

Coping With Winds of Change: Analyzing the Resilience of the Ethiopian Federal Compact

Fiseha Haftetsion Gebresilassie¹

The Ethiopian Federal Democratic Republic, championed by the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF), was established in 1995. But the viability of the system under a different political party is yet to be tested. This paper argues that the resilience of the Ethiopian federal arrangement is dependent on the relative strengths of its achievements and pitfalls. The federal arrangement has, so far, gained several achievements such as responding to the historic 'national question', ensuring ethno-linguistic equality, increasing availability and just distribution of resources, delivering national economic goods such as building infrastructure, health care, territory education, and growing the economy. There are, however, challenges such as lack of compatibility between the laws and principles on one hand, and the political practice on the other, increasing centralization, conflicts, and poverty. It is argued that while the current federal arrangement is resilient in that it has provided solutions to key demands, the federal system needs some institutional reforms in order to align constitutional powers of the government with the practices of its leaders.

Introduction

It is difficult to accurately foretell the fate of the current Ethiopian federal arrangement once power is transferred to another party through whatever means. This is due to the fact that there are a host of factors that may influence the outcome. Among these are the type of party that comes to power, the manner of power transfer, the performance of the incumbent in all aspects, and the achievements and pitfalls of the current system. The main argument of this article is that the fate of the current federal arrangement is decisively determined by the interaction of or the relative strengths of the achievements and pitfalls of the system cumulative, and the presence or absence of other plausible options. Thus, a major portion of the discussion in this article revolves around the achievements and pitfalls of the current federal arrangement. There are, however, a host of other issues that may have a bearing on the final fate of the current federal arrangement and are thus worth mentioning in this section.

Generally speaking, three possible scenarios can be advanced regarding the outcome of the Ethiopian federal arrangement once power is transferred to a different political party: (1) there is a possibility of re-defining the nation and re-ordering state-society relations. This is not a remote possibility as it was hinted in the policies of the main opposition political party i.e. Coalition for Unity an-

¹ LLB (Hawassa University), MA in Peace and Security Studies (Addis Ababa University/United Nations University for Peace), and PhD Candidate (Center for Federal Studies, Addis Ababa University). I would like to extend my deep gratitude to the in-house readers for their very useful and constructive comments and feedbacks. I also would like to thank the anonymous reviewers for their painstaking work to bring the paper to shape although all errors remain mine.

Democracy (CUD) during the 2005 countrywide election; (2) there is a possibility of keeping the current arrangement as it is. This is also highly likely because many of the states particularly the 'small' and traditionally 'peripheral' ones seem to be content with the current arrangement and an attempt to alter this may entail unpleasant consequences; and (3) there is a possibility of keeping the federal arrangement but with some modifications in different areas. I argue for the possibility of the third scenario.

The Indian Federation may be taken as a point of reference for clarifying the third scenario. In the earlier years of the Indian federal arrangement, many scholars predicted that the reshaping of India based mainly on national identities was doomed to fail (Mahajan, 2007). Nonetheless, the system survived and continued to flourish even after the Congress Party that pioneered the system lost power. This is because the system was getting shaped and reshaped in response to the real demands of the diverse peoples of India. In addition, the system managed to create spaces for the exercise of power at different levels unlike the earlier days of transition from British colonialism when power was concentrated at the center (Mahajan, 2007). There were, however, times when institutions including the Constitution and the federal system were suspended. The country was under emergency declaration (1975-77) during the premiership of Mrs. Indira Gandhi (Bhattacharya, 2007). Thus, it is crucial to underline the role political responsiveness played in maintaining the Indian federation because the political practice did fairly well in accommodating diversities, particularly linguistic diversity. This can be compared to the positive gestures the Ethiopian federation took in accommodating such demands, despite the ups and downs in the democratization process, by considering the response to the Silte demand for separate identity from the Gurage based on linguistic, cultural, and historical claims (see Alem, 2007; Nishi, 2005).

Democracy and federalism have flourished hand-in-glove in India. Federations short of democracy, such as the USSR and Yugoslavia, did fail terribly. In essence, such federations failed because regional authorities were denied of the power to make decisions in their areas of competence or any substantive decision making power (see Burgess, 2006). While there may be some doubts around the effectiveness of the democratization process in Ethiopia, it can be argued that the state authorities do exercise tangible and important powers that a different system may not offer them. Additionally, previous researches (see, for e.g., Assefa, 2005) on the Ethiopian federal arrangement show that there are areas that are susceptible to change. Thus, considering developments so far, it is plausible to argue that the Ethiopian federal arrangement will likely follow a path similar to that of the Indian one.

Another fact that will certainly have a bearing on the current federal ar

rangement is the way national power is transferred to a different party. Ethiopia has never, so far, experienced a peaceful inter-regime power transfer. Though there is a radical difference between the current government structure and the earlier ones, there is no guarantee that there will be a peaceful power transfer this round. However, some key factors that differentiate the current governance system (in Ethiopia) from the earlier ones are that the Constitution recognizes popular election as the only valid way of assuming government power (Article 9 cumulative Article 38); it adopts multi-party system; and it allows free press (Article 29). But adherence to such principles and laws, both by the incumbent and the opposition, is often subject to question. Chaotic power transfer is a possibility anywhere let alone in the developing world including Ethiopia. Thus, if power is transferred unconstitutionally, there is a high possibility that the federal system will face serious challenges because the new party may have other ideas of political arrangements. Since democratization and recognition of diversity are two faces of the same coin (Andreas, 2010), it is difficult to genuinely recognize diversity in the absence of true democracy. Hence, because Ethiopia's federal arrangement is meant to recognize diversity and accommodate it in order to keep national unity, deficiencies in democracy such as unconstitutional power transfer will prove to be a disaster. On the other hand, the satisfaction or dissatisfaction of the public with the delivery of political and economic goods, and in particular the implementation of the federal arrangement, may affect the way power is transferred.

