The Quest for Minority Rights in Federal Ethiopia: Legal Promise and Challenges

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Abstract: Ethiopia has adopted ethnic-based federal system as a response to \textit{National Questions} in the country during the reign of EPRDF regime. As this federal system is based on ethnicity, ethnic identity has become the key instrument regarding entitlement, representation and state organization. Now, the key to get access to the resources of the state is to acquire a separate ethnic identity and an ethnically defined administrative structure.

Based on the analytical literature review, the study has examined the challenges posed by ethnic-based federal system to protect the rights of minority groups and individuals residing within ethnically designated regional states. The federal system has created its own types of political challenges for the protections of the rights of non-indigenous minority groups. It is constraining rather than enlarging the political space for an overall citizenship. The idea of overarching citizenship that transcends ethnic identity is lacking in the federal system. The ethnic federal system also lacks mechanism for monitoring human rights at ethnically designated sub-state levels. The study, therefore, suggest reformulating the federal system, strictly respecting the principles of the federal constitution and revisiting regional state constitutions to avoid contradiction to the supreme federal constitution.

Keywords: Ethnic Federal System, Human Rights, Constitution, Minority groups and Challenges

1. Introduction

In stark contrast to strong unitary nation state in the past, the 1995 constitution established a federal and democratic state structure. In the endeavor to reconstruct the Ethiopian state as a multi-national and multi-cultural political entity, federal system and ethnicity has been taken seriously by the ruling Ethiopian Peoples’ Revolutionary Democratic Front (EPRDF) (Berhanu, 2007; Asnake, 2013). The EPRDF assumed state power by ousting the military Marxist regime in 1991. The birth of federal system along with the rights to self-determination up to secession in Ethiopia was related to the historic trajectories of building a nation-state through ethnic assimilation and marginalization that gave rise to the \textit{National Question} as the politico-ideological agenda and the emergence of Marxism-Leninism as the dominant ideology of the Ethiopian Student movement (ESM) against the imperial regime since the end of 1960s (Hagmann & Abbink, 2011; Aalen, 2006). The \textit{National Question} was used by the ESM and ethno-national armed forces to describe deep-rooted ethnic inequalities in power, cultural prestige and resources in Ethiopia.

Accordingly, the federal system together with the right to self-determination for all ethnic groups \{Nations, Nationalities and Peoples’ (NNPs)\} to use constitutional vernacular) was adopted by the ruling EPRDF as effective and appropriate response to a longstanding \textit{National Questions} in the country. The \textit{National Questions} was for long articulated by the ESM in Ethiopia and ethno-national armed forces as key political agenda in the country (Vaughan, 2003; Tsegay, 2010). In the Ethiopian federal system, maximum importance has been given to the rights of ethnic groups in the constitution. This is evident in that they are holder of sovereign power of the state and the rights to self-determination up to secession (art.39/1). The right to self-determination has recently become a popular term with a currency in the politico-legal rhetoric. Self- determination of peoples, however, has not been an interest to post 1991 Ethiopian rulers (Tsegay, 2001). The term ‘self determination’ was first used as a term pertains to the right of groups during and in the aftermath of the 1974 Revolution that overthrown nearly half a century reign of Emperor HaileSelassie from power.

Not unexpectedly, self-determination has become an item so important as to be spelled out in the constitution since 1995. The most elaborate statement of the right appears in Art. 39 (1–4) of the constitution where its contents are enumerated as the right to: a) secession; b) promote one’s language, culture and history; and c) to exercise full measure of self-governance. Accordingly, the Ethiopian Constitution recognized 3 or 4 of the faces of the right to self-determination, namely, of secession, self-rule (and autonomy) and protection of one’s linguistic, cultural, and historic identity as a minority or otherwise.
As part of materializing the constitutionally guaranteed right to self-determination for all ethnically defined
groups in the country, the EPRDF regime established nine ethnically designated and multi-ethnic regional states
as component units of the federal system. These included: Tigray, Afar, Amhara, Oromia, Somali, Harari,
Gambella, Benishangul-Gumuz and SNNPRS. Ethnicity is the key factor in establishing the regional states and
sub-regional units in multi-ethnic regions, such as Gambella, Benishangul-Gumuz and Southern Nations
Nationalities and Peoples Region (SNNPRS). The regional states were given a broader political autonomy to
exercise a degree of legislative, executive and judicial powers (Temesgen, 2011). Notwithstanding
constitutionally entrenched equal rights and power, the interesting point about the Ethiopian federal system is
practical asymmetry in ethnic composition, territorial and population size.

