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JOURNAL OF DEVELOPING SOCIETIES
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**Special Issue: Ethiopia: Beyond Ethnic Federalism and
the Statehood Solution**
Guest Editors: Abebe Zegeye and Brightman Gebremichael Ganta

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Preface to Special Issue on Ethiopia: Beyond Ethnic Federalism and the Statehood Solution

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ABSTRACT

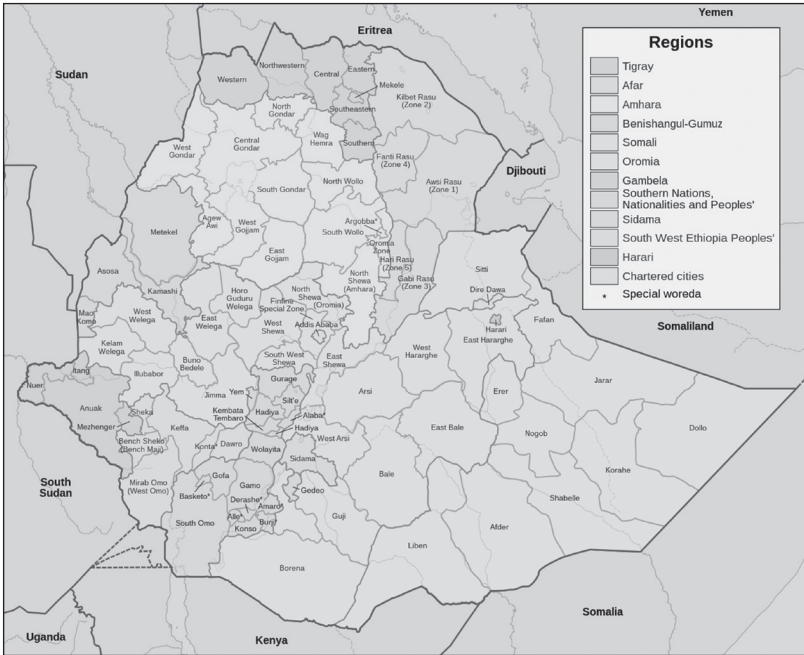
This preface provides a brief introduction to this special issue on contemporary Ethiopia. It highlights the role played by land, ethnicity, federalism, and political ideology in the constitutional development and politics of Ethiopia. The Ethiopian state with its ethnic federation of different ethno-linguistic regions is contextualized. The preface concludes by proposing the thesis that the current constitution of Ethiopia does not contribute to the continuation of Ethiopia as an integrated nation-state; rather it contributes to a loose collection of semi-autonomous warring ethnic regions.

Introduction

Ethiopia, which is officially the Federal Democratic Republic of Ethiopia, is a landlocked country in the Horn of Africa. It shares its borders with six states (see Figure 1): Eritrea in the north, Djibouti in the northeast, Somalia (and Somaliland) in the east and south-east, Kenya in the south, South Sudan in the west, and Sudan in the northwest. As of 2022, the population of Ethiopia is 113.5 million (Wikipedia, 2022), which makes it the 12th most populous country in the world, the second most populous state in Africa after Nigeria, and home to more than 80 ethnic groups (Wikipedia, 2022).

Ethiopia is a federation. As of 2022, it has 11 regional states and two chartered cities (the capital Addis Ababa and the city of Dire Dawa; Ethiopia, 2022). The regional states are based more on ethnicity and language than on physical geography or history. They vary greatly in size and population (see Figure 2); for example, the Harari Regional State has a smaller area and population than either of the two chartered cities. The country's regional boundaries continue to be redrawn. In 2021, a new region, the South West Ethiopia Peoples' Region, was created from the Southern Nations, Nationalities, and Peoples' Region (SNNPR).

Figure 1.
Administrative Map of Ethiopia with Border Countries.



Source: https://en.wikipedia.org/wiki/File:Map_of_zones_of_Ethiopia.svg

Over the last century, Ethiopia has been in political crises almost continuously and has not had a peaceful transfer of power from one regime to another. Notably, its political history and the state-building process before 1974 are broadly disputed, and this has contributed to the country’s contemporary political tensions. The annexation and integration of different parts of the country by the central government during the reign of Emperor Menelik II (1889–1913) are praised by the centralists (*Ethiopianists*) as heroic and patriotic acts that contributed to the unification and development of Ethiopia and its inhabitants. On the other hand, the country’s ethno-nationalists regard this history as a period of aggression and repression that undermined the self-rule, economic self-sufficiency, identity, and status of Ethiopia’s different ethnic groups.

Informed by the later line of thought, the 1960s political protests and student movements under the theme of land reform and nationality/identity questions brought an end to the imperial regime and the overthrow of the last emperor, Emperor Haile Selassie, in 1974. The socialist

Map 2.
Regions and Chartered Cities of Ethiopia.



Source: https://www.wikiwand.com/en/Subdivisions_of_Ethiopia

military regime (commonly called the *Derg*), that assumed power in 1974 introduced a fundamental land reform program that was based on egalitarianism and recognized the country's ethnic and cultural diversity. But it failed to address the land and identity/nationality questions sufficiently, so the *Derg* regime forthwith faced opposition and an insurgent struggle that led to its overthrow through a military coup d'état, which was led by the Tigray People's Liberation Front (TPLF) and its allies in 1991.

The TPLF-dominated Ethiopian People's Revolutionary Democratic Front (EPRDF) brought together four main political parties representing the Tigray, Amhara, Oromia, and the Southern Nation, Nationalities, and Peoples (SNNPR) regional states, which ruled the country until 2018 under the ethnic federalism arrangement introduced in the 1995 Constitution. In 2019, the EPRDF, without the TPLF, formed a new national ruling party called the Prosperity Party.

The 1995 Federal Democratic Republic of Ethiopia Constitution

In the political history of Ethiopia as a modern state, the politics of land and the politics of identity have taken center stage. The ethno-cultural

and religious diversity of the country have been the basis for political identity and for political mobilization. Land is used as a political, social, and cultural asset beyond its economic importance. These conditions are expressly reflected in the 1995 Federal Democratic Republic of Ethiopia Constitution (FDRE Constitution).

There are very divergent and antagonistic views about the design and assumptions on which this constitution is based. They have given rise to extremely polarized positions about the need for and requirements of constitutional reform and the resolution of the ongoing political crisis in Ethiopia.

The proponents of the constitution remaining as is claim the constitution was designed on the basis of an accommodationist perspective, which is reflected in both the regulative and constitutive functions of the constitution. In this regard, the FDRE Constitution does the following:

- Establishes a federal system of government,
- Establishes and allocates power between the legislative, executive, and judiciary organs of both the federal and regional state levels of government,
- Sets out the rules of procedure by which these institutions are supposed to make decisions; and
- Defines the relations between these institutions.

Besides this, one-third of the FDRE Constitution is dedicated to human and democratic rights. It sets substantive limits on political decision-making and requires special majority votes for decisions on fundamental matters such as the declaration of a state of emergency and the amendment of the constitution

The supporters of the constitution praise it for the incorporation of the country's ethnic and religious diversity in its constitutive functions. It "constitutionalizes" as the "subjects" of the state the country's various "nations, nationalities and peoples." They contend it does this by the following:

- Fostering the development of a "common political identity and economic community" that are necessary for the constitutional regime to work;
- Creating institutional spaces for shared decision-making in the central/federal government;
- Establishing a second house—the House of Federation—for constitutional interpretation where each ethnocultural group is represented; and

- Establishing the constitutional basis by which the regional states are established mainly along ethnocultural lines.

Consequently, those who hold these views argue that the constitution does not need any fundamental reform but only minor surgery using the formal constitutional amendment mechanisms incorporated in the constitution itself.

In the opposing position are those who argue that the FDRE Constitution undermines the unity of Ethiopia. The proponents of this line of thought, commonly known as *Ethiopianists*, argue that the FDRE Constitution is designed in a way that threatens the territorial unity of Ethiopia and the peaceful co-existence of the different ethnic and religious groups within the country. Their justification is based on the following aspects of the constitution:

- The popular sovereignty it assigns to these groups, including the right of secession,
- The nature of the federal system that has been created by the constitution,
- The way it defines the self-determination rights of ethnic groups, and
- The exclusion of certain groups from participation in political decision making.

Consequently, they claim that there is a need for fundamental constitutional reform through an extraordinary constitutional amendment process. They contend that the existing constitutional amendment mechanism is problematic and blocks the road to making meaningful constitutional reforms.

The ethnic federalism and statehood solution it created, rather than addressing the presumed political problems of the past, has initiated a new animosity among different ethnic groups, and intensified ethnic-based violence and communal conflicts. It also provided for an elite from the minority Tigre ethnic group to dominate the central government and politics under a “divide-and-rule” strategy for almost three decades.

Consequently, the contributions in this special issue analyze how the ethnic federalism and statehood solution are wrong solutions for the political problems of Ethiopia, and how the ideology it was informed by does not fit with the reality of Ethiopian society.

Contributory Articles

Adeno Addis examines the provisions of the FDRE Constitution, which he contends have provided the foundation for fragmenting the “people of Ethiopia” into many “peoples” along ethnic and religious lines. The implications of this approach are that people of different ethnic groups do at times see one another as strangers and even as mortal threats rather than as co-participants in a common national political, economic, and social project.

He argues that the FDRE Constitution is designed on a dissociation model, which has created a “suicide pact” that will lead to the disintegration of the Ethiopian state. Consequently, he argues for the re-imagining of the constitutional order based on integrative processes of association that honor the country’s diversity but forge a strong and durable Ethiopian national identity.

Sibuh Gebeyaw Tareke analyses the mismatch between the 1995 Constitution’s promises of democratic multicultural federalism and the installation of socialist ethnic federalism in Ethiopia. He challenges the institutionalization of ethnic identity as an organizing principle of the state. He also attributes the lack of legitimacy, the prevalence of political instability, ethnic antagonism and violence, and the ethnic-based displacement to the implementation of socialist ethnic federalism. To address these problems, he argues for the de-politicization of ethnicity and a shift to a consociational democratic federal system.

Brightman Gebremichael explains and shows how the interlinkage of “ethnic federalism” and land rights in the FDRE Constitution has produced a dynamic of political tensions and power conflicts between the federal and regional state governments. He argues that the constitution has created the following:

- Political tensions in the form of “territorial claims” between the states.
- Ethnic-based evictions of landholders on the basis of “settler versus indigenous” divisions; and
- Opposition to national development programs that diminish the administrative territory of one’s regional state.

Finally, Abebe Zegeye’s editorial essay focuses on the revolutionary democracy ideology adopted by the post-1991 ruling party, the Ethiopian People’s Revolutionary Democratic Front (EPRDF), and how it has affected the design of the constitution, the federal system, land policy, and poverty eradication. He argues that since the EPRDF has now situated itself in the capitalist

camp, this ideology, which was suited to establishing a socialist system, needs to be replaced by a new more relevant ideology, which he outlines.

List of Acronyms

TPLF	Tigray People's Liberation Front
EPRDF	Ethiopian People's Revolutionary Democratic Front
FDRE	Federal Democratic Republic of Ethiopia
SNNPR	Southern Nations, Nationalities and Peoples Region
PP	Prosperity Party
ANDM	Amhara National Democratic Movement
OPDO	Oromo People's Democratic Organization
SEPDF	Southern Ethiopia Peoples' Democratic Front
ONLF	Ogaden National Liberation Front
OLF	Oromo Liberation Front
NNPs	Nations, Nationalities and Peoples
HPR	House of Peoples' Representatives

REFERENCE

Ethiopia. (2022, October). In <https://en.wikipedia.org/wiki/Ethiopia>

Abebe Zegeye holds a DPhil from the University of Oxford and a Bachelor of Arts in economics, philosophy, and sociology from Haverford College. He has previously taught at Yale University, University of California at Santa Barbara, University of South Africa, and CODESRIA (Senegal). Since 2014, he has been based in Ethiopia as Vice President of Wollo University, Director of Global Engagement and Institutional Transformation at Woldia University, and Director of Higher Education, Ministry of Science and Higher Education, Government of Ethiopia. At present, he is co-director of *Cradle: Center for Research and Development in Learning*. [Email: abebeyeshizegeye@gmail.com]

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Federalism and Land Rights in the Context of Post-1991 Ethiopia

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ABSTRACT

The land rights question has always been at the center of the political–economic history of Ethiopia as a modern state. It serves as a means of political control and/or a cause for/of political struggle. The adoption of “ethnic-based” federalism in post-1991 Ethiopia further introduces the federal state power competition over land matters and contributes a distinct and divergent way of perceiving the relationship between the state and people’s ownership of land as adopted in the 1995 federal Constitution. The Constitution establishes the Central government as a unifying force to create a single politico-economic community and federating states on an ethnic basis to ensure self-rule and accommodate diversities. Accordingly, the Constitution provides the Central government with the power to determine land utilization and protection while empowering the states to administer the same. However, the reality is that this constitutional foundation is ignored at every level of government. A general misunderstanding of the nature of land ownership and the division of power between the various levels of government contribute to bypassing the Constitution requirements. This has, in effect, contributed to the eviction of individuals and communities from another sister state by claiming that “land belongs to the state and people of the regional state,” thus resulting in the tension and conflict between federal and state governments.

Keywords: Land federalism, land rights, land ownership, Ethiopia

Introduction

The rural majority of Ethiopia plays a critical role in defining the economic, political, and social development of the nation-state, particularly in the context of securing land rights for agrarian sections of the society and their future generations (Cotula et al., 2006; Deininger, 2003, p. xx).

The secure access to land rights also defines the social status of a person in their respective communities.

The historical experience of Ethiopia shows that land ownership is a source of pride and self-esteem and social acceptance (Jemma, 2004, p. 3). It enables rural communities to manifest and express their cultural values as it defines their way of life (Committee on Economic, Social and Cultural Rights, 2009, para.15(c)). Finally, by ensuring their economic freedom, it builds capacity for them to participate in local and national political matters and allows their voices to be heard in local decision-making processes (Deininger, 2003, p. xxi).

Besides enabling the state to collect the income necessary for the running of the state machinery and rural infrastructural development (FAO, 2002; Lindholm, 1965; Skinner, 1991), it can be ironically used as a political weapon to control the society and gain legitimacy (Adal, 2002, p. 27; Crewett & Korf, 2008, p. 207; Woldemariam, 1999). It can serve as an instrument to suppress and control sections of the society who rebel against the state by denying access to land or the fruits of their labor in the form of tax, tributes, or contributions toward development programs. By securing access, the state can also use the land as an instrument to gain popular support, political loyalty, and legitimacy in the society.

In post-1991 Ethiopia, land ownership coupled with the structures adopted by the state have further amplified it as a cause for political grievances and ongoing tensions. The adoption of a federal form of government that sets out ethnicity as the predominant standard in defining federal states (FDRE Constitution, 1995, Articles 46 and 47) and the definition of the ownership of land and other natural resources ambiguously between “people and state” (FDRE Constitution, 1995, Article 40(3)) have contributed to the current political instability and crisis since the promulgation of the FDRE Constitution.

To cite an example, there were officially forced evictions and displacement of peasants originally from Amhara who had lived and cultivated land in the Southern Nations, Nationalities, and Peoples’ and Benishangul-Gumuz states as part of the Addis Ababa Integrated Master Plan in Oromia state (Abbink, 2013; Ambaye, 2015, p. 69; Ethiopia Observatory, 2013). In addition, territorial claims arose between Oromia and the Somali states, and Amhara and the Tigray states (Abbink, 2011; Gardner, 2017). These factors are directly related to the confusion surrounding the FDRE Constitution in governing the linkages between the federal system and the nature of land ownership the country adopts.

Consequently, in this paper, I highlight how the nature of land ownership and the federal system Ethiopia has adopted post 1991 has contributed to the intensification of political crises and instabilities in the country. I also explain how the FDRE Constitution's stipulation must be understood and interpreted to overcome the dangers arising from the relationship between the system of government and the nature of land ownership.

Land Rights and Political Movements in the Context of Pre-1991 Ethiopia

The pre-1991 Ethiopian political–economic regime can be systematically examined and categorized into two periods for analysis purposes, assessing the quest for land rights in the political movements. These are the pre-1974 imperial feudalist and the post-1974 Derg socialist regimes. Common to the two political regimes is the land rights issue and its connection with ethnicity and personhood. This is inferred from, for instance, an adage common in pre-1974 period, which states “to be landless is to be subhuman” (Dunning, 1971, p. 271). The assertion “[a] person's right, honour, status and standard of living is determined by his relation to the land...”,¹ used to justify the Derg regime's land reform, is another reason to establish central control of land rights in determining personality in the pre-1991 Ethiopia.

As a result of its centrality, earlier political regimes used land as a political asset and weapon to gain political control. The different political regimes of the country have adopted different approach to weaponize land as political asset. During the pre-1974 imperial–feudalist regime of Ethiopia, rural land was entirely owned by the king as a fruit of military conquest, and the captured lands were distributed to the favorites and supporters of the king (Tareke, 1991, pp. 55–85; Tibebu, 1995, pp. 71–84).

However, the land rights of ordinary agrarian societies vary from area to area, with the largest differences between the then north and south.

The North

In the north, where the *rist* land tenure system was prevalent, agrarian societies secured access to land by fundamentally relying on establishing the bloodline with the founding father of the land rights, thereafter discharging the obligations attached to the land rights (Hoben, 1973, p. 7; Tiruneh, 1993, pp. 7–15).

In the *rist* system—a form of corporate landholding system based on genealogy that granted usufruct rights to claim land from one’s ancestors who had originally held the land—a person must establish the blood ties to the “founding fathers” (Crummey, 2000, pp. 9–10).

Moreover, to have secured access to land, a person must also be a member of the Ethiopian Orthodox Christian religion (Kebede, 2002, p. 128) and be able to execute the obligations attached thereof. The obligations included a payment of tributes of about one-fifth of the products and one-tenth as a tithe. These obligations, together with the provision of compulsory labor services that took one-third of the landowner’s time, were the basic obligations to maintain access to the land (Zewde, 1991, pp. 14–15). Failure to discharge these obligations would entail the denial of land rights.

The South

In the south, the part of Ethiopia integrated to the Central government under the reign of Emperor Menelik II (Marcus, 1994, p. 104), the emperor’s forces crushed any attempt at resistance and confiscated all the lands of the resisters. In places where the native chiefs peacefully submitted and accepted the dominance of the Ethiopian empire, the people could keep their lands intact. All the confiscated land was distributed to the Ethiopian Orthodox Church to the emperor’s soldiers as a reward for their service in the annexation process, to local chiefs to maintain their support, and to the state itself (Ambaye, 2015, pp. 44–45). Moreover, to create effective control over newly conquered territories, northern people were encouraged to settle in the south (Crummey, 2000, p. 223).

