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## **Federalism and ethnic conflict in Ethiopia. A comparative study of the Somali and Benishangul-Gumuz regions**

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## 7

## Federalism and Autonomy Conflicts in the Benishangul-Gumuz Region

### 7.1 Introduction

The preceding chapter discussed the impacts of federal restructuring on intra and inter-clan conflicts in the Somali region. This chapter examines how autonomy led to the (re-) negotiation of inter-ethnic relationships in the Benishangul-Gumuz region. In Benishangul-Gumuz, the Bertha and the Gumuz who emerged as the larger titular groups emerged as the main protagonists of autonomy politics. Autonomy has also rekindled the somewhat frozen interfamilial dispute among the descendents of the previous sheikdoms of the Bertha.

The second facet of autonomy conflict in the Benishangul-Gumuz region has been the change in the relationship between the titular ethnic groups and the numerically strong non-titular communities. The formation of the new region not only transformed the non-titular communities into new minorities but also impelled confrontation between them and the new political class of the titular ethnic groups.

The purpose of this chapter is to examine the impact of autonomy conflicts in the BGNRS by focusing on two major interrelated conflicts that gripped the region in the last few years. These were: (1) the Bertha and Gumuz dispute regarding political power and (2) the demands of the non-titular ethnic groups in the Assosa *zone* of the region for political representation. The chapter also discusses some of the factors behind the political instability the region faced in its formative years.

## 7.2 Autonomy and Intra-regional Instability: Rise and Decline of the BPLM

The BGNRS suffered from political instability in its formative years (1992-1995). It was in particular embroiled in three dimensional conflicts. Firstly, there was a violent conflict in the region between the BPLM and the OLF. Secondly, a violent conflict occurred in the region between the OLF and the EPRDF after the former's withdrawal from the TGE. Thirdly, there was a violent conflict between the EPRDF and some factions of the BPLM. Moreover, the B-G region became unstable because of internal divisions within the political parties of the titular groups particularly the BPLM, which emerged as important player in the politics of the region.

The BPLM was the first political organisation in the region, established in 1989 in the Sudan (Young 1998). It was predominantly composed of the Berhta, although there were some members from other ethnic groups of the region notably from the Gumuz. Its main aim was to mount a guerrilla war against the Derg. It, however, lacked clear political objectives.

During its formative years, the BPLM sought the assistance of other larger Ethiopian ethnic insurgent movements for weapons, ammunitions, supplies and access to foreign governments and international aid agencies.<sup>1</sup> Such an alliance was needed, if the organisation was to have any meaningful impact in its military operations against the Ethiopian military in northwestern Ethiopia. In its pursuit of a patron, the BPLM first approached the OLF that was then operating in the border region. However, the former was unsuccessful in gaining the patronage of the latter because of OLF's claim over the territory that the BPLM sought to liberate. Indeed, the OLF demanded the BPLM to recognise its territorial claim before it provides any assistance (Ibid 327). Refusing to meet this precondition, the BPLM continued its search for another ally. This was realised when the TPLF agreed to provide support. Accordingly, the TPLF gave military training to BPLM's combatants at Ageresalam, the former's 'liberated' territory in Tigray in 1999.<sup>2</sup>

The desire to undermine the military regime motivated the TPLF to provide support to the BPLM (Ibid). In fact, during this period, the TPLF was engaged in cultivating allies to help realise its aspiration of

playing a prominent role in Ethiopian politics after the imminent downfall of the military regime. However, the question of obtaining support from larger ethnic liberation fronts became divisive for the Bertha. While the leaders of the nascent BPLM rejected the demand of the OLF to recognise its claim over their territory, another faction of the Bertha under the leadership of Atom Mustafa sought the assistance of the OLF.

Amid this, the EPRDF came to power in May 1991. It initially allowed the political ascendancy of the BPLM in the B-G region. For instance, the latter participated at the July 1991 Addis Ababa conference and represented at the interim non-elected legislative assembly of the TGE, the CoR. However, the BPLM could not sustain its political dominance mainly because of internal divisions. In 1992, some of its Gumuz members left the organisation and established their own ethnic political party called the Gumuz People's Liberation Movement (GPLM). In a similar move, the other titular ethnic groups of the region also established their own ethnic parties, including the Shinasha People's Democratic Movement (Boro-SPDM), the Mao People's Democratic Movement (MPDM), and the Komo People's Democratic Movement (KPDM) (MoFedA 2002b). This obviously undermined the multi-ethnic claim of the BPLM.

As mentioned earlier, with the establishment of 14 regional administrations by proclamation no. 7/1992, the BGNRS came in to being by merging parts of the former Assosa and Metekel administrative regions. However, the conflict that emerged in western Ethiopia between the EPRDF and the OLF delayed the inauguration of the new region for about a year. When the inaugural conference of the BGNRS convened in 1993, like the Somali region, disagreements between the titular ethnic groups – the Gumuz and the Bertha – emerged over the naming of the president and the capital of the new region. After some bickering, the two groups finally reached a compromise that gave the office of the presidency to the Bertha and the capital to the Gumuz – Pawe in Metekel.<sup>3</sup> Nevertheless, inter-ethnic conflict that emerged between the Gumuz and the settlers in and around Pawe necessitated moving the regional capital to Assosa.

