdi, 2020). Since 1992, inter-regional boundaries between the SRS and Oromia have been ill-defined and the scene of violent conflict (Bayu, 2022). The adoption of federalism altered inter-group dynamics between Oromos and Somalis in that the federation's principle of ethno-territoriality has run contrary to flexible resource-sharing in border areas and, generally, the fluidity of ethnic boundaries and identities in these areas (Kefale, 2010; Tufa, 2011).

Nationalist forces among the respective groups have each developed political projects in regard to borderland ownership and belonging (Tufa, 2011), this is in a conflict where the broader issues have much to do with aspirations for territorial autonomy. The contestation over territory had its roots in Mohammed Siad Barre's- the former military ruler President of Somalia from 1969 to 1991, irredentist project of the 1960s and 1970s. Barre had claimed that any territories east of the Rift Valley belonged to Somali. His government created the Somali Abo Liberation Front for mobilizing Afaan Oromoo (language of the Oromo) as a counterpart to Western Somali Liberation Front, a separatist group fighting to liberate the 'Ogaden region 'from Ethiopian control. Even today, as per the informants from Oromo elites side, some Somali elites have still remnants of Siad Barres' territorial imagination of expanding the Somali boundary westward.

6 KII with Abdi Sani, ex-Babile woreda administrator, 15 February 2023, Babile; FGD, 17 February 2023, Jigjiga.

Competing territorial claims and counterclaims are evident even in the naming of territorial spaces. In this regard, there two urban settings with shared territorial rule between Oromia and the SRS, namely Dire Dawa and Moyale. Both have real or perceived political, economic, and symbolic significance. Moyale connects Ethiopia and Kenya, while Dire Dawa is the major city connecting Djibouti and Ethiopia. In addition, several districts have the same name on both sides, among them Babile, Gursum, Guradhamole, Mieso, and Mayu Muluqe. Over the past three decades of the federal system, most of the conflicts between Oromia and the SRS have occurred in such woredas as Moyale, Mieso, Babile, Chinaksen, Gursum, Mayu Muluke, and Gurra Dhamole. According to Hagmann & Abdi (2020), these conflicts have been driven by demands for territorial autonomy and issues of access to resources and political influence.

In particular, contestation has surrounded Moyale. A military post established between the Ethiopian empire, on the one hand, and the British empire in Kenya, on the other, Moyale became the capital of the Moyale district in the 1930s. In 1995, it became one of the districts in Oromia, while the Somali regional state established Moyale district for its Garre and opened offices in the same town. Since then, the Borana (Oromos) and Garre (Somalis) have engaged in contest for political control of the town, which is viewed as central for insurgents or dissidents (Tufa, 2011). For Oromo nationalists, it has been regarded as a life-line; for the TPLF/EPRDF, empowering the Garre (Somali) was a strategic means of weakening the Oromo Liberation Front (OLF). The framing of territorial ownership before and after the 2004 referendum was a tool for mobilising support for the pre-2018 ruling regional parties, the Oromo Peoples' Democratic Organization (OPDO) and Somali People's Democratic Party (SPDP). Likewise, Moyale – which has a high security presence, shares a border with Kenya, and host's Ethiopia's federal custom Authority – has economic and military strategic value for the federal government.

3.3 The 2004 referendum

Since the 1990s, various committees and conferences have sought to resolve boundary disputes between Oromia and the SRS. On the grounds that the two regions were unable to peacefully resolve their disputes over borders, the House of Federation (HoF) in 2004 invoked Article 48(1) of the Constitution, which provides that "where the concerned States fail to reach agreement, the House of the Federation shall decide such disputes on the basis of settlement patterns and the wishes of the peoples concerned". Accordingly, a referendum was held in 2004 to decide the fate of about 422 kebeles. The outcome was that nearly 77 per cent of these kebeles voted to be administered under Oromia, with the balance voting for inclusion in the SRS (HoF & Ministry of Peace, 2020). Somali political elites were dissatisfied and, following the outcome, tens of thousands of ethnic Somalis fled for fear of the repercussions (BBC, 2017). The conflicts of 2017/18 erupted in towns and districts along the shared borders of the two regions, such as Babile, Asabot, Bardode, Moyale, Iften, and Bable, with devastating results – loss of life, massive internal dis-

placement, and large-scale destruction of livelihoods (Bayu, 2022).

According to the HoF delays in the demarcation of boundaries based on the outcome of the 2004 referendum were among the causes of the 2017/18 conflict. From January 2012 to December 2013, efforts had been made to demarcate some 384 kebeles, but about 48 kebeles still lacked clear demarcation. However, in the present study, informants from Oromia maintained that boundary demarcation, whether based on consensus or the 2004 referendum, was not the primary issue. The elephant in the room, they held, was the expansionist thinking of Abdi Illey and his supporters, along with the age-old vision of a "Greater Somalia" that still lingered in the minds of these elites. Nevertheless, the lack of clear demarcation of certain places in accordance with the 2004 referendum result has been considered as a source of conflict in the events of 2017/18. These contested administrative boundaries afforded leverage to political entrepreneurs who wished to mobilise their identity groups along ethnic lines and advance politico-territorial claims. In this light, one would also say the blame for the 2017/18 conflict lies partly with the HoF for having failed to implement the referendum outcomes timeously.

Indeed, one key informant was of the view that the full demarcation of boundaries was not undertaken due to a hidden political "back-up plan" by the TPLF/EPRDF.[7] In the conflict of 2017/18, the unresolved issue of territorial claims and counterclaims between these two states was invoked in order to pit on region against the other. Bayu (2021) argues that the federal government was restrained from enforcing the result of the referendum by the fear of escalating conflicts in shared-border areas. Since then, full-scale demarcation has never occurred between the two regions, a situation which is believed to have contributed to the border crisis and the overall conflict between Oromos and Somalis.

3.4 Actors: Complex, multilevel or diverse

Various categories of actors were involved in the 2017/18 conflict, namely direct, indirect and invisible ones. First and foremost, direct actors included the political leaders of the two regions, as well as federal authorities, contrabandists, clan leaders, and certain members of the two communities living in border areas. On the Somali side, under Abdile's presidency, political leaders at different levels participated in the conflict; on the Oromia side, zones, woredas and districts sharing boundaries with the SRS were blamed for partaking in the conflict.

