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

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11   Synthesis and Conclusion

'Federalism can either exacerbate or mitigate ethnic conflicts' (Horowitz 1985: 603).

11.1 Introduction

The belief that providing Ethiopia's ethnic groups the right to self-determination would lead to peace and provide a new basis for the unity of the country was the reason behind the federal restructuring of the country since 1991. However, the experience so far shows mixed results. Although ethnic federalism led to recognition of the linguistic and cultural rights of the various ethnic groups of the country, it neither led to political autonomy nor ended secessionist conflicts. Moreover, decentralisation and proliferation of conflicts at local and regional levels accompanied the federal restructuring of the country. With this backdrop, this chapter presents the major findings of the present study from two angles. First, it examines the contribution of federalism in providing a new basis for the legitimacy of the Ethiopian State. Second, it discusses the impact of federalism on conflicts at local and regional levels through a comparative review of several empirical cases drawn from the two study regions. The chapter also reflects on the theoretical framework of this study; reappraises theories of federalism in the context of the Ethiopian experience and explores few ideas about the need to reform some aspects of Ethiopian federalism.

11.2 Federalism and State Legitimacy in Ethiopia

The introduction of federalism in Ethiopia followed after the failure of 'nation building' projects of the previous regimes. As discussed in chapter 2, the EPRDF promised a new compact to provide a democratic

and legitimate basis for the Ethiopian state (Keller 2004: 38). In this connection, the twin goals of federal restructuring in Ethiopia have been: (1) to provide self-determination rights to the ethnic groups of the country including secession and (2) to end ethno-secessionist wars. To what extent these key promises came to fruition?

First, as discussed in chapters 2 and 10, with the exception of linguistic and cultural autonomy, so far the constituent members of the ethnic federation cannot exercise administrative and political autonomy. Put another way, Ethiopia today follows 'an asymmetrical form of federalism that was overly centralized and operated almost like a unitary centralized state' (Ibid 38). It is possible to explain the wide gulf between the theory and practice of Ethiopian federalism regarding political autonomy by the emergence of a dominant one-party system under the EPRDF. Thus, promises for decentralised federalism and multiparty democracy remain unfulfilled. The Ethiopian State has not substantially moved away from its traditions of using coercion and deceit in order to maintain control over its diverse population. Hence, State and society relationships in Ethiopia today are mainly characterised by the hegemonic control of the masses (or the majority) by the few who maintain control over the State and its economic and military assets.

Consequently, the Ethiopian federal experience has not so far put into effect one of Donald Horowitz's key propositions (1985: 597-9), outlined in the introduction, 'federalism by proliferating centres of power would prevent the projection of "complete" power throughout the territory of a given country by those who happen to control the centre.' For Horowitz, such a decentralisation of authority may reduce the desire of all the major contending forces to control the centre thereby reducing violent conflict. This has never happened in the case of Ethiopia. Indeed, the political centre remains the single most important centre. That is why almost all of the major contending forces aim to either control or dismantle the centre.

Second, in spite of the constitutionalisation of the right of secession, there are still secessionist conflicts in Ethiopia. In fact, like Soviet federalism, Ethiopia has not so far entertained administrative and political autonomy to its constituent units, let alone a constitutionally mediated secession. As a result, the EPRDF, like its predecessor, engages in anti-insurgency activities against such secessionist forces as the ONLF and the OLF. Thus, the inclusion of a provision on secession in the constitution has neither contributed to the stability of the federation nor

brought the politics of secession into the politico-legal framework. In short, ethnic federalism failed to provide a new democratic basis for the Ethiopian State. The next section presents the impact of federalism on conflicts at local and regional levels by looking into the experiences of the two study regions.

11.3 Comparing Somali and Benishangul-Gumuz Regions

The Somali and the Benishangul-Gumuz regions, considered in this study, have several similarities and differences. Their main similarities lie in their peripherality to the Ethiopian State in terms of geography, history, social, economic and political factors. Regarding geography, they are located along the country's unstable frontiers. The Somali region is in the eastern and south-eastern periphery of the country bordering Somalia, Djibouti and Kenya. The BGNRS is in the north-western frontier region and borders with the Sudan. Both regions joined the Ethiopian state after Menelik's southward expansion. Despite some exceptions, relationships between the political centre and these regions were hostile. In the case of the Somali, for many decades, the Ethiopian State experienced its sovereignty through raiding while most of the ethnic groups within the BGNRS faced enslavement.

The peripheral position of the ethnic groups of the two regions has a trans-border aspect as they straddle Ethiopia and its neighbouring countries, predominantly Somalia and the Sudan. However, there are differences in the way the ethnic groups of the BGNRS and the SNRS relate to the politics of the Sudan and Somalia respectively. The Somali region had a unique position in the politics of Somalia. This was mainly due to the region's strategic location, size and resources. In hindsight, independent Somalia gave a disproportionate central emphasis to 'redeeming' the Ethiopian Somali region. This led to tragic conflicts between Ethiopia and Somalia. The impacts of the 1977-78 Ethio-Somalia war in fact still reverberate across the region. One possible explanation why Ethiopia sent its troops to Somalia in December 2006 and embroiled itself in the ongoing tragic conflict in that country is its fear that a hostile regime in Mogadishu could rekindle the politics of Greater Somalia. In contrast, the ethnic groups of the BGNRS were peripheral the politics of both Ethiopia and the Sudan. As compared to

the SNRS, this might not be a curse at all. At least, they escaped an inter-state conflict between the Sudan and Ethiopia, which could have been made ostensibly on their behalf.

