

# Table of Contents

## Acknowledgements

<b>Introduction</b>	<b>1</b>
Context and Delimitation of the Research	1
Structure of the Book	5
<b>Chapter 1</b>	
<b>Ethnic Diversity: Concept, Characteristics and Significance in Ethiopia</b>	<b>9</b>
1.1. Ethnic Diversity: Concept and Characteristics	9
1.2. Ethnicity in Ethiopia	16
<b>Chapter 2</b>	
<b>Constitutional Mechanisms for the Accommodation of Ethnic Diversity</b>	<b>25</b>
2.1. Introduction	25
2.2. Erasing and Denying Ethnic Diversity	26
2.3. The Protection of Language Rights and Cultural Rights	30
2.4. Political Participation	35
2.5. Autonomy	37
2.5.1. Forms of Autonomy	37
2.5.2. Federalism	40
2.5.2.1. Concept and Characteristics	40
2.5.2.2. Federalism and the Accommodation of Ethnic Diversity	43
2.5.2.2.1. National and Multinational/Ethnic Federations	43
2.5.2.2.2. Objections against Ethnic Federations	46
2.5.2.2.3. Arguments in Favour of Ethnic Federations	47
2.5.2.2.4. Conditions Determining the Success of Ethnic Federations	52
<b>Chapter 3</b>	
<b>Rise and Fall of the Ethiopian Empire</b>	<b>55</b>
3.1. The Early Origins of the Ethiopian State	55
3.2. The Foundation of 'Modern' Ethiopia	57
3.3. The Regime of Haile Selassie: Centralisation and Amharisation	65
3.4. The Rise of Ethnic and Regional Demands	72
<b>Chapter 4</b>	
<b>The Military Regime</b>	<b>80</b>
4.1. Revolution, but Few Changes	80
4.2. Proliferation of Regional and Ethnic Rebellions	87
4.3. The <i>Derg</i> under Pressure: The Creation of Administrative and Autonomous Regions	99
4.4. The Fall of the <i>Derg</i>	101

<b>Chapter 5</b>	
<b>Political and Constitutional Development in Post-Revolutionary Ethiopia</b>	<b>105</b>
5.1. Towards a Decentralised State	105
5.1.1. The Transitional Period Charter	105
5.1.2. The Creation of Ethnic-Based Regions	110
5.2. The EPRDF monopolises Power: the Regional and Local Elections of June 1992	115
5.3. Drafting and Enacting a New Constitution	120
5.4. An Assessment of the Ethnic Strategy	127
5.5. The Last Phase in the Transitional Period: The Federal and Regional Elections of 1995	131
5.6. The Elections of 2000 and Subsequent Political Developments	134
5.6.1. The Elections of 2000 and Internal Political Crisis within the EPRDF	134
5.6.2. Opposition Challenges, but Ultimate Dominance of the EPRDF	138
<b>Chapter 6</b>	
<b>The Ethnic Foundation of the Ethiopian State: An Analysis of the Federal Constitution</b>	<b>146</b>
6.1. The Constitutional Strategy of Nation and State Building	146
6.2. The Right to Self-Determination as a Founding Element of State and Nation Building	148
6.3. Territorial Organisation of the State	155
6.4. Regional Autonomy: Formal and Informal Aspects	162
6.4.1. Constitutional and Extra-Constitutional Aspects	162
6.4.2. Constitutional Allocation of Competences over the Federal and Regional Levels	163
6.4.2.1. Legislative and Executive Powers	163
6.4.2.2. Allocation of Legislative Powers	164
6.4.2.2.1. Powers of the Federal Government	164
6.4.2.2.2. Regional Powers	167
6.4.2.3. Constitutional Mechanisms Affecting the Allocation of Powers	173
6.4.3. Extra-Constitutional Restrictions of Regional Autonomy	179
6.4.3.1. Political Party Influence	180
6.4.3.2. The Ministry of Federal Affairs	182
6.4.3.3. Symmetrical or Asymmetrical Federation?	185
6.4.4. Distribution of Fiscal Powers: Fiscal Autonomy of the Regions	186
6.4.4.1. Constitutional Distribution of Taxing Powers	186
6.4.4.2. Vertical, Horizontal Imbalances and Federal Transfers	189
6.5. Federal Institutional Structure	194
6.5.1. General Observations	194
6.5.2. The Parliament	195
6.5.2.1. The House of Peoples' Representatives	195
6.5.2.2. The House of the Federation	199
6.5.3. The President, the Prime Minister and the Council of Ministers	206
6.5.4. The Judicial Organisation	211
6.5.4.1. A Parallel Judicial Structure?	211