The first regional government of the B-G region, established in 1993, was under the leadership of a newly formed regional party called the Benishangul North West Ethiopia People's Democratic Unity Party (BNWEPDUP). Though the BNWEPDUP served as a joint front for all the parties of the titular groups, it was under the control of the BPLM.

Hence, the latter emerged as a dominant regional party. This was partly because of the support it received from the EPRDF. Despite this, the BPLM did not succeed in maintaining its dominant position. The regional government it established faced factional infighting. In other words, the Bertha political class that was in a position to play a dominant role in the politics of the region suffered internal divisions during the formative years of the new region. As a result, three Bertha politicians came to occupy the office of the regional president in quick succession. The Bertha dominated executive committee sacked Atom Mustafa, the first president of the region only three months after his election to the post in 1993. Similarly, the same executive committee removed Atieb Ahmed who replaced the first president after he stayed in office for nine months. Abdu Mohammed who replaced Atieb Ahmed remained president until 1995.

Several inter-related points explain the rivalries and internal divisions that emerged within the political class of the Bertha in the formative years of the B-G region. First, lack of experience in self-administration. Many of the regions that emerged after devolution of power in Ethiopia faced enormous administrative challenges in carrying out their functions. The problem was more profound in the peripheral parts of the country where there was a severe shortage of well-educated personnel to fill the new administrative and political vacancies made available because of federal restructuring. The same problem arose in the Somali region. In the case of the BGNRS, the new titular elites placed in charge of the region suffered from lack of experience and party discipline. In fact, many of the political parties that emerged in the region were on the main created to fill administrative and political positions that the formation of the B-G region made unexpectedly available at regional and local levels. This partly explains the internal fighting, divisions and lack of a uniting vision that characterised many of the regional political parties in the region.<sup>4</sup>

Second, the availability of political and administrative positions for the Bertha elite contributed to the revitalisation frozen inter-familial conflict among the descendants of the three former sheikdoms of the Witawit. The enduring rivalry that particularly prevails between the descendants of *Dejach*<sup>5</sup> Mustafa of Menge and Sheik Khojele of Assosa partly explains internal divisions that emerged within the BPLM. In this respect, an informant in Assosa noted that the grudge that historically existed between these two prominent families was one of the key reasons that led to the removal of Atom Mustafa from the regional presidency.<sup>6</sup>

In 1995, exasperated by the failure of the BPLM to provide stability, the EPRDF decided to restructure the political landscape in the region. All the ethnic parties underwent purging. The BPLM in particular thoroughly purged and renamed as the Ethiopian Bertha People's Democratic Organisation (EBPDO). Consequently, all of the ethnic parties of the region brought under a new EPRDF affiliated front – the Benishangul Gumuz People's Democratic Unity Front (BGPDUF) (see chapter 10). Additionally, after the 1995 regional elections, Yaregal Aysheshim from the Gumuz ethnic group became president at the instigation of the EPRDF. His election, however, displeased many of the Bertha in the regional government. One Bertha politician said:<sup>7</sup>

When Yaregal was elected president, we were not happy with the decision; we opposed his election. The authorities of the federal government after listening to our complaints told us that as there were internal divisions when we [the Bertha] were previously given the presidency, the chance should now be given to a Gumuz. Moreover, we were given an indication that the position would in the future rotate between us and the Gumuz. Hence, we accepted the election of Yaregal reluctantly.

There was relatively better political stability in the region from 1995-2000 under the presidency of Yaregal Aysheshim (Young 1998). However, the Bertha opposed Yaregal's re-election for a second term in 2000. This disagreement plunged the region into political crisis, which is the subject of the next section.

### 7.3 Bertha-Gumuz Dispute: Bertha Dominance or Exit?

The Bertha-Gumuz dispute was a localised autonomy conflict caused because of differences that emerged between the ethnic entrepreneurs of the two groups over sharing political and economic resources of the new region. However, the dispute did not challenge the authority and ideology of the political centre in Addis Ababa.

### 7.3.1 First stage of the dispute: Bertha's demand for regional presidency

In September 2000, the founding conference of the second regional government of the BGNRS took place in Assosa. In the poorly contested May 2000 parliamentary and regional elections, the BGPDUF emerged as the winner of the regional elections with a commanding majority. Hence, the purpose of the founding conference was to elect the executive officers of the regional government.

Apparently, as there was no unanimous decision within the executive committee of the BGPDUF on its nominee for regional president, the Bertha members of the regional council demanded an informal consultation among the members of the executive committee before the regional council proceeded to elect the new president. Accordingly, the conference adjourned and a separate meeting was held. In this meeting, the Bertha demanded the offices of the president and the secretary. They used two justifications for making this demand. The Bertha's contribution to the struggle against the Derg and its larger population size compared to the other titular ethnic groups of the region (MoFedA 2002b).