Both the Somali and the BGNRS regions remain peripheral to the Ethiopian State in terms of political economy and culture. Regarding politics, the ethnic groups of the two regions had little political participation both at national, regional and local levels. In the pre-federal period, administrators, police officers and civil servants were largely brought from the highlands to these peripheral regions. In terms of mode of livelihood, most of the ethnic groups of the two regions depend on pastoralism, hunting and shifting agriculture, which are distinct from sedentary farming, the mainstay of the majority of the highlanders. There is also a marked difference between the centre and the periphery in terms of religion. While Orthodox Christianity remained dominant (State religion until 1975) in the highlands, Islam dominates in the two study regions.

The major difference between the two regions is population makeup. Ethnic Somalis dominantly inhabit the Somali region, while the BGNRS is a region of multiple minorities. None of the ethnic groups in the BGNRS constitutes more than 50 per cent of the total population of the region; also, there is a large non-titular population.

11.3.1 Intra-regional autonomy conflicts

In both the Somali and the BGNRS regions, ethnic regionalisation impelled intra-regional conflicts. This reminds us one of the Donald Horowitz's propositions outlined in the first chapter, 'federalism by proliferating points of power tends to decentralize conflicts and makes regional and sub-regional administrative organs objects of competitions (1985: 597-9). In the case of the Somali region, autonomy led to intra- and inter-clan divisions and conflicts. The most important division affecting the Somali region and its relations with the political centre was the division that emerged between the Ogaden and the non-Ogaden clans. This was indeed one of the crucial impacts of ethnic federalism. In the pre-federal setting, inter-clan conflicts among the Somalis were largely on questions of land resources like water and pasture. Moreover, in conflicts between the Somali periphery (with direct and indirect participation of Somalia) and the Ethiopian State, almost all of the major

Somali clans stood in unison against the political centre. This feature of centre-regional relations was changed because of ethnic federalism. In this respect, the ongoing conflict between the ONLF and the Ethiopian government in the Somali region is largely limited to the six Ogadeni inhabited *zones*.

In a similar fashion, ethnic regionalisation caused intra and inter-ethnic conflicts in the B-G region. For example, the region in its formative years faced intra-Bertha dispute, which led to the weakening of the BPLM and its eventual replacement by the EBPDO. The availability of political offices to the different groups of the region also led to the emergence of competing and often conflicting parties of the minority ethnic groups in the region.

The cases examined from the two regions demonstrate the impact of federalism in generating and transforming conflicts at local and regional levels. In the case of the Somali region, the identity and autonomy question of the Bantu minorities and the Sheikash-Ogaden conflict over administrative structures (territory) demonstrated how federal restructuring affected inter-clan relations. In both cases, the re-examination of inter-clan relationships accompanied the rise of ethnic entrepreneurs in the shape of individuals and political parties. More often than not, these ethnic entrepreneurs amplify the otherness of their constituent groups (e.g. Sheikash, Dubbe and Rer-Barre) from their dominant neighbours (Ogaden). Access to new resources made available at local and regional levels motivates this behaviour. Hence, one important facet of ethnic regionalisation in the Somali region has been the transformation of the clans into political units (for both administrative structure and clan representation). The politicisation of clan relations led to one of the worst localised conflicts in the region between the Ogaden and the Sheikash. This conflict, as mentioned in chapter 6, led to the death of hundreds of people and the displacement of thousands. Both cases from the Somali region demonstrate the adverse impacts of federalism on local minorities. This lends credence to scholars like E. Nordlinger (1972) who doubted the conflict regulation role of federalism.

Similarly, the cases from the BGNRS show the impact of federalism on the generation and transformation of conflicts. Actually, there are two trends of autonomy conflicts in the region, conflicts between the titular ethnic groups and conflicts between the titular and the non-titular groups. In the first case (Bertha-Gumuz dispute), it was demonstrated

that the availability of resources at local and regional levels like the office of the president, financial resources and others caused a dispute between the two dominant titular ethnic groups of the region.