It can be noted that major scholarly studies (such as, Asnake, 2013; Assefa, 2012; Aalen, 2008; Tsegay, 2010;
Berhanu, 2007; Abbink, 2009; Asebe, 2012) of political dynamics analysis in Ethiopia have mostly emphasized
on the ‘ethno-federal aspect along with the right to self-determination and the extent to which ethnicity in politics
has worked out. However, the question as to whether the current ethnic-based federal system has offered
opportunities or challenges to promote and protect human rights in Ethiopia as per the constitutional stipulations
and other principal international human rights instruments to which Ethiopia is signatory has not received
significant scholarly attentions. As compared to the previous political systems in Ethiopia, the question as to
whether the current ethno-federal political system has brought significant change to the protection and promotion
of human rights beyond the rights of ethnic identity groups is relevant. But the answer is mixed. During the time
of this study there were no grave human rights violations as compared to previous Marxist military regime but
there have been serious challenges for the rights of minority and individuals within ethnically designated
administrative regions and sub-regions in Ethiopia.

This study is therefore intended to examine the promise and challenges associated with human rights
protection and promotion under ethnic-based federal political system in the period from 1991 to 2019. In the
present contribution, the study contends that the post-1991 regime in Ethiopia, despite its promise and claims to
promote and protect human rights for all citizens, especially group rights on the basis of ethnicity, has been less
successful than expected in respecting and promoting human rights. In terms of methodology, the study is based
on the document analysis and analytical review of secondary sources.

This study is organized into two parts beginning with brief description of the origin, promise and challenges
of federal system as an instrument to protect the rights of ethnic identity groups in Ethiopia. It then goes to the
second part that discusses promise and challenges for the rights of minority groups. The last section is devoted to
the conclusions of the study.

2. Origin, Promise and Challenges of Ethnic-based Federal System in Ethiopia

Any attempt to understand the rationale for adopting the federal system along with the rights to self-
determination and politicized ethnicity would be incomplete if it is seen separately from the historical trajectories
that shaped the modern Ethiopian state since the late 19th c. Accordingly, I briefly explore the historical process
which led to the creation of modern Ethiopian state and the outcome of those processes in terms of ethnicity -
historical factors for adopting ethnic-based federal system and formalizing identity politics in the post 1990s - in
the current Ethiopia.

Ethiopia is considered as an ancient state with a three millennia history of statehood (Bahru, 2002). However,
Ethiopia took its modern shape in the first decade of 20th c. During the Europeans’ scramble for Africa in the
1880s, the Abyssinian Empire was also busy in an empire-building project launched by its architect, King Menelik
of Shawa – later Emperor Menelik II, who assumed power after the death of Emperor Yohannes IV (1872-1889)
in 1889 (Bahru, 2002:61; Mengisteab, 1997:220). Emperor Menelik II (1889-1913) was considered as ‘the only
black African leader who actively participated in the scramble for Africa’ (Tibu, 1995: xxv). Through the
conquest, the greater portion of the country’s landmass was incorporated into the empire and gave its present
geographical shape and cultural, linguistic and ethnic compositions by the beginning of the 20th c (Hameso,
2001:74-75). The autonomous smaller states of south, south-west, and south-eastern Ethiopia were subdued by
Emperor Menelik II as a result of unbalanced military power despite fierce resistance by many of these states
(Vaughan 2003: 106). The net effect of the process of state formation put various ethno-linguistic groups under
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ethnic state where more than 80 ethnic groups live.

