



# ETHIOPIA FORUM:

## CHALLENGES AND PROSPECTS FOR CONSTITUTIONAL DEMOCRACY IN ETHIOPIA

### PROSPECTUS OF SYMPOSIA AND PANEL DISCUSSIONS

**African Studies Center**

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#### ETHIOPIA FORUM

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### Objective

Faculty from Michigan State University, Western Michigan University, Central Michigan University and other scholars from around the MSU community are planning an Ethiopia Forum to take place at Michigan State University's African Studies Center. The Forum will be organized to have two symposia, a keynote lecture, and two panel discussions to explore challenges and opportunities to transition to constitutional democracy in Ethiopia, and a way forward for a united and peaceful Ethiopia and its neighbors. The principal objective of the Forum will be primarily educational with a focus to promote open and healthy debates and discussions on key themes that are of critical importance for Ethiopia's future. The Forum is intended for knowledgeable academic and public intellectuals with expertise on the region to apply reality-based analysis and offer policy options for a united, peaceful and democratic Ethiopia. The Forum is planned to take place on March 23 and 24, 2019 (during the Adwa Victory Month and the year designated as Year of Global Africa). Events will include guest arrival on Friday, March 22, two symposia on Saturday, March 23, a keynote lecture and reception on Saturday evening, and two panel discussions on Sunday morning, March 24. We plan to invite 10 to 12 symposia speakers with papers on specific topics. We also plan to invite 8 to 10 additional presenters to participate in the panel discussions on overarching general themes that are germane to peace and development in Ethiopia, and discussions on a transition roadmap. The symposium papers (up to ten pages of pithy compositions) and brief reports of the panel presentations will be edited into a monograph for dissemination to various audiences including personalities in the Ethiopian national leadership and institutions and organizations in Ethiopia and elsewhere whose mission is to make Ethiopia become a united, peaceful, modern, and progressive state.

### Contextual Background

Current developments in Ethiopia present both historic opportunities for positive transformation as well as pernicious challenges that may lead to ominous outcomes. Ever since the 1974 violent change of government by a Marxist regime whose eventual collapse gave rise to tribal politics in 1991, Ethiopia has been dealing with forces of division that have tried to degrade Ethiopianism. The current government instituted a constitutional order that forced Ethiopians to navigate the ambiguous and treacherous space of autonomous tribalism within an ethnic federalist structure. The system actively assaulted and minimized the collective identity in Ethiopian citizenship of a secular order, and in its place, created gerrymandered tribal enclosures called *killils* with exclusive covenants that tempted (sometimes realized) ethnic cleansings by rogue tribal leaders. The urgent issue before progressives who want to steer the country away from tribal nihilism and toward unity and harmony is to neutralize the polarizing forces of tribal group rights and covenants that the current constitution provides and move the political discourse toward the primacy of individual citizenship rights in the Ethiopian state with a more enlightened constitutional order. Ultimately, the objective is to unleash Ethiopia's potential by steering the political energy away from fomenting resentment and division and toward peaceful engagement on collective development. Taking advantage of the apparent and hopeful current rapprochement among the contending parties in Ethiopia's politics which has produced some hopeful narratives of unity and progress, the Forum hopes to make a constructive contribution to accelerate the positive momentum

however tenuous its origins might have been. In order to accomplish this, the Forum shall bring to bear intellectual and analytic skills within the Ethiopian diaspora in the U.S. and American Ethiopianists to help educate and inform long term institutional and policy requirements to transform Ethiopia into a peaceful and progressive modern state. The specific themes that shall be addressed in the symposia and panel discussions shall include the following:

- a. Constitutional issues: individual citizen rights vs. group ethnic rights
- b. Secular federalism
- c. Federal redistricting
- d. The role of ethnic identity in a modern polity
- e. Language policy and lingua franca
- f. Human rights in Ethiopia: current challenges and declaration of principles
- g. Peace, justice, truth and reconciliation
- h. Good governance (checks and balances)
- i. Education policy and practice
- j. Economic issues: agriculture, food security, land reform, industry, finance, development models
- k. Regional integration for peace and progress in the Horn of Africa
- l. The role of the media
- m. The role of the Ethiopian diaspora
- n. What is Ethiopiawinet?
- o. National health policy