In the second case, the conflict between the titular and the non-titular groups in the BGNRS demonstrated how ethnic regionalisation led to a process of redefining power relations between once dominant highlanders with the new power-holders. The titular ethnic groups who consider ethnic federalism an affirmative action sought to use the new system to redress their previous marginalisation. Therefore, they are wary of the numerically significant non-titular communities who became 'new minorities' after the federal restructuring of the country. Hence, in their bid to reinforce their claim to the new region and its resources, they boldly declared in the regional constitution the five titular ethnic groups as 'owner' nationalities. Consequently, the titular groups seek to restrict the electoral rights of the non-titular communities. This resulted in the settlers' partial disenfranchisement and exclusion from political representation. However, they did not accept their new position. They particularly feared accepting their political disenfranchisement, meant compromising their economic and security interests. Hence, they challenged their disenfranchisement via the constitutional institutions. Interestingly, resolutions to the two major disputes that emerged in the B-G region came from the HoF. Why was the HoF, a part of the federal government, effective dealing with the conflicts from the BGNRS, while it remains more or less irrelevant for many of the other conflicts still rage in the country? This appears to be because there are fewer federal stakes in conflicts within the BGNRS than in the Somali region.

11.3.2 Inter-regional conflicts

Federalism in Ethiopia led to establishment of ethnic regions by dismantling the old unitary structure. Unlike older federations, where the units have stable boundaries, federal restructuring of a multi-ethnic country into an ethnic federation causes conflicts and controversies regarding intra-federal boundaries. In Ethiopia, the centrality of ethnicity in the federal restructuring process and particularly the desire for equating ethnic and administrative boundaries, brought nation-state types of boundary conflicts.

Therefore, violent and protracted conflict accompanied intra-federal boundary making. The Somali region faced severe boundary conflicts. This is because there are several commonalities, such as pastoral mode of livelihood and long-standing inter-ethnic interactions among several Somali, Afar and Oromo clans. The gravity of boundary conflicts involving the Somali, Afar and Oromia regions is such that all of the three regions established regional bureaus responsible for Borders Affairs. As compared to the Somali region, boundary conflicts involving the BGNRS and its Amhara and Oromo neighbours were less violent. This could be due to the absence of a homogenising nationalism within the Benishangul-Gumuz region.

The two cases examined in this thesis regarding boundary conflict between the Somali region and its Afar and Oromo neighbours demonstrate how ethnic regionalisation led to the transformation of resource conflicts into intra-federal boundary conflicts. As demonstrated in the Moyale case, ethnic federalisation led to the reexamination of the ethnic identities of the three Afaan Oromo speaking communities. The formation of the ethnic regions required these groups, particularly the Garre and the Gabbra who have dual identities with the Oromo and the Somali to choose one of the ethnic regions. This elicited different responses from the Garre and the Gabbra. While the former decided to take on a Somali identity, the latter remain divided. At the Moyale town, because of the dispute between the Oromia and the Somali regions, there are now dual administrative structures with competing and at times conflicting jurisdictions. The attempt by the federal government to resolve this dispute failed mainly due to the immense polarity that exists between the two conflicting parties-the Garre and the Borana.

Ethnic regionalisation also led to the transformation of the Afar and Issa conflict into an intra-federal boundary conflict. Since the emergence of the Somali and the Afar regions in 1992, the two regions were involved in the management and conduct of the conflict. The two regions participate in this otherwise old and protracted conflict in several ways. They seek to use the new administrative structures either to defend or legitimise their territorial possessions. More importantly, they have different expectations from inter-regional boundary making. The Afar who faced the unceasing expansion of the Issa, seek to use their new authority to regain what they consider lost territories and to stem new Issa expansion. For instance, the Afar regional administration established the capital of the Bure-Mudaytu *woreda* at Gelalu in 2002 in order to

legitimise its territorial ownership. In its part, the Somali region seeks to legitimise those territories seized by the Issa in recent years.

Coming to the BGNRS and its neighbours, ethnic regionalisation led to changes in inter-ethnic relationships. In the case of Gumuz-Amhara relationships, as shown in chapter 9 (the Mentawhua case), federalism helped transform the prevailing hostile and frontier type relationship between the Gumuz and their Amhara neighbours into a more peaceful and cooperative relationship. In this respect, the vast and fertile Gumuz country is now widely open for land-hungry Amhara peasants through sharecropping arrangements. However, the migration of Amhara peasants into Gumuz lands in large numbers created anxiety among the political class of the BGNRS. They fear its long-term consequences on demographic balance and future political roles of the growing non-titular population.

Migration of highland farmers is also one of the aspects of inter-regional relationships between the Gumuz and the Oromo. Gumuz officials complain that the Oromo who settle in areas found along the common boundaries of the two regions do not recognise the authority of the BGNRS. In contrast to Gumuz-Amhara relationships, in several localities where Gumuz and Oromo farmers live in mixed villages, there are boundary and territorial conflicts. In both the Darro-Dimtu and Tolle cases, although the Oromo constitute the local majority, the Gumuz seek to assert their newfound authority in order to reclaim resources they feel were rightly theirs. Indeed, Gumuz notion of boundary, which considers all the lowland territories (along their ethnic borders) that grow bamboo trees as theirs, tends to cause tensions and conflicts. There are already reports of violent clashes causing the death of hundreds of people along the common boundaries of the two regions.