While Somali forces were accused of trying to expand their territorial boundary by force, the players on the Oromia side were in self-defence and counter-offensive positions.[8] Some senior military officials of the Eastern defence unit were also criticised for trading in contraband. Hence, these elements

7 KII with ex-Babile administrator, 17 February 2023, Harar.
8 KII with Amanuel A., Expert from a Civil Society organization, 16 December 2022, Adama.

were beneficiaries of the instability in the borderland. They were accused of establishing covert networks with political leaders in the SRS in order to exploit borderland tensions for mutual benefit.[9] In particular, the paramilitary *Liyu* police of the SRS were regarded as key instigators of the Somali-Oromo conflict, which led to a breakdown of law and order and the displacement of more than a million people.[10]

From the perspective of the Oromo elite, the federal defence force was anything but neutral, as it sided with SRS forces. It was argued that military leaders participated in the conflict out of economic self-interest or as part of a political struggle against the Oromos. In this regard, some federal military generals, who were supposed to either prevent or manage the conflict between the two regions, were suspected of supporting the Somali special forces. Federal security forces were present, but failed to deter violent actions by the *Liyu* police (Kenee, 2022). When the special forces attacked Oromos, the defence force simply stood by. In contrast, when Oromos resisted and took counter-offensive measures against expansion by Somali, they were labelled as OLF and narrow nationalists.[11] It was even alleged that military leaders were implicated in the conflict by offering ammunition to the Somali *Liyu* police forces so as to sustain the conflict and destabilise the Oromia-Somali borderlands.

It was also believed that there was a politically motivated move by the ex-president of the SRS, Abdi Illey, to destabilise the country on behalf of the TPLF, which was losing its political dominance at the centre due mainly to poplar protests in Oromia. Hence, economic interests, contraband networks, and political competition to control the centre were believed to be among the factors motivating the key actors.

Moreover, as key informants highlighted,[12] clan leaders had developed a political economy of collecting rents in the context of sustained conflict in border areas. For instance, some clan leaders, in collaboration with wealthy persons in their clans, were caught buying and distributing firearms.[13] These wealthy persons were said to be mobilising peasants by arming them against other clans.[14] In other words, clan leaders and rich persons were allegedly seeking to prolong and escalate violent borderland conflicts. In this regard, Bayu (2021) notes that

9 Abdi Mohammed Illey, the ex-regional president who is currently in prison, was at the head of the network.

10 HE Negari Leencho, the ex-spokesperson of Oromia, OBN news report, May 2018

11 KII with M. Hassan, Team Leader: Peacebuilding, Security and Administration Bureau, Somali, 16 February 2023, Jigjiga.

12 KII with Kedir Mohammed, lecturer, Jigjiga University, 14 February 2023, Jigjiga; KII with Amanuel Adnew, head of a local non-governmental organisation (NGO) in Oromia, 15 December 2022, Adama.

13 KII with Y. Jamal, lecturer, Jigjiga University, 15 February 2023, Jigjiga.

14 KII with Kedir Mohammed, lecturer, Jigjiga University, 13 February 2023, Jigjiga.

> [i]t is thought that since the epicentre of mass protest is the Oromia region, conflict entrepreneurs at the federal and Ethiopian Somali region level have instigated conflict along the already tense and volatile Somali-Oromia shared border with the view to divert public attention and the protesters agenda as well as to keep the Oromia region weak and unstable (p. 35).

There were also indirect actors, such as illegal firearm traffickers that dealt with one or other side to the conflict, or both. Members of the diaspora participated indirectly too by helping the protagonists to access firearms. Invisible role-players, such as opposition political parties, civil society activists, and members of the media and activists, played a hand in the conflict as well. For example, regional media played a role in either distorting or under-reporting the situation.[15]

Many informants from both Oromia and the SRS linked the 2017/18 conflict to the former president, Abdi Illey. This was partly because Illey had allied himself with the TPLF wing of the EPRDF during the Oromo protests. It was evident that Abdi Illey was by then interested in diverting the popular protest in Oromia in a bid to his political alliance with the key military and political actors operating in eastern Ethiopia in general and Somali in particular. Abdi Illey's fear was, reportedly, that the Oromos' role in cross-border trading would affect his business and political networks.

Following the death of several Somalis in Aweday in East Hararge, Illey and his supporters attacked and displaced Oromos from the SNRS. Illey's role in the Oromo-Somali conflict angered "Team Lema".[16] The former president of Oromia, Lemma Magarsa, used the large-scale Oromo displacement from the SRS as a means of consolidating the struggle against the TPLF/EPRDF and its collaborators and firmly establishing Oromia's position in the ongoing internal struggle within the EPRDF (Hagman & Abdi, 2020). In August 2018, a group known as *Heego* attacked highlanders, escalating communal tension between Somalis and Oromo in Jigjiga, Degahabur, Qabridehari, Gode, Dire Dawa, and elsewhere. These incidents led to Abdi Illey's stepping down on 6 August 2018 (Hagman & Abdi, 2020).

As the discussion above indicates, the conflict in the Oromo-Somali borderland was a dynamic and complex one. It was dynamic in the sense that the driving forces of conflict changed from a mere natural-resource-based conflict to a highly political identity-based one; it was complex in the sense that multiple security forces, ranging from those at local to federal levels, were involved in the conflict in different capacities and with different motives.

In nutshell, the key actors in the Somali-Oromia conflict included Somali Liyu police, the regional states, pastoralists, Oromia police, customary lead-

15 FGD on 17 February 2023, Jigjiga.
16 The reform group named after the ex-president of Oromia, Lemma Magarsa, in 2018.

ers, federal security forces, and the administrators of local districts (Kenee, 2022). On the Somali side, special police, Somali pastoralists, traditional (customary) clan leaders, and local and regional state leaders were involved. On the Oromia side, Oromo pastoralists, traditional clan leaders, Oromia police, and local and regional state leaders partook in the conflict. This shows that not only community and traditional leaders but also local and state security forces were involved in the conflict. In the border areas where the conflicts often occurred, the two communities had (and have) similar but competing livelihood strategies. In 2017/18, regional security forces were engaging each other on the basis of territorial claims and counterclaims. At the time, Oromo elites contended that the SRS leadership, represented by Illey, had a strong economic and political alliance with TPLF leaders. The fight against Oromia from the eastern side was seen as another strategy to engage Oromia protestors in those days and to curb the raising Oromo leadership to the Centre. As for informants from the Oromia side, their view was that Illey was proxy fighter against the Oromo leadership on behalf of the TPLF.

