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Deliberating on Federalism in Ethiopia

Identifying Major Contentious Issues

A Report of Federalism Dialogue Workshop Series

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Executive Summary

This report is the outcome of a series of dialogue workshops held in Bishoftu City from July 14–28, 2023, under the theme ‘Deliberating Federalism in Ethiopia’. This series of two-day workshops were attended by a total of ninety carefully selected participants from across Ethiopia, representing federal and regional governments, political parties, civil society organizations, academicians, influential public figures, and governance experts and practitioners. They represented different parts of the country and different viewpoints on the past, current and future of federalism in Ethiopia. The three rounds of workshops were designed by a Working Group (WG) that had been specifically established to provide technical advice on this process and were supported by experienced federal governance experts who had received tailored training in dialogue facilitation and conflict analysis.

The objective of the workshop series was to run an open, inclusive and genuine dialogue on Ethiopia’s federal system, identify key contentious issues, and suggest ways in which the nation could better work together to resolve the impasses. To this end, the dialogue workshops covered eight thematic sessions:

- ◆ Contextual factors that led to the adoption of the federal system,
- ◆ Conceptual understanding of federalism,
- ◆ Legitimacy of the state and the federal system,
- ◆ Design and practice of the federal system,
- ◆ Federal spirit and political culture,
- ◆ Federalism and conflict in Ethiopia, and
- ◆ Identification of the major contentious issues of federalism and possible pathways ahead.

The dialogue workshops were conducted using interactive, participant-centered, roundtable approaches. It is no surprise that the outcome of the workshops shows no consensus among the participants on whether the challenges confronting Ethiopia should be attributed exclusively to

the federal system or whether they should be linked to other important contextual factors such as leadership (both federal and regional levels), political culture, state capacity, and behaviours (such as law and order, legitimate use of force, etc.), the nature and purpose of state power, and constitutionalism and the rule of law. Nonetheless, from the dialogue, the following major contentious issues on federalism per se were identified:

- ◆ There is a lack of consensus on how participants envision the foundations of the Ethiopian State: Is Ethiopia a nation-state, multi-ethnic state, or multinational state?
- ◆ There are disagreements on the legitimacy of the 1995 Constitution-making process, some of its provisions, and the way they have been and are interpreted, and applied;
- ◆ History, symbols, the national anthem, museums, and the flag are seen as either instruments of centralization or fragmentation, and whether federalism promotes inclusive and shared history, symbols, and memories remains deeply contested;
- ◆ Although the participants apparently agree with the relevance of federalism and democracy for Ethiopia, there is a disagreement on whether the federal design should be an accommodative ethnonational federation or an integrationist territory-based type;
- ◆ There is a wide gap in terms of understanding the details and options available for both the accommodative and integrationist models, the conditions under which these institutional arrangements operate, and the possible means of crafting a middle ground;
- ◆ There is disagreement among the participants over whether the problem of Ethiopia resides in the lack of a genuine

implementation or the actual design of the existing federal constitution;

- ◆ There remains an unsettled debate over whether federalism is part of the current conflicts and violence or an institutional solution for the multiple crises in Ethiopia;
- ◆ Another point of contention is how to balance unity and diversity, self-rule and shared rule, and individual and group rights.
- ◆ There remains an unsettled debate regarding the link between federalism and conflicts in Ethiopia. Some argue that the conflicts are due to lack of genuine implementation of the extant federalism, while others see the federal system as a source of the conflicts in the polity. Some other participants rather view that the federal system was/is able to manage some conflicts, while exacerbating some other conflicts;
- ◆ Lack of federal political culture—expressed in terms of lack of mutual trust, cooperation, consensus, compromise, bargaining, negotiation, and power-sharing – is a commonly shared view among the participants. There is, however, a lack of agreement regarding the factor that explains such an exposition of federal political culture in Ethiopia. One line of contention blames historical authoritarian, hierarchical, and hegemonic political tradition for thwarting the development of political culture compatible with federalism, while another line of argument contends that the federal experiment over the last three decades should have created its own federal political culture.

Finally, the workshops forwarded the following process-oriented and inclusive strategies—rather than making substantive recommendations—to help build a national consensus on the major contentious issues above among the population and different political groups. The aim of these processes is for Ethiopians to work together to find practical solutions that

would enable Ethiopians to live together peacefully as ‘one political and economic community’.

1) Cascade the Dialogue Workshop: It is important to cascade and conduct similar dialogue workshops at national, regional, and sub-regional levels.

2) Federalism Dialogue Platform: It is highly important to establish a platform for ongoing dialogue and collaboration between stakeholders on the contentious issues to allow for continuous dialogue and communications.

3) Public Consultation Forums: It is also important to establish platforms to conduct open and genuine consultations with the wider public on key federalism issues. This should not only be done at the elite level but also at the grassroots level to reach ordinary citizens. The public consultation forums can serve as platforms for education and awareness-building, empowering citizens to actively participate in shaping their country's governance.

4) Alignment with the National Dialogue Process: Most of the major contentious issues of federalism- identified by this dialogue workshop series- are believed to be on the NDC's agenda as well. It is therefore necessary to align the process and outcome of this dialogue workshop with the national dialogue initiatives, as this project sets an example of how dialogue, informed by a wide range of theories and practices can be properly conducted.

