

Nationalism and self-determination in contemporary Ethiopia

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Abstract

The 1995 Ethiopian Constitution envisions a multinational state with the right to self-determination, including secession, given to the nations, nationalities, and peoples of the country. This remarkable document is a product of a unique combination of Ethiopia's history, Marxist-Leninist debates of the 1974 revolution, and political circumstances of the time the Ethiopian People's Revolutionary Democratic Front (EPRDF) took power in 1991. The subsequent 20 years witnessed a concerted attempt to implement measures for federal decentralization alongside continued political centralization in the ruling party, with several intended and unintended consequences. Since 2016, a combination of the manipulation of constitutional provisions for personal and factional advantage, and polarized perspectives over the identity and future of the country, have unveiled a chapter of political crisis. The 1995 Constitution is hardly a cause of this crisis, yet the fate of the Constitution has become central to the dynamics of the crisis.

KEYWORDS

administrative nationalism, Ethiopia, nationalism, self-determination

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1 | INTRODUCTION

National identity questions have been at the center of Ethiopian politics since the formation of the modern state during the reign of Emperor Menelik II (1889-1913). Menelik's southward imperial expansion was met by resistance, which in the later years of Emperor Haile Selassie I (1930-1974) translated into demands for national self-determination among the oppressed groups. Thereafter, self-determination not only stayed at the center of Ethiopian politics but also became one of the main organizing slogans for resistance against the atrocities of the military regime (Vaughan, 2003). With the political dominance of the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF) in 1991, the Ethiopian state was fundamentally restructured with the introduction of the right of nations and nationalities for self-determination including and up to secession as stipulated in the 1995 Constitution of the Federal Democratic Republic of Ethiopia.

The Constitution provides a blueprint for forging a new form of unity based on the free consent of the "nations, nationalities, and peoples" of the country. Over the following decades, Ethiopia was transformed, achieving both unprecedented economic development and also constructing an innovative model of a multinational state that respects the rights of cultural identities. However, following the large-scale protests of 2016-2017 and subsequent political developments, the Constitution is brought into the center of political discourse in Ethiopia.

The origin of the concept of self-determination in the Ethiopian Constitution is the Leninist-Stalinist concept that was widely adopted by the leaders of the revolutionary student movement in the 1970s (Zewde, 2014, p. 187) and remained current throughout the armed struggle that followed, culminating in the military victory of the EPRDF in 1991. The definition of a "nation" contained in the 1995 Constitution is almost identical to that used by the founders of the Soviet Union, deriving from the paper on the topic commissioned by Lenin and written by Stalin on the eve of the revolution. Stalin's definition of a nation reads, "[a] nation is a historically constituted, stable community of people, formed on the basis of common language, territory, economic life, and psychological make-up manifested in a common culture" (Stalin, 1953, p. 307).

Article 39(5) of the Ethiopian Constitution provides a single definition for the three related concepts of nation, nationality or people (Ethiopia, 1995). It reads:

A 'Nation, Nationality or People' for the purpose of this Constitution, is a group of people who have or share a large measure of a common culture or similar customs, mutual intelligibility of language, belief in a common or related identities, a common psychological makeup, and who inhabit an identifiable, predominantly contiguous territory.

The Ethiopian Constitution's definition does not explicitly refer that such an identity is historically constituted. Nevertheless, one can extrapolate that this is implied because similar culture, language, and identity are the product of historical societal development. One can also see the recognition of the right of nations and nationalities for self-determination including and up to secession expressed in Article 39(1) of the Constitution is a direct adoption of the Soviet Union's approach to addressing the nationality problem.

Stalin's definition is in tension with both Marxist principle and Leninist praxis, containing rigid elements such as "stable community" and "national character" that have more in common with folklorist approaches to national identity than to Marxist analysis (Löwy, 1976). Nonetheless, Stalin also indicated that since nationalism is constituted by history, it is not static. In Stalin's (1953; less often quoted) words, "It goes without saying that a nation, like every historical phenomenon, is subject to the law of change, has its history, its beginning and end" (p. 307). This points to the need for flexible application informed by political analysis. However, the implementers of federal constitutions designed on this basis, for example, the 1923 Soviet Constitution and the 1947 Yugoslav Constitution, have been exceptionally poor at recognizing and adjusting to changing historical circumstances. Both constitutions were designed to solve the challenge of uniting diverse national communities within a single political community. The practice, however, went contrary to the design, became stagnant, and later an instrument for political mobilization

advancing the interests of a political-bureaucratic elite rather than the original intention of addressing historical injustices and inequalities.

This experience highlights the need for a theoretically cogent approach to the question of nations and nationalities to closely attend history and capture historical developments in its governance model. Failing to take account of such historical dynamics in a constitutional framework risks making nationalism into an inflexible organizing principle, tied to certain configurations of factors that in the long-term undermine the progressive and inclusive intent of recognizing nationalism and self-determination as foundational principles for a federation.

The political crisis that has enveloped Ethiopia since 2016 has many causes. The principal target of political critique has been the allegedly authoritarian and ethnically biased nature of the government. In this context, the Constitution has become the focus of new contention. Both centripetal and centrifugal tendencies compounded by procedural and legislative gaps have undermined the transformative aspect of nationalism as envisaged in the design of the Constitution (Gebresilassie, 2017). The emergence of a singular and exclusionary understanding of identity is taking this discourse in a new direction, characterized by primordial framing of identity and generating polarization between groups self-defining in this way.

The objectives of this article are, first, to examine the 1995 Constitution in its political context, asking why the EPRDF felt it necessary to include such innovative and potentially fissiparous provisions; and second, 25 years on, to examine the legacy of that experiment and whether the Constitution is a vehicle for sustaining unity or promoting fragmentation. The article deals with the foregoing issues in four sections. The first section is a historical background that lays out the genesis and development of nationalism and self-determination in Ethiopia. The second section addresses the context and the normative framework for nationalism and self-determination in the 1995 Constitution. The third section analyzes the trajectory of nationalism and self-determination under the EPRDF. The final section discusses the implications of the recent changes.