The Gumuz and the other executive committee members of the BGPDUF, however, rejected this claim and insisted that both the chair and secretary should be elected by majority vote in the regional parliament. The Bertha, following the rejection of their claims, walked out of the conference (Baylis 2004: 539). In spite of this, the regional council proceeded with the founding conference and re-elected Yaregal Aysheshim president for a second term. To express their protest and to deny legitimacy to the regional government, Bertha officials withdrew from several structures of the regional government including *woreda* councils. The stalemate between the EBPDO and the regional authorities led to political tensions and instability.

### 7.3.2 Second stage of the dispute: Bertha's demand for exit

After failing to ensure their quest for political dominance, the Bertha advanced a demand for the formation of a new ethnic region in accordance with Article 47 of the federal constitution. The Bertha presented their exit demand as an opportunity that would provide them a

chance to administer themselves in their own geographic area and help develop their culture and language.<sup>8</sup>

This demand seemed to have popular support at the height of the crisis. However, the popular support eventually weakened because of internal divisions within the Bertha political class. Hence, some Bertha officials switched sides, joined the regional government and provided valuable support to its president. Moreover, the endemic Bertha inter-familial dispute resurfaced at one point of the crisis when the leaders of the EBPDO presented a list of persons whom they wished to be appointed in the regional government. Reportedly, the list did not include the Bertha of Menge.<sup>9</sup> This, according to informants in Assosa, enraged the Bertha of Menge and undermined the common stance on Article 47.<sup>10</sup>

In addition to intra-Bertha divisions, the federal authorities were lukewarm to the demand for Article 47. This was partly because of their fear that the creation of a new region by breaking away from an existing multi-ethnic region could trigger similar demands from other ethnic groups of the country in such regions as the SNNPR. Hence, federal officials first dismissed the demand for a new region as an unpopular wish of the Bertha political elite, not a genuine demand of the people.<sup>11</sup> After having discredited the demand, they proceeded with two important efforts to calm the situation. First, they ordered all regional parties to undertake *gimegema*. As expected, this led to mutual accusation within the political class of each the titular ethnic groups, undermining Bertha's agitation for Article 47. Second, the federal government sought mediation between the Bertha and the Gumuz through the HoF.

**Table 7.1 Ethnic composition of B-G council before and after the Bertha-BGNRS dispute**

Ethnic group	Population	% total Population	% of representatives (before the dispute)	% of representation after the dispute
Bertha	122 883	26.7	35	40
Gumuz	107 495	23.4	43.75	35
Shinasha	32 105	6.9	7.5	11
Mao-Komo	3 843	0.83	5	5
Others (Non-titular)	194 133	42.17	8.75	9
Total	460 459	100	100	100

Source: Compiled from CSA 1994 and HoF appointed non-partisan Committee (2001).



When the HoF began the mediation process, the Bertha produced a well-articulated list of grievances couching their demand for political dominance with questions of fair representation and resource distribution. They raised the problem of disproportional ethnic representation within the regional council. They particularly underscored that even if their group had larger population size than the Gumuz, the latter had more seats in the regional parliament. In fact, the different ethnic groups were allocated seats based on the number of *woreda* they control. As a result, the Gumuz, who have more *woreda* (11) than the Bertha (seven), emerged with more seats at the regional council (see table 7.1 below). According to one top Gumuz official, the National Electoral Board initially decided the distribution of seats in the regional parliament. Moreover, the issue appeared as a problem only after the Bertha unsuccessfully claimed the regional presidency.<sup>12</sup>

Second, the Bertha had also economic grievances. Their chief complaint was even if the Gumuz have less people than the Bertha, they received more money from the coffers of the new region. This was because the Gumuz have more *woreda* and administrative *zones* than the Bertha.<sup>13</sup> There was actually greater flow of financial resources from the regional government to the Gumuz as no weight was given to population size in *woreda* budgetary allocations. However, no disagreements emerged on this within the regional council before the beginning of the Bertha-Gumuz dispute. The introduction of the *woreda* block grant formula<sup>14</sup> since 2002 could help address such grievances.

Furthermore, Bertha politicians complained that they were disadvantaged in terms of appointments to executive positions within the regional government, on the allocation of training opportunities at the ECSC in Addis Ababa and foreign scholarships.

Third, the Bertha demanded representation to the smaller minority ethnic groups of the region, the Shinasha and the Mao-Komo to be limited at the *woreda* level. Bertha politicians seemed particularly incensed by the disproportionately higher presence of the Shinasha in regional executive positions. This imbalance resulted from the preference of the region towards members of the titular ethnic groups with the necessary qualifications for executive appointments. The Shinasha, though smaller than both the Bertha and the Gumuz in population size, emerged with more personnel in the regional executive with the requisite qualifications. Dismayed Bertha politicians at the height of the crisis reportedly voiced a slogan that said the ‘Shinasha should be reduced to their size.’<sup>15</sup> The

Bertha furthermore demanded the exclusion of the non-titular groups from representation in the regional assembly (HoF 2001).

