



# **Local government in Ethiopia: still an apparatus of control? \***

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## **1 INTRODUCTION**

Ethiopia was an extremely decentralised country until the second half of the nineteenth century. From around 1855 a gradual centralisation of power was initiated. By the second half the twentieth century Ethiopia had become a highly centralised unitary state. The process of centralisation, as this article argues, was accompanied by the policy and practice of using local authorities for purposes of control. "Control" in this article means using local authorities as political and administrative extensions of the political centre for repressing opposition against the political centre and/or for extracting free labour and revenue in the form of taxation and tribute for the centre.

Presently Ethiopia is undergoing a process of decentralisation, which began in 1991 with the coming to power of the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF). The decentralisation process is premised on, amongst others, instilling grassroots democracy, enhancing

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development and accommodating ethnic diversity.<sup>1</sup> This article argues that in spite of the declared objectives of the re-decentralisation programme, the tradition of using local authorities and local government as a means of control remains very much intact.

The article describes the role of local authorities as instruments of control under the previous regimes of the country, with a view to examining whether the re-decentralisation of the country after 1991 has brought any change in this regard. A brief description of the present system of local government is given, followed by an examination of whether there has been a shift from the past in using local government as a control apparatus.

## 2 ETHIOPIA AND ITS DECENTRALISED SYSTEM BEFORE 1855

Ethiopia's origin as a state goes back to the Axumite civilisation which arose in the northern part of the country around the 10<sup>th</sup> century BC.<sup>2</sup> From the time of the Axumite civilisation until the 1850s decentralised rule was the dominant feature of the country's political system, which was manifested in the existence of *triple authorities*. An emperor served as a central authority, while regional/provincial and local nobilities exercised autonomous power within their respective realms.<sup>3</sup> Some scholars argue that the country's decentralisation was characterised by the co-existence of double authorities, regional lords and a central throne.<sup>4</sup> However, there is evidence that local authorities were equally autonomous within their domain. Hence, it can be argued that, historically, Ethiopia was a decentralised country in which three levels of authorities co-existed. As Gebru maintains, localities sometimes attained even more prominence than the regions.<sup>5</sup> Teshale likewise notes that localities had great significance in Ethiopia at the time.<sup>6</sup>

This decentralised rule was a result of the enormity of the country, its rugged and broken landscape, the economic and cultural diversity of its people and the absence of modern means of communication.<sup>7</sup> These factors hindered interactions "both across and within a region", making a centralised administration unattainable, and also leading

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<sup>1</sup> See *Sustainable development and poverty reduction program (SDPRP)* (2002). Also see *Ethiopia: Plan for accelerated and sustained development to end poverty (PASDEP)* (2005).

<sup>2</sup> Markakis J *Ethiopia anatomy of a traditional polity* (1975) at 27; Teshale T. *The making of Modern Ethiopia 1896-1974* the Red Sea Press Inc (1995) at xvii; Bahru Z *A History of Modern Ethiopia 1855-1991* (2002) at 1.

<sup>3</sup> Gebru T *Ethiopia: power and protest: Peasant revolts in the twentieth century* (1991) at 36; Teshale (2002) at 16.

<sup>4</sup> Assefa F *Federalism and the accommodation of diversity in Ethiopia: A comparative study* (2007) at 16; Solomon N *Fiscal federalism in the Ethiopian ethnic based federal system* (2006) at 11.

<sup>5</sup> Gebru (1991) at 36.

<sup>6</sup> Teshale (2002) at 108.

<sup>7</sup> Gebru (1991) at 36.

to the creation of historical regional and local boundaries and identities.<sup>8</sup> As a consequence, diverse and indigenous institutions of local governance developed in different parts of the country.

In northern Ethiopia – in the present day Tigray and Amhara regions and the State of Eritrea<sup>9</sup> – various indigenous institutions of local administration existed. The institutions included *chiqa shum* (a village level governor), *melkenga* or *gult-gejzi* (a district level governor) and *ras* or *negus* (king) (a provincial governor).<sup>10</sup> In some areas, the positions of local governorships were elective but mostly they were hereditary, especially in northern Ethiopia.<sup>11</sup>

The southern part of Ethiopia, as will be shown below, was incorporated into the Ethiopian Empire from the 1880s to the 1890s.<sup>12</sup> In the southern part of the country – where there is a plethora of ethnic groups – various traditional institutions of local government existed. For instance, the Oromos – the largest ethnic group in the country – had the *gada* which was an “egalitarian” and democratic social and political system.<sup>13</sup> Other ethnic groups, such as the Kaffa and the Wolayita had their own states with powerful kings.<sup>14</sup> To sum up, the system of decentralised governance which existed before 1855 had allowed for the development of numerous local governance institutions which were in line with the traditions of the relevant community.

### **3 LOCAL AUTHORITIES AS APPARATUS OF CONTROL: FROM EMPEROR TEWODROS II TO EMPEROR MENILIK II**

Decentralised rule continued to be the central attribute of Ethiopia’s political system until 1855. The central government was so weak that it lost all control over the regional and local authorities during what is known in Ethiopia’s history as the *zemene mesafint* (era of princes) which began in the second half of the 18<sup>th</sup> century and continued until 1855.<sup>15</sup>

In 1855 Emperor Tewodros II (1855-1868) began a process of centralisation and territorial expansion with the declared goal of re-establishing a unified Ethiopia.<sup>16</sup> Also

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<sup>8</sup> Gebru (1991) at 36.

<sup>9</sup> Eritrea was a province of Ethiopia until it seceded and declared its independence in 1991.

<sup>10</sup> See Abbera J *An Introduction to the legal history of Ethiopia* (2000); Teshale (2002) at 124-125; Abbink J “Authority and leadership in Surma society” (1997) at 323.

<sup>11</sup> Abbera (2000) at 51.

<sup>12</sup> Bahru (2002) at 60ff.

<sup>13</sup> Mohammed H *The Oromo of Ethiopia: A history 1570-1860* (1994) at 10.

<sup>14</sup> See Bekele W *Ya kafa hizboch ena mengistat achir tarik* (1996 Ethiopian Calendar) (A short history of the people of Kaffa (2004)); Bahru (2002) at 16.

<sup>15</sup> Bahru (2002) at 11.

<sup>16</sup> Bahru (2002) at 11-17; Teshale (2002) at 37.

Emperor Yohannes IV (1872-1889), who became an important political figure after Tewodros, carried on with the centralisation process. These two emperors, however, were unable to establish a centralised monarchical rule despite their desire to do so. Technological and economic factors, the impenetrability of the terrain and an entrenched culture of regional and local consciousness would not allow that.<sup>17</sup> On the other hand, the emperors used regional local and regional lords, whom they had brought under their authority through the process of expansion, to exercise control.<sup>18</sup> The process of territorial expansion and using local authorities for the purpose of control reached its apex under Menilik II (1889-1913) who ascended to power after the death of Emperor Yohannes IV.