As a result, the entire native population, which formerly cultivated land on a community and clan base, were left landless *gabbars* (Dunning, 1971, p. 298), and they became servants and tenants to the northern people up until the 1974 Ethiopian Revolution (Jemma, 2004, p. 4). Then the access to land for locals was contingent on landlord–tenant agreements, characterized by great inequality (Ganta, 2018, p. 70ff). For the local populations, the land tenure system became tenancy, and their status reduced from peasants to tenants and servants to the northern absentee landlords (Ganta, 2018).

All in all, the denial of access to land and the fruit of labor and confiscation of one’s product in the form of tributes, tithes, and forced labor, in the imperial–feudalist regime of Ethiopia, had forced the agrarian

society to rebel against the state. Particularly, the Tigray, Gojjam, and Bale peasants' rebellions, the 1960 aborted coup d'état instigated by the absence of agrarian reform among other complaints, and from the 1960s onwards, student protests under the slogan of "Land to Tiller" were the consequence of the state using access to land as a political asset to support its political legitimacy and suppress society (Tareke, 1991).

In general, it can be concluded that in the imperial–feudalist regime, land rights were used both as a means of political control and as a cause for political struggle.

The absence of a fundamental land tenure reform to secure access to rural land and provide security of land tenure to the agrarian society in the imperial–feudalist regime had forced political change, calling for a fundamental reform. The discontent arose from the frustration caused by the prevalence of a dramatic inequality in land distribution and exploitation by a few (Adejumobi, 2007, pp. 117–120). Accordingly, in 1974, the military junta and socialist Derg regime had overthrown the last emperor of the imperial–feudalist regime, Emperor Haile Selassie I, in a creeping coup d'état. Following its assumption of power, the socialist Derg regime fundamentally altered the overall policy direction of the country based on a radical communist ideology, including the access to land and the land tenure system (Brietzke, 1981).

The 1975 reform of rural land rights correctly analyzed the defects of the past political regime and aimed at redressing those defects. Basically, it provided threefold justifications related to access and secure land tenure that the previous regime failed to achieve:

1. By appreciating the role of access to and security of land tenure in the overall well-being of agrarian society, it perceived that the past regime had denied mass ordinary agrarian society access to land and security of land tenure.²
2. It regarded that the past system of access to land and land tenure system was unjust and created exploitative feudal agrarian relations wherein the masses were exploited by a few.³
3. It recognized that agricultural productivity can be enhanced when security of land tenure is granted and a person owns the fruits of their labor, toil, and sweat.⁴

Therefore, this reform intended to address the historical denial of access to and security of land tenure and the injustices committed around the

fruits of labor of the agrarian society by securing access to land for all needy on the basis of the egalitarian principle and “[making] the tiller the owner of the fruits of his labour....”⁵

Based on these justifications, the Derg regime nationalized all land and introduced public ownership by which landholders have possessory rights.⁶ Although the Derg regime was, to some extent, successful in ensuring access to land for all needy people as it guaranteed free access to land,⁷ the regime was not free from the same criticisms it levelled at the previous regime and used to justify reforms on access to rural land. Primarily, by making the access to land contingent upon the membership of peasant associations (PAs), it continued to use access to land to exercise political control over the bulk of an agrarian society. The PA was the lowest administrative unit under the state structure and formed in every village with over 800 hectares of land.⁸ To access rural land for a livelihood, a person was required to be a member of such an association.

The mandatory demand for PA membership to access rural land enabled the state to effectively control the agrarian society. Given that the association was part of the state structure and its intimacy to the local community, and the land administration power it enjoyed (deprivation, distribution, and redistribution of land, and adjudication of land disputes and so on,⁹ it paved the way for the state to have strong political control over the society.

Additionally, in the Derg regime state control of the agrarian society was used as a way of depriving people of economic freedom and substituting feudal landlordism with state landlordism (Rahmato, 1993, p. 40), even though on paper it promised to guarantee the agrarian society as the owner and beneficiary of the fruits of its labor,¹⁰ but in practical terms, it denied the same. The peasants were forced into hastily organized producer cooperatives, thereby losing their individual rights to land and freedom of labor (Rahmato, 2009, pp. 43–44). Further, due to forced membership of a producer cooperative to be able to supply grain to these cooperatives, they were not the primary beneficiaries of what they produced. Rather, the requirement to submit a fixed quota of their agricultural products to the state marketing cooperation, which paid the fixed official rates, limited the peasants’ right to use and transfer the fruits of their labor in a manner they thought was fit (Pausewang, 1992, p. 26).

Finally, they were rigorously required to provide financial contributions for different activities carried out by the local government besides land tax (Rahmato, 2009). Therefore, with new strategies, the Derg regime

continued to deprive the agrarian society from being the owners and beneficiaries of the fruits of their labor, denying their basic economic freedom. This, in turn, affected their political freedom in development as claimed by Amartya Sen (1999).

Coupled with other factors, the failure of the Derg regime to achieve what it promised and had criticized the previous regime for, and their continued use of land as a political weapon for political control and depriving the access to land or the fruits of the labor, had “[escalated] anti-government insurgency in the countryside” (Rahmato, 1993, p. 49). Because of this, after a protracted struggle, the regime was overthrown in 1991 by then Ethiopian Peoples’ Revolutionary Democratic Front (EPRDF).

Federalism and Land Rights in Post-1991 Ethiopia

Besides the land question discussed above, the question of identity/ethnicity was one of the fundamental questions the post-1991 regime had fought for against the Derg regime (Abebe, 2014). In the aftermath of assuming political power and in the making of the 1995 FDRE Constitution, the post-1991 regime made fundamental changes in order to address the ethnic question. They began by recognizing the self-determination rights of ethnic groups (FDRE Constitution, 1995, Article 39) and restructuring the state structure under predominantly ethnic-based federal arrangements (FDRE Constitution, 1995, Articles 46 and 47).

With respect to land rights, one of the changes made was the introduction of “state and people’s ownership” (FDRE Constitution, 1995, Article 40(3)) and apportionment of state power over land between the federal government and the federating states (FDRE Constitution, 1995, Articles 51(5) and 52(2d)). Although the federal system and the land rights in the post-1991 Ethiopia have been closely studied, there have been few, if any, attempts to analyze and synthesize the interplay of the two concepts (Lavers, 2018). Further, an attempt is made to establish the relationship between them, the associated problems, and the constitutional way forward.

The Interlink and Assumed Problems

Unlike previous political regimes, the interplay between land rights and political issues is not limited to government and society relations

in post-1991 Ethiopia. With the introduction of a federal system of government, which is territorial by its nature, it also raises tensions between the federal government and individual states, and between states. Thus, to curtail the tradition of using land rights as a political weapon and to limit a possible power conflict between the federal government and among the federating states, the FDRE Constitution provides basic principles with respect to land rights and land federalism.

However, before delving into the analysis of the constitutional principles, it is important to see how the nature of federal systems and land rights in post-1991 Ethiopia interplay with each other. Fundamentally, the interplay between the two comes into play with respect to the self-determination rights of federalism and land ownership aspect of land rights. In both cases, the holders of those rights are “Nations, Nationalities and Peoples” (NNPs; FDRE Constitution, 1995, Articles 39 and 40), and the self-determination right by itself is territorial as it demands at least an administrative division to be effective.

One of the basic foundations of a federal system is the internal self-determination rights of the federating states (Watts, 1996; Wheare, 1964). The right to self-determination is a collective right that is vested in the people. The right belongs to the people or a specific type of human community “sharing a common desire” to form an “independently functioning structure” to determine their own destiny (Espiehl, 1980, p. 9). By virtue of this right, people can determine their legal, economic, political, and social goals having their own administrative division (United Nations, 1992, Article 1). This correlates with the need to accommodate diversities and without compromising the territorial integrity of the country (Demissie, 1996–1997).

On this basis, the FDRE Constitution establishes two categories of beneficiaries of this right: the normal and the privileged. Thus, on the one hand, the ethnic groups enumerated as the nine states are privileged in the sense that they are constitutionally recognized as member states of the federation (FDRE Constitution, 1995, Article 47(1)). On the other hand, the Constitution provides procedures for other NNPs to organize into a new state under certain circumstances (FDRE Constitution, 1995, Articles 47(2) and 39(4)).

In addition, the same Constitution defines the ownership of land under the “state and Nations, Nationalities and peoples of Ethiopia” ownership (FDRE Constitution, 1995, Article 40(3)). Quite apart from the discourse on the properness and policy choice on form of land ownership,

the status quo land ownership is open for different interpretations of understanding leading to misconceptions. The academic understands it in three alternative ways: public, state, and joint ownership (Ganta, 2018, pp. 136–143). At a theoretical level, these conceptions have their own implications particularly about the power of government. Furthermore, whether the concept of “state” and “NNPs” in the ownership of land refers to the same subject as the case in self-determination rights is also not uniformly understood in the federal and state Constitutions (Afar State Constitution, Article 38(3); Amhara State Constitution, Article 40(3); Benishangul-Gumuz State Constitution, Article 40(3); FDRE Constitution, 1995, Article 40(3); Gambella State Constitution, Article 40(3); Oromia State Constitution, Article 40(3); SNNP State Constitution, Article 40(3); Somali State Constitution, Article 40(3); Tigray State Constitution, Article 40(3)).

The concept of “state” and “NNPs” can be understood in two ways. One way is a nation-wide concept referring to the nation-state and entire NNPs of the country. The other way is to imply in a localized way the “regional state” and NNPs exist within a particular state. Each way of understanding has its own implications for currently prevailing political tensions in relation to “territorial” claims of regional states and eviction of landholders as the author discusses later.

Furthermore, the nature of the federal and regional states’ power over land and the mutual respect of each other’s power also play a key role in keeping the federation alive. As mentioned above, one of the basic features of a federal system is to guarantee internal self-determination rights to federating states so that they determine their legal, economic, political, and social goals without compromising the territorial integrity of a nation. This happens when the federal constitution assigns powers of a nationwide nature and importance which requires uniformity throughout the country. However, the federal government’s powers and functions may need to vary and differ from place to place within the country and need to be accommodated by the federating states.

To reiterate, there must be a mutual respect clause which imposes a duty on both levels of government to not interfere with each other’s powers. Otherwise, it impairs the federal system and raises tensions between the two levels of government. Thus, it is imperative to examine how the FDRE Constitution addresses the above two problems in reference to the interplay between internal self-determination and land rights.

Constitutional Principles: Addressing the Problems

In relation to land rights and internal self-determination rights, the FDRE Constitution incorporates different principles to ensure the unity of the nation without compromising the self-rule of NNPs. These principles are concerned with the understanding of ownership of land; regulation of access to land and protection of land rights; governing internal self-determination; apportionment of power over land; and recognition of mutual respect.

To begin with, the FDRE Constitution defines land ownership in a nationwide perspective. It states that: “[t]he right to ownership of [land] ... is exclusively vested in the *State and in the people* of Ethiopia” (FDRE Constitution, 1995, Article 40(3)). The nationwide definition of the state and the people assumes that it can serve as a uniting factor, creating an image that a federating state or a particular NNP does not have exclusive sovereignty and ownership over the land in its administrative division. However, this conception is not upheld by almost all state constitutions as I discuss later.

Moreover, what is exactly meant by the state and people’s ownership of land is not uniformly understood in scholarship. It is understood in three different approaches to the relation between the community’s and individual’s land rights and the state power that results in different legal consequences:

- Some regard it as public or people’s ownership (Mekuria, 2009; Srur, 2014).
- Others regard it as state/government ownership (Abegaz, 2004; Crewett et al., 2008).
- The rest regard it as joint/common ownership of state and people (Ambaye, 2015; Damite, 2009).

In the literature, there is a tendency to consider public and state ownership as the same thing expressed simply as an alternative way of naming property ownership other than private and communal ownership (Alchian & Demsetz, 1973, p. 18).

For the author, the basic distinction between the two forms of ownership relies on the nature of the rights assigned to the state. In the case of state ownership, the state has both actual/ substantive property rights and a regulatory right over property, including land. It is not required to be guided by the people’s need and wish in dealing with

property. It can either exercise the actual property rights itself or assign the exercise to the community or individuals. In contrast, in the case of public ownership, the state has only the regulatory right over the property not an actual property right, and it uses the property for the best interest of the people. Here, actual property rights are exercised by individuals or the community, but they do not have ownership.

Both the “public ownership” and “state ownership” of land conceptions in Ethiopia assume that there is no distinction between people and state and that they are identical (Damite, 2009, p. 32). Both sides to the debate assume that the two concepts are identical and do not have any practical differences in their legal effect (Ambaye, 2015, pp. 34–35). In addition, those debating these terms have rightly perceived that private ownership of land is outlawed in the Constitution (FDRE Constitution, 1995, Article 40(3)). As a result, for those who call it “public ownership,” land is the property of the people of the country. The logical legal consequence of this concept is that the state as a “guardian” plays regulatory roles only, including allocation of land to people, registration, and defining the nature of property rights of individuals and communities (something less than ownership) and the limitation and restriction thereof in accordance with the Constitution (Yohannes, 2011).

An obvious legal problem with this concept is that it conflicts with the clear stipulation of the Constitution that ownership of land vests in “the state” and “the peoples.” Besides, it may entail the continuation of the Derg regime’s land ownership form of state control and power over peasants and pastoralists, as feared by the critics of the status quo. The Derg’s land ownership form was precisely public ownership.¹¹ This has led some critics to argue that the post-1991 regime has simply reaffirmed the form of the Derg regime’s land ownership (Adal, 2002, p. 22; Crewett et al., 2008, p. 1; Kebede, 2002, p. 129).

On the other hand, those who regard the land ownership adopted in the FDRE Constitution as “state ownership” in effect imply that the government is the exclusive owner—in short, a system that gives complete ownership of all land to the state. In this conception, the state, as owner of the land, either personally utilizes it or parcels it out to citizens through delegated rights of use. Unlike public ownership, in this case, the state has actual/substantive land rights and regulatory power and holds and owns land on its own behalf, not on behalf of the people. This gives the government a stronger hold and exercise of power over defining the land tenure system and people’s relation to land, in comparison with public ownership.

Additionally, this way of interpreting “state and people’s ownership” in the FDRE Constitution not only derogates from a clear stipulation but also devalues the stronger position given in the Constitution to the people in the ownership of land. When one goes through the provisions of the Constitution, there are stipulations that show an emphasis on people’s ownership. For instance, the second paragraph of Article 40(3) excludes the state from the ownership of land by providing that “[...] land is a common property of the Nations, Nationalities and Peoples of Ethiopia” (FDRE Constitution, 1995).

The same kind of exclusion of the state is also made in the provision that empowers the state to transfer land for investors. It states that “[w]ithout prejudice to the right of Ethiopian Nations, Nationalities, and Peoples to the ownership of land [...]” (FDRE Constitution, 1995, Article 40(6)). Hence, it can be implied that the Constitution is aimed at giving the peoples a better position than the state in relation to land ownership. In this light, the conception of the status quo as state ownership goes against the spirit of the Constitution.

The third understanding is a consideration of the “state and people’s ownership” as joint ownership. This approach assumes that the Constitution reflects an understanding of the people and the state as distinct entities, so that land is the joint property of these two entities (Damite, 2009, p. 32). On this basis, it is then argued that the people will have stronger rights to land than merely a simple use or lease rights—in effect, ownership rights (Yohannes, 2011).

However, the author argues that this is not the result of the nature of the land ownership itself. As argued below, it is because the Constitution makers provided so, as can be inferred from the different provisions of the Constitution. Moreover, views in this category fail specifically to imply the right of the state as an owner. It simply considers that the state has only a regulatory role in holding land on behalf of the people (Ambaye, 2015, p. 37). In this way, it simply equates joint ownership with the public ownership conception the author has discussed above, without indicating any legal difference. Thus, it makes the constitutional incorporation of the “state” in the land ownership conception senseless, just as the “public ownership” conception does.

Limited Right to Internal Self-Determination

As noted above, the right to internal self-determination is a collective right of people sharing a common desire to form a semi-independently

functioning structure through which they can design and realize their economic, social, political, and legal goals. It guarantees internal autonomy through which the people can institute organs for self-government and exercise self-government control over its resources. However, the extent of the freedom of the people to define their economic, social, political, and legal goals is determined by the national constitution. The national constitution's regulation of people's internal self-determination is with a view of realizing two objectives:

- By limiting the extent of people's freedom in exercise of internal self-determination, it aims at ensuring territorial integrity of the country. Otherwise, the unlimited exercise of internal self-determination (without ignoring the presence of external self-determination) amounts to the presence of an absolute sovereign state within another sovereign state.
- Protecting the rights from abridgement by the Central government— if it is not secured by the national constitution, the national government alone may intervene with the rights in a manner to restrict the autonomy of self-government.

Against this foundation, the federal Constitution of Ethiopia reveals that every NNP and federating state is guaranteed to have a limited internal self-determination right. The Constitution guarantees federating states/ NNPs with absolute cultural self-determination and absolute internal-political self-determination (self-government). This is clearly inferred where the Constitution endows each NNP and federating states with “the right to speak, to write and to develop its own language; to express, to develop and to promote its culture; and to preserve its history” (FDRE Constitution, 1995, Article 39(2)) and “the right to a full measure of self-government which includes the right to establish institutions of government in the territory that it inhabits” (FDRE Constitution, 1995, Article 39(3)). However, it does not recognize and guarantee federating states/ NNPs with the economic self-determination aspect of internal self-determination, particularly in relation to owning land and other natural resources (Zewdie, 2013).

With respect to collecting and owning income deriving from assignment of land use, the Constitution exclusively entitles federating states/ NNPs (FDRE Constitution, 1995, Article 97(2)). As owning of land and natural resources within the administrative division on which the federating states/

NNPs exercise self-government amounts to actually owning territory, it may establish statehood within the nation. Because the federating states/NNPs are constitutionally entitled to have their own government and have their own permanent population, entitling them to have actual territory de facto enables the federating states/NNPs to acquire statehood within the country.

In fact, non-recognition of the economic self-determination of federating states/NNPs' rights over land and other natural resources in the federal Constitution of Ethiopia attracts criticism and is considered as a failure. The criticism is that it "discounts the importance of this aspect of self-determination and does little to redress the dispossession of the people of their land and natural resources" (Zewdie, 2013). However, in my view, taking into consideration the ethnic federalism and "state and people's ownership of land" adopted in the Constitution, critics could not have foreseen what implication/consequence it will have on the relation between the Central government and the federating states and among federating states/NNPs.

As illustrated below, it contributes to political tensions and conflicts among federating states/NNPs in terms of "territorial" claims, ethnic evictions, and displacement based on the "settler-indigenous" metaphor and between the federal and state governments in the implementation of development activities.