2 | HISTORICAL BACKGROUND

2.1 | Identity politics and the national question in imperial Ethiopia

Ethiopia has a long history that dates back thousands of years. However, the modern Ethiopian empire took shape during the second half of the 19th century. During this time, the Ethiopian state was expanded to include most of the southern, southwestern, and southeastern parts of current Ethiopia. The process was never smooth. The newly incorporated communities not only shed their blood while resisting the expansion but also lost a considerable proportion of their arable land to the conquering soldiers and their commanders, and many turned into tenants and serfs of their new masters.

All this had an ethnic dimension—a large proportion of the conquerors were ethnic Amharas. Even the Oromo and Gurage soldiers in the Emperor's army spoke Amharic and professed Orthodox Christianity, the key cultural labels of being an Amhara. Regardless of their origins, therefore, these traits made them "Amhara" in the eyes of the local population. The tribulations of the conquest and the hardships the empire brought remain engraved in the historical memory of the conquered people (Prunier & Ficquet, 2015).

The expansion brought into the Ethiopian polity almost all the Oromo people except for a small segment that fell under the British rule in what later became Kenya. With the onset of modernization and the spread of Western ideas of equality in the 20th century, many of the Oromo elites did not see any reason why they should be subjected to the rule of other ethnic groups. They nursed the memory of the circumstances in which their people had been incorporated into the empire (Jalata, 2001, p. 56).

In a similar manner, in the aftermath of World War II, the Somalis whose lands fell within the boundaries of Ethiopia found it difficult to identify themselves with the Ethiopian state. The imperial project with its explicit identification of Ethiopia with the Amharic language, the culture and customs of the northern highlands, and Orthodox

Christianity was challenged as imperial subjects who were members of communities with varying identities and specific sociocultural structures demanded recognition (Aalen, 2006). This shaped Ethiopia's political trajectories in the second half of the 20th century.

The grievances were not limited to the newly integrated communities but also included communities such as the Tigrains, who had historically been at the heart of the Abyssinian Empire (Prunier & Ficquet, 2015). With the objective of building a centralized absolutist state, the imperial regime replaced the traditional administrations, dislodged the local nobility from power, and increasingly concentrated power at the center, thereby triggering resistance that usually had an ethnic dimension. The extraction of resources in the form of taxes to meet the growing budgetary needs for building modern state structure was also an exacerbating factor to the grievances.

Grievances over the identity of local governance structures and the extortionist policies of the regime eventually led to multiple rebellions. The most prominent peasant uprisings against imperial rule were the 1942 Tigrayan rebellion known as the "Weyane," the 1960 Gedeo rebellion also called the "Michille war," the beginning of the Eritrean secessionist movement in September 1960, the Bale rebellion in 1965, and the rebellion of peasants in Gojjam in 1968 (Tareke, 1991). The underlying causes of these rebellions point to the key political problems of the imperial regime that ultimately led to its collapse in the 1974 revolution.

2.2 | Identity politics and the national question during the military regime

The underlying drivers of the 1974 revolution were an antifeudal uprising, a nationalist-secessionist war in Eritrea, and a struggle by oppressed identity groups for emancipation and equality. At the fall of the Emperor, army officers seized power exploiting the power vacuum; initially promising to resolve the multifaceted political grievances that caused the revolution. Nevertheless, the military regime failed to keep its promises (Fiseha, 2010: 33-34).

The Provisional Military Administrative Committee—a.k.a. the "Dergue"—embarked on a sanguinary revolution in the tradition of 1789 and 1917. It began by the extrajudicial execution of over 60 senior political figures of the imperial regime and later turned against the Ethiopian People's Revolutionary Party (EPRP) which challenged the Dergue from the urban centers (Tareke, 2008, p. 195). Such a beginning led to the "Red Terror" of 1977-1978 that involved the massacre of tens of thousands of youngsters (Tiruneh, 1993, p. 205). Later, neither the All Ethiopian Socialist Party (a.k.a. MEISON) was spared from the state violence, and state terror continued in varying forms and intensity targeting all forms of political resistance.

The revolution sharpened three questions of self-determination: the Eritrean struggle for independence, the Somali irredentist movement, and the demands of other nations and nationalities for recognition and self-rule. For many Eritreans, the question about Eritrea was an issue of incomplete decolonization. The former Italian colony had been absorbed into Ethiopia in 1952, initially federated "under" the Ethiopian crown and then fully "integrated" as a province 10 years later. Eritrean nationalists challenged this including by force of arms (see Tesfagiorgis in this volume). After its short-lived initial offer of regional autonomy to Eritrea, the Dergue reverted to the imperial approach of violently repressing Eritrean resistance and maintaining the territorial unity of Ethiopia at all costs. The Ethiopian left was divided on the Eritrean issue. The EPRP, without agreeing to the colonial framing of the question, supported the Eritrean demand for independence. Its rival MEISON aligned with the military regime, arguing that the revolution had supplanted the national question, and supported the use of force to suppress Eritrea's "secessionism." Other nationalists including prominent Somali and Oromo groups agreed with the colonial definition of the Eritrean problem.

The Somali irredentist agenda was a less significant element in the ideological debates of the Ethiopian revolutionaries even though some of the revolutionaries were backed by Somalia. The Western Somali Liberation Front and the Somali Abo Liberation Front figured in the list of "progressive" organizations, but they had no discernible presence among the student revolutionaries and contributed little to the debates. There was a short-lived moment in which a *Pax Sovietica* of international revolutionary solidarity appeared a real prospect and Fidel Castro, visiting the

region in March 1977, put forward a Soviet proposal for a Marxist-Leninist confederation of Ethiopia, Somalia, and the People's Democratic Republic of Yemen (Aliboni, 1985, p. 55; Patman, 1990, p. 202). This intent did not last long because Somalia invaded Ethiopia 4 months later, dramatically demonstrating the triumph of nationalism over Communist ideology.