3.5 Consequences of the Somali-Oromia conflict of 2017/18

The conflict that erupted 2017/18 resulted in huge loss of life, displacement, violations of human rights, and destruction of property. Clashes along the Oromo-Somali inter-regional boundary spiralled into mass killings and displacements on both sides. By mid-2018, more than a million people had been displaced. Oromos in SRS and Somalis in Oromia had to flee to their mother states for safety (Hagmman & Abdi, 2020). In May 2018, renewed violence between the Borana (Oromo) and Gihre (Somali) communities in Moyale led to further displacement and protection concerns.[17]

By mid-April 2018, 1, 073,642 people had been displaced by conflict in Ethiopia. The vast majority of these internally displaced persons (IDPs) were displaced due to the Oromo-Somali conflict (OCHA, 2018). About 656,579 people were displaced within their respective regions, including 428,569 people displaced within their woreda of origin (352,066 in Oromia and 76,503 in Somali), and 49,541 displaced outside their woreda of origin but within the same region (27,079 in Somali and 22,462 in Oromia). There were also groups of IDPs who, even if they crossed regional borders, remained close to their areas of origin along the border, including 99,820 Somali IDPs and 78,649 Oromo IDPs. Generally, these categories of IDPs were mainly pastoralists and agro-pastoralists residing in spontaneous or planned camps along the regional borders (OCHA, 2018).

The conflict had consequences and implications that extended beyond the two regions, affecting neighbouring countries such as Somalia and Kenya due to the existence of shared ethnic ties. For example, the conflict triggered the killing of two Ethiopians of Oromo origin in Hargeisa, Somaliland. Some were

17 Moyale, located 750 km south of Addis Ababa near the Kenyan border, is a business hub on the doorstep of the lucrative Kenyan market.

also reportedly trying to escape the violence by fleeing to the Kenyan side of the southern border town of Moyale (BBC, 2017).

In sum, the conflict not only displaced more than a million people but also affected all of the districts along the shared borders and disrupted inter-regional state relations. The joint peace and development office, which had been established by the two regions, was looted during the conflict in Jigjiga in 2018.[18] The conflict changed its course and nature over time from a local-level territorial conflict to an intra-federal boundary dispute involving multiple actors and the use of sophisticated weaponry (Bayu, 2021).

4. Management of Somali-Oromia border conflict

Three approaches have been taken to resolving conflict along the Oromia and SRS border: traditional and indigenous mechanisms; a referendum; and bilateral peacebuilding and development agreements. The section below discusses them in more depth.

4.1 Traditional and indigenous institutions

At the time of intra-federal boundary-making in the early 1990s, there was a conflict along the borderlands inhabited by the Oromo and Somali. Prior to the adoption of the federal Constitution, the central government, through the Prime Minister's office, established a committee that sought to address borderland conflict between the Oromo and Somali (Tufa 2011). The decision of the committee followed the Solomonic wisdom of splitting the child, in this case the borderland, into two.[19] This latter bred another conflict in the border areas between the Borana (Oromo) and Gihre (who claim to be Somali), and showed that the top-down decision of the committee lacked adequate consultation with the local community.

According to a key informant,[20] it was not because customary laws could not work that the referendum was held. Instead, the referendum was held without first permitting border-area communities themselves to resolve their problems. The informant stressed that the 2004 referendum was imposed from above and that the centre's understanding of the border suppressed the long-established border community's understanding of it, along with the resource-sharing approach it had developed.

The same informant went on arguing that when you break customary laws at the border area, then it means I know for you. For example, an informant[21] underscores that Jaarsoo-a Dir affiliated Oromo- and Girhi- belong to the Darod clan -have got jointly crafted *Heera Badhaso mixee gulantaa mane*

18 KII with coordinator, Joint Program Coordination Office, 14 February 2023, Jigjiga.
19 KII with ex-regional official of Oromia, November 2022, Finfinnee, Addis Ababa.
20 KII with Jamal Ahmed, lecturer, Land Management, Jigjiga University, 15 February 2023, Jigjiga.
21 Ibid.

Garadan. Here, Badhaso is a Jaarsoo clan leader, while Garadan is a Girhi clan leader. This shows that the two communities have got not only clan alliance but also shared customary laws. Another informant[22] interestingly underscores that when political leader at multiple level are committed and have got the willingness they normally send traditional clan leaders. When they want to make political calculations, the political elites could even imprison the traditional leaders who might try to resolve the conflict regardless of political leaders' direction.

For example, one best practice designed by the Oromo and Somali community to resolve conflict in Babile district reads as follows:

- killing person = 400,000 birr, life sentencing;
- injury = 200,000 birr;
- property stolen, such as an animal = 20,000 birr and five years in jail;
- carrying gun in disputed area = 50,000 birr, five years in jail;
- burning houses = 200,000 birr, three years' jail;
- cutting farms = 60,000 birr per tree and two years in jail; and
- social media (hate speech) = 50,000 birr and two years in jail (UNDP, 2020).

Thus, although the Oromo and Somali have traditional practices and institutions for resolving conflict, these could not function under political interferences. Political leaders restricted the role of traditional leaders by framing the issue as a political agenda which cannot be managed by customary leaders.[23] Sometimes traditional and cultural leaders make decisions for resolving conflict, with the multilevel political leaders being expected to implement these decisions, yet the latter are barely able to do so. Overall, it was noted that customary leaders can resolve conflict in its natural setting only to the extent that they are free to do so without interference.

Informants confirmed that customary leaders are not free to exercise their local and traditional roles in managing conflicts. Previously, for both communities, customary and cultural courts were more effective than the formal courts. As an informant[24] noted, both the Oromo and Somali are faced with "high inflation of customary leaders", that is, a greater number of leaders but without popular legitimacy from below. On the one hand, the ruling party created its loyal traditional leaders. On the other, there are genuine customary leaders appointed by the people based on their customary practices. As a result, people-centred customary leaders often try their best to resolve conflict. In this lights, ability of traditional leaders to resolve conflict is constrained by influence of government agents. In addition, some customary leaders could not unfortunately go beyond their private interests (Kene 2022; Bayu, 2021).

22 KII with Abdulahi Ahmed, Director: Conflict Resolution and expert in regional relations and conflict resolution, 16 February 2023, Jigjiga.

