

# Hegemonic Party System and Federalism: The Case of the Ethiopian Federal System under the Ethiopian Peoples' Revolutionary Democratic Party (EPRDF)

YOAHHANNES HAILE GETAHUN 

College of Law and Governance

Mekelle University, Ethiopia

yohajohnyoha@gmail.com

## Abstract

The paper inquires about the fixture of the Ethiopian Peoples' Revolutionary Democratic Party (EPRDF) in the Ethiopian federal system, as a dependent variable. It is an interpretive-case study design that elaborates, not compare, a given case with certain theoretical and empirical guides drawn from literature, official, and public documents. The discussions have shown the malfunction of the EPRDF-dominated party system in the multi-ethnic federal constitutional setup, in terms of legitimacy and effectiveness. The hegemonic political program of EPRDF was not in line with the political pluralism meaning of the federal constitutional diversity, as it delinked the constitutional right to self-determination and federal self-rule from the types of political options and choices that dovetailed to multi-party democracy. On the structure of EPRDF, equal representation was favourable to the federal politics of diversity accommodation and minority protection. However, the exclusiveness of its structure from the so-called affiliate parties had the effects of spawning a narrow-based federal shared-rule, as EPRDF was the only channel to influence the centre. Like its Marxist-originated hegemonic program and democratic-centralism, the fusion of EPRDF and the state was the other setback to bring the constrain of power to the federal constitutional operation and to establish the neutrality of the state to deal with ethnic-driven conflict, as a major pathology to the stability of ethnic federal system. Finally, the power nucleus in the EPRDF created the dominance of TPLF at the perils of diminishing the representative legitimacy and the subordinate position of the affiliate parties to EPRDF.

**Keywords:** Dominant-party, centralism, state-party fusion, federalism and federal operation.

## Introduction

Ethiopian has a long history of statehood predating at least the 19<sup>th</sup> century. In the first half of the 1900s, it entered into a federal and multi-party constitutional design which was quite departing from the history of centralization, no-party system and one-party system the country had. In practical realm, however, there are serious concerns. One of them is the degree to which multi-party democracy has shown progress and its interaction with the federal system. Until very recently, the entire period of the federal constitutional order had seen consistent the dominance of EPRDF. EPRDF long dominated the post-1991 Ethiopian politics in four aspects: controlling the transitional period of constitution-making, elections, government heading and political agenda-setting. Its positions in altering the preceding regime through armed rebellion enabled it to monopolize the formal apparatus of coercion left vacuum with the cease of the preceding regime.

Then, its dominance in elections and running the successive governments went unchallenged for about a quarter-century. Beginning from the Peace and Democracy Conference which had the role of an assembly mandated to draw the map of a political transition and in the elections conducted to install regional and local governments and to elect the members of the Constituent Assembly, the constitutional ratifier, EPRDF managed to turn things in its favour. That continued until the 2015 election which slightly came before the unfolding of the public uprising and the attendant shift of power within EPRDF itself. Moreover, the party also exercised agenda-setting dominance to advance those political articulations and interests aligned with its Marxist-leaning 'revolutionary-democracy' to the level of almost overarching national aspirations. Cumulatively, the political and organizational precepts and activities of EPRDF laid a one-dominant party system where the dominant party has significant level of leftist orientations. The article looks into that from the spotlights of the federal constitutional dispensation. It has four parts. The first focuses on the relevance of party system to federalism. Then, the brief outline of the Ethiopian federal design follows in the second part. In the second and third parts, the emphases are the EPRDF-dominated party system and the organizational structure and functioning of EPRDF, respectively.

### Party System and Federalism

Political parties, as King (1986) reads, are one of the key institutions of the modern political system that have the elements of constitutional republicanism. Their emergences predicated on the gradual expansions of democratic ideals and forces (Kean, 1989). In federal constitutional polities, political party formations have impacts on the wider political system encompassing the processes of federal constitutional origin, operation and development. Political parties interact at least with the practice of federal system (Filippov, Ordeshook and Shvetsova, 2004). Studies have shown that party system determines the inter-play of parties and federal states. Hicken (2009, p. 4) defines that a party system is "an enduring pattern of intra-party organization and inter-party electoral competition". This definition has many intersections with the Boax's (2007) presentation that party system mirrors the number of effective parties, their organizational setups and interactions. Parties and their relative strength are the chief benchmarks to make reasonable delimitations among various party systems into the categories of multi-party, two-dominant party, one-dominant party and one-party system. The categories imply the differing of parties in their politics, institutional structures and operations, and authority. Consequently, party system has relevance to the fundamentals of federal system which are, for McGarry and O'Leary (2003, p. 2), constitutional division of power, representation and constitutional supremacy. To the legitimate designing and implementations of these fundamentals of federal system and their stable consolidations, the program, organization and working mechanisms of political parties and the nature of their competitions can be constraining or enabling.