Citizenship as a Criterion for Access to Land and Protection Against Eviction and Displacement

The other basic principle regarding the interplay between federalism and land rights is that the federal Constitution of Ethiopia strives to maintain national unity without undermining the self-determination rights of federating states/NNPs. It also works to discontinue the continuity of state use of land as a political weapon to control the society. A final stipulation is to allow citizens to access land and afford landholders with the right to immunity against eviction and displacement.

Particularly with respect to rural land, the FDRE Constitution takes the approach of ensuring "means of living for all" than commercialization/marketization in defining access to land (Ganta, 2019). Accordingly, it provides "free access to all needy nationals" (FDRE Constitution, 1995, Article 40(4)). On this point, the Constitution makers were aware of the fact that the land resource is not evenly distributed throughout the country

(Constitutional Assembly, 1994, Deliberation on Article 40). Hence, there will be a movement of people from land-scarce regional states to land-abundant regional states. Unless the Constitution defines the “free access to all needy nationals” in terms of citizenship, the federating states that were formed and administratively demarcated predominantly on an ethnic basis may discriminate against and deny access to land of persons from other land-scarce regional states on the assumption of a “settler–indigenous” dichotomy (Tibebu, 2018).

On the other hand, before the introduction of the federal system, there was a voluntary or forced resettlement of NNPs from the place of their “origin” to another part of the country to acquire land (Rahmato, 1993). The Constitution makers were optimistic that this would continue after the adoption of the federal system (Constitutional Assembly, 1994, Deliberation on Article 40).

Moreover, the political–economic history of the pre-1991 Ethiopia reveals that the post-1991 regime may also continue to use land for political control. Consequently, they found it necessary to guarantee landholders with the right of immunity against eviction and displacement to avoid the possibility of ethnically motivated evictions and the state’s use of eviction from land as a weapon to suppress and oppress political oppositions.

Apportionment of Power over Land and Mutual Respect Clause

The FDRE Constitution’s incorporation of the principle of division of power over land between the Central government and federating states and the mutual respect clause is also another way of striking a balance between the integrationist and separationist forces. Accordingly, in line with the Constitution’s general objective of establishing one economic community (FDRE Constitution, 1995, Preamble), it assigns power to the federal government to define a land tenure system that has a uniform application throughout the country (FDRE Constitution, 1995, Article 51(5)). The federal government has the power to define the mechanism of accessing land, setting out property rights in land, and the restrictions thereof. However, the prerogatives of land administration, including regulation and implementation, land valuation and taxation, land use planning and enforcement, adjudication of land disputes, allocation of rights in land, delimitation of boundaries of parcels, and transfer from one party to another are reserved to federating states (FDRE Constitution, 1995, Article 52(2(d)); Ganta, 2018).

In addition, the Constitution incorporates the principle of mutual respect with a clause which demands the non-interference of one in the powers of the other (FDRE Constitution, 1995, Article 50(8)). This principle avoids the possibility of a political tension that probably occurs as result of derogation of the power of the other level of government. However, in case it becomes necessary to assign federal powers to regional states, the Constitution recognizes the delegation of power (FDRE Constitution, 1995, Article 50(9)). It recognizes a one-way (downward) delegation power—from the federal government to state governments. The upward delegation—from state government to the federal government—is outlawed as can be inferred from the deliberations in the making of the Constitution. The discussions made the assumption that upward delegation weakens regional governments and strengthens federal government, depriving the local state power under the guise of delegation (Constitutional Assembly, 1994, Deliberation on Article 50).

Violation of the Constitutional Principles and the Consequences

As discussed above, in federalism and land rights, the federal Constitution of Ethiopia sets different principles that ensure national unity while accommodating diversity. Nonetheless, as the author discusses further, these principles are set aside by the federal government and regional states, which contributes to political tension and initiates conflicts between the federal government and federating states and between federating states.

The first violation regional states have made is with respect to defining land ownership. Except for the Harari State Constitution, all the state constitutions conceive of “state and people’s ownership” in a localized manner, referring to the regional state and people (Afar State Constitution, Article 38(3); Amhara State Constitution, Article 40(3); Benishangul-Gumuz State Constitution, Article 40(3); Gambella State Constitution, Article 40(3); Oromia State Constitution, Article 40(3); SNNP State Constitution, Article 40(3); Somali State Constitution, Article 40(3); Tigray State Constitution, Article 40(3)). This has led to an argument that the state and people are to be defined as the regional state and the peoples of the region respectively (Tura, 2018, p. 250). To an extreme, for instance, the Benishangul-Gumuz Constitution goes to the extent of specifying the ethnic groups to whom the region belongs, which creates a “settler-indigenous” division (Benishangul-Gumuz State Constitution, Article 2).

This understanding guarantees a regional state with economic self-determination which is not intended in the federal Constitution as seen above. The conception has resulted in some regional states' ethnic-based evictions of peasants from other regions/states without compensation (Ambaye, 2015, p. 69; Ethiopia Observatory, 2013; Lavers, 2018). The 2015–2016 protests in the Oromia regional state against the Addis Ababa Master Plan argued that the plan takes away land from the regional state and its people (Dahir, 2016; *The Guardian*, 2015). Furthermore, for instance, the recent tension and conflict between Amhara and the Tigray states in relation to territorial claims in the area called Welkate and Raya (*Addis Standard*, 2021; Asefa, 2021; Gebre, 2021) is also the outcome of the perception of localized understanding of ownership of land and the regional states' assumption of absolute internal self-determination rights against the federal Constitution.

Moreover, with the misconception of the “state and people’s ownership” as being “government ownership,” the state assumed a stranglehold over land. This is manifested by the state’s ability to convert communal land to private landholdings without compensation¹² and an assumption of rural land rights as a non-compensable interest (Ganta, 2019, pp. 265–269). The misconception also opens a door for the government to use land for political interests. It has been empirically established that the ruling party in electoral campaigns promised access to rural land for the landless and at the same time threatened removal of the same to those who voted for opposition parties (Rahmato, 2004, p. 16).

In their rural land laws, regional states violate the citizenship standard to access lands. The author has highlighted above that the federal Constitution makers emphasized a recognition of citizenship as a requirement to ensure the “free access to land for all needy.” This is with the view of limiting the possibility of discrimination based on ethnic backgrounds while allocating land since the federating states are formed basically on ethnicity. Moreover, it also aims at enhancing inter-ethnic relations when one in a land-scarce regional state is able to move to a land-abundant regional state to acquire lands for sustainable and equitable living.

In contrast, the regional states incorporate a “residence of the region” requirement instead, which de facto may be interpreted to favor “indigenous” people and exclude others on the assumption of being “settlers” (Ambaye, 2015; Tibebe, 2018).¹³

Conclusion

Land has continued to be a source of political tension and conflict in the context of post-1991 Ethiopia, particularly as it relates to the adoption of ethnic federalism and the “state and people’s ownership of land” which has acted as a source of political tension and conflict between the federal and state governments and among the federating states. Political tensions basically emanate from territorial claims between federating states, ethnic-based eviction of landholders on the basis of “settler/indigenous” divisions, and opposition to national development programs. In some cases, there is the tendency to take away an administrative territory of one’s regional state, assuming that they are violating the federal system. This is without undermining the possibility of historical continuity of the state use of land as a political weapon to get support and to suppress any opposition.

However, the causes for these challenges are not attributed to the nature of federalism and a land policy adopted in the federal Constitution. It is rather the result of use of the stipulations and principles of the Constitution in a partisan and ill-conceived way.

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NOTES

1. Proc. No. 31/1975. (1975). A proclamation to provide for the public ownership of rural lands. Preamble.
2. Ibid.
3. Proc. No. 31/1975. (1975). A proclamation to provide for the public ownership of rural lands.
4. Ibid.
5. Ibid.
6. Ibid., Articles 3–5.

7. Ibid., Article 4.
8. Ibid., Article 8.
9. Ibid., Article 23.
10. Proclamation No. 252/2017. (2017.). Amhara National Regional State. Revised rural land administration and use. Preamble.
11. Proc. No. 31/1975. (1975). A proclamation to provide for the public ownership of rural lands, Article 3(1).
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The Making of Strangers: Reflections on the Ethiopian Constitution

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ABSTRACT

A constitution is an expression of a political community's desire to establish a mode of politics for collective life. The normative underpinning of a well-designed and well-structured constitutional order is, therefore, an integrative process of association. Constitutions are meant to forge and develop a political community that enables members to see each other as co-participants in a common project. The Ethiopian Constitution seems to have adopted a model of dissociation rather than one of integrative association. Rather than bringing people together, the Constitution has set them apart. Through close examination of various provisions of the Constitution—from the preamble to the amendment process—this article shows that the Constitution has managed to fragment a people into “peoples”, a nation into “nations”, and in the process transformed neighbors into strangers who often see one another as mortal threats rather than as co-participants in a common project. In the guise of decentralizing power, the Constitution has, in fact, fundamentalized differences. Such an environment will not lend itself either to democratic governance or durable peace.

Keywords: Citizenship, constitution, displacement, Ethiopia, ethno-nationalism, strangers

Introduction

A constitution is the basic or fundamental law of a state. It performs several functions. It sets up a system of government—a parliamentary system, a presidential republic, a monarchy, or a variation of these systems. It then allocates power within the particular system—who legislates, who adjudicates, and who enforces. Most current constitutions also include a system of rights that defines the relationship between citizens and their government. Some constitutions even split sovereignty; that is what a

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federal system claims to do. Constituent parts of the federation are given competence over certain subject matters and the national government over others. Each is to be sovereign only over those issues and subject areas that have been allocated to it.

But whatever system of government constitutions set up and however differently they may distribute institutional power, whether vertically (federalism) or horizontally (separation of powers within the federal government), one common purpose animates most, if not all, constitutions. They are meant to forge and develop a political community that enables members to see each other not as strangers engaged in an existential struggle against one another but as co-participants in a common project. Constitutions acknowledge the existence of, or constitute anew, a people. The normative underpinning of a well-designed and well-structured constitutional order is an integrative process of association.

The Ethiopian Constitution is unique in that both by its terms and the political culture accompanying it for the last three decades or so, it has managed to transform neighbors into “strangers” and a people into “peoples” or “nations” who sometimes view one another as threats, or even mortal enemies. This has resulted in ethnic tension, conflict, and violence.

Some have argued that it is not the Constitution but only the manner in which it was enforced (or not) that has led to the current predicament, where citizens see fellow citizens who happen to be members of other ethnic or linguistic groups as aliens who need to be excluded from the regional or local body politic. That view seems to me to be incorrect.¹ The Constitution forms the basis on which subsequent narratives about strangers and members have taken hold and nurtured. Indeed, the Constitution turned a nation of hybridity—through intermarriage, intercultural exchanges, and other processes of cooperative endeavors that defined Ethiopians—into a federation, some might say confederation, of imagined purity. Cohen, for example, notes that even though “the 1994 Constitution labels the new country as a federal state”, “knowledgeable observers argue [that] ... it is in fact based on a constitutional system more akin to ‘confederation’...” (Cohen, 1995, pp. 157–158). As I show in a recent article that explores the nature of Ethiopian citizenship, the confederal label is not inaccurate (Addis, 2021).

It is no accident that some activists, even prominent political actors, openly talk about the danger of inter-ethnic marriage and of speaking languages other than one’s own to the purity project (*Ethio Media Daily*, 2019). The effect (and perhaps the intended purpose) of the Constitution

has been to rewrite the long history of hybridity in the service of radical difference. And the political narrative that has accompanied the Constitution in the last three decades has been one of sharpening—making more salient—the differences among the various groups. Indeed, as I understand it, the identity cards that many administrative units issued at one time or another required that one identify the nation (ethnic or linguistic group) to which one belonged. “An Ethiopian” was not viewed as a sufficiently precise mode of identification. The identity cards were premised on the proposition that everyone should be assigned to a category which is exclusive of other categories. Apparently, people from mixed heritage were required to choose the father’s side. Ethnic sorting accompanied with a declaration reinforcing patriarchy!

This article demonstrates, through close examinations of various provisions of the Constitution, how this basic document has led the country to where it finds itself. A people has been fragmented into “peoples” and a nation into “nations” where those peoples and nations often see one another as strangers and even mortal threats rather than as co-participants in a common project.

The Constitution seemed designed not as a document for an integrative process of association, but rather as a model of dissociation. To use a metaphor that a United States Supreme Court justice, Justice Robert Jackson, used in another context, the Constitution resembles a “suicide pact” (*Terminiello v. City of Chicago*, 1949, p. 37).

The Preamble: A Country or a United Nations?

Constitutional preambles are meant to perform three functions. First, they identify who the sovereign is that adopts or grants the constitution. Second, preambles often set out the circumstances that led to the adoption of the document. Third, they list the principles and purposes that the constitution is meant to embody and advance.

Here, my focus is on the first function on the list—the issue of who the ultimate sovereign is who has adopted the constitution or on whose behalf the document was approved. Almost all national constitutions which have preambles begin with “We the People [of Country X]” or its variations such as “The People of [Country X]” or the “Citizens of [Country X]” as the ultimate sovereign which have ordained and adopted the constitution. The reference is to one “people” (singular) either as a descriptive or normative (aspirational) matter (Addis, 2018). The Ethiopian Constitution is one of

only two national constitutions currently in force which refer to “peoples”, in the plural, as the sovereign. It declares that it is “We, the Nations, Nationalities and Peoples of Ethiopia” who have “adopted this Constitution” (Constitution of the Federal Democratic Republic, 1994, Preamble). The other is the Constitution of Bosnia and Herzegovina which provides that it is “Bosniacs, Croats, and Serbs, as constituent peoples (along with Others), and citizens of Bosnia and Herzegovina” who adopted and ordained the Constitution of Bosnia and Herzegovina (1995, Preamble). Although both invoke “peoples” as the source of sovereign authority, there is a crucial difference between the two preambles which makes the Ethiopian Constitution rather unique. Unlike the Ethiopian Constitution, the Constitution of Bosnia and Herzegovina includes in its preamble the undifferentiated “citizens of Bosnia and Herzegovina” as having had a part in adopting and ordaining the Constitution. The citizens of Bosnia and Herzegovina are sovereign. No such thing in the Constitution of Ethiopia, for there is no undifferentiated “we, the people” or “we, the citizens” of Ethiopia.

It is not quite clear what the term “peoples” in the Ethiopian Constitution actually means. To be sure, the Constitution attempts to define it elsewhere (Constitution of the Federal Democratic Republic, 1994, Article 39(5)), but that open-ended and somewhat incoherent definition is made even more so when the same description (definition) is said to apply to “nations and nationalities” as well. Why three different terms are listed separately when they apparently mean the same thing is rather unclear. One cannot clarify the meaning of a problematic term by adding other vague and equally problematic terms to the list.

Even though the Ethiopian Constitution is almost alone among national constitutions in using the plural “peoples”, there is actually another basic law that uses the plural as part of its opening phrase. That document is the United Nations Charter (1945, Preamble). Its preamble begins with the phrase “We the Peoples.” The Charter is the constitution of the United Nations. And the term “peoples” here refers to countries. The United Nations Charter was establishing an organization (a forum) for independent countries, not a federal or a confederal system. It is no wonder that the various ethnic groups who have been designated as “peoples” or “nations” in the Ethiopian constitutional scheme and established as regional states, with their own security apparatuses, act as if they were different countries. The level of forces that some of the states have developed and at times displayed with great fanfare seem to indicate that these are mini countries (at least they view themselves as

such). They seem to be preparing to defend themselves not from an external threat but from other mini countries that are constituent parts of the federation (and even the federal government itself), as the destructive conflict over the last two years amply illustrates. The tensions that exist among the various regional states both over boundaries and over a state's treatment of co-ethnics of another state (nation) living within its territory testify to the danger that has accompanied the transformation of the country from a nation of citizens into a nation of nations. So while almost all national constitutions are designed to transform strangers into co-participants in a common project, the Ethiopian Constitution turned a people into "peoples", a nation into a United Nations, and neighbors into strangers.

Ethnic Federalism and the Making of Strangers

Adopted in 1995, the current Ethiopian Constitution reorganized the country into a nation of sovereign "nations, nationalities and peoples", a "nation of nations". Nine regional states were established. Most member states of the federation carry the name of the largest ethnic group within the territory of the relevant state (Constitution of the Federal Democratic Republic, 1994, Article 47). Those names exclude, both textually and symbolically, those Ethiopians who happen to belong to a different ethnic or linguistic group but have called the place home, perhaps even for a generation. Their presence and how they belong became ambiguous. Ethno-nationalists have understood the linguistic exclusion as more substantive, entailing that members of other ethnic or linguistic groups do not enjoy equal membership. As I shall show later, in fact some of the regional states' constitutions and the practices accompanying them enshrine this "sorting" between members of the nation and outsiders, between indigenes and ethnic others.

Not only are almost all of the ethno-states named after a particular ethnic or linguistic group (even when the ethnic group is not the majority in the state), but in some cases the state is also specifically referred to as the State of that people—"the State of the Harari People" and "the State of the Gambela Peoples" are good examples (the exception is the State of the Southern Nations, Nationalities and Peoples [SNNP] which included many different ethnic and linguistic groups in one regional state). One cannot be any clearer as to who the primary stakeholders are in these states. The clarity of who has ownership in the State of the

Harari People is accompanied by the ambiguity of the nature and manner in which non-Harari Ethiopians belong in the State of the Harari People. In fact, it is not even ambiguous if one were to consult how the Federal Constitution defines a “nation” or a “people” in Article 39(5). If a state is denominated as the State of the Harari People, then as a matter of interpretive logic, only those who meet the definitional standard of Article 39(5) (ethnic Hararis) are the primary stakeholders. Ethiopian citizenship apparently does not guarantee equal membership across the country. That is why in another work I have referred to Ethiopian citizenship as “derivative and thin” and citizenship to the various ethno-nations as primary and thick (Addis, 2021; Mouffe, 1992, p. 227).

In fact, a cursory review of the constitutions of the various regional states (the constituent parts of the federation) confirms that members of the ethnic group after which the state is named are regarded as indigens and therefore primary stakeholders. Take, for example, the Constitution of the State of the Harari People. The Constitution codifies the view that significant sovereignty in the state rests in members of ethnic Hararis. Thus, Article 48 of the Constitution provides that membership to the upper house of the Chambers of the State Council (the State Parliament) is to be restricted to ethnic Hararis. Article 49(ለ)(3) of the Amharic version reads: “የሃረር ብሄራዊ ጉባኤ[ን]... የሚወክሉ 14 የሃረር ብሄረሰብ አባላት ይኖራታል።”. This is so, even though ethnic Hararis are only 9% of the population of the state. The distinction between indigens and settlers (outsiders) foreshadowed by the Preamble, Article 8, Article 39(5), and Article 47 of the Federal Constitution is given explicit and practical expression in the Constitution of the State of the Harari People.