The other factor that will affect the shape of the federal arrangement once power is transferred from the incumbent is the nature of the party that comes to power. The objectives of the political parties in Ethiopia are very diverse. They range from those who envy the 'good old days' of the ancient regime to those who see the current federal arrangement as insufficient in recognizing and accommodating diversity. If a political party that favors a unitary system, rather than federal, comes to power, it is highly likely that the current federal arrangement will wither away altogether. If, on the other hand, a party that appreciates the importance of federalism but with geographically curved constituent units comes to power, the current federal arrangement will be destabilized as this will change the underlying political assumptions of the system. If a political party determined for the implementation of extreme version of the right to self-determination -including secession as recognized by the current Constitution -comes to power, the territorial integrity of the nation may be endangered. If a party that agrees to the current federal arrangement but that won public vote through other factors such as capitalizing on the implementation weaknesses of the incumbent assumes power through a properly conducted election, the current federal arrangement may remain unaltered. There is another possibility. The incumbent

itself or another like-minded party may introduce change into the current arrangement because federalism is inherently an open system (Watts, 2008). But, again, the appearance of such parties is inseparable from the satisfaction or dissatisfaction of the people with the current federal arrangement. In other words, it is the achievements or pitfalls of the current federal arrangement that are the key determinant factors.

Therefore, with the foregoing points of departure, the second section provides a brief account of the background of the federal arrangement; the third section deals with the most visible achievements of the system; the fourth section highlights the key challenges and pitfalls the system encountered so far; and the fifth section attempts to critically analyze the possible repercussions of the achievements and the challenges identified above. The last section reaffirms the key argument and provides brief concluding remarks.

The Prelude

Today's Ethiopia is a restructured version of the Ethiopian empire. The empire-building project was aggressively pursued by Emperor Menelik II by the end of the 19th century and consolidated by Emperor Haileselassie I. Due to this repressive process, there is lack of consensus among Ethiopian scholars regarding the continuity and survival of the Ethiopian empire. For some, the Ethiopian empire is a mere creation of Emperor Menelik II and his predecessors of the second half of the 19th century (Merera, 2006). For others, present Ethiopia is one of the most ancient and unified nations that survived for millennia (Levine, 2011; Bahru, 1991). It is, in any case, an uncontested fact that Ethiopia got its modern configuration during the reign of Emperor Menelik II although the power of the center fluctuated from time to time. The only challenge to the Ethiopian territory took place in its northern boundary in Eritrea. This region was under Italian colonial rule during the reign of Menelik. Eritrea, once federated with Ethiopia during the era of Haileselassie I, struggled for independence and 'won' *de facto* in 1991 and *de jure* in 1993.

Since 1991 Ethiopia has undergone tremendous changes. The military regime that ruled the country for seventeen years, after removing the last Emperor from power in 1974, was in turn removed from power by a coalition of liberation fronts under the umbrella of the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF). The Tigray People's Liberation Front (TPLF) and the Eritrean People's Liberation Front (EPLF) took the lion's share of the wars that ended the reign of the military dictatorship. This enabled both parties to influence the shape of their respective countries. In 1991 the EPRDF, whose most experienced and militarily strongest wing was the TPLF, took over Ethiopia whereas the EPLF controlled Eritrea.

Since the EPRDF's ascendancy, Ethiopia embraced a different political shape through the inauguration of a new Constitution in 1994. It established a federal state, based on the 'consent' of the 'nations, nationalities, and peoples'. It, according to the Constitution, looked like a 'coming-together' federal arrangement while in reality it is a 'holding-together' federation. Furthermore, sovereignty lay on the 'nations, nationalities, and peoples' (see the Preamble and Article 8 of the Constitution). The genesis of this constitutional stand can be traced back to the 1960/70s history of Ethiopia. In the 1960s there was a popular movement in the country spearheaded by university students. Among the key questions of the time was the question of 'national oppression', usually referred to as the 'national question' in the Ethiopian political history. The underlying reason behind the 'national question' was the evident absence of economic, ethno-linguistic, and cultural equalities among the Ethiopian nations. The 'national question' came into existence in contradiction to the nation-building thesis. The proponents of the nation-building thesis see nothing wrong in the 'nation-building' process of the Ethiopian empire (see Merera, 2006). According to them, even if some mishaps or oppression was witnessed in the process, it was expected to be so. They refer to such foreign examples as France where a cruel assimilation policy accompanied by brutal force was employed to create the French nation.

Most opponents of the past imperial regime particularly those with Marxist-Leninist backgrounds, however, reached a consensus that there was a 'national oppression' and it should be addressed through a radical change that involves restructuring the Ethiopian empire (see Merera, 2006). There was a third thesis known as the 'colonial thesis' that sought separation as the only solution. Among the proponents of such thesis were the EPLF and the Oromo Liberation Front (OLF). Thus, the opposition lacked uniformity and consensus on the type of solution to the problem. Two main groups emerged: one group that believed that the question of 'national oppression' will wither away with withering away of social classes, and another group that believes that 'national oppression' can only be addressed by allowing the Ethiopian 'nations, nationalities, and peoples' to decide their fate. The Ethiopian People's Revolutionary Party (EPRP) and the Workers Party of Ethiopia (WPE) fall under the first category. The TPLF is the prime example of the latter group.

The revolution that culminated in the downfall of the last Emperor in 1974 was eventually 'hijacked' by the military which embraced Marxism-Leninism as its guiding ideology and worked hard to abolish social classes. But as is the custom with military regimes with few exceptions, the regime failed to respect rights whether of individuals or groups. In other words, while expected to address the issue of national oppression, it added more fuel to the fire by es

establishing a totalitarian state. The military dictatorship was not sympathetic even to forces that were ideologically affiliated to it. Hence, it worked day and night to clear the political space from any organized contender. The forces that opposed the military regime also fought against each other. Amidst this chaos, it was the TPLF, later joined by like-minded organizations that became victorious. Seen from this historical antecedent combined with the dominant role played by the TPLF/EPRDF during the Transitional Period (1991-5), it is not surprising that the Constitution committed itself to addressing the age-old question of nationalities and took the issue of nationalism as a core organizing factor in restructuring the old but seemingly newly reborn Ethiopian state.