11. 4 Reflections on the theoretical framework of the study

Because of the great variety of issues that federalism, ethnicity and ethnic conflict deal with, it is scarcely possible to develop a general theoretical framework. That was why this thesis adopted a broader analytical framework involving 'historical', 'state' and 'multiethnic society' approaches to provide the context in which the Ethiopian state was

reconstituted into an ethnic federation (chapter 1). Moreover, it examined concepts and theories on federalism, federations and ethnic conflicts with the objective of unravelling the illusive 'interface' between federalism and ethnic conflicts. The controversy regarding the role of federalism in pacifying inter-ethnic relations partly emanates from the lack of conceptual clarity to both the institutional and ideological aspects of federalism. Indeed, as outlined in chapter 2, Preston King observed that federalist ideology may refer to three competing values – decentralization, centralization and balance (King 1982). In fact, the purported ability of federalism to bring about 'balance' between the fragmentary impulses of ethnic-nationalism and homogenizing temptations of centralism attracts multiethnic countries to the federal 'solution'. But like any other balancing act between two opposed views, federalism is not without controversies and varying interpretations. Indeed, as discussed in this thesis, there are two contradictory theoretical views regarding the use of ethnical federalism. Some argue that ethnic based federalism instead of pacifying inter-ethnic relations, it exacerbates them. While others hold the view that federalism is the only way to democratically maintain a multiethnic country.

These theoretical views are relevant to Ethiopia. The empirical discussions in this thesis show the fact that even if ethnic based federal restructuring may lead to renegotiation of inter-ethnic relations and provide new resources to the ethnic elite at local and regional levels, its ability to pacify inter-ethnic relations hinges on other contextual factors such as political pluralism (democracy), rule of law and the level of ethnic diversity. It is from this vantage point the thesis concluded that Ethiopian federalism failed to make good its key promises – ending conflicts and ensuring ethnic autonomy.

The changing of the arena of conflicts and the generation of new localized conflicts in post-federal Ethiopia provide important caution to the temptation that installing some sort of ethnical federation would be a panacea for ethnic conflicts. Indeed, from the three contingent factors raised above, the little studied questions – what level of ethnic diversity an ethnic federal structure could accommodate and to what extent ethnicity should be used as instrument of state organization, entitlement, and mobilization would remain important areas of further theoretical and empirical investigation. The experience of western federations where a multiethnic state dominated by a single ethnic/national group (e.g. Spain) gives autonomy to one or few of its minorities through protracted

bargaining would not offer a guidance for those developing countries that are characterised by deep ethnic diversity and lack national (ethnic) majority when they venture into the enterprise of ethnic federal restructuring. Indeed, as observed from this thesis, Ethiopia's decision to pervasively reorganize its state structure and ideology on the basis of ethnicity at times by forcing some groups who did not wish to mobilize along ethnic lines led to the generation of new conflicts and the changing of the arenas of long running conflicts. The empirical cases from Ethiopia underscore the need for a nuanced approach in the use of principles of federalism and autonomy as a way of mitigating conflicts.

11.5 Reappraisal of Federal Theories and the Ethiopian Experience

This thesis sought to examine how the federal system in Ethiopia is evolving as a credible instrument of ethnic conflict management. It, moreover, sought to discuss the impacts of federalism on inter-ethnic conflicts in the country in general and in the study regions in particular. The general conclusion that emerges from the foregoing discussions is that ethnic federalism has neither realised its own *raison d'état* nor emerged as a credible instrument of pacifying ethnic conflicts. As demonstrated in several chapters of this thesis, ethnic federalism led to the decentralisation, proliferation and transformation of conflicts. Consequently, today there are recurrent and protracted conflicts, involving several ethnic groups on a range of issues such as territory (boundary), identity and sharing of economic resources and political power at local and regional levels.

Why did ethnic federalism in Ethiopia fail to make good its two key promises, pacification of inter-ethnic relations and autonomy for the ethnic groups? Answering these questions requires reappraising the theoretical discussions with the lessons drawn from this thesis. As reviewed in chapter 2, those who support the federalist option underscore federalism's potency in reconciling the disintegrative impulses of ethnic nationalism and the homogenising impacts of centralisation (Gurr 1994; Kimenyi 1998; Young 1994). In contrast, those who oppose the use of federalism in a multi-ethnic setting argue that federalism and autonomy, instead of reducing conflicts could exacerbate them for two reasons: Federalism encourages secessionism and lack of correspondence between intra-federal and ethnic boundaries

causes conflicts between majorities and minorities (Brown 2007; Cornell 2002; Nordlinger 1972).

The normative debates that accompanied the federal restructuring of Ethiopia into an ethnic federation reflect both of these contentions (chapter 3). However, these theoretical debates do not provide an answer as to why some multiethnic federations were reasonably successful in ethnic conflict management, while others miserably failed. The presence of both successes and failure makes it relevant to consider those contingent factors, briefly outlined in chapter 2, which explains why a given federation either fails or succeeds in its, delicate task of maintaining the precarious balance between unity and diversity in a peaceful and democratic manner (Cornell 2002: 275; O'Leary 2001: 283; Simeon and Conway 2001: 339). Hence, it would be worthwhile to consider these contingent factors in the context of Ethiopia, to explain Ethiopian federalism's poor record of realising its stated goals.