In this regard, it has been noted that ‘the end of the territorial conquest was followed by the institutionalization
of the northern feudal system of exploitation, conquest of lands and the imposition of the Amhara language,
religion, and other forms of culture at the expense of the indigenous practices of subjugated peoples’(Tibu, 1995:44-45). It consequences were far more brutal and devastating in the south than in the north. Unlike the
north, the conquest had mostly brought into the emerging empire-state new lands and new people from the south
on unequal terms. For the south, the outcome was a dual oppression, both national and class. We have therefore
the north-South dichotomy: one polity but two markedly different systems (Merera, 2003:62). Like its
predecessors, Emperor Haile Sellassie I (1930-1974) continued a project of building “one nation out of many” via
cultural homogenization through policies of assimilation, centralization and one language policy by adopting the
first modern constitution in 1931. Inequality based on ethnic affinity has been a part of Ethiopian governance
since the establishment of the modern state. The Ethiopian national identity was therefore intrinsically linked to
the Amhara’ (Aalen, 2006:246). Ethnic diversity had been totally denied recognition.
It was ethnically based historical injustices and inequality that triggered the subjugated peoples to revitalize their ethnic identity and to articulate ethnic-based political movements against feudal regime since 1960s (Hameso, 2001). Furthermore, the deep-rooted political problem spearheaded by the student movements finally led to the 1974 popular revolution that demised imperial regime. Nonetheless, in the absence of organized political parties to assume power, the military took advantage of the political vacuum and controlled power (Merera, 2003; Asnake, 2013). Notwithstanding the military regime’s attempts to reorganize the country’s internal administration after its establishment of People’s Democratic Republic of Ethiopia (PDRE) in 1987, it was failed to create a new social and political basis for the country.

The 1974 popular revolution was basically the result of the ESM that begun in 1960s. Influenced by Marxist-Leninist ideology, students brought forward the issue of National Question. Besides, the idea of the right of ‘Nations, Nationalities and Peoples (NNPs)’ to self-determination including secession had also dominated the political agendas of the ESM (Vaughan, 2003). This political ideological agenda became a driving revolutionary force in the Student circles and the political movements descended from the ESM. The ESM itself was divided on the issue of National Question. Some groups of students started to contend that the issue that needs to be addressed in the Ethiopian politics is the idea of class struggle, not the National Question.

This debate led to the birth of two contending political groups. The first was the Pan-Ethiopianist groups or Class based movements, such as Ethiopian Peoples’ Revolutionary Party (EPRP) and All Ethiopian Socialist Movement known popularly by Amharic as MEISON (Merera, 2003:97-98). The second was mainly the ethno-national groups or ethnic based movements, such as the Eritrean People Liberation Front (EPLF), Tigray People Liberation Front (TPLF) and Oromo Liberation Front (OLF). The ethno-national groups were organized on the ideological foundation of Marxist-Leninist principle of the ‘right to self-determination including secession’ as a driving revolutionary force (Merera, 2003; Vaughan, 2003). They claim that the Ethiopian state is an exclusionist one and the oppressed and marginalized groups need to have the right to self-determination to the extent of secession.

The EPLF and OLF emphasized that the Ethiopian state had ‘colonized’ various ethnic groups. Hence, Ethiopia, just like any western colonial empire, needs to undergo decolonization’ (Merera, 2003). Ethnicity became an aspect of the political movements. Accordingly, the EPLF and OLF - considered the Ethiopian state as a “colonial” empire - opted for complete independence consecutively of Eritrea and Oromia from Ethiopia. Nevertheless, the TPLF oscillated in their agenda between complete independence from Ethiopia and its self-determination within the greater Ethiopian context (Asebe, 2007:31). The most protracted and Africa’s longest intra-state civil wars (a 30 years’ war by EPLF) was ended in 1991 by the secession of Eritrea and the control of state power by ethno-nationalist forces led by TPLF that has rebranded itself as EPRDF in 1991 after hard-won victory over the military regime.