The new constitutional arrangement is, obviously, a great departure from the systems installed by the earlier regimes. In addition to addressing the 'national question', there are multiple factors that may justify for the coming into existence of a unique, though not totally unique, governance system even when compared to other federal multi-national countries. Let us see the antecedent of the current constitutional arrangement briefly here below.

Following the downfall of the military regime in 1991, there was an invitation by the EPRDF for all 'peace-loving' political groups at the time to participate in a conference aimed at framing a Transitional Period Charter (TPC). Many liberation fronts, other parties, representatives of civil societies and university, and 'prominent' individuals participated in the conference except few such as the Derg's sole party, WPE, and the EPRP. The final outcome of the conference, in the eyes of many critics, was akin to approving the EPRDF's party programs. In the TPC, emphasis was given to the protection of both individual and group rights. The right to self-determination including secession was one of the key rights provided in the same Charter. These were among the objectives the EPRDF was fighting for at least for years (see Bach, 2011).

The dominance of the EPRDF was not averted in the constitution making process, too. Many of the provisions and the underlying principles of the TPC were included in the new Constitution. According to Abbink (1997) constitutions are supposed to be outcomes of compromises. In Ethiopia, there were and there still are forces that nostalgically see the past as a lost opportunity (Andreas, 2010). There are political parties that see no hope in staying with Ethiopia (Merera, 2006). Regardless of the existence of diverse political parties with diverse political programs, the Constitution reflected, to a great extent, the party program of the EPRDF. Hence, in terms of the norms of Constitution making and democratic deliberation, one may have several criticisms against the EPRDF. But to be fair to the EPRDF, failure of the other parties to critically analyze the real challenges of the Country and to come up with tenable solutions may have tempted the EPRDF to be firm on its stand thereby leaving little room

for compromise.

Thus, it may be concluded that the coming into existence of the current Ethiopian Constitution was championed by the EPRDF, which until the time this article was written, is in control of state power leaving to question the fate of the federal arrangement once it leaves political power.

Achievements of the Current Federal Arrangement

Although there is a prevailing consensus that the Ethiopian state is changed for good in many aspects, mainly in its political set up, opinions of scholars on the appropriateness of what they call ethnic-based federal arrangement are highly divergent. Some argue that ethnic federalism is conceptually flawed for diverse countries such as Ethiopia (Berhanu, 2007). Others add that the practice in Ethiopia does not reflect a genuine commitment towards the implementation of an ethnic-based federal arrangement (Merera, 2003). On the contrary, others opine that the current federal arrangement is not only relevant for the country but has also answered the long-sustained ethno-national questions (Andreas, 2003). They further argue that questions for ethno-linguistic equality and the suppressive responses of the past regimes led the country to turmoil and wars that resulted in heinous impoverishment. Others think that extending recognition to 'ethnicity' and considering it as a key factor in redesigning the state is a matter of necessity while recognizing the existence of some flaws in the current design and the implementation of the same (Alemseged, 2004; Assefa, 2005).

Regardless of the diversity of arguments, the introduction of the new federal arrangement has ensured ethno-linguistic equality at least in principle. Every 'nation, nationality, or people', whichever way it is defined, has a constitutionally guaranteed right to use its language in all public spheres be it in education, administration, or the judiciary, at least, in its locality. Self-administration is guaranteed to each national group. This is incomparable to the level of discrimination suffered by languages and identity groups in the previous regimes. The following statement of Young (1998, p. 197) summarizes the comparison: "[m]ost of Ethiopia's non-Amhara population no longer face the indignity of having to speak Amharigna and appear before members of an Amhara elite at the local level where most decisions of interest to the people are made".

Ethiopia had long-accumulated cultural grievances. To mention some examples, the Oromo, the Tigrawot, and other nationalities felt that their cultures were unfairly sidelined in favour of the Amhara culture (Merera, 2006). The coming into existence of the federal arrangement had addressed such grievances. Taking the case of the Oromo, Alemseged (2004) argues that cultural grievances, unlike the political grievances, are genuinely accommodated in the current system. Generally, since 1991, conditions have been made favorable for the promo

tion of one's identity: linguistic, cultural, and religious. A great deal of administrative, fiscal, judicial, and police decentralization is enjoyed by the member states. Alem (2003, p. 27) states that "[t]hrough its pronouncement of ethnic and regional autonomy, ethnic federalism has managed to maintain the integrity of the Ethiopian state. The proclamation of ethnic autonomy has dampened grievances based on deprecation of denigrated languages and cultures".

From a comparative perspective and in the context of the earlier oppression ethno-linguistic groups had to endure, this is an achievement to celebrate. But this does not mean that there is a prevalence of an absolute equality among the Ethiopian languages and cultures. Taking the issue of language as an example, the privileges enjoyed by the Ethiopian languages can be classified into three levels: (1) a language that enjoys predominance starting from the local level to the highest federal office i.e. Amharic, (2) languages that enjoy predominance starting from the local level to the highest state office, i.e. Tigrinya, Oromigna, Afarigna, Somaligna, and Harari, and (3) languages used at *woreda* and zonal levels. This means, despite the rhetoric of official multilingualism preached both at the state and federal levels, in reality there are pressures that encourage language rationalization around Amharic at the national level and the concerned state's language at a state level though there is an effort to implement language maintenance by, at least, encouraging mother tongue use at local levels in the latter case. It goes without saying that language is a means of identifying oneself, promoting one's culture, and building one's psychological makeup. Hence, it follows that those whose language is favored most have the possibility of promoting their culture better. In other words, so far as the Amharic language dominates the center, it is obvious that the Amhara culture will enjoy predominance at the center. Some level of discrimination is, therefore, still there albeit in a lesser dose.