The Harari Constitution is not the only regional basic document that codifies the idea that there are gradings of citizenship among Ethiopians. The Constitution of the Oromia Regional State endorses a similar position. Its Preamble begins with “We the People of the Oromo Nation”, not “We, the People of Oromia”, which would presumably have included every Ethiopian citizen residing in Oromia (Oromia Regional State Constitution, 1995, Preamble). In contrast, the Preamble of the Constitution of the Amhara Regional State refers to “We, the Peoples of the Amhara National Regional State” and “We, the peoples, settling in the Amhara National Regional State” (not “We, the Amhara nation”) as the authors of the Constitution and hence as

the ultimate sovereign (Amhara Regional State Constitution, 2001, Preamble). This means that every resident in that state is part of “We, the people”. Indeed, Article 8 makes that even clearer: “The supreme power of the national regional state resides in and belongs to the peoples of the Amhara Region” (Amhara Regional State Constitution, 2001, Article 8(1)).

As noted earlier, a “nation” is defined in Article 39(5) of the Federal Constitution essentially as referring to an ethnic or linguistic group. That means, the “we” in the “We the People of the Oromo Nation” cannot be said to be inclusive of non-Oromo Ethiopians residing within the State of Oromia as part of the people who ordained and adopted the Constitution of the regional state. As if to make that fact even clearer, the Constitution of the Oromia State declares that sovereignty in Oromia “resides in the People of the Oromo Nation” (Oromia Regional State Constitution, 1995, Article 8(a)). Article 14 further affirms that it is “the people of the Oromo Nation” who are entitled to “a full measure of self-government”. What about those Ethiopian citizens who are non-Oromo (not part of the Oromo nation) who live (and perhaps have lived for generations) in the state? To what does Ethiopian citizenship entitle them? Do they exercise sovereignty and a full measure of self-government as well?

To take another example, Article 2 of the Constitution of the State of Benishangul–Gumuz, while recognizing that members of other ethnic groups reside within the boundaries of the State, declares in unmistakable terms that ownership of the state rests in only five (presumably “indigenous”) “nations and nationalities”:

Recognizing that there are other peoples that reside within the state, ownership of the state remains in the following nations and nationalities: Berta, Gumuz, Shenasha, Mao and Komo. (author’s translation).

Here is the Amharic version: የክልሉ ባለቤት ብሄረሰቦች፡ በክልሉ ውስጥ የሚኖሩ ሌሎች ህዝቦች የሚታወቁ ቢሆንም የክልሉ ብሄር ብሄረሰቦች በርታ ጉሙዝ ሸናሻ እና ኮሞ ናቸው። (Constitution of Benishangul–Gumuz Regional State, 1995, Article 2).

Ethiopian citizens from other ethnic groups, some of whom might have lived in the territory for years or even generations, are not regarded as proper owners of, with sovereignty over, the state. The idea of

indigeneity in a circumstance where borders rather than people moved, as was the case when the state was established under the 1995 Constitution, is strange, to say the least.

So the naming of a state after an ethnic group is not only symbolically and textually exclusionary, but it also has conceptual, practical, and substantive effects on how we understand the nature and scope of Ethiopian citizenship in the various ethnic states. Ethiopian citizenship under these circumstances is apparently not a sufficient ground for ensuring that members of ethnic groups whose group's name is not the name of the particular state (and are thus not considered part of the "nation") are treated with "equal concern and respect", to use a Dworkinian description (Dworkin, 1978, p. 180).

The political practice for the last 30 or so years has reinforced the grading of Ethiopian citizenship when some are treated as primary stakeholders (owners) and others as "second class citizens", in terms of how social and, at times, even material goods are distributed. Millions of people have been internally displaced often with the accompanying message that they "didn't belong" there even though they might have lived in the particular state for a long time or even born and raised there. What has been taking place in the State of Benishangul–Gumuz and the State of Oromia is a good example. As I write this article, those who are thought to be Amharas are being killed and displaced in parts of those states not for what they did but for who they are (or perceived to be). Their ethnic or linguistic affiliation is a marker of alien status. Even though this was the only place they know and have called home their entire lives, they were not considered full members. They are not part of those considered as "natives" and consequently proper owners of the State. The story of alienage that leads to displacement is a story that is far too common across many parts of the country. Sorting people into us and them has become a constitutional and political culture.

Whether or not the constitutional claim of the prior existence of distinct nations is accurate as a historical matter is beside the point, although I must note here that Ethiopia has been more of a nation of hybridity for a much longer period of time than the drafters and sponsors of the Federal Constitution knew or were willing to acknowledge. I will leave that issue to historians. But what seems to be obvious is this: Regardless of the historical accuracy of the pre-existence of distinct nations, the Preamble, Article 8, and Article 47 of the Federal Constitution have constituted the several nations by the very fact of asserting their existence.

That is what narratives often do. They constitute the very things they claim to be describing. The assertion of the existence of different nations, nationalities, and peoples might be normative claims disguised as description of historical facts. But a 30-year narrative of pre-existing nations (and an intense practice of the politics of difference over those years) has in fact been able to transform, at least partially, the historical into the primordial and the normative into the factual.

Under the constitutional order of ethnic federalism and the politics of difference it has unleashed, every competition for resources or other material and social goods is turned into a conflict over identity. It might be the case that identity will often be a factor in the distribution of resources and goods even if the country is not, as a constitutional matter, organized along ethnic lines. But identity will have a dominant (and a legally sanctioned) role if a country has organized itself along the lines that Ethiopia has. If conflicts are about interests, then negotiation and compromise are perhaps possible, but disputes about identities are often viewed as zero-sum games. In contemporary Ethiopia, every dispute or every difference seems to be viewed through the prism of ethnic identity—the relative worth of this or that group. Indeed, for many, practicing politics has become nothing more than a process of affirming or defending the worth of one’s “nation”.

Article 47 did not only establish nine ethno-national states, but it also gave permission for the establishment of more such ethnic states. It provides that “nations, nationalities and peoples” within existing states have the right to establish their own states “at any time” (Constitution of the Federal Democratic Republic of Ethiopia, 1994, Article 47). As I indicated earlier, it is no wonder that many ethnic groups are now seeking to have a state of their own, named after them. The purity train marches on! But here is the irony. The carving of an ethnic state out of existing ethnic states is like carving a crystal. The size gets smaller, but the same structure will be reproduced at that smaller level. There will be minority nations or peoples within the new structure with their own members, their own concerns, and with the same intensity to assert their identities. The same issues and questions will emerge, albeit on a smaller scale. One of the paradoxes of ethnic federalism has been that in the guise of liberating “nations”, it created circumstances for the exclusion and oppression of minorities within those nations. The German social theorist Jürgen Habermas is right in his observation that every ethno-nationalist state “has almost always been accompanied by blood purification rituals,

and it has generally exposed new minorities to new waves of repression” (Habermas, 1996a, p. 142). At another point, Habermas, referring to the drawing of boundaries, makes the point that every boundary (especially a boundary meant to create an ethno-nation) will often give rise to new minorities. “The problem does not disappear, except at the price of ‘ethnic cleansing’—a price that cannot be politically or morally justified” (Habermas, 1996a, p. 219). There is ample evidence that this phenomenon applies to various parts of Ethiopia.

Article 39 and the Affirmation of the Politics of Difference

While Article 47 divides the country along ethnic/linguistic lines, signaling that the country is composed of many nations (or is it peoples?), Article 39 takes it further. It recognizes the “unconditional” rights of these nations (peoples) to complete the process and establish themselves as full-fledged countries if they so wished. The politics of difference established under Article 47 gets explicit emphasis under Article 39. “Every Nation, Nationality, and People has an unconditional right to self-determination, including secession,” declares Article 39(1). The right to break away from the country would be realized if “the demand” for secession were “supported by [a simple] majority” of the residents of the particular state.

Again, it is interesting to note that the Ethiopian Constitution is almost alone among national constitutions around the world in entrenching the right of secession. Only five other national constitutions currently in force refer to a right to secession: Uzbekistan, St Kitts and Nevis, France, Liechtenstein, and Sudan (Ginsburg & Versteeg, 2019). And those countries were dealing with either a one-off issue or circumstances that are dissimilar to conditions that faced and still face Ethiopia. It was not India or Nigeria, countries which have somewhat similar issues as Ethiopia, which inspired the secession clause, for there is no such provision in their constitutions. Indeed, not only do India and Nigeria not have a secession clause in their constitutions, but unlike the opening phrase of the Ethiopian Constitution, their preambles begin with “We, the People”, not “We, the Peoples” (Constitution of India, 1976, Preamble; Constitution of the Federal Republic of Nigeria, 1999, Preamble).

There are several significant ways in which Article 39 manifests and entrenches the politics of difference. First, it would be very difficult if not impossible to develop a durable and stable national identity with a fully ethnicized political structure overlaid with the right of secession. One

can hardly constitute a “people”, as constitutions are meant to do, with “nations” which have the right to “demand” to exit for any reason at all. The likelihood that the right to exit will be deployed by ethno-nationalists to a never-ending strategic use of blackmail—extorting power or resources—is very high, as Cass Sunstein persuasively argues: Constitutionalizing secession increases “the risks of ethnic and factional struggle; reduce the prospect of compromise ... create dangers of blackmail, strategic behavior, and ... most generally, endanger the prospects for long-term self-governance” (Sunstein, 1991, p. 634). Article 39, by its very existence, supplies the language of law to those who seek to use secession as leverage to extract resources or power. A “people” or a “nation” (more correctly, a ruling elite) may find it useful to threaten either explicitly or implicitly to secede if it does not get its way on matters of resource or power allocation, even if its demands are unjustified. A fully ethnicized federal structure with the right to secession to the constituent parts of the federation at any time for any purpose will continue to be a disincentive to a collective life and an integrative process. The process of open and sincere deliberation about fair terms of cooperation, essential for collective life, will be the casualty of constitutionalizing secession (Addis, 2009). And a constantly destabilized national life will be far from being conducive to accommodating diversity, as we have seen in the last several years.

As more nations and nationalities demand (see Constitution of the Federal Democratic Republic of Ethiopia, 1994, Article 47), and attain legal recognition as regional states, the occasions for more and more intensified politics of difference increase. And one does not know when and how one could logically stop the proliferation of states, given the rather ambiguous and confusing definition of “nations, nationalities, and peoples” in the Federal Constitution. The number of peoples or nations which have the right to demand legal recognition as sovereign entities seems, at least theoretically, endless, given the number of ethnic/linguistic groups in the country (Addis, 1992). Of course, there might be factors such as the size of the population, resources, and geographic location that may influence the decision to demand recognition as a state. Even considering such factors, there are going to be many more candidates for recognition than we currently have in the pipeline.

Second, it is not inconceivable that Article 39 will give another incentive to strident ethno-nationalists to engage in the forcible displacement of residents from other ethnic or linguistic groups or to discourage such individuals from moving into the state. What better way to make certain that you have a majority vote in case you want to exercise the right

of exit than to ensure that there is no significant population from other ethnic or linguistic groups within the particular state?

The threat to strident ethno-nationalists is ethnically diverse communities. But the constitutional incentives seem to be organized in a way that will encourage precisely the opposite. Several of the people who were killed and those who were lucky enough to survive but were displaced following the murder of the popular artist, Hachalu Hundessa, were repeatedly told that they did not belong there, even if they were born there, and that was the only place they knew and called home. As one Shashemene resident put it, “I was born and raised in Shashemene, it is the only place I know. But to the rioters I was suddenly an outsider who did not belong here” (Getachew & York, 2020; see also Abera & Jelan, 2020). This, of course, was not the first or the last time when Ethiopians were murdered and displaced because they were thought not to belong. Strangers in their own country.

To be precise, constitutionalizing secession has a corrosive effect on the national body politic (a position I hold). This is not to say, however, that as a matter of political morality, there are never any circumstances that would justify an exit from the union, even if it is not a constitutional right. That is a different issue altogether. It might be that there are circumstances when a group has been, and continues to be, dominated in a morally arbitrary way that would give rise to a right of political divorce, whether or not the right is constitutionalized (Buchanan, 1991). But, as I have already noted, that is a different issue that I consider elsewhere.

Entrenching the Politics of Difference: The Amendment Process

Every constitution includes a process for its amendment. Most constitutions make amending the basic law rather difficult, as it should be, for a basic document should not be turned into a glorified statute. The United States Constitution, for example, requires that two-thirds of each house of Congress (the House of Representatives and the Senate) must vote affirmatively before a proposed amendment shall be submitted for ratification. Under Article V, a proposed constitutional amendment then has to be ratified by three-fourths of the 50 states before it becomes part of the Constitution (US Constitution, Article V).

The Ethiopian Constitution provides for two different procedures of amendment. For most of the provisions, the procedure is similar to the amendment process in the US Constitution, except, unlike the US Constitution, the Ethiopian Constitution requires the approval of

two-thirds of the states' legislatures rather than three-fourths of the states (Constitution of the Federal Democratic Republic of Ethiopia, 1994, Article 105(2)). However, the second amendment procedure, meant to apply to Chapter Three of the Constitution (Articles 13–44), requires that there be not only two-thirds majority in both houses of Parliament, but the unanimous support of the State Councils (Constitution of the Federal Democratic Republic of Ethiopia, 1994, Article 105(1)). And it just happens that the secession Article (Article 39) is inserted there as a fundamental democratic right. The Article which gives to “[e]very Nation, Nationality and People in Ethiopia” the unconditional right to secede, cannot, therefore, be amended unless each house of Parliament approves the proposed amendment by a two-thirds majority and it has the support of all of the States Councils (Constitution of the Federal Democratic Republic of Ethiopia, 1994, Article 105(1) (a)). Interestingly, amending the amendment procedure itself also requires the concurrence of all States Councils (Constitution of the Federal Democratic Republic of Ethiopia, 1994, Article 105(1)).

The odds of getting unanimity among the states are very long and are getting even longer as more “peoples” (or is it “nations and nationalities”?) invoke their right under Article 47 to establish their own states (named after them). As events in Wolayita Zone a year or so ago illustrates, the knocks are getting louder. Given the rather ambiguous description of what a people or a nation is as a constitutional or even a sociological matter, many linguistic groups are likely to ask that they be recognized as a state—a never-ending journey to become an authentic (pure) political community. At any rate, the politics of difference entrenched in Article 39 gets full protection by the amendment process of Article 105.

Language and the Durability of a Political Community

The minimum requirement for a diverse society to exist as a stable political community is that members of the various groups must be willing and able to effectively communicate with one another. Political communities can sustain themselves over a long period of time only if there is shared understanding among its members. There cannot be such an understanding if people cannot communicate with one another and have access to the same forums of political and social discourse. However does the federal Constitution deal with the question of competing linguistic and ethnic identities?

The Constitution provides that every nation, nationality, and people “has the right to speak, to write and to develop its own language” (Constitution of the Federal Democratic Republic of Ethiopia, 1994, Article 39(2)). This is a sentiment I fully share. Language is not just a means of communication but also an important cultural resource. It is often the means by which members of the linguistic group attach meaning and give structure to their cultural activities and rituals. Language is an important cultural software. Retaining and cultivating that resource seems to me to be important not just to the group of which it is the language but for the entire country as well. After all, the cultural heritage of one group enriches the entire cultural make-up of the country. In reality, culture becomes a heritage for all as well. The right of a group to speak and write its language will ensure the survival and flourishing of the language and the overall culture to which the language often gives access (Addis, 2001).

The Constitution also gives members of the federation the authority to choose “their respective working languages” (Constitution of the Federal Democratic Republic of Ethiopia, 1994, Article 5(3)). I assume many states have chosen the language of the ethnic or linguistic group after which the state is named as the working language of governmental institutions. This will not necessarily be fatal to the idea of a united Ethiopia to the extent that there is a common language or common languages through which citizens can engage one another across the land. However, as I noted earlier, if there are no common languages that enable citizens to communicate with one another (in the literal sense), it would be impossible for them to view themselves as engaged in a common project. Nothing signals more, and more strongly, that people are strangers to one another than their inability to comprehend each other.

It is true that the Constitution has adopted Amharic as “the working language of the Federal Government” (Constitution of the Federal Democratic Republic of Ethiopia, 1994, Article 54(2)), but that does not ensure that the vast majority of people who do not aspire to work in the federal bureaucracy or have little opportunity to do so will have developed the linguistic capacity to communicate with one another. In the long term, the impact of not having a national language or national languages might be that linguistic groups increasingly become strangers to one another.

At a minimum, children across the nation should be taught a national language or national languages so that people across the country will

have the minimum linguistic capacity to communicate with one another, to share the same forums of political and social debate. Otherwise, the gulf among the various groups will continue to widen. To ensure that the national language or languages are taught throughout the country, there needs to be a national and uniform requirement. Without such requirement, the odds are that some parts of the country, for various, mainly political, reasons, might not make such instruction mandatory.

Ethnic Federalism and the Challenge of Building a Democratic Culture

A fully ethnicized political and constitutional culture overlaid with the right of secession to the constituent parts of the federation will make it rather difficult to build and entrench a democratic culture, even if the country manages to survive as a coherent political community.

First, in an ethnically organized federal system, equal membership (equal citizenship), an essential element of a democratic culture, cannot be ensured. Under the current constitutional order, both federal and regional, citizens are classified either as part of a “nation” (indigene) or not (settler or alien) and treated accordingly. In such circumstances, the possibility of people viewing themselves as engaged in a common project increasingly fades. What makes a democratic culture is a circumstance where citizens see themselves as equal participants both as the originators and as addressees of the law (Habermas, 1996b, p. 415). Equal citizenship implies that every citizen has equal standing both as a participant in the affairs of the relevant political community and as a beneficiary of the rights and privileges accorded to those holding the rank of citizenship. The normative demand of citizenship is that all those holding that rank are one another’s equal. A cursory examination of the constitutions of the various regional states shows that some of those basic documents do not accord equal membership to all Ethiopian citizens within the territories of those states.

Second, an ethnic-based federal arrangement will increasingly rigidify and fundamentalize ethnic identity as the central organizing principle not just in political life but also in all dimensions of life. Most issues or disputes will be viewed as disputes about identity, the worth of the group itself. Identities, not interests, become the arbiters of disputes. Under those circumstances, the possibility of compromise, an essential virtue for a democratic culture, becomes harder. Who would compromise on the very worth of one’s group and the very essence of one’s

identity? Turning ethnic identity into a hard parameter will diminish the prospects of common national identity. That will contribute to the difficulty of compromise and sacrifice in the name of a shared political project.