23 Ibid.

24 KII with Abdi Ali, an advisor to the Somali regional president, 14 July 2023.

4.2 The 2004 referendum

As mentioned, a referendum was held in 2004 to resolve border-administrative disputes, with 322 out of 422 kebeles voting for Oromia and 99 for Somali – the ballots of a few kebeles were rejected for procedural reasons (HoF & Ministry of Peace, 2020). Thereafter, various committees were established to demarcate the boundary between the two regions based on the results of the referendum. This was, however, long delayed. From January 2012 to December 2013, demarcation was successfully undertaken for 384 kebeles, but due to continued conflicts, demarcations were not carried out in respect of certain borderland areas in western and east Hararghe of Oromia and in Fafen and Siti zones in the SRS.

Consequently, some argue that the referendum did not improve socio-cultural interactions in the borderland but led rather to a deterioration in them. For the Borana, the referendum was seen as a top-down intervention by the federal centre, one that adversely affected "co-existence, tolerance and flexible ways sharing the scarce resources range land and water points" between the two communities (Tufa, 2011). Notably, the Garre and Borana fought deadly wars in 2008 and 2009 in which 300 people died and 70,000 were displaced. A key informant [25] noted as follows:

> As a lawyer, I cannot see [the] effectiveness of building sustainable peace without clear demarcation of inter-regional boundaries and administrative spheres … [P]oliticians might [wish] to be politically correct when they say boundary demarcation is tantamount to the creation of walls rather than bridges. The reality however is that clear boundaries [are] about who rules over the territory, who collects tax, and clarity about electoral district boundar[ies]. Hence, clear demarcation of inter-regional boundaries is important for conflict-resolution and peacebuilding endeavours.

In a related vein, a special event was held in April 2017 in which the presidents of the Oromia and Somali regional states, Lema Megersa and Abdi Illey, respectively, signed an agreement to resolve territorial and boundary claims that remained as points of contention between the two regions. Although this agreement was a good idea in theory, in practice it was difficult to demarcate the boundary on the ground because some of the affected areas did not accept the agreement that the regional leaders had signed. Indeed, despite the agreement, conflict broke out in late August 2017 in various woredas, among them Mieso, Tulu Guled, Chinaksen, Moyale, Wuchale, Guchi, Rayitu, and Dawekachan.

The regional states made at least one subsequent attempt to resolve the issue of administrative boundaries. According to Keene (2022),

25 KII with Abdi Awuffara, lawyer, SRS, 14 February 2023, Jigjiga.

> on September 18, 2017, the two regional states reached an agreement to cease any violent action around the border and promised to settle their differences peacefully. However, this agreement did not last more than a day. The Liyu police again perpetrated violence in Chinaksen on September 19, 2017, burning houses and killing civilians who were anticipating a political settlement of the border issues (p. 419).

In terms of Article 48(1) of the Constitution, territorial boundary claims and counterclaims are meant to be addressed in the last resort by a referendum.[26] The concerned federal institution, the House of Federation (HoF), failed to implement the results of the 2004 referendum timeously, two other factors tended to hinder the task.

First, in the pre-1991 era of Ethiopia's imperial and (later) military regimes, the two ethnic groups – the Oromos and Somalis – were administered under different provinces, namely Sidamo, Bale, and Hararghe. These historical factors, and the complexities attendant on them, have hindered efforts to clearly demarcate the inter-regional boundary. Secondly, the political forces of the two ethnic groups have divergent and competing territorial visions in regard to the Oromo-Somali borderlands. As the Oromo political elites see it, the Somalis' desire for an expanded boundary represents an incursion into Oromia and a claim over land regarded as essential to their cultural and ancestral identity: the saying among them is *lafti keenya lafee* keenya ("our land is like our bones"). Somali elites in turn see matters in much the same way, albeit from the opposing perspective: in their view, the Oromos have appropriated previously Somali territories that are critical to the cause of Somali nationalism.

4.3 Bilateral peace and development agreements

The Oromia and Somali regional states are pioneers in the Ethiopian federation in terms of establishing inter-regional institutions to address common concerns and overlapping interests. Oromia and the SRS signed a first bilateral agreement between themselves in 2006 and a second in 2020. [27] The leadership of the two regional states has recognised the states' mutual interdependence and need for partnership in regard to peacebuilding and development. This was initiated with the signing of the bilateral agreement of 2006, the terms of which applied for a period of five years. The agreement was aimed at jointly addressing common issues, further to which a programme coordination office was established in order to coordinate the implementation of the agreement

26 The article reads: "All State border disputes shall be settled by agreement of the concerned states. Where the concerned States fail to reach agreement, the House of the Federation shall decide such disputes on the basis of settlement patterns and the wishes of the peoples concerned".

27 KII with Salah Ahmed, Programme Coordinator, Joint Peace and Development, 16 Febru ary 2023, Jigjiga; see also Bilateral Peace, Development and Good Governance Cooperative Agreement between Oromia and Somali Regional States No. 2, 2020.

and the plans stemming from it.[28] The section below thus discusses the nature of these bilateral agreements.

4.3.1 First bilateral agreement of 2006

In 2006, the two regional states conducted joint assessments of the boundary woredas in order to identify problems and develop strategies for addressing them. The management of the first bilateral development programme comprised structures at different levels: the top programme management (the board); programme coordination office; joint woredas taskforce; and community-level joint committee. The board members were the heads of the sector bureaus of the two regional governments, with the presidents of the two states chairing the meetings. The programme coordination unit, based in Jijiga, coordinated programme activities. The joint woredas taskforce was a replica of the board at woreda level for the adjacent cluster woredas. A programme focal person for each cluster was assigned by the taskforce to facilitate programme implementation within the cluster. The community-level joint committee consisted of community representatives from the bordering kebeles of the two regions.[29]

The sources of funds for the programme budget were the government (woreda, regional, and federal), as well as donors and the community; the major implementers were the regional or woreda line institutions and programme coordination office. NGOs also took part as necessary. Periodic reporting and review meetings, as well as mid-term and final programme evaluations, were defined in the agreement's monitoring and evaluation modalities. Programme re-phasing or termination was to be decided by the board based on jointly conducted assessment reports discussed at the final review meeting.[30]

As regards the main components of the bilateral agreement, the conflict-resolution and peacebuilding endeavour aimed to reinforce "the brotherly relationship of the two communities and ensure sustainable peace in the area". To this end, activities included conducting assessments in conflict-sensitive woredas; conducting conflict-resolution and peacebuilding training; conducting community-level dialogues, conferences, and consultative meetings; appointing people to joint forums such as peace-day celebrations, festivals, cultural shows, and outreach campaigns; and developing an early warning system to monitor potential disputes and take appropriate measures.