Scharpf (1995) has asserted that federalism presupposes democracy. Derivatively, multi-party system is conducive to the federal politics of pluralism (Aaron Tesfaye, 2002 and Burgess and Gagnon, 2010, p.1-27). As Kuenzi and Lambright (2005) argued that multi-party system entrenches the rule of law and political rights and liberties, it anchors the democratic principle of power check-and-balance to provide for the federal constitutional de-monopoly of power and constitutional supremacy. The records of stable and enduring multi-ethnic and multi-national federations of such as Spain, Belgium, India, Switzerland, and Canada have proved multiparty democracy nourishes the legitimacy and stability of federal systems.

In addition to strengthening a the flexibly of a multi-ethnic federal order to address the changing demands of its constituent identity groups, multi-party competition and elections fosters the

ethos of democratic politics and representation. That advances the political capital to engage in a legitimate and stable federal constitutional negotiation. Linz (1997) put that:

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*We find a close link between multinational federalism and democracy because in the context of a democracy with its political freedoms, groups...and national minorities can articulate freely their demands and give support to a representative leadership that is difficult to ignore. Nations do not have, unless the state allows them to do so, democratic representatives, representatives elected by the members of the national community. Democracy the dominant powers, the state and those controlling it, can deny representativeness to the nationalist leadership. (p. 21).*

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The experiences of fragile and failed federations have lessons reinforcing value of multi-party system to federal constitutional order. In these federations, the no-party and one-party systems of monarchism, military dictatorships, and the communist vanguard parties lacks those ideological and organizational ingredients of federal 'covenant', pluralism and dispersal of power. The deficit of multi-party democracy is the most shared features of failed and fragile federations. Relatedly, the ideological and organizational systems of one-party regimes disallow broad-based federal constitution writing and accountable federal operation, at the perils of federal constitutional imposition and practically non-accommodating institutions. Based on the comparative work of Kavalski and Zolkos (2008), the one-party system engenders a political system which is inept to enforce the federal dispersal of power and shared governance. As a qualification, the comparison between USSR, Yugoslavia, and Czechoslovakia, on one side, and Kincaid (2010)'s 'non-liberal' and 'autocratic federations' such as Russia, Nigeria, Malaysia and Pakistan, on the other side, hints that the organs of the communist parties are by far more partisan to embrace federal constitutional pluralism. The latter, the 'non-liberal', embrace a one-dominant party system in which "...one party outdistancing all others in several consecutive elections... heads the government for a long period with the majority, or plurality, of the popular vote (Mtimkulu, n.d, p.24).

Nevertheless, compared to the one-party system of communist regimes, the compatibility of the one-dominant, or interchangeably hegemonic, party system to federalism and federal constitutional system has some subtleties. It is further complicated by the categorization of this party system into competitive and non-competitive. In the former, said Hicken (2009), the possibility of inter-party competitive elections, though with limited effects, could facilitate a modicum of multi-party representation in the federal layers of government. Besides, the dominant parties could also show broad-based politics to fend their hegemony off the political appeal of the opposition and that seems to induce dominant parties bring diverse regional, ethnic, and national interests on board. The experience of the Indian National Congress (INC), before the mid-1990s, in improving its identification with minority ethnic and religious was considered a pre-emptive response to the ascendance of competing segmental parties exclusively committing to specific ethnic groups and segmental provincial interests.

The congressional potential of competitive hegemonic parties to serve as integrative glues among politically divided groups resonates with the suggestion of Friedman (1999) that the South African National Congress (ANC) needs to have a political elasticity to transform itself from an aggregate force of liberation to a disaggregated arena of accommodation is the other case. In a multi-ethnic federal environment, the drive to show political elasticity could encourage a dominant multi-ethnic coalition party which is favourable to ethnic identity recognition accommodation. Such opportunities deemed attenuated in the context of a non-competitive one-dominant party system in which the drive to ensure a wide and flexible political space recedes with the absence of competing opposition parties. As a result, the subject of federal constitutional legitimacy and

stability in the context of the non-competitive dominant party system has much to do with the program, structure and functioning of the dominant party. These provide the parameters to deal with the EPRDF-dominant party system.