5) In-depth Analysis and Further Research: Some of the key issues may require an in-depth analysis and further research. It is important to systematically identify such issues and conduct further studies. The outcome of the results may feed into the various national initiatives. This will help policymakers and stakeholders to make informed decisions based on solid evidence. Additionally, the findings from these studies can also contribute to the development of effective strategies to address the identified issues and promote positive change.

1. Introduction

1.1 Background

Ethiopia is a country of diversities. It hosts more than 85 ethnic groups, officially named as nations, nationalities and peoples (NNP) of Ethiopia in the Constitution of the Federal Democratic Republic of Ethiopia (FDRE). It is also a multi-religious state hosting all major world monolithic religions and traditional religious practices. Linguistic and cultural diversities also characterize the state. In its long history of state-building project, it was known for different levels of centralization and decentralization of administration. Before the establishment of a more centralized political administration at the end of the 19th century and beginning of the 20th century, Ethiopia was by and large characterized by what some call 'devolved autocracy', a de facto decentralized governance system. However, efforts of power centralization and nation-building took root following the introduction of the 1931 and 1955 imperial constitutions. Marginalized ethno-national and regional forces challenged the centralized nation-state for decades resulting in regime change in 1991.

The 1991 regime change that brought the military Derg regime to its collapse envisioned a state reconfiguration that initially introduced a quasi-federal arrangement during the transition (1991-1994) and eventually federalism in 1995 as a means to manage its diversity. The constitution promised to address the age-old demand for self-government as articulated by the Ethiopian Student Movement since the 1970s. Consequently, the right to self-government and ethno-territorial-based regional states took center stage in the framing of the constitution, while envisioning the building of one economic and political community. In fact, different historical, political, and socio-economic factors led to the adoption of the federal system. For one thing, Ethiopia is a socio-culturally diverse state that cannot afford a centralized and unitary state structure with the presumed goal of homogenizing sociologically, culturally, linguistically, and even economically. For another, the different nationality groups were politically

mobilized and were in search of autonomy, self-government, and some even wanted their own independent state. In this regard, adopting a federal state that allocates competencies constitutionally to the federal government and to self-governing nationality groups became imminent.

Although the federal system was introduced as a solution for the multifaceted problems of the country, the challenges still remain with us. While the country showed significant progress in the socio-economic sector and in promoting linguistic and cultural diversity, democratization, implementation of the promises in the constitution, respect for human rights, genuine self-government, and inclusive federal institutions remained far from achieved. The paradoxes between promise and reality, weak state institutions, delay in responding to emerging issues, gradual weakening of state capacity, and the increased authoritarian tendencies led to the current state of affairs. There seems a general understanding that federalism is necessary for a country like Ethiopia; territorially large, culturally diverse, and inhabited by politically mobilized ethnonational and regional groups. Nonetheless, taking the problems on the ground and the theoretical underpinnings of federalism, it is high time for different stakeholders to dialogue on the ‘Ethiopian federalism’ with the view to develop a shared understanding and find mutually shared solutions for the major contentious issues and build a stable, peaceful, inclusive and prosperous Ethiopia for all its citizens and groups.

It was with this perspective that the Center for Federalism and Governance Studies (CFGs) of Addis Ababa University in partnership with the Forum of Federations (FoF) and with financial support from USAID/OTI Ethiopia conducted a series of dialogue workshops on a theme: Deliberating on Federalism in Ethiopia, from 14 to 28 July 2023 in Bishoftu. The major objective of the project was to deliberate on and do a systematic diagnosis of the “federalism problematique” in Ethiopia and come up with major contentious issues of federalism in Ethiopia and mutually shared pathways forward.

To this end, a comprehensive understanding of federalism, underlying causes of conflicts, and barriers to consensus building requires moving beyond traditional workshops and integrating knowledge and analytical tools of federalism, conflict, and state resilience with dialogue facilitation methods and skills. In doing so, the dialogue workshops started by setting clear contextual and conceptual frameworks and then moved to real deliberations on a wide range of issues of federalism in Ethiopia, starting from a broader vision level to specific issues of constitutional/institutional options as well as implementation and practice related issues.

At the planning stage, a Working Group (WG) of nine individuals was established to design and lead the organization of the dialogue workshops. The WG then identified five senior federalism experts to facilitate the dialogue workshop series. Prior to conducting the dialogue workshops, the facilitators took an intensive two-day training on dialogue facilitation skills and analytical tools for unpacking federalism, conflict analysis, and state resilience.

The WG deliberated and came up with eight carefully selected and logically ordered thematic areas for the dialogue workshops series. These themes were carefully designed for a two-day dialogue workshop of three cohorts with thirty participants each (total participants = 90). These participants were carefully selected from relevant stakeholders from across Ethiopia based on clearly established criteria. They were drawn from federal and regional government institutions, political parties, civil society organizations, academicians, media and influential figures.

1.2 Objectives

The main objective of the project is to bring together key political leaders, public figures, and federalism experts and practitioners to deliberate on and do a systematic diagnosis of the “federalism problematique” in Ethiopia so as to identify the major contentious issues of federalism, and propose mutually agreed pathways forward to address the impasses. Specifically, it intends to:

- Create a platform for deliberation on federalism in Ethiopia;
- Facilitate open dialogue on selected thematic areas of federalism;
- Identify the major contentious issues of federalism in Ethiopia;
- Suggest the mutually shared and process-oriented pathways for future engagements.