### **Abstracts of Themes for Ethiopia Forum**

#### **a. Constitutional Issues (Individual Citizen Rights vs. Group Rights)**

The Ethiopian constitution's sovereignty clause in Article 8, with its ambivalence between "nationality" group rights in *killils* under Article 39 and "nationality" individual rights in the Ethiopian State under Article 6, undermines the primacy of citizenship in the Ethiopian State. The sovereignty clause under Article 8 which states that "All sovereign power resides in the Nations, Nationalities and Peoples of Ethiopia" has confounded the individual citizen of the Ethiopian state about where to seek redress for violations of rights spelled out in Article 10 on human and democratic rights, Article 15 on rights to life, Article 16 on rights to security, Article 17 on right to liberty, and many other similar individual rights guaranteed by the constitution. Rights violations have occurred in various parts of Ethiopia as the Federal Government was unable to protect people who lacked *killil* credentials from tribal leaders who took group right covenants as license for "ethnic cleansing". Ethiopia stands alone in Africa for having a constitution that allows tribal territorial jurisdiction to override federal law and compromise the inalienable standing of the individual citizen of the sovereign state of Ethiopia. The paper on this topic should suggest the forms of amendments that should be effected to the current constitution to restore the supremacy of sovereignty of the Ethiopian state of which each Ethiopian is singularly recognized as a citizen for the protection of all individual rights.

#### **b. Secular Federalism**

Federalism is a system of government in which local and central authorities share in governing the people that reside in defined geographic areas (states). The key terms in secular federalism are "people" "sovereignty" and "state". Under a secular federal structure, a legal definition of "people" is not qualified by place of birth, ethnicity or religion and must never carry hyphenation before the law. The "sovereignty" clause under secular federalism gives primacy to the federal government. State's rights cannot supersede federal power. In secular federalism, the geographic area of the state can be historical, geographic or artificial but under no circumstances can a federal territory apply residential covenants on any citizen of the Ethiopian state. Unlike confederation, a federal state or region has limited powers defined by the federal constitution, and under no circumstances would state laws invalidate federal law. This means that states cannot enforce local laws or covenants on any Ethiopian citizen if such local laws invalidate citizenship rights under the federal constitution. The paper on this topic must unequivocally demonstrate that in secular federalism of the Ethiopian state, place of birth (national origin), ethnicity, religion or any personal attributes, have no role in charactering the legal definition of the individual citizen, the sovereignty clause, or the geographic delineations of the state or region.

**c. Federal Boundaries (Redistricting)**

Administrative districts of all types including states in a federal structure fall into three principal typologies: historic, physical and artificial. Often they are a combination of all three. The 26 Swiss cantons and their boundaries date back to the seventeenth century as sovereign feudal entities until they were confederated into the Swiss state in 1848. The current French departments and now regions are consolidations of 39 feudal provinces that ended with the French revolution in 1740 with little to no change in the original boundaries. State boundaries in the U.S. are more complicated. The 13 colonies had historic as well as physical boundaries. However, after 1776, most of the other states, following what is sometimes called the Jefferson Grid, had boundaries formed using latitudinal and longitudinal coordinates which remained stable since 1912. Prior to 1974, Ethiopia had provincial boundaries called *kifle hagers* (divisions of the state) that had served Ethiopia with little to no problems. The 14 *kifle hagers* (that had included Eritrea) were historic regions whose official boundaries date back to the 1940s and were delineated mostly by natural features. In 1994, *kifle hagers* were discarded and replaced by gerrymandered tribal boundaries called *killils* (enclosures) with no historical, geographic or economic rationale. The Swiss cantons, French departments, American states and Ethiopian *kifle hagers*, did not use ethnic criteria for internal administrative divisions. The paper on this theme should show the dangers of using neo-tribalism for federal redistricting as in the case of the *killil* gerrymanders. Ethiopia will need to adapt a more functional, harmonious and sustainable federal redistricting. Among the alternatives should be the pre-1974 *kifle hagers* which possessed all the qualities that geographers attribute to viable divisions of the state, federal or otherwise. According to political geographers, the desirable qualities of federal divisions include historic and cultural legibility, fairly balanced distribution of the national territory, equitable share of the country's demographic and natural resource assets, high interactive potential among administrative divisions, ownership of significant historic and cultural identifiers, and balanced territorial shapers for easier accessibility by residents to administrative, cultural, commercial hubs. *Kifle hagers* had these qualities. *Killils* don't.