11.5.1 Federalism and political pluralism

The question of democracy is quintessentially important in explaining both federalist success and failures (Elazar 1996; Stepan 1999; Stepan 2001). It is worthwhile to remember what Daniel Elazar said about the importance of a democratic system for federations (1996: 2).

> [Federalism] emphasises constitutionalized pluralism and power sharing as the basis of truly democratic government. It sees a democratic polity as one built on upon a matrix of constituent institutions that together share power, not through a single centre but a multi-centred or non-centralized way.… It is different from the kind of club-like atmosphere of parliamentary democracy where in a centre-periphery model, power is concentrate in the elite club or clubs and everyone else is in the periphery.

Almost all of those federations that disintegrated (like the USSR and Yugoslavia) were operating under authoritarian systmes. In contrast, all of the multiethnic federations (such as Switzerland, Canada, Belgium and India), which have been reasonably successful, have democratic institutions and practices. This shows that democratic governance plays a pivotal role in peacefully managing conflicts and helping the stability of

multi-ethnic federations. Moreover, in a democratic system institutions like political parties, civil society organisations and the independent press positively contribute to peaceful management of ethnic conflicts by creating crosscutting partnerships that surpass mere ethnic cleavages. In contrast, ethnic federalism in an authoritarian political system tends to exacerbate ethnic divisions and could be used an instrument of divide and rule.

As discussed in chapter 2, the record of Ethiopian federalism regarding democratic governance has been problematic. In spite of the promise for a multiparty political system, what has actually emerged is a *de facto* one party system. The EPRDF, which styled itself as a vanguard political party of the peasantry like the communist parties of the ex-socialist federations, provides political leadership to all the regions. Its revolutionary democracy ideology that draws on the ML class approach to democracy neither provides space for peaceful contestation for power nor guarantees political autonomy. This has several adverse implications on the development of federalism in Ethiopia.

The narrowing of political space affects federalism's ability to emerge as a sustainable instrument of conflict management. In this respect, lack of a levelled playing field for all the political parties appears to encourage some political movements to take up armed rebellion. For instance, the OLF left the political process after the flawed 1992 regional and local elections. Indeed, these elections gave the earliest indication about EPRDF's unwillingness to share power with other political parties through elections. Moreover, the narrowing of the political space prevents development of inter-ethnic electoral alliances, countrywide civil society organisations and independent media, which could ameliorate the divisive impacts of the ethnic federal structure. As a result, one of Donald Horowitz's (1985) conflict reduction mechanisms, outlined in chapter 1– federalism could create inter-ethnic electoral coalitions and alliance cannot happen in Ethiopia under the prevailing conditions.

When it comes to intra-party relationships within the EPRDF, they remain asymmetrical. The TPLF remains the primary mover and shaker within the 'vanguard' party and its central leadership uses authoritarian Marxist-Leninist principles of democratic centralisation and self-criticism to stifle internal dissent. This reminds us of what Ivo Duchacek suggested (1970: 229), 'In a single party system, [where] the dominant party is monolithic … totalitarian or authoritarian party and internally

not federated, [it]…cannot permit its monopolistic power to be in any real sense of decentralized, divided, distributed, or diluted.' Hence, ethnic federalism has not realised its promises of self-administration and autonomy to the regions. As a result, federal restructuring has not reduced the contending political forces interest in controlling the political centre. The regions, directly or indirectly controlled by the ubiquitous structures of the EPRDF, are dependent on it for political guidance. The same is true of centre-regional relations.

11.5.2 Federalism and the rule of law

Federalism has been reasonably successful in countries with a solid tradition of rule of law. In contrast, in those federations that operate in authoritarian systems, the divergence between constitutional principles and the actual practice on the ground has been wide; as a result, both federal stability and conflict management would be at risk (Seroka 1994: 208). The survival of federations in countries without a deep commitment to the rule of law would be more often than not contingent upon coercion, deceit and violence. As has been witnessed from the experiences of then communist federations, political uncertainty and power vacuum lead to the disintegration of such federations (Ibid).

Ethiopia does not have a good record regarding the rule of law. Despite the formal commitment in the constitution for, a government under the law and judicial independence, there are still widespread violations of laws by government officials and infringements on such constitutionally guaranteed rights as freedom of association, the press and others. There is also a considerable gap between the theory and practice of ethnic federalism (Assefa 2006). In this respect, ethnic self-determination up to secession, multi-party democracy, free and fair elections and freedom of speech and association, promised by the federal constitution, remain largely ignored.

Moreover, neither the federal courts nor the HoF can remedy the gap that prevails between the principles of the constitution and the practice. The courts, which remain subordinate to the government, despite the declaration of judicial independence, do not have the mandate for constitutional interpretations. Even in those areas where they have the jurisdiction, performance of the courts has not been encouraging. The HoF, which has the responsibility of constitutional

interpretation and other key roles such as conflict management and resource allocation, is a partisan political organ and is under the EPRDF. Indeed, in so far as a single party controls both the federal and the regional governments, the role of the HoF would be rubberstamping whatever the central leadership decides. This undermines the prospect of building a federal system that enshrines the rule of law.