1.3 Approach, Design and Method

In order to achieve the stated objective of the project, the following approaches and methods were employed.

1.3.1 The Working Group

First and foremost, in order to innovatively set up the dialogue workshops, the partner institutions established a Working Group (WG) of nine experts drawn from FoF (two), CFGS (five), House of Federation (one), and Ministry of Peace (one). The members were selected based on their experience and expertise, their ability to work as a team, their availability and commitment, and to ensure diversity in the group. The primary responsibility of the WG was leading, designing, and coordinating the process of the dialogue workshops on federalism in Ethiopia among a cross-section of political and public figures.

1.3.2 Facilitators' Training

In order to effectively design and deliver the dialogue workshop series, a two-day intensive training was organized for members of the WG and the facilitators on dialogue facilitation skills, and federalism analytical tools, conflict analysis, and state resilience. The training helped not only the members of the WG to effectively design an inclusive and interactive dialogue workshop but also enabled the facilitators to understand the fundamentals of dialogue, gain facilitation skills, and adapt the different analytical tools for creating inclusive spaces for the participants to be able to air their diverse voices and managing the flow and focus of conversations on sensitive issues.

1.3.3 Design and Methods

The WG, supported by two senior federalism experts, identified eight key thematic areas using the federalism framework and different analytical tools. The design was done in such a way that the dialogue sessions started with a contextual and conceptual understanding of federalism and then moved down to specific issues such as constitutional, institutional, political, administrative, and the practice of federalism in Ethiopia.

As indicated above, the dialogue workshops covered eight thematic sessions: 1) contextual factors that led to the adoption of the federal system, 2) conceptual understanding of federalism, 3) legitimacy of the state and the federal system, 4) design of the federal system, 5) practice of the federal system, 6) federal spirit and political culture, 7) federalism and conflict in Ethiopia, and 8) identification of the major contentious issues of federalism and possible pathways ahead.

The dialogue sessions were designed to be interactive and participatory. About ninety percent of the time was allotted for honest and inclusive conversations by the participants, while technical interventions accounted for only about ten percent. Tailored and pertinent methods and tools for facilitating dialogue sessions were utilized, including small group discussions, post-it presentations, world café, 1-2-4-all, survey questionnaires, spectrum lines, fishbowls, plenary discussions, and case studies.

1.4 Structure of the Report

This report contains four sections. The first section introduces and sets the background of the dialogue agenda, objectives, design, and methods of the dialogue workshops. The second section reports thematic discussions of the participants during the three rounds of the two-day dialogue workshops. The third section pinpoints the major contentious issues of federalism in Ethiopia as identified by dialogue participants. The last section forwards the mutually shared future strategies to deal with the contentious issues.

2. Thematic Areas of Federalism Dialogue Workshops

2.1 Current Contextual Issues

The Ethiopian federal system is one among those emerged in the post-Cold War period as a mechanism of conflict management and accommodation of diversity. Yet it has its own unique local context. Participants emphatically acknowledged the diversity of Ethiopia in regard to culture, language, ethnicity, and other identity markers. As a result of decades of centralization, some of the ethno-national groups were highly mobilized, demanding inclusion and self-rule. In this context, accommodating diversity was essential as a means to end the civil war that persisted in the country for decades and prevent state fragmentation. Federalism was therefore introduced as a compromise between centralization and fragmentation, and the question of inclusivity, recognition, and equality encouraged, if not forced, to adopt a federal system of governance for Ethiopia.

Participants generally describe the contemporary realities of Ethiopia in terms of political instability, insecurity, economic challenges, and social unrest. Civil wars, frequent conflicts, ethnic tensions, and power struggles among different political groups have all been characteristics of Ethiopia's political landscape. These have resulted in thousands of casualties and a significant displacement of people within the country. The ongoing conflicts have not only caused immense loss of life but have also led to the destruction of critical infrastructure. The country has also faced significant economic hurdles such as loss of production and investment, trade disruptions, high rates of unemployment, soaring inflation, and limited access to basic services. In addition, these conflicts have also had a significant impact on the social environment of the nation. Communities have been torn apart, families have been separated, and there has been a breakdown in trust among different ethnic and religious groups. The

psychological impact on the population is also profound, with many individuals experiencing trauma and mental health issues as a result of the ongoing violence and instability.

With regard to the link between current state of affairs and the federal system of Ethiopia, there were two main perspectives. The first perspective is of the view that the current state of affairs is mainly due to lack of implementation of the Constitution. In this sense, the promises of the Constitution by way of recognition of the right to self-government, an all-inclusive federal government that serves everyone equally and impartially, respect for human rights and protection of minorities, political pluralism, check and balances, free institutions such as media, civil society, have not been implemented and thus is the result of years of unresolved political and economic issues. There are many issues that the federal system has addressed: linguistic and cultural diversity, a semblance of self-government although addressed only half-heartedly owing to center's hegemonic role and one-party control of all institutions at all levels. Such an arrangement brought relative peace, linguistic, and cultural pluralism and progress in the socio-economic sector, participants, however, noted that what had been promised were not fully implemented. Issues of marginalization, representation, an authoritarian rule that made self-government hollow, one-party hegemony and lack of political pluralism, abuse of human rights, and absence of checks and balances dominated the system, triggering the popular movement that erupted in 2015. Regional state political autonomy has never been genuinely implemented as it remained a victim of a centralized decision-making process, thus 'we want genuine self-government' was a slogan during the popular protests in 2016.