The other relative achievement of the current governance system is self-administration and broad-based participation in national affairs. Each national group has a constitutional right to administer its own affairs and equally participate in the federal affairs and institutions. This is contrary to the past systems. In the earlier regimes, questions of self-administration and fair participation in the affairs of the center amounted to narrow chauvinism and tribalism at best and treason at worst. Since the reality on the ground dictated for the recognition of multi-nationalism, fair participation, and self-administration, the current arrangement had fared relatively well in this regard by recognizing such principles as building blocks of the Constitution. But again this is an achievement in relative terms only because there still is a gap between the levels of participation at the center and the levels of self-administration enjoyed by the national groups. For example, the Somalis and the Tigrawot are close in numerical terms² but

their levels of participation in the federal institutions and the levels of autonomy enjoyed in their 'home' states have remained visibly different for so long since the introduction of the federal system. This is not necessarily a result of discriminatory intention of any party but due to complicated political, historical, and socio-economic factors that are beyond the scope of the discussions in this paper.

The constitutional recognition of self-administration and fair participation is a key factor holding the country united. In this regard, Alem (2003, p. 25) argues that "...most ethnic groups appear willing to live within the framework of the federal system as an important achievement of ethnic federalism". He adds, "[t]hus far, ethnic federalism has effectively undercut the drive for secession by ethno-nationalist organizations by largely denying them manifest ethnic oppression as a rallying cause" (Alem, 2003, p. 27). It is difficult to dispute the substance of Alem's arguments.

The current federal arrangement had relatively strived to achieve equity of distribution of resources and access to social services among its component parts. Each member state prepares and executes its budget. Such social services as health, education, and clean water showed tremendous increase both in quantity and accessibility. Primary and secondary schooling alone, for example, has grown more than five-fold in less than twenty years (Kassa, 2010). There is better distribution of services across the territories of the country unlike the centralization of resources in the earlier regimes. A similar observation by Alemseged (2004, p. 608) reads, "[a]s masters of their own house, the ethnic groups were to become in charge of their own domestic economy, education, administration and security." Although the federal arrangement has fared well in the above mentioned few but important examples, there are many pitfalls as well. Some important examples are dealt with hereunder.

Some Pitfalls of the Current Federal Arrangement

Many scholars blame the incumbent for not strictly adhering to the rules and principles as they appear in the Constitution. In theory, power is held by all 'nations, nationalities, and peoples' in an equitable manner. This calls for strict consociationalism and equitable participation of the different national groups. But this view does not consonant in political practice. Alemseged (2004) argues that the level of readiness observed in accommodating cultural grievances did not materialize in accommodating political grievances. He adds, "[w]orse still, the political system does not seem to be as federal and as consociational as it appears" (Alemseged, 2004, p. 610). A key question, however, is whether this calls for changing the federal system, hence affecting its resilience to coup up with changes, or strict implementation of the rules and principles on paper. Abbink (1997, p.174) concludes that "[t]here is no going back to a unitary state structure

2 According to the 2007 census the Somali totaled 4,581,793 and the Tigrawot 4,483,776.

in Ethiopia which denies ethno-regional differences and rights, or which lets one group dominate the state." A discussion on other possible solutions is provided later.

Some of the pitfalls of the current federal arrangement, though less significant in terms of determining its final fate, are rooted in its very inception and they continue to haunt the system to date. The constitution-making process was dominated by the EPRDF. A section of the opposition presents this fact as a justification for rejecting the Constitution and the federal system altogether. A curious observation by Young (1998, p. 195) reads:

Constitution-making under the EPRDF has little in common with the bargaining, trade-offs and compromises that usually typify such processes; rather it reflects the weakness of the country's democratic institutions, the political objectives of the governing party, and its position of dominance within a state where serious opposition had been crushed or marginalized.

In other words, a less accommodative constitution-making process will have its own impact on the ups and downs the federal system has to pass through. This is because it impacts the level of legitimacy enjoyed by the constitution. Absolute loyalty to a constitution that appeared in the aftermath of a heinous civil war and socio-economic chaos cannot be reasonably expected even if the constitution-making process was perfectly open and participatory. However, lack of consensus among political parties running for state power on key constitutional provisions is a serious challenge. Moreover, it is an indication of shallow entrenchment of democratic culture (Young, 1998), lack of tolerance, lack of flexibility, lack of compromise, weak negotiating capacity, and overall backwardness. But, again, does the solution lie in changing the current political system or tackling the underlying political, socio-economic, and cultural factors?

Many scholars of the Ethiopian federal arrangement agree that there is an increasing tendency towards centralization in the Ethiopian political practice (see Aaron, 2002; Assefa, 2005; Abbink, 2011). Aaron claims one way this could be achieved is through allocation of resources with the center claiming the most lucrative tax revenue thereby making the regions dependent on the center. In any case, serious challenge to the true exercise of self-administration and autonomy is the centralized decision making culture of the incumbent EPRDF and the practice of shaping the political objectives of political parties affiliated to it. Of course, the 1995 Ethiopian Constitution (Article 51) allocates the power to craft fundamental policies to the federal government, and since the EPRDF is the party ruling the center, it is normal that its influence is felt everywhere. However, according to Assefa (2005), the influence of the party is not limited only to areas within its constitutional sphere of influence. It rather extends to the very day-to-

day administrative affairs of some of the regions through delegates sent from the center. In the words of Abbink, “[t]he federal state, despite according nominal decentralized power to regional and local authorities, is stronger than any previous Ethiopian state and has developed structures of central control and top-down rule that preclude local initiative and autonomy” (Abbink, 2011, p.596). The consequence of such political practice is terrifying if it is right that lack of decentralization was among the key factors that led the country into chaos for decades. It can, moreover, retard the achievements of the federal arrangement.