Accordingly, at the end of the Cold-War, the one of the continent’s brutal dictator, socialist president Mengistu was removed from power in 1991 after a successful military victory by the EPRDF dominated by the TPLF. In 1995, the EPRDF adopted a new constitution that brought a fundamental transformation in the political philosophy as antithesis to ethnic assimilation policy and marginalization by old regimes. The EPRDF adopted ethnic-based federal model, along with the right to self-determination, as a panacea to human rights violation, ethnic inequality and the challenges of ethno-national armed conflicts that beleaguered the old Ethiopian state.

Ideologically, the ethnic-based federal system has mainly adopted to eliminate ethnic-based marginalization, domination, inequality and injustice in the country. Basically, federal system is expected to provide a democratic and legitimate basis for the Ethiopian state. One of the goals to adopt the federal system was to democratize the state and to protect and promote human rights in the country. When we look back on two decades long federal experimentation, the key question that arises is to what extent these key goals came to fruition? What are the key political challenges for human rights? The analysis of human rights promise and challenges for promoting these promises by democratizing the Ethiopian state has to be evaluated with these key goals and associated questions in mind.

One of the most remarkable achievements in the area of human rights by the ethnic-based federal political system is accommodation of the ethno-linguistic groups’ demand for cultural preservation and distinctiveness. It seems that the federal system has adequately responded to ethnic inequality and marginalization by granting the rights to ethnic-cultural and linguistic self-determination. The ethnic groups have largely welcomed the right to speak and write their own languages and use them in local administration, as well as appoint local government officials from their own ethnic groups (Hagmann & Abbink, 2011:583). The country’s ability to deliver services, which are crucial to materialize human rights, such as access to education, health and infrastructure are promising as well. The federal system helps to achieve remarkable economic growth in the country. This economic development has its own significant implications regarding human rights protection and promotion in the country.

The critical challenge that the federal system has been facing is the transition to democracy and political pluralism in Ethiopia. It is difficult to promote human rights sustainably under federal system for long unless it exhibits some elements of democracy. This has become a point that is no longer contested. When federalism is combined with democracy, it takes a peculiar form in respecting the value of democracy and human rights. It is in a democratic system that human rights can better respected, promoted and protected. In Ethiopia, however, “democracy and democratization have become promises of an almost spiritual nature that are constantly renewed, but never really fulfilled” (Hagmann & Abbink, 2011:591). The incomplete process of transition resulting from
the disengagement of the opposition, human rights violations, shrinkage of the political space and the divergent perspectives with little political accommodation has made the transition to democracy more challenging and protracted.

After two decades of experimenting the federal system and the so called “revolutionary democracy”, the overall challenge facing Ethiopia is how to promote and strengthen democratic institutions and the value of human rights, political pluralism, rule of law and building a genuine multi-national federation with functional democratic system help to promote human rights in the country. Notwithstanding multifaceted problems for human rights protection and promotion in Ethiopia, ethnic-based federal system has created its own unique challenges for human rights protection in Ethiopia, which is the subject of this study. With this mind, let us proceed to the discussion on challenges of ethnic-based federal system for minority rights in Ethiopia.

3. Promise and Challenges for Minority Rights in Ethiopian Federal Systems

3.1 The Promises of Minority Rights in Ethiopia

In the 1995 constitution, one-third of the provisions (from Article 13-44) dedicated to human rights and fundamental freedom. The constitution declared principle of Human rights and fundamental freedoms as “inviolable and inalienable” in Article 10(1) and promised that “human and democratic rights shall be respected” in Article 10(2). The right to equality without any discrimination to the equal protection of the law in Article 25 and participation in public affairs without any discrimination in Article 38 are particularly guaranteed. Equality of ethnic identity, right to liberty of movement and freedom to choose his/her residence, language provisions consecutively in Article 3, 32 and 5 reinforces similar clauses. More importantly, the supremacy of the constitution and the need to interpret these human rights provisions in compliance to core universal human rights laws ratified by Ethiopia expresses evidence respectively in article 9(1) and 13(2). The constitution enumerates 31 individual and collective rights with greater emphasis on the latter. One can, thus, readily observe that these long lists of human rights from Article 13-44 indicate that human rights and fundamental freedom, is the basic norm in Ethiopia, is clear and undeniable.