11.5.3 Ethnicity and federal restructuring

The development of theories of federalism occurred largely in a western context. Thus, they do not adequately deal with the adverse impacts of federal restructuring on human rights, peace and stability. For instance, as mentioned in chapter 1, Will Kymlicka, who promotes the accommodation of the rights of minorities in liberal democracies, argues that non-western multi-ethnic countries have been reluctant to adopt multi-nation federalism because of the continued securitisation of ethnic relations and the absence of a firm cross-ethnic commitment for human rights (2006). It is indeed because of these problems the few multi-ethnic Asian and African countries that adopted federalism have not elevated their ethnic groups as units of their federations. For example, Nigeria and India do not use ethnicity alone as the chief organising device of their federations. Nigeria, in this respect, neither considers its ethnic groups as sovereign nor grants them the right of secession. Hence, it avoided the overlapping of ethnic and intra-federal boundaries and divided the three dominant and competing ethnic groups into several units in order to alleviate their destructive conflict to dominate the political centre (Horowitz 1985). It, moreover, avoided naming its federating units in ethnic terms. In fact, Martin Dent suggested that 'a federal system that calls its constituent parts by ethnic names is asking for trouble' (cited in Brown 2007: 76).

As discussed in chapter 2, Ethiopia took a different trajectory and used ethnicity as the central organising device of state organisation. It in particular followed a multi-tiered approach in its territorial organisation. Hence, some of the bigger ethnic groups were provided their own regions that were named after their names. In contrast, the smaller ethnic groups were either put together to form 'multi-ethnic regions' or attached with some of the bigger groups. The outcome of the federal

restructuring of the country was an asymmetrical federation of ethnic groups.

The ethnic regions and sub-regional administrative units were largely created with the proviso of matching ethnic and poltico-adminsitraive boundaries. Furthermore, the constitution left ethno-state making an open-ended process both at national and international levels. This refers to the incorporation in the constitution of provisions for both external and internal secession. In addition to these, the constitution also provides provisions regarding the determination of disputes over ethnic identities and the boundaries of existing members of the ethnic federation. Hence, boundary making with its conflict generating tendencies has been intrinsically institutionalised within the legal and political framework of Ethiopian ethnic federalism.

In addition, ethnicity has been an instrument for channelling state resources, political mobilisation and representation. This rigid approach not only tends to overlook the fluid and flexible nature of ethnicity, but also adversely influences federalism's capacity in pacifying inter-ethnic relations. In other words, ethnicisation of the state and territory tend to reinforce the politics of otherness through the agency of conflicts (Ghai 2000: 53). In short, as almost all of the new ethnic regions are multi-ethnic, conflicts were 'simply trickle[d] down to a lower level and multiplied' (Kumar 2006: 88). One important aspect of this process is the subordination of citizenship rights to ethnicity. Hence, federalism institutionalised within the new regions the politics of inclusion and exclusion based on two categories of peoples, titular and non-titular. This of course generated violent conflicts in many of the new regions.

11.6 Reforming Ethiopia's Ethnic Federalism

Federations are works in progress. They need to adjust themselves from time to time in order to respond to their institutional and ideological shortcomings and in respond to new challenges. It should be stated at the outset that considering the federal character of the Ethiopian multiethnic society and ethno-nationalist conflicts from the country suffered a federal system of government that gives recognition to the country's ethnic pluralism is useful to ensure a balance between 'self-rule' and 'shared-rule'. Hence, it would be worthwhile to effectively tackle

some of the key challenges the current federal system encountered. In short, what is needed to overcome the current ailment of ethnic federalism in Ethiopia is neither the reinstitution of the old unitary structure nor curtailing the prospect for the development of a genuine system of self-administration at local and regional levels. Any reform effort towards federalism in Ethiopia should therefore address the most serious challenges that have so far handicapped the system from providing a democratic basis for the Ethiopian State.

11.6.1 Ethnic and overarching civic citizenship

> In all nation-states, citizens disagree in their vision of national integration. Some prioritize assimilation into the ethnic core; others seek ethnically blind equal citizenship, and others seek the just accommodation of ethnic group rights. Political stability and national integration are enhanced so long as states elites employ the symbolism, rhetoric and policies of nation-states, to interweave these divergent ideas so that the diverse ethnocultural, civic and multicultural interpretations can be employed ambiguously in the course of deliberate debate, rather than become definationally counterpoised to each other in form of contending self-interested claims (Brown 2007: 74).

As has been discussed in chapter 2, reconstruction of the Ethiopian State into an ethnic federation took place in a top down fashion. There was no meaningful bargaining between the different political forces, particularly between those who opposed ethnicity as a way of reconstituting the country and the ethno-nationalist forces under the EPRDF, which adopted an uncompromising position regarding the question of ethnic self-determination. Hence, Ethiopian politics does not interweave contending ideas on the conception of Ethiopian statehood. For instance, ethnic federalism does not give room to ethos of national unity. Moreover, sole reliance on ethnicity as an instrument of state organisation adversely affected the presence of countrywide citizenship in several inter-related ways.