Increasing centralization is inherently contradictory to the liberal, democratic, and politically pluralistic provisions of the Constitution (Alem, 2003). The Constitution not only recognizes diversity but also celebrates it. Thus, political pluralism is embraced as a key solution to the problems witnessed by the previous regimes. Centralized political practice in Ethiopia is contradictory not only to the constitutional provisions and principles but also to the reality on the ground given the diverse culture, life style, economic activity, and political orientation of the Ethiopian peoples. The solution to the centralization syndrome seems obvious -to strictly implement the spirit and the text of the Constitution.

A related problem is the absence of institutional capacity to handle problems that may arise in the federal arrangement in that there is high reliance on party structures and forums. This, in addition to making the system to function informally, is unreliable particularly when political parties are not getting along. An important scholar of Ethiopian federalism observes that “[r]eliance on political party structures and party discipline seems feasible in the light of the present resource and [hu]man power constraints, but it is very unreliable when there is a tension between government and party structure, as the 2001 events make clear” (Assefa, 2005, p. 425). It seems that building state institutions critical to the Ethiopian political process has been sidelined in favor of building inter-party informal structures and forums, a pitfall with far bearing consequences. The political practice must, therefore, focus on building institutions though building good inter-party relations is also necessary for healthy politics.

Since the 1991 constitution-making process was highly dominated by the EPRDF, it highly reflects EPRDF’s programs and ideological stands. Some government structures, therefore, may not be able to effectively function under full or partial control of state power by another political party. In this regard, one may ask whether the second chamber of the legislative branch of the government can effectively deliver its service as a neutral constitutional arbiter if an opposition political party wins the Southern Nations, Nationalities, and Peoples (SNNP) State³ (Asnake, 2013). This is because close to half (62/135) of the

3 Available from <http://www.hofethiopia.gov.et/web/guest>

members of the House of Federation (HoF) are representatives of the most ethnolinguistically diverse SNNP State. Although the Constitution provides for either a direct popular vote or regional council's assignment of the members of the HoF (Article 61), the dominant practice to date is that the members are assigned by the councils. The council members are obviously politicians with a certain party affiliation. If an opposition controls the state council in the SNNP, therefore, the representatives it will send to the HoF are likely to represent its interests. Due to their numerical superiority, the representatives from the SNNP can effectively block any decision of the HoF they found unfavorable if they win few additional votes from other members of the HoF assuming that all members attend a session. This is a scenario that depicts a possibility that a single state can halt the interest of the whole nation; a scenario Stepan (2005) would probably call a worst version of demos-constraining federation.

Therefore, the hegemonic aspirations of the EPRDF witnessed by the actions it takes to strengthen its base combined with a back-barking opposition that is busy with just watching and criticizing what the EPRDF does will have a negative impact on building a democratic multinational federation. The role of political parties is complex in Ethiopia. In theory, political parties are at freedom to take all legal and necessary measures to strengthen themselves. But in the long term, if a single political party continues to dominate state power, there is a good possibility that the institutions will be shaped in a way that fits the interests of the dominant party only.

Last but not least, the Ethiopian federal arrangement has many challenges that are less related to the behaviors or performance of political parties. One big issue is poverty. The presence of high demand for socio-economic benefits combined with limited resources may lead to fierce competition and may open an opportunity for ethnic entrepreneurs and others to shake the whole system. Since poverty results in deprivation, it will surely affect the overall mental and physical development of citizens which will have a direct impact on democratic culture, transparency, and compromise. As commented by a scholar on the behavior of Ethiopians, "...it must be borne in mind that Ethiopians, particularly those from the north, typically do not oppose secretive and distrustful behavior, and see openness as akin to innocence and simplicity" (Young 1998, P. 202). If Young's assessment is correct⁴, this is a serious challenge to the overall democratization process and the federal arrangement regardless of which party is in power. Young further observes that:

.... lack of transparency is evident at every level of government. Whether as a product

⁴ I am of the opinion that this allegation has to be verified with an independent rigorous study, if it is possible to do so.

of Ethiopia's feudal traditions, wherein the country's leaders lived apart from their fellows, or as a result of the patterns of secrecy that were necessary to ensure survival during the EPRDF'S years of armed struggle, or because, after seven years in power the government does not feel entirely secure, the EPRDF leadership appears remote and has little interaction with those beyond a select group of political allies (Young, 1998, pp. 201-202).

While the above scholar's observation was noted some fifteen years ago, one may ask how much things have changed in Ethiopia. In any case, it is evident that the EPRDF has undergone changes in many aspects since the 2001 party crisis; the relative weakening of the TPLF and the development of more inclusive politics is an example. But Young's observation on lack of transparency is still a valid concern.

How Resilient Is Ethiopia's Federal Arrangement?

It is imperative to reemphasize here that the resilience of the Ethiopian federal arrangement is to a large extent determined by the balance-sheet of its achievements and its pitfalls. At present, there are political forces that aim to reinstate the unitary governance system. There are also others that want to establish a federal arrangement based on geographic and administrative factors only (see Lidetu, 2002 E.C.). The interest of political elites is one thing but whether or not there is popular support on the ground is another thing. But the overwhelming pitfalls of the current federal arrangement may lie in lack of compatibility between what is written in the Constitution and the political practice. While a federal arrangement that considers ethno-linguistic diversity is appropriate for Ethiopia, the political practice does not always fit to the principles on paper (Assefa, 2005). Thus the pitfalls of the current federal system may be more related to its implementation than its design. Hence, pro-center or pro-geographic/territorial federalism forces are unlikely to obtain the necessary popular support in their favour. Even if they manage to do so, they will certainly face challenges if they dare to contest such rights as self-administration of the national groups.