### The Federal Constitutional Design of Ethiopia

Following the downfall of the military regime in 1991, the Transitional Government (July 22, 1991– August 27, 1995) recognized the right of self-determination to nations and nationalities. In constitutionalizing the Charter of the Transitional Government, the adoption of the Federal Constitution in December 1994 marked the beginning of the full-fledged federal constitutional system of Ethiopia. It is imperative to note some issues with the naming of the Ethiopian federal constitutional order. By omitting the rare description of the federal system of Ethiopia as a “tribal” (*Gossa*, in Amharic), the overall imprecision and inconsistency of labelling the federal order are better comprehensible in the terminological divide among scholars, academics and political actors into two basic splits.

The first, as a prelude to the ‘multi-national’ labelling of the federal system, refers to the constitutional assigning of “nations and nationalities” to the constituent identity groups in question. This is the most frequented terminology among public authorities and the leadership and regular members of the recently replaced EPRDF which had headed the government since the embankment of the federal system in 1995. Some political actors outside EPRDF and a number of academics also use a similar “multi-national” nomenclature (Fassil Nahum, 1997; Kinfu Abraham, 2001 and Merera Gudina, 2003). Therefore, the multi-national depiction of the Ethiopian federation is one of the options of the federal nomenclature.

The second split points to the wider application of the term ‘ethnic’ by scholars and political commentators. Considerable amounts of literature, research and non-research variants, written on the post-1991 Ethiopian politics in general and on the federal system in specific have inclined to the “multi-ethnic” labelling of the federal constitutional arrangement of Ethiopia (Aaron Tesfaye, 2002; Asnake Kefale, 2013; Assefa Fiseha, 2008; Solomon Nigussie, 2008 and Yonatan Tesfaye, 2008). The contending historical, ideological, political and anthropological interpretations over the formation and evolution of Ethiopia and its politically salient identity groups have repercussions on the varied nomenclatures of the federal constitutional dispensation of Ethiopia. Ethnic groups are the federative members of the FDRE (Federal Democratic Republic of Ethiopia). The Constitution opens with; “we the nations, nationalities and peoples of Ethiopia...”, exemplary of one of its diverging points from the constitutional texts of most federal constitutional systems. The same constitution accords these identity groups ‘sovereign’ power; and declares itself, the FDRE Constitution, an expression of that sovereignty which involves their right to self-determination up to secession, Article 8 and 39, respectively. Within this overarching constitutional disposition, the federal character in general and the multi-ethnic federal nature of Ethiopia, specifically, are pointed out in the following three points.

### Federal Structure and Division of Power

The practice of ethnic-based federal units in a multi-ethnic federal system has guided the constitutional intention of the Ethiopian federal organization. It has nine States and the federal capital of Addis Ababa (FDRE Constitution, 1994, Art. 47 and 49). Language, identity, consent and settlement pattern are the criteria for the formation of federal units (Ibid, Art. 46). When these criteria for the delimitation of the States juxtaposed with the constitutional attribution of ethnic groups, as per the Constitution NNPs (Nations, Nationalities and Peoples), there are incongruities between the territorial concentration patterns of ethnic groups and the States’

boundary. The Constitution (Art.39) defines that NNPs are groups of peoples “who have or share large measure of a common culture or similar customs, mutual intelligibility of language, belief in common or related identities, a common psychological make-up, and who inhabit an identifiable, predominantly contiguous territory.” The possibility of forming highly compartmentalized ethnic federal units in FDRE sits uneasily with the number of ethnic groups which is not less than 80, eight times of the nine States, much more establishing a sharp among each of them based on identity, customs, psychological composition and territorial distinctions for the purpose of ethnic federal units is far removed from reality. This has led to the emergence of some incongruity between the ethno-territorial intention of the Constitution and its delineation of the States.

Following on what ground and how the States are structured in FDRE, the other important issue is to see the scope of power they have in the Constitution. The constitutional allocation of powers and functions is dualistic that it is between the Federal Government and the States. The power of the latter can be approached in terms of exclusive, concurrent and residual. Designating their own working languages, enacting a state constitution, formulating and implementing state-wide economic, social and developmental policies and plans; levying and collecting those taxes assigned to them, enacting and enforcing laws on the state civil service; and establishing the police force are the explicitly listed exclusive powers of the States (FDRE Constitution, 1994, Art. 52). Regarding revenue, taxation on the income of state employees, farmers, maritime transport services within their territory, private enterprises, land usufructuary rights and few others are the fiscal jurisdictions of the States (Ibid: Art. 97).