The evaluation report of the first-phase bilateral agreement reveals the following achievements:

> Overall performance of the program management is evaluated as 61.38 per cent where minimum performance is observed at

28 See Bilateral peace and development agreement between Oromia and Somali, evaluation report, 2011, Jigjiga.
29 Ibid.
30 Ibid.

> Board level and maximum performance at District Joint Taskforce level. Rebuilding relations between the identified 15 conflicting cluster boundary districts to a better stage, an average of 61 per cent as evaluated, decreasing the annual frequency of the violent conflicts between the two peoples of the boundary district from 12 incidents in the year 2000 E.C. to 2 incidents in the year 2011, capacitating the conflict management skills of the local institutions of some boundary district to the level of managing most disputes before growing to violence level, and starting of establishing the local peace accord bylaws between the neighboring communities of the two regions are the big successes achieved by implementing the program activities.[31]

Nonetheless, a number of weaknesses were identified by both the informants in this study as well as the evaluation report of the first phase of the bilateral development agreement.[32] These include lack of prioritisation of addressing natural-resource development needs in the boundary kebeles and resolving border or boundary issues between kebeles; lack of regular and periodic meetings and financial audits of the programme budget; accountability issues at the board level; lack of joint regular project-planning and periodic meetings of woreda taskforces; inadequate follow-up on development projects; and capacity problems in terms of personnel and logistics for the programme coordination office.

4.3.2 Second bilateral agreement of 2020

Like the first bilateral agreement, the second bilateral agreement establishes joint forums that range from a board to sectoral forums, zonal joint forums, and woreda taskforces. The board meets once a year, while the sectoral forum is expected to be convened twice a year. Zonal committee forums and woreda taskforces are meant to meet every quarter. The bilateral agreement recognises that sustainable peace and development cannot be ensured without the two regions' intergovernmental cooperation and partnership. In particular, it underlines that intergovernmental cooperation is imperative for resolving cross-border conflicts and disputes. The agreement aims, as such, to create an enabling environment for improving the fraternity and horizontal relationship between the two ethnic groups.

The bilateral agreement focuses on a number of major areas. The first is fostering IGR between Oromia and the SRS. To this end, the agreement establishes state, zonal and district structures. It specifically establishes a top leaders' forum at regional, zonal and district levels, as well as sectoral line forums to work on the shared social and economic affairs of the two regions and communities.

31 Ibid at 10 to 11.
32 KIIs with Salah A. Programme Coordinator, Joint Peace and Development, 16 February 2023, Jigjiga; Tamirat B., Expert, Oromia Security and Administration Bureau, 15 December 2023, Addis Ababa; Bilateral peace and development agreement between Oromia and Somali, evaluation report, 2011.

The agreement also seeks sustainable solutions for territorial claims, boundary-demarcation issues, and pocket-area administrative disputes. It aims not only to reinforce border-area market linkages for mutual benefit and cooperative relationships, but to facilitate cultural festivals extolling the values and traits of the Oromo and Somali peoples.

The second major aspect of the agreement concerns capacity-building to support peacebuilding between the two regions. In this regard, the agreement focuses on, inter alia,

- providing training on peacebuilding, joint development and good gover nance for zonal joint forums and district taskforces;
- establishing joint and inclusive peace committees among the border-area kebeles on both sides and proving training on peacebuilding;
- identifying the root causes of, and triggering factors in, coflict in contested border areas and finding sustainable solutions to them;
- supporting committee-led conflict resolution mechanisms; and
- conducting research to identify potential causes of conflict and recom mend ways to detect and prevent such conflict.

The third component of the agreement centres on infrastructural development and the sharing of natural resources. Here, the agreement envisages joint planning and delivery of selected public services, through the concerned sectoral lines, in matters mutually beneficial to the two communities, such as education, health, agriculture, animal-health centres, and rural roads connecting the border-area communities.[33] This component also relates to the management of grazing land and water wells, which have been sources of conflict in border-area communities.

The joint development coordination office has been granted a detailed and technical implementation plan for the bilateral agreement. The two regional states are said to be the main financial sources for the joint development programme envisaged by the bilateral agreement, with further funding provided by the federal government and NGOs.

According to key informants,[34] the bilateral agreement not only recognises the inevitability of interaction between the two regions, but also sets out a clear framework for joint action on matters of fundamental and shared concern, including peace, development and good governance. The agreement further aims to strengthen inter-sectoral public service delivery for all of the communities inhabiting the border areas.

A key informant described the nature of Oromo-Somali relations as follows:

33 KII with Salah Ahmed, Programme Coordinator, Joint Peace and Development, 16 Feb ruary 2023.

34 KIIs with Salah Ahmed, Programme Coordinator, Joint Peace and Development, 16 Fe bruary 2023; Abdi Sani, zonal official, East Hararghe, 17 February 2013, Harar.

> The Oromo-Somali relation is like [a] tongue-and-teeth relation[-ship]. The two could only and appropriately function if they work together and in cooperation. Sometimes teeth may suddenly bite [the] tongue, but [the] tongue never stops working even after being bitten by teeth. Analogically, the two regions had entered into conflict in the past. In so far as there is interaction, there may also be another conflict in the future. This is natural and nobody can completely avoid that. The key point is whether the conflicting parties, Somali and Oromia …, have [an] institutional mechanism of managing or resolving conflicts.[35]

Apparently, relations between the two regional political leaders, Shimelis Abdisa of Oromia and Mustafa Mohammed of the SRS, are cordial. Whenever they meet, they shake hands, sit together in the same forum, and jointly issue media releases on mutual issues of peace and development. However, this is not to suggest that horizontal inter-regional state relations are sufficiently institutionalised as to be able to withstand electoral changes in leadership or the unpredictability of any political turmoil. Among this study's informants, for instance, no one was really sure what would happen if different political parties were to come to power in subsequent elections and how the two regions would then deal with matters unresolved between them. Furthermore, the bilateral agreement lacks a secured source of funding. Funding depends entirely on individual regional leaders' willingness and commitment to participate in horizontal IGR for the purpose of addressing conflicts and their effects in terms of internal displacement.