**d. The Role of Ethnic Identity in a Modern Polity**

In a free society of a modern polity, the freedom to practice one's tribal culture, religion, ritual, tradition, and ways of living is unlimited unless that expression violates the rights of others to practice theirs or not to practice at all. However, such tribal rights cannot find place in the state or federal constitution as they are not universally applicable rights and cannot be accommodated by the secular sovereign right of a citizen who may or may not (or care to) be covered by non-secular tribal or religious group rights. The right to belong to any group of one's choice is guaranteed by all democratic constitutions as a human right. However, this right is a choice, not a mandate on the individual citizen of the secular state. The paper on this topic should demonstrate that a declaration of tribal and ethnic identity by an individual or group is protected as a human right that can be exercised anywhere in a secular federal state. However, it should also be made clear that rights to non-secular choices by individuals cannot be collectivized into legalized exclusive group rights covenant in an exclusive and discriminatory public space. This is how many tribal brokers in Ethiopia understand *killils* and proceeded to violate individual rights of free movements and residence anywhere in the country by virtue of the supremacy of federal law that applies everywhere in Ethiopia. It should be shown that non-secular rights may be used for social identity and cohesion but they cannot force that identity on the national public space, as the latter must be open to universal access by all citizens irrespective of their choices of tribal or other forms of social identity. "Ethnic group rights can flow out from the supremacy of individual democratic rights (as in the *cooperative federalist* union of the United States), but individual democratic rights will never materialize with the supremacy of ethnic group rights vested in *killils* (as has been evidenced in the debunked Apartheid regime of Bantustans in South Africa)."

**e. Language Policy and Lingua Franca for Ethiopia**

Ethiopia is a multi-ethnic and multi-lingual country with close to 88 languages and dialects spoken. Geez thrived both as the liturgical language of the Ethiopian Orthodox church and Ethiopia's lingua franca until the rule of Emperor Yukuno Amlak from 1270-1285 when the first written attestations of the Amharic language appeared. Amharic flourished with its spread to the south attaining the new function as the written language and as the spoken lingua franca formally in government administrations as well

as informally in social and commercial networks. It attained the highest social status during the Derg regime being the language of primary education, the medium of official communication in the administration and the language with the largest amount of printed material. After 1991, EPRDF introduced a new language policy which empowered other Ethiopian languages to be used as a means of instruction instead of Amharic in primary education and in regional administrations. While the policy measure of using mother-tongue education has a socio-politic undertones, it is also established that the language best known by the learner is the most effective and proper. Even under the new situation, Amharic continued as lingua franca in Ethiopian towns. Given the new Federal, regional (state) and zonal setup and the implications of the use of different local languages and scripts (Geez, Latin) that goes with it in addressing the language and lingua franca question, it is important *that* language policy for Ethiopia should take three critical considerations: 1) *to look into lingua franca among all Ethiopians*; 2) *to look into language as a means for modern learning and science and*; 3) *protection of local languages and cultures*. The paper on this topic should examine the current situation and offer an objective assessment and suggest if there might an alternative system of use of all Ethiopian languages that would better meet objectives of maintenance of local cultures and histories, effective means of national communication, and advancement of scientific and technological modernity.