6.5.4.2. Constitutional Review Powers	216
<b>Chapter 7</b>	
<b>Constitutional Accommodation of Ethnic Diversity at the Regional Level</b>	<b>225</b>
7.1. Introduction	225
7.2. Regional Constitutions and the Accommodation of Ethnic Diversity in Amhara, Oromia, Tigray, Afar and Somali	227
7.2.1. Ethnic Composition of the Regional Population	227
7.2.2. Territorial Organisation	228
7.2.3. Institutional Structure at the Regional Level	229
7.2.3.1. The Regional Parliament	229
7.2.3.2. The Regional Government	232
7.2.3.3. The Regional Judicial Structure	234
7.2.4. The Institutional Structure of the Nationality Administration and the Zone	237
7.2.4.1. The Nationality Council in Amhara	239
7.2.4.2. The Administrative Council of the Nationality/the Executive Body of the Zone	240
7.2.5. The Institutional Structure of the <i>Woreda</i> /District and <i>Kebele</i>	241
7.2.6. Constitution and Accommodation of Ethnic Diversity in Oromia, Amhara, Tigray, Afar and Somali: An Evaluation	244
7.3. Constitution and Accommodation of Ethnic Diversity in Harar	247
7.3.1. Ethnic Composition of the Population	247
7.3.2. Territorial Organisation	248
7.3.3. Regional Institutional Structure	248
7.3.3.1. The Regional Parliament	248
7.3.3.2. The Regional Government	250
7.3.3.3. The Regional Judicial Structure	250
7.3.4. Constitution and Accommodation of Ethnic Diversity in Harar	251
7.4. Constitutional Accommodation of Ethnic Diversity in Benishangul - Gumuz and Gambella	252
7.4.1. Geographical Location and Ethnic Characteristics of Benishangul/Gumuz and Gambella	252
7.4.2. Territorial Organisation	252
7.4.3. Regional Institutional Structure	253
7.4.3.1. The Regional Parliament	253
7.4.3.2. The Regional Government	257
7.4.3.3. The Regional Judicial Structure	258
7.4.4. Institutional Structure of the Administration of Nationalities	261
7.4.4.1. The Council of Nationalities	262
7.4.4.2. The Council of Administration of Nationalities	264
7.4.5. Benishangul – Gumuz, Gambella and the Accommodation of Ethnic Diversity	265
7.5. Constitution and Accommodation of Ethnic Diversity in the Southern Region	268
7.5.1. Ethnic Composition of the Population	268
7.5.2. Territorial Organisation of the Southern Region	268

7.5.3. Regional Institutional Structure	269
7.5.3.1. The Regional Parliament	270
7.5.3.1.1. The State Council	270
7.5.3.1.2. The Council of Nationalities	270
7.5.3.2. The Regional Government	277
7.5.3.3. The Regional Judicial Structure	279
7.5.4. The Institutional Structure of the Zone/Special <i>Wereda</i>	280
7.5.4.1. The Zonal/Special <i>Wereda</i> Council	281
7.5.4.2. The Executive	283
7.5.5. The Southern Region and the Accommodation of Ethnic Diversity	283
7.6. Regional Accommodation of Ethnic Diversity : An Overview	288
<b>Chapter 8</b>	
<b>Assessment of the Constitutional Mechanisms</b>	<b>290</b>
8.1. The Right to Secede	290
8.2. Assessment of the Federal System	294
8.2.1. Genuine Autonomy of the Regions	294
8.2.2. The Protection of Ethnic Minorities	296
8.2.2.1. Statement of the Problem	296
8.2.2.2. The Creation of New Territorial Entities	300
8.2.2.3. Granting Non-Territorial Autonomy	303
8.2.2.4. Constitutional Protection of Human Rights	305
8.2.3. Institutional Representation of Ethnic Groups	310
8.2.4. Conflict Solving Mechanisms	316
<b>General Conclusion: Summary of the Research Findings</b>	<b>319</b>
<b>Bibliography</b>	<b>324</b>