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ETHIOPIA: FROM A CENTRALISED MONARCHY TO A FEDERAL REPUBLIC

Christophe Van der Beken

*Ghent University
Faculty of Law, Department Public Law
Universiteitstraat 4
9000 Gent
Belgium*

e-mail: Christophe.VanderBeken@UGent.be

SUMMARY

Ethiopia: From a Centralised Monarchy to a Federal Republic

Although the Ethiopian state traces its roots back to the empire of Axum in the first centuries AD, the modern Ethiopian state took shape in the second half of the 19th century. During that period the territory of the Ethiopian empire expanded considerably. Several ethnic groups were incorporated into the empire and the foundations for a strong, centralised state were laid. Centralisation of authority in the hands of the emperor and a strategy of nation building that denied the ethnic diversity of Ethiopian society characterised the rule of Emperor Haile Selassie. At the same time, these elements contributed to its decline. Haile Selassie was ultimately deposed by a military committee in 1974. This announced the end of the Ethiopian monarchy and the

transformation of the Ethiopian state, following the Marxist model. In spite of Marxist-Leninist attention to the 'nationalities issue', Ethiopia remained a centralised state, dominated by one ethnic identity. This gave rise to increasing resistance from various regional and ethnic liberation movements. The combined effort of these movements caused the fall of military rule in May 1991. The new regime, which was dominated by ethnically organised parties, initiated a radical transformation of the Ethiopian state structure that leads to the establishment of a federation in 1995.

Key Words: *Ethiopia, Political Development, Constitutional Development, State Structure*

1. INTRODUCTION

Although the historical origins of the Ethiopian state can be traced back thousands of years, the development of the Ethiopian polity as indicated in the title took place entirely during the last few decades. Until deep into the twentieth century, Ethiopia was governed by an emperor who based the legitimacy of his power on his descent from a mythical king who lived in the tenth century before Christ. As such, the Ethiopian monarch carried on an age-old governance tradition, a tradition which was not even interrupted by European colonial expansion at the end of the nineteenth century. The Ethiopian army put a (provisional) end to Italian colonial claims in 1896 and ensured Ethiopian national sovereignty, also with regard to other European colonial powers. For the Ethiopian empire, the end of the nineteenth century witnessed not only the preservation of its independence, but also considerable expansion of its traditional territory; expansion which delineated the extent of the territory of the Ethiopian state. The shaping of the new empire was followed by increasing centralisation of state power, whereby the emperor concentrated all power in his own hands. The culmination of imperial power was attained during the rule of Emperor Haile Selassie (1930–1974). However, the elements which founded imperial authority at the same time caused its decline. In the 1960s, armed conflicts arose in different regions of the empire and students nurtured the ideas which provided the ideological ammunition for resistance against the imperial regime. This weakened the regime and in 1974 it was not able to react appropriately to the

flow of protests and related demands, caused by international and national events. The crumbling state apparatus collapsed and Emperor Haile Selassie was deposed in September 1974. This meant the end for the monarchy in Ethiopia. State power was assumed by a military committee which was inspired by Marxism-Leninism. The new rulers established a *'People's Democratic Republic of Ethiopia'* and announced a more decentralised exercise of state power. However, this state reform did not prevent government power from remaining strongly centralised. Although the military committee took some radical social measures, it did not offer satisfactory solutions to the problems which had accelerated the downfall of Haile Selassie. Moreover, some of these problems were even reinforced by the actions of the military. Therefore, from the beginning of its time in power, the military regime had to deal with the actions of armed resistance movements. After a long civil war, the regime was finally defeated in May 1991. The most striking reform undertaken by the new power holders – the former resistance movements - became the transformation of the unitary state into a federal state with nine member states.

The present article offers a concise overview of these three different phases in recent Ethiopian political and constitutional history: the imperial period, the period of the military regime and the period of the federal republic, the current phase in Ethiopian history. The discussion of the first and second phases (in sections 2 and 3 respectively) mainly serves to provide a better understanding of the third phase, the current Ethiopian political and constitutional context which is then examined in section 4.

2. THE EMPIRE OF ETHIOPIA

As already indicated in the introduction, until the 20th century the Ethiopian monarchy appealed to a mythical descent, the so-called Salomonic tradition. This tradition was still explicitly incorporated in the 1955 Ethiopian constitution, which was drafted and enacted during the rule of Haile Selassie: *"The Imperial Dignity shall remain perpetually attached to the line of Haile Selassie I, descendent of King Sahle Selassie, whose line descends without interruption from the*

dynasty of Menelik I, son of the Queen of Ethiopia, the Queen of Sheba, and King Salomon of Jerusalem." It is an undeniable fact that the Ethiopian monarchy was an age-old institution which traced its roots back to the Empire of Axum.¹ The empire of Axum, located in today's northern Ethiopia, flourished in the first centuries after Christ and controlled important territories in the Red Sea region. Because of the territorial scope of their powers, the kings of Axum considered themselves kings of kings, or emperors. Through the Red Sea trade, Axum came into contact with the culture of the Mediterranean area. These contacts offer an explanation for the introduction of Christianity in Axum, in the fourth century AD. Christianity, in its orthodox form, became the state religion of Axum and would, together with imperial rule, develop into a constant factor in Ethiopian society. The expansion of Islam caused Axum to lose control over the Red Sea region.



Axum (photo by the author)

¹ Today, the remnants of the empire can still be visited in the town of Axum, in the Tigray region.

As such, from the 7th century onwards, the empire declined and, isolated from the outside world, it withdrew to more southern territories in the interior. In the following centuries, a Christian empire continued to exist, though with large fluctuations in its position of power. In the 16th century, for instance, the Christian empire was seriously threatened by a devastating Moslem invasion. But internal developments also impacted upon the authority of the imperial government. In the middle of the 18th century, though an empire with its seat of power at Gondar² still existed, there was no centralisation of power in the hands of the emperor. Real power in the empire was exercised by the regional lords. There was a complete fragmentation of power where the different component principalities of the empire vied for predominance. This period (which is called the *Zemene Mesafint* or the era of the princes) lasted to the middle of the 19th century. In that period a counter-reaction in favour of restoration of the central authority was initiated. As indicated in the introduction, this counter-reaction would culminate in the absolute and centralised power of Emperor Haile Selassie in the 20th century.



Gondar (photo by the author)

² Today a town in the Amhara region.

The year 1855 is usually seen as the year in which the *Zemene Mesafint* came to an end. It is the year in which Kassa Hailu, a nobleman from Qwara in Western Ethiopia, was crowned Emperor Theodoros II. Emperor Theodoros is considered the founder of modern Ethiopia.³ The rule of Emperor Theodoros created a break with the era of the princes. This break was not so much expressed in effective achievements as in ambitious objectives. Theodoros intended to unite the various principalities from the era of the princes under his ultimate authority. For that purpose he tried to establish a centralised administration and a central army. Both the administration of the empire and its military were exercised in a fragmented manner under the control of the regional lords and Theodoros did not succeed in carrying out his ambitious reforms. He particularly lacked the required financial resources. Moreover, his position was undermined by various regional rebellions. It was only by conducting continuous military campaigns that he managed to stay in power. However, the use of brutal violence only increased resistance to his regime. His attempts to reinforce his administration internally also caused external difficulties. In the end, he asked the British for support. Theodoros justified this request by referring to the common Christian tradition of both countries. When the British reacted unenthusiastically, Theodoros went to the extent of taking British envoys hostage. This decision turned out to be fatal, because the military mission which was sent by the British in reaction to Theodoros' action, sealed the fate of the emperor in 1868. The army of Theodoros, seriously weakened by the internal problems, was no match for the British. Theodoros realised that all was lost and he committed suicide. C. Clapham evaluates the period of government of Theodoros as follows: "*The reign (of Theodoros) is, however, memorable more for its aspirations than for its achievements.*"⁴

³ E. J. KELLER, *Revolutionary Ethiopia – From Empire to People's Republic*, Bloomington and Indianapolis, Indiana University Press, 1988, 21.