Third, one of the tragic consequences of ethnic federalism has been that it has seriously diminished the possibilities or the odds of the emergence of strong civic associations across ethnic lines as a check on governments at all levels. The primacy of ethnic identity has shaped civic, not just political, organizations, segmenting and ethnicizing civil society itself, including the private media. Some of the media view their role as boosting the interests of a particular national or ethnic group to which they view themselves as belonging rather than ensuring accountability and transparency at all levels of government. Ethnic identity as the primary organizing principle of political and social life has seriously diminished and, in some cases, eliminated the possibility of the private sphere influencing the course of public affairs in a positive direction.

Fourth, and perhaps more importantly, since the current constitutional arrangement is tilted to a dissociation order, it will continue to lead to conflict and instability. Conflicts about borders, as we currently see between the Tigray and Amhara states, will continue to be the sources of instability among various regional states. An adjustment of internal borders that might not have been remarkable takes a different form when states are organized as nations. The redrawing becomes an attack on or a diminishment of the nationhood of the particular state. And that redrawing becomes even more significant when one realizes that the Constitution recognizes the right of every state (nation) to self-determination which includes the right to secede from the union. The attitude of a regional state government about the fate of its co-ethnics in another state could also lead to tensions and instability. To the extent that the country is kept together (or has minimal peace) under the current structure, it would be with an increasingly centralized and perhaps even autocratic national government. At least, that would likely be how national leaders assess the circumstance. Instability will give national leaders, especially the executive, a reason (an excuse) to assume more, and more unaccountable, power in the name of maintaining the stability and integrity of the country.

It is paradoxical that a constitutional order that was adopted as a way to decentralize and pluralize power may perversely (if logically) lead to the emergence of unaccountable centralized power. Such development is a distinct possibility. In the name of ensuring minimal peace and even

keeping the country together, national leaders (especially members of the executive) are likely to assume more and more unaccountable national authority. The hope of a democratic society will continue to be one of the casualties of the current, fully ethnicized, constitutional order.

Conclusion

A constitution is an expression of a political community's desire to establish a mode of politics for collective life. The normative underpinning of a well-designed and well-structured constitutional order is, therefore, an integrative process of association. The Ethiopian Constitution seems to have adopted a model of a dissociation constitutional system. In that, it is unique among national constitutions. In the guise of pluralizing power, the Constitution transformed ethnic identities from soft into hard parameters, converting "differences into modes of otherness" (Connolly, 1995, p. xiii). The long-term sustainability of Ethiopia as a unified political community, let alone a prosperous one, under such a constitutional order, is in my view in serious risk. This requires a broad and inclusive conversation about a constitutional arrangement that will strike the appropriate balance between honoring the country's rich diversity and forging a strong, unified, and sustainable Ethiopian identity. I hope to contribute to these conversations moving forward.

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NOTE

1. That is not to say that malevolent or incompetent leaders have not misused the Constitution to achieve ends inconsistent with the constitutional mandate or even ignored parts of the Constitution which were meant to constrain the reach of government. After all, the Constitution includes every conceivable

human right taken wholesale from international human rights documents. Yet those constitutional rights did not seem to have made a difference in how the government acted toward its citizens for the last three decades. The point, however, is that it is not simply the lack of enforcement but also the nature and structure of the Constitution that has led the country to where it finds itself.

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Democratic Versus Socialist Multicultural Federalism: The Dilemma of Ethiopian Federalism

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ABSTRACT

The Ethiopian Constitution currently in use was introduced in 1995. It has facilitated the country's transformation from the Derg military regime to a decentralized democratic federal state that accommodates multi-ethnic diversity and institutionalizes ethnic identity. However, the de facto ethnic federal system is a mixture of socialist and democratic federalism. This federal experiment has faced enormous challenges, including problems of legitimacy, weak democratization, political instability, secession, and violent conflict between different ethnic groups. These problems have led to the internal displacement of people and the death of a large number of innocent citizens. This article assesses the prevailing mixture of democratic and socialist federalism in the context of the contemporary Ethiopian political milieu, particularly the challenges and impacts.

Keywords: Democratic, socialist, ethno-federalism, challenges, EPRDF, Ethiopia

Introduction

Multicultural federalism was first considered as a useful tool in nation-building after the end of World War II (Zerihun & Samuel, 2018, p. 106). But in the last few decades, especially in the post-Cold War period, it has been seen as a solution to ethnic conflicts in multi-linguistic and ethnically plural societies (Joanny, 2016, p. 295). Both developed and developing multicultural states have adopted federalism as a panacea for ethnic conflicts. In this form of political system, there is a constitutional and representative democracy, the separation of power between the different territorial levels of the government to foster and maintain unity in diversity and to settle ethnic, linguistic, regional, and/or other types of group conflict (Ketemaw, 2020, p. 39).

However, the application of these constitutional principles to accommodate diversity has varied between democratic and socialist federations. Some scholars have argued that democratic multicultural federalism is a solution to ethnic conflicts, because it constitutionally recognizes local autonomy, and promotes both self-rule and shared rule between levels of government. This type of federalism has been used to address questions related to the management of diversity and to deter secessionist movements in India, Canada, and Belgium (Girma & Getahun, 2019, pp. 94–96). Other scholars have argued that socialist multicultural federations have aggravated ethnic conflicts among multi-ethnic groups, instead of maintaining unity with diversity (Semahagn, 2014, p. 44). They have noted that socialist states have attempted to address ethnic-related political demands in a radical and unprecedented manner that distinguishes them from democratic federations. These states have not given real democratic, socio-economic, and political rights to regional governments; instead, the central governments have monopolized power and decision-making. As a result, political instability becomes a common agenda and leads to disintegration (Semahagn, 2014, p. 44).

The history of Ethiopia is characterized by a centralized authority and an imperial state for at least the last 2,000 years (Zerihun & Samuel, 2018, p. 108). It survived not only by accommodating ethnic diversity but also by promoting national identity more than ethnic identity. The current Ethiopian state is organized on the basis of territorial autonomy for geographically concentrated ethnic groups in an attempt to resolve old and emerging conflicts (Yonatan, 2016, pp. 1–4). After 1991, the previous centralized and imperial state was replaced by a state influenced by Marxist–Leninist political ideology and a state structure primarily based on “ethnic-based territorial units” (Gardachew et al., 2019, pp. 663–664; Temesgen, 2019, p. 18). The constitutional principles of Ethiopian ethnic federalism consist of neither purely democratic nor socialist principles; rather, these are a mix of democratic and socialist federations (Girma & Getahun, 2019, p. 97).

In relation to the democratic approach, the Constitution consists of the principles of liberal democratic federations. Accordingly, the Preamble of the 1995 Constitution of the Federal Democratic Republic of Ethiopia (FDRE) declares that:

Ethiopia’s Nations, Nationalities and Peoples have entered into a binding federal compact by their free and full exercise of their respective right of

self-determination in order to build one political community based on their respective free will and consent, democratic rights, and the rule of law, and one economic community in order to maintain and promote their rights, freedoms and interests in a mutually supportive manner. (FDRE, 1995)

Concerning socialist federalism, the adoption of the Ethiopian federal structure is based on the identity politics and Marxist–Leninist ideology of the Tigray People’s Liberation Front (TPLF) under the cover of the Ethiopian People’s Revolutionary Democratic Front (EPRDF; Gardachew et al., 2019, pp. 663–664; Temesgen, 2019, p. 18). The FDRE Constitution allows ethnic-based state formation and the right to self-determination including secession for each ethnic group, which is unusual in the Ethiopian context (Article 39(4)). Even if it theoretically incorporates both democratic and socialist principles, in practice it is fundamentally a socialist federation. Thus, the socialist principles governing the Ethiopian socio-economic and political aspects operate under the umbrella of the democratic principles of the 1995 FDRE Constitution.

As a result, the current federal arrangement of Ethiopia has generated new localized conflicts, instead of solving the old problems, and forces citizens to favor their ethnic identity rather than an Ethiopian identity (Gardachew et al., 2019, p. 665). This has resulted in an undemocratic political mobilization based on ethnic group protection and led to discrimination based on identity and ethnicity. Thus, in Ethiopia, federalism has generated internal violence among ethnic groups. The implication of such behavior is the politics of intolerance, fear, resentment, and hate in the society (Assefa, 2009, p. 19; Gardachew et al., 2019, pp. 665–667; Temesgen, 2019, p. 18).

The Theoretical Framework of Federalism

Federalism is a useful mechanism for understanding the causes of ethnic conflict and managing the aspects and accommodation of diversity (Obi, 2019, p. 17). In such a way, the fundamental causes of ethnic conflict involve some primordial elements of ethnicity, in which ethnic communities use historical memories of past grievances as a source of ethnic animosities and a justification for discriminatory actions against other ethnic groups (Sarsale, 2015, p. 3).

It also exists when ethnicity is socially constructed by political elites. The political entrepreneurs create identity-based differences and manipulate

those differences to attain political power and economic resources that justify those ethnic differences. Therefore, ethnicities are viewed as instrumental identities, organized as means to particular ends (Mohammadzadeh, 2016, p. 159).

To manage such problems, federalism has become a popular instrument in the majority of multicultural states to maintain unity with diversity and to resolve ethnic conflicts (Asnake, 2009, pp. 41–42). Accordingly, Olumide (2017, p. 66) categorized theories of federalism into three:

- Legal–institutional or legal–constitutional theory
- Sociological theory of federalism
- Political/ideological theory of federalism

In the following text, I explain each of these theories based on their relevance for accommodating diversity and resolving ethnic conflicts in an Ethiopian context.

First, the legal–constitutional theory of federalism recognizes the courts' role as an essential aspect of federalism for handling ethnic conflicts, that is, the constitutional division of power between federal and regional governments and the three government organs that create the basic rule of law on how conflicts between the two levels of government-managed are resolved (Aliff, 2015, p. 72). Significantly, this type of federalism is advantageous in many respects to resolve ethnic conflicts as is practiced in the United States, Canada, and Switzerland (Auclair, 2005, p. 3; Obi, 2019, p. 17). Therefore, the legal–constitutional theory focuses more on the legal and jurisdictional aspects to accommodate diversity, in which powers are divided between the federal and regional governments (Wheare, 1963, p. 10).

Others have argued that judicial federalism has attracted less close attention. For example, the United States Supreme Court has been actively engaged in adjudicating federalism disputes during various periods of American history. Still today, it has been suggested that the primary determinants of the federal balance lie in the political process and that courts play the role of enforcing constitutional baselines (Tariq et al., 2018, p. 403). In Ethiopia, neither the court nor the upper and lower houses carried out their legalistic functions because the executive branch dominates them.

On the other hand, the sociological theory of federalism has given more attention to the essence of social forces underlying the pressures for diversity in federations. The pivotal interactions of social forces with

political organizations have given a chance to establish and create a federal political structure to maintain peace and security (Watts, 2008, p. 21). This theory focuses more on the sociological aspect of the nature of society. It recognizes the political system as a direct result of society's nature (Tariq et al., 2018, p. 405).

However, this theory lacks the clear guidelines, principles, and norms to show a demarcation line between a federal and non-federal society (Burgess, 2006, pp. 142–144). It focuses on diversity alone, without distinguishing the factors that accommodate various ethnic groups' diverse interests in the existing federal system. Therefore, the sociological approach has not always led to federalism; instead, it may create a unitary form of government similar to that of the United Kingdom and France (Tariq et al., 2018, p. 406). Hence, this theory of federalism has some implications for the Ethiopian ethno-national federalism that tries to accommodate diversities without setting out clear political principles.

The last theory of federalism is the political/ideological theory. Currently, it has become a potential solution to a political problem. It states that it is essential to recognize political motives as a critical instrument to solve the problems of federal political systems (Tariq et al., 2018, p. 407). Thus, as this theory sets out, federations have different constitutional and political structures and play a critical role in solving the problems encountered in a multi-ethnic society. It must be noted that federations exist in both socialist and liberal democratic states (Burgess, 2006, p. 144).

In socialist states, federations established upon ethnic-based territorial arrangements are known as ethno-national federalism. They recognize the principle of self-governance over the cultural, linguistic, and religious matters in the federation's constituent entities (Elazar, 1994, p. 168; Horowitz, 1985, pp. 601–652). For example, former socialist federal states tried to create entire constitutional frameworks for the coexistence and integration of different nationalities (Juhász, 2005, pp. 249–254).

However, Sakwa (1998, pp. 107–117) has argued that the constitutional features of most socialist federations have been superficial; and the principles of checks and balances in these federations were largely absent. There was no formal separation of powers between the executive, legislative, and judicial branches of the government. There were only group rights. There were no individual rights, and the citizens did not have civil, democratic, and political rights. In those circumstances, real political and policy decisions were made by the ruling party at the Central government level.

If the ruling party controls the Central government, it controls the constituent governments. This means that the federalist structure is highly centralized. In this case, a single dominant party controls both the government and the party system (Burgess, 2006, p. 147–151). Moreover, if the ruling party follows the Leninist doctrine of democratic centralism, in effect it creates a patron–client relationship between the higher and lower levels of the governmental system (Sakwa, 1998, pp. 91–143).

Likewise, some scholars have argued that socialist federations have caused ethnic conflict (Raffas, 2012, p. 144; Yonas, 2013, pp. 26–27). They contend that ethno-cultural diversity translates into political fragmentation and political claims are refracted through the lens of ethnic identity. As a result, political conflict becomes synonymous with conflict among ethno-cultural groups (Smith, 1995, p. 9).

Empirically, socialist ethnic federalism is not real federalism. In the former socialist federations, the real political and policy decisions are made by party networks (Semahagn, 2014, pp. 52–66). Thus, a single party's dominance aggravates existing conflicts, endangers state unity, and ensures the federation's disharmony and disintegration. Compelling examples of such federations were the USSR, Yugoslavia, and Czechoslovakia (Burgess, 2006, p. 151).

Roeder (2009, p. 209) argues that the diversity of national identities within federations contributes to conflict between the Center and the regions. Regional ethnic entrepreneurs can use national minorities against the Central authorities, whether by engaging in competitive nation-building or by pushing for enhanced new administrative boundaries, greater autonomy, and political and economic power. Federalism based on ethnic identity has played an influential role in ethnic conflicts and civil wars in Africa—in countries such as Congo, Burundi, Uganda, Rwanda, and Nigeria (see Denny & Walter, 2014, pp. 13–16).

In contrast, some scholars argue that democratic forms of multicultural federalism constitutionally recognize ethnic and linguistic diversity and promote both local self-rule and shared rule at the national level (McGarry & O'Leary, 2007, pp. 180–211). They contend that liberal democratic federations are based on democratic values, beliefs, and goals, which balance the economic, political, cultural, and power relationships between the constituent units of the federation (Burgess, 2006, pp. 145–146). Each constituent unit consists of different multi-ethnic groups as different administrative units. Following this path, Canada and India have maintained national unity and reduced tensions and polarization between the bigger ethnic groups and the smaller ones (Burgess, 2006; Elazar, 1994, p. 56).

Other scholars argue that a democratic, non-centralized party system is vital to the federation's unity, peace, and security. They are the backbone "to the constitutional arrangements originating in the federal compact ... [and] once they come into existence, they have tended to be self-perpetuating and to function as decentralizing forces in their own right" (Burgess, 2006, p. 152; Elazar, 1987, pp. 78–79). According to Salih (2007, p. 675), in a democratic political system, the governments assure the political preferences and interests of the citizens in an equal manner through the following:

- Meaningful and extensive competition among individuals and organized groups (especially political parties) for all effective positions of government power, at regular intervals and excluding the use of force.
- Highly inclusive levels of political participation in the election of leaders and policies, at least through regular and fair elections, such that no major social group is excluded; and
- An adequate level of civil and political liberties—freedom of expression, freedom of the press, freedom to form and join organizations—sufficient to ensure the integrity of political competition and participation.

In the same line of the argument, Juhász (2005, p. 257) adds that to ensure federalism's success, the institution of political democracy, economic prosperity, and the social and regional balance should be part and parcel of the federal structure itself. Outside of the democratic system, federalism is ultimately an unstable form of government, which logically progresses either to territorial disintegration or to becoming a mere constitutional formality (Feeley & Rubin, 2008, pp. 17–20).

In retrospect, the proponents of socialist ethno-federations anticipated that they would accommodate demands for self-determination, including even secession, without fragmenting the state. Even the word "secession" was used as a tactic to supposedly limit the Central government's power and as a protective mechanism for minority nationalities (Choudhry & Hume, 2010, p. 366).

The opponents hold that socialist ethnic-based federalism leads to institutionalized ethnic discrimination, obstructs individual citizen rights, and promotes disintegration. They point out that the former socialist states collapsed before their transition to democracy, while democratic federations have been successful in the West (Fleiner, 2000,

pp. 14–16). Empirically, they say that democratic federalism has proven to be a better mechanism to maintain internal peace and security and resolve ethnic conflicts than socialist federalism.

The ideological theoretical approach is relevant for analyzing Ethiopia's ethnic federalism. On the one hand, Ethiopia's ethnic federalism recognizes on paper all constitutional and democratic rights. On the other hand, for several decades, the TPLF/EPRDF was the dominant party in Ethiopia and controlled almost every activity in the country and played a similar role to the Communist Party of the Soviet Union.

Ideological theory argues that a multi-ethnic federation's success is determined by ethnic-based political parties or national parties. In territorial federalism, nationwide political issues generally require national parties. The conflicts that arise in the constituent units in this kind of federation tend to be similar to that of conflicts between party leaders at the national level. In this type of federation, equality and harmony among citizens are established at the federal level (Dietmar, 2011, p. 41). In contrast, Ishiyama (2009, p. 56) has argued that in multicultural federations, the creation of ethnic parties provides opportunities for interest articulation from groups that might usually be shut out of the political system.

However, Kymlicka (2006, pp. 36–47) has argued that a democratic national political system will not work properly in developing countries, while it works appropriately in industrially developed countries, because their major political parties generally have not organized around ethnic identities. This is because their ethnic and religious differences are generally smaller than the developing countries in Asia and Africa (Horowitz, 1985, pp. 569–572). In contrast, Priya (2016, pp. 59–60) notes that non-ethnic political parties have worked correctly in some developing countries. According to Priya, India is unique in terms of its multi-ethnic, linguistic, and cultural heterogeneity. Its diversity is its greatest strength. Forging unity with diversity holds the key to India's success as a vibrant democracy.

Most contemporary scholars argue that consociationalism is an excellent response to divergent political, economic, and ethnic conflicts in a multicultural society. A consociational state is one which has major internal divisions along ethnic, religious, or linguistic lines, but which remains stable due to the consensual consultation among the leaders of these groups. Consensual forms of democracy have been successfully used in multicultural federations, such as the Netherlands, India, Belgium, and

Switzerland, to accommodate the interests of their various ethnic and/or linguistic communities (McGarry & O’Leary, 2007, pp. 180–181).