Menilik used both diplomatic persuasion and military coercion to expand his empire southward.<sup>19</sup> In the regions where diplomacy worked, the “previous socio-political order” was left intact.<sup>20</sup> The regional and local authorities of the states and kingdoms which peacefully submitted to Menilik were allowed to retain their respective kingdoms, while shouldering the responsibility to ensure security in their regions and the timely payment of tribute to the Emperor.<sup>21</sup> As Teshale puts it, “[i]n these regions, intermediary rule was established, with the former notables linking Addis Ababa with the local population”.<sup>22</sup> Some of these local rulers, who were previously either Moslems or pagans, were converted, even if unwillingly, to Orthodox Christianity, the state religion until 1974.<sup>23</sup> They were also required to learn Amharic, the language of the politically dominant ethnic group, the Amhara, and abandon their own languages.<sup>24</sup> Although the regional and local lords maintained their positions in their territories, in practice they served as means of control over their own people on behalf of the central government.

Menilik put under his direct administration the regions which resisted his expansionist move.<sup>25</sup> This was the case, for instance, in Kafa, the Oromo kingdoms of the Gibe region, the Sidama state and the Emirate of Harer.<sup>26</sup> The Emperor gave the governorship of these regions as a reward to his generals who led the war of conquest against the kingdoms and states, who in turn subdivided the conquered regions into

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<sup>17</sup> Gebru (1991) at 56.

<sup>18</sup> Bahru (2002) at 31-44

<sup>19</sup> Teshale (2002) at 42.

<sup>20</sup> Teshale (2002) at 42.

<sup>21</sup> Among the kingdoms in this category were Jimma Abba Jiffar, Leqa Naqamte, Leqa Qellam, Assosa and Bella Shangul, Awsa of Afar and Gubba of western Gojjam: Markakis (1975) at 132; Teshale (2002) at 42.

<sup>22</sup> Teshale (2002) at 42. (Own emphasis).

<sup>23</sup> Markakis (1975) at 169.

<sup>24</sup> Markakis (1975) at 169.

<sup>25</sup> Teshale (2002) at 42.

<sup>26</sup> Bahru (2002) at 61-68.

different localities and appointed their subordinates as governors thereof.<sup>27</sup> This militaristic administration of the conquered regions came later to be infamously known as the *neftegna* system.<sup>28</sup>

The *neftegna* system was founded on the establishment of settlement sites and military garrisons by the Amhara and Tigray settlers who moved into the southern region following its incorporation into the Ethiopian empire.<sup>29</sup> The settlers included soldiers, administrators and priests.<sup>30</sup> The system suppressed any resistance against the Emperor and ensured the maintenance of order and “the smooth flow of tribute to the imperial treasury”.<sup>31</sup> In this fashion the conquered regions were controlled by direct and indirect central government appointees from village level to regional level.

Often the centrally appointed regional and local authorities needed help from the indigenous leaders. Language, cultural barriers and restricted resources forced the central government to rely on the indigenous traditional leaders, who were given the title of *balabbat*, to control the people.<sup>32</sup> As Abbink notes, the *balabbat* “were of lower rank, placed under the governor or district administrator and acted as liaison-men for their own society”.<sup>33</sup> The main functions of a *balabbat* were to maintain security, assist the regional and local governors in collecting taxes and tributes, and mobilise the local people when their services were needed by the central government. They even assisted Menilik’s land expropriation programme in which he seized two-third of the lands in the regions. In return, *balabat* had their lands spared from expropriation.<sup>34</sup> As Markakis notes:

“The *balabbat* proved themselves indispensable as intermediaries between the northern governors and the southern masses. In return, they were accorded status and privileges and gradually emerged as distinct group associated with the northern ruling group and emulating its dominant characteristics.”<sup>35</sup>

Also the pastoral communities, especially the Somali and Afar ethnic groups, constantly moved in search of grazing land and water. This made the direct central control of these areas unachievable. Therefore, the central government relied on clan and tribal leaders of these communities to exert some control.<sup>36</sup>

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<sup>27</sup> Markakis (1975) at 133.

<sup>28</sup> Abbink (1997) at 322.

<sup>29</sup> Teshale (2002) at 46.

<sup>30</sup> Markakis (1975) at 167-169.

<sup>31</sup> Teshale (2002) at 46.

<sup>32</sup> Abbink (1997) at 323.

<sup>33</sup> Abbink (1997) at 322.

<sup>34</sup> Markakis (1975) at 136.

<sup>35</sup> Markakis (1975) 134.

<sup>36</sup> Hess R *Ethiopia: the modernization of autocracy* (1970) at 132.

#### 4 EMPEROR HAILE SELASSIE I (1930-1974)

Emperor Haile Selassie I, who reigned for over half a century, is best known for his use of formal constitutional and legal means to centralise power. For instance, in 1931 he issued the first written Constitution of the country in which he formally stripped the regional and local lords of their traditional privileges.<sup>37</sup> He took the most drastic formal measure of centralisation in 1942 when he launched provincial and local administrative reform through the promulgation of Decree No 1/1942. It was declared that the reform was meant to modernise and standardise provincial and local administrations. Yet, the ulterior motive of this reform was to centralise powers.<sup>38</sup> As part of the reform the Emperor redrew provincial and local boundaries.<sup>39</sup>

He also centralised the appointment of provincial and local administrators in his own person.<sup>40</sup> Provincial and local administrators were not only appointed by the Emperor but were also required to act as his agents.<sup>41</sup> They were no longer governors *per se*. They exercised power for and on behalf of the Emperor.<sup>42</sup> As Hess notes, “[a]ll provinces [were] ruled in the Emperor’s name by governor-generals”.<sup>43</sup> The most important functions of provincial and local administrators, therefore, remained that of serving as apparatus of control. They therefore maintained law and order and collected taxes for the centre.<sup>44</sup> For the purpose of maintaining security, each provincial and local administrator was given a military force and a police force whose size was determined by the Emperor. The central government supervised the maintenance of security through the Security Department of the Ministry of Interior.<sup>45</sup>

No representative institutions existed at local level. In some of the cities and towns, elected municipal councils were established. Yet, one had to own immovable property in order to vote or qualify to be elected to these councils.<sup>46</sup> Moreover, a local official was not expected to engage in developmental activities unless he was self-motivated.<sup>47</sup> Hence, prior to the 1974 Revolution the great majority of Ethiopia’s rural population did

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<sup>37</sup> Abbera (2000) at 167.

<sup>38</sup> Teshale (2002) at 115-116.

<sup>39</sup> Daniel G “Nation in perpetual transition: The politics of changes in administrative divisions and subdivisions in Ethiopia” (1994) at 98.

<sup>40</sup> Article 3 of Decree 1/1942.

<sup>41</sup> Article 2 of Decree 1/1942.

<sup>42</sup> Article 1 & 2 of Decree 1/1942.

<sup>43</sup> Hess (1970) at 131.

<sup>44</sup> Clapham C. *Transformation and continuity in Revolutionary Ethiopia* (1988) 102; Article 6 of Decree 1/1942.

<sup>45</sup> Cohen J & Koehn P *Ethiopian provincial and municipal government; Imperial patterns and post-revolutionary changes* (1980) at 8-9.