In contrast, the other perspective relates the current state of affairs to what they call 'ethnic federalism.' For proponents of this view, the federal design itself is the source of the problem and without doing it away, there cannot be a way out of this crisis.

Despite some disagreements on the level of gravity, participants converge on the idea that the country is facing serious governance challenges. The war

in the northern part of the country, which lasted for two years, caused severe human and economic losses. The war has left the regions devastated, with massive internal displacement of civilians and destruction of infrastructure. There is an apparent security crisis where the government is unable to control the situation using its monopoly of violence and legitimate use of force. Many parts of the country have witnessed deadly conflicts over the past few years. Besides, there are armed insurgent movements in some regions, causing insecurity and inhibiting the movement of labor and capital.

While intergovernmental platforms, negotiations, bargaining, and dialogue were supposed to address key national issues, they have not happened so far. Instead, there has been a growing trend of political polarization, where opposing sides become increasingly entrenched in their positions and unwilling to compromise. In consequence, the security situation in the country is deteriorating from time to time, making the future very unpredictable. The political crisis and uncertainty remain crucial and common concerns for the participants; there is also a growing perception that the social fabric is affected due to political elites and societal division along ethnic and religious fault lines. The government and religious institutions are not maintaining their neutrality in the exercise of power. Hate speech has also become a common practice, both on social media and in mainstream media. Because of insecurity and the political crisis, the economy is also severely suffering. Inflation seems to be at a record high. There is an apparent decrease in investment due to the conflicts and a lack of guarantees for private property. Production, particularly agricultural produce, has been significantly impacted, leading to food shortages and rising prices. The destruction of some infrastructure and the subsequent shutdown of services like electricity, telecommunications, and the internet also hindered communications and trade, making it more difficult for the economy to recover from the crisis. Many residents' living conditions have fallen as a result of this confluence of circumstances, necessitating urgent action to solve these problems.

Apparently, there are unresolved issues as well, such as the delayed demands for self-government and recognition. There has been some progress in the South in this regard, but there are many outstanding issues in different regional states. Minority rights in the regional states and enforcement of individual rights remain far from realized, and as a result, marginalization and displacement have become common concerns. Issues related to independent institutions, such as courts, civil society, the auditor general, the election board, and the human rights commission, remains promises far from realized, although some progress has been made in this respect over the last few years. Checks and balances within the political institutions are very weak, and thus there is a weak accountability system.

2.2 Conceptualization of Federalism

Understanding federalism at the conceptual level is crucial, as this could be the basis for setting up institutions, including the Constitution itself and other formal institutions. Establishing institutions in turn is important, as they are expected to govern the behavior or action of society. This session aims to assess to what extent participants share the fundamentals of federalism.

The session started with a brief introduction to the concept and the varieties of federalism in general and that of Ethiopia in particular. Then, an assessment of participants' understanding of federalism revealed that there seems a shared understanding of federalism at an ideal level. In almost all the groups, the shared-rule and self-rule elements of federalism are pronounced. On the one hand, self stands for constitutionally guaranteed autonomy to elect one's own leaders without coercion from the center, freedom to choose one's own political and administrative structures, freedom to formulate and implement policies, and capacity to finance policy decisions. On the other hand, the main manifestations of the shared rule include the second chamber that represents the states and the representation of states and groups in the other federal institutions including the executive and the civil service.

Moreover, umpiring and dispute-resolution institutions are central to a federal system. Disputes regarding competences among the different levels of government are common in many federations, and thus an organ for resolving those disputes remains vital. The system of intergovernmental relations (IGR) is also important for settling disputes and facilitating the smooth operation of the system. In many new emerging federations, the IGR platform is used as a means for dialogue and bargaining between organs and institutions of the two levels of government. Political disagreements are hoped to be addressed through these institutions, and if this fails, a resort to the courts may be made as an alternative to violence.

In all the groups, the constitutional division of powers, at least between the federal government and regional constituent units, is given utmost emphasis. All the powers (political, financial, and administrative) are to be derived from the constitution, which both levels of government are expected to respect and abide by, and there is no concentration of power at the center in a truly working federal system. The following definitions are also provided: federalism is a governance system that intends to respond to demands for unity and diversity at the same time; it is a flexible administration system that allows self-government and promotes shared rule at the central level; it is concerned with the equitable distribution of resources in the country; it is one form of governance that enhances service delivery to the local level; it is a system established for bringing about stability; and etc.

Some participants define federalism from its point of advantage and positive role in terms of the role of accommodating diversity, recognition of identity, language equality, response to nationality questions, division of powers and resources, inclusiveness, presence of two levels of government elected by the people, and equitable resource-sharing mechanisms. While other participants associate their understanding of federalism with the gap between institutional design and implementation. This perspective tends to conceptualize federalism in terms of exacerbating boundary conflicts, failure to protect intra-state minorities and individual rights, and too much emphasis on ethnic diversity and neglect of unity. There is however a

shared understanding that Ethiopia is constitutionally federal but “unitary” in practice because of centralization of power in decision making, one party/dominant party system, and frequent intervention of the Center in the internal affairs of regional states (using state of emergency and command posts).