First, ethnic federalism has literally resulted in a bifurcation of citizenship between national, regional and ethnic. Hence, a given individual to enjoy full citizenship needs to be in his/her supposed ethnic homeland. As mentioned by Samuel Egu (2003: 37) in the

Nigerian context, when one goes out of his/her 'local government of "origin" where he/she can lay claims to, and authenticate his/her "indigeneity," his/her citizenship rights would be limited.' This has a more serious implication in the Ethiopian case as the constitution adopted a primordial approach in defining ethnicity and both the federal and the regional governments seek to restrict the political role of the non-titular groups in the ethnically defined regions. The federal electoral law, for example, prohibits those who do not speak local languages of the ethnic regions from running for office. The accentuation of citizenship differences between the titular and the non-titular groups tends to make relationships between the two groups insecure and conflicts that emerge between them protracted. Hence, it is incumbent to find ways to help overcome the bifurcation of citizenship. An important lesson in this regard may be drawn from what Stephan Wolff (2005) regarded as 'regional consociationalism' that ensures democratic power sharing at regional and local levels.

Second, Ethiopian federalism has so far failed to project an overarching countrywide civic citizenship. As noted by Simeon and Conway (2001: 362), federalism to develop as a credible instrument of conflict management, should complement 'societal and institutional processes that promote overarching identities and values for the whole society that parallel the identities and values of specific ethnic groups.' In the present Ethiopian context, as the narrative of ethnic otherness has been sanctioned by the state, the diversity of the country and the difficult inter-ethnic relations that prevailed in the past are given disproportionate attention by government officials and state controlled media. However, federalism is going to develop as a system that helps the stability of the country, it is important to devise ways in which 'citizens view themselves for some purpose a single people' (Kymlicka 1995: 13). Furthermore, because of the lack of democratic contestation for power and the continuity of policies and practices of hegemonic control by the political centre, it is difficult to talk about countrywide citizenship in a sense of 'full political and civil rights attributed to the individual as a member of a state' (Egwu 2003: 40). Therefore, the building of an overarching Ethiopian citizenship is essentially a question of democratising state society relationships and entrenching and implementing the same human and democratic rights applicable to every individual wherever he/she is within the country (Magnette 2005: 140).

11.6.2 Secession and territorial adjustment

As discussed in chapter 3, the framers of the constitution advocated for the recognition of the right of secession for two reasons. First, secession was purported to have a stabilising impact on the federation by guaranteeing autonomy of the ethnic regions. Second, it has been considered as a key element in the democratic rights of the country's ethnic groups. Interestingly, Will Kymlicka who is one of the leading thinkers on the subject of minority rights from the perspective of liberalism concurs with these ideas. He in this respect suggested that under a democratic system (e.g. Canada) federations could not prevent secessionist forces from coming to power through democratic elections and pressing for the separation of their provinces using democratic institutions and procedures. After having said this, he underscored that federalism works best to inhibit secession when secessionist political mobilisation has space within the legal and political framework of the federation (2004a: 163).

In the Ethiopian case, there is a wide gulf between what has been posited above about the salutary effects of constitutionalising secession and the actual practice. Overall, the question of secession in Ethiopia remains polarising and divisive having both supporters and detractors. While the argument about the democratic nature of secession sounds agreeable, one should be extremely doubtful about its contribution to peace and stability in many multi-ethnic countries in Africa. In fact, as discussed in chapter 4, in Ethiopia ethnic relations remain securitised and there is no firm cross-ethnic commitment for liberal human rights (Kymlicka 2006: 50). Secession under these circumstances will undoubtedly lead to violent conflicts, mass expulsions of individuals and communities who find themselves on the 'wrong' sides of the new boundaries. Unfortunately, some of these conflicts transpired after Eritrea's secession from Ethiopia. As a result, secession may not be counted as a useful instrument of peacemaking in the Ethiopian context. It seems, therefore, necessary to remove the secession provision from the constitution.

Next to secession, it is necessary to find solutions to some of the adverse implications of using ethnicity as the basic instrument for the territorial organisation of the ethnic federation. These refer to the ethnicisation of territory, huge asymmetries between the ethnic regions and intra-federal boundary disputes. In this respect, reforming the huge

imbalance that prevails among the regions in terms of territory and population size is important.

As shown from the experiences of other federations, bigger units 'tend to become more powerful, and are more likely to become the constituencies of territorial conflict' (Amoretti 2004: 10). That is why federations divide their dominant ethnic groups into several competing regions. The Ethiopian situation appears to warrant the resizing of the constituent members. As Christopher Clapham suggested (discussed in chapter 4), if the overarching control of the EPRDF over both the regions and the federal government is lifted, politics in Ethiopia will be bipolar between the two big ethnic regions, Amhara and Oromia (2006: 233). In other words, the federation could become the hostage of either the partnership or animosity of the two big regions. Such a fear may even discourage the TPLF dominated EPRDF from allowing reasonably free and fair elections, which could lead to the control of these regions by its political rivals. Hence, dividing the territorially and demographically bigger regions like Oromia, Amhara and Somali into several regions could help ensure the stability of the federation by reducing ethno-nationalism and encouraging inter-regional electoral coalitions.