Nevertheless, nearly two decades after the adoption of constitution of 1995 and ratification of core universal human right conventions, which can be applicable for the protection and promotion of equality rights, save all protocols. The existing constitution in article 25 stipulates that “all persons are equal before the law and are entitled without any discrimination to the equal protection of the law”. The provision of article 25 of the constitution is identical to article 26 of International Convention on Civil and Political Rights (ICCPR), in which Ethiopia is a party by ratifying the convention on 11th of June 1993. It states that “all persons are equal before the law and are entitled without any discrimination to the equal protection of the law”. By virtue of articles 25, 38 and other human rights provisions of the constitution and by ratification of core universal human rights conventions, the basic legal frameworks for the right to equality and non-discrimination are indeed set down in the Ethiopian federal legal system.

Despite devoting one-third of the provisions of the constitution to the issue of human rights, their protection and promotion remain contested in Ethiopia. According to the Assefa Fisseha, a prominent scholar on Ethiopia federal system, “these bulk of rights stipulated in the constitution have not been taken seriously so far” (Assefa, 2012:465). He has further noted that Human rights in Ethiopia are a luxury that the government does not take seriously and their inclusion in constitutions is simply a matter of formalism (ibid). On paper the constitution gave all citizens far-reaching human rights irrespective of any criteria, but in practice, their implementation are endangered by the politicized ethnicity and ethnic-based federal system. In the next section, I examine how has the federal system contributed to violation of the rights of non-indigenous minority groups and individuals living and working in the ethnically designated regions and sub-regions throughout Ethiopia.

3.2 Ethnic-based Federal System as a Challenge for the Rights of Minority Groups

As it has been discussed earlier on, one of the salient features of existing constitution is that it established nine regional states (Art.1), with the power to, “enact and execute their respective constitution and other laws” (Art.52/2(b)). This implies that the ethnically based constituent units have the power to, “establish a state administration that best advance self-government in a manner that protect and defend the federal constitution” (Art.52/2(a)), within a federal framework. In this respect it pursues that it is indispensable that not only the federal constitution but also the states’ constitutional machinery that have the competence to realize the right of citizens. By establishing ethnic-based federal state structure, therefore, the federal constitution established two sources of legislations i.e., the federal and the regional that can directly affect citizens rights. Under this federal system, each ethnic groups in constitutionally belongs to ethnically defined and some multi-ethnic regions. As a result, it is within and through their respective region’s that citizens enjoy their civil and political as well as socio-cultural rights (Asnake, 2010). Thus, ethnicity became the key instrument regarding entitlement, representation and state organization.

Although what constitutes a minority has been contested, minority and individuals in the context of this study refers to internally displaced groups and individuals not living in their home region but residing in the ethnically designated region of other ethnic groups. In Ethiopia, there are two groups of minorities that deserve serious attention. The first group relates to the non-indigenous minorities and individuals residing in the ethnically

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1 Such as, ICERD, ICESCR, ICCPR, CEDAW, CAT, CRC, and CRDP.
designated regional states, for instance, Oromia and Amhara. These two regions possess more than 75% of the Ethiopia population. They are expressly designated after the ethnic groups of Amhara and Oromo. Therefore, other indigenous and non-indigenous groups are minorities in these regions. This has serious human rights implications in the context of an ethnic-based federal system. These minority groups have no legally guaranteed rights to get representation in the institutions and command the local public institutions and resources. There are similar experiences in all other regions. Thus, under the present ethnic federal system, “the minorities and individual citizens are declared invisible from the political process” (Assefa, 2012:454).