2.3 Legitimacy of the State and the Federal System

An extensive discussion was held on the nature of power and state legitimacy in Africa as well as Ethiopia. The unlimited nature of power in Africa was highly emphasized during the discussion. It is necessary to regulate the division and separation of power among the different organs of government. In most cases, almost all African states have formal constitutions that provide for the separation of power, devolution, and human rights in their constitutions. However, the division and separation of power exist only in form but not in substance. There are no constraints in the exercise of powers; the goal of controlling power is to serve the interests of a few elites rather than the public. Corruption is rampant in Africa, where political power is used as a means to accumulate economic wealth. The institutional limit to the exercise of power is minimal, if not absent. The essence of political inclusivity, which is at the heart of state legitimacy, is at stake where the exclusion of opposition parties and those outside of the ruling party is most common. Although power-sharing, proportional representation, and the implementation of consensus-based democracy are strongly recommended for deeply divided societies in Africa, leadership in Africa is usually exclusionary, and power centralization characterizes many African states.

The Ethiopian case is also viewed from this perspective. Formal separation of power and accommodation of the interests of various groups are provided in the constitution, but there are problems of implementation. The self-rule rights of minority groups, for example, are overshadowed by the use of informal imposition mechanisms, such as the use of party channels. The Ethiopian state formation process is highly contested. Similarly, the

federal system is also regarded as an “imposition”, which is designed and implemented in the interest of the victors at the expense of the losers.

State legitimacy may be created either by the process of its formation, where it incorporates the interests of all stakeholders, or through democratic governance in the form of effective delivery of services. The Ethiopian state and the federal system recorded limitations on both aspects. For example, the party channel dominates governing federal-state relations more than formal intergovernmental relations (IGR) or other constitutional provisions. Although institutions are formally independent, in most cases, the party controls them. The courts and media are seen as prime examples in this context, where decisions are dictated by the government and the media is the mouthpiece of the government. In historical terms, laws were created in favor of the ruling elites instead of serving the public interest. Even in the current federal context, laws promulgated at the federal level are adopted or simply replicated at the local level without substantively adapting them to the local context. It resembles a kind of top-down imposition, where the ruling party channel ensures its application throughout the country.

The dominance of the party system further weakened the flourishing of formal institutions in the country. The constitution states the legislative is the highest political organ, but in practice, the executive dominates the system, and that has made ensuring transparency and accountability difficult. As is usually common in many African countries, power is held either through literal force or nominal periodic elections. In many cases, African leaders came to power through military victories followed by pseudo-elections. To make matters worse, many of them did not compensate for the legitimacy deficit through the provision of effective service delivery. In other words, they are unable to secure their legitimacy through economic performance. As discussed above, government legitimacy can be achieved either by winning free and fair periodic elections, providing effective service delivery, or establishing effective and functioning state institutions. In most cases, these are not achieved in the Ethiopian context, where state institutions are weak, elections are symbolic, and service delivery is at its lowest quality. Disagreements on national symbols, such as the flag,

heroes, heritages, etc., further weakened state legitimacy. Undue federal government interventions in the internal affairs of regional states are also common, which contradicts the federal spirit of mutual respect and the self-rule rights of constituent units. The contradiction between the federal constitution and regional state constitutions is also prevalent.

In general, two main perceptions emerge during the discussions in relation to the legitimacy of the constitution and the federal system. The first perception is that the process of making the federal constitution has gone through a fairly participatory and inclusive process, but the system has over the years declined in terms of inclusion and participation, faltered in its promises, and thus the legitimacy of the constitution, federalism, actors and public institutions has declined as a result. This camp does, however, note that a few actors were left out from the start, and those actors have over the years built a strong narrative that they were not in the process and continued to reject the constitution and the federal system. The second group view that the process of constitution-making and the federation was entirely dominated and controlled by ethnonational and regional forces, it was top-down, has deliberately marginalized section of society that could have brought a different outcome. This camp tends to have hoped that the reforms since the new government assumed power in 2018 will undertake constitutional reform along the liberal integrationist approach and do away with what they call 'ethnic federalism'.

2.4 Design of Federalism in Ethiopia

During this session, participants assessed the design of the Ethiopian federation. They agree that Ethiopia follows an accommodationist approach where the constitution empowers every ethnic group with the right to self-rule, provides for equitable representation at the center, and allows a parliamentary form of government. This is in contrast to an integrationist approach, which aims to forge a homogeneous society out of diverse identities by fostering a common language, culture, and set of values while establishing subnational boundaries that disperse ethnic communities across various heterogeneous units. These participants, however, argue

that because it adheres to majority rule and is further constrained by one-party hegemony, it lacks the consociational element. The first-past-the-post (TFPT) electoral system in particular contradicts the essence of fair representation at the center. The representation of all legally recognized ethnic groups in the House of Federation (HoF) is good for empowering minority groups, but its strict control under the ruling party undermines their genuine representation and autonomy. The attempt to include all ethnic groups in the national defense force, security, federal police, civil service, foreign affairs, etc. is somewhat appreciated but not to the level of expectation. The self-rule rights of regional states are also questionable as the party channel overrides the formal working procedures. Federal watchdogs are always there in the election and removal processes of regional state leaders. Besides, the failure to accommodate diversity within regional states is a manifest problem in the Ethiopian federation. In addition, equitable resource sharing is a bone of contention in the Ethiopian federal system.