4.4 Federalism: A cause of or solution to the conflict?

Since 1991, the implementation of Ethiopia's federally decentralised system of government has entailed the restructuring of borderland areas between Oromia and the SRS. This has transformed the nature of conflicts in the area from ones caused predominantly by resource- based competition to ones driven by administrative and territorial-autonomy issues (Bayu, 2021; Kefale, 2010). In particular, the federal design has pushed communities inhabiting the borderland to choose between either the Somali or Oromo people, and as a result, conflicts that were hitherto local in scale have changed into inter-ethnic and inter-regional conflicts. Indeed, it may be argued that federalism provides an institutional and administrative context for the politicisation of pre-existing drivers of conflict, such as competition over land and water, in areas bordering or adjacent to the two regional states. However, according to the informants consulted for this study, the two regions generally have been asking for more federalism, not less. As Bayu (2021) did, this study thus challenges the generalisation that conflict is caused solely by ethnic federalism and the politicisation of ethnicity.

Key to note is that the ethnic-identity-based borderland conflict arose not be-

35 KII with Kedir Mohammed, lecturer, Jigjiga University, 13 February 2023, Jigjiga.

cause of the advent of federalism but because of the borderland demarcation imposed by the centre, an imposition founded in a lack of adequate consultation with the people concerned – people who used to live alongside each other. These communities' understanding of boundaries and borders was not fairly considered. The conflict has also been about shifts in federal or national politics, shifts which in turn feed into inter-local and inter-regional politics. The complexity of the relationship between the two groups – one dimension of which, for instance, is that one group claims its genealogy from the other – shows that the share correspondence between ethnic boundary and territorial boundary is very difficult if not impossible in border areas between Oromo and Somali. An emphasis on ethnicity alone thus could not help address the socio-economic and political demands that arise in pastoral borderlands, given the fluidity of ethnicity and the presence of an age-old inter-cultural mixture and layering of identities on the ground resist being boxed into clear-cut categories (Kenee, 2022).

Originally, when federalism was adopted in the early 1990s, it was hoped that it would bring an end to the civil war and other large-scale conflicts the country had experienced since the 1960s. Further to this, the Constitution governs, inter alia, inter-regional state boundaries, with Article 48 stating as follows:

> 1) All State border disputes shall be settled by agreement of the concerned States. Where the concerned States fail to reach agreement, the House of Federation shall decide such disputes on the basis of settlement patterns and the wishes of the peoples concerned; and 2) the House shall, within a period of two years, render a final on a dispute.

As for informants on the Somali side, they attributed the current smooth relationship between the two regions to the fact that their ruling parties belong to the same political formation, the Prosperity Party, which was founded in 2019. A key informant[36] noted in this respect that under the EPRDF, the SPDP had not been part of the central party's decision-making – previously, it had to wait in the wings to learn of the EPRDF's decisions. The same informant continues in saying that during the EPRDF era, Somalis were obliged to say that darkness is a bright light, health coverage is 99 per cent, and everything else was expected to be 99 per cent complete for cheap political consumption. In contrast, at present, leaders at regional level perceive that they are relatively well included in central decision-making (albeit that there is still a long way to go in this regard), given that Somali leaders now hold key federal and ruling-party positions.[37]

As noted, the two regions are pioneers in terms of having entered into inter-regional peace and development agreements, which in itself attests to the

36 Ibid.
37 Adem Farah is the vice president of the Prosperity Party; Mohammed Shide is the Federal Minister of Finance and Economics.

fact that, theoretically at least, they have recognised their interdependence and the need to establish institutions for intergovernmental co-operation. For example, a joint neighbouring-areas peace and development plan for 2020 to 2025, developed by experts from both regions' administration and security bureaus, aims to strengthen people-to-people relations and ensure peace and brotherhood between the two regions.[38] Similarly, as discussed, they have long-established bilateral agreements in regard to peacebuilding, development and good governance. In addition, Proclamation No. 1231/2020 was recently enacted with a view to establishing an IGR system for Ethiopia's entire federation.

A favourable political environment has been created since the collapse of the EPRDF and Abiy Ahmed's rise to power, events which ended the dominant-party system in which the ruling party of the SRS had been treated merely as an affiliate party. Informants noted that the two regions can now meet each other without interference by the federal centre, and regard the growth of IGR a significant institutional reform.

Moreover, borderland communities have long-established traditions and cultural institutions not only for sharing available resources but also for resolving disputes over them. In addition, they speak each other's language, as well as practise similar, if not identical, religions; both of them, furthermore, have clan systems, in which clan leaders play key roles in reducing conflict. As already noted, too, the two regions established inter-sectoral and executive forums even prior to the IGR requirements of Proclamation No. 1231/2020 passed by the federal parliament.

In short, the party-political system, existing IGR practices, the new IGR legal framework for the federation as a whole, and political leaders' increasing willingness to institutionalise IGR – along with a variety of historical and cultural factors – promotes the management of conflict between the two regions and the advancement of peacebuilding endeavours. So, in regional states such as Oromia and the SRS, one cannot simply put the blame on federalism per se, given that major actors in the regions seek more federalism, not less, in spite of their experiences of conflict and internal displacements.

5. Concluding remarks

This study identified a variety of reasons for conflicts between Oromia and the SRS, including the lack of a clear inter-regional boundary, clashing territorial aspirations by ethno-nationalists, the deterioration of natural resources, power struggles between ethnic political elites, and lack of access to public services in adjacent areas between the two regions.

In 2004, the HoF, Ministry of Federal Affairs, and National Election Board of Ethiopia attempted to resolve Oromo-Somali conflict by referendum, which

38 See the Five Years' Joint Peace and Development Plan (2020).

was considered as a final resort to fully address the inter-regional border conflict. However, both at a federal and regional level, the concerned institutions failed to fully demarcate the boundary as per the results of the referendum. The problem was not that the referendum failed, but that its outcome was not implemented timeously. Consequently, the lack of clear demarcation of the inter-regional boundary following the result of the 2004 referendum was among the factors that led to the recent conflict of 2017/18.

Unlike previous conflicts, which were localised and less violent, the 2017/18 Oromia-Somali conflict went beyond the local in that multiple actors operating at community, local, state, federal and Horn-region levels were implicated in it. The involvement of federal authorities in the conflict was explained by the centre's silence in terms of timeously regulating a conflict that resulted in loss of life, the destruction of property, and displacement of more than a million people. A particularly troubling aspect of the situation was that some elements of the Ethiopian defence force were indirectly involved in stoking the conflict in that they sold or supplied arms to the Somali Liyu police, a force which was heavily weaponised under Abdi Illey's regime.