### 7.3.3 Federal mediation: neither dominance nor exit

For nine months, the Bertha remained out of the regional government. There was tension and violent flare-ups between the Bertha and the settlers in the Assosa *zone*. It was under this situation, the HoF began its mediation. After some negotiation, the HoF brokered an agreement between the EBPDO and the Gumuz dominated regional government. The agreement revised the proportion of ethnic representation at the regional assembly and the executive committee of the regional government. Accordingly, the Bertha emerged as the largest ethnic group within the regional council (see table 7.1). Moreover, the Bertha and the Gumuz respectively received four and three seats at the executive committee of the regional government. In contrast, the Shinasha, Mao, Komo and the settlers of the Pawe special *woreda* each received a single seat (BGNRS 2001). However, the HoF rejected the EBPDO demand for a quota distribution of regional bureau heads. Both parties agreed that competence and ethnic composition should be the basis for the appointment of bureau heads (Ibid).

In addition to these measures, as demanded by the Bertha article 45 of the 2002 revised regional constitution provided for the establishment of ‘nationality/ethnic councils’ for the titular ethnic groups of the region. This emulated the experience of the SNNPR that has sub-regional ethnic councils and an upper house of regional parliament representing all ethnic groups within the region. In the enormously diverse SNNPR, with more than 50 ethnic groups, this arrangement came from the desire to make sub-regional administrative structures less heterogeneous and more ethnically oriented. In the case of the Benishangul-Gumuz region, the ethnic entrepreneurs of the Bertha were enthusiastic to the idea of an ethnic council because of their expectation that such an arrangement would consolidate their power over their ethnic constituency and thereby reduce the power of the regional government.

However, the decision to establish sub-regional administrative ethnic councils was not implemented because of a number of inter-related reasons. Most importantly, creating compact ethnic sub-regional administrative structures that geographically correspond to each of the

titular ethnic groups proved difficult. For instance, the Shinasha are widely spread among the Gumuz in the Metekel *zone*.<sup>16</sup> Besides, the Gumuz who have two *zones*, Metekel and Khamashi appear lukewarm to implement this decision. This is mainly because if *zonal* ethnic councils are established, the Gumuz would be left with a single *zone*.<sup>17</sup> Moreover, officials of the region are uncertain about the type of administrative structure they will provide to the non-titular groups, if they reorganise sub-regional administrative structures based on ethnic councils. Some regional officials expect that such a move would strengthen the demand of the non-titular communities (in Assosa) for greater representation and perhaps the formation of their own sub-regional administrative structures like a special *woreda*.

Finally, non-Bertha regional officials appear to be indifferent to the idea because of their fear that if implemented, it would undermine the unity of titular ethnic groups of the region. For instance, one top regional official said: 'the establishment of a nationality council might undermine our unity and endanger the authority of the regional government as *zonal* officials could be tempted not to implement what has been decided by the vote of the majority at the regional level.'<sup>18</sup>

Regarding distribution of political appointments in the region, an informal arrangement emerged after the crisis. Accordingly, if one of the two dominant ethnic groups (Berta or Gumuz) takes the presidency, the office of the vice president of the region and the chair of the regional ruling party, the BGPDUF goes to the other. Hence, Yaregal who is from the Gumuz maintained the presidency and the head of the EBPDO serves as both vice president of the region and chair of the regional ruling party, BGPDUF.

In sum, the Bertha ethnic entrepreneurs attempt to either control the regional presidency or form their own region was unsuccessful. Moreover, even if Bertha ethnic entrepreneurs under the EBPDO carefully followed the lines of the EPRDF after the 2000 political crisis, they failed to control the regional presidency that they coveted for several years, as Yaregal Aysheshim was appointed for a third term after the controversial May 2005 elections. This undoubtedly dismayed the Bertha political class. Indeed, the lack of transparent mechanisms through which the different contestants for power in the region share power could rekindle conflict among the ethnic groups of the region.

## 7.4 Autonomy and Conflict between the Titular and the Non-titular Groups

The adoption of the federal system and the creation of the B-G region led to changes in inter-ethnic relationships between the titular and the non-titular communities.

The different groups accepted the formation of the region differently. The historically marginalised titular ethnic groups not only embraced the new system warmly but also seek to use its structures to advance their economic and political interests at times at the expense of the non-titular communities (Gebre 2004: 63). The settlers, in contrast, 'felt that they were treated as second-class citizens with restricted rights to live and work' (Ibid). Therefore, there are tensions in the relationships between the two groups.

### 7.4.1 Citizenship right and representation for the non-titular groups

In terms of citizenship, the creation of the region transformed the hitherto marginalised minority groups at the fringes of the Ethiopian periphery to the status of 'owner nationalities', while members of the non-titular ethnic groups became new minorities. For the EPRDF that undertaken the process of ethnic regionalisation, the presence of relatively large numbers of non-titular people in the newly created ethnic regions seemed an anomaly. This likely explains the lack of a systematic mechanism in the federal constitution to protect the interests and citizenship rights of the non-titular groups. Thus, after the formation of the BGNRS, acrimonious relationships between the new regional authorities and the non-titular communities emerged on such issues as representation and resource sharing.