<sup>46</sup> Article 3(2) of Proclamation 74/1945.

<sup>47</sup> Cohen & Koehn (1980); Clapham (1988) at 102.

not receive any services either from the local administrative units or the various ministries of the central government. As Cohen and Koehn note:

“A number of people used roads and the courts, but few could take advantage of education or health stations, and rarely did rural people see agricultural extension officers, much less a telephone or postal service. What did touch the lives of rural people was the tax collector of the Ministry of Finance and the policemen of the Ministry of Interior.”<sup>48</sup>

Moreover, the *balabat* system was maintained in southern Ethiopia. As a result, the indigenous traditional leaders in southern Ethiopia continued to play an informal auxiliary role. The highest traditional authority was thus subordinated to the lowest-level administrator of the central government who, in most cases, was from among the settlers from the northern part of the country.<sup>49</sup> The government was also involved in the selection of traditional rulers. Only rulers who were amenable to the central government were allowed to represent their people. The traditional rulers of communities continued to serve as instruments of control for the central government. Any attempt to promote the interests of the local people was met with reprisal.

## 5 LOCAL AUTHORITIES DURING THE *DERG*

Emperor Haile-Selassie was removed from the throne in 1974 by a committee of 120 military officers: the *Derg*.<sup>50</sup> The *Derg* rapidly accepted the then popular socialist ideological orientation and nationalised all rural and urban land and extra<sup>51</sup> urban houses.<sup>52</sup> Along with the nationalisation of urban and rural land, it established two local level institutions: the Urban Dwellers' Association (UDA)<sup>53</sup> and the Peasant Association (PA). These associations were established at *kebele* (sub-district), *woreda* (rural district) or *kefitegna* (urban district) and city or regional levels,<sup>54</sup> the declared purpose for their establishment being to organise urban dwellers and peasants so that they could run their own affairs, solve their own problems and directly participate in political, economic and social activities.<sup>55</sup> To that end they were formally provided with significant developmental mandates including building roads, markets, low cost houses,

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<sup>48</sup> Cohen & Koehn (1980) at 37 (Own emphasis).

<sup>49</sup> Markakis (1975) at 134.

<sup>50</sup> Keller E. “The revolutionary transformation of Ethiopia's twentieth-century bureaucratic Empire” (1981) at 307-308.

<sup>51</sup> A person who had more than one house was allowed to choose one from among those houses and the rest were nationalised.

<sup>52</sup> See Proclamation 47/1975 and Proclamation No 31/ 1975. See also Markakis J “The military and Ethiopia’s path to ‘socialism’” (1981) at 328ff.

<sup>53</sup> It was also called co-operative society of urban dwellers.

<sup>54</sup> Articles 22, 25(1), and 26(1) of Proclamation 47/1975; Articles 2(3), 2(4) & 2(5) of Proclamation No 104/1976.

<sup>55</sup> Preamble of Proclamation No 104/76; Preamble Proclamation No 71/ 1975.

schools, etc.<sup>56</sup> Hence it can be said that the UDAs and PAs had a promising beginning. As Andargachew notes:

“[T]he establishment of UDAs and the granting to them of such powers and responsibilities was an admirable exercise of devolution of power quite consistent with the *Derg*'s principle of 'self-reliance' which it reiterated in many of its policy pronouncements and which it enshrined in 'Ethiopian Socialism'.”<sup>57</sup>

The UDAs and PAs had also registered considerable achievements in terms of service delivery. For instance, both the UDAs and PAs contributed immensely to combating illiteracy through the adult literacy campaigns which halved the illiteracy rate, which was as high as 96 percent during the Haile Selassie regime.<sup>58</sup> The UDAs also ran public shops which provided basic necessities, including food items (sugar, salt, wheat, etc) and toiletries at very low prices.<sup>59</sup> Significant progress was also recorded in the area of expanding access to health services and education.<sup>60</sup>

However, all the advances mentioned above were lamentably short-lived. Soon after their formation the two local institutions (UPAs and PAs) degenerated into apparatuses of repression and terror. The role of the UDAs and the PAs as a means of terror and repression reached its climax when they became involved in the infamous and ghastly “Red Terror” operation through which the *Derg* set out to eliminate its political opponents through mass killings.<sup>61</sup> Each UDA and PA had what was called a “public safety squad” and “peasant defence squad” respectively, commonly referred to as “revolutionary guards”. The revolutionary guards were established ostensibly to discharge “duties of ordinary police forces” at local level.<sup>62</sup> However, the revolutionary guards were effectively used by the *Derg* to eliminate its political opponents through the “Red Terror” operation.<sup>63</sup> Those who were suspected of being members or sympathisers of the EPRP were especially targeted by the revolutionary squads and hunted down, tortured and killed.<sup>64</sup> In the process more than 100 000 people, most of whom were educated, were ruthlessly murdered.<sup>65</sup> As Bahru noted, “the best and the

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<sup>56</sup> Article 9(4-20) of Proclamation 104/1976; Article 10(2-9) of Proclamation No 31/1975.

<sup>57</sup> Andargachew T *The Ethiopian Revolution 1974-1987: A transformation from an aristocratic to a totalitarian autocracy* (1994) at 117.

<sup>58</sup> Gilkes “Foreword” (1979) at xvi.

<sup>59</sup> Clapham (1988) at 150.

<sup>60</sup> According to Clapham (1988: at 150) the number of students who had access to education in 1973-1974 was only 811 114. Between 1983-84 this number quadrupled, jumping to 3 076 948.

<sup>61</sup> The operation was arguably initiated after an attempt was made to assassinate Colonel Mengistu, the military leader, by members of the Ethiopian People Revolutionary Party (EPRP): see Bahru Z *Society, State and History Selected Essays* (2008) at 434-440; Andargachew (1994) at 208-214.

<sup>62</sup> Andargachew (1994) 208.

<sup>63</sup> Andargachew (1994) at 208-214; Bahru (2008) at 428-444.

<sup>64</sup> Bahru (2008) at 253.

<sup>65</sup> Kife A *Ethiopia from bullets to the ballot box: The bumpy road to democracy and the political economy of transformation* (1994) at xix.



brightest perished in that process”.<sup>66</sup> Many more were tortured and left to languish in the *Derg’s* prisons. Members of the UDA and PA revolutionary squads were at the centre of the action.<sup>67</sup>

The *Derg’s* villagisation programme was the other control-oriented project for which local officials were found handy. The villagisation program involved the resettlement of peasants into centralised villages.<sup>68</sup> The programme necessitated the forceful removal of peasants from their birthplaces to remote areas. The declared policy reason of the *Derg* for the villagisation program was to make service delivery to the peasants convenient. The true motive was, however, creating a convenient way of controlling the peasants. Once again, local officials were instrumental in the implementation of this programme. As Clapham states:

“During the height of the resettlement campaign, districts and in turn individual associations ... were assigned target numbers of people to be resettled, in some cases farmers would find themselves being rounded up at gun point by the local defence squad, and forcibly dispatched...”<sup>69</sup>

The involvement of UDAs and PAs in the forceful conscription of young people into the government’s army was another control oriented action. *Derg* was forcefully conscripting young Ethiopians for the war against the insurgents in the northern part of Ethiopia.<sup>70</sup> The actual responsibility for conscripting rested with the UDAs and the PAs. Each PA and UDA was required to conscript a certain number of men for the military within a given period. In order to meet their quota, members of the PA and UDA raided households in search of young men. They also carried out an operation known in the Amharic language as *affessa*, in which members of the UDAs and PAs went around in buses looking for young men.<sup>71</sup> The sight of a young man being grabbed in the street and being forced into a bus to end up in a military camp was a daily occurrence during the *Derg* regime. Young boys were seen fleeing from members of the revolutionary squads in order to evade conscription. To save their children from conscription many parents bribed members of the revolutionary squads or sent their young male children either abroad (those who could afford to do so) or to other parts of the country where the children were not known.<sup>72</sup> Until the *Derg* was ousted from power, the

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<sup>66</sup> Bahru (2008) at 428.