The Ethiopian federal design, as provided in the constitution, and practice, as have been practiced on the ground for the last 30 years, were also points of deliberation, both in a positive and negative light. In terms of design, as the federal system puts emphasis on the accommodation of diversity and marginalized communities, it may have undermined citizenship rights and shared values as a result of the emphasis on group rights. On the other hand, the restructuring of the Ethiopian state along ethnolinguistic lines is viewed as positive as it responds to the nationality questions balancing self-rule and shared rule. The system empowers all ethnic groups, including the previously marginalized communities, to use their own language and administer their own affairs at regional or local levels, while at the same time encouraging fair and proportional representation at the central level. The HoF fairly accommodates diversity, as every recognized ethnic group is represented at least by one representative. In this regard, decisions are made based on joint decision-making procedures, and the HOF is empowered to undertake important activities that are essential for the exercise of the self-rule and shared-rule rights of ethnic groups. For example, its power to

decide on the manners and procedures of resource distributions arising from federal subsidies is absolutely relevant for nationality groups. Yet, the fact that the HoF has no mandate in law and policy-making is a major concern, as the role of regional states on these matters remains marginal.

Nonetheless, there are serious limitations when it comes to the practice. The reality on the ground indicates that authoritarian rule, a top-down decision-making process, and one-party dominance have made the system fragile. The lack of political pluralism, in particular, has made the system less trusted and predictable. The outcome of the deliberations also indicated that intergovernmental relations (IGR), which is considered a lubricating oil for the smooth functioning of any federal system, is usually lacking in Ethiopia or more informal channels, such as party channels. Although there is an attempt to make IGR more formal by adopting a new IGR law in 2021, informality still pervades the system, and the formal system has not yet developed. A mix of both formal and informal working IGR based on partnership, mutual respect, and respect for the autonomy and institutions of the other level of government is recommended in countries with deeply divided societies, such as Ethiopia.

2.5 Ifederal Political Culture

During this session, participants identified and came up with a list of the basic defining features of Ethiopian political culture that have implications for the functioning of the federal system. Among others, these features include a lack of mutual trust, a weak culture of cooperation, a centrist mindset (perceiving the center/federal government as the only true government), intolerance towards opposing views, authoritarianism (unrestrained power), conspiracy, power centralization (absence of power-sharing), a zero-sum game (winner takes all), polarized stances, corruption and nepotism, clientelism, violence, and rigidity.

On the other hand, participants were asked to identify different cross-cutting cultural values from any of the regional states or ethno-national groups that can be enlarged at the national level to support federal

governance practices in Ethiopia. In this regard, they proposed some cultural values and practices from different nationality groups that they thought had relevance to strengthening the federal system. Some of them include the following (the list just represents few examples):

- ◆ Guma: This is one of the Oromo traditional systems that focuses on resolving disputes and conflicts among disputants based on the cultural values of the Oromo society, where the victims are compensated and the wrongdoers confess to taking responsibility for their actions. Similar traditional conflict resolution mechanisms are prevalent across all ethnic groups throughout Ethiopia.
- ◆ Gada: It is a governance system of the Oromo people that regulates peaceful power transfer and administration. It is a system that encourages a limited government, public participation in the election process, term limits for the leaders, division of power, conflict resolution mechanisms, etc.
- ◆ Edir and Equb: These are traditional institutions that are practiced in many communities in Ethiopia. They are among the grass-roots social capitals that bind communities together. Although they are currently suffering from polarization, they still not only serve as a glue to bind together many communities but also serve as mechanisms to support one another during challenging times.
- ◆ The Somali culture of openness, freedom of expression, cooperation, elaborated conflict resolution mechanisms, and culture of information sharing can also be enlarged at the national level to support the federal values that are essential for the effective implementation of the federal system in Ethiopia.

- ◆ The Gamo culture of peaceful resolution of any form of conflict within and outside the Gamo community is also an exemplary one. Such a peaceful conflict resolution mechanism is of great relevance for the federal political culture to be used at a wider level.

In addition, it is important to identify factors that hinder a federal political culture from developing. The barriers to developing a strong and supportive political culture are manifold. This starts with the attitude towards power, in which power is seen as a source of income and prestige for political elites instead of serving the interests of the public. The manner in which power is to be held through violence also contributed to the development of violent behaviors against opponents. That is why labeling opponents as enemies have become common practice. Compromise is now difficult to see, and those who advocate for it risk being viewed as traitors by hardliners. In many cases, the level of trust between the government and the people is thin. An election is simply a rubber stamp for the incumbent to formalize its political power. Trust among political elites is minimal, if not absent. Centralization and controlling power to the exclusion of opponents are common. The absence of a federal mindset usually prevents leaders from genuinely implementing the constitutionally inscribed power-sharing and autonomy arrangements in the country.