Until 2002, the right of the non-titular communities for political representation was limited. The legal basis for excluding the new minorities from representation was the electoral law of the country, which provided that people who cannot speak the language of the electoral district/region where they wish to stand for election cannot run as candidates (proclamation no 111/1987). This controversial provision of the electoral law appears to have emanated from the core policy of the ruling party that considers ethnicity as the most important instrument of

state organisation and representation. The federal constitution, for example, provides every ethnic group the right to exercise self-determination in its geographic location (see art. 39/3). The implicit understanding of this provision is that all ethnic groups within the country would have their own ethnic or home territories and they would have the right to administer themselves in their designated ethnic homelands. As a result, there has been an implicit two levels citizenship, national (federal) and regional (local).

Because of the electoral law and the implicit notion of regional citizenship that only reserves the right to elect and to be elected for the members of the titular ethnic groups, the non-titular groups in the Benishangul Gumuz like anywhere else in the country were partially disenfranchised. They could vote but not run for office. The political role of the non-titular groups in the new region became contentious partly because they constitute more than 40 per cent of the total regional population. The political class of the titular ethnic groups have been apprehensive regarding the representation of non-titular groups and sought to limit their political participation.<sup>19</sup>

Not surprisingly, the non-titular communities opposed the decision to marginalise them from the politics of the new region. In some instances, violent encounters ensued between the two groups. Faced with this reality, implementation of the policy ethnic empowerment required some modifications. For instance, the EPRDF sanctioned the formation of a special *woreda* for the settlers of Pawe in the Metekel *zone* following a violent conflict between them and the Gumuz in 1992/93.<sup>20</sup> The special *woreda* was made directly accountable to the regional government bypassing the Gumuz dominated Metekel *zone*. Moreover, the Pawe settlers gained representation in the regional assembly and executive committee, although not commensurate with their population size.

In contrast, the non-titular groups in the Assosa *zone* only gained representation at *woreda* and *kebele* levels. In 1995, at the establishment of the Assosa *woreda* council following the first parliamentary and regional elections, out of 15 seats in the *woreda* executive committee, seven went to the settlers and the rest reserved for the Bertha. However, this arrangement underwent revision. In 1996, when the Assosa *woreda* split into town – Assosa and Bambassi – the Bertha and the settlers were respectively given ten and four seats from among 14 seats in executive committees of each of the two *woreda*. In 2003, in a bid to reduce settlers' representation, the regional authorities decided to give more

representatives to the *kebele* of the Bertha in the councils of the Assosa and Bambassi *woreda*.<sup>21</sup> This decision came irrespective of the population size of each of the two communities and intended to limit the political roles of the settlers. Additionally, they were prohibited representation at the regional level.

The settlers, however, opposed their political marginalisation in several ways. For instance, after the inaugural of the federal constitution in 1994, they took their grievances to both the regional and the federal governments. In 2000, in response to their persistent demands, the BGNRS decided to give them representation at the regional assembly on a quota basis. According to the president of the region, ensuring sustainable peace and security, expediting development and strengthening the unity of peoples of the region warranted the decision to provide representation to the settlers (BGNRS 2000b). On this basis, the BGPDUF agreed to provide 12 seats in the regional assembly for the Assosa settlers. The proposed representation was not, however, proportionate to their actual population size (see table 7.1). The EPRDF refused to field its members as candidates in a region run by one of its affiliates, though the candidates of the settlers were its members. Thus, the settlers were required to run on the party ticket of the BGPDUF.<sup>22</sup>

The NEBE registered the candidates who were recruited by EPRDF's field cadres<sup>23</sup> for the May 2000 parliamentary and regional elections. Nevertheless, it cancelled their candidacy in response to a compliant received from the officials of the EBPDO. Assefa Birru, former Secretary General of the NEBE noted:

The NEBE in its extraordinary meeting held on February 18, 2000 considered the complaint it received from the EBPDO regarding the candidacy of some individuals who do not know the national language of the electoral districts in the Assosa *zone*. The Board in accordance with article 38/1b of proclamation 111/87, which provides that prospective candidates must know the national/regional language of the region where they stand for elections, has decided to nullify the candidacy of those individuals who have registered as candidates in the Assosa *zone* without knowing the language of the national region (2000: 1-2).

This decision by the NEBE to prohibit the candidacy of the settlers led to tensions and violence between the settlers and the Bertha. It also polarised the political organisations of the titular ethnic groups. In particular, the members of the BGPDUF considered EBPDO's action as

reckless backtracking from a collective decision. Hence, the president of the region, Yaregal Aysheshim and the leaders of the other ethnic parties within the BGPDUF opposed EBPDO's position on the question. They, moreover, lent their support to the settlers. For instance, the president of the region protested against the decision of the NEBE by saying:

The National Electoral Board in its meeting of February 18, 2000 decided to cancel the candidacy of the members of other ethnic groups from the upcoming national and regional election. We found the decision of the electoral board not clear. We also fear that this decision would endanger the peace and stability of our region. We, therefore, demand explanation from the electoral board and request the House of People's Representatives (HoPR), the House of Federation (HoF) and Council of Constitutional Inquiry (CCI) to look into the issue and provide a sustainable answer to the problem (BGNRS 2000a: 1-2).