<sup>67</sup> Andargachew (1994) at 208-209.

<sup>68</sup> Clapham (1988) at 175.

<sup>69</sup> Clapham (1988) at 161.

<sup>70</sup> Tadesse S *Ye-anabist medir:Ye-etyopiya serawit tarik zegeba 1927-1983* (1999 Ethiopian Calendar) at 351-355 (Land of lions: A treatise on the history of Ethiopia’s army 1933-1991(2006)). Eyob A *Generalochu: dem yafasese ena yeltesakaw ye-ginbot 8 qen 1981. wetaderawi ye-mefenkelemengest mukera* (2002 Ethiopian calendar) at 48-49 ( *The generals: the blood-spattered and the failed coup d’état attempt of May 1989* (2009)).

<sup>71</sup> Tadesse (1999 Ethiopian Calendar).

<sup>72</sup> Tadesse (1999 Ethiopian Calendar).

revolutionary squads of the PAs and UDAs remained the most feared institutions of repression of the military government.

## 6 LOCAL GOVERNMENT POST-*DERG*

The *Derg's* tyrannical rule was brought to an end when nationalist insurgent groups led by the EPRDF took control of Addis Ababa, the capital of Ethiopia, on 28 May 1991, after two decades of horrendous civil war. Shortly after controlling Addis Ababa the EPRDF, with the other nationalist movements, convened “the Peaceful and Democratic Transitional Conference of Ethiopia”.<sup>73</sup> The Conference adopted a “Transitional Period Charter” (TPC) that served as a constitution until the promulgation of the 1995 Constitution. The TPC recognised the right to self-determination of each ethnic group of the country. It also authorised each ethnic group to establish self-government starting from *woreda* (district) level.<sup>74</sup> By so doing the TPC began the first phase of the decentralisation process in the country. This phase of the decentralisation process came to an end in 1995 when the current Constitution (hereinafter the 1995 Constitution) was promulgated which introduced an ethnic-based federal system to Ethiopia.<sup>75</sup> The second phase decentralisation i.e. local decentralisation began only in 2001; even though the foundation for local decentralisation was already laid in the 1995 Constitution.

The 1995 Constitution provides for the establishment of two types of sub-regional government. Article 39(3) implicitly provides for the establishment of autonomous sub-regional territorial units which are meant to accommodate intra-regional ethnic minorities.<sup>76</sup> Also article 50(4) of the Constitution prescribes to the regional states how to establish and adequately empower local government. What is envisaged under article 50(4) of the Constitution is a regular type of local government which was to be established on a wall-to-wall basis with the object of enhancing public participation. Thus, the sub-regional governments which are envisaged under article 39(3) and 50(4)

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<sup>73</sup> Kinfe (1994) 21.

<sup>74</sup> Preamble of Transitional Period Charter of Ethiopia No 1/1991.

<sup>75</sup> The Ethiopian federal system is often referred to as “ethnic federalism” as its constituent units are largely ethnically defined regional states. The regional states are Afar, Amhara, Benishangul-Gumuz, Gambella, Hareri, Oromia, Southern Nations, Nationalities and Peoples, Somali, and Tigray: articles 46-49 of the Constitution of the Federal Democratic Republic of Ethiopia (1995). See Assefa (2007) at 213.

<sup>76</sup> The establishment of sub-regional government which is envisaged under Art 39(3) is based on the constitutional principle that recognises the right self-determination and self-government of each ethnic group. As this right is not necessarily to be exercised through the establishment of a regional government, the Constitution intends to accommodate regional ethnic minorities by providing them with territorial autonomy at sub-regional level. Hence this type of local government is intended to be established only where regional ethnic minorities are found and in accordance with their geographical settlement structure. Accordingly five regional states have established special zones and special districts to provide territorial autonomy to the ethnic minorities that are found within their jurisdiction.

differ from each other both in object and structure. The focus of this paper, however, is limited to the type of local government which is considered under article 50(4).

The second phase of decentralisation began after a poverty reduction and development policy was adopted by the federal government in 2001. Decentralisation was chosen as a key mechanism for the implementation of this policy.<sup>77</sup> It was, thus, decided that *woredas* (rural districts) and city administrations would be authorised to exercise a certain measure of political, administrative and financial powers.<sup>78</sup> With a declared intention of implementing this policy, the regional states amended their constitutions one after the other starting from 2001. The regional states also enacted statutes to restructure their urban local governance system in line with the policy.

Nonetheless, as it is argued here, an overall observation of the constitutional and legal framework regulating local government reveals that local government is not adequately institutionalised to exist as an autonomous level of government. Indeed, to the contrary, some explicit and implicit provisions in the regional constitutions and statutes render local government a subsidiary structure whose function is limited to implementing centrally adopted policies. Moreover, due to inadequate finance, not only is the responsiveness of local government to local priorities stifled, but local authorities are also forced to resort to the age-old tradition of extracting contribution from local people in cash, in kind and labour. Furthermore, as will be shown below, local government remains the institution which is used to keep political opponents at bay.

### 6.1 Local government: still a subordinate structure?

Article 50(4) of the 1995 Constitution allows each regional state to decide on its own local government structure so that the local governance system of each region could be rooted in its socio-economic circumstances. Yet the right of regional states to decide on their local government structure is limited by a concomitant obligation to create an autonomous local government as opposed to their own administrative arms.<sup>79</sup>

A glance at the regional constitutions and statutes creates the impression that the regional states have done just that. At present, regional states have established rural and urban local government: *woredas* (districts) in rural areas and city administrations in urban areas. There is a representative council in each *woreda* and city administration whose members are directly elected by the local people. There is also an executive council which is chaired by a chief administrator (for *woreda*) or a mayor (for city

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<sup>77</sup> See SPRDP (2002) at 40.

<sup>78</sup> SPRDP (2002) at 40.