While the federal system experienced a shock with the passing of the 2005 Ethiopian election, it is no exaggeration to claim that, given the existing diversities, centralizing forces will find it difficult to get such a popular support in the future. This is because every national group is getting ever assertive and basically none seems to want to lose the achievements discussed earlier. Rather, it is likely that every national group will look for more benefits from self-rule and decentralization. Hence, it can be concluded that withering away of the federal arrangement because of the possibility of winning elections by pro-center forces is a highly unlikely scenario. Even if they win elections, they will find it difficult to convince the people to undo the multinational federal arrangement or imple-

or implement a unitary system of governance. The federal arrangement will, therefore, be less challenged from such forces. If a top-down imposition is attempted, history may repeat itself i.e. the country may once again slide into civil wars.

On the other hand, it is naïve to think that the federal arrangement will stay as it is now regardless of who controls government power. There are two underlying reasons why this cannot happen. The first reason is the inherent dependence of federalism on continuous changes and bargaining among political forces. The other reason is the presence of pitfalls that need to be corrected. As was discussed earlier, ethno-linguistic equality is one of the achievements of the current federal arrangement. But a lot remains to be done in this regard. We saw that Ethiopian languages and cultures do not yet enjoy equal protection. There are some government structures whose viability under a different political reality is questionable. There is a centralization syndrome. The coming into existence of the new arrangement has in some instances come up with new types of conflicts. According to Alem's observation, "...the move toward cultural pluralism has inevitably increased ethnically inspired hostility between previously dominant and dominated ethnic groups as all are forced to adjust to new terms of interethnic relationships" (Alem, 2003, p.27). With the adoption of multinational federalism, border conflicts among national groups, though not entirely new phenomena, follow a different shape both in intensity, assertiveness, and the legal machinery involved in it. Lack of well-built system on distributive justice and socio-economic challenges such as poverty, underdevelopment, etc. are all but challenges that must be overcome if democratization and genuine multinational federation are to flourish on the Ethiopian soil.

As far as the earlier question of whether or not the pitfalls identified endanger the survival of the federal arrangement is concerned, it seems that there is a high possibility that the system will survive with some modifications. This is possible because: (1) most of the challenges are not related to the design or the inappropriateness of the federal arrangement; (2) the presence of substantial achievements; and (3) the presence of pitfalls which can be increasingly resolved by introducing some modifications into the existing system and improving the political practice and the observance of rule of law. This argument of Alem-seged's (2004, P. 593) strengthens my conclusion: "...Ethiopia is permanently changed and the accommodationist formula is unavoidable in the process of state-building" as accommodation without duly recognizing national diversity is only near to impossible in the Ethiopian situation. Hereunder are areas where changes are likely to be introduced.

The language policy of the current federal arrangement is one of the most

susceptible areas to change. This is likely to happen once power is transferred to a different political party. On the other hand, the EPDRF may also change this policy. The adoption of a single language spoken by basically one national group as the sole language of the center is unprecedented in other similar federations. Moreover, Amharic is not helping Ethiopians integrate themselves into the global employment and business opportunities. Adopting Amharic as the only language of the center gives unfair advantage to its speakers at mother-tongue level and discriminates others. The advantages are multi-dimensional: employment and promotion of culture and identity are among the key ones. The culture, songs, and customs of one group are presented as if they were that of Ethiopia and the others as if they were those of the nations and nationalities only. Possible alternatives may be:

i. Recognizing the Oromo language as an additional working language or recognizing all the 'major' languages as the working languages of the Federal Government

The Oromo language of Ethiopia has the highest¹ number of speakers at the level of mother tongue though with a slight variation of dialects from one place to another. Amharic comes next but it is better in terms of connecting the different national groups of the country as it has a higher number of speakers as a second language. It can be said that both the Oromo and the Amharic languages have strong justifications in their favor in claiming recognition as the languages of the center. Hence, there is no reason to deny the Oromo language the status or the privilege given to the Amharic language. But other languages such as i) Tigrinya (a written and spoken language that has close to five million speakers in Ethiopia and the current working language of Eritrea); ii) Somaligna (a language spoken by roughly the same number of speakers as Tigrinya in Ethiopia and a *lingua franca* in the Republic of Somalia); iii) Afarigna (a language spoken by about a million people in Ethiopia, a second dominant indigenous language in the Republic of Djibouti, and a language spoken by considerable number of population in Eritrea); iv) Sidamigna, Wolaitigna, etc. have well founded justifications for recognition as working languages of the Federal Government.

Recognizing all the major languages of the country is another possibility but not feasible for the following reasons: (1) there will be huge costs associated with translations of official documents, preparation of textbooks, financing of teacher training, etc.; (2) If the country recognizes some ten 'major' languages (say in terms of population number) of the country as working languages, the remaining more than 60 languages will still be discriminated against or become less equal to the privileged ten.

5. Inferred from Ethiopian census report 2007.

ii. Recognizing English and Amharic as working languages of the Federal Government

While perhaps preferable to the above two alternatives, it nonetheless fails to remove the unnecessary and unjustified privilege given to Amharic. Using its already privileged position, Amharic will continue to curtail the attempt to introduce English as an effective language of communication. This will deny the country and its people the chance to share the benefits of globalization and international employment and business opportunities which certainly requires fluency in, at least, English.

Recognizing all or near to all languages of the country as the working languages of the Federal Government, as is in the case of Switzerland, is unthinkable for obvious reasons; more than seventy languages spoken by more than seventy national groups cannot all be recognized as working languages of the center.

iii. Recognizing English as the sole working language of the Federal Government

Adopting English as the sole working language of the Federal Government of Ethiopia by displacing the position of Amharic would have many advantages: (1) it would contain potential violent conflicts over language use; (2) it would neutralize the center and, hence, reduce discrimination of languages and cultures; (3) it would reduce discrimination among citizens by leveling the playing field; and (4) it would maximize the country's economic benefits from global employment and business opportunities.