⁴ C. CLAPHAM, *Haile-Selassie's Government*, New York/Washington, PRAEGER, 1970, 12.

In 1872, after a short succession struggle, Kassa Mercha from Tigray was crowned the new emperor. The new emperor adopted the name of Yohannes IV. Emperor Yohannes shared with Theodoros the dream of a strong unified empire. To this end, he used a different strategy than Theodoros, a strategy which proved much more successful. Theodoros tried to create a unified Ethiopia by undermining the power of the regional lords and filling the resulting power vacuum with strong imperial authority. As shown in the previous paragraph, Theodoros never succeeded in achieving this. Yohannes, however, learned from the mistakes of Theodoros and tried to reinforce his position, not by undermining the authority of the regional lords, but by recognising and using this authority as the basis for central power. However, the acceptance of regional autonomy went together with the requirement that the regional lords recognise the ultimate power of the emperor. One of the consequences of this policy was that Menelik, king of Shoa, could establish a firm power base. Already during the rule of Yohannes, Menelik conquered large territories to the east, west and south of Shoa and incorporated them into his kingdom – and thus into the empire.⁵ Concerning the strategy of Yohannes, one has to point out that international developments had created a context that was not favourable for conducting a centralisation policy. During his rule, Yohannes was confronted with several threats to Ethiopia's national sovereignty and territorial integrity. In the 1880s, after having successfully defeated the Egyptians in the 1870s, Emperor Yohannes was confronted with the colonial ambitions of Italy. Italy had become a unified state only very recently and the new state aimed to establish a colonial empire, following the example of other European states. A war with Italy was imminent, but Yohannes chose to postpone the armed conflict with the Italians and to give priority to the fight against the Sudanese Mahdists who had invaded Ethiopia and plundered Gondar. Yohannes was eventually killed in a battle against the Mahdists at Metemma in March 1889.

As soon as he was informed of the death of the emperor, king Menelik of Shoa, the most powerful of the regional lords, declared himself

⁵ TEFERRA HAILE-SELASSIE, *The Ethiopian Revolution 1974 – 1991 From a Monarchical Autocracy to a Military Oligarchy*, London/New York, Kegan Paul International, 1997, 23.

emperor. Ironically, the dominant position of Menelik had been considerably reinforced during the reign of Yohannes by weapon supplies from the Italians. This was part of an Italian divide and rule policy that supported Menelik in order to weaken the position of emperor Yohannes. Therefore, the relationship between the Italians and Menelik initially seemed to be friendly. However, when it became clear that the Italians did not only have colonial claims on Eritrea - claims which had been recognised by Menelik in 1889 - but that they wanted to establish a protectorate over the entire Ethiopian empire, relations between the two parties soured rapidly. The Italians refused to withdraw their colonial claims; the conflict escalated and eventually, in 1896, it erupted into a battle between the armies of Menelik and the Italians at Adua (in the Tigray region). To the consternation of the confident Italians and many other European countries, convinced as they were of European superiority, the Ethiopians crushed the Italian army.⁶ The victory at Adua was extremely important for the further development of the Ethiopian state. Italy recognised Ethiopian independence and in other European countries an attitude of respect towards Ethiopia arose. The victory at Adua was therefore an important psychological element of successful Ethiopian resistance against European colonial expansion. Emperor Menelik not only played a central role in the protection of Ethiopia's national sovereignty, but he was also the driving force behind a large territorial expansion which gave the Ethiopian state its current borders. As indicated above, already during the reign of Yohannes, Menelik had conquered large territories. After his coronation, Menelik continued these conquests and incorporated several other areas and peoples into his empire. The victory at Adua had instilled such an attitude of respect amongst the colonial powers that they recognised these new borders in a range of agreements. The formation of the modern Ethiopian state is not therefore the result of external imperialistic design. However, it is appropriate to mention that the conquests of the pre-colonial empire showed clear parallels with the actions of the European colonisers.⁷ The conquests meant that numerous peoples with several languages, religions (Islam, traditional religions),

⁶ H.G. MARCUS, *A History of Ethiopia*, Berkeley/Los Angeles/London, University of California Press, 2002, 97.

⁷ E.J. KELLER, *o.c.*, 36.

cultures, socio-economic activities and governance structures became part of the Ethiopian empire. It was the end of the – numerical – dominance of orthodox Christians who had been using Amharic as their most important language for centuries. Ethiopia became a state with a multi-ethnic population, a characteristic which is shared by the Ethiopian state and most African states formed by European colonisation. The conquered peoples, of which most lived to the south of the traditional Ethiopian heartland, were not treated as equals in relation to the northern conquerors, but were subject to its political, economic and cultural dominance. The northern conquerors, though themselves belonging to several ethnic groups (such as the Tigrayans, Oromo and Amhara), were all perceived as Amhara by the conquered peoples. This was a consequence (after the coronation of Menelik) of the renewed dominance of the Shoa Amhara in the empire.⁸ The territorial expansion at the end of the 19th century was an extremely important phase in Ethiopian history, since there the germ was laid for the ethnic tensions and the rhetoric about Amhara dominance which would strongly come to the fore at the end of the imperial regime. An important factor in the oppression of the conquered peoples was the land scheme. The conquered peoples lost their traditional rights to land and their role was reduced to cultivating the land and providing goods and services to the holders of the land, who were mainly military commanders and soldiers with an Amhara identity.

Within the new boundaries of the empire, Menelik implemented the development of a more centralised administration.⁹ As such, he partly realised the dream which had been nourished by his predecessor Theodoros. Stronger centralisation was realised by the appointment of provincial governors by the emperor. It was especially in the newly conquered territories that the emperor had discretionary competence to appoint and remove governors. In the traditional heartland of the empire the emperor had to take into account the power basis of local aristocratic families. He also took steps in the direction of creating a professional, salaried army. Traditionally, the Ethiopian army consisted of soldiers who, in times of war, were provided by the regional lords. These soldiers were not paid, but had to live off what

⁸ The dominance of Tigray had ended with the death of Emperor Yohannes IV.

⁹ GHELAWDEWOS ARAIA, *Ethiopia – The Political Economy of Transition*, Lanham/New York/London, University Press of America, 1995, 25.

they could acquire from the local population during military campaigns. Menelik tried to develop a more centralised command structure and initiated the practice of paying a salary to the soldiers.¹⁰ In spite of these reforms, the regional lords preserved vast powers during the reign of Menelik. It is only under Haile Selassie that they became entirely subordinate to the imperial authority. The illness and death of Menelik in 1913 caused a succession struggle which continued during the short and tumultuous reign of Lij Iyasu, the grandson of Menelik. After the deposition of Lij Iyasu on charges of apostasy¹¹ in 1916, Zawditu, Menelik's daughter, was crowned empress. The empress, who had little interest in politics, left the daily administration of the empire to Ras Tafari, the later Emperor Haile Selassie. It was he, and not the empress, who determined Ethiopian internal and foreign policy. When Zawditu died in April 1930 it was therefore to be expected that Tafari would be crowned emperor. The new emperor adopted the name Haile Selassie.

Even in the first few years of his reign, Emperor Haile Selassie took a number of initiatives which expressed his ambition to replace the traditional, decentralised governance structure with "modern" centralised state machinery. One of the most important initiatives was the proclamation of a constitution in 1931. The aim of reducing the fragmentation of power and to centralise all powers with the emperor could already be inferred from article 1 of the constitution that stated: *"The territory of Ethiopia, in its entirety, is from one end to the other, subject to the Government of his Majesty the Emperor."*

¹⁰ E.J. KELLER, *o.c.*, 38.