<sup>79</sup> Art 50(4) was a result of a compromise to accommodate two important interests: to provide responsibility regarding the creation of local government to regional states and ensuring the establishment of autonomous local government. The compromise was that local government should be a state competence. However, "it was clearly stated that the local governments should not merely be agents of the state government but should have some level of autonomy". See Assefa (2007) at 341.

administrations). Moreover, various sectoral offices have been established to deal with the bureaucratic works of *woredas* and city administrations. The regional constitutions and the city proclamations authorise the *woredas* and city administrations to decide on matters relating to their own social services and economic development, adopt their own budgets and hire and fire their administrative personnel.<sup>80</sup> Nonetheless there are a number of deficiencies in the regional constitutional and legal framework that render *woredas* and city administrations subordinate structures of the regional states. Three points are considered here.

The first is the lack of a clear division of powers between regional government and local government; in particular, between a regional government and a *woreda*. The federal Constitution does not provide for specific functional competences of local government except by providing generally that regional states should transfer adequate power to it.<sup>81</sup> The regional constitutions provide that each *woreda* will have the power to plan and implement its own social services and economic development. Yet the constitutions fall far short of clearly defining the particular social service and economic matters which are within the jurisdiction of *woredas*. Also, to date none of the regional states, save for Tigray regional state, has enacted even an ordinary statute which defines the competences of a *woreda*. Even the Tigray Proclamation, which was enacted with a view to define the powers and functions of the *woredas* in the region, lacks clarity: it adds almost nothing to what is already given in the regional Constitution.<sup>82</sup> It is evident that *woredas* and city administrations exercise important functions relating to security, primary education, agricultural extension services and the like.<sup>83</sup> Nonetheless they exercise these functions as determined by regional officials by means of political decisions that are not necessarily based on the clear principle of a constitutionally entrenched division of powers and functions.

The second problem relates to the fact that city administrations are the creation of ordinary regional statutes, not of regional constitutions.<sup>84</sup> This has allowed regional states to easily amend the statutes dealing with city administration, often to the detriment of the cities' autonomy. For instance, the Oromia regional state has issued a proclamation in which it reduced the so-called third and fourth grade cities to *kebele* status.<sup>85</sup> It also dissolved the councils of these towns.<sup>86</sup> The same proclamation shifted

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<sup>80</sup> The above is based on a general overview of the regional constitutions and regional legislative frameworks which govern urban local governments.

<sup>81</sup> Art 50(4) of the FDRE Constitution (1995).

<sup>82</sup> See Tigray Proclamation 99/2005

<sup>83</sup> Berhanu L *Note on fiscal federalism, service delivery and capacity building: The case of Ethiopia* (2009) at 20.

<sup>84</sup> Some of the regional constitutions provide to the regional government the authority to separately structure cities without clearly defining their institutional structure and constitutional status. Some of the regional constitutions (for instance that of Oromia and Tigray) are totally silent about the status of cities.

<sup>85</sup> Art 3(1) of Oromia Proclamation No 116/2006.

<sup>86</sup> Art 2 of Oromia Proclamation No 116/2006.

the power to elect a mayor of all city administrations from a city council to the regional president, thereby reducing city administrations into mere administrative arms of the regional government.<sup>87</sup> In Afar regional state the regional government retains the power to appoint a tenth of the members of the Semera City Council,<sup>88</sup> which is clearly a grave infringement of the principle of self-rule which was supposed to underpin the decentralisation scheme.

The third shortcoming is that the regional constitutions and statutes dealing with local government maintain the old hierarchical structure in which *woredas* and city administrations are treated as subordinate structures of the regional states rather than autonomous governments. The regional constitutions expressly state that “*woreda* is a body subordinate to the regional government”.<sup>89</sup> Moreover, the regional constitutions and statutes make the chief administrators and mayors of *woredas* and city administrations respectively accountable to the regional government in addition to their accountability to the councils of *woredas* and city administrations.<sup>90</sup> Even worse, in Oromia the accountability of a mayor is exclusively to the regional president.<sup>91</sup>

The accountability of *woreda* chief administrators and mayors to regional governments has opened a door for the regional government to not only hinder the execution of the decisions of elected representatives of the local people, but also to replace local decisions with their own. This has undermined the role of the local councils as the overseers of the performance of the local executive bodies.<sup>92</sup> The situation is further aggravated by the fact that, as will be discussed below, all levels of government in Ethiopia are controlled by one party, the EPRDF. In most cases, the regional chief administrators are the ‘party bosses’ of *woreda* chief administrators and mayors of city administrations. Thus, *woreda* chief administrators and mayors often tend to follow the instructions of their party bosses rather than the interests or the preferences of the local people.<sup>93</sup>

## 6.2 Inadequate finance

The regional constitutions provide no taxing power to *woredas* except by authorising *woredas* to collect rural land use and agricultural income tax, the rate of which is

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<sup>87</sup> Art 6 of Oromia Proclamation No 116/2006.

<sup>88</sup> Art 8(2) of Afar Proclamation 33/2006.

<sup>89</sup> See, for instance, Art 84(2) of Amhara Constitution (2002); Article 74(2) of Afar Constitution; Art 85(2) of Benishangul-Gumuz Constitution; Art 72(2) of Tigray Constitution.

<sup>90</sup> For instance, see Art 93 of Amhara Constitution (2002); Art 85(1) of Afar Constitution (2002); Art 94(2) of Benishangul-Gumuz Constitution (2002); Art 82(1) of Tigray Constitution (2002); Art 18 (2) of Proclamation 91/2003.

<sup>91</sup> Article 6 of Oromia Proclamation No 116/2006.

<sup>92</sup> Yilmaz S & Venugopal V *Local government accountability and discretion in Ethiopia* (2008) at 11.

<sup>93</sup> Yilmaz & Venugopal (2008) at 11-12.

determined by the regional states.<sup>94</sup> Moreover *woredas* are, in principle, expected to transfer the proceeds from these taxes to the regional government, even though in practice they retain the proceeds for themselves.<sup>95</sup> Hence these taxes cannot be considered as *woreda* taxes. Even if they were to be considered as such, the proceeds of these taxes are trifling, covering less than 30 percent of the total annual budget of *woredas*.<sup>96</sup> Thus *woredas* are largely dependent on the regional grant for discharging their responsibilities.

The bulk of the grant that *woredas* receive from the regional governments is an unconditional block grant that the *woredas* can use for any purpose they deem necessary.<sup>97</sup> Also, as can be seen from the table below, in the past years the amount that *woredas* receive in the form of block grants has significantly increased.

**Table 1: Block grant to *woredas* in Ethiopian Birr (millions)**

| Year    | Amhara             | SNNPR              | Oromia              | Tigray            |
|---------|--------------------|--------------------|---------------------|-------------------|
| 2005/06 | -                  | 852.106            | 1819.24             | 493.74            |
| 2006/07 | 2497.171<br>(86%)  | -                  | 2,688.20            | -                 |
| 2008/09 | 2936.29<br>(78.4%) | 2121.33<br>(77.7%) | 3,133.63<br>(76.1%) | 769.44<br>(61.8%) |
| 2009/10 | 2714.2<br>(78.2%)  | 2529.4<br>(73.3%)  | 3619.3<br>(81%)     | 839.48<br>(57.6%) |

Source: Ministry of Finance and Economic Development 2010

Yet the grants are far from sufficient to allow *woredas* to invest in the priority areas of the local people. Rather, up to 90 percent of the block grant is used to pay the salaries of local employees.<sup>98</sup> Thus little funding is left for building schools, health stations and the like. As a result, local residents are often required to contribute in kind, in cash or in labour to building schools, roads, markets, health posts etc.<sup>99</sup> *Kebele* and sub-*kebele* level institutions play a key role in mobilising the local community for developmental works. It should be stressed that there is nothing wrong with community contribution

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<sup>94</sup> See, for instance, Art 91(1) (c) of Amhara Constitution (2002); Art 79(2)(g) of Oromia Constitution (2002).

