

Citizenship vs. Regional Ownership: The Untold Causes of Conflict in Ethiopia

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ABSTRACT

Tolerance in Ethiopia is as significant as national symbol. Yet, it had been forgotten or considered to be helpless. Many analysis have been given to the current conflict in Ethiopia. However, conflicts are continued to be unresolved.

Following the formation of national regional states, the sense of ethnicity had developed and created belonging to one region. As some consider themselves as owner of the region, they have indirectly reflects non majoritarian as non-indigenous community.

In following few pages, this paper tries to describe the controversial issues between citizenship and regional ownership, how it creates conflict between majority and non-majoritarian in a certain region.

BACKGROUND

Conflict in Africa has many shapes. The societies have afflicted by violent conflicts in many ways. The community had been a victim and shoulders the burden of conflicts for decades.

Scholars have described the type of conflicts in Africa is diversified and the cause is complex ^[1] while few conflicts are caused by border, the direct cause is not border, yet it is inspired by ethnic tension behind it ^[2].

In Ethiopia, the issues of Ethnicity and multiculturalism are highly promoted ^[3]. Thus; an ethnic based association and political affiliation have deep rooted in last 20 years. This new era of politics even has come up to settle ethnic based private organization in Ethiopia.

Consequently, the situation had created an ethnic tension and conflicts among different ethnic groups. "The Anywaa, the sheko- majang, the Oromo- Amara and the Oromo-Somali conflicts would endorse this tension .More recently, the outbreak of an ethnic tension in Oromiya and Amara region has forced the government to proclaim the state of emergency twice in a year.

However, federal system in Ethiopia had brought tremendous achievements, yet it has challenged by sever conflicts. The failer to respond public question is said to be the response of the timely conflicts. While the federal constitution has answered many ethnic question, in other ways questions has been adopted and developed from the constitution itself.

In nut shale in next few pages this paper will briefs the untold current ethnic tension and how it is related with sub national constitution and come up with possible way out.

FEDERALISM VERSUS DECENTRALIZATION

Federalism and decentralization are, however, advanced mechanism in controlling ethnic conflicts; both should not be used overlapping. Jan Eric differentiates both concept as the existence of the essential units and the devolution of powers to regional and local governments ^[4].

Based on this view, the nine regional states are the root of Ethiopian federalism while the regional administrations which are at the root of self-determination are the fruits of decentralization.

Although the recognition of all citizen is assured by the federal constitution, yet it is privileged all nation have exercised its own self administration, use its language and shall determine its own regional issues.

Within self-determination the region shall exercise wider autonomy including language, culture, and administrative and judicial functions^[5]. With decentralized line the public shall control ethnic conflicts^[6].

But, unlike the principles of federalism, the decentralization in Ethiopia had given priority to the indigenous community. “States shall be delimited on the basis of the settlement patterns, language, identity and consent of the people concerned”¹. Generally speaking, a people who speak the same language probably have similar identity and settle in similar territorial jurisdiction. In other words, they are indigenous community.

Though, State government shall be established at State with own administrative levels that they find necessary. Adequate power shall be granted to the lowest units of government to enable the People to participate directly in the administration of such units². There is no guarantee that these rights are given to non-indigenous community.

Neither the federal constitution nor the regional constitution clarifies who are beneficial, out of the term the lowest level of self-determination. The Article 46 of the federal government is open to be defined and decided by constituent regional government. Thus, considering the term “founders of regional governments” are the indigenous community, thus, decentralization had come up ignorance of or exclusion of non-indigenous in regional government.

CITIZENSHIP OR REGIONAL OWNERSHIP

The constitution of federal democratic republic of Ethiopia declares freedom of movements for citizens across the country. “Any Ethiopian or foreign national lawfully in Ethiopia, within the national territory, has the right to liberty of movement and freedom to choose his residence, as well as the freedom to leave the country at any to”³.

The design of federal constitution provokes the lands for nation nationalities and people. The nation nationalities and people are the owner of the territorial jurisdiction of Ethiopia⁴ where the jurisdiction shall comprise the territory of the members of the Federation and its boundaries as determined by international agreements.

The commitment of the people in designing the constitution is for guaranteeing a democratic order and advancing economic and social development; however, it is also for free exercise of right to self- determination⁵. Following free exercise of right to self- determination, the FDRE shall comprise of States⁶. These states are The State of Tigray, Afar, Amara, Oromia, Somalia, Benshangul Gumuz, the Southern Nations, Nationalities and Peoples, Gambela and the Harari People.

Nevertheless, the proceeding regional state have drawn slightly different perspectives against the federal constitution article 32. For instance, the constitution of Amhara, declare the supreme power of the region resides and belongs to the peoples of the Amhara region⁷. where the peoples are not only the Amhara⁸. The constitution of Oromia has stated the regional state of Oromia is belongs to the Oromo and those willing to reside in Oromia⁹. Similarly, the constitution of Ethiopian Somali has holds the same idea¹⁰. However, the power resides on the people of Somali¹¹. “We the people of Afar” as indicated in the preamble of the regional constitution of Afar is also illustrating the exclusion of other¹². Like the mono ethnic regions, the people of Tigray have also supreme authority of the National State of Tigray¹³.