One of the serious challenges for the rights of minority and individual is the emphasis given by the federal system to the rights of major ethnic groups. The federal system ignored the rights of minority groups and individual within the ethnically designated regions and sub-regional units. In this regard, Assefa (2012:454) further contends that:

“The issue here is about deciding whether Ethiopia is a federation that has space both for groups, minorities and ordinary citizens or whether it is a federation only for ethno-nationalist groups where individual citizens and minorities are enslaved by ethno-nationalist forces”.

In this respect, the illustrative examples are the Oromia and Hareri Regional states. They are among the nine regional states. The Oromia regional state is geographically very vast and resourceful in the country. It constitutes more than 40% of the total population of the country (CSA, 2008). It is also the home for more than 5 million non-indigenous minority groups or non-Oromos residing in the region. However, there are no express clauses for representation into the regional state institutions nor does the Constitution provide for territorial or non-territorial autonomy to these significant sizes of minority groups. For instance, the Caffee Oromia, the regional parliament, is the representative organ of only Oromo ethnic group, excluding citizens belong to non-Oromo group that have been localized in the region. In other words, the Oromia regional state has been created for the Oromo nation, not for others.

However, this is clearly postulated in the regional constitution that sharply contradicts supreme federal constitutional provisions in article 25 and 38 on equality and non-discrimination in participation on public affairs. This institutionalized violation of the right to equality and non-discrimination is clear even in the preamble, which makes reference not to the diversified population with different ethnic backgrounds of the region, but rather to only “Oromo nation”. Article 2(1) of the regional constitution recognizes that Oromia regional state is populated by “the Oromo nation and other peoples”, however, article 8 stipulates that, “Sovereign power in the region resides only in the Oromo nation”.

Moreover, article 39(6) of the Oromia regional constitution state that, “for the purpose of this constitution, the expression ‘the people of the Oromo nation’ shall be construed as meaning those people who speak the Oromo language, who believe in their common Oromo identity, who share a large measure of a common culture as Oromos and who predominantly inhabit in a contiguous territory of the Regional State”. Constitutional reference to “people of the Oromo nation” only excluding others is deduced from this constitutional provision. Accordingly, the sovereign power in Oromia regional state, as identical in all nine regional states, does not reside in the various non-indigenous ethnic groups of the region, but in the Oromo nation. As per the Article 39(3), the representatives of the Oromo nation in the Federal government are elected by the Caffee Oromia, excluding other citizens in the regional state. Due to increasing violation of the rights of Amhara residing in this region, many of them were evicted from the region and moved to their home Amhara region.

In the same vein, the violation of the right to non-indigenous minority is quite extreme in the Harari regional state. In this region, Harari people constitutes only 9%, while Oromo and Amhara ethnic groups consecutively constitute 56% and 37 % of the regional population (CSA, 2008). As the regional state is designated by the name of Harari people, the Harari consider themselves as majority and owner of the “mother state” and has exclusive rights over the political process in the region. They command nearly all the regional state institutions (Assefa, 2012:456). While the Oromo have junior position, Amhara settlers have no right to get representation in the regional government. In all ethnically designated regions and sub-regional administrative units, the constitutions and political system share similar contradiction to the supreme federal constitutional clause of the right to equality and non-discrimination.

In response to grave violation to the rights of minority groups, the federal system faced serious challenges in regional state of Gambella. In this region, there are large scale internally displaced non-indigenous groups or settlers, who were migrated to the area during 1984 famine. These settle constitute more than 30% of total population of the region (Berhanu, 2007; Dereje, 2006). The most serious and frequent unequal treatment had been made against these non-indigenous groups by regional government. Despite their significant size, they have no right to political representation, forcefully evicted from lands, their property destroyed and suffered by cruel atrocities (Berhanu; 2007). This was the major cause for 2004 large scale humanitarian crisis in Gambella regional state.