Finally, a survey result conducted among 64 dialogue participants indicates that the Ethiopian federal political culture scores weak, weaker, or weakest, indicating the urgent need for initiatives aimed at building democratic governance in Ethiopia.

2.6 The Practice of Federalism

The workshop spent a significant amount of time evaluating the successes and limitations of federal practice in Ethiopia over the last three decades using key analytical tools, including diversity management (e.g., language rights, cultural autonomy, political autonomy, and political pluralism), economic development (e.g., service delivery and equitable resource sharing), and governance (good governance such as rule of law, accountability and transparency, check and balance, power sharing, etc.), attainment of original goals of the federation, maintenance and nurturing of federal values (liberty, equality, innovation, efficiency, inclusion, democracy, peace and so on), and timely response to societal demands with change of circumstances.

In this regard, while the Ethiopian federal system recorded success or better achievements in some aspects, it also encountered challenges in other dimensions. For example, with regard to recognizing and empowering linguistic and cultural groups to use their language and promote their culture, it achieved immense success. Many of the nationality groups are now using their own language for education and administrative purposes, at least at the local level. It responded positively to the nationality questions including recognition, development of one's language and culture, preserving its history, the semblance of autonomy, and self-government. It enhanced the capacities of previously marginalized communities and groups to take part in the political and decision-making processes of the country. It has also brought progress in the socio-economic sector, such as access to education and health, although there is regression as a result of the recent wars and conflicts. Infrastructural development was given priority, as a result of which the peripheries are fairly connected to the center. Service delivery in the form of the provision of education, health, water, agricultural equipment and inputs, and so on is also positively recorded.

Several key limitations or challenges are also identified. The protection of minority rights is a problem in different parts of the country. Similarly, balancing the unity of the state with the autonomy of ethno-nationalist interests for autonomy and self-rule is another serious challenge that the country is facing. The promotion of diversity is given priority, which seems to have compromised the unity of the country and the cooperation of different community groups. Vertical and horizontal conflicts related to competition for power, resources, and territory are also on the rise. Federalism is about power sharing and decentralization of power. In practice, the party centralism has contradicted the very essence of federalism. Decision is usually made at the center by the ruling party and enforced at the all levels of the government some times without even adapting to the local context. The top-down decision-making process undermined the self-rule rights of the nationality groups. Moreover, the executive dominance over the legislative body undermined the transparency, accountability, and checks and balances. In many instances, the role of the federal legislative body has been minimal in either restraining or monitoring the federal executive body's activities. This dominance of federal executive is also manifested in unrestrained federal interventions in the internal affairs of regional governments.

Moreover, the way the government is responding to the demands for recognition, self-rule, or statehood by various ethnic groups casts doubts about the constitutionality of the responses. In most cases, it seems dictated by expediency and resorts to administrative responses rather than adhering to constitutional principles and processes. While the constitution and other legal documents provide the manners or procedures in which such demands are to be entertained, the government usually overpasses them and reacts through administrative or political shortcuts that often fail to provide durable solutions to the problems. Perception of corruption in public institutions is on the rise. Political instability and insecurity have also become critical concerns of citizens. The emergence of regional special security forces and armed insurgents has made the federal army and security forces engage in local issues that have not only made its role

difficult but also gradually affected the legitimacy of the latter. In many instances, the regional and informal forces are competing with the national army and security forces by taking the roles of the latter. In some cases, the former even position themselves as a regional state defense force. With the frequent use and deployment of the national army and security agencies to the different parts of the country where violent conflicts are prevalent, the country's political and security challenges get more complicated making dialogue and peaceful resolution of conflicts more difficult. Horizontal relations among regional states are also at their weakest ebb. Unhealthy competition among ethno-national groups and regional states seems to have exacerbated conflicts risking the lives and rights of individuals.

2.7 Federalism and Conflict in Ethiopia

In this session, participants deliberated on the link between federalism and conflicts in Ethiopia. The results of their discussion show mixed records—both positive and negative contributions of the federal system to conditions of conflict and violence in Ethiopia. Some of the key positive contributions outlined include the semblance of self-government, accommodation of cultural and language rights, and overall socio-economic progress. In this way, federalism was able to reduce large-scale conflicts threatening the core state to local levels. On the negative side, federalism is perceived as providing institutional context and exacerbating the very conflict it was designed to resolve in the first place. The rise of different types of conflicts and the emergence of insurgents in different parts of the country show growing concerns. For some, federalism has attempted to address the root causes, create a societal expectation for peaceful resolution of conflicts, and stabilize society politically, socially, and economically. For some others, federalism is part of the ongoing conflict in Ethiopia. While some attribute the rise of conflicts to the federal system, others attribute them to causes beyond the federal system, such as leadership quality, power struggle, the purpose of state power (power serving factional interests), political culture, and more than anything else, the failure to implement the constitution fully.