The third question was the rights of marginalized nationalities who had neither a separate history as a territory colonized by a European power (as in Eritrea) nor an affinity with a neighboring state (as with the Ogadeni Somalis). The Ethiopian revolutionaries were divided on this issue as well. The revolutionaries' debates were fierce and often focused less on the exigencies of the moment but more on the interpretations of the writings of Marx, Lenin, and Stalin (Balsvik, 1984). Most agreed on self-determination as a means of addressing the injustices and inequalities but with varying approaches. EPRP called for self-determination up to and including secession while the leaders of the Dergue and their momentary allies in MEISON limited self-determination to regional autonomy (Tareke, 2008, p. 191).

In the rural areas, armed rebellions were organized around cultural identities, not only as an expression of historic grievances but also, in many cases, as democratic demands within a Marxist-Leninist framework (Lewis, 1983). The political intellectuals who led the rebellions were all schooled in Marxism-Leninism or strongly influenced by its language.

The leaders of the Oromo Liberation Front (OLF) argued that an independent Oromia was a question of decolonization, like Eritrea. The fact that the colonizer was an African rather than a European imperialist was, they implied, not relevant (Jalata, 2001, p. 3). The argument goes that the boundaries of Ethiopia were created by Emperor Menelik by the forcible incorporation of politically independent entities in the late 19th century and that this act of colonization was as illegitimate as those of the European powers.

The leaders of the Tigray People's Liberation Front (TPLF) used the Marxist-Leninist distinction between colonial questions and national questions. They defined the Eritrean issue as the sole issue of decolonization and identified the other national questions—including that of the Somalis and the Oromos—as a matter of national self-determination and not decolonization. In their view, colonized Eritrea had an immediate and irreducible right to separation, while separation to the other nations and nationalities may rightly be invoked at the failure of a democratic process in Ethiopia.

The military regime, first as the Dergue (1977-1987) and its continuation in ostensibly civilian form as the People's Democratic Republic of Ethiopia (1987-1991), insisted on not only the unity and territorial integrity of Ethiopia but also a centralized model of governance. However, its alliance with the Soviet camp made its language of nationalism and self-determination like the revolutionary insurgencies it was fighting against, at least superficially. In 1977, the Dergue made a peace call to Eritreans proposing regional autonomy for Eritrea. It abolished the use of derogatory names for ethnic groups. It also created the Ethiopian Institute for Nations and Nationalities with the promise of ending cultural marginalization and guaranteeing the right of minorities to develop their languages and cultures. In its early days, it even introduced a literacy campaign in various local languages (McNabb in Anteneh & Ado, 2006, p. 47).

Despite its initial gestures of accommodating cultural diversity, the military regime's ultimate approach to the question of nations and nationalities was—like its predecessor—to try to maintain territorial integrity by the use of force. Undermining its own call for peace, it continued the war in Eritrea, provided no space for any organized demand for political rights including the right to self-determination, and attempted to violently quash all forms of dissent using its expanded army and security agencies. Force was counterproductive, and Ethiopia saw an explosion of liberation movements. Many of these demanded self-determination. Their number is so large that, in his study of secessionism in Africa, Englebert 2009 is obliged to run his correlations for Africa separately, "with Ethiopia" and "without Ethiopia" (pp. 16, 187).

The EPRP later shifted towards opposing national movements as "reactionary" movements hindering class struggle, a stance that brought it into violent conflict with the TPLF. The TPLF initially flirted with a tendency of "narrow"

nationalism, proposing a route towards the independence of Tigray, but soon corrected this, specifying its preference for self-determination within a united Ethiopia.

The TPLF implemented revolutionary social programs in the areas that it controlled, putting its doctrines into practice and seeking to deliver transformation that would bring not only material benefit but political support from the peasantry (Young, 1994, pp. 203-215). It redistributed land, established new administrative structures, and local justice provision mechanisms in areas of its control, long before it assumed formal state power, pertinent to its ideology and the constraints of a civil war environment. In its earliest years, it convened village meetings in which residents collectively debated how they should be governed and drew up local "constitutions." It used the Tigrigna language as its official language.

The TPLF later continued to call other nationalist progressive forces to join hands for an alliance, a call that got a first positive response from a breakaway group from the EPRP, the Ethiopian People's Democratic Movement (EPDM), later renamed itself as the Amhara National Democratic Movement (ANDM). The Oromo People's Democratic Organisation (OPDO) was formed from members of the EPDM from former Prisoners of war of the TPLF and EPLF. The ANDM and the OPDO, a year to their dissolution into prosperity party, were renamed again as Amhara Democratic Party (ADP) and Oromo Democratic Party (ODP), respectively. The three organizations formed a united front under the name EPRDF in 1989 and intensified the armed struggle up until they took power in May 1991. The Southern Ethiopian People's Democratic Movement (SEPDM) was later constituted and joined the EPRDF coalition. It is important to note that the federal structure based on national identities was de facto operational from 1991 onwards, prior to its formal adoption in the 1995 Constitution.

3 | THE NORMS OF SELF-DETERMINATION AND NATIONALISM IN THE 1995 CONSTITUTION

Once in power, the leaders of the EPRDF used the chance to implement their political objective of restructuring Ethiopia into a multinational state by providing a constitutional framework for nationalism and self-determination (Nahum, 1997). This project was not only driven by faithfulness to its original doctrine of self-determination but also because of political necessity as there was no way of bringing together all those nationalist movements who were fighting for self-determination for building a democratic Ethiopia. In doing this, some of the nationalist movements, for example the OLF, had a prominent role along the EPRDF in drafting the transitional charter including the roadmap of the transitional period.

Article 8(1) of the Constitution stipulates all sovereign power resides in the nations, nationalities, and peoples of Ethiopia. Under Article 39(3), it is further stated that every nation, nationality, and people have 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 the federal and state governments.