On their part, the settlers mounted a sustained legal challenge against the decision of the NEBE. They wrote a series of petitions to regional and federal authorities claiming that the decision of the NEBE was unconstitutional and violated article 38/1/b of the federal constitution that provides every Ethiopian national, without any discrimination, the right to vote and to hold any office at any level of government (Amare 2001; Belayneh 2000). In due course, the settlers elevated their demand to a special *woreda* that would be directly accountable to the regional government bypassing the Bertha dominated Assosa *zone* (Dereb 2001). Understandably, the relationship between the two groups during this period was tense and at times violent. In 2000/01, there were outbreaks of violence in Assosa and Bambassi with some loss of life and destruction of property.<sup>24</sup>

#### 7.4.2 Economic dimensions of conflict

The settlers demand for political representation has economic dimensions. In this respect, they argue that political representation within the region would help them address their socio-economic problems.<sup>25</sup> Since the 1991 regime change, they have particular grievances regarding access to land and land resources. When the settlers brought to Assosa, they received 1000 square metres of land for their

individual residential quarters and private vegetable gardens. However, each of the settlers' cooperatives collectively own the main farming land about 500 hectares.

After 1991, the new government distributed the communally held land among the settlers. In many of the villages, the average household landholding became small after redistribution. For example, in one of the settler villages, close to Assosa town, the average household land holding of the settlers came to a mere 0.5 hectare.<sup>26</sup>

Additionally, after the establishment of the region, the settlers' prospects to have access to the region's virgin and fertile land became increasingly limited. In contrast, the Bertha emboldened by the changes have become more assertive about their ownership of the region's resources.

The changed atmosphere led to the development of a new land tenure system in Assosa – the leasing of land by the titular Bertha to the settlers. Accordingly, the latter provide up to a third of their produce to the former. However, the settlers consider this an exploitative relationship between a tenant (settler) and landlord (titular/Berta).<sup>27</sup>

Moreover, the settlers who reside near to the rapidly growing Assosa town have grievances regarding the confiscation of their farmland for urban development without compensation (Amare 2001).

Finally, another reason for the settlers' disquiet has been the preferential treatment provided to the members of the titular ethnic groups for college and university admission. The Ethiopian government provides preferential treatment in college and university admissions to members of minority ethnic groups and women. The rationale for this policy is to redress the disproportionately low level of participation of minority ethnic groups and women in government institutions of higher learning. In fact, there is still an acute shortage of professionals in the BGNRS bureaucracy particularly from the titular ethnic groups. Hence, the attempt of both the regional and federal government to increase participation of previously marginalised titular ethnic groups in higher education appears to be justifiable.

The following set of preferences applies to recruitment of students for government colleges and universities.<sup>28</sup> First, if admission to a college preparatory school after completing high school is set at 2.5 in a scale of 4.00 for all students, students from the titular groups gain admission at 2.4. Second, after completion of a two-year college preparatory programme, all students from the titular groups who have completed the programme would be admitted; whereas there will be a cut of point for



students from non-titular ethnic groups. Third, there is heavy preferential treatment for students coming from the titular ethnic groups for admission into regional technical and teacher training institutes and colleges. For instance, the regional government reserves a 100 per cent placement for students of the titular groups in teacher training colleges.

As the majority of the students from both the titular and the non-titular groups compete for few places in post-secondary colleges like teacher training institutions, the settlers are apprehensive of the heavy preference given to titular groups.<sup>29</sup>

### 7.4.3 Position of the titular political class

Political parties of the titular ethnic groups generally support the idea that political representation within the B-G region should be preserved to the titular ethnic groups. Hence, there have been explicit and implicit attempts to limit the political role of non-titular groups within the region. For instance, article 39/1/d of the 1995 regional constitution provides that individuals to run for public office in the region should speak one of the five languages of the titular ethnic groups (BGNRS 1995). Even if the revised 2002 regional constitution dropped the linguistic requirement, it did not include a provision on universal suffrage. It, nevertheless, included a provision that says representation of the 'other peoples' of the region shall be given special consideration (BGNRS 2002). So far, no specific laws have been adopted regarding this provision.

The justifications that the new political class of the titular ethnic groups give to justify their unwillingness to allow equal representation for the settlers in the region could be seen from the following angles. First, some regional officials argue that the formation of the ethnic federation intended to provide self-rule to ethnic groups in their own geographic space and as such, the settlers brought to the region without the consent of the titular ethnic groups should not enjoy equal political representation based on one-man one-vote.<sup>30</sup> In line with this, some even suggest that the settlers who wish to have a political role should go back to their own ethnic region.<sup>31</sup>

Second, the new elite of the B-G region seem anxious about the relatively large size of the non-titular people in the region. One Bertha official said:<sup>32</sup>

As everybody agrees, there was ethnic domination in the past. The culture of one group was presented as superior to the cultures of others. The regions were established to reverse this. Representation in this region should not be based on one-man one-vote. One should not forget the fact that there has been an affirmative action element in the formation of this region for the hitherto marginalised groups. Migration of people from one region to the other should not undermine the self-determination right of ethnic groups in their own geographic space. The question of providing representation for the non-titular communities should consider all these problems. It should not be done in a manner that would compromise the right of the owner nationalities to exercise their self-determination. If the outsiders were provided equal representation on a one-man one-vote basis what would happen if there were a question of secession? Who is going to decide? Could the settlers demand secession in a region to which they do not belong? Could they prevent the secession demand of the titular ethnic groups that is provided in the federal and regional constitution? The constitutional principle of self-administration is geographic specific and ethnic groups should exercise their right of self-determination in their own geographic regions.