<sup>95</sup> Garcia M & Rajkumar AS *Achieving better service delivery through decentralization in Ethiopia* (2008) at 58

<sup>96</sup> Garcia & Rajkumar (2008) at 58.

<sup>97</sup> Garcia & Rajkumar (2008) at 58.

<sup>98</sup> Garcia & Rajkumar (2008) at 58.

<sup>99</sup>Yilmaz & Venugopal (2008) at 17-18.

in developmental endeavours. Rather, as Yilmaz and Venugopal state, it can be seen as active and effective participation of the communities in their own affairs. The problem is that the contributions are not always voluntarily offered.<sup>100</sup> More often than not communities are forced to make these contributions. For instance, in some *woredas* of Tigray communities are required to provide 20 days free labour. In Afar a *woreda* directive requires the communities to contribute to the upkeep of forests.<sup>101</sup>

### 6.3 Controlling elections and keeping political opponents at bay

Similarly to the position under the previous regimes, local authorities have two other control-oriented tasks. They ensure the continued dominance of the EPRDF and its affiliated parties by controlling elections of all kinds, and they keep opposition parties at bay.

The tendency on the part of the EPRDF to use local authorities to control elections of all kinds can be traced back to the transitional period. For instance, in April 1992 – less than a year after the EPRDF took power – “snap elections” were conducted in 450 *woredas* to elect provisional local authorities. These authorities were supposedly to be elected in public meetings on a non-partisan basis.<sup>102</sup> However, the EPRDF ensured that individuals who were loyal to it were installed in each *woreda* (district) and *kebele* (sub-district). Pausewang *et al* notes the following in this regard:

“These public meetings were orchestrated to elect the representatives of the EPRDF. Where the public did not comply with the wishes of the EPRDF, election results were declared invalid on formal grounds and the elections were repeated, in some places up to three times, until the EPRDF candidates were installed. In a few places, the results of the snap elections were simply disallowed and EPRDF cadres were appointed.”<sup>103</sup>

The provisional local authorities that were thus installed by the EPRDF were effectively used to control the two subsequent elections conducted during the transitional period, namely the June 1992 regional and local elections and the June 1994 elections for the Constituent Assembly (also known as the Constitutional Assembly).<sup>104</sup> The EPRDF and its affiliates emerged victorious in the June 1992 regional and local elections with 96.6% of the seats in the regional and local councils.<sup>105</sup> The party was also declared to have won 484 of the 547 seats in the Constitutional Assembly.<sup>106</sup> Except for a few

<sup>100</sup> Yilmaz & Venugopal (2008) at 17-18.

<sup>101</sup> Yilmaz & Venugopal (2008) at 18.

<sup>102</sup> Keller E “Remaking the Ethiopian State’ (1995) at 136.

<sup>103</sup> Pausewang S *et al* “A process of democratisation or control? The historical and political context” (2002) at 31.

<sup>104</sup> The Constituent Assembly was charged with the drafting of the 1995 Constitution

<sup>105</sup> Lyons T “Closing the transition: The May 1995 elections in Ethiopia” (1996) at 126 and 128.

<sup>106</sup> Joireman SF “Opposition politics and ethnicity in Ethiopia: We will all go down together” (1997) at 402.

independent candidates, none of the major opposition parties were represented in the Constitutional Assembly.<sup>107</sup> The dominance of the EPRDF was attributed to, among other things, its effective use of local officials – who dominated the regional and local level governments after the 1992 regional and local elections – to control these elections. The local authorities used, among other things, their power to “[determine] when and to whom voter registration materials were distributed” in order to control the election results.<sup>108</sup>

Since the establishment of the federal system in 1995, four national and regional and three local elections have been held in Ethiopia. The EPRDF claimed close to total victory in all of these elections.<sup>109</sup> Now the party directly controls the federal government,<sup>110</sup> the four major regions – the Amhara, Oromia, SNNPR and Tigray states – and two major cities, Addis Ababa and Dire Dawa. In these regions all levels of government, starting from the *kebele*, are controlled by the EPRDF.<sup>111</sup> Furthermore, the party indirectly controls the other five regions through its affiliate parties, which some consider as “satellite parties” and as creations of the EPRDF itself.<sup>112</sup>

Not surprisingly, the opposition parties performed very poorly in the elections held thus far save for the 2005 national and regional elections. They boycotted the 1995 national and regional elections and won only 12 parliamentary seats in the 2000 national and regional elections.<sup>113</sup> In the 2005 elections, in one of the most contested elections in the country’s history, the opposition parties won, according to the official result, 170 seats in Parliament and all seats but one in the Addis Ababa City Council.<sup>114</sup> However, the whole process was disrupted when the opposition parties refused to join Parliament, alleging vote rigging by the ruling party, and violence erupted in Addis Ababa and other cities. Soon the leaders of the opposition parties were arrested, tried

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<sup>107</sup> Lyons (1996) at 130.

<sup>108</sup> Lyons (1996) at 127.

<sup>109</sup> The national and the regional elections were held in 1995, 2000, 2005, and 2010 while local elections were held in 1998, 2001 and 2008.

<sup>110</sup> At present only one seat out of 547 in the House of Peoples Representatives (as Parliament is formally known) is held by an opposition party. The rest of the seats are held by the ruling party and its affiliates; see National Electoral Board of Ethiopia *Official Results of the 23<sup>rd</sup> May 2010 General Election* available at <http://www.electionethiopia.org/en/> (accessed 25 July 2010).

<sup>111</sup> See National Electoral Board of Ethiopia (NEBE) *A report submitted to the FDRE House of Peoples Representatives* (2008) 23-36.

<sup>112</sup> Vaughan S *Ethiopia: A situation analysis and trend assessment* (2004) at 16; Aalen L *Ethnic federalism in a dominant party state: The Ethiopian experience 1991-2000* (2002) at 83; Merera G. *Ethiopia: A transition without democratisation* (2002) available at <http://www.oromopeoplescongress.org/docs/ethiopia-transition-without-democracy-Merera.pdf> (accessed 25 September 2010).

<sup>113</sup> Lyons (1996) at 133-138.