In addition to addressing the asymmetry between the regions, it would be useful to tackle the problem of intractable territorial (boundary) conflicts between some of the neighbouring ethnic regions. The government sought to resolve boundary conflicts by following a policy of matching ethnic and politico-administrative boundaries. This process engendered new violent conflicts and transformed old resource conflicts into boundary conflicts. In other words, the process of intra-federal boundary making instead of reducing conflicts contributed to their intractability because of the following reasons.

To begin, the policy of matching ethnic and politico-administrative boundaries puts a strain on communities that do have overlapping ethnic identities. As discussed in chapter 8, the top down boundary making between the Oromia and the Somali regions set in motion a process of renegotiating ethnic identity and violent conflict mars this process. Moreover, intra-federal boundary making caused conflicts in areas where there are mixed ethnic settlements. For instance, as discussed in chapter 9, the attempt to create a boundary between Benishangul-Gumuz and the Oromia regions adversely affected the relationship between Oromo and Gumuz farmers who lived peacefully in ethnically mixed villages for

several decades. Finally, ethnic entrepreneurs may seek to use intra-federal boundary making as a way of advancing the 'interests' of their ethnic groups at the expense of their neighbours. As discussed, in the case of the Afar-Issa conflict, both groups have contradictory notions of territorial ownership and seek to use the new intra-federal boundary making exercise for different purposes. The Issa seek to use intra-federal boundary making as a way of legalising their control over traditional Afar territories they managed to control through their expansion. The Afar, in contrast, want to use the same process to redeem lost territories.

The preceding problems suggest the importance of taking some measures in order to forestall the growing problem of intra-federal boundary conflicts. First, avoid the emphasis on matching ethnic and politico-administrative boundaries. This means, instead of considering the intra-federal boundary making process something permanent, it is necessary to make the boundaries contingent upon the territories that the regions effectively administer. It may not be necessary to entertain demands for territorial changes. Such a position should assist to forestall endless claims and counterclaims over territory. Second, the use of federally administered territories (like Dire Dawa) may help to create buffer zones between such ethnic groups as the Afar and the Issa who have a long history of protracted territorial conflicts. Such an approach could also defuse conflicts in such localities like Moyale town, which remained dysfunctional for more than a decade with the competing and dual administrations of the Oromia and Somali regions. Third, it is necessary to find ways to end armed territorial expansion, which particularly prevails between neighbouring pastoral groups like the Afar and the Issa by following a set of policies, which include better policing and tackling the economic and political incentives that induce territorial expansion.

11.6.3 The opening up of political space: could power sharing help?

Every federal system requires a democratic political framework to operate genuinely. The Ethiopian federal system has so far operated under an authoritarian system. Hence, the opening up of the political system and implementation of promises of multiparty democracy, freedom of speech, association and others are critical, if the ethnic

federal system is going to emerge as a sustainable instrument of pacifying conflicts.

In considering the opening of the political space for democratic competition, it would be worthwhile to pay attention to what Brendan O'Leary (2001) suggested about the adverse impact of the lack of a dominant ethnic group – a *staatsvolk* on the stability of multiethnic federations (discussed in chapter 2). Accordingly, he suggested the presence of a *staatsvolk* would positively contribute to federal stability. Its absence, in contrast, could endanger the survival of multiethnic federation. After having said this, O'Leary underlined those multi-ethnic federations without a *staatsvolk* should adopt elements of democratic power sharing. He specifically suggested that such multi-ethnic federations as Ethiopia and Nigeria, which do not have a *staatsvolk* may face instability and perhaps existential threat, if they continue to run on a majoritarian (winner takes all) system of elections (Ibid). This is because winner-takes all system of elections tends to bring the elite of a single or few ethnic groups to power to the exclusion of other contenders.

If one takes this observation seriously, the Ethiopian situation is troubling. The TPLF dominated EPRDF neither entertains power sharing nor allows a genuine functioning of a majoritarian electoral system. This is despite the fact that the constitution recognises a majoritarian parliamentary system in which a single or a coalition of parties that control the largest number of seats at the lower house of parliament through democratic elections forms/form the federal executive. What emerged in practice is, however, a *de facto* one party rule in which there is little boundary between the state and the ruling party. As a result, the EPRDF as the vanguard party not only 'provides the arena in which various interests struggle for dominance, [but also] writes the rule book, polices the field, decides the winners, or even changes the game in the middle of the play' (Griffin 2001: 289).

Adopting some elements of power sharing, in addition to relaxing the constrained political atmosphere, could help bring peaceful and democratic contestation for power. Moreover, such a reform could help breach the long running standoff among the competing ethnic elites of the country about the definition of the Ethiopian State and its future direction. In short, considering some of the elements of democratic power sharing such as, a broadly representative executive, a shift from the present electoral system of winner takes all to proportional representation or mixed electoral system that combines both first past

the post and proportionality, could help bring much needed democratic content into federalism in Ethiopia.