It has to be noted, however, that the conflict between Oromia and the SRS occurred at the culmination of the protests in Oromia that led to the TPLF's ousting from its dominant position in the federal centre. Seen from this perspective, the conflict was thus also linked to the power struggle within the EPRDF between the TPLF and OPDO. The study also found that characterising Oromia-Somali conflict of 2017/18 was in itself controversial. For some, the conflict was inter-ethnic in that it involved actors from two ethnic groups engaged in combat with each other. For others, it was a political power struggle between ethnic elites within or outside of the ruling party. For others yet, it was a conflict between the centre and periphery: the idea is that, since whoever controls the centre, controls the periphery as well as the entire system, whenever there is a change at the centre, the periphery will face political unrest. This is arguably what happened in 2017/18 when conflict broke out along the Oromia-Somali border at a time when profound political changes were under way at the centre.

The 2017/18 Oromia-Somali conflict was complex in that diverse and multilevel actors were involved in the conflict, including the political leaders of the two regions, regional special police, businessmen, military generals, and members of diaspora. The conflict was also dynamic in the sense that it had changed from a mere natural-resource-based conflict to a highly political and human-identity-based conflict, with (for example) community leaders and elders, who are normally supposed to prevent or resolve conflict, having been implicated instead in aggravating it. More widely, this conflict raised the question of whether federalism – originally intended as a mechanism for managing diversity and conflict in Ethiopia – was part of the solution or part of the problem.

Prior to 2017, several attempts had been made to address conflict on the Oro-

mia-Somali border. A referendum in 2004 was adopted as a legal solution to address the question of administrative boundaries, which resulted in the demarcation of boundaries in many kebeles except for a few remaining ones. Moreover, in order to work jointly on peace and development concerns, the two regional governments entered into a bilateral agreement in 2006 which was updated in 2020. Nonetheless, the agreement neither prevented nor resolved the unprecedented conflict of 2017/18, as its scale exceeded the capacity and mandate of the agreement.

Under the EPRDF, it was not possible to enter into horizontal relations as the regional states would have liked. After the change of political leadership in 2018/19, the two regions are able to meet and communicate freely as they deem necessary. But the question remains that if power relations change at the centre, it is uncertain whether this relationship would continue. On the other hand, the Oromia and Somali regional states are pioneers in establishing shared or joint institutions for dealing with issues of peace and development (for example, grazing land, water, education, agriculture, security, climate change, and the environment) that concern both of them. Since 2006, the two regional states have had a joint peace and development coordination office that works on the day-to-day activities falling within the framework of the bilateral agreement and MOU signed by the respective presidents of the two regions.

Thus, working towards managing conflict and its effects on the internal displacement of people requires, first, promoting traditional and cultural institutions as structures with the capacity to resolve local and clan-level conflicts in border areas; secondly, completing the demarcation of boundaries and pocket areas on the basis of the outcome of the 2004 referendum; and thirdly, nurturing the strong institutionalisation of horizontal inter-regional forums and joint peace and development endeavours in keeping with the spirit of IGR Proclamation No. 1231/2021. The study therefore recommends following policy measures for enhancing the effective management of conflict and conflict-induced internal displacement between the Oromia and Somali regional states within the federal dispensation of Ethiopia:

- **Empower traditional and cultural institutions to resolve conflict:** Traditional and cultural institutions can play complementary roles to IGR institutions and forums for resolving inter-regional conflict. Political elites at all levels of government should allow clan and religious leaders to resolve conflict according to established values and norms between the two communities. This includes strengthening local institutions and practices of sharing scarce resources, such as grazing land and water, in border areas.

- **Clearly demarcate the inter-regional state boundary:** As far as the 2004 referendum was applied as a final and legal solution to resolve boundary/border-related conflict between the two regions, discrediting the result of this referendum detrimentally affects the rule of law and the respect for popular votes. Besides, bilateral agreements for the joint peace and development

programme were not effective due to continued territorial contestation in borderland areas. Thus, the result of the 2004 referendum needs to be implemented in the remaining kebeles.

- **Institutionalise horizontal inter-regional state relations:** Consultative horizontal IGR forums can create and promote harmonious relations between regional states, enabling them to resolve conflicts in a win-win and amicable manner without interference from the federal government. In fact, horizontal relations between Oromia and the SRS have been recognised for their role in cooperatively addressing issues of common concern between regional states within the Ethiopian federation. However, such IGR forums should be underpinned by principles of equality, mutual respect, partnership, consultation, consensus, and compromise. Responsible IGR institutions at the federal level, such as the HOF and Ministry of Peace, need to provide capacity-building support for institutionalising horizontal inter-regional state relations, with the aim of preventing and managing conflicts and building a culture of dialogue between mutually interdependent regional states such as Oromia and the SRS. In addition, given that conflict-induced internal displacement is a multilevel jurisdictional and multi-sectoral issue that cannot be handled by a single level of government, strong institutions of horizontal and vertical coordination can be of help in preventing and managing conflict-induced displacement between regional states.

- **Promote bilateral agreements for joint development and peace programmes:** First, the bilateral agreement for joint development and peace projects between the two regions should be reframed in terms of Proclamation No. 1231/2021, a legal framework that aims to institutionalise IGR in Ethiopia, including by way of horizontal IGR forums. Secondly, the capacity of the joint development and peace programme coordination office based at Jigjiga must be rebuilt through professional staffing and the allocation of an adequate budget.

References

Adugna, F. (2014). Politics of territoriality in Ethiopia: The case of the pastoral Gabra of Southern Ethiopia. Ethiopian Journal of Social Sciences and Humanities, 10(2), 25–50.

Adugna, F., Gebre, A., Abdullahi, A., & Ali, N. (2018). Cross-bor der economies and centre-periphery relations: The case of Ethiopia-Djibouti-Somaliland Corridor. Unpublished REF Report.

Anderson, P. & Keil, S. (2017). Federalism: A tool for conflict res olution? 50 Shades of federalism. Retrieved from https:// 50shadesoffederalism.com/federalism-conflict/federalism -tool-conflict-resolution/

Ashine, E. M. (2021). The adequacy of law and policy frameworks on internal displacement in Ethiopia: A critical appraisal. In R. Adeola (Ed.). National protection of internally dis placed persons in Africa (pp. 27–36). Cham, Switzerland: Springer.