<sup>114</sup> Aalen L & Tronvoll K “Briefing: The 2008 Ethiopian local elections: The return of electoral authoritarianism” (2008) at 196.



and sentenced, mostly to life imprisonment, even though most of them were later released through presidential pardon.<sup>115</sup>

The opposition parties have also boycotted all three local elections since 1995, including that of 2008.<sup>116</sup> The poor performance of the opposition parties is often attributed to their lack of organisational bases to forge a strong opposition against the ruling party.<sup>117</sup> They are highly divided and disorganised.<sup>118</sup> They also have a limited presence in the rural areas and are said to lack clear programmes which could attract voters.<sup>119</sup> Also, as will be argued below, the opposition parties attach little significance to local elections. Notwithstanding that, local authorities have played a significant role in limiting the success of the opposition parties.<sup>120</sup>

Local government and local authorities retain important powers that they use to maintain the EPRDF's dominance. They control the local police forces and other security apparatuses which they often use to the detriment of opposition parties. For instance, a *woreda* administrator is in charge of a *woreda* police force.<sup>121</sup> In order to hold public rallies, demonstrations, or public meetings, local authorities need to be "informed" of the arrangements so that they can provide security.<sup>122</sup> If local officials "cannot" provide security – and often they allege that they "cannot" – such rallies, meetings and demonstrations cannot take place.

*Kebele* community halls, which in most cases are the only available venues for public meetings, are owned and controlled by local authorities. Moreover, local communities, both in urban and rural areas, depend on local government for their basic services. As indicated above, the 2001 decentralisation programme envisions *woredas* as centres of social service delivery, including education, agricultural extension service and health care.<sup>123</sup> *Woredas*, city administration and the *kebeles* issue and renew birth certificates and identification cards which are indispensable to receiving any service and even to participate in elections.<sup>124</sup> The houses which were nationalised by the *Derg* and rented out to the people are still under the ownership of the *kebele* and those who stay in these

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<sup>115</sup> See Aalen & Tronvoll (2008).

<sup>116</sup> See NEBE (2008) at 23-36.

<sup>117</sup> Aalen & Tronvoll (2008) at 115; Lyons (1996) at 142.

<sup>118</sup> Alemayehu GM *Ethiopia: Speaking Truth to the Powerless* (2010) available at [http://nazret.com/blog/index.php?blog=15&title=ethiopia speaking truth to the powerless&more=1&c=1&tb=1&pb=1](http://nazret.com/blog/index.php?blog=15&title=ethiopia%20speaking%20truth%20to%20the%20powerless&more=1&c=1&tb=1&pb=1) (accessed on 10 March 2011).

<sup>119</sup> For a detailed discussion of Ethiopian opposition parties see Wendwosen T "Ethiopian opposition political parties and rebel fronts: past and present" (2009).

<sup>120</sup> Aalen & Tronvoll (2008) at 197.

<sup>121</sup> See, for instance, Art 93(2) (g) of the Amhara Constitution (2002).

<sup>122</sup> For instance, Art 4 of Oromia Proclamation 85/2004 provides that the organisers of a demonstration need to inform the *woreda* or city administration 48 hours prior to an intended public demonstration about the public demonstration or public meeting.

<sup>123</sup> See SPRDP (2002) at 40.

<sup>124</sup> Art 36(1) of Proclamation No 532/2003.

houses are under a constant threat of eviction.<sup>125</sup> Local authorities effectively use these powers to ensure the continued dominance of the EPRDF.<sup>126</sup> As an informant of Aalen and Pauswang states:

“The house belongs to the *kebele*. If I need to repair it, I need to get approval from the *kebele*. If I get sick, I have to pass through the *kebele* to the hospital. If my sons and daughters are looking for a job, they have to go to the *kebele* first. Until and unless we follow the orders of the *kebele* we have no services.”<sup>127</sup>

It is self-evident that it is at the local level that opposition parties can be closely in touch with the people to publicise their programmes and plans. However it is often alleged that local authorities block any contact between opposition parties and the local community.<sup>128</sup> Having held a public meeting in May 2001 in Awassa town, the capital of the SNNPR, the Ethiopian Democratic Party (EDP, an opposition party) in its press release expressed its gratitude to the town authorities for allowing the meeting to be peacefully conducted.<sup>129</sup> In the statement the party noted that such co-operation from local authorities was so unusual that the leadership of the party was forced to view the kindness and cooperation that they were shown by the town’s authorities with mistrust.<sup>130</sup> This anecdote shows the crucial role that local authorities play in the making or undermining of democratic processes in the country.

According to some reports the *kebele*, which was the main instrument of control under the *Derg*, is maintained to ensure the EPRDF’s control over the rural areas.<sup>131</sup> According to a Human Rights Watch report on the 2008 local elections there was coordination among the three tiers of local government (zone, *woreda* and *kebele*) to hinder opposition parties’ activities.<sup>132</sup> However, the ruling party brushed away such allegations as “simply baseless”.<sup>133</sup> Following such allegations during the 2008 local

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<sup>125</sup> Aalen L & Pauswang S “Blighting the seeds of democracy: The 2001 local elections in Addis Ababa and the central regions” (2002) 179 at 184.

<sup>126</sup> Lyons (1996) at 142.

<sup>127</sup> A *kebele* resident quoted in Aalen & Pauswang (2002) at 180.

<sup>128</sup> Aalen & Pauswang (2002) 184.

<sup>129</sup> *Ye-ethyopiya demokrasiyawi party (edepa) Ke edepa yetesete meglecha: Ke Awassa ketema mestedadir Addis Abeba ketema mestedadir limar yigebawal (Sené 3/ 2001 Ethiopian Calendar)* (A press release of the Ethiopian Democratic Party (EDP): “Addis Ababa City Administration should learn from Awassa City Administration” 10 June 2008).

<sup>130</sup> In the same letter the party asked other authorities, in particular the Addis Ababa City Government, which according to the EDP has an office which is called the “Peaceful Demonstration and Public Meetings Permission Office”, to follow suit.

<sup>131</sup> Pauswang *et al* (2002) at 26-44; Lefort R “Powers – *mengist* – and peasants in rural Ethiopia: The May 2005 elections” (2007) 265-266.

<sup>132</sup> Human Rights Watch Ethiopia: Repression Sets Stage for Non-Competitive Elections (2010) at <http://www.hrw.org/en/news/2008/04/09/ethiopia-repression-sets-stage-non-competitive-elections> (accessed on 25 July 2010).

<sup>133</sup> Powell A “Ethiopia opposition group to boycott local elections” *Associated Press* (10 April 2008).

elections Bereket Simon, the then Minister of Information, said “[t]here is no harassment, that's why nobody can prove it ... we haven't experienced that, and they haven't experienced it either. Both the opposition and the ruling party haven't experienced any intimidation”.<sup>134</sup>

While preventing opposition parties from mobilising communities around their programmes, local officials play a key role in publishing and disseminating the ruling party's programmes,<sup>135</sup> particularly in the rural communities where more than 80% of the country's population resides.<sup>136</sup> They play an especially vital role in expanding the party's membership either by persuasion or coercion. Due to the efforts of local authorities following the 2005 elections the membership of the ruling party saw a dramatic increase from 760, 000 to 4 million.<sup>137</sup> As Aalen and Tronvoll write, even if the ruling party did not rig elections the very fact that it has control over local institutions would ensure victory for the party.<sup>138</sup> The same authors went on to observe:

“The ruling party's network of control through local administrative structures enabled it to pressurise many rural voters who make up 85 percent of the Ethiopian population, to vote for it. Although some fraud most probably would have taken place, the existence of a local administration in the hands of the EPRDF would have made rigging superfluous in many places around the country.”<sup>139</sup>

#### 6.4 Why are local authorities still instruments of control?

Ethiopia has become, at least formally, a decentralised country. Its decentralisation is premised on circumventing a culture of control and repression and on embedding a tradition of democracy. Yet, as has been indicated, local authorities are still used for controlling and preventing dissenting views. This begs the question: why, given the widely-held view that “decentralisation brings democracy”, are local units in Ethiopia still means of control rather than democratic institutions? Three reasons are considered here.