¹¹ Lij Iyasu was accused of converting to Islam. This was a major issue since the emperor was obliged to profess his faith in Orthodox Christianity, the state religion. According to the prominent historian Bahru Zewde the overture of Lij Iyasu to Islam should rather be seen as an attempt to integrate Moslems into the empire; BAHRU ZEWDE, *A History of Modern Ethiopia 1855 – 1991*, Oxford, James Currey, 2001, 124.



Haile Selassie, Emperor of Ethiopia (<http://www.images.google.be>)

That the ultimate power in the empire was to be exercised by the emperor was confirmed by article 6: "*In the Ethiopian Empire supreme power rests in the hands of the emperor.*" Another constitutional provision which served the emperor's aim of greater centralisation was the establishment of a senate as one of the two chambers of the parliament. The senate was composed of important members of the nobility, who were appointed by the emperor. Because of their presence in Addis Ababa the regional lords could be checked more easily by the emperor and at the same time they were removed from their regional power bases, which resulted in weakening their political position.¹² The reform process was interrupted by the invasion of Italian troops in 1935. The installation of the fascist regime in Italy led to renewed interest in a colonial empire. Fascist Italy wanted to erase the stain of Adua and to incorporate Ethiopia into its colonial empire. Mussolini decided to attack Ethiopia and in October 1935 Italian troops marched into Ethiopian territory. This time the Ethiopian army was no match for the better-armed Italians and in May 1936 Italian troops conquered Addis Ababa. Haile Selassie fled the country and

¹² FASIL NAHUM, *Constitution for a nation of nations: the Ethiopian prospect*, Lawrenceville/Asmara, The Red Sea Press, 1997, 21.

went into exile in Great Britain.¹³ However, the infringement of Ethiopia's national sovereignty was of a short duration. By 1941 the Italian occupier was ousted, with British support. Haile Selassie was able to return to Ethiopia where he continued his policy of centralisation. Important developments in this context included elements which had also been postulated by Theodoros: the establishment of a centralised administration (from then on each province was administered by a governor-general appointed by the emperor) and the formation of a more professional, central army.¹⁴ The centralisation policy of Haile Selassie was accompanied by attempts to develop a nation state in Ethiopia based on the European model. The strategy that was developed for that purpose was not based on the diversity of the Ethiopian population, but in contrast involved attempts to impose the culture, language and religion of one ethnic group on all the other groups.¹⁵ Within the Ethiopian nation state there was no space for the ethnic diversity which had been a particular feature of Ethiopian society since the conquests of Menelik. The regime strived to erase the ethnic identity of the non-Amhara peoples and to replace it with an Amhara identity. The language of the Amhara, their culture and religion (Ethiopian Orthodox Christianity) were strongly propagated and idealised and all other languages, cultures and religions were denigrated. It was the Amhara elite, primarily the elite from the central region of Shoa, which had exercised power since the death of Yohannes IV and the subsequent accession to the throne of Menelik. Important elements in the policy of *Amharisation* were imperial administration and education which exclusively used the Amhara language, Amharic.¹⁶ The spread of Amharic and Amhara culture through the administration and through education had an important negative impact on the other languages and cultures. Non-Amhara peoples were not only subjected to economic (the loss of traditional

¹³ BAHRU ZEWEDE, *o.c.*, 150-160; H.G. MARCUS, *o.c.*, 138-146; TEFERRA HAILE-SELASSIE, *o.c.*, 38-40.

¹⁴ BAHRU ZEWEDE, "Hayla-Sellase: From Progressive to Reactionary" in ABEBE ZEGEYE and S. PAUSEWANG (eds.), *Ethiopia in Change – Peasantry, Nationalism and Democracy*, London/New York, British Academic Press, 1994, (30) 34.

¹⁵ E.J. KELLER, *o.c.*, 136.

¹⁶ With regards to education it has to be noted that Amharic was only used as the language of instruction in primary education; the language of instruction in secondary and higher education was English; E.J. KELLER, *o.c.*, 140.

land rights, see above), cultural, linguistic and religious oppression, but they also had to accept Amhara political dominance. For non-Amhara peoples the learning of Amharic and the adoption of Amhara culture, tradition and religion were necessary steps to develop a career within the state administration. However, the central features of Haile Selassie's policy, centralisation and Amharisation, did not appear to be suitable instruments to achieve an efficient and stable state. On the contrary, both elements were strongly contested as from the 1960s. They stimulated violent theoretical discussions about "the nationalities issue" as well as the rise of several regional and ethnic rebellions. Rebellions - where the dissatisfaction with an Amhara dominated centralised state was an important factor - arose especially in Eritrea and among the Somali and Oromo peoples from Bale. After the Italian claims on Eritrea had been recognised by Menelik, Eritrea became an Italian colony in 1890. In parallel with developments in Ethiopia, Eritrea was liberated from the Italians in 1941. The British administered Eritrea, whilst awaiting a final decision concerning the statute of the former Italian colony. On 2 December 1950, the General Assembly of the United Nations approved Resolution 390 A (V). This resolution provided for a federal link between Eritrea and the Ethiopian empire. The federal link was legally laid down in an Eritrean constitution which was approved by an Eritrean constituent assembly in July 1952.¹⁷ This constitution granted important powers to Eritrea, provided for an Eritrean flag and stated that Tigrigna and Arabic would be the official languages. Furthermore, the constitution provided for Eritrean legislative, executive and judicial bodies.¹⁸ However,

¹⁷ TEKESTE NEGASH, *Eritrea and Ethiopia – The Federal Experience*, Uppsala, Nordiska Afrikainstitutet, 1997, 75.

¹⁸ The contradictions between the Eritrean constitution and the Ethiopian constitution of 1931 contributed to the revision of the latter in 1955. One of the differences concerned the election of parliamentarians. The Ethiopian constitution of 1931 provided for the establishment of a two-chamber parliament: the Senate and the Chamber of Deputies. As mentioned above the senate was composed of important members of the nobility, who were appointed by the emperor. The members of the Chamber of Deputies were elected by the nobility and the local chiefs "until the people are in a position to elect them themselves" (art. 32 Constitution of 1931). However, the members of the Eritrean assembly were elected on the basis of universal suffrage (limited to men). The 1955 Ethiopian constitution also created a chamber of deputies where the members were elected on the basis of universal suffrage (for men and women).

the federal structure was at odds with the centralist objectives of Haile Selassie. The Chief Executive - the head of the Eritrean executive - for instance, was elected by the Eritrean assembly instead of being appointed by the emperor.¹⁹ Therefore, from the beginning the emperor strived to curtail Eritrean autonomy. This was expressed by the introduction of Amharic as the official language, to the detriment of Tigrigna and Arabic and was thus contrary to the Eritrean constitution. The destruction of Eritrean autonomy was sealed in 1962 with the decision of the Eritrean assembly (acting under strong Ethiopian pressure) to dissolve the federation.²⁰ This triggered an independence struggle which was initially conducted by the ELF (Eritrean Liberation Front) and later increasingly by the EPLF (Eritrean People's Liberation Front). In the course of the 1960s the imperial regime also had to face a revolt of Oromo and Somali in Bale, a province in south-eastern Ethiopia. This revolt grew from the resistance against Amharisation and was strengthened by dissatisfaction with the dominance of Orthodox Christianity over Islam, the shared religion of the Oromo and Somali rebels. The regional (in Eritrea) and ethnically inspired conflicts stimulated the growth of an ethnic awareness in Ethiopia. This was clearly visible within the Ethiopian student movement. In the middle of the 1960s students had demanded far-reaching reforms of the land scheme and a few years later they contested the official strategy of nation building. The students thus played an important role in undermining the legitimacy of the imperial regime. The major difficulties for the regime, however, occurred as from 1974. The inadequate response of the government to a terrible famine and to the international oil crisis further undermined the already shaky position of the imperial administration. In the first months of 1974, there were numerous street protests by diverse segments of the Ethiopian population. The government was not able to control the swelling flow of protests and related demands and also lost the support of the army. A military committee (Derg, in Amharic), consisting of representatives from several sections of the army, took power in the course of 1974 and deposed the emperor in September

¹⁹ Article 68 (1) 1952 Constitution of Eritrea.