The concurrent powers of the States and the Federal Government are scattered across the Constitution. Article 98 says that they jointly levy and collect profit, sales, excise and personal income taxes from joint enterprises, companies and stakeholders, large-scale mining and so on. Related to that, the executive involvement of the States to administer land and natural resources based on federal law and enacting penal laws on matters that are not specifically covered by the federal penal law can be considered as elements of shared responsibilities in the Constitution ((Art. 52 (2, d) and Art. 55(5)). In addition, the States have the responsibility to meet policy frameworks set by the Federal Government ((Ibid, Art. 51(3)). Furthermore, the federal and State governments are also entrusted with the responsibility to respect and enforce the Federal Constitution itself ((Art. 52 (1)), keeping in mind the argument of whether it is an extroversion of the responsibilities of the States or not.

Finally, those powers and functions not given exclusively either to the Federal Government or the States, nor are shared by them, are reserved to the States, according to Article 51 (1) of the Constitution. However, on the decision as to which level of the government would be entitled to new tax bases the Constitution at Article 99 reads that it is to be resolved by the two-thirds majorities of the joint session of the HoF (the House of the Federation) and the HoPRs (the House of Peoples’ Representatives). In general, residual jurisdictions would serve the States as a way of expanding their exclusive powers, depending on their practical capacity and political assertiveness.

To add one more point, Article 47 (4) of the Constitution declares that all States have equal rights and power. This shows a deviation from the constitutional systems of other multi-ethnic or multi-national federations such as Canada, Belgium, and India which have constructed their constitutional power asymmetrically with the intention of accommodating the interest of distinct identity groups. Nevertheless, in general, the constitutional structure of territorial federal units and the division of power in Ethiopia vest the constituent identity groups with the power to exercise federal self-rule since the States are delineated based on ethno-linguistic criteria, except the disparity among them in terms of ethnic homogeneity and heterogeneity. In this way, the federal structure and power division are associated with the rights of NNPs to self-determination.

### Federal Shared rule

Studying the constitutional mechanism of where and in what way ethnic groups are inclusively represented in the Ethiopian federal system is as critical as examining their self-rule. Inclusive representation means the translation of diversity recognition into institutional shared rule. It goes beyond the symbolic recognition of ethnic diversity in the official nomenclature, flag and anthems of Ethiopia (the Preamble and Ch. One of the FDRE Constitution). Dealing with the constitutional mechanism of shared rule requires of making a close investigation of federal institutions and the manner of their structure. Shared rule as the component of the constitutional rights of ethnic groups to self-determination in the Ethiopian federal system as a form of the right to 'equitable' representation in the State and the Federal governments ((Ibid, Art. 39(3)), is vital to the legitimacy of the federal system. According to Thorburn (1978), the parliamentary system of the Ethiopian orders of the governments demands an inclusive legislature for the power of the lawmakers in the parliamentary system *vis-a-vis* the executive helps to assert ethnically broad-based government.

At the federal level, the House of the Peoples' Representatives (HoPRs), the House of the Federation and the executive are important shared-rule institutions of high significance. Despite the members of the lower house, HoPRs, are the representatives of the citizenry, in general, it is worth mentioning that there are at least 20 out of 550 seats reserved for ethnic minorities ((FDRE Constitution, Art. 54 (3)). On the executive branch, the Constitution has no clear guide on the ethnic composition of the federal government except with reference to the army, "the composition of the national armed forces shall reflect the equitable representation of the Nations, Nationalities and Peoples of Ethiopia," FDRE Constitution ((Art. 87 (1)). Related to that, the Transitional Period Charter of Ethiopia ((Art. 9 (b)) explicitly demanded the head of the state, the prime minister, the vice-chairman and the secretary of the Council of Representatives (CoRs) shall be elected from different nationalities. However, after the second half of the 2000s, the issue of ethnic representation in the Federal Government received attention in the nomination of key office holders such as ministers and deputy ministers.

Coming to the representation of ethnic groups in the Federal Government, the Constitution is clear and loud in the composition of the second house. The Constitution (Art. 53) establishes the House of the Federation (HoF), and this goes in line with being a federation, as Assefa Feseha (2008: p. 239) put, "... second chambers reflecting the entrenched representation of the states distinguishes federations from other polities." The only exceptions, Watts (2008, p. 52) said, are Venezuela, where in 1999 the new constitution reformulated the bicameral legislature to a unicameral National Assembly, UAE, Comoros, Micronesia and St. Kitts and Nevis. In the HoF, each ethnic group has at least one representative and one additional representative for each additional one million population ((FDRE Constitution, Art. 61(2)).