Arguments against are: (1) it is a foreign language. People may ask 'how can a foreign language be adopted as a sole working language of the federal government in a country that has never been colonized?' (2) Practically, Amharic is currently more widely spoken than English. As the author has seen in a policy document of the ruling party (EPRDF), the latter was the reason for maintaining Amharic as the working language of the Federal Government. The document further reads: either willingly or by force, the Ethiopian people have learned Amharic (though on average a very small portion of people from the other national groups are fluent in Amharic), hence, there is no other language that can connect the Ethiopian people. (3) Amharic speakers may consider this as a threat to the use and development of the Amharic language. Though the third option seems more appealing, it is up to the policy makers to weigh and choose one among the alternatives.

Another area where change seems inevitable is related to the way the constituent units of the Ethiopian federation are organized. According to the

Constitution, the member states of the federation have equal rights and powers (Article 47(4)). Thus, there is a political symmetry. On the other hand, there is an enormous variation in areal size, population number, resources they command, ethno-linguistic diversity, biodiversity and the like of the regional states. Such differences emanate from the fact that the language, psychological makeup, and history of the concerned people were given utmost priority in organizing the states. In other words, administrative convenience, though not totally ignored, was given a marginal attention in establishing the states. But it is possible to reestablish the member states by combining the two factors. The Ethiopian federation has such huge member states as Oromia, Amhara, SNNP, and Somali (in terms of areal size) and a very tiny state called Harari, very small both in terms of population and areal size.

Such imbalances have negative consequences. First, one of the goals of federalism is decentralization. Decentralization, on the other hand, is mainly about accessible local governance. In such regions as Oromia and Somali, due to the vast nature of the regions, people have to travel hundreds of kilometers to get government services that are offered at the regional headquarters. This diminishes the utility of federalism at individual level. Second, some citizens, say the Hararis, have a region that is very accessible. The Harari region constitutes mainly the city of Harar and some neighboring rural districts and it serves people numbering under a couple of hundred thousand. The same applies to the chartered city of Dire Dawa. Such imbalances create differences in the level of benefits enjoyed by individual citizens from the federal arrangement. This is not, however, a problem endemic to the Ethiopian federal arrangement. Imbalances in areal size, economic power, and population number are common in other federations including the so called mature federations such as the United States. But in the Ethiopian case, there is a possibility that current imbalances can somehow be minimized.

Assefa (2005) recommends that such large member states as Oromia, Amhara, and Somali can be divided into three to four smaller member states, which is very practical considering the following conditions. To an overwhelming extent, the Ethiopian 'nations, nationalities, and peoples' are content in that the current federal arrangement adopts multi-nationalism as a key organizing factor of the federation. The benefits one gets from such a system are mainly self-rule, use and promotion of one's language, promotion of one's culture, preservation and promotion of one's history, building of a sense of oneness as a nation within a bigger nation because of shared values etc. It follows that dividing some of the bigger member states of the federation does not affect any of such benefits. Instead, it creates more accessible governance system. It reduces the level of differences in the enjoyment of the benefits from the federal arrangement

and allows other factors such as administrative convenience.

Such redesign should also contribute to rethinking the possibility of combining smaller member states with others. From the perspective of equality, the chartered city of Dire Dawa can be reconstituted as a special Dire Dawa zone administered by the federal government. This reduces discrimination and imbalances in the federation. Almost all cities in the nation that are comparable to Dire Dawa in terms of resident population size are zones; there is no logic to give Dire Dawa a higher status. The experience of SNNP is very instructive here. It is possible to have special zones and *woredas* without, of course, affecting the right of nations to self-administration but at the same time minimizing discrimination among individual citizens. Some may think that status, be it state, zone, or *woreda* (district), is a mere nomenclature. But that is not the case. It has economic, cultural, and political implications.

The economic implication is more important. Compared to those from the bigger states, individuals from Dire Dawa have a highest possibility of enjoying and holding high offices. While this looks good in terms of autonomy and independence, in the eyes of public interest and in practice, it may be wasteful. Adapting Dire Dawa from an administrative level comparable with a regional state to a special zone could save resources, which may be channeled into more profitable investments in such areas as education, health, and other infrastructural development which will benefit citizens living in the city.

If the member states of the federation are redesigned, it will definitely have an impact on some of the structures of the federal government particularly on the HoF. As mentioned earlier, a single SNNP state can halt a decision of the whole federation due to relatively large representation in the House. As things stand, each 'nation, nationality, and people' is represented by at least one person and an additional one representative for each one million people (Article 61). This type of arrangement has its own advantages as it considers both national identity and population and is less discriminatory. However, a new mechanism could be introduced so that the HoF is not dominated by a single state. One possibility is to put a maximum limit for the number of representatives from a single state and the experience from Brazil may be instructive here (see Watts, 2008).

Another conundrum of the Ethiopian Constitution is the provision of term limit for the symbolic office of the presidency and the absence of it for the incomparably powerful office of the prime minister. While it is important to set term limits to the office of the presidency, it is also crucial, if the federal compact is to be successful, that there should be term limits for the office of the prime minister and some of its powers should be shared with the office of the president and other government offices.

Concluding Remarks

The forgoing discussion indicates that the current Ethiopian federal compact is deeply rooted in the history of the Ethiopian state. It was not simply a matter of mere imposition by powerful national liberation fronts that attempted to address the historic 'national question.' Such federal arrangement has prevented large scale conflict. The Ethiopian centralizing forces have also long historical roots culminating in the creation of a unitary state despite the claim by writers such as Assefa (2005) that the Ethiopian state exercised de facto federation particularly during the reign of emperor Yohannes IV. But the difference between the two political protagonists was the level of popular support they commanded. Whatever the case may be, centralizing and assimilationist forces are getting more marginalized as time goes on and the historical battle seems to be won by pro-multinational-Ethiopia forces, boosting the resilience capacity of the current federal political system.