**f. Human Rights in Ethiopia: Current Challenges and Declaration of Principles**

The concept of human rights is said to have emanated from fundamental human dignity and worth, acknowledged independently of law, and recognized as natural entitlements that all human beings assert because they are human. The growing realization for respect of human and democratic rights worldwide came at the heels of two brutal world wars and the ensuing horrors of death and destruction. The UN General Assembly's landmark declaration of the Universal Declaration of Human Rights in 1948 was a recognition of its importance setting the bar for all nations to subscribe and practice it. Passing references to human rights in Ethiopia is related to the three constitutions that existed since 1931 recognizing the respect of human and democratic rights among other provisions for economic, social and political justice. Recently, regimes have subscribed to and ratified various international and regional human rights laws incorporating elements of the United Nations Declaration of Human Rights in their constitutions. Arguably, the 1995 FDRE constitution is reputed to be the most progressive and to have recognized 'all international agreements of human rights ratified by Ethiopia as integral law of the land'. However, none of the Ethiopian governments, including EPRDF, has fully interpreted and applied the full extent of the law to protect citizens. Human rights organizations have reported many instances of human rights abuses in Ethiopia including beatings, solitary confinements, torture and other cruel and inhuman treatments of punishment on prisoners of conscience. Deprivation of fundamental human rights is at the core of the problem that, led to uprisings and armed conflicts for democracy, cultural and religious equality, and regional autonomy among others resulting in the violent removal of various regimes. The paper on human rights should explore overall issues of human rights in Ethiopia including monitoring of abuses, advocacy to petition, and bringing violators to justice at all levels of government.

**g. Peace, Justice, Truth, and Reconciliation**

Since the 1970s Ethiopia has been seething with political turmoil. The various political parties and individuals that have replaced Atse Haile Selassie's government in the 1974 Revolution have chosen violent means to settle political differences. The consequence of this has been more violence, terror, displacement masses of people, famine and interminable insurgency with the proliferation of "liberation movements". The Tigrean Peoples Liberation Front (TPLF) led EPRDF regime that toppled the military junta (*Dergue*) in 1991 was no better than its predecessor, especially on issues of human rights, political freedom, and democratic governance. The ethnically-based federation that was meant to solve the national question resulted in unintended consequences: the accentuation of ethnic differences at the expense of Ethiopian nationalism, one party domination, the continuation of arbitrary arrest, mass-detention, torture, and extrajudicial killings. Thus since the 1970s Ethiopians have passed through traumatic times. However, their ordeal is not yet over. Though a fresh wind of change is prevailing in the country as of late, people are evicted from their birthplace because they speak a different language. Lawlessness, due to one reason or another, is happening in many places. Corrupt and murderous officials who have been instigators of the misery have not faced justice. The paper on this theme should explore

the essential and necessary conditions to realize peace and justice in Ethiopia with redemptive steps in revelatory discourse, forgiveness and reconciliation. The question is how? The paper on this topic should point to the process of achieving these goals both within the rubric of responsible governance as well as dedicated civil society.

**h. Good Governance (Checks and Balances)**

Ethiopia is known for its civilization in antiquity with a long chapter of glorious and colorful history of stable monarchical dynasties until the 18th century. Tewodros II eliminated the brief threat of disunity known as the “Era of the Princes” and re-unified the country ushering-in Ethiopia’s modern history and a succession of incrementally modernizing royal governments of Yohannes IV, Menelik II and Haile Selassie I. In the last 90 years, Ethiopia has gone through three government systems without good governance (benevolent monarchy, military dictatorship, and divisive ethnic-based Federal system). The paper on this topic should direct us into serious discussion for restructuring the present system of government in Ethiopia from an ethnic oligarchy to a secular government of the, by the people, and for the people derived from a multiparty system of free and fair elections in which the governed empower their representatives and governments to practice good governance in accordance with the constitution of the country (once it has been amended to a secular document to protect the full gamut of democratic rights). The paper should also explore what constitutes good governance and how it can be achieved to yield a transparent process for free and fair elections, the existence of checks and balances between the three independent branches of government (legislative, judiciary and executive), the existence of vibrant civil society to monitor the rule of law, the right to petition government in defense from law breakers, the ability to recall/impeach officials for breach of public trust, corruption, and malfeasance, and the use of the appropriate institutions of the state and public forums to unite and harmonize the citizenry.