Furthermore, explaining the ground as to why ethnic groups, not directly the States, are represented in the HoF; Aalen (2002: p. 8) indicates that the making of the Ethiopian Constitution was bargained among ethnic groups and their political parties. The bargaining ethnic political elites were not willing to compose the HoF by the federal units (Minutes of the Constituent Assembly, Vol. 5, 1994). This is a typical instance of the theory of rational choice in political science. In this theory, to the view of Pincion and Teson (2006), political institutions are greatly shaped by the interests of those political actors who established or are in control of them.

### Federal Constitutional Supremacy

The Ethiopian Federal Constitution, while suggesting the constitutional pattern of a holding-together federal origin, has recognized the constitutions of the States and outlined what political principles and institutions need to be included in the constitutions of the States. It makes clear that the States have their own legislative councils, judiciary, and executive as well as they are to organize their administrations in line with advancing self-government, a democratic order based on the rule of law and protecting the Federal Constitution ((FDRE Constitution, Art. 50 (2) and 52 (2)). The last point and Article 51(1), which mandates the Federal Government with the power to protect and defend the constitution, are the cornerstones of the principles of constitutional supremacy. Both levels of government are established by and accountable to the FDRE Constitution. They are equally beholden to the Constitution and neither of them has no the legal power to violate, change and modify it unilaterally. To that effect, the Ethiopian constitutional adjudication and amendment processes are the twine mechanisms of constitutional safeguards to the orders of the governments and ethnic groups.

The States and the Federal Government have the right to dispute the constitutionality of each other's laws and decisions. The equal standing of the Federal and State laws at the HoF ((FDRE Constitution, Art. 62 (1)) fits into the concept of co-ordinance in which no order of the government is subordinate to the other. For Sawyer (1969, 55-60), it is one of the defining features of a federal constitutional design to embolden the status of provincial laws as opposed to the unitary view of them as 'by-laws', challengeable by a court. Moreover, in times of conflicting laws, the non-existence of the federal paramountcy in the Ethiopian Constitution has also a similar repercussion on the legal status of the laws of the State by equally subjecting them and the federal laws to the same constitutional review process.

Here, the constitutional interpretation power of the HoF was one of the most intensely debated issues in the Constituent Assembly. It was justified that as it is composed of the representatives of ethnic groups in whom the sovereign power resides, the power of constitutional interpretation had to be the exclusive jurisdiction of the HoF. Granting the power of the constitutional adjudication to the HoF was considered as a mechanism for safeguarding the overriding intent of the federal system, and ethnic rights (Minutes of Constituent Assembly, 1987, p. 4-19).

The Constitution is not well versed in expressively pointing out the details of issues to be presented to the HoF seeking its constitutional interpretation. In this respect, the only stipulation is Article 84 which is on the authority of the Council of Constitutional Inquiry (CCI) to decide as to the necessity of HoF's adjudication over the constitutionality of laws and other constitutional disputes presented to it. It, at Sub-article 2, reads that where any federal or state law is contested as being unconstitutional and such a dispute any court or interested party submitted to the CCI, it should consider the matter and either remand or send to the HoF for the final decision.

Later, Proclamation 250/2001(Art. 2(5)) stretched what constitutes "any Federal or State law" to subsume international agreements, executive regulations and decisions. The impact of such elastically centralized authority of the HoF on the judicial capacity of courts has remained a subject of debate. The insulation of the power of the executive from courts could engender a heavy-handed executive out of the judiciary's reach. This has much to do with the operation of the federal system. Though it can be said that the HoF shows an inclusive composition of ethnic groups, currently 76 ethnic groups (FGACO, 2015), the criticism levelled on its effective constitutional adjudication arises for its neutrality and competency.