According to Article 39(4), a nation, nationality, or people claiming secession are required to present its claim to its council. Then, if a two-thirds majority of the members of the legislative council accepts the demand, the Federal Government must organize a referendum, which must take place within 3 years from the time the Federal Government received the concerned council's decision for secession and begin a legal process for effecting the secession if supported by a majority vote in the referendum.

The nations, nationalities, and peoples of Ethiopia exercise sovereignty by organizing their own state and local level councils to administer themselves and share federal power through their representatives organized under two federal chambers. The first chamber, the House of Peoples' Representatives (HPR), which possesses legislative powers at the federal level, is elected every 5 years on a one-person, one-vote basis. The second chamber, the House of Federation (HoF), has the final power to interpret the Constitution, to decide on the criteria of federal subsidy to the regional states, and to engage in conflict resolution between regional states. Each nation, nationality, or people is

eligible for one representative in the HoF irrespective of its population size. Thereafter, they are eligible to have one additional representative to the House for every additional population of one million.

The Constitution is considered the supreme expression of the sovereign power of the nations, nationalities, and peoples, and it is for this reason Article 82 illustrates the sole prerogative of interpreting it is given to the HoF (with the professional assistance of the Council of Constitutional Inquiry), the institution that represents the nations, nationalities, and peoples.

Federations are created either to bring independent entities together ("coming together") or to address a historic grievance and hold entities or identity groups together ("holding together") (Stepan, 2005, pp. 257-258). Insofar as the Ethiopian Constitution recognizes that sovereignty is in the hands of nations and nationalities whose coming together gives life and continuity to the federation, it is envisaged as a "coming together" federation despite the fact that the nations and nationalities had existed together before the federation project and therefore has an aspect of "holding together."

Ethiopia's Constitutional Commission was set up in accordance with the National Charter of July 1991, which served as an interim constitution following the EPRDF takeover of power. The Constitutional Commission held public consultations and debate. Without being explicit, its report mediated both the "coming together" and "holding together" concepts in crafting the federation. The Commission presented its report to the Constitutive Assembly for debate in 1994. The Constituent Assembly debated and voted on every article, adopting the Constitution on 8 December 1994. It came into effect on 21 August 1995.¹

The "holding together" nature of the federation features in the preamble of the Constitution that expresses the commitment of the nations, nationalities, and peoples to live as one political and economic community by rectifying historically unjust relationships and by further promoting their shared interests. Article 51(2) of the Constitution provides the Federal Government the power to formulate and implement the country's policies, strategies, and plans in respect of overall economic, social, and development matters. This prerogative includes the design of fiscal and monetary policy as well as the design and administration of foreign trade and investment policies and strategies. Enacting laws related to the use and protection of land, natural resources, and historical heritage is also recognized as the sole prerogative of the federal government. Article 98 of the Constitution assigns the most lucrative tax resources to the federal government while most expenditure responsibilities are shouldered by the lower tiers of government (Keller, 2002, p. 34).

Some estimates show that 80% of domestic revenue belongs to the federal government and the same applies to 90% of external assistance (Bedrikello, 2003). The Federal government then distributes wealth in the form of budget subsidy based on criteria set by the HoF. Article 55(2-6) provides the federal government the power to enact labor, commercial, and penal codes. These articles also empower the HPR to enact private laws where the interest of creating a single economic community requires that such laws be enacted on a federal level. Such design was intended to promote equitable growth of the states thereby facilitating the creation of a common economic community.

The Constitution also provides the federal government the right to organize and guide public safety institutions (like defense forces and federal police) and measures (like intervention and declaration of emergency). Such an arrangement facilitates the efficient use of public resources in building the national army, which protects the sovereignty of the country from any external aggression while providing the nations, nationalities, and peoples the space to build law enforcement agencies pertinent to their sociocultural needs. While the regional states have the power to administer standards and regulations, issues related to the control and determination of matters of immigration, passport, entry and exit visas, refugee, and political asylum are allocated to the federal government according to Article 51 of the Constitution reinforcing the building of a common economic and political community while providing the regional states the powers for self-administration.

In summary, the normative framework for self-determination and nationalism in Ethiopia is structured in a way that acknowledges sovereignty to be at the hands of the nations, nationalities, and peoples making the federal arrangement to have an orientation of "coming together" while at the same time having elements of "holding together." The basic concept of national identity in the Constitution's normative framework is sociocultural

nationalism at the level of the regional states, insofar as the states are formed based on language, settlement patterns, psychological makeup, and consent of cultural communities. The spirit of the Constitution and the structure of each state it has called into being are inclined to promoting the building of a common economic and political community within each state.

However, the Constitution in its attempt to provide the nations and nationalities in determining their boundaries, administrative structures, and official language has given these units a life of their own by creating new administrative, legal and political forms generating some form of “administrative nationalism”² as a set of practices. This feature of the Constitution unless managed properly could contribute to a slide into an exclusionist tendency of “narrow nationalism,” a danger the drafters of the Constitution foresaw along the danger of undermining the rights of cultural minorities in the name of promoting a common economic and political community (Adhana, 1998). Administrative nationalism can be used as an elite instrument in the bid for state power (Teka, 1998). The following section discusses the implementation of the norms established by the Constitution.

4 | NATIONALISM AND SELF-DETERMINATION IN PRACTICE, 1995 - 2017

For 20 years from the adoption of the Constitution, overall, Ethiopia's leaders appeared committed to its implementation. Critiques of the norm and its implementation come from different directions. Some writers citing the “denial” of the call of the OLF and ONLF demanding the right of secession for “their” nationalities argue that the inclusion of the right to secession in the Constitution was for its “symbolic decoration” rather than a norm for implementation (Tesfa, 2015, p. 63). This critique is rejected by others (Berhanu, 2007 and Asnake, 2009, for example) who agree with the EPRDF's labeling of these political groups as “narrow nationalists” who willingly resorted to acts of terror to fulfill their agenda.