Kymlicka (2006, p. 97) contends that a federation should be based upon consociational democratic structures and practices, together with boundary demarcations that promote multicultural interests and resolve ethnic conflicts. This has been successful in states such as Switzerland. Swiss citizens define themselves as Swiss first, and their ethnic group is a secondary group identity (Juhász, 2005, p. 247). In this light, the Ethiopian ethnic federation’s rhetoric is often democratic and consociational, but in fact it is “democratic federalism in form, but socialist federalism in content and practice”.

The Ethiopian Ethno-Federal Arrangement

The EPRDF came to power after defeating the Marxist–Leninist military junta in 1991. It established an ethnic based federal system, which made a new beginning in the country’s political history and political development (Abebe, 2017, pp. 278–283; Asnake, 2009, pp. 64–65). At that moment, ethnicity was taken seriously in the endeavor to reconstruct the state as a multi-ethnic federal polity, which it was “de facto as of 1991 and de jure as of 1995” (Tsegaye, 2010, p. 53). In doing so, “federalism [was] supposedly chosen to respond to the challenge of ethno-national conflicts that stressed the old Ethiopian state from the time it [was] built into a multi-ethnic empire and to build one nation out of many” (Tsegaye, 2010, p. 53). This federalism was taken as a panacea for both the old and emerging conflicts in the future.

Article 50(2) of the 1995 FDRE Constitution states that both the federal government and regional states have their own separate legislatures, executives, and judiciaries within their own domain. It also states that

Every Nation, Nationality and People in Ethiopia has an unconditional right to self-determination, including the right to secession and has the right to a full measure of self-government which includes the right to establish institutions of government in the territory that it inhabits and to equitable representation in state and Federal governments. (FDRE, 1995, Article 39(1, 3))

The 1995 FDRE Constitution sets forth the separation of powers between the federal and regional governments. Empirically, the country’s marginalized minority ethnic groups have the right to representation at both the federal and regional levels. This form of ethnic-based democratic political

structure and legal ethnic rights' recognition was recorded in Ethiopia's history for the first time (Aklilu, 2006, p. 92; Alexander, 2019, p. 18). The United Nations Development Programme believes that the existence of federalism is not only transforming the country toward democracy but also achieving the equitable sharing of resources and power over the last two decades (UNDP, 2012, pp. 3–9).

Nevertheless, the implementation of Ethiopian federalism has produced both positive and negative effects. Advocates argue that the implementation of Ethiopian ethnic federalism has produced positive effects. For example, it has helped ethnic groups to develop and use their own language in their socio-economic and political life and grants every ethnic community the right to self-rule and to engage in shared rule at the national level (Desta & Ephrem, 2020, p. 38).

Accordingly, Ethiopia is constitutionally a democratic multicultural federation with a view to addressing the age-old causes of a state crisis. The federal system intends to decentralize power and resources and resolve the “nationalities question” by accommodating the country's various ethnolinguistic groups (Assefa, 2009, p. 215).

The Constitution also recognizes the principles of constitutionalism and constitutional supremacy, human rights, popular sovereignty, secularism, transparency, and the accountability of the government as the basic pillars of the constitutional system. It also ensures that both federal and state governments have parallel legislative, executive, and judicial powers (Assefa, 2007, p. 329).

At the same time, advocates argue that the Ethiopian federal Constitution adopted principles of democracy such as competitive elections and multi-party systems, in which it recognizes ethnic-based party politics adopted as a response to the past unitary state by recognizing the presence of freedom and political participation among different ethnic groups. It also recognizes the separation between the state and the party system (Bekalu, 2017, pp. 52–54; Jan, 2017, p. 221).

Furthermore, Muleta (2017, pp. 202–231) argues that following its adoption of a democratic federal system, Ethiopia achieved respectable rates of economic growth and social development in the last decade of the twentieth century under the EPRDF government. At close to 5%, average GDP growth was substantial when compared to the performance of other African countries.

In contrast, opponents argue that though the Ethiopian ethno-federal system incorporates the fundamental principles of democratic

federations, the design and operation of its federal system are derived from an expired socialist federation and Marxist ideological perspective (Bahru, 2008, p. 332). Concomitantly, Yilmaz and Venugopal (2008, p. 2) noted that Ethiopian federalism is a mixed bag, combining high degree of both decentralization and centralization. In the former case, constitutionally it allowed for each ethnic group the right of self-administration, including secession. In the latter case, empirically the country continued to be governed by the Marxist–Leninist ideological principles of the TPLF/EPRDF, such as the pervasiveness of communist economic policy and perception of the national question; principle of democratic centralism; central party control; adoption of the patron–client relationship between party members; and monitoring every activity by using what is called leadership evaluation to purge leaders at all levels.

This EPRDF implementation of exclusive power control and a lack of democratic political participation has intensified the acceleration of violent conflicts. Government’s “security dilemma in the face of radical rejections and calcifying hatred against everything EPRDF has done also contributed to the unabated conflict dynamic in the post-1991 period” (Abebe, 2017, p. 288).

This line of argument is continued by different scholars, who argue that though the Constitution provides unlimited rights to self-determination to all ethnic groups in the country, it is clear from the experience of the last 25 years that the ethnic regions are not allowed to exercise administrative autonomy, let alone secession (Asnake, 2009, p. 66).

In a similar fashion to the USSR, Ethiopia pursued a multi-tiered approach to territorial autonomy,

in which apparently the bigger ethnic groups such as Tigray, Amhara, Oromo, Afar and Somali [currently Sidama] have been given their own regions in which they constitute the majority and the regions were named following their own ethnic groups. In contrast, several dozens of smaller ethnic groups were put together to create “multi-ethnic” regions such as the Southern Nations, Nationalities, and Peoples’ Region (often abbreviated as SNNPR) in southwestern Ethiopia, Gambella and Benishangul-Gumuz. (Asnake, 2009, pp. 65–66)

The rhetoric of unlimited rights to self-determination is valid on paper only.

Moreover, Alemu (2018, p. 44) argues that the opposition political parties have not significantly contributed to Ethiopia’s democratic and

political development. Most of the political parties are organized on a narrow ethnic group basis. As such, elites employ the ethnicity card during elections and other political campaigns. The ethnic-based TPLF's 'divide and rule' strategy has weakened the united opposition against the government at the Center; instead, "Ethiopian ethnic parties are rivals with each other" (Legesse, 2015, p. 465). Due to this reason, the country's economic and political power was under the control of the minority Tigre ethnic group through the virtue of the TPLF-led EPRDF's government (Abebaw, 2013, p. 22).

Holding a similar view, Alexander (2019) remarked that several federations discouraged the establishment of ethnic-based political parties in their country because an ethnic-based political arrangement resulted in political mobilization. In African countries, such as

Uganda and Eritrea, tribal or religious parties are discouraged. The Ghanaian Constitution, Article 55 (4), prohibits tribal or ethnic-based political parties and it clearly states "Every political party shall have a national character, and membership shall not be based on ethnic, religious, regional or other sectional divisions". (Alexander, 2019, p. 19)

In Ethiopia, though, it is seen as being detrimental to ethnic peace and national unity, promoting ethnic diversity and ostensibly encouraging ethno-nationalism which contributes to deteriorating Ethiopian nationalism (Alemu, 2018, p. 43).

Moreover, some argue that although the government of the EPRDF enabled substantial economic development, it was insufficient to resolve the multifaceted and deep-rooted problems of the country. Widespread poverty and other social complications have been prevalent in the current situation in Ethiopia (Muleta, 2017, pp. 202–231). Therefore, Ethiopian federalism constitutional principles are designed to serve the EPRDF's party-state craving for power. In practice, since 1991, the TPLF/EPRDF was the vanguard party that controlled political, economic, and social activities throughout the country, like the Communist Party of the former USSR federation (Semahagn, 2014, p. 124).

Alexander (2019, p. 21) remarks that one of the most important motives for the establishment of a federal government has been to prevent the appearance of tyrannical regimes by decentralizing the powers of the government. But an attempt to mix the Marxist–Leninist ideology of one-party rule with federalism creates contradictory scenarios. The former indoctrinates centralization of political power, while the latter

teaches decentralization of power. As it is quite evident today in Ethiopia, the blending of two contradictory ideologies coupled with the modalities of the federal structures (such as ethnic federalism, asymmetric and incongruent forms of federalism, and dominant-party governance) provide valid reasons for the prevailing ethnic conflict in Ethiopia.

By mixing liberal capitalist economic principles and a socialist command economic system, the EPRDF achieved double-digit economic development for the last two decades. They also argued that the existence of the secession clause in the Constitution is necessary in order to make the rights of a minority equal with the majority. For this reason, they argue that, on the one hand, it limits the majority groups' dominant power, on the other hand, it serves as a protective mechanism for the minority nation, which frustrates attempts to address societal pressing on the minority group.

Instead of the Constitution's democratic principles, TPLF/EPRDF applied the Marxist–Leninist ideological principles of

- Democratic centralism instead of democratic governance
- Public participation rather than popular sovereignty
- Control of every political activity by using “leadership evaluation”

By the same token, currently both the constitutional and ideological principles of EPRDF continue to prevail. The current Prosperity Party (PP) has not changed the socialist constitutional principles nor adopted clear ideological principles (except in the use of the word “Synergy”). In view of this, the PP is in an ideological dilemma because everything applies based on personal discretion rather than the party's political. And although considerable economic development took place under EPRDF rule, it was not equally distributed among regions, and still 22% of the population lives in poverty.

With regard to the secession clause, it has exaggerated conflicts among ethnic groups and promoted ethnic identity over Ethiopian identity. The right of secession makes the boundary-drawing exercises around and between ethnic groups highly politicized. That is why the TPLF adopted a tendency toward secession in the year 2020.

There is no difference between the current PP and the EPRDF in terms of theory and practice. The TPLF, EPRDF and their affiliated parties, the Amhara National Democratic Movement (ANDM), the Oromo People's Democratic Organization (OPDO), and the Southern Ethiopia Peoples' Democratic Front (SEPDF) directly govern all the regions in

the Ethiopian federal system under their control. Although the EPRDF was replaced by the new PP in November 2019, the members and leaders of the PP are in fact the offspring of the EPRDF party.

Currently, the Oromia elites control the state apparatus and lead the country in the name of the PP. The existence of the socialist principles of the FDRE Constitution remain inviolable and indisputable in Ethiopia. It is thus clear that with the amalgamation of two contradictory (democratic and socialist) ideologies, the country is placed in an ideological dilemma. Constitutionally, each constituent unit of the federation is supposed to have full democratic rights, but in reality a single party dominates the country's political, economic, and social life. The current PP has emphasized liberal democratic principles but continues the EPRDF's Marxist-oriented undemocratic political policies, and this promotes political confusion in the country. As a result, the country's existence is questioned, the country seems at times like a failed state, and there are more inter- and intra-ethnic conflicts than before.

The Current Challenges of Ethiopia's Ethno-national Federalism

Ethiopia's federal experiment faces challenges that have handicapped the transformation of the political system into a more viable and vibrant multicultural federation. The most serious challenges of the country's federal system (Semahagn, 2012, p. 172) are as follows:

- The legitimacy of the federal system in its origin and discourse
- The complexities related to the application of ethnicity as the sole principle for structuring the state

Most scholars argue that the whole federal arrangement of Ethiopia is organized along ethnic lines, and the inclusion of the secession element enables serious ethnic conflicts. In other words, the Constitution draws boundaries along ethnic lines and grants power based on ethnic identity politics to titular ethnic groups without considering the non-titular ethnic groups who have been living in the same territory for generations (Jan, 2017, p. 225; Joanny, 2016, pp. 296–297).

For this reason, the Ethiopian ethnic regionalization arrangement has dramatically converted the relations between the titular (regional majorities) and the non-titular (regional or settler minorities) groups from a peaceful coexistence into inter-ethnic conflicts. This is best illustrated in the Benishangul-Gumuz, Gambella, Oromiya, and SNNP

regions. These regions reveal the adverse “impact of ethno-federalism on the generation and transformation of ethnic conflicts in Ethiopia” (Girum, 2014, p. 68). These conditions have led to the politics of intolerance and fear, resentment, and hate in the Ethiopian society (Gardachew et al., 2019, pp. 665–667).

According to Tsegaye (2010, p. 99), the other challenges Ethiopia confronts can be mostly expressed in terms of the competition for resources—natural endowments as well as financial resources in the form of fiscal transfers, that is, subsidies and grants, jobs, education, and power at the local, subnational, and national levels. Local elites tend to contribute to the escalation of ethnic conflict for the purpose of securing better access to coveted resources, opportunities, and powers.

Furthermore, Nikodimos (2004, p. 58) argues that the major challenge of Ethiopian federalism is related to recognizing ethnic-based parties which promote instability through the entrenchment of ethnic differences rather than the promotion of national unity. Thus, numerous inter-ethnic conflicts have occurred because “ethnicity has been used as an instrument to fuel conflicts caused by lopsided allocation of political and economic powers” (Legesse, 2015, p. 472).

The other challenge of Ethiopian federalism is its propensity to restrict migration-induced demographic changes. The established ethnic boundaries are threatened by inter-ethnic migration. Such opposition has generated internal violence among ethnic groups and produced conflict-induced displacement and deaths in current Ethiopia (Sibuh, 2020, p. 3499).

Similarly, Abebe (2017, pp. 284–285) has highlighted the fact that although the EPRDF promises to promote the issues of “development, peace and security within the ambit of a constitutional system of democratic republicanism”, the ethno-federation has empirically aggravated ethnic animosity over time and could lead to ethnic cleansing as in Rwanda. The TPLF engineers of this ethno-federal system designed it for the purpose of divide-and-rule by a minority group over the majority and for causing violent conflicts among Ethiopia’s diverse ethnic groups. That is why, currently, the OLF and Ogaden National Liberation Front (ONLF) are involved in an armed struggle to realize their asserted aim of seceding from Ethiopia (Alemante, 2003, p. 84; Temesgen, 2019, p. 19).

To dig deeper into the political conflicts of Ethiopia, Wondwosen Teshome (2008, pp. 21–22) has illustrated that empirically, different ethnic groups quarrel with each other about claiming additional land (boundary conflicts) from neighboring regions. It has become a common

challenge between the Oromo and the Somali ethnic groups; the Oromo and Harari, the Somali and Afar; the Amhara and Tigray; and the Oromo and the Southern Nations in SNNPRS.

Many scholars (Girma & Getahun, 2019; Kedir, 2011; Ketemaw, 2020) suggest that the only mechanism to overcome the above challenges is for the Ethiopian government to adopt a consociational democratic federation and form an all-party national coalition, the widespread use of the minority veto in the national and subnational legislatures, and the adoption of proportional representation in the electoral system and the central executive apparatus, the police, public administration, and the judiciary. These structural reforms can potentially protect local minorities against the undue intrusion of regional majorities.

In addition, the following problems must be resolved in order for the Ethiopian federation to overcome its debilitating internal contractions:

- The contested boundaries between regional states
- The failure to recognize that most of its ethnic groups are nationalities
- The inability to hold referenda on key issues such as the Silte's request for independence from the rest of the inhabitants of the Gurage region, the independence of the Wolaita and Konso from the SNNPRS region, and the independence of the Kimante from the Amhara region
- The conflicts over natural resources, including water and land usage, need to be resolved between the Nuer and the Anuak in Gambella; the Berta and Gumuz in Benishangul-Gumuz; and the Sidama and Wolaita in SNNPR

The ethno-federal structure and ethnic party politics have engendered ethnic tensions and violence and encourage political activists to organize around parochial ethnic issues, thereby fragmenting national politics in Ethiopia today.

Impacts on Ethiopia of Its Flawed Federal Structure

The impacts of its flawed federal governmental structure on Ethiopia today include political instability stemming from its entrenchment of ethnic conflicts rather than the promotion of national unity. In addition, the past and current demarcation of regional boundaries based on ethnic

lines promotes ethnic identity over national identity (Nikodimos, 2004, p. 58; Yonatan, 2016, p. 14).

In the same manner, the interactions and relations of citizens with the federal government offices and party membership depend on their ethnic membership or ethnic classification. This imposition of ethnic classification is resulting in a confrontation and hesitation among 85 diverse ethnolinguistic groups of Ethiopians, especially for the southern people of Ethiopia, which consist of more than 50 ethnic groups (Sibuh, 2020, p. 3498).

The second impact of Ethiopian federalism is inter-regional displacement of its citizens. According to the United Nations, as of January 2019, there were a large number of internally displaced people (IDP) due to conflicts over identity, access to critical resources, political power, and boundary conflicts. As a result, Ethiopia has a large number of IDP. In 2019, there were approximately 2.9 million IDP in Ethiopia and more than 2.4 million IDP who identified conflict as the primary cause of their displacement (Sibuh, 2020, p. 3500; USAID, 2019, p. 3).

According to Bekalu (2017, p. 50) the Oromia Regional State officials have forcibly evicted about 100,000 ethnic Amhara from their homes:

The majority of ethnic Amhara living in Western Harergie, Western Arsi, Arbagugu, Jimma, Guraferda, Wellega, Afar, Benshangul, and Western Shoa were displaced, killed or mistreated because of their ethnicity—which they never had a chance to choose before birth. According to these sources, the forced exclusion of people from their places of residence has been continuing.

Another major impact of Ethiopian ethnic-federalism is the death of innocent citizens in each region. Temesgen (2019, p. 20) has reported that inter-regional conflicts have resulted in the death of thousands of people and significant destruction of property. Violent conflicts have occurred between the Borana and Gerri in both the Oromia and Somali regional states; the Afar versus Issa in the Afar and Somali regional states; the Guji versus Gedeo in Oromia and SNNPR states; and the Guji versus Burji in the Oromia and SNNPR states.

For instance, according to the Ethiopian Broadcast Corporation (EBC, 2019), the Oromia activist known as Jawar Mohamed showed a message on his Facebook page, stating that his house was surrounded by the police who appeared to be against him. Following this, about 86 non-Oromo people were killed by his followers. Again, in June 2020, the

EBC announced that the known Oromia Artist Hachalu Hundessa had been killed by organized groups in Addis Ababa. Following his death, since June 2020, over 200 people were killed by organized groups in the Oromia region (EBC, 2020).

All the above incidents occurred due to the failure of conflict management, resolution, and transformation mechanisms in the Ethiopian ethno-federal system. The country has been exposed to the continuation of the old violent conflicts and the “sporadic explosion of new ethno-territorial and political violent conflicts, often taken as a bad omen for ethnonational bloodshed” (Abebe, 2017, p. 287). In fact, the claims of ethnic-based violent conflict have become the norm in Ethiopia (Abduselam, 2018, p. 42).