In sum, the new political class of the titular ethnic groups seeks to limit the political role of the non-titular groups.

#### 7.4.4 Settlers' electoral right and the House of Federation

The settlers put a petition to the HoF claiming that (a) a provision in the electoral law that ties fluency in regional/local languages to the right to stand as candidate and (b) NEBE's decision to cancel the candidates of the settlers on the grounds of linguistic incompetence violate the federal constitution that recognises suffrage rights with no discrimination. After deliberating on the case, the CCI, which is responsible for advising the HoF on constitutional questions noted:

Article 38 of the constitution provides that: 'Every Ethiopian national, without any discrimination based on colour, race, nation, nationality, sex, language, religion, political or other opinion or other status, has the right to vote and to be elected at periodic elections to any office at any level of government.' On the other hand, the electoral law; article

38/1/b says that any candidate should know the national/regional language of the region where he/she is appearing as a candidate. We believe that the approach of the electoral law that tied knowledge of a regional language to the right to be elected does not conform to the constitutional principle. Thus we found the decision of the National Electoral Board to use language as one criterion of candidacy violates the constitution (CCI 2000: 3).

However, the HoF did not agree with the recommendation of the CCI. In doing so, it reiterated that the provision of the electoral law that ties the right to stand as candidate to fluency in local/regional language is meant to foster self-administration and does not contradict the constitution (HoF 2003). Nonetheless, the HoF disagreed with NEBE's decision of prohibiting the settlers from standing as candidates because the Benishangul-Gumuz region uses Amharic as a working language, which the settlers speak (Ibid 12).

Therefore, the settlers could stand as candidates in elections since 2003. Following the decision of the HoF, the regional government on its part endorsed a new quota for the representation of all the ethnic groups in the region. The new quota was supposed to be applied beginning from the 2005 third parliamentary and regional elections. In this respect, the president of the region, Yaregal Aysheshim announced:

In order to make the 2005 elections more just and balanced and ensure a proportionally representative regional assembly based on the composition of the owner nationalities and considering the participation of other peoples, the regional government made the necessary modifications in consultation with the National Electoral Board. Accordingly, the regional assembly would have 100 seats and these will be divided as follows: Bertha 40, Gumuz 35, Shinasha 11, Mao and Komo 5 and other peoples 9 seats. The representation of the titular ethnic groups within the House of People's Representatives (federal parliament) would be Bertha 4, Gumuz 3, Shinasha 1, Mao and Komo 1 (BGNRS 2005: 1).

There was a tacit agreement among the different players that the settlers would have representatives only at a regional level. Moreover, their candidates were to run on the party ticket of the BGPDUF. However, the quota arrangement developed on the assumption that the only contender in elections in the B-G region will be the EPRDF affiliated BGPDUF proved wrong as nationwide opposition parties,

particularly the CUD managed to register their candidates in several electoral districts across the region.

As a result, the quota for ethnic representation worked out by the regional political class endangered. Thus, the pre-voting period in the region was characterised by anxiety. The titular political parties and the field operatives of the EPRDF were urging the settlers directly and indirectly to vote for those candidates recruited by the EPRDF and fielded by the BGPDUF. The regional officials even promised to expedite the provision of new farmland to the settlers, if they would vote for the BGPDUF candidates.

Finally, the relatively better-contested election of May 2005 affected the balance sought by regional officials. From among the nine seats apportioned to the five titular ethnic groups at the HoPR, the CUD took one. The CUD won 11 seats at the regional council, affecting the ethnic balance the authorities wanted to bring about at the B-G regional parliament. More importantly, the limited competitive election of 2005 showed how a quota arrangement worked out with the assumption that the regional 'vanguard' party will always 'win' elections could easily founder.

## 7.5 Conclusion

The B-G region is not only ethnically heterogeneous, but also a region of multiple minorities. In fact, none of the ethnic groups in the region constitutes more than 50 per cent of the total population. Hence, it is appropriate to ask about the impact of this ethnic heterogeneity on intra-regional stability and peace. If one looks at the theoretical debates, there are two contending views on the positive/negative implications of ethnic heterogeneity at a regional (constituent unit) level. First, some argue that 'federalism can contribute to interethnic harmony and civility only when the ethnic groups in question are territorially concentrated and thus capable of escaping each other' (Cairns cited in Gagnon 1993: 23). Similarly, Brendan O'Leary underscored that federalism could be an instrument of ethnic conflict management because of its ability to make a multi-ethnic society less heterogeneous through the creation of more homogenous sub-units (2001: 281). In contrast, Donald Horowitz argued that heterogeneous units could contribute to conflict reduction because of two important points. First, they help 'define issues in terms

of state rather than ethnic interest' (1985: 620). Second, they provide 'experience in political socialization for politicians of different groups who became habituated to dealing with each other at lower levels before they need to do that at the center' (2002: 24). When we consider the case of the Benishangul-Gumuz region in light of Horowitz's propositions, the experience so far has not been encouraging. Intra-regional ethnic heterogeneity neither contributed to the development of regional as opposed to ethnic interest nor led to political socialisation among the leaders of the different ethnic groups.