²⁰ TEKESTE NEGASH, *o.c.*, 138.

1974.²¹ The constitution of 1955 (see footnote 18) was also suspended.

3. THE MILITARY REGIME

The Derg had now ended the regime of Haile Selassie, but initially it was not clear which political system the Derg was going to replace it with. However, soon the Derg came under pressure from different Marxist inspired groupings, including those of students, which demanded the resignation of the military and the formation of a civilian government.²² To weaken these critical voices and to acquire greater support from the people, the Derg became increasingly radical.²³ This radicalisation was confirmed by the ten point programme that was proclaimed by the Derg on 20 December 1974. This programme made clear that "*Ethiopian socialism*" would serve as an ideological guiding principle for Derg policies. In view of this, on 1 January 1975 the Derg decided, and as such implementing Ethiopian socialism, to nationalise private banks and insurance companies.²⁴ The measure with the largest social impact²⁵ however was the nationalisation of all rural land which was legally laid down in Proclamation No. 31 of 4 March 1975: "*A Proclamation to provide for the public ownership of rural lands.*"²⁶ This law put an end to the anachronistic *naftanya* scheme²⁷ that had been installed in a lot of southern areas during the rule of Menelik and that had continued to exist under Haile Selassie. As such, the military regime dealt with the demands which

²¹ C. CLAPHAM, *Transformation and Continuity in Revolutionary Ethiopia*, Cambridge, Cambridge University Press, 1988, 39-40.

²² C. CLAPHAM, *Transformation and Continuity in Revolutionary Ethiopia*, Cambridge, Cambridge University Press, 1988, 45.

²³ E.J. KELLER, *o.c.*, 192.

²⁴ ANDARGACHEW TIRUNEH, *The Ethiopian Revolution 1974-1987, A transformation from an aristocratic to a totalitarian autocracy*, Cambridge, Cambridge University Press, 1993, 89.

²⁵ In Ethiopia, agriculture accounts for a large majority of export and employment; J. VAN BEURDEN, *Ethiopië/Eritrea*, Amsterdam, Koninklijk Instituut voor de Tropen, 1994, 41.

²⁶ H. SCHOLLER and P. BRIETZKE, *Ethiopia: Revolution, Law and Politics*, München, Weltforum Verlag, 1976, 199.

²⁷ This refers to the northern colonisation of the conquered territories, as explained in section 2.

had been formulated by the Ethiopian students in the middle of the 1960s (see section 2). The land reform of 4 March 1975 did not only fit the ideological framework of *Ethiopian socialism*, but was also aimed at acquiring support among the people.²⁸ The law provided for the establishment of Peasant Associations, local governments which were charged with the execution of the land reform. The land reform was especially welcomed in the southern regions. As mentioned in section 2, many southern peasant families had lost their traditional land rights during the imperial period. These peasants thus hoped that the land reform would result in the restoration of their control over the lands and in an improvement of their economic position.²⁹ During the first few years after the land reform these expectations materialised. Initially, the Peasant Associations were truly representative organs of the peasants. The peasants elected their leaders freely and, because of this, they could exert substantial influence over local matters. However, this situation did not last long. After a few years peasant control of the Peasant Associations was replaced by a tight control by the central government. From bodies of local self-administration the Peasant Associations were transformed into instruments of central control. In the first few years after the land reform the economic position of the peasants visibly improved. The growing interference of the state in the agricultural sector ensured, however, that this result of the land reform also did not last.

In section 2, I indicated how the policies of Amharisation and centralisation played an important role in the undermining of the monarchy. The fact that the Derg, influenced by Marxist movements, followed a clear Marxist-Leninist ideology had its consequences on its approach towards the ethnic issue. In the "*Programme of the National Democratic Revolution*" (PNDR), a political programme that was adopted by the Derg on 20 April 1976 and that replaced the ten-point programme of 20 December 1974, a much more positive attitude towards ethnic diversity came to the fore.³⁰ The multi-ethnic

²⁸ H.G. MARCUS, *o.c.*, 190.

²⁹ C. CLAPHAM, *Transformation and Continuity in Revolutionary Ethiopia*, Cambridge, Cambridge University Press, 1988, 47; E.J. KELLER, *o.c.*, 217.

³⁰ PNDR, cited in MERERA GUDINA, *Ethiopia – Competing ethnic nationalisms and the quest for democracy*, Maastricht, Shaker Publishing, 2002, 82-83.

composition of the Ethiopian population was no longer denied. Also, proposals were formulated to remedy the distorted ethnic relations. The cultural oppression of the non-Amhara groups had to be remedied by the equal treatment of the history, culture, language and religion of each ethnic group. But just as the land reform did not lead to an improvement of the life of the peasant, the rhetoric of the PNDR did not give rise to substantial changes in ethnic relations. There was no clear weakening of Amhara dominance. This was not only the case in the field of language and culture³¹, regional autonomy equally did not fit the centralisation trend which had put the Peasant Associations under central control.³² In spite of the Marxist-Leninist rhetoric, Ethiopia remained a centralised, Amhara dominated state. This situation, coupled with an extremely violent repression, resulted in the regime (from 1977 onwards under the tight control of Mengistu Haile Mariam) finding itself under increasing pressure from regional and ethnic resistance movements.

One of the movements which at a certain point formed a threat to Ethiopia's territorial integrity was the WSLF (Western Somali Liberation Front). The WSLF was a movement which fought for the secession of the Ogaden region in Eastern Ethiopia and for the subsequent inclusion of this region in the republic of Somalia. The Ogaden formed part of the territories that were conquered by Emperor Menelik at the end of the 19th century. As such, the Ogaden Somali were separated from the Somali who lived outside the borders of the empire (in Somalia, Djibouti and Kenya). After their incorporation into the Ethiopian empire the Ogaden Somali continued to nourish strong nationalist feelings. The attempts of Haile Selassie to integrate the Somali within the Ethiopian empire, essentially an application of his *Amharisation* policy, could not erase Somali nationalism.³³

³¹ E.J. KELLER, *o.c.*, 220; LEENCO LATA, *The Ethiopian State at the Crossroads*, Lawrenceville/Asmara, The Red Sea Press, 1999, 202.

³² GHELAWDEWOS ARAIA, *o.c.*, 97.

³³ H.G. MARCUS, *o.c.*, 173; E.J. KELLER, *o.c.*, 157.