Others argue that the emphasis of the Constitution on the right to secession is a fatal weakness that contributes to the fragmentation of the country (Kebede, 2003; Turton, 2006). However, this assessment is not left unchallenged as some others (for example, Nahum, 1997) argue that this norm and its implementation contributed to the transformation of Ethiopia from a “prison of nations” into “a nation of nations” or a multinational state. In practical political terms, the new federal order created mechanisms for resolving identity-based armed conflicts that had been a long-standing threat to the integrity of the country throughout its modern history. The federal system ended the dominance of one cultural and linguistic group and instead created a country in which the varying languages and cultures are equally treated. This is evident, for example, in the music industry, which achieved unprecedented levels of linguistic diversity, and in the media.

The federal system for the very first time brought certain communities that have historically been outside of the political and policymaking imagination of the state into the political and policymaking fold. This was done not only through devolution of resources from the center but also through guaranteeing representation at the national level. As a result, minorities and historically marginalized groups achieved political and institutional recognition that they never had before².

Furthermore, the practice has ensured nations and nationalities in Ethiopia an equitable access to national revenue. Federal grants to regional states were allocated on a defined formula designed by the HoF. The grant allocation formula evolved over the last two decades and particularly developed objective indicators based on expenditure needs and revenue raising capacities of the regional states. The HoF (Proclamation No. 251/2001, Ethiopia, 2001) has also decided to review the budget allocation formula every 5 years to enable it capture changes and developments on the ground.³ In sum, the federal system marked a sweeping break from the politically unitary and culturally exclusivist past.

Despite this defining nature of the implementation, however, the regime in power had various limitations in respecting the rights of nations and nationalities as enshrined in the Constitution. For example, the merger of the

five regional states of Southern Ethiopia into one region at the end of the transitional period in 1995 was a political expediency rather than a principled drive to empower nationalities' exercise self-governance. This generated a violent response when the Sidama Zone (one of the former five regions) demanded to have its own regional administration in 2002. One can therefore see deviations from the Constitution undermining the self-governance rights of the nations and nationalities of Ethiopia in the last two decades. The key challenges to the implementation of the norms are related to the incompatibility between the centralized vanguard leadership model of the party and the constitutional requirements for self-rule; existing legal and procedural gaps in administering the norms; and the growing trend of an exclusionary aspect of administrative nationalism within the ruling elites. The following section discusses those challenges.

4.1 | Problems emanating from the vanguard model of leadership of the ruling party

The EPRDF vs. vanguard model of leadership allocated policy-related decision making to the highest political body of the organization. The "Congress" of the party was the highest decision-making body of the organization, and it used to be held every 2 years and elect the EPRDF council to be the highest political decision-making body in between congresses. The council used to elect the executive committee of the organization to be responsible for policymaking and implementation in-between council meetings. The four coalition members (ANDM, OPDO, SEPDM, and TPLF) were equally represented in all decision-making bodies of the EPRDF. Decision making in the EPRDF was hierarchical, and a decision made by the EPRDF Congress could be reversed only through another congress (see EPRDF's, 2006 Regulation Article 18(3)).

Following the introduction of electoral politics in the early 1990s, the four-member organizations of the EPRDF coalition became the ruling parties of four major states that comprise close to 80% of the population (Ethiopia Census 2007). As members of the EPRDF, each of them was required to abide by the decisions of the front and its highest political bodies. Such a decision-making process was problematic when the decisions of the coalition went beyond agreeing on broader policies and standards and instead covered every policy decision (see EPRDF's Regulation Articles 18 (3) and 20(2)). In such a model of leadership, conformity of structures rather than autonomy of institutions becomes the default behavior of lower levels of leadership structures.

Ethiopia's challenges of development are as diverse as the regional states and the cultural diversities within the states. The underlying principle for organizing leadership to deal with such a diverse set of problems in a diverse community should be providing an empowered leadership at each level with leadership proficiency of wide latitude of decision-making capacity. The vanguard model of leadership the ERPDF developed at the time of the armed struggle seamlessly transitioned to its time in government without any serious adjustments to meet the challenges of governing a complex national administration. It fell short of appreciating the member organizations were ruling parties in their respective regional states with constitutionally enshrined rights for self-administration requiring a policy space that emanates from this entitlement.

The result of such a leadership model made the regional state governments into carbon copies of the Federal Government with little or no effort to make their own policies pertinent to their contexts thereby undermining the right of nations and nationalities for self-rule. Two examples can be cited to demonstrate the impact of the highly centralized decision making (vanguard) model of governance.

4.1.1 | Identical legal instruments

Each state has its own Constitution, but the format and the content of these constitutions contain little variations despite socioeconomic and cultural diversities among states. These constitutions were drafted by the legal standing

committees of the regional organizations and directly adopted by their respective regional administration without any substantial deliberation by the respective communities of the regional states (Tsegaye, 2009).

Similarly, many of the regional states' legislation relating to their respective areas of responsibility have little or no variations in their content and format. Some of them seem to be direct copies of the federal legislation. For example, regional laws regarding income tax are almost copies of the federal income tax proclamation. The Southern Nations, Nationalities, and Peoples (SNNP) State has a police proclamation that imitates the federal police proclamation despite the apparent difference in responsibilities and mandates (Federal Police Procl. No. 720/20111, Ethiopia, 2011; SNNP Police Procl. No. 151/2014, Southern Nations, Nationalities and Peoples, 2011).

4.1.2 | Centralized governance problem definition and solution design

The ruling party's highly centralized decision-making mode increasingly led towards a centralized problem definition and solution design. One stark example for this limitation could be the actions of the Ministry of Capacity Building, a ministry responsible to oversee the Civil Service Commission among others in 2001. The Ministry, in its efforts to enhance efficiency of civil service, defined the drivers to the inefficiency of the civil service as lack of organizational vision, mission, and strategies for implementation and launched a national civil service reform program in the same year of its formation in 2002 and run the program for 4 years until 2006.