In fact, the B-G region became multi-ethnic because of political expediency. In other words, the EPRDF established this region because the five minority ethnic groups cannot constitute federating units by themselves. Moreover, like anywhere else in the country, ethnicity is a tool for political mobilisation, representation and resource sharing in the B-G region.

In this context, political contestation between the newly empowered titular groups – the Gumuz and the Bertha at times degenerates into violence. Consequently, autonomy politics in the region has been volatile and the central government continues to decide who gets what in terms of the top jewel in the regional government, the presidency. This hinders political socialisation that could contribute to conflict mitigation. In addition to the conflict between the two titular ethnic groups, the B-G has also been a scene of the politics of the 'sons of the soil.' Hence, the leaders of the titular groups seek to limit the role of the 'other' people in the region.

After having discussed the impact of federal restructuring on intra-regional conflicts in both of the study regions, the next chapter delves into the other dimension of autonomy conflict – inter-regional conflicts. Accordingly, the impact of federalism on territorial and boundary conflicts between the Somali region and its Oromo and Afar neighbours bears examination.

## Notes

<sup>1</sup> Personal Interview: Official in the Culture and Information Bureau of the B-G region, 13 April 2005, Assosa.

<sup>2</sup> Ibid.

- <sup>3</sup> Personal Interview: Ex-official of the BGNRS, Assosa, 18 April 2005.
- <sup>4</sup> Personal Interview: Official, the BGNRS administrative council, 21 April 2005, Assosa
- <sup>5</sup> Traditional military rank
- <sup>6</sup> Personal Interview: Resident of Assosa, 26 April 2005, Assosa.
- <sup>7</sup> Personal Interview: Executive Committee member of the EBPDO, 15 April 2005, Assosa.
- <sup>8</sup> Personal Interview: High Bertha official in the BGNRS, 12 April 2005, Assosa.
- <sup>9</sup> The previous Witawit sheikdom under Dejazmatch Mustafa.
- <sup>10</sup> Personal Interview: Resident of Assosa, 26 April 2005, Assosa.
- <sup>11</sup> Ibid.
- <sup>12</sup> Personal Interview: High Gumuz official in the BGNRS, 24 April 2004, Assosa.
- <sup>13</sup> The Bertha are organised into one administrative *zone* (Assosa) and into seven *woreda*. In contrast, the Gumuz have two *zones*– Khamashi and Metekel. These are in turn divided into 11 *woreda*.
- <sup>14</sup> The *Woreda* Block grant refers to a mathematical formula, which regional governments use in order to calculate the amount of budget (capital and recurrent) each *woreda* receives from the regional government. The formula is presumed to take into account: a) population size; b) revenue generating capacity; and c) level of development as expressed by a set of social and economic indicators. The purpose of the *woreda* block grant is to ensure a 'fair' and 'just' distribution of finance based on standard formula.
- <sup>15</sup> Personal Interview: Official of the Mao-Komo party, 12 April 2005, Assosa.
- <sup>16</sup> Personal Interview: Official, BGNRS Council, 25 April 2005, Assosa.
- <sup>17</sup> Personal Interview: Official in the BGNRS administrative council, 21 April 2005, Assosa.
- <sup>18</sup> Personal Interview: President of BGNRS, 24 April 2005, Asossa.
- <sup>19</sup> Personal Interview: High Bertha official in the BGNRS, 12 April 2005, Assosa.
- <sup>20</sup> Pawe special *woreda* was created to defuse the conflict between the settlers and the Gumuz in 1994. It had three representatives at the regional council and one representative at the executive committee of the region.
- <sup>21</sup> Focus Group Discussion: Former settlers, 13 April 2005, Assosa.
- <sup>22</sup> Focus Group Discussion: Former settlers, 13 April 2005.
- <sup>23</sup> Field cadres of the EPRDF refer to those cadres assigned to the regions as 'advisors' that actually emerged as important power brokers.

<sup>24</sup> Both officials of EBPDO and the EPRDF who were alleged to have participated in the inter-ethnic violence were arrested and tried by the regional government.

<sup>25</sup> Focus Group Discussions: Settlers of Amba 4, 14 April 2005, Assosa.

<sup>26</sup> Focus Group Discussion: Former settlers, 13 April 2005.

<sup>27</sup> Ibid.

<sup>28</sup> Personal Interview: Official BGNRS, Education Bureau.

<sup>29</sup> Focus Group Discussions: Settlers of Amba 4, 14 April 2005, Assosa.

<sup>30</sup> Personal Interview: High Bertha official in the BGNRS, 12 April 2005, Assosa.

<sup>31</sup> Personal Interview: Ex-Woreda, Awraja, administrator, 11 April 2005, Assosa.

<sup>32</sup> Personal Interview: High Bertha official in the BGNRS, 12 April 2005, Assosa.