Ayele, Z., Fuller, B., & Raleigh, C. (2023). Ethno-federalism and subnational conflicts in Ethiopia. Civil Wars.

Baylis, E. (2004). Beyond rights: Legal process and ethnic conflicts. Michigan Journal of International Law, 25, 529–602.

Bayu, T. (2021), Conflict dynamics between two neighbors: Look ing beyond federalism. Academic and Applied Research in Military and Public Management, 20(1), 21–42.

Bayu, T. (2022). Ethnic conflict in Ethiopia: Federalism as a cause and solution. Journal of Social Sciences and Humanities, 6(30).

BBC. (2017, September 18). What is behind clashes in Ethiopia's Oromia and Somali regions? Retrieved from https://www. bbc.com/news/world-africa-41278618

Berhane, Z. and Tefera, S. (2018). Does federalism reduce ethnic conflict? Evidence from the Ethiopian experience. Ethiopian Journal of the Social Sciences and Humanities, 14(1), 105–131.

Bermeo, N. (2002). A new look at federalism: The import of insti tutions. Journal of Democracy, 13(2), 96–110.

Brancati, D. (2006). Decentralization: Fueling the fire or dampening the flames of ethnic conflict and secessionism? International Organization, 60(3), 651–685.

Burgess, M. (2012). In search of the federal spirit: New theoretical and empirical perspectives in comparative federalism. Ox ford: Oxford University Press.

Coakley, J. (Ed.). (2005). The territorial management of ethnic conflict. London: Routledge.

Elazar, D. (1987). Exploring federalism in Tuscaloosa. Alabama: University of Alabama Press.

Erk, J., & Anderson, L. (2009). The paradox of federalism: Does

self-rule accommodate or exacerbate ethnic divisions? Re gional & Federal Studies, 19(2), 191–202.
Fessha, Y., & Dessalegn, B. (2022). Origins, relevance and pros- pects
of federalism and decentralization in the Horn of Africa. Nationalities Papers, 50(5), 871–885.
Gurr, T. R. (1993). Minorities at risk: A global view of ethnopoliti- cal conflict. Washington, DC: United States Institute of Peace Press.
Hagmann, T., & Abdi, M. (2020). Inter-ethnic violence in Ethiopia's Somali Regional State, 2017–2018. Conflict Research Pro gramme, Research Memo, LSE.
Horowitz, D. L. (2007). The many uses of Federalism. Drake Law Review, 55 (4), 953–66.
House of Federation (HoF) & Ministry of Peace. (2020). Oromia and Somali regional states border area conflict as sessment study. Unpublished document.
IDMC. (2019). Global Report on Internal Displacement. Gene va: IDMC. Retrieved from http://www.internal-dis placement.org/sites/default/files/publications/docu ments/2019-IDMC-GRID.pdf.
IDMC. (2022). Global internal displacement in 2022 (GRID 2022): Children and youth in internal displacement. Retrieved from https://www.internaldisplacement.org/sites/default/ files/publications/documents/IDMC_GRID_2022_LR.pdf
Jeong, H. (2010). Conflict management and resolution: An intro duction. London: Routledge.
Kefale, A. (2009). Federalism and ethnic conflict in Ethiopia: A comparative study of the Somali and Benishangul Gumuz (PhD thesis, Leiden University). Retrieved from https:// scholarlypublications.universiteitleiden.nl/handle/1887/ 13839.
Keil, S. (2023), Federalism and conflict resolution: mixed success? In Teaching Federalism Multidimensional Approaches, John Kincaid and J. Wesley Leckrone (eds.), Edward Eglar, Northampton, MA, USA, pp. 154-164.
Keller, E. J. (2005). Making and remaking state and nation in Ethiopia. In R. R. Lameront (Ed.). Borders, Nationalism, and the African State (pp. 87–134). Boulder: Lynne Rienner Publishers.
Kenee, F. (2022). Pastoralists and violent conflict along the Oro mia-Somali border in Eastern Ethiopia: Institutional options toward peacebuilding. African Studies Review, 65(2), 404–429.
Lederach, P. (1997). Building peace: Sustainable reconciliation in divided societies. Washington: United States Institute of Peace.
OCHA (2018, June 20). Ethiopia: Oromia-Somali-conflict-induced

displacement – Situation Report No. 4. Retrieved from https://reliefweb.int/report/ethiopia/ethiopia-oromia-somali-conflict-induced-displacement-situation-report-no-4-20-june

O'Leary, B. (2001). An iron law of nationalism and federation? A (neo-Diceyian) theory of the necessity of a federal Staatsvolk and of consociational rescue. Nations and Nationalism, 7(3), 273–298.

Omeje, K. (2008). Understanding conflict resolution in Africa. In D. J. Francis (Ed.). Peace and Conflict in Africa (pp. 68–92). New York: Zed Books.

Osaghae, E. E. (1998). Managing multiple minority problems in a divided society: The Nigerian experience. The Journal of Modern African Studies, 36(1), pp. 1–24.

Osaghae, E. (2022). Ethiopia's ethnic federalism and the African search for viable statehood: Matters arising. CODESRIA Bulletin Online, No. 5.

Poirier, J. (2008). Autonomy and diversity. Sub-theme paper, International Conference on Federalism.

Requejo, F. (2005). Multinational federalism and value pluralism: The Spanish case. London: Routledge.

Sahledengil, T., & Amsalu, D. (2023): Ethnic federalism, conflict, and displacement in Ethiopia's Metekel Zone. African Identities.

Shaykhutdinov, R. (2010). Give peace a chance: Nonviolent protest and the creation of territorial autonomy arrangements. Journal of Peace Research, 47(2), 179–191.

Suso, R. (2010). Territorial autonomy and self-determination conflicts: Opportunity and willingness cases from Bolivia, Niger, and Thailand. ICIP Working paper 2010/01.

Wolff, S. (2011). Territorial approaches to conflict resolution in divided societies. In S. Wolff & C. Yakinthou (Eds.). Conflict resolution: theories and practice. London and New York: Routledge.

Wolff, S. (2013). Conflict management in divided societies: The many uses of territorial self-governance. International Journal on Minority and Group Rights, 20(1), 27–50.

Zewde, B. (2022). The unresolved question of identity in Ethiopia. CODESRIA Bulletin Online, No. 4.