### The Hegemonic Politics of EPRDF vis-a-vis the Federal System

In a similar fashion to the ruling parties of one-dominant party systems, the ascendance of EPRDF to power was preceded by what Mtimkulu (nd, p. 23) calls “extraordinary circumstances” in which it had decisive engagements. It had the experience of championing the fierce armed struggle against the Military regime. This catalysed its dominance in the period after the Military rule in 1991. The dominance, however, was attributed not only to that historical accomplishment. EPRDF had also pursued the politics of hegemony. Most importantly, The EPRDF had programs on many policy areas of politics, economy, society, culture, military and international relations. In explaining their substances, EPRDF claimed that they were the derivatives of its ideological watermark, ‘revolutionary-democracy’. As a dominant political actor since the federalizing process, understanding what it meant by ‘revolutionary-democracy’ helps to grasp the essence of the party’s program through the lenses of the federal constitutional order; and, presuming adherence to its program, it is even meaningful in discerning what political goals were turning the wheel of the federal system and in what directions. The attributive definition of ‘revolutionary-democracy’ emphasizes the values of ethnic equality and consent, the rights of ethnic groups to self-determination including secession, unity in diversity, hegemonic party system and self-sufficiency (EPRDF, 2006). The last one underlines the purposes of accelerated, sustainable and fair mechanisms of poverty reduction and economic development in the domestic and foreign policies of the FDRE. Though often inconsistent and had the tendency of internal contradictions, one of the most recurring and regime-defining themes of EPRDF’s revolutionary-democracy was the discursive rights of ethnic groups, what it called, similarly to the Constitution, “nations and nationalities”, in the multi-dimensional interest of the society (Ibid, p. 1-10).

Consequently, the program of EPRDF maintained the constitutional federal objectives and principles of building one political and economic community, self-determination, the right to secession, and ethno-linguistic federal units. The Constitution rules that the States are to be created based on settlement pattern, language, identity and consent (FDRE Constitution, Preamble, Art.39 and 46). Moreover, on the specific institutional setups of the federal system such as the manner in which the constitutional power and responsibilities are allocated, and the establishment of an ethnically composed second chamber, HoF, which has the authority to interpret the constitution; EPRDF squarely agreed not only with text of the Constitution but also its effective implementation (Meles Zenawi Leadership Academy, 2017, p. 63-81).

Some observers of Ethiopian politics have the believe that the extensive overlapping between the program of EPRDF and the Federal Constitution on the federal system reflected its upper hand in the constitutional designing process of the early 1990s (Gebru Asrat, 2014, p. 121-123). It is a correlational explanation between a document and its writer/s. The inclusiveness and the balance of power among actors in the Council of the Representatives (CoRs), as the Constitutional Drafting Commission was accountable to it, and in the Constituent Assembly have remained one of the major grounds to seriously doubt the making legitimacy of the federal constitutional arrangement. The complete overlapping between the federal elements of the 1994 Constitution and the federal conception of EPRDF, as a post-conflict triumphant actor, is likely to depict the Constitution as a borrowed/transplanted yet experience-driven politicized constitution. The Leninist orientation of EPRDF and the close proximity of the federal characters of the Constitution itself to the former USSR and Yugoslavia may illuminate its borrowed origin (Negede Gobeze, 2004).

Focusing on the compatibility of the party program of EPRDF and the federal system, it could have been imperative to the effective operation of the latter, if the same program had not prescribed the hegemonic party system. Abbink and Hagmann, (2011, p. 558) state that, with fluctuating priorities, EPRDF believed that democracy is as vital as peace and development for national



survival. Peace was emphasized in the immediate years following the collapse of the military rule to the aftermath of the war with Eritrea. What follows was the promotion of democracy until the 2005 election. Some mentioned reasons of internal organizations, the incentives of the Western countries and the diminished appraisal of the opposition to compete effectively for the short-lived multi-party opening leading up to the election (Birhanu Nega, 2006; and EUEOM, 2005). After facing the unexpected performance of the opposition parties such as CUD and UEDF in the 2005 election, EPRDF revoked the democratic initiative and re-direct itself towards the agenda of economic growth with the developmental state model while accelerating the narrowing of the democratic space with non-competitive hegemonic party model.

The mixed nature of the party's conviction on the issue of electoral democracy had come along with the articulations of democracy in its ideology of revolutionary-democracy which has the primary objective of socio-economic transformation (Gebru Asrat, 2015). The party assumes the leading political agency "...in order to enable people to rally behind the objectives of revolutionary-democracy and to struggle for their accomplishment, EPRDF is expected to play the role of a vanguard...to lead the people in their efforts to raise their consciousness and organize themselves..." (EPRDF (2006, p. 32).