The constitution of Harari; however it describe “we the nation nationalities and people in Harari regional state” it has emphasis on the Harari and the Oromo¹⁴. Moreover, the nation, nationalities and people of SNNR has resided the power

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- 1 FDRE constitution Art 46.
 - 2 FDRE Constitution Art 50-4.
 - 3 FDRE constitution (1995) Article 32.
 - 4 FDRE constitution (1995) Article 2.
 - 5 Preamble of FDRE constitution.
 - 6 FDRE constitution(1995) Article 42.
 - 7 The constitution of Amara article 8.
 - 8 The constitution of Amara article 39(6).
 - 9 The constitution of Oromia (2000) article 2.
 - 10 The constitution of Somali (2000) article 2.
 - 11 The constitution of Oromia (2000) article 9.
 - 12 The constitution of Afar (2000) preamble.
 - 13 The constitution of Tigray (1987) article 8.
 - 14 The constitution of Harari (2000) preamble.

of the SNNR region¹⁵. Gambella region has stated the government is formed by the five ethnic members¹⁶. The regional constitution of Benishangule Gumuz, however, acknowledges the presence of non-indigenous community in the region, but it has declared the owner of the region as if only five ethnic members¹⁷.

The controversial difference of these ideas between the federal constitution and the regional constitution has holds two broad dissimilarity. The federal constitution provides the freedom of movement to settle or reside within constitutional jurisdiction without difference whereas the regional constitution preaches the owner of the regional government.

These thematic differences; citizenship of the federal government has slightly forgotten by the regional ownership of the regional constitution. Thus, the indigenous community had developed different perspective about non-indigenous community. As the result, the democratic right of the citizen is abused in regional government. The perspectives are differing from region to region; however, it is all about and against non-indigenous community.

REGIONAL OWNERSHIP

All regional constitution in Ethiopia has a lot of similar issues. One among the other is, the statement that describe a certain ethnic group as a founder of the region. In other terms these people are considered as the owner of the region. Following these ideological settlement five regions are named after the majority ethnic group of the region¹⁸. while four regions with multi ethnic group prefer additional terms like “-people national regional state”¹⁹.

According to the regional constitution Oromia, “the land and the territory of Oromia is belonging to Oromo.” Similar ideas are slightly described in Somali and Tigray constitution. However Amhara and Afar regional constitution acknowledge the presences of other Ethnic group in the region, yet the region is named after the majority and they continue to dominate the socio economic and political situation.

In the case of the Harari region, it has constitutional declaration of “the Oromo and the Harari “to be the founder of the region. The Benishangul Gumuz and Gambella region have mentioned five ethnic groups are the pioneers. Whereas, the SNNRS use similar term as the federal constitution “we”. Nevertheless, the only difference between the above five regions are the numbers of ethnic group.

Accordingly, the non-indigenous are not exclusively affiliated to the other regions. These people are considered as “New comers or invaders” of the different regions. There are similarities in all areas of the country.

However, the exisistance of the non-indigenous groups in other regions had various reasons, the establishment of the regional government had automatically ignores these people.

Of course, in most cases, Amhara is accused to be found in almost all region. But, there are also many different types of ethnic minorities in all region. Gurage, Oromo, Tigray and other nationalities are good examples in this regard.

In addition, there are other ethnic group in some cases who does not want to settle in other region unless otherwise involved in some business. People from Ethiopian Somali, Afar, Harari, Benishangul region and Gambella region are good example. In fact, some ethnic group from these regions found in other region.

According to the federal constitution, in the Government of the Federal Democratic Republic of Ethiopia, the lands and the territories are belongs to the nation nationalities and people of Ethiopia. Thus, the citizens are entitled to the freedom of movement and living in the regions. The FDRE constitution overt in terms of the free movements of the citizen. The phrases “Any Ethiopian or foreign national lawfully in Ethiopia” have given three basic rights. These are liberty of movements, choose settlements area and leave when choice to leave. The right to choose residential area also includes changing residence areas. The other important phrases here is “within the national territory”, which indicate where these rights are exercised.

¹⁵ The constitution of SNNRS article 8.

¹⁶ The constitution of Gambella article 46.

¹⁷ The constitution of Benishangul article 2.

¹⁸ The Amara, the Tigray, the Ethiopian Somali, the Afar and the Oromia region. In these five regions however there are several ethnic groups in which some are constitutional recognized, the majority are the Amara, Tigray, Somali, Afar and Oromo Ethnic respectively in five regional governments.

¹⁹ These four regional governments are known for holding multi ethnic society. Following the presence of many ethnic as a founder of the regional governments, they prefer titling their regional governments by including ethnic and geographic situation. These are Gambella, SNNPR, Benishangul gumuz and the Hareri regions. For instance, in Gambella region, there is no ethnic called Gambella. However, the founder of the region are five ethnic groups (Anywa, Nuer, Majang, Opo and Komo), the region is named after historical references. Thus, it is called “the Gambella people national regional state.”

In all regions across the country, these citizens are entitled to this freedom of movement, living and enrichment. However, the states are still in the position to advocate and limits the free movements and living of the community.