Against their discrimination on the basis of their ethnic identity, non-indigenous people frequently presented their demand to federal government to intervene to respect their constitutionally recognized rights of equality. However, they couldn’t get remedy due to the federal government response that “non-indigenous people are living in the region for only reason of getting land and food which are more important than political rights” (Berhanu, 2007:181). The violation of the rights of internally disciple minority groups and individual was also commented by the Committee on the Elimination of Racial Discrimination (CERD committee as follows:
“In 31 Aug 2009, the CERD recommended to the government of Ethiopia to ensure that refugees and internally displaced persons enjoy their rights under national law as well as various international legal instruments to which it is party….the committee further requested the state party to provide, in its next periodic report, detailed information on the human rights situation of refugees and internally displaced persons on its territory” (NRC, 2009:7).

The key challenges for minority rights protection in Ethiopia is the government failure to bring regional constitutions in line with Federal constitution as per its supremacy clause of article 9(1) and ratified core universal human rights conventions. Lack of any mechanism for monitoring human rights at the ethnically designated regional state levels, with a specific concern for ensuring the rights of individuals to participate in the political process is the critical reason for violation of the rights of the minority groups. The federal constitution “doesn’t impose an obligation on all branches of both level of governments with the duty to respect and enforce the basic human rights and fundamental freedom enshrined in it” (Assefa, 2007:275). However, constitutionally stipulated human rights have been violated or overshadowed in practice by emphasis on ethnic self-governance or self-rule and collective or group. Institutions for enforcing human rights in Ethiopia have not been well entrenched as judiciary has not been able to deal with human rights issues effectively. To better protect the rights of all citizens without discrimination on the basis of ethnic identity, it is time to reformulate the federal system. Instead of focusing only in the ethnic identity, the federal system should take an option of territorial approach to better protect the rights of minority groups and individuals without significantly affecting the right to self-rule of the major ethnic groups.

3. Conclusions

In the context of Ethiopia, ethnic federal system and human rights have an interlocked relation. As reviewed in the study, the federal system is explicitly based on ethnicity that politicized ethnic identity in the country. This federal system has brought political challenges for human rights protection that is peculiar to its kind in accordance with the constitutional stipulations. For non-indigenous minority groups and individual residing in the ethnically dominated and designated regions, the political rights are luxury as ethnic-based federal system does not stand and take seriously their rights. Although there is a nicely worded Federal Constitution in Ethiopia, the rights enshrined in the Constitution have not been properly respected and executed in a manner that ensures the protection of the rights of minority. Inclusion of individual and minority rights in the constitutions is simply a matter of formalism. Within the framework of the existing federal model, politics at federal and especially at sub-regional level represents in many ways a contradiction to the proclaimed federal constitutional human rights and its underlining principles. Overemphasis on the rights of dominant and indigenous ethnic groups has been seriously violating the rights of equality and equal treatment and the right of non-discrimination of minority groups and individual. The study, therefore, suggest reformulating the federal system, strictly adhering and respecting the principles of the federal constitution and revising regional state constitutions to avoid contradiction to the supreme federal constitution.

Endnote

i The meaning and the distinction between “nation, nationality and people” is not explicated in 1995 Federal Democratic Republic of Ethiopia (FDRE) constitution. For the purpose of this study, however, I took the three categories as ethnic groups.

ii There are three major thesis on Ethiopia’s historiography, namely the colonial thesis, the national oppression thesis, the nation-building or the national (re)unification thesis the unleashing of which partly contributed to the affairs of competing nationalisms in contemporary Ethiopia(Merera, 2003).

iii Tigrian People Liberation Front (TPLF) was organized in 1975 by the Tigrean youth who was discontented with the shift of political power to the Amhara and the subsequent ‘suppressions’ of the group under the Amhara hegemony. As the name implies, the principal aim of TPLF was liberation of Tigray. Toward the end of overthrowing the Military regime, the TPLF created EPRDF in 1989 by organizing ethno-nationalist groups from other ethnic groups (Merera, 2003, Vaughan, 2003).
References