In unknitting the contradiction of terms between the hegemonic program and politics of EPRDF and the multi-party structures of the Federal Constitution it engineered, the ideological calculation of EPRDF to withstand the post-Cold War global re-ordering without dropping its Marxist worldview and the factors of democratization are noted. The manner in which EPRDF articulated its contra-liberal principles and political discourse was versed with Marxism-Leninism "that has guided the TPLF since its foundation in 1975." ICG (2009, p. 6). The hegemonic projection of the party resonated with its low performance on the constitutionally recognized multi-party system. It displayed democratic apathy in the operation of every level of government "in spite of the readily reference of the EPRDF leadership to democratic jargon," said Young (1997, p. 211). Democratization also foundered with paternalistic relations of EPRDF with ethnic elites (ICG, 2009, p. 5). That severed emergence of viable opposition parties so that they negotiate the rules of the political game for democratizing the Ethiopia state. It was confounding to the opinion that the party had the objective of promoting and consolidating democracy, but the country is not yet prepared to do so. Joireman (1997, p. 401) has pointed out gaps in multi-party experience, democratic culture and institutionalization as factors for the flagging of democratization initiatives since the transitional period of the early 1990s. However, from the first regional and local election held in June 1992, EPRDF had been criticized for suppressing the opposition parties whose electoral boycotts were frequent. Continuing that, in 2014 and 2015, Polity IV (Report, 2014), Freedom House (Report, 2015) and EIU-Democracy Index (2015) gave the reports that Ethiopian belonged to the groups of states in 'closed-autocracy', 'not-free' and 'totalitarian', which is under the categories of 'flawed-democracy' and 'hybrid-regimes', in their orders. Cumulatively, following the 2015 election, the opposition had no representative in the federal lawmaker, HoPRs.

Moreover, in addition to directly suppressing opposition parties, the promotion of ethnic divisions by EPRDF was relevant to its multi-party system avoidance. Birhanu Nega (2010) argued that EPRDF, with its dictatorship, had long stayed in power in the volatile Horn of Africa for three reasons: ethnic division, economic performance, weak opposition and Western interests in the region. EPRDF spurred ethnic fragmentations and tensions to keep a united opposition at bay (Ibid), pre-empting democratization with the depletion of unity among ethnic groups to a united democratic mobilization. Democratization requires national solidarity, the destruction

of authoritarian structures, founding elections and the consolidation of democratic institutions (Hadenius, 1992, p. 112; and Rustow, 1970).

On the compatibility of EPRDF's hegemonic program with the federal system, there were observations more or less characteristic of a pluralistic federation under the centralized regime of the one-party system.

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*One-party regimes that had come to power through free elections and/or that had yielded power because of the ballot box were all but impossible to find. Far more pervasive were regimes built around an inherent skepticism toward power sharing...most shared the sentiments of Thomas Carlyle toward democracy: 'I do not believe in the collective wisdom of individual ignorance (Giliomee and Simkins, 1999, p. Vi).*

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Broadly, in the milieu of EPRDF's dominance, the predicaments of the federal order to reflect the self-determination rights of ethnic groups and the legitimate exercise of the constitutional division of power were highly expected. If it had not been for the non-competitive dominance of EPRDF, multi-party competitions and elections could have democratised the structures of the federal self-rule and representation in the federal centre. The absence of multi-party competitions was less likely to force EPRDF to heed political and constitutional demands; and that undercuts the democratic validation of the ethnic federal constitutional order. Without the availability of political choices and the freedom to choose, it is possible to argue that federal operation had the serious democratic deficit of disconnecting federalism and open politics.

The hegemonic aspiration of EPRDF blocked the translation of its ethnic diversity narration into democratic political pluralism. Such federal malfunctions of the party had origin in its rejection of neo-liberalism with the conviction that individualism cannot give adequate space for group rights. However, there are counterviews which are positive as to the potentials of liberalism to accommodate diversity as the theoretical foundation of liberalism is around resisting imposition (Kymlicka, 2002). "Liberal politics comes from its explicit recognition of difference. This difference is not on the basis of some minor issues, but in fact on most substantive issues," Birhanu Nega (2010, p. 18). Hence, by compromising the contribution of the opposition politics to enhance the constitutional right of ethnic self-determination the hegemonic program of EPRDF constricted the liberty of ethnic groups so that democratic ambivalence existed in the ethnic federal operation.