The program included nationwide meetings, and each level of administration was made to define and write its vision, mission, and strategies on billboards at the gates of their offices without making much change to the working modalities of the institutions and failed to address the diverse problems.

The program was abandoned after consuming public resources for 4 years and later replaced by other nationwide reform programs under the names of "Business Process Reengineering", "Balanced Score Card," and later "kaizen"⁴ consecutively without any significant success stories (Nigussa, 2013).

Problems of institutions and levels of government varied as some might have problems of process while others might have problems related to task and content definition and other variants of problems. Causes for weak public service delivery also varied from state to state because of the socioeconomic variations. It is for these reasons that all the centralized definition of problems and prescribed solutions ended in failure.

The impact of the centralized policy decisions and management driven by the vanguard model of governance went beyond obstructing the development of effective and efficient regional and local administrations. It also created a sense of disempowerment in the local administrations created around cultural identities. Such a sense of marginalization provided a favorable situation for local elites to use exclusionary identity politics as an instrument to advance their personal and group interests. It also provided a hiding ground for underperforming local administrators as it became easy for them to skirt their responsibilities to the centrally driven process of decision making. Overall, the tension and disconnect between the constitutional provisions and the extraconstitutional practices expressed in the emergence of a dominant party rule whose hallmark organizational principle was centralism posed a continuous threat to the implementation of the normative framework enshrined in the Constitution. Moreover, the internal decision-making institutions of the ruling party were undermined, and decisions were increasingly being made by an informal small network of leaders within the top brass of the EPRDF leadership.

4.2 | A growing tendency towards an exclusionist reactionary politics of identity

One of the fatal weaknesses in the implementation of the norm is the failure to consider historical developments in shaping identities and their relationships. The framework for managing the relationship of the metropolitan city of

Addis Ababa with its environs and historical developments in the lowlands bordering the Amhara and Tigray regional states could be taken as examples to elaborate this limitation.

4.2.1 | Historical developments around the metropolitan city of Addis Ababa and its environs

The 1995 Constitution carved out Addis Ababa as a capital with a separate administration answerable to the Federal Government. This was done not only on account of its being the seat of the Federal Government but also in appreciation of its being multiethnic metropolis despite its location in the middle of the Oromia Regional State. The fact that it is multilingual with a unique setting of a metropolitan city in all aspects of life reflects the impact of historical developments.

In 2003, the Oromia State Council decided to move the capital city of the state to Adama, southwest of Addis Ababa. This reflected the realization that the city of Addis Ababa cannot be a center for the sociocultural development of the Oromo nation because of its metropolitan character. The decision to move the Oromia Regional State's capital to Adama was intended to build a center for the sociocultural development of the Oromo nation.

This decision was however reversed in the aftermath of the 2005 countrywide elections. The OPDO lost significant number of parliamentary seats to the Oromo National Congress (ONC), a rival Oromo organization that was vehemently opposed to the relocation of the capital of Oromia, partly to appease the Regional State's civil servants who were not willing to relocate from Addis Ababa. In the aftermath of the elections, the EPRDF through the OPDO decided to abandon Adama as a capital and moved back to Addis despite the investments made by the regional administration for the purpose. The EPRDF's interest of making the governance of the city difficult if and when the opposition accepted the results conjoined by the material interests of the Oromo civil servants that were reluctant to move out of Addis rather than previously articulated national interest of the Oromos were the reasons behind this decision. The 1995 Constitution recognized the presence of the capital in the Oromia Regional State and the interdependence between the two in many aspects including natural resources utilization, administration, service delivery, and waste management. Article 49(5) called for a detailed law to govern the relationship, but after almost 25 years, such a law is not yet in place. The city was expanding reflective of the rapid economic development of the country in the last decade in the absence of such a governing law.

The expansion of the city has had two dimensions. One dimension is an in-out expansion led by the city's master plan and executed by the city's administration. The second dimension is an out-in expansion that was not led by the master plan of the city and executed by the Oromia administration in the environs of Addis Ababa, which lacked proper management and scrutiny of managing public resources.

Both the in-out and the out-in expansions of the city were done at the cost of relocating the surrounding community from its farmlands and forcing the displaced villagers into city life, which is resented by the Oromos (Gardner, 2017). Farmers who received compensation payments for their farms either failed to transform themselves into a new city life as the type and amount of compensation was taken and the absence of any technical support. The result was many farmers ended up becoming either daily laborers or security guards in the establishments set on their former farmlands, leaving them grieving as their welfare diminished as a result of their dislocation.

The project to develop an integrated master plan of the city with its environs was launched by the city administration at the height of the grievances of the displaced farmers (Lavers, 2018, p. 482). The development of an integrated master plan was not received with interest by those local governing elites of the Oromia localities around Addis as it could limit their rent collecting capacity by bringing transparency and plan to land use which otherwise was going for retail by the local authorities in any way fit to incoming demands. The aggrieved farmers were ready to combat any real or perceived attempt to expand the city further. Given the grievance of the farmers on the expansion of the city and their displacement, the local elites portrayed the objective of the integrated master plan as an instrument to expand the city and managed to create continuous havoc opposing the integrated master plan project.

The reaction of the EPRDF government to these riots was aimed at appeasing the rioters rather than a decision based on a comprehensive analysis of the conflict.

Despite the fact that the project was formally established and run by the city administration with federal monies, the federal government in agreement with the city administration and the OPDO, disavowed the project through official communiqués of the entities broadcasted by the Ethiopian Broadcasting corporation in April 2016 (Ethiopia Broadcasting Corporation, 2016). An integrated master plan project that was meant to capture the historical developments in the city and its environs was closed giving space to an exclusive aspect of nationalism by succumbing to the interest of the local elites within the ranks of the ruling party.