In June 2020, the Sidama ethnic group was recognized and allowed to establish its regional status. Following this, other ethnicities are asking the federal government to grant them regional status by both democratic and violent means, such as Hadya, Kembata, Gurage, Keffa, and Dawaro from SNNPRS. The Wolayta ethnic group has been repeatedly questioning the right to be a regional state within a separate entity. Due to the absence of an immediate response from the federal government, they have fought with the police and many people have been killed as a result. Even today, the southern region is in confrontation with itself and others and with the federal government.

In order to solve such ethnic conflicts and build unity, at the initiative of the Prime Minister Abiy Ahmed, the coalition of three ethnic parties of the EPRDF renamed itself as the PP in November 2019. As the designer and owner of the EPRDF for the last 27 years, the TPLF had withdrawn from the coalition party and, by acting with other ethnic parties in the name of federalism, began interrupting the whole political system of the country. In October 2020, it waged an open war against the Ethiopian national armed forces, but it has been defeated by the federal government, though there are some remaining areas of conflict. In spite of the reconciliation of the parties by Prime Minister Abiy Ahmed, the end of the rebellion looked alarmingly out of control. However, ethnic identity-based violent conflict has apparently decreased (Osunkoya & Basiru, 2020, p. 56).

Conclusion

From the beginning of Ethiopia’s political history until the downfall of the Derg military regime, the country’s state has possessed a centralized system of administration. Following the demise of the socialist Derg

military regime in 1991, and under the leadership of the EPRDF, the country became a formal democratic federal state in 1995. Supposedly, this state has a division of power between the Central government and the constituent regional units of the federation, and the country has a democratic political system. In practice, however, it has a socialist federation mixed with democratic ideological principles.

It is an ill-assorted hodgepodge; the socialist-oriented undemocratic multi-ethnic federal state has fostered ethnic identity politics and promoted antagonism among Ethiopia's ethnic groups. This has generated violence among many of the ethnic groups in the country and the displacement and/or death of many Ethiopians.

To resolve these problems, Ethiopia needs to reform its present ethno-federal political system and stop politicizing ethnic identity. Instead, the government should establish a consociational democratic federal system together with new uncontested regional boundaries and a non-ethnic, non-tribal, multi-party democratic political system similar to Switzerland and India.

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Revolutionary Democracy: A Terminus or Way Station for Ethiopia?

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ABSTRACT

This special issue of JDS provides several critical perspectives on the federal Constitution, the state, and contemporary politics of Ethiopia. All the contributors agree that Ethiopia's federal system promotes ethnic conflict rather than fostering an Ethiopian identity and national unity. The federal Constitution establishes a legal foundation for secession and in effect the possible disintegration of the federal state and the country's multi-ethnic political system. The current political actors, their ideology, and the prevailing political conditions in the country are leading the country down the path to a failed state. A fundamental issue in Ethiopian politics today is the prevailing ideology of revolutionary democracy, which has led its political actors to pursue policies and practices that aggravate the country's ethnic conflicts, weaken its national unity, and accentuate the contradictions in its flawed federal system of government.

Keywords: Revolutionary democracy, federal constitution, ethnic conflict, national unity, corruption, socialism, capitalism , solutions

Introduction

Ethiopia's rulers today have placed the country in the capitalist camp with an ideology that is better suited to establishing a socialist system. This is at the root of many of the current problems faced by the country. The current regime is pursuing economic policies with neoliberal tendencies, and those who have capital and leverage are largely engaged in rent-seeking activities. This is made worse by the country's high rates of poverty and the fact for decades that access to leverage, natural resources, and capital has been tied to one's particular ethnic identity. The regime's ideology of revolutionary democracy has run its course and must now give way to a different form of democracy if the country is to overcome its ethnic conflicts, unify, and prosper.

The origins of revolutionary politics are buried in the past. Moving to “modern” times, probably the most notable events in the development of revolutionary politics are the Russian Revolution in 1917 and the formation of the Union of Soviet Socialist Republics (USSR) in the early 1920s. A revolutionary ideology, now often called Marxist–Leninism, emerged in the USSR to replace the traditional norms of the authoritarian, monarchist, and imperialist regime of the Russian Tzars with one more representative of the needs of the people at large.

It must be noted that the new multinational, socialist state envisaged by Lenin and his followers was after Lenin’s demise shaped by Stalin and his followers who constructed a centrally controlled authoritarian state with a large bureaucracy. Both were contrary to the revolutionary and profoundly democratic perspective of Karl Marx and the early Marxist revolutionaries. But the Stalinist model seems to be the revolutionary model which has been most copied by revolutionary movements worldwide.

This revolutionary model was followed in many countries around the world, especially in Eastern Europe, after 1945. Shortly thereafter, many former colonial countries gained their independence led by a new leadership promising a better life for all, who in many cases adopted a similar political and economic model. When the USSR broke up between the late 1980s and early 1990s, under the weight of its many contradictions and inconsistencies, it was replaced by new states, some of which continued this model in some form, while others adopted a market-led, political, and economic model.

In the Ethiopian case, the Constitution of the present government is the 1994–1995 federal Constitution, created and implemented by the Ethiopian People’s Revolutionary Democratic Front (EPRDF), which was an ethnic federalist political coalition, which existed from 1988 to 2019. It consisted of four political parties, namely the Tigray People’s Liberation Front (TPLF), Amhara Democratic Party (ADP), Oromo Democratic Party (ODP) and Southern Ethiopian People’s Democratic Movement (SEPDM).

The EPRDF led the struggle that overthrew the existing socialist military dictatorship generally referred to as the Derg. The Derg regime ruled Ethiopia from 1974 to 1987, when the military leadership formally “civilianized” the administration but stayed in power until 1991. The EPRDF replaced this regime in 1991 and dominated Ethiopian politics to 2019. In November 2019, the EPRDF was dissolved, and the Prime Minister and EPDRF Chairman Abiy Ahmed merged three of the

constituent parties (minus the TPLF) into the new Prosperity Party, which was officially founded on 1 December 2019 and rules Ethiopia today.

The advent of revolutionary democracy came in 1991 when the TPLF led the EPRDF struggle to overthrow the Derg. The TPLF, despite their prior exultations against the Derg dictatorship, quickly followed many of its practices. They had begun as an ethnic party and followed the model of the Albanian Communist Party. First, they declared that the Amhara ethnic elite were the enemy, then the Oromo were included (Human Rights Watch, 2016; Molla, 2022). Ethnic conflict became the norm as the TPLF stigmatized the Amhara as the source of all the country's ills.

The war with Eritrea (previously part of Ethiopia) between 1998 and 2000 diverted popular anger from the country's internal conflicts and prompted expressions of national unity. Some relaxation of the TPLF-led EPRDF's iron grip on the country followed. The results of the 2005 election came as a profound shock. The EPRDF in reality lost the election but declared the results null and void and retained power. They continued their policy of cadre deployment in the federal and local governments, parastatals, and other large public and private organizations. Opposition parties were banned. This situation persisted until 2018 when the TPLF was ousted from the ruling EPRDF coalition.

Revolutionary Democracy: An Ethiopian Definition

It would appear that there are as many definitions of revolutionary democracy as people defining it. There is no single authoritative definition to be found. Wikipedia, one of the most commonly used reference points, although frowned on by some in academia, describes it as follows:

A democratic revolution is a political science term denoting a revolution in which a democracy is instituted, replacing a previous non-democratic government, or in which revolutionary change is brought about through democratic means.

In Ethiopian terms, Lovise Aalen (2020) defines it as “A wartime ideology both shaping and shaped by peacetime policy needs”. Revolutionary democracy became the ideology of the early liberation movements and parties that overthrew the Derg regime. It was initially designed as a program that would guide the transition to socialism in Ethiopia.

However, the world's geopolitical power balance changed dramatically with the collapse of the USSR and the so-called Socialist Bloc, and capitalism now dominates the world system. In order to deal with and receive support from powerful international institutions such as the IMF and the World Bank, the path of revolutionary democracy in Ethiopia has been diverted, and it has shifted away from its early Marxist–Leninist roots in the early days of the TPLF.

Threading a line between its hardcore members and the Western-dominated international institutions, the EPRDF devised a way out of this contradiction by stating that revolutionary democracy was a path that could lead to either socialism or capitalism. Revolutionary democracy, in keeping with its socialist roots, prioritizes group rights over individual rights. In Ethiopia, that means setting ethnic identity above national identity, something that is further exacerbated by the country's flawed federal structure.

Revolutionary Democracy and the Undemocratic EPRDF²

Looking at the explicit nature, policies, and programs of revolutionary democracy in Ethiopia over the past 30 years, although the EPRDF states that its objectives of revolutionary democracy are democratic, its policies and practices have been fundamentally undemocratic. The EPRDF claimed that it would uphold the rule of law by following the ideology of revolutionary democracy and that everything would be done according to the rule of law. However, it has governed in a way that distorts and undermines the rule of law. This is evidenced by the repressive laws it enacted to support anti-terrorism activities, its curbs on the media and civic organizations, and its violation of constitutional and human rights.

It did not suit the EPRDF's autocratic tendencies for independent governmental and non-governmental organizations to be strengthened. Further, they did not want the implementation of the separation of powers and effective checks and balances that are the cornerstones of a democracy. Revolutionary democracy supposedly protects both individual and group rights as enshrined in the Constitution, but instead certain ethnic groups were discriminated against, while others were promoted.

The party dominated and centralized power and controlled the media. The emphasis was primarily on economic development. Acceptance of the importance of economic growth is not in itself wrong, but revolutionary democracy was used to suppress human rights and freedom of expression while focusing almost exclusively on poverty and development.

Poverty was seen as an existential threat, justifying the increase of state power as the means to combat it. Moreover, the failure to address and find solutions for other severe problems has led to many humanitarian and social crises. As a result, the economic growth that had been envisioned is of poor quality, and the distorted economic system that has been created has plunged the country into debt, which is a heavy burden for future generations.

Another side-effect of revolutionary democracy is that it perverts the relationship between the party and the government. It can be seen in the EPRDF's use of government institutions and some civic institutions as a tool for its domination. The EPRDF used the civil service as though its employees were supporters of the party and used it to achieve the party's goals and objectives. Any worker who opposed or questioned the party's intentions was often subjected to harassment, including arrest and dismissal.

The Constitution neglected the defense and security services except as a tool for the implementation of the party's goals. The following is an excerpt from pages 25 and 26 of the party's 2005 book, *Building an Army in Revolutionary Democracy*:

In our reality, the security of our revolutionary democratic system and the protection of our country are essentially the same. Without a revolutionary democracy, there will be no rapid and sustainable economic, social development, democratic unity. (EPRDF, 2005)

They believed that all institutions should be guided by this system of thought and used the governmental structures as a tool to translate their beliefs into action. Consequently, almost all institutions, such as the three branches of government, public organizations, civic institutions, religious institutions, and educational institutions, served as centers of thought for the supremacy of revolutionary democracy.

In the nearly all institutions, they were, directly and indirectly, involved in making their practices and management at the very least acceptable to the EPRDF. While the EPRDF has achieved quick results and fast economic growth, it has also raised questions about its credibility and sustainability. Due to its obsession with domination, it has become entangled in institutions that need to be neutral for state power, undermining the credibility and effectiveness of those institutions, undermining public trust in the government, failing to build strong and independent institutions in Ethiopia, and disrupting the country

whenever there is a political crisis. In summary, the government and the party are the same, and the civil service is used to support the needs of the party, a characteristic of both communist and fascist regimes.

A true democracy by contrast requires a genuine separation of the powers of the executive, the legislature, and the judiciary. Other particular requirements include a genuine commitment to true human rights, the rule of law, freedom of speech, a free press, free trade, and the protection of private property. Finally, all of these fall under the umbrella of a multiparty political system and free and fair elections.

The theory of revolutionary democracy, like any other political ideology, has its strengths and weaknesses. In Ethiopia, where more than 85% of the population is engaged in agriculture, revolutionary democracy claims to support this demographic group. Many efforts to improve the lives of subsistence farmers are included in this framework. Although the agricultural sector's successive growth and poverty reduction programs have been hailed as successful, corruption and rent-seeking due to lack of government scrutiny and transparency have become widespread.

Economic deprivation is the essence of revolutionary democracy, and there is a tendency to link all problems to the economy, as though political, social, and other problems result solely from economics. In addition to overcoming poverty, the demands of freedom and justice must also be prioritized.

The main problem is that the EPRDF has not transitioned to a free and open democracy and market economy as was intended. It has not been possible to establish a free market and build an adequate non-dependent private sector in Ethiopia. This is due to the collapse of the government, a few forces degrading the economy, and the creation of a network of investors who squander government resources for their own enrichment. So for the self-sufficient investor, the door is closed.

Despite the fact that the government was ostensibly gradually withdrawing from the market, conversely in just a few years, more institutions were nationalized than privatized. Moreover, there has been a proliferation of corrupt influences between the government and the private sector. Unfortunately, revolutionary democracy did not create a free legal system and an independent judiciary to challenge these practices.

Additionally, the failure to support subsistence farmers and independent enterprises from cottage industries to mid-level manufacturing, through correctly targeted government loans and access to redress through the courts, has acted as a drag on the private sector and put off international investors.

The replacement of the multiparty constitutional system with the dominant party has had a significant effect. The revolutionary democracy program created a real opportunity for the dominant party based on the interests of the subsistence farmers who were seen as the bedrock of their support.

For the past 27 years, the EPRDF has said that its ideological, social base is the oppressed farmer, but in practice, it has adapted to capitalism while still retaining its original core. In particular, the principle that the TPLF, the creator of the EPRDF, fought for during the armed struggle was not a formal one but a principle of socialism based on ethnic identity.

When the ideology changed from socialism to capitalism in 1991, they changed the approach to formal struggle and stated that the social basis was the country's subsistence farmers. They also said that they would pay special attention to agriculture and rural development to raise the subsistence farmers to a middle-income level. Additionally, they outlined a policy and strategy stating that the agriculture-led economy would provide food for rural subsistence farmers and raw materials for industrial inputs.

It is important to point out that the EPRDF's view of developmental progress was based on a pastoral community as a settled community. This contrasts with the Stalinist view that a class struggle is an essential component of the revolutionary model. Although the EPRDF has prioritized food security and rural development as a social basis for rural subsistence farmers, the plan has not been effective due to a lack of production technology and inputs. In addition, the planned rural development has neglected many pastoralists in the country.

EPRDF considers pastoralists unsuitable as a social base in line with the idea of revolutionary democracy. That community does not have such a class struggle. This idea is inherently contradictory because the EPRDF first considered the undeveloped pastoralists in the developing regions as its social base. According to UNICEF figures, pastoralists make up between 14% and 18% of the population, and their constraints are similar to the rural poor but exacerbated as they are ostracized and marginalized.

The EPRDF's ideology of revolutionary democracy in the developing regions is unbalanced and distorted, showing that it is still unchanged and unfit for successful government. Consciousness in these developing regions has been undermined due to the lack of attention to the economic production of livestock products.

Further urban development, service sectors, and industries, while not socially fundamental but which can be the mainstay of the country's economy, have been neglected for many years. However, in the 2005 general elections, the cities became the centers of unemployment and social crisis, and the opposition became fiercely competitive. As a result, the EPRDF has been forced to look at the post-election challenges and social struggles it faces. The party abandoned the ideology of capitalism and began to explain that it was a developmental state. It rejected the rural-centered economic policy and strategy and focused on urban development, industry, and services to become a pro-urban organization. It can be seen that the EPRDF is constantly changing its social base due to external influences and internal influences within the organization. However, despite this contradiction, it still argues that the social basis is the rural farmer.

When we look at the above contradictory points as evidence, we conclude that it has left the rural subsistence farmers landless and unemployed by squandering the fertile farmland to private investors in the name of investment. These state-of-the-art investors have been given large loans from the country's banks and have not used the money for its intended purpose. Consequently, undeveloped agricultural land is wasting valuable land resources for personal gain, leaving the farmers landless and having a negative impact on the agricultural sector. The TPLF, the main protagonist of the EPRDF, has denied the allegations.

Although the EPRDF-led government was providing tax-free loans and loan support to various industries and developmental investors in the industry, including the manufacture of fertilizers and production equipment, they were not given to ordinary subsistence farmers.

Although the government has been providing various subsidies to the urban population to alleviate the cost of living, this type of support is not common among rural people. Thus, the constituency of the EPRDF with its philosophy of revolutionary democracy, is not the rural subsistence farmer who they claim to be the social base of the society, but the loyal members of the party and the supporters of the rent-seeking private investors. This can be easily understood by looking at the country's actual registered developments and economic growth.

The main weakness of the EPRDF-led revolutionary democracy is its insistence that "national development cannot be achieved without creating a common enemy or rival to fight". However, of course, this idea is not the product of the EPRDF but the result of a centuries-old socialist ideology. In our country, prior to the formation of the EPRDF, parties

such as EPRDF and others have fought a similar ideology and class struggle, even with differences in spelling and grammar.

The nature of revolutionary democracy mentioned above and the current social, political, and economic crises in the country are due to the fact that it is not in line with reality. Thus, it indicates the need for a new concept that combines group rights with individual rights by distinguishing national identity from ethnic identity, which emphasizes universal prosperity, true democracy, and the building of a unified federal system.

The new idea which emerged in the aftermath of the change from a humanitarian perspective to political and economic programs has in the past provided solutions to fundamental problems in the nation-building process. In addition, the strengths, and weaknesses of the programs, which are often based on the ideologies of the global political economy, are far removed from ideological urgency and are centered on flexibility and pragmatism. Almost all of them seem to follow the so-called moderate policy line with the goal being to ensure universal political, social, and economic prosperity. However, to evaluate its practical application, it is crucial to make sure that these programs address Ethiopian reality.

In 2013, during the EPRDF period of rule, Muktar M. Omer published an article entitled “The New Trajectory of Totalitarian Thinking” (Omer, 2013). He examined what he described as the tyranny of ideology and the false national debate around true democracy and revolutionary democracy as espoused by the EPRDF. He concluded that because each ideology has a nebulous definition, debates quickly become circular, bogged down in tedious arguments over technicalities, and are largely pointless.

His view, and one I follow, is that any debate should be around whether the ethical principles of true democracy are set out in the Constitution put forward by the EPRDF. He also requires that the success or failure of revolutionary democracy should be measured against its implementation in practice and not against the possible outcomes of a true democracy.

