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Ethiopia needs a negotiated reform of its federal system

Ethiopia's 'civil war' shows the deficiency of ethnic federalism. But the federal system should be improved, not abolished

Since 3 November 2020, the Tigray People Liberation Front (TPLF) and Ethiopia's federal government are engaged in what many characterise as a 'civil war', while the government calls it a surgical operation to enforce the rule of law in Tigray state. The military escalation is a result of the political tension between the federal government and the TPLF that has been simmering since Abiy Ahmed assumed the premiership in April 2018.

The tension reached its climax when the Tigray state under TPLF leadership, in defiance of the order of the federal government, conducted its own state elections by establishing its own election board and electoral law.

This TPLF is considered the maker, principal advocate and main defender of Ethiopia's controversial ethnic federal system and, thus, many now believe that the fate of Ethiopia's contentious ethnic federal system would be decided by the outcome of this 'civil war'. But, as I argue in this piece, the complete eradication of the 'ethnic aspect' of the Ethiopian federal system should be avoided – even though the question if and how it can be reformed needs to be answered.

Why Ethiopia's federalism is so contested

The ground work for the current federal system was laid in 1991 when the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF), having ousted the Derg military government, assumed power. The EPRDF, a coalition of four ethnic based parties, with the TLFP having been its principal member, diagnosed the political problems of the country to be rooted in the mismanagement of the ethnic diversity of the

Ethiopian people and, hence, sponsored the 1995 Constitution which formally established the current federal system. Conceptualised as a federation of ethnic communities of the country, the boundaries of the subnational units of the federation were established along ethnic lines.

The federal system has been the most contentious political issue in the country since its inception close to three decades ago. For its advocates, the federal system is immaculately deigned and the only option to keep the country together and, therefore, tampering with it would usher the end of the Ethiopia as we know it.

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For its detractors, the ethnic federal system was a result of the constitutionalisation of the TPLF's political programme and is underpinned by its Stalinist ideological orientation and notion of ethnic management. For them, the federal system is an imposition by the group that came out victorious in the 17-year war against the Derg, not a negotiated political settlement. Moreover, they consider it 'a perilous experiment that is more likely to exacerbate ethnic tensions and militate against national unity' leading to the country's balkanisation. For these reasons, they maintain, the federal system should be scrapped.

Having assumed the premiership after three years of anti-regime public protest, Abiy transformed the EPRDF into a single, national entity called Prosperity Party (PP). The TPLF declined to join the PP. While the EPRDF was all for ethnic self-rule and often accused of showing little enthusiasm for national unity, Abiy was riding on a pan-Ethiopian platform. The detractors of the federal system hence seem to think that they have an ally in the Prime Minister's Palace. Thus, they have been pushing for the total abolition of the current ethnic federal system and replacing it with what they refer to as 'geographical federalism'.

The clamour for scrapping the federal system has gained momentum especially in the past one week, after the armed clashes between the federal government and entities of the Tigray state began. If the 'civil war' ends with the defeat of the TPLF, the ethnic federal system would lose one of its most ardent and strongest defenders.

Why the federal system should not be completely scrapped

I maintain, regardless of the outcome of the current confrontation, it will be unwise to rush to eradicating the current federal system. First, various studies suggest that a federal system was not a total fiasco. It has also several benefits, the most important one being the empowerment of previously marginalised communities and ensuring their cultural and political inclusion.

Second, the detractors of the current federal system cannot simply ignore the existence of their ideological opponents, those who ardently seek to preserve it. An ethnic federal system has strong support especially in the southern part of the country, including in Oromia, the largest state of the country. Moreover, the ethnic federal system has created new identities and interests that some groups would like to preserve. Simply scrapping it is likely to anger those with vested interest in the system and lead to another round of conflicts.

No federal system, least of all an ethnic federal system, could properly function without democracy.

Thirdly, and most importantly, simply scrapping the current federal system would be making the same mistake that the TPLF/EPRDF is accused of – enforcing one's political programme in the name of a constitutional reform. This will be another 'victor's justice' which would only sow seeds of discontent which will be a cause for another round of conflicts.

The need for genuine democracy

Admittedly there are several problems with the design and implementation of the current federal system, including its exclusive focus on ethnic identity and disregard to those who do not necessarily identify themselves along ethnic lines. Indeed, it has led to the intensification ethnic consciousness and inter-ethnic conflicts. Fixing these problems require sober discussion and dialogue among the various political groups and other stakeholders as well as the public at large.

But importantly, any reform with respect to the federal system should result from such discussion and negotiations. Moreover, in the past 27 years, the federal system operated in the absence of genuine democracy. EPRDF used 'a menu of institutional manipulation' in order to retain its dominance, including a favourable electoral system, various pieces of

legislation restricting opposition parties and local authorities that served as its control apparatus.

No federal system, least of all an ethnic federal system, could properly function without democracy. The effort should thus be on opening up the political space, scraping restrictive pieces of legislation and allowing competitive democracy to take root in the country.



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