**i. Education Policy and Practice for Ethiopia**

Many academicians, revolutionaries, and political pundits often blame Ethiopia’s woes on its education policy. While some ascribe the failure to the country’s language policy, others blame the elitism of the bygone era, and still some fault the undue focus on mass production at the expense of quality. Still, there are others who condemn the westward orientation, be it Marxist or free-market societies, which ignored the benefits and potential contribution of the country’s rich history and “traditional” education. The paper on this theme is expected to highlight best practices in Ethiopia’s traditional and modern education and point to the challenges that remain. To be more effective and retain the country’s cultural integrity, the future of Ethiopia’s educational system must maintain an appropriate role of the traditional education to enhance its historic role while offering a fresh perspective in managing a modern educational system that is globally competitive. The paper should also invite deeper debates on whether modern education for science and technology in Ethiopia would do better if it were not encumbered by local differences in culture and language. The current system that has parochial, national and international dimensions in a confusing array of educational practice is bound to keep Ethiopia behind many countries in Africa that have made simpler choices in the use of English, French or other European languages for their modern scientific and technological education. A futuristic education policy for Ethiopia may have to render deep reflection and explore for agreements on three principal issues: the use of English to serve as a medium for modern education (K to U) for all peoples in Ethiopia with the aim of maintaining uniformity of standards of excellence throughout the nation; the organization of modern education to strengthen its grade school system; make use junior colleges as the dominant tertiary system of education targeted to serve region-specific skills (in a land-grant fashion); reduce the number and increase the qualities of colleges and universities based on need-assessment and with a target to meet higher education and research needs at qualities that match counterparts in the world; and finally grant the educational system in Ethiopia the academic freedom that the developed parts of the world take for granted.

**j. Economic issues: Agriculture, Food Security, Land Reform, Industry, Finance, and Development Models**

With a population of 108 million, Ethiopia, the second largest and most populated countries in Africa. Although the country is blessed with abundant natural resources and rich ecologies for food production, Ethiopia keeps facing challenges in food security for its people. At the root of this problem are bad

governance, insecurity of land tenure, low-technology production, absence of environmental safeguards especially from land degradation, overgrazing and deforestation, poor infrastructural assets, and appropriate development models. By virtue of employing over eighty percent of Ethiopians, agriculture is the most important sector that would energize Ethiopia's economic development. But it has to be transformed from a largely subsistence mode to an exchange mode of production aided by appropriate and sustainable technologies, land reform and land management systems. Papers on this theme should stress the significance of the small-holder sector with a healthy dose of large scale plantations that would produce food security, export earnings and inputs into manufacturing; and under what land ownership conditions are these likely to yield best outcomes. The papers should also point to the significance of the manufacturing sector and the building of national technological capacity to drive it. The development of the manufacturing sector helps in mobilizing Ethiopia's natural resources including its abundant labor, rich resources and historic competence in small-holder agriculture. Sustainability of manufacturing from the viewpoint of efficient production, minimal environmental pollution, workplace safety, labor protections, and use of renewable sources of energy should feature in these papers. The papers should also explore the need for policy environments that would increase productivity through skills development, improve access to finance, develop infrastructure for energy supply and transport, improve tax administration and simplify the tax system regionally and federally, improve trade logistics, customs procedures and trade regulations, simplify business entry regulations and processes to promote a dynamic and thriving manufacturing sector, and use a strategic and phased approaches to develop industrial parks and large-scheme plantations based on best international practices.

#### **k. Regional Integration for Peace and Progress in the Horn of Africa**

Regional integration means the coming together of countries in a region to achieve goals of mutual interests in peace, democracy, economic development and cultural renaissance. Ethiopia has all the historic, demographic, anthropological, geopolitical, economic, and resource assets to serve as an anchor for regional integration in the Horn that includes Ethiopia, Eritrea, Somalia and Djibouti and possibly Sudan. Ethiopia's geography has the distinct advantage of being contiguous to all the countries of the Horn. It also contains within its boundaries all the peoples and cultures of the Horn. People of Eritrean, Somali, Djibouti and Sudanese origin have lived for centuries with their Ethiopian brothers and sisters in peace and harmony until the 1970s which produced divisive rhetoric and secessionist and irredentist movements from all directions that soured relations among peoples and governments of the Horn and led to some unnecessary traumatic experiences including border wars with no winners. The casualties were the cessation of Eritrea, the failed state and breakup of Somalia, the breakup of the Sudan, the tribalization of Ethiopia. None of these produced good news for the region. In fact, they dashed hopes of the 1970s for increased regional integration. The paper on this theme should indicate the need for increased union of the countries of the Horn to neutralize conflicts whose outcome has been to sap the energies of all countries on negative-sum conflicts, and point to strategic steps that would lead to final integration in the form of customs union, common markets, economic unions, confederation or federation.