3. Major Contentious Issues of Federalism in Ethiopia

The outcome of the dialogue workshop series shows the following major contentious issues of federalism in Ethiopia:

- ◆ Legitimacy of the Constitution: Some view that the Federal Constitution lacks legitimacy due to the lack of implementation of the provisions. This view contends that the Constitution can earn legitimacy if implemented properly, through incremental reform or if we give effect to the rule of law and constitutionalism. Others contend that the constitution lacks legitimacy because of the exclusion of some groups from the constitution-making processes, and thus request for a 'new social contract.'
- ◆ Design of the Federal System: Many insist on the necessity of strengthening the current federal arrangement with possible reforms to address some of the limitations. They argue that maintaining the ethnonational arrangement allows for the accommodation of cultural and linguistic diversity and the inclusion of previously marginalized groups into the political system at all levels. Additionally, they believe that a federal system promotes self-rule and local autonomy and ensures that decision-making power is distributed among different regional states of the ethnonational groups. This group does not rule out the possibility of incremental reform of the current federal system. In contrast, some propose a kind of radical reform along the 'liberal integration model.' This model suggests that instead of maintaining ethno-national divisions, the federal system should prioritize the integration of diverse groups to foster a stronger sense of 'national unity' and minimize potential conflicts based on ethnic or cultural differences.

- ◆ Issues of Balance in the Federation: How to balance unity and diversity, individual and group rights, and self-rule and shared rule remain among the contentious issues of the federalism debate in Ethiopia. These issues of balance further require in-depth and open deliberations and further studies in order to strike a balance between the different issues and create a society that celebrates both unity and diversity, ensuring that no one feels marginalized or excluded.
- ◆ Fair Distribution of Resources: There is a serious disagreement – perceived or real – on whether or not the country’s resources are fairly shared and distributed. This suggests the need to exert efforts to bridge gaps in terms resource distribution across regional states and groups, both in perception and concrete terms.
- ◆ Inclusion and Representation in the Federal Institutions: Whether the different linguistic and religious groups are sufficiently represented in some federal institutions (civil service, army, security, judiciary, state-owned enterprises such as Ethiopian Airlines, Ethio Telecom, etc.)) or are dominated by a particular group is a matter of debate. There is a strong perception that some ethnonational and religious groups are not adequately represented in key federal institutions, while others are overrepresented, holding disproportionate power and influence within these institutions, potentially marginalizing others. This debate suggests the need to make efforts to promote inclusivity and ensure fair representation within federal institutions.
- ◆ Federal Political Culture: There is a widely shared consensus among the participants that the federal practice of Ethiopia lacks the required “federal spirit” and federal political culture. However, there are opposing perspectives on why federal political culture is still missing. One vein of contention underscores that the federal system has been constrained due to the long-established

authoritarian, hierarchical, and hegemonic political tradition. The other vein argues that the federal experiment over the last three decades should have created its own federal political culture (expressed through mutual trust and respect, compromise, consensus building, cooperation, tolerance, power sharing, peaceful bargaining and negotiation etc). .

- ◆ History, Memories, Symbols and Vision: There is a huge divide among Ethiopians when it comes to history, memories, symbols, heroes, the flag, and anthems. More importantly, there is a conflicting vision of the future of Ethiopia among the political elites. Depending on where we stand on the political spectrum, we have different imaginations about Ethiopia. These differing imaginations about Ethiopia often lead to heated debates and disagreements, as each side believes their vision is the best path forward for the country. The divide is not only ideological but also deeply rooted in historical and cultural differences, making it challenging to find common ground and work towards a unified future. It is however hoped that Ethiopians can bridge the gaps between their differing imaginations and conflicting visions through open and genuine dialogue.

4. Pathways Forward

In terms of future engagement on the above major contentious issues, the

following process-oriented strategies are forwarded:

- 1) ***Cascade the Dialogue Workshop:*** It is important to cascade and conduct similar dialogue workshops at national, regional, and sub-regional levels. This will help ensure that a diverse range of perspectives are considered and incorporated into the decision-making process.
- 2) ***Federalism Dialogue Platform:*** Establishing a platform for ongoing dialogue and collaboration between stakeholders on the contentious issues is crucially important, as this will allow for continuous dialogue and the ability to address emerging issues in a timely manner.
- 3) ***Public Consultation Forums:*** It is also important to establish platforms to conduct open and genuine consultations with the wider public on key federalism issues. This should not only be done at the elite level but also at the grassroots level to reach ordinary citizens. This inclusive approach fosters transparency and legitimacy, ultimately strengthening the democratic foundations of the federal system. Moreover, public consultation forums can serve as platforms for education and awareness-building, empowering citizens to actively participate in shaping their country's governance structure.
- 4) ***Alignment with the National Dialogue Process:*** The NDC was established to lead and facilitate the national dialogue on fundamental issues and challenges facing the country in order to pave ways to create "a stable, peaceful, and prosperous Ethiopia." Most of the major contentious issues of federalism-identified by this dialogue workshop series- are believed to be on the NDC's agenda as well. It is therefore necessary to align the process and outcome of this dialogue workshop with the national dialogue initiatives, as this project sets an example of how dialogue, informed by a wide range of theories and

practices can be properly conducted.

5) *In-depth Analysis and Further Research:* Some of the key issues may require an in-depth analysis and further research. It is important to systematically identify such issues and conduct further studies. The outcome of the results may feed into the various national initiatives. This will help policymakers and stakeholders to make informed decisions based on solid evidence. Additionally, the findings from these studies can also contribute to the development of effective strategies to address the identified issues and promote positive change.