Mengistu Haile Mariam (www.dictatorofthefmonth.com/Mengistu)

The WSLF was supported in its irredentist policies by the republic of Somalia. The republic of Somalia strived for the unification of all Somali (not only the Ogaden Somali, but also the Somali from Kenya and Djibouti) into one large Somalia. In 1977, troops of the republic even invaded Ethiopia to support the WSLF. Soon the well-equipped army of Somalia - thanks to Soviet military assistance – was able to control the largest part of the Ogaden. However, the ever-more clearer Marxist-Leninist orientation of the Derg resulted in closer links between Ethiopia and the Soviet Union. This paved the way for far-reaching military cooperation between both countries - cooperation which led to a decisive turn in the Ethiopia-Somalia war. The military assistance of the Soviet Union as well as the active participation of Cuban troops in the war resulted in the ousting of Somalia's troops from Ethiopian territory in early 1978. After the end of the war, the activities of the Somali liberation movements in the Ogaden during the Derg regime would remain restricted to sporadic guerrilla and sabotage activities.³⁴ Ethiopian territorial integrity was also threatened by the growing Oromo nationalism. This nationalism had already been an important factor in the Bale revolt (see section 2) and was not tempered by Derg policies. Initially however, the Derg received a lot of support from the Oromo population. The land reform of 1975 ended the *naftanya* scheme (see footnote 27) that had condemned many

³⁴ E.J. KELLER, *o.c.*, 207.

generations of Oromo to a slave-like existence. The land reform not only ended Amhara economic exploitation, through the Peasant Associations the peasants received a certain amount of local autonomy that liberated them from Amhara political supremacy. Moreover, the PNDR created expectations regarding the improvement of ethnic relations. However, as has already been indicated in the two previous paragraphs, neither the land reform nor the rhetorical concern for the ethnic problem led to substantial changes. This situation led to growing success for the OLF (Oromo Liberation Front). The Oromo Liberation Front fought for an independent Oromia. According to the OLF, the territories inhabited by the Oromo had been colonised by the Amhara-dominated state at the end of the 19th century.³⁵ Eventually the OLF, in spite of its potential (the Oromo are the largest ethnic group in Ethiopia), contributed little to the struggle against the Derg. The OLF never managed to grow into an organisation representative of all Oromo.³⁶

In Eritrea, however, the EPLF could provide a substantial contribution to the gradual weakening of the Derg army. In section 2 I mentioned that the independence fight was initially conducted by the ELF. The ELF was particularly supported by Eritrean Moslems. The ELF had a pan-Arabic and pan-Islamic ideology, which generated a lot of support from the Arab world, but which at the same time laid at the basis of a difficult relationship with the Eritrean Christians who increasingly revolted against Ethiopian control.³⁷ The antagonisms between Moslems and Christians within the ELF were an important cause of the fragmentation of this organisation and at the beginning of the 1970s the EPLF, which was supported by Eritrean Christians, was established. Initially the Derg took a reconciliatory attitude towards the Eritrean problem, but the radicalisation of the military committee caused the Derg to leave the path of reconciliation and to opt for

³⁵ S. VAUGHAN, *The Addis Ababa Transitional Conference of July 1991: its origins, history and significance*, Centre of African Studies, Edinburgh University, 1994, 17.

³⁶ S. FULLERTON JOIREMAN, "Opposition Politics and Ethnicity in Ethiopia: We Will All Go Down Together", *The Journal of Modern African Studies* 1997, (387) 394.

³⁷ TEKESTE NEGASH, *o.c.*, 154.

military repression of the independence struggle.³⁸ The repressive approach of the Derg greatly stimulated the growth of Eritrean nationalism. The invasion of the Somalian army in the Ogaden weakened the Derg army in Eritrea so that at the end of 1977 the Eritrean liberation movements controlled the largest part of Eritrean territory. However, after the victory of Ethiopia against Somalia, the Derg was able to move its military attention to Eritrea and to reconquer most of the lost territories. The ELF was as good as defeated, but the EPLF persisted and would, together with the TPLF (Tigray People's Liberation Front) develop into one of the greatest threats to the Derg regime. The TPLF was set up in 1975 by Tigrayan students who were strongly influenced by the views of the Ethiopian student movement. The TPLF, just as most important Ethiopian political groups of that time, had a Marxist-Leninist ideology and presented itself as a movement which fought for the right to self-determination for the Tigrayans.³⁹ Initially, the TPLF equated self-determination with independence, but soon the establishment of an independent republic of Tigray was no longer the ultimate objective of the TPLF. The liberation struggle now aimed "*To eliminate national domination and restore the national rights of the Tigrayan people.*"⁴⁰ Tigrayan nationalism, which was based on common characteristics in the field of language (Tigrigna), culture and tradition, was efficiently used by the TPLF as a mobilising instrument in its liberation struggle. The TPLF, together with the EPLF, developed into the most important resistance movement against the Derg. It has to be noted though that this successful mobilisation would not have been possible if the TPLF had not coupled the abstract objective of self-determination with concrete actions to improve conditions for the Tigrayan population.

In spite of the enormous deployment of military resources, the Derg did not succeed in breaking the resistance of the liberation

³⁸ *Ibid.*, 158.

³⁹ S. FULLERTON JOIREMAN, *l.c.*, (387) 389-390; J. YOUNG, *Peasant Revolution in Ethiopia – The Tigray People's Liberation Front, 1975-1991*, Cambridge, Cambridge University Press, 1997, 83; LEENCO LATA, *o.c.*, 198.

⁴⁰ ALEMSEGED ABBAY, *Identity Jilted or Re-Imagining Identity - The Divergent Paths of the Eritrean and Tigrayan Nationalist Struggles*, Lawrenceville/Asmara, The Red Sea Press, 1998, 197.

movements. Because of this, the Derg started to turn its attention to a peaceful resolution of the various ethnic and regional conflicts. In February 1987 a new constitution was approved, as such ending a period of thirteen years in which Ethiopia was governed without a constitution (the constitution of 1955 had been suspended when the Derg took power in September 1974).⁴¹ The new constitution, which established a People's Democratic Republic of Ethiopia (PDRE), contained several provisions which reflected a concern for the complaints of the ethnically and regionally organised rebellion movements, without however abolishing the unitary state structure. Independence for Eritrea or even federalism was excluded, although it was stated that within the unitary state "*all nationalities live in equality*."⁴² The PDRE would guarantee linguistic diversity⁴³, despite article 116 of the constitution which stated: "*State activities shall be conducted in the Amharic language.*" Furthermore, article 59 of the constitution provided for the establishment of autonomous and administrative regions. Although these new administrative entities were allocated powers such as the drawing up of social and economic plans, the drawing up of a regional budget and the election of regional judges, they had a subordinate position towards the central government.

The provisions of the new constitution were therefore not able to extinguish the revolutionary fire. On the contrary, from 1988 onwards there was a remarkable weakening in the position of Mengistu (who came to personify the Derg). In the course of 1988, the morale of the Derg troops was seriously damaged by the military successes of both the TPLF and the EPLF. At the beginning of 1989 the TPLF succeeded in gaining control of the largest part of Tigray. Subsequently, The TPLF decided to widen its objectives and to extend its actions to areas outside of Tigray, in order to bring about the complete downfall of the Derg. The TPLF, however, only represented a small

⁴¹ ABERRA JEMBERE, "The Functions and Development of Parliament in Ethiopia" in C.M. ZOETHOUT, M.E. PIETERMAAT-KROS and P.W.C. AKKERMANS (eds.), *Constitutionalism in Africa – A Quest for Autochthonous Principles*, Deventer, Gouda Quint, 1996, (63) 68.

⁴² Article 2(1) 1987 constitution.

⁴³ Article 2(5) 1987 constitution.

part of the Ethiopian population (the Tigrayans) and, to rally other peoples behind its struggle, the TPLF in 1989 created the EPRDF (Ethiopian Peoples' Revolutionary Democratic Front). With the creation of the EPRDF, the TPLF's aim was the formation of a broad coalition of ethnically based parties. The fact that the EPRDF was not conceived as a multinational organisation, but as a coalition of several ethnic parties, was entirely consistent with the emphasis that was placed by the TPLF on the ethnic element. During the liberation struggle, three organisations, besides the TPLF, became members of the EPRDF:

- EPDM (Ethiopian People's Democratic Movement), an Amhara movement, as the later name of the organisation ANDM (Amhara National Democratic Movement) clearly indicates;
- OPDO (Oromo People's Democratic Organisation), a movement for the Oromo;
- EDORM (Ethiopian Democratic officers' Revolutionary Movement): this organisation, which was disbanded after the liberation struggle, consisted of Derg officers who had been made prisoners of war by the TPLF.