These controversial issues had developed unique custom in the eyes of the public against the non-endogenous community. This is “You do not belong here”²⁰.

YOU DO NOT BELONG HERE

Preceding the legal guarantee, the communities have had the custom of tolerance, hospitable and share social heritage. Ethiopia, with massive ethnic diversity, provokes the democratic and basic human right on legal ground. However, the legal standards and the practice have shown an overt difference in answering the public question.

The struggle for power and wealth in regional states of Ethiopia currently focuses on excluding exogenous communities. However, this has no legal back ground the practice has continued.

The failure of regional state to cope with multicultural diversity would create contradictions among ethnic group in a certain region.

By most the indigenous communities in Ethiopia are either farmers or pastoral community. Unlike rural areas few indigenes community in urban areas are engaged in public services organization. The other businesses are occupied by exogenous commonly. An emerging conflict between ethnic groups in deferent region is followed by this business occupation.

However the trade in cities had legal arrangements the public tension is shifted to adopt the exogenous community had invade all the wealth and the resource of the community.

Thus, having wrong interpretation about owner and founder of regional government, in a past 20 years the public had developed locked ethno lingual identity. At the same time the non-indigenes and exogenous community had slightly excluded from the region time after time.

On the contrary, Coping with the system, non-indigenes and exogenous had shown high interests in private than government sector. Regional official language is the reason behind these interests. Thus, through time the non-indigenes and exogenous had taken place wide range of investments in different region.

In line with this, however job opportunities would have been created, the community were not satisfied as if it is considered as cheap labor forces from the beginning. In addition to this, top positions in investment sectors are occupied by either foreigner or non-indigenous. This continues complain created evil outlook against non-indigenous.

Recently “You do not belong here” comes to assure, when a number of public transports, manufacturing industries, flora investments and private organizations are burned to ashes. The protesting movements which had brought not only political but also socio economic damages to the country are not left to be said public protest against government.

CONCLUSION

Whether multiculturalism (not only as a theory but, more crucially, as a political practice) does promote equality of opportunity. In other words, we should ask whether the protection of minorities or, more generally, of cultural diversity alone eliminate discrimination^[7].

Different views have attributed around the world about indigenous and non-indigenous. Some share similar ideas while other gives different views about it.

Regarding Ethiopia, the term of federalism and decentralization, while it is deferent prospect officially, it has been used interchangeably in practice. The identifications of non-indigenous community in ethno national federation is the outcome of this misuse.

Regarding diversity, the Ethiopian federal experience gives contradictory messages. On the one hand, at the national level, policies and institutions that celebrate and recognize diversity are pursued. On the other hand, the newly established ethnic regions by and large do not recognize non-territorial diversity^[8].

²⁰ The term “you do not belong here” is first used by John Akokpari, when he tries citizenship, the state and Africa’s conflicts Reflections of Ivory coast published. Although, his work focuses on Ivory coast, I thought the term is powerful to describe most conflicts, most recently, ethnic conflicts in Ethiopia have been the outcome or the reflection of this terms too. See Jhon Akokpari(2008) “ ‘you don’t belong here’ citizenship, the state and Africa’s conflicts Reflections of Ivory Coast” in Alfred Nhema and Paul Tiyambe Zeleza(eds)the roots of African conflicts the causes and costs, OSSREA 88-105.

The evil power of regional ownership had built strong discriminatory attitude toward the non-indigenous societies in Ethiopia. At the same time, the evil is aptly described in a language, the color, religion and culture. Thus, it leads to the denial of recognition^[9].

Peaceful relations between groups are supposed to be created through a process that starts with elite cooperation, creating a consociation democracy, which in turn leads to an even higher level of elite cooperation, strengthened by political security for smaller segments of society.

The government shall have focused not on controlling conflicts only but also on solving it and maintain stability. The stability shall secure the political system and ensure the security of the state^[10]. But , peace will not build in armed forces in a democratic administration. It rather hilled with public will and interests. The interference of armed force in controlling violent action had proceeded by other conflicts and create doubt in public mind that the government is forcing to establish peace. "Peacekeeping operations generally cannot enforce a peace"^[11].

Lijphart's model outlines four main components that combined are supposed to create peaceful relations between ethnic groups: a grand coalition, minority overrepresentation, a minority veto on issues of particular importance, and segmental autonomy for groups^[12].

Due to the regional empowerment politics none of Lijpharts^[12] model would have been successful in managing the conflict in Ethiopian longer run, unless immediate problems are properly handled, dealt when issues happened and solved right away.

There is no way of avoiding this discriminatory approach unless the regional constitution is amended. The state shall have engaged in convincing and persuading the public attitude toward multi-cultural society. The previous tolerance shall recover only when the discriminatory approach against non-indigenous should be avoided.

"'Citizen' and 'Citizenship' are powerful words. They speak of respect, of rights; of dignity. We find no pejorative uses. It is a weighty, monumental, humanist word"^[13]. They shall not be bounded regionally. It shall not lead to political domination of a certain ethnic group nationally. It is just about similarities than differences. It shall be protected.

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