In my view, the current Constitution and federal system clearly promote ethnic conflict rather than fostering an Ethiopian national identity. This is explored by Adeno Addis in this special edition, with a conclusion that the FDRE Constitution is designed on a dissociation model that establishes a legal and political foundation for Ethiopian state disintegration. He argues for the re-imagining of a constitutional order based on integrative processes of association that honor the country’s diversity and forges a strong and durable Ethiopian identity.

The EPRDF has used its position to ensure that it rewards itself and its elite. It has skewed the country's economy to that end and has used ethnicity to promote ethnic identity rather than an Ethiopian identity. It has used cadre deployment to monopolize public discourse and stifled opposition with extra-judicial actions.

In short, if we summarize the foregoing, revolutionary democracy as implemented by the EPRDF is today neither revolutionary nor democratic and has run its course. Furthermore, there is strong evidence to suggest that its implementation was utilized toward deplorable and errant ends.

Economic Blunders: Policies That Fail Both in the Theoretical and the Practical Sense

Neoliberalism is an economic system, whereby some of the wealthy, principally capital owners, first movers, and those with access to credit resources leverage their advantages to gain more wealth by engaging in rent-seeking endeavors, and by doing that, they take a larger slice of the pie without creating a larger pie. Additionally, they are typically afforded more legal and economic protection than is extended to the rest of the population.

Neoliberalism has increasingly become more and more prominent in the global economy. In the short term, this economic system hurts those in the middle and lower economic strata. However, in the longer term, it harms everyone regardless of economic or social class. The disbursement of capital resources to undeserving and disincentivized individuals causes a dearth of resources to those who would have implemented it in a way whereby innovation is fostered, and new wealth is created. This prevents the creation of a virtuous cycle where innovation and wealth create a net positive outcome.

The Ethiopian version of this is that access to capital and credit resources, tax advantages, and so forth are granted to people primarily based on their ethnic identity. For a long time, this meant granting a competitive advantage to the Tigray ethnic group. They were able to hoard wealth without developing any skills in innovation or entrepreneurship. This not only created an unfair system but also one that is a breeding ground for corruption. The excluded groups resorted to corruption merely to survive in this faulty economic system and engaged in unethical and unlawful activities such as taking bribes, tax evasion, and outright theft.

The Pervasiveness of Corruption In Ethiopia

In 2018, Ethiopia was ranked as the 114th least corrupt country in a sample of 180 countries. In 2019, a year after Abiy Ahmed secured power, it had improved by 18 places, ranking as the 96th least corrupt country. Since then, its ranking has continued to improve and is currently at 84th rank (Trading Economics, 2022).

Ethiopia's corruption ranking indicates that while it has improved over the past several years in addressing the issue of corruption, it is still deemed more corrupt than almost half the countries in the sample. Additionally, the symptoms of corruption linger even if the underlying causes have been addressed, as economic success is a compounding phenomenon. For example, a UN report found that \$30 billion had flowed into Ethiopia by way of foreign aid, 100% of which was lost to corruption (Steinman, 2017).

The \$30 billion could have been used in improving human capital and building infrastructure, making the country attractive to foreign direct investment (FDI). A tried and tested way to generate prosperity in developing countries is an inflow of FDI, and corruption can significantly affect FDI.

Essentially, foreign firms invest in a country to generate profit by investing in infrastructure and human capital. The government then uses the newly acquired foreign currency to buy physical and other capital assets from abroad to improve conditions within the country. The objective is to create a virtuous feedback cycle, in which the foreign currency is used to build infrastructure with the resources with which the country is endowed, and then to improve human capital which in turn generates more FDI. Corruption prevents the creation of this cycle because it hinders property rights and the conduct of business in general, both of which are essential to securing FDI.

Ethiopia has seen dramatic economic growth over the past 30 years with annual GDP growth averaging around 8% (World Bank, 2016). FDI inflows and some liberalization of the economy, when compared to the Derg years, have improved economic growth within the country. A good indicator is that extreme poverty rates measured by child mortality and the death of mothers during childbirth have decreased.

However, the government has focused on economic growth rather than development, as shown by investments being directed toward those living in urban areas as opposed to those living in rural and provincial areas.

Research published by the world bank found that between 2010 and 2016, the percentage of people living below the national poverty line in urban areas fell by 11% from 26% to 15%. On the other hand, the poverty rates in rural areas fell by only 4%, from 30% to 26% (World Bank, 2020). The emphasis on developing urban areas as opposed to rural ones is shown by the considerable resources invested in the larger cities, especially Addis Ababa. The attention paid to developing urban areas, as opposed to rural areas may well relegate Addis Ababa and her sister cities to Potemkin villages.

Another point to consider is that the economic growth mentioned above seems much less impressive when taking population growth into account. All things considered, those with more children are far more likely to be living in poverty than those with fewer children. As a result, most of the new wealth was captured by those that had fewer children.

More importantly, Ethiopia historically has had high rates of inflation with an average inflation rate of 16.8% since 2008. While new wealth is being created, those at the top economic strata are largely insulated from the effects of the high inflation rate, leaving those less well-off to deal with the increased cost of living.

A long-standing policy position in Ethiopia is to levy high taxes and tariffs on imported goods, especially on high-value-added items such as cars, electronics, and capital goods. Commercial licensed importers also have restrictions on the volume and value of their transactions which can limit their operations. For example, a car bought under a commercial license cannot be sold for several years. These measures are stated to be in place to reduce inflation and preserve the value of the Ethiopian currency.

To fight inflation and improve the general economic reality, the country must be made more attractive to FDI inflows. For a sustained and growing economy, monetary policy is of great importance. It must be applied in tandem with prudent fiscal, political, and other policies that are designed to address unique and underlying issues affecting a country's economic performance.

People interacting with the government in Ethiopia will quickly realize that they are confronted by an inflexible and often unfathomable bureaucracy. This means that a transaction takes more time and effort than is necessary to accomplish it. Second, it creates a fertile ground for corruption, as the more unnecessarily protracted a system, the higher the likelihood of unofficial parallel processes.

The system may have been partly implemented in such a way as to benefit members of some ethnicities over others and to act as an employment sink. By decreasing the barriers to economic opportunity for those in the in-group, they are given a noticeable advantage. Nepotism can also be an issue.

Potential Solutions to the Prevailing Economic Realities

The outline of economic remedies set out in this section is not meant to address all of Ethiopia's prevailing economic problems. They are meant to be general recommendations that try to overcome some of the economic pitfalls created by poor policies and unfriendly realities. Most of these policy recommendations are based on theoretical economic frameworks, and all recommendations are subject to revision.

My point of departure is that ethnocentrism and corruption go hand in hand in causing economic inefficiencies. Clearly, this must be addressed by doing away with the systems that depend on people's ethnic identities.

As mentioned earlier, ethnocentrism retards economic development and growth, because it means economic opportunities are based on one's ethnicity. A first step to removing the negative effects of ethnocentrism, at least in part, is by doing away with ethnic federalism.

Ethnic federalism is a system of governance that has served to divide the country more than any other. It was most likely implemented by the EPRDF as a divide and conquer tactic, not unlike those employed by colonial powers during their conquests of poorer countries. In the long run, both economic growth and economic development would benefit from doing away with this system of governance. Moving to a geography-based system will also foster a sense of "Ethiopian-ness", rather than the often bitter ethnic divisions prevalent today.

Economic opportunities would then be assessed on their ability to provide value to the economy, rather than a person's identity being the main criterion. That will lead to the removal of a system that causes economic inefficiency.

Furthermore, replacing ethnic federalism with a democratic system and championing freedom could entice Ethiopia's massive diaspora population to invest more within the country. The increasing availability and ease of digital methods of remitting money internationally will provide easy and convenient avenues through which the country could acquire more foreign currency.

Another avenue, though often disparaged, is to increase the pay of public sector employees who are currently woefully underpaid. The effects of low pay are well known. Those living in poverty or residing in a lower economic stratum are more likely to engage in corrupt practices or crime. Increasing the wages of government workers could deter at least some of the corruption in which they could engage. It may also increase their efficiency. A counter-argument is that it could increase inflation, but there are equally compelling arguments that it would not. As reinforcement, the government could increase the penalties for engaging in corrupt activities. Harsher sentences would discourage such activities.

The following section presents a scenario whereby Ethiopia has done away with ethnic federalism and has implemented policies that mitigate the issue of corruption.

Potential Scenario for Economic Prosperity

I present here a scenario whereby Ethiopia could create a virtuous self-sustaining cycle of economic prosperity, predicated on the reduction and ultimate removal of corruption and ethnocentrism. As mentioned throughout this article, FDI has been a tried and tested path through which countries can improve economic realities.

There are several ways a country can attract FDI, such as through the export of tangible and intangible assets. The government can utilize underutilized resources. For example, Ethiopia could provide relatively cheap labor to firms abroad to increase foreign currency inflows. Ethiopia has a massive young population. In parallel with conventional education, the country can create a vocational education and training system that is more concerned with the attainment of practical skills attractive to foreign investors. Hungary, for example, has grasped this nettle with a root and branch restructuring of its tertiary education system to remove the social distinction between university and technical education. South Africa has done much the same with the creation of universities of technology.

By partnering with potential foreign investors, education programs could be tailored to meet their needs, with contractual requirements assuring long-term relationships. Concurrently, government could streamline bureaucratic processes by implementing technology to speed economic processes and reduce the need for human input. That would improve operational accuracy and limit the opportunity for corrupt practices.

The Ethiopian government could then use the funds procured from FDI to invest more in utilizing underused human capital and investing in new technologies. One specific example is GERD, Grand Ethiopian Renaissance Dam, a hydroelectric dam taking advantage of the River Nile to provide an electricity supply to previously unserved parts of Ethiopia. The technology transfer to Ethiopia will stand the country in good stead when the technology is rolled out to other hydroelectric plants in Ethiopia. It is also worth noting that the funds for the construction were raised by popular subscription, and not from foreign loans.

With enough investment in energy production, Ethiopia could serve as the *de facto* energy producer within the region, selling power to neighboring countries and acquiring more foreign currency to invest in more power plants. It is an example of a virtuous cycle.

The scenario presented above is just one of a combination of thousands of other paths to prosperity. However, all depend on removing the ethnocentric system of governance and addressing the issue of corruption. The economic system implemented by the EPRDF as with other facets of its government has failed to serve Ethiopia and its people. A top-down reassessment is required, discarding ethnic federalism as one of its central tenets.

The Undermining of the Amhara

A constant element of the TPLF's *modus operandi* and by extension that of the EPRDF is the undermining of all ethnic groups within the country, with the Amhara ethnic group being paid special attention. A clear categorical imperative of the TPLF was to drive a wedge between the Amhara, Oromo, and other ethnic groups within the country. By keeping these ethnic groups at each other's throats, they could maintain power comfortably. They did this through many different means, but primarily, pushing a narrative wherein the Amhara are portrayed as the oppressors of the Oromo.

Since the onset of the Tigray conflict, tens of thousands of Amhara have died—military and civilian casualties—with those displaced numbering the millions. The deaths can primarily be attributed to conflicts with the TPLF and deaths of Amhara residing within the Oromo region. A swift cessation of the conflict is needed to stop the loss of human life and mitigate the effects on economic prosperity.

From the onset, the tactics used by the TPLF in placating the Oromo were to put them at odds with the Amhara. By being educated that they are victims of the Amhara, they firmly proliferated the notion that all their problems stem from the machinations of the Amhara and their leaders. A new challenge faced by the Oromo is the war in Tigray which has caused numerous deaths and economic disarray.

The Strife of the Tigray

Following the ascension of the TPLF and the creation of the EPRDF, it became evident that the Tigrayans were privy to immense privilege at the expense of the remainder of the population. The ongoing conflict in Tigray was sold to the general population as imperative to maintain the sovereignty of Tigray.

The emphasis on the Tigray, Amhara, and Oromo ethnic groups must not be taken to mean that other Ethiopian ethnicities have not suffered. Rather, it is because these are the three largest ethnic groups within the country, accounting for about 70% of the population. Naturally, ethnic federalism, resource mismanagement, an ill-informed and malicious economic system, the current war in Tigray, and other factors have come together and given rise to the suffering of many Ethiopians regardless of their ethnic identities. Conjuring workable solutions to all these problems, especially for the foreseeable future, will be exceedingly difficult, but is nonetheless possible, given prudent policy implementations and time.

Ethiopia: Whither Now?

Ethiopia is currently at a crossroads. In one direction, the continuation of the current faltering steps toward a mixed economy with truly democratic principles and, in the other, a return to revolutionary democracy. If we examine revolutionary democracies worldwide, one is reminded of the old saying which originated in the French Revolution: “All revolutions end up devouring their own children.” Few revolutions have survived more than a few decades before another popular uprising overturned them.

People of many different political stances often come together with the common aim of carrying out the revolutionary process. When the revolution or liberation is successful, they return to their natural political homes, causing strains in the revolutionary organization, strains which will ultimately cause its fragmentation and downfall. We see this today in South Africa’s African National Congress.

Another sticking point is that very few liberation organizations succeed as governments. A liberation group needs an entirely different skillset from that required to run a country. Therefore, to answer the original question, “Revolutionary Democracy: A Terminus or Way Station for Ethiopia?” the answer is that if Ethiopia is to grow and prosper, it is now in a way station on the route between revolutionary and true democracies.

Ethiopia: Current Issues

The political situation in Ethiopia has changed since 2019. A popular revolution brought Abiy Ahmed to power, displacing the EPRDF. He immediately released all political prisoners and proposed the liberalization of many aspects of public life. He has, however, faced significant pushback, most notably in the insurrection initiated by the Tigrayan-based TPLF at the end of 2019.

One point worth noting is the use of the mainstream media by the US State Department to demonize the democratically elected Abiy administration and develop a call for regime change back to the previous EPRDF government dominated by the TPLF. The United States has also attempted to block aid and assistance to the Ethiopian government. As often happens, the truth has been the first casualty of war.

It would be very silly for the United States or any country in the West to be directly involved militarily within Ethiopia. If history is anything to go by, any military involvement by the United States or any of its allies will fail and most likely lead to catastrophe for the country being “liberated”. Some of the key aspects to be considered include the following.

As often happens in a post-revolutionary state, a new elite replaces the prior one, and nothing really changes for those at the highest levels. This is as true in Ethiopia as elsewhere. Many of the faces seen before 2019 are still present in public life, perhaps less prominent, but still there, and still as narcissistic.

As noted elsewhere in this document, the administrative units within Ethiopia were defined and mobilized to support the dominance of one ethnic group over all others in the region. The intention was to confine internal strife to that between ethnic groups, not against the central administration. That process has continued and intensified recently with inter-ethnic atrocities, particularly against Amhara minorities outside Amhara, for example, in Oromo. Furthermore, some estimates have tallied the Tigrayan death toll as high as 10% of the population at the onset of the conflict.

Ethiopia has suffered under the economic impact of the COVID-19 pandemic and the restructuring of the global economy that is currently underway. However, the hangover from the misplaced political and economic focus of the EPRDF has exacerbated the economic difficulties faced by Ethiopia and quickened the move to high levels of inflation.

The efforts by the United States to block aid and economic support to Ethiopia have also had a debilitating effect. The US Senate Bill HR6600 is a clear statement of their wishes. Reportedly, Ethiopia has spent over \$2.5 billion on the war in Tigray. This is money that could have otherwise been spent on more fruitful endeavors that would have bettered the lives of many Ethiopians. Furthermore, climate change and the war in Ukraine will most likely be a major problems, with the consequences being felt in the not-too-distant future.

A key issue is that the current Ethiopian Constitution promotes conflict between ethnic groups in Ethiopia, rather than promoting a unified Ethiopian identity. We can see the effects of the divisive nature of the provincial structures in the continuing fighting between different ethnic groups in the same province.

Oromo is a specific example. The OLA (Oromo Liberation Army) aligned with the TPLF in 2019 and continues to carry out a low-level civil war in the Oromo region of Ethiopia. There have been recent mass killings of ethnic Amharan Ethiopians in Oromo.

To a great extent, the current government is caught between two stools: They must change the governance structures to defuse ethnic tension but cannot do so because redrawing provincial boundaries could increase them and there is considerable opposition from interested parties benefiting from the unrest. At some point, they must grasp the nettle.

Ethiopia is fighting a war on multiple fronts within itself, brought forth by malignant and ineffectual leaders, essentially engineering failing political, social, and economic systems that have failed on multiple dimensions. There are no obvious solutions, and even if there were, the way by which they would be facilitated in and of itself could make things worse. The solution is unclear, and the challenge is formidable with no clear solution in sight.

It is also worth noting that the entire planet is in the throes of a climate change process that can devastate the entirety of the human race. It is becoming increasingly clear that the increases in consumption and use of natural resources required by the current capitalist model to sustain economic growth greatly contribute to the climate change process, and it is unlikely that the drastic changes in consumption needed to head it off

will be implemented. An economic model, ideology, and politics based on less exploitative and eco-friendly measures are desperately needed.

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NOTES

1. https://en.wikipedia.org/wiki/Democratic_revolution
2. This section is based on an article by Ayele Addis Ambelu and Abebe Zegeye, “Changes In Ethiopia’s Political Ideology” (In Amharic), *Journal of Afro-Asiatic Languages, History and Culture (JAAL)*, Volume 11, Number 2, 2022, 115–148.

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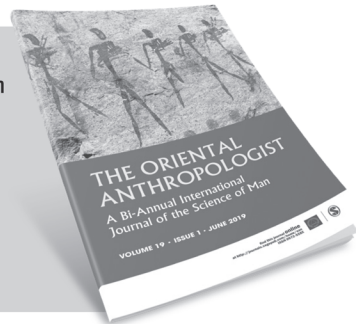
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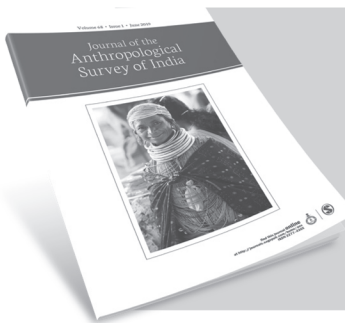
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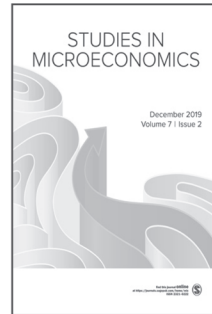
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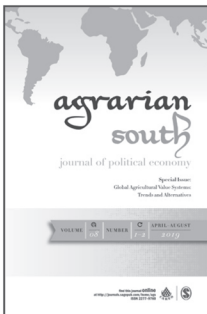
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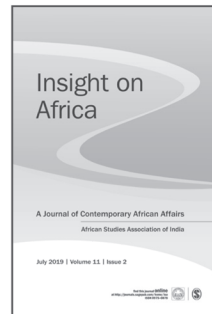
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