Note however that the TPLF had played a decisive role in the establishment and development of the three other organisations.⁴⁴ In March 1990, Meles Zenawi, the president of the TPLF and EPRDF, visited Washington and there he reportedly renounced Marxism-Leninism which gained him the support of the United States. The collapse of the communistic bloc also led Mengistu to distance himself from Marxism-Leninism in March 1990. Mengistu did not however succeed in persuading the United States⁴⁵ and the successive victories of the Tigrayan and Eritrean Liberation movements increasingly undermined his position. On 21 May 1991 Mengistu, who had become desperate, fled to Zimbabwe where he was granted political asylum and the EPLF conquered Asmara, the capital of Eritrea on 24

⁴⁴ S. VAUGHAN, *o.c.*, 5-6.

⁴⁵ ANDARGACHEW TIRUNEH, *o.c.*, 360.

May 1991.⁴⁶ On 28 May the EPRDF entered Addis Ababa and took power.⁴⁷

4. THE FEDERAL REPUBLIC

On 28 May 1991 EPRDF, EPLF and OLF announced in a joint declaration that on 1 July 1991 a large-scale national conference would be organised. This conference would discuss the details of the transitional period and the formation of a transitional government. In the meantime, the EPRDF would form a provisional administration.⁴⁸ Meles Zenawi became acting head of state and Tamrat Layne, the president of ANDM, acting prime minister. The provisional EPRDF administration respected its commitment and, on 1 July 1991 it opened the national conference. The list of participants shows that 27 Ethiopian political groups and organisations participated at the conference. Though representatives from Addis Ababa University, from workers and from political parties with a unitary ideology participated in the conference, most participants were representatives from ethnically organised political groups. Several of these groups had been created for the occasion, but others had a longer history and had provided a – substantial or less substantial – contribution to the political and military struggle against Mengistu. The first issue that was discussed by the national conference was the acceptance of a "*Transitional Period Charter of Ethiopia*." The Transitional Charter, which was approved by the national conference, would act as "*the supreme law of the land for the duration of the transitional period*"⁴⁹ and was published on 22 July 1991 in the *Negarit Gazeta* (the Official Journal of Ethiopia).

The Transitional Charter set out the fundamental structure and composition of the transitional government. The transitional government consisted of a "*Council of Ministers*" and a "*Council of*

⁴⁶ REPORT OF THE NORWEGIAN OBSERVER GROUP, *Local and Regional Elections in Ethiopia 21 June 1992*, Oslo, Norwegian Institute of Human Rights, 1992, 5.

⁴⁷ T.M. VESTAL, *Ethiopia A Post-Cold War African State*, Westport, Praeger, 1999, 5.

⁴⁸ S. VAUGHAN, *o.c.*, 1.

⁴⁹ Article 18 Transitional Charter.

Representatives." Article 7 of the Charter stated that the Council of Representatives would be composed of representatives of national liberation movements, other political organisations and prominent individuals, but the total number of seats was limited to 87. The members of the Council of Representatives were not elected, but designated by the organisations which they represented.⁵⁰ Initially, 24 groups and organisations were represented in the Council of Representatives, with a total of 81 seats. Most of the groups which were represented in the Council had also participated at the national conference. The largest number of seats (32) was allocated to the EPRDF and the OLF, with its 12 seats, became the second largest group. In September 1991 the remaining 6 seats were allocated to 5 movements which had not participated in the national conference.⁵¹ The Charter provided for a prime minister and a council of ministers, but real executive power was exercised by the president.

Furthermore, the Charter is particularly important because of its provisions which devote considerable attention to Ethiopia's multi-ethnic population composition. These express the clear ambition of the drafters of the Charter to break with the past and to develop a new Ethiopian state which is based on the recognition and the equal treatment of all ethnic groups. The preamble of the Charter announces a new chapter in Ethiopian history "*in which freedom, equal rights and self-determination of all the peoples shall be the governing principles of political, economic and social life and thereby contributing to the welfare of the Ethiopian peoples and rescuing them from centuries of subjugation and backwardness.*" The concern for the right to self-determination of the Ethiopian peoples was expressed in article 2 of the Charter:

"The right of nations, nationalities and peoples to self-determination is affirmed. To this end each nation, nationality and people is guaranteed the right to:

- a. Preserve its identity and have it respected, promote its culture and history and develop its language;*

⁵⁰ T.M. VESTAL, *o.c.*, 8.

⁵¹ KINFE ABRAHAM, *Ethiopia – From Empire to Federation*, Addis Ababa, Ethiopian International Institute for Peace and Development, 2001, 442.

- b. *Administer its own affairs within its own defined territory and effectively participate in the central government on the basis of freedom and fair and proper representation;*
- c. *Exercise its right to self-determination of independence, when the concerned nation/nationality and people is convinced that the above rights are denied, abridged or abrogated."*

The Charter no longer talked about the Ethiopian people, but about different nations, nationalities and peoples; a terminology which is used up to today. These nations, nationalities and peoples were not only granted the right to protect their own language and culture, but also the right to self-administration within their own territory and the right to participation in the central government. The most remarkable provision is the allocation of a right to secession to the nations, nationalities and peoples, albeit that this right was conceived as a conditional right. The chapter of the Charter on the structure and composition of the transitional government equally reflected the aim of the new rulers to ensure, as widely as possible, the political participation of all ethnic groups. Article 9 stated that the head of state, the prime minister, the vice-chairperson and the secretary of the Council of Representatives had to be of different ethnic identities. In practice this provision was strictly observed. Meles Zenawi from Tigray was elected president by the Council of Representatives and the Amhara Tamrat Layne was appointed prime minister. The functions of vice-chairman and secretary of the Council of Representatives were granted to a Gurage and a Kembata respectively.⁵²

A final important topic which was discussed by the national conference was the future status of Eritrea. The EPLF wanted independence for Eritrea and was therefore not interested in participating in the Ethiopian government. The EPLF formed its own provisional government in Eritrea which was headed by Issaias Afewerki. Eritrea thus became *de facto* independent in May 1991. The Ethiopian national conference recognised the right of the Eritrean people to determine their political future through a referendum after a period of two years. The independence referendum was organised in April 1993 under the

⁵² KINFE ABRAHAM, *o.c.*, 445.

supervision of the United Nations. Nearly all participants in the referendum voted in favour of Eritrean independence. Eritrea thus became *de iure* independent in May 1993. Eritrea concluded agreements with Ethiopia in the field of defence, security, trade and economics, but in the following years the relations between Ethiopia and Eritrea deteriorated. A smouldering border conflict even resulted in a full scale war between the two countries in 1998.

In the Transitional Charter it had already been indicated that an ethnically based decentralised state structure would be developed in Ethiopia. The above mentioned article 2(b) of the Transitional Charter stated that each nation, nationality and people of Ethiopia was entitled to self-administration within its own territory. Furthermore article 13 stipulated that "*local and regional councils...defined on the basis of nationality*" were to be established. The implementation of these provisions from the Charter was effectuated by Proclamation No. 7/1992 of 14 January 1992: the "*National/Regional Self-Governments Establishment Proclamation No. 7/1992.*" This law identified 64 nations, nationalities and peoples or ethnic groups. These 64 groups were linked to 12 regions. Additionally, the cities of Addis Ababa and Harar were both made separate regions, bringing the total number of regions to 14. The determination of the regional boundaries was guided by the concern to create as many ethnically homogeneous regions as possible.⁵³ The limited number of regions (14) on the one hand and the large number of identified ethnic groups (64) on the other obviously implied that most ethnic groups did not have their own region. To realise the right to self-determination of all ethnic groups, the Proclamation stipulated that 47 of the 64 ethnic groups listed by the Proclamation had the right to establish self-government at the district (*Wereda*) level or above. Those ethnic groups that were not included in this group of 47 were to be considered as "*minority nationalities*" and had the right to appropriate representation in the *Wereda* council. Article 9(1) of Proclamation No. 7/1992 stated that the regional governments had within their territory legislative, executive and judicial powers in all matters which had not been assigned to the central government. Article 9(1) allocated different

⁵³ T. LYONS, "Closing the Transition: the May 1995 Elections in Ethiopia", *The Journal of Modern African Studies* 1996, (121) 124.

powers to the central government. The central government was competent for defence, foreign affairs, economic policy, printing of currency, etc. Though the residuary powers were allocated to the regions by article 9, the legislator judged it necessary to explicitly allocate a number of competences to the regions in article 10. Hence, the regions were assigned the power to prepare, approve and implement their budget; to establish their security and police force and the power to establish their own judiciary. The regional authorities, however, remained accountable to the institutions of central government.