4.2.2 | Developments in the northwestern parts of the country adjacent to the Amhara and Tigray regional states

Tsegedie is an area in the northwest part of Ethiopia that had historically been part of Tigray province but became part of the Gondar province during the later years of the imperial regime. Traditionally, most of the farmlands are in the lowlands and are cultivated through a loose traditional land-holding system called *wefar-zemet*, whereby peasants from the highlands go to the lowlands to plant their seeds and return back at harvest time to minimize the health hazards of the lowlands (Mulugeta, 2019).

In 1991, Tsegedie was divided between the Amhara and the Tigray Regional States based on the new federal arrangement that shaped the regional states along sociocultural and linguistic similarities. The vast lowlands were also incorporated into the two regional states without altering the customary use of the land by the indigenous inhabitants, who lived in the adjacent highlands. The communities lived peacefully with this new administrative arrangement for the following decade, but things began to change when new commercial agriculture driven by the growing economic development and incentives for investment in the regional states came with new challenges. The scramble for land concessions for commercial farming increased as the infrastructure in the area was improved including the construction of tarmac roads and electric power lines. The investment bureaus of both regional states began allocating large tracts of land to investors excluding the indigenous farmers from using their land in the traditional manner. As a result, the grievances of the indigenous communities increased as they lost their traditional land use rights (Mulugeta, 2019).

Simultaneously, the two regional states framed the problem as a boundary demarcation problem between the regional states reflective of their competition for collecting rents by authorizing land concessions to commercial investors in the area. By contrast, what the new socioeconomic developments in the area required was a development corridor management plan that would put the welfare of the communities at its center and not a boundary demarcation between the states. The local elites in this process began to appeal for ethnic sentiments strengthening the exclusive reactionary nature of administrative nationalism sidelining the project of building a common economic and political community according to the promise of the Constitution.

5 | THE PRACTICE OF NATIONALISM AND SELF-DETERMINATION SINCE 2017

The first two decades of the EPRDF in power were the longest time of peace in the history of Ethiopia. However, Ethiopia drifted towards instability since the replacement of PM Meles Zenawi at his death by PM Hailemariam Desalegne. Hailemariam was previously an educator before serving in senior positions in government. He had not been part of the liberation war of 1975-1991 nor the revolutionary politics that preceded it, a fact that made him an outsider to the liberation war veterans whom he was supposed to lead (DW TV, 2019, interview with Tim Sebastian). These qualifications were not a strong background to rule Ethiopia's hierarchical system.

Hailemariam stepped into a position that had been created and dominated by Meles, who had run the complex Ethiopian political and administrative system using his formidable political and intellectual skills. Meles left a legacy of great achievements and failings—including the withering away of the institutions of the ruling party, replaced by a highly centralized decision-making system. In his five and a half years as prime minister, Hailemariam had great opportunities for moving Ethiopia forward. He needed to address social crises and major failings in the political system. Despite this, however, Hailemariam defined his task as making Meles's legacy continue. He failed to have one of his own. Eventually, Ethiopia, leaderless, drifted into the most recent turmoil beginning in 2016, which forced Hailemariam to resign, asking his party to replace him. This paved the way for Ethiopia to face its current turmoil and confusion.

Following Hailemariam's resignation, Abiy Ahmed was elected to succeed him by the EPRDF Executive Council as prime minister. His ascent to power, as publicly admitted by him and his followers, was a result of a covert work of the Oro-Mara faction rather than the formal internal EPRDF processes. This is a manifestation of the way in which the exclusive identity politics of ethno-nationalism was incubated through the administrative structures of the federal system and the coalition members of the EPRDF. The Oro-Mara is an anti-TPLF grouping created by some of the senior leaders of the OPDO (rechristened as the Oromo Democratic Party [ODP]) and the ANDM (renamed as the Amhara Democratic Party [ADP]). This alliance represents a hegemonic ambition based on population size without specific politico-economic vision beyond sharing power and wealth.⁵

Following his ascent to power, Abiy lifted the state of emergency that had lasted over a year, released "political" prisoners, and gave amnesty to all dissidents including those who raised arms against the EPRDF government. The "no war no peace" situation with Eritrea looked broken, new undisclosed agreement signed with the President of Eritrea with the border opened after closing for two decades. These developments brought a wind of hope among Ethiopians and international interlocutors. Despite this optimism, however, the turmoil and confusion that brought his predecessor's government to its knees remained unresolved. After a couple of years of Abiy's government, identity or personal feud-based arrests and attacks and civilian displacement as a result of internal conflict had escalated. By March 2019, Ethiopia had over three million internally displaced civilians, a record in its history.⁶ Economic growth was down and inflation, which was constantly kept in single digits for continuous 10 years, rose to over 18%.

The principal instrument for addressing such crises in the past, namely, the unity of purpose in the vanguard of the EPRDF, had meanwhile disintegrated, replaced by rivalries among the members of the ruling coalition. The members of the EPRDF declared competing and contradictory political statements. Power shifted from the center of the EPRDF to its regional coalition member parties. The regional parties acted on their own to assert control inside their regions and competed (at times violently) over resources and administrative boundary issues. Most of these local conflicts had an interethnic nature triggered at times by hegemonic interests of the numerically bigger national groups to dominate minorities.

Following the advent of these changes, the possibility of utilizing administrative nationalism by various elites as an instrument to broaden their constituencies in their bid for state power dramatically increased.

One example is the long quest of the Qemant people, a minority people in the north of the Amhara Regional State, for recognition as a nationality and the right for self-administration. This appears to have been reversed in 2019 as the Amhara Regional State opted for violently repressing the community forcing the latter to defend itself through violent means.⁷ There were also several cases from SNNP State. Following the long-held demand of the Sidama people to have their own regional state, culminating in a referendum in which the Sidama overwhelmingly voted to establish such a state, several other major groups in SNNP state followed suit.⁸¹ This new demand was driven by multiple factors including the fragmentation of the incumbent parties at all levels, legitimate demands for self-rule, and at times a narrow elite interest rather than an enhanced public good that comes with economies of scale.