Generally, Ethiopia's federal arrangement has contributed to a relative peace in the nation. Ethiopia has registered remarkable changes in the areas of socio-economic development as well since it introduced the new political system as noted by international financial institutions. The factors for such development are many and beyond this paper. But clearly, the federal compact and political stability are important determinants. There are, however, serious challenges in the federal arrangement which need to be addressed. Some of these require genuine reforms in order to make the Constitution consonant to practical implementation. Other issues such as inculcating a democratic culture require changes at the individual and societal level; still other challenges such as fierce competition over resources call for creatively increasing such resources and equitably distributing them among competing units.

While some may conjecture Ethiopian federalism may, given its challenges, not survive once a different party comes to power, the survival of the system is not dependent on its challenges but on the demerits of the other possible alternatives such as returning to centralizing unitary power structure and political actors with regressive nostalgia of the nation led by an assimilationist elite as well. Thus, the Ethiopian federal compact has a high probability of survival regardless of who controls state power albeit with important reforms.

References

- Aaron Tesfaye (2002). *Ethnic federalism: the struggle for democracy in Ethiopia*. Baltimore: University Press of America.
- Abbink, J. (1997). Ethnicity and constitutionality in contemporary Ethiopia. *Journal of African Law*, 41(2), 159-174.
- Abbink, J. (2011). Ethnic-based federalism and ethnicity in Ethiopia: Reassess-

- ing the experiment after 20 years. *Journal of Eastern African Studies*, 5(4), 596-618.
- Alem Habtu (2003). Ethnic federalism in Ethiopia: Background, present conditions and future prospects. Paper presented at the Second EAF International Symposium on Contemporary Development Issues in Ethiopia, Addis Ababa, Ethiopia.
- Alem Habtu (2007). Citizenship, ethnicity and group rights in the Greater Horn of Africa with a case study of Ethiopia. Paper presented at the Inter Africa Group Conference on Constitutionalism and Human Security in the Horn of Africa, Addis Ababa, Ethiopia.
- Alemseged Abay (2004). Diversity and state-building in Ethiopia. *African Affairs*, 103(413), 593-614.
- Andreas Eshetè (2003). Ethnic federalism: New frontiers in Ethiopian politics. Paper presented at the First National Conference on Federalism, Conflict and Peace Building, Addis Ababa, Ethiopia.
- Andreas Eshetè (2010). Abuses and uses of cultural diversity: African past, Ethiopian present. Paper presented at the 5th International Conference on Federalism, Addis Ababa, Ethiopia.
- Asnake Kefale (2013). Class discussion on comparative federalism. Center for Federal Studies: Addis Ababa University.
- Assefa Fiseha (2005). Federalism and the accommodation of diversity in Ethiopia: A comparative study. PhD Dissertation: University of Utrecht.
- Bach, Jean-Nicolas (2011). Abyotawi democracy: Neither revolutionary nor democratic, a critical review of EPRDF's conception of revolutionary democracy in post-1991 Ethiopia, *Journal of Eastern African Studies*, 5(4), 641-663.
- Bahru Zewde (1991). *A history of modern Ethiopia: 1855-1974*. London: James Curry.
- Berhanu Gutema (2007). Restructuring state and society: Ethnic federalism in Ethiopia. PhD Dissertation: Aalborg University.
- Bhattacharya, Harihar (2007). *Federalism in India: Institutional strategies and political accommodation of identity*. NP: University of Heidelberg.
- Burgess, Michael (2006). *Comparative federalism: Theory and practice*. London: Routledge.
- Ethiopia (1995). Constitution of the Federal Democratic Republic of Ethiopia. *Negarit Gazeta*, 1(1).
- Ethiopia (2007). Summary and statistical report of the population and housing census [Internet]. Available from: < www.csa.gov.et/pdf/Cen2007_pdf > [accessed 27 August 2011].
- House of Federation of the Federal Democratic Republic of Ethiopia Official Website: <http://www.hofethiopia.gov.et/web/guest>. Accessed on 26 February 2013.

- Kassa Tekleberhan (2010). Opening address. Paper presented at the 5th International Conference on Federalism, Addis Ababa, Ethiopia.
- Levine, Donald N. (2011). Ethiopia's nationhood reconsidered. *Análise Social*, XLVI (199), 311-327.
- Lidetu Ayalew (2002 E.C.). Medelot: Be'ityopia poletica ye sosetegna amarachenet mina (Amharic). NP: Progress matemia bet.
- Mahajan, G. (2007). "Federal accommodation of ethno-cultural identities in India." In Baogang He, Brian Galligan, and Takashi (eds.). *Federalism in Asia*. Cheltenham: Edward Elgar.
- Merera Gudina (2003). Ethiopia: Competing ethnic nationalism and the quest for democracy, 1962-2002. PhD Dissertation: Institute of Social Studies.
- Merera Gudina (2006). "Contradictory interpretations of Ethiopian history: The need for a new consensus" in David Turton (ed.). *Ethnic federalism: The Ethiopian experience in comparative perspective*. Oxford: James Curry.
- Nishi, Makoto (2005). Making and unmaking of the nation-state and ethnicity in modern Ethiopia: A study on the history of the Silte people. *African Study Monographs*, Suppl. 29, 157-168.
- Stepan, A. (2005). "Federalism and democracy: Beyond the US model" in Dimitrios Karmis and Wayne Norman (eds.). *Theories of federalism: A Reader*. New York: Palgrave MacMillan.
- Watts, R. (2008). *Comparing federal systems* (3rd ed.). Montreal & Kingston: McGill-Queen's University Press.
- Young, J. (1998). Regionalism and democracy in Ethiopia. *Third World Quarterly*, 19(2), 191-204.