#### **l. The Role of the Media**

All peoples governed by a government of their choice should also enjoy a free press which will inform the successes and failings of the public and private institutions that have direct bearing of the life of citizens. The role of the media is indispensable for all people who believe in transparency and accountability of all who have powers to decide on matters that affect citizens. The paper on this theme should outline the institutional requirements, both government and civic, for a vibrant media and press that is vigilant and truthful. With the development of the internet, texting, twitter, Facebook, etc., the role of the media has changed. Such changes have transformed the media from being a tool of the powerful to becoming accessible to communities and individuals to have a say in the public forum. The paper should also point to the pros and cons of this development and how it can be managed to serve in the public interest without biases, fake news and hostile foreign elements.

#### **m. The Role of the Ethiopian Diaspora**

The Ethiopian diaspora is a post-1970s phenomenon. Some estimate has it that there are more than 1.5 million Ethiopians scattered throughout the world: From America to Australia, from Norway to South Africa. However, the majority of these Ethiopians reside in the US, the Arab Middle East, and Israel in



that order. The Ethiopian diaspora in the US, like their fellow compatriots in other parts of the world, are one of the most vocal critics of the Ethiopian government. Yet, they are not synonymous in their views when it comes to finding a solution to the ills of their country. The Ethiopians in America are also very diverse by ethnic and regional origins, how they came to the US, demographic characteristics, levels of education, and political opinion to say the least. The paper on this topic should address the potential role of the Ethiopian Diaspora to advance peace and development in Ethiopia and how it should organize itself to respond to Ethiopia's challenges in a constructive fashion.

**n. What is *Ethiopiawinet*?**

Ethiopia is an ancient country whose millennial history and independence is known worldwide. What it means to be Ethiopian was not an issue until the rise of tribalism in the 1960s which culminated as a force in a national government that made tribalism a central focus of its administration. Ethnic federalism and the *killil* administrative framework degraded the collective identity of Ethiopianism with increased emphasis on tribal divisions of the country. The paper on this topic is expected to highlight what it means to be an Ethiopian from a variety of perspectives with a special focus on its history, culture, and geography. The paper is also expected to highlight important factors that contribute to the collective identity of all peoples that share Ethiopian citizenship while allowing free space for those who would like to pursue tribal identities in the interest of enhancing local histories, rituals and cultures within a united modern polity.

**o. National Health Policy**

According to UN and World Bank data, national health indices for Ethiopia have improved over the last few years. However, most health indices like rates in infant mortality, probability of child survival to age 5, maternal mortality, and other demographic indicators remain unfavorable to overall wellness of the Ethiopian population and the development of its human capital. According to the World Health Organization, the health expenditure per capita for Ethiopia in 2015 was one of the lowest in the world with only \$24. Comparative figures for other African countries were significantly higher: \$152 for Sudan, \$97 for Nigeria, \$96 for Tanzania, \$80 for Ghana, and \$70 for Kenya. Data from the 2018 World Development Report show that Ethiopia underperformed other African countries like Ghana, Kenya and Tanzania in the Human Capital Index with only 0.38 out of 1.0 with others showing rates of 0.40 or better. The paper on this topic should present a profile of important health indicators and show what changes Ethiopia should make to be on a better track to make significant improvements in this sector. The paper should also point to a sustainable design of national health policy that looks at minimizing nutritional deficiencies (especially among children), better access to potable water, improvement in hygiene, preventive care, better accessibility to primary care (including mobile servicing), improved hierarchical systems of health establishments and referrals, and increased investment in training of health care professionals and medical infrastructure.

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