In response to this political environment, marked by strong antiestablishment rhetoric and a retreat from the orderly nature of political authority of the previous decades, the Abiy government showed a dispensation towards ad hoc mechanisms (for example, the Administrative boundary and identity issues commission and the Addis Ababa-Oromia boundary demarcation committee) in addressing ongoing crisis rather than constitutional mechanisms.

The status of these mechanisms was controversial. The Administrative Boundaries and Identity Issues Commission and the Addis Ababa-Oromia Reconciliation Committee appeared to take mandates of the HoF that had the sole power of addressing all kinds of conflicts among regional states.

The State assembly of Tigray regional administration in its 5th term 14th session on 25 January 2019 passed a motion rejecting the decision of the HPR that established the Administrative Boundaries and Identity Issues Commission on the grounds that it was unconstitutional and instructed the executive body of Tigray Regional State to file a case in the HoF to challenge it. Others perceived these commissions as political instruments for big-nation domination by dismantling the current multinational federation. Some others perceived these mechanisms as instruments designed to undermine the multinational federation and pave the way to returning to a unitary state.

Two years into power, Abiy Ahmed moved into an entirely new mode of politics by dissolving the EPRDF and creating what he called “the Prosperity Party of Ethiopia”. Apart from the TPLF, the leaders of the three other coalition members agreed to join the new party and dissolve their national parties (Foreign Policy 2020)⁹. A full account of the developments during the first 2 years of Abiy's premiership requires an analysis of its own. What is clear is that it brought Ethiopia to a crossroads. What was evident was that political authority was rapidly ebbing from the center and its institutions to the regional states, which were increasingly defining themselves in terms of exclusionary and singular ethno-nationalist identities particularly since 2018.

6 | CONCLUSIONS

The design of the 1995 Federal Constitution of Ethiopia was intended to facilitate the building of a common economic and political community based on the free will of the nations, nationalities, and peoples of Ethiopia. It is unique in Africa and had no parallels anywhere in the world at the time of its adoption. The practice in the succeeding two decades showed that, broadly speaking, Ethiopia underwent a transformation, remaking itself as a multinational state that respects the rights of cultural identities as opposed to its previous definition of a “prison of nations”. Ethiopia's formerly marginalized cultural communities provided the impetus for a new form of unity based on recognition of rights to self-determination.

The problems with the normative framework emanated first from the Leninist-Stalinist theorization of “nations, nationalities, and peoples,” which never surmounted the contradictions enshrined in Stalin's original formulation. The concept that a nation is constituted by historical processes was never able to prevail over the essentialist notion of a nation as an expression of a primordial national character. The problems of implementing the concept emanated overwhelmingly from the centralized vanguard model of the ruling party that failed to comply with the Constitution, along with legislative and procedural gaps for the implementation of internal self-determination short of statehood, and the failure of the ruling party to creatively capture historical developments in order to build a common economic and political Ethiopian community.

These contributed to a trend towards an exclusionary understanding of identity and nationalism and in turn the essentialist or folklorist understanding of ethnic identities supplanted the Leninist-Stalinist theory of nations as entities constituted by history. These challenges not only impeded the Ethiopian project of social transformation but also fed into the growing tendency of the ruling elites to use nationalism as an instrument for constituency, building in their contest for state power, which in turn emboldened the development of exclusionist administrative nationalism.

The net effect of these shortcomings is that politics became highly ethnicized. Almost all dimensions of public life were examined and discussed through the prism of identity politics. People made claims and expressed grievances principally on the basis of exclusivist nationalism, a mode of thinking oriented by “us” versus “them” terms.

The contemporary political actors have therefore a reason and an obligation to revisit the current political approach to the issue of nationalism and self-determination against the original promises of the crafters of the new Constitution in general and that of its provisions for nationalism and self-determination in particular.

ENDNOTES

- ¹ As well as the official report, a “minority position” was presented to the Constituent Assembly. This was informed by the “holding-together” understanding of Ethiopia’s political and constitutional history.
- ² Nationalism expressed in the form of administrative structures could be called as “administrative nationalism”. This form of nationalism is a double-edged sword. It is an instrument to deal with historical injustices and inequalities as much as it could be an instrument for elites’ power bid when political decadence prevails.
- ³ For details on the genesis and development of the budget subsidy allocation formula, see: The Federal Budget Grant Distribution Formula 2012/13-2016/17, published by the House of Federation, April 2012.
- ⁴ Kaizen is a Japanese business philosophy that centers on continuous improvement of personal and institutional efficiency. [5] [5] see: <https://ethiothinkthank.com/2018/06/02/the-politics-of-numbers-and-oromara-coalition/> (Accessed on 26 March 2019); <https://www.youtube.com/watch?v=jyR5W3i0U-o> (Accessed on 26 March 2019).
- ⁵ See: <https://ethiothinkthank.com/2018/06/02/the-politics-of-numbers-and-oromara-coalition/> (Accessed on 26 March 2019); <https://www.youtube.com/watch?v=jyR5W3i0U-o> (Accessed on 26 March 2019).
- ⁶ See: <https://www.euronews.com/2019/01/31/ethiopia-3-million-internally-displaced-in-escalating-humanitarian-crisis> (Accessed on 26 March 2019).
- ⁷ See: <https://reliefweb.int/report/ethiopia/amhara-flash-update-01-march-2019> (Accessed on 26 March 2019)
- ⁸ See: <https://7dnews.com/news/demands-for-regional-status-rock-ethiopia-s-south-region> (Accessed on 12 February 2019).
- ⁹ <https://foreignpolicy.com/2020/01/21/will-abi-ahmed-eprdf-bet-ethiopia-political-future-pay-off/> (Accessed on 6 April 2020).

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