Proclamation No. 7/1992 was a milestone in the development of the Ethiopian state structure. The law laid the basis for an ethnically based decentralised state and indicated the road which, in the constitution of 1995, would lead to the development of an ethnically based federation.

In June 1992 elections were organised for the regional and district councils that had been created by Proclamation No. 7/1992. Initially, the elections had been planned to take place a lot earlier, but the political instability with which the transitional government was confronted in the first few months after the fall of the Mengistu regime made this impossible. Violent conflicts between armed political organisations ravaged several regions. Remarkably, the major conflict did not occur between the transitional government and the opposition, but between parties within the transitional government, the OLF and the EPRDF. The conflict was essentially about the political influence of the OLF at the central and regional level. Though the OLF had been granted 12 seats in the Council of Representatives, the front judged that its role in the transitional government was too limited. The OLF was also dissatisfied with the operation of the OPDO, the Oromo component within the EPRDF. The OLF considered itself to be the sole legitimate representative of the Oromo people and did not tolerate competition from the OPDO, which was denounced by the OLF as a TPLF satellite.⁵⁴ Besides the EPRDF and the OLF, the AAPO also played an important role in the election

⁵⁴ AARON TESFAYE, *Political Power and Ethnic Federalism -The Struggle for Democracy in Ethiopia*, Lanham/New York/Oxford, University Press of America, 2002, 96-97; T. LYONS, *l.c.*, (121) 126.

struggle. The AAPO (All Amhara People's Organisation) had been created in January 1992. Although the party presented itself as a pan-Ethiopian party, the AAPO, as can be inferred from its name, primarily defended the interests of the Amhara. The AAPO declared that it would defend Ethiopian unity and was a strong opponent of EPRDF's ethnic policy. Although the AAPO and the OLF pursued radically different political objectives, they were nevertheless united in their dissatisfaction with the EPRDF. Both parties complained about the military and political dominance of the EPRDF and judged that this prevented free and honest elections. Hence, a few days before the elections, the OLF and AAPO decided to boycott them. The boycott of its major competitors resulted in an easy victory for the EPRDF and the EPRDF-supported parties. The elections of June 1992 laid the foundations for the EPRDF dominance which would be developed in the coming years and which is to this day a central characteristic of the Ethiopian political constellation. The EPRDF not only acquired control over the regional councils, but the events during the electoral process also caused the dominance of the EPRDF in the Council of Representatives. In the aftermath of its decision to boycott the elections, the OLF decided to withdraw from the transitional government and to relinquish its 12 seats in the Council of Representatives. This was the political context wherein preparations were made for the drafting of a new constitution.

The Transitional Charter served as the "supreme law of the land"⁵⁵ and this remained the case until the coming into force of a new constitution. The first phase in the drafting of the constitution was the establishment by the Council of Representatives of a constitutional commission. This commission would be entrusted with the drawing up of a draft constitution and it was to submit the draft to the Council of Representatives.⁵⁶ The constitutional commission was established in August 1992 with Proclamation No. 24/1992. The members of the commission were elected by the Council of Representatives from diverse social sections with a sound representation of civil society organisations. The Council of Representatives appeared to be striving for broad public support for the new constitution. However, oppo-

⁵⁵ Art. 18 Transitional Charter.

⁵⁶ Art. 10 Transitional Charter.

sition parties and some commentators adopted a critical attitude towards the commission and declared that the commission was controlled by the EPRDF.⁵⁷ From the beginning, the OLF therefore refused to participate in the constitutional debates. Although difficult to evaluate, there are indications that the complaints were not entirely unfounded. These indications are related to the dominant position of the EPRDF in the Council of Representatives. The regional and district elections of June 1992 had considerably reinforced the dominant position of the EPRDF. The disappearance of the OLF had ensured EPRDF dominance in the Council of Representatives and this power position was only reinforced by the exclusion from the Council of four members of the SEPDC⁵⁸ in April 1993. Since the members of the constitutional commission were elected by the Council of Representatives it is not unfair to state that the EPRDF played an important role in their selection.⁵⁹ Moreover, article 2(2) of Proclamation No. 24/1992 stipulated that the commission was accountable to the Council of Representatives, which implied additional control by the Council of Representatives (and thus of the EPRDF) over the activities of the commission. In April 1994 the constitutional commission submitted a draft constitution to the Council of Representatives which in May 1994 unanimously adopted "*The draft constitution of Ethiopia.*" Following the example of the Transitional Charter, the draft constitution incorporated the ethnic diversity of the Ethiopian population in many provisions. The draft constitution recognised the right to self-determination of the nations, nationalities and peoples and created a federal state structure. It had already been stipulated in the Transitional Charter that the final text of the constitution would be adopted by an elected constituent assembly. Elections for a constituent assembly were organised on 5 June 1994. The main opposition parties again decided to boycott the elections. It is therefore not surprising that the results of the June 1994 elections showed a clear victory for the EPRDF. Hence the EPRDF also controlled the body charged with

⁵⁷ T.M. VESTAL, *o.c.*, 48.

⁵⁸ Southern Ethiopian Peoples Democratic Coalition: a coalition of several ethnically based parties.

⁵⁹ This does not mean that there was no political pluralism at all in the commission. The commission also had representatives from monarchical parties and centralist parties that could hardly be accused of subscribing to the EPRDF programme.

the adoption of the final text of the constitution. The constituent assembly started its activities in October 1994 and approved the constitution on 8 December 1994. The constitution confirmed the right to self-determination of the nations, nationalities and peoples and affirmed the choice of a federal structure. Considering the dominance of the EPRDF in the constitutional process, the question could be asked whether these ethnic provisions - the most striking provisions in the constitution - were the exclusive reflection of EPRDF conceptions. The dominant role of the EPRDF made it indeed improbable that the constitutional provisions would not have been consistent with EPRDF conceptions. However, it has to be pointed out that both the right to self-determination and the choice of an ethnically based decentralised state were incorporated into the Transitional Period Charter. It has already been mentioned above that this Charter had been approved not only by the EPRDF, but by a relatively inclusive group of political parties and organisations.

The last step in the transitional process was the organisation of elections - on the basis of the new constitution - to form a new, elected government. The constitution which was approved in December 1994 created a federal state structure with nine regional states.⁶⁰ At the federal level the constitution provided for a federal parliament with two chambers - the House of Peoples' Representatives (with members directly elected by the population) and the House of the Federation (with members elected by the regions) - and for regional parliaments in all of the nine regions. Furthermore, the constitution stated that the new federal government had to be formed by the political party or the coalition of political parties that had the majority in the House of Peoples' Representatives. Elections for the House of Peoples' Representatives and for the regional parliaments were organised in May 1995. Again the opposition parties judged that the conditions in Ethiopia prevented them from participating in the elections.⁶¹ The opposition justified its decision to boycott with accusations aimed at the EPRDF about the arrest of opposition leaders, the closing of opposition offices and intimidation of

⁶⁰ These regional states are Tigray, Afar, Amhara, Oromia, Somali, Benishangul/Gumuz, the Southern region, Gambella and Harar.