Firstly, although Ethiopia is formally a decentralised country, as already mentioned, all levels of government are controlled by one party, the EPRDF, and its affiliates. Almost all of the more than 3.5 million local council seats at sub-district (*kebele*), district (*woreda*) and zonal level are controlled by the EPRDF, and not a single seat is held by an

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<sup>134</sup> Powell (2008).

<sup>135</sup> Lyons (1996) at 142

<sup>136</sup> Aalen & Tronvoll (2008) at 111 at 115; Lefort (2007) at 266; Bevan P & Pankurst A *Power structures and agency in rural Ethiopia development lessons from four community case studies* (2007) at 47 & 134.

<sup>137</sup> Aalen & Tronvoll (2008) at 115.

<sup>138</sup> Aalen & Tronvoll (2008) at 118.

<sup>139</sup> Aalen & Tronvoll “The end of democracy? Curtailing political and civil rights in Ethiopia” (2009) 193 at 197.

opposition party.<sup>140</sup> The party, as already mentioned, has an extremely centralised structure and method of decision making. The grassroots structures are involved only in the execution of these decisions. Moreover, there is little or no practical distinction between the government and the party. The policies and decisions of the party are executed as government policies and decisions.<sup>141</sup> Therefore the domination of the politics of the country by one party has rendered decentralisation hollow.<sup>142</sup>

Second, local officialdom is a source of livelihood for many in Ethiopia.<sup>143</sup> In spite of recent efforts to fill local government positions with university graduates, most of the local officials in both rural and urban areas lack a substantial educational background. They therefore do not have any prospect of finding better employment elsewhere. If the ruling party loses power in any given locality, the local officials will likewise lose their positions and their livelihood.<sup>144</sup> Thus, preventing opposition parties from assuming power is not only a political issue but also one of personal interest for local officials.

Third, it is submitted that opposition parties have done very little to contribute to the democratisation of local government. The opposition parties have not taken part in any of the three local elections. Even if opposition parties were to seek to participate in local elections, finding suitable candidates would not be an easy task. Many members of opposition parties regard candidacy for a local council with disdain and prefer the more glamorous candidacy for Parliament and regional councils. Thus Lidetu Ayalew, chairperson of the EDP, states that when his party decided to participate in the 2001 *woreda* and *kebele* elections, most party members were not keen to stand as candidates.<sup>145</sup> In order to encourage party members to stand for local election, Lidetu writes, he had to present himself as a candidate for a *woreda* council.

Fourth, since the fall of the *Derg* international institutions and donors, such as the Carter Centre, European Union, and African Union, have been involved as observers in Ethiopian national and regional elections. They have also assisted financially and logistically.<sup>146</sup> After the 2005 electoral dispute international donors, led by the World Bank, decided to redirect their budgetary assistance from the federal government to local government.<sup>147</sup> Yet they have been dispassionate about local elections in Ethiopia.

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<sup>140</sup> See NEBE (2008) at 23-36.

<sup>141</sup> Assefa (2007) at 391.

<sup>142</sup> Assefa F "Theory versus practice in the implementation of Ethiopia's ethnic federalism" (2006) at 155-157.

<sup>143</sup> Abbink J "Discomfiture of Democracy? The 2005 election crisis in Ethiopia and its aftermath" (2006) at 177; Aalen & Tronvoll (2008) at 115.

<sup>144</sup> Abbink (2006) at 177.

<sup>145</sup> Lidetu A *Yarem erisha* (1998 Ethiopian Calendar) at 32 ("A farm of weeds", 2005).

<sup>146</sup> Abbink J "The organization and observation of elections in federal Ethiopia: retrospect and prospect" (2000) at 169.

<sup>147</sup> Spielman D J *et al Mobilizing rural institutions for sustainable livelihoods and equitable development: A case study of local governance and smallholder cooperatives in Ethiopia* (2008) at 7.

The last three local elections were held without any international observers. Some Norwegian scholars witnessed the 2001 local election in the SNNPR. However, they were there more as researchers than as election observers.<sup>148</sup> The international community refrained from passing any comment on the alleged irregularities in local elections, stating that they did not deploy observers in the country.<sup>149</sup>

### 7 CONCLUSION AND RECOMMENDATIONS

With gradual centralisation of government since the 1850s, local authorities in Ethiopia increasingly came to be used for centralised control. All the regimes that have seized power since then used local authorities to guard their political power, to suppress resistance and to extract revenue to sustain themselves. Since 1991 the country has been undergoing a process of re-decentralisation which is premised on embedding democracy at grassroots level and enhancing development. However, the decentralisation programme has not yet resulted in democratic pluralism. Nor has it created autonomous local government which is responsive to local preferences and accountable to local people. Rather, the decentralisation process has been used to reinforce the dominance of the EPRDF.

It would nonetheless be unreasonable to conclude without mentioning that the decentralisation process is not an absolute fiasco. For better or worse, three consecutive local elections have been conducted in the past two decades. This is not only a great departure from the past, but has been a significant democratic exercise. It is also indisputable that noteworthy progress has been recorded in terms of social service provision chiefly due to the decentralisation programme. For instance, the 2010 United Nations Development Programme report on human development ranks Ethiopia first in Sub-Saharan Africa and 11<sup>th</sup> in the world based on the progress registered in the areas of primary education, primary health care, agricultural extension services and the like.<sup>150</sup> According to the report it was “local mechanisms” that made it possible to “increase access and thus the provision of public goods”.<sup>151</sup> However, much remains to be done to achieve the objectives of decentralisation. The following aspects in particular, it may be concluded, call for urgent attention:

- Opposition parties should make a greater effort to increase their representation in local government. Their increased representation in local government would not only enhance the democratic process; in the long run it will augment their chances of being represented in regional and national government.

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<sup>148</sup> Pauswang *et al* (2002) at 22.

<sup>149</sup> Aalen & Tronvoll (2009) at 205.

<sup>150</sup> UNDP (2010) at 28.

<sup>151</sup> UNDP (2010) at 51.

- The government needs to create a legal environment which is favourable to the existence of autonomous local government. Especially the regional governments should clearly define the functional assignments of local government and provide equal protection to both *woredas* and city administrations.
- *Woredas* should be given specific taxing power so as to ensure their downward accountability.
- The block grant which is transferred to *woredas* should match their mandates so that *woredas* can be responsive to local priorities.

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