### **The Structure and Functioning of EPRDF vis-a-vis the Federal System**

The structure of EPRDF had a mixed mode of organization where the independence and the super-ordinance between the constituent parties and the overarching EPRDF existed side by side. The member parties have symmetric exclusive jurisdictions. According to the *Electoral Law Proclamation 537/2007*, the definition of a 'front' of parties informed that the component parties of EPRDF had organizational autonomy. They had the power to articulate their own objectives, to collect own revenue, to recruit members and to leave the front (EPRDF, 2006, Art. 11 and 30). Parallel to that, EPRDF had also its own structures which were accountable only at the front level and the super-ordinance ranging from policy frameworks to requiring strict adherence to ideological and procedural matters considered fundamental to the party. Revolutionary-democracy and democratic-centralism, as the major distinguishing markers of the party, were the uncompromising obligations of the member parties and parties applying to EPRDF membership ((EPRDF, 2006, II (7), Art.7(e)).

According to its *Statute* (2006), EPRDF had 11 organs. They are the Congress, Council, Executive Committee, Chairperson, Deputy Chairperson, Secretariat, Monitoring and Auditing Commission, Parliamentarian Members of EPRDF, Women League, Youth League and Lower bodies. The Congress and the Council were the highest and the second highest repositories of power, in their orders (EPRDF, 2006).

### Centralism

The following Questions are crucial: What is 'centralism'? How did EPRDF apply it? And what effects did it have on the operation of the federal system? 'Centralism' refers to the degree of power concentration in the structures of a given political party. It dictates where and how decisions regarding the basic activities of the party and its internal organization are made. There are variations among parties that parties in the liberal side of the political spectrum are less centralized than those in the left side for the presumption that they embrace diverse views and discretions.

The importance of party-coherence in leftist parties relates to the systemic centralizing principles of 'party-discipline' 'democratic-centralism' and 'criticism'. Democratic centralism, according to Nanda's definition, can subsume the other two. It is the basic principle of organization in Marxist and workers' parties which emphasizes the significance of elected top party officials, the supremacy of majority decision, strong party-discipline, and criticism (Nanda, 2006, p. 147). The appointment of the top leadership through elections and the rule of criticism are considered as the democratic base for the legitimacy of centralization. Ultimately, democratic-centralism is believed to ensure the unity of force by containing the possibility of inner fragmentation with a hierarchical power matrix in which the lower organ of the leftist parties strictly enforce the decisions of the ranks usually in the executive and politburo.

Party centralism and single-party hegemony have close intimacy with the *modus operandi* of a de-facto one-party system, "where no matter what the formal constitution says, gives rise to a form of government in which the greatest power is concentrated in the committee of the party (and its secretary) to the detriment of all the collegial and popular organs provided for in the constitution," wrote Bobbio (1989, p.106). That goes with the notion that constitutionalism needs and results in a mixed government with non-concentrated and contending power among its parts (Sartori, 1976, p. 12).

Studies on EPRDF converge on its leftist ideological penchants. Marxism had the ideological line of TPLF, especially since the establishment of MLLT (Marxist Leninist League Tigray) in 1985 (Gebru Asrat, 2014). Democratic centralism is one of the well-known ideological markers of EPRDF. The 180 membership Council of EPRDF was formed by the Central Committees of the four component parties; and the same Council had the mandate to establish the Central Committee (72), the Chairperson and the Vice-Chairperson of EPRDF. The Chairpersons led both the Central and the Executive Committees (36). The latter was composed of the Executive committees of the member parties. Though structurally the Congress and the Council were powerful, the practical dominance of the Executive Committee in the party was associated with the application of democratic-centralism in order to form a centralized party structure led by the executives. Considering the interpenetration between the constitutional powers and responsibilities of the states and the self-determining agency of ethnic groups, power accumulation in the front in general and specifically in its Executive Committee produced the hegemony of the Federal Government and weakening of the federal self-rule to the level of policy executioners (Aalen, 2002).

Furthermore, the trends of centralization and re-centralization oscillated with the changing political environment (Aalen, 2002). The 2003 split in TPLF and the relevant disagreements among the member parties of EPRDF that necessitated the active intervention of the federal centre in the institutions of the States attested to the vulnerability of EPRDF's structures to crises in the structures of its member parties (Ibid, p. 103-105). Medhane and Young (2005) showed the full picture that the split within TPLF concerning the 1998-2000 Ethio-Eritrea war and its peace process had repercussions not only on the stability of the national organs of EPRDF organs but also on the interactions of parties constituting EPRDF.

Locating EPRDF's centralism in the discipline of federalism, the term 'grand-coalition' in the consociational theory has much to offer. It helps the question of whether the structure of the party, EPRDF, was more powerful than its component parties or not? The consociational 'grand coalition' is the shared power locus of consensus-democracy which prescribes the institutionalization of proportional power-sharing among