⁶¹ The Indian Ocean Newsletter n° 658 (11 February 1995) and 659 (18-02-1995).

opposition supporters. Hence, the elections provided the EPRDF with almost all the seats in the House of Peoples' Representatives and a majority in all regional parliaments.⁶² The new constitution became effective on 21 August 1995 and a day later the establishment of the "*Federal Democratic Republic of Ethiopia*" was proclaimed. The next step was the composition and election of a new federal government and president (the latter is elected by a joint session of both chambers of parliament) that had to assume the powers of the transitional government. The almost absolute EPRDF control over the parliament resulted in the fact that both the new government and the new president were chosen from EPRDF ranks. However, a shift of political staff occurred. Meles Zenawi, the president from the transitional period, handed over the presidency (in the new constitution an essentially ceremonial function) to Dr. Negasso Gidada (OPDO) and became the new prime minister.⁶³ The former prime minister, Tamrat Layne, became deputy prime minister and minister of defence.

Consistent with the constitutional provisions which state that the members of the House of Peoples' Representatives are elected for a term of five years, the next federal and regional elections were organised in May 2000. Although the opposition parties formulated the usual complaints about EPRDF intimidation and obstruction, this time they did participate in the elections. Not only did the opposition parties participate, they effectively managed to send representatives to the federal parliament and some regional parliaments. However, the representation of the opposition remained extremely low. In the federal House of Peoples' Representatives more than 90% of the seats remained in the hands of the EPRDF and the EPRDF-controlled parties.⁶⁴ Hence, these elections confirmed the dominance of the EPRDF at federal level. The elections of 2000 equally confirmed the consolidation of direct or indirect EPRDF control over all regional

⁶² K. TRONVOLL and O. AADLAND, *The Process of Democratisation in Ethiopia – An Expression of Popular Participation or Political Resistance?*, Oslo, Norwegian Institute of Human Rights, 1995, 15.

⁶³ A position which Meles Zenawi holds to date.

⁶⁴ "Ethiopia-Statistical Survey" in *Africa South of the Sahara 2004*, London/New York, Europa Publications, 2003, (419) 426.

parliaments. During the elections of 2000, the EPRDF was composed of four parties: the Tigray People's Liberation Front (TPLF), the Amhara National Democratic Movement (ANDM), the Oromo People's Democratic Organisation (OPDO) and the South Ethiopian Peoples' Democratic Front (SEPDF). The first three parties were mentioned in section 3, the SEPDF was a party established for the several ethnic groups which live in the Southern regional state. Through these constituent parties, the EPRDF (of which the TPLF was still the most powerful component) managed to exert control over four regional states of the federation. In Tigray, the TPLF won all 152 seats in the regional parliament, the ANDM won 286 of the 294 seats in the Amhara parliament and the OPDO won 535 of the 537 seats in the parliament of the Oromia region.⁶⁵ In the Southern region the opposition parties won a slightly larger number of seats; they held 23 of the 346 seats in the first chamber of the Southern parliament.⁶⁶ In the other five states of the federation, the EPRDF had no such direct control over the regional parliaments. However, the EPRDF exerted indirect control through its satellite parties. These parties which are closely linked to the EPRDF exist in each of the five regions and the 2000 elections resulted in the clear dominance of these parties within their respective regions.⁶⁷

Today the EPRDF still dominates the federal parliament and the regional parliaments, be it that this dominance is less absolute than a few years ago. The federal and regional elections of May 2005 resulted in a much more substantial representation of opposition parties in the federal parliament and most regional parliaments. With a view to gaining firmer parliamentary representation, the major opposition parties in the run-up to the 2005 elections united in two large coalitions: the UEDF (United Ethiopian Democratic Forces) and the CUD (Coalition for Unity and Democracy). The UEDF united parties with a

⁶⁵ Data provided by the NEB, the National Electoral Board.

⁶⁶ Information provided to the author by the Southern parliament.

⁶⁷ The five EPRDF satellite parties in 2000: the Afar National Democratic Party (ANDP) in the Afar region; the Benishangul/Gumuz Peoples' Democratic Unity Front (BGPDUF) in Benishangul/Gumuz, the Gambella Peoples' Democratic Front (GPDF) in Gambella, the Somali People's Democratic Party (SPDP) in Somali and the Harari National League (HNL) in Harar.

unitary ideology and ethnic parties in a broad, heterogeneous coalition. The CUD was mainly supported by parties which had their roots in Ethiopian nationalism. It was not only the opposition parties, but also the ruling EPRDF which indicated that they wanted to organise competitive elections in May 2005. The EPRDF declared that it would take the necessary measures to create a climate which was conducive to the organisation of free and fair elections. Whether this attitude of the EPRDF was stimulated by an inner conviction or, as some commentators argue, by the desire to satisfy foreign donors, the fact is that the EPRDF kept its word and created a positive atmosphere in the run-up to the elections. Opposition parties were granted access to the state media, international election observers were invited and debates were organised between EPRDF officials and opposition leaders. The elections themselves, which were held on 15 May 2005, were also characterised by a positive atmosphere. There was a high voter turn-out and there were no serious incidents. However, almost immediately after the elections this positive situation degenerated dramatically. Both the EPRDF and the opposition claimed victory. The opposition accused the EPRDF of massive election fraud and refused to accept the official results which showed a victory for the EPRDF. However, the victory claim of the opposition was not buttressed by international observers. The Carter Centre stated that: *"The majority of the constituency results based on the May 15 polling and tabulation are credible and reflect competitive conditions."*⁶⁸ Although the official election results were contested by the opposition, these results nevertheless showed that the opposition had made enormous progress compared with the elections of 2000.⁶⁹ The CUD and UEDF won 109 and 52 seats respectively of the 547 seats in the House of Peoples' Representatives. In many regional parliaments the opposition also won a considerably larger number of seats, although without winning a majority in any of them.⁷⁰ The hope that these

⁶⁸ Final Statement on the Carter Center Observation of the Ethiopia 2005 National Elections, 15 September 2005.

⁶⁹ The official election results can be found on the website of the National Electoral Board of Ethiopia: <http://www.electionsethiopia.org/Index.html>

⁷⁰ In the council of Addis Ababa however, the opposition, and more specifically the CUD, won all seats except for one. Addis Ababa, the capital city of Ethiopia, has a more limited autonomy than the nine regions and is under the control of the federal government.

election results would mean the final awakening of democracy in Ethiopia was undermined by the actions of both the EPRDF and the opposition. To protest against the alleged electoral fraud, the CUD refused to take up its seats in the federal parliament. Obviously, this decision was not such that it relieved tensions. After earlier violent incidents in June 2005, protests concerning the election results led in November 2005 to violent clashes between primarily young protestors and security forces that caused the deaths of dozens of people.⁷¹ The response of the government was severe – the protests were repressed and there were many arrests. The leaders of the CUD were among the detainees. They were accused by the government of inciting violence and treason. The arrest of important opposition leaders was not the appropriate strategy in order to put the democratic process back on the rails. On 16 July 2007, the CUD leaders were sentenced by the court to life imprisonment, after the state prosecutor had called for the death sentence. The EPRDF controlled government however, under strong national and international pressure, took a pragmatic attitude towards the issue. Hence, the CUD leaders were granted pardon by the president and released a few days after they had been sentenced.⁷² Their release hopefully signifies the confirmation of the new, more democratic political culture that characterised the run-up to the 2005 elections. After all, democratisation is the only way to achieve sustainable stability, which is a requirement for long-term development of the Ethiopian state.

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⁷¹ T. LYONS, *Ethiopia in 2005: The beginning of a transition?* Center for Strategic and International Studies, published on Ethiomedia, 24 January 2006. According to official government sources, 193 civilians and 6 police members were killed in the post-election violence; Walta Information Center, 21 March 2007.

⁷² Africa Confidential, 3 August 2007, Vol. 48, n° 16; Addis Fortune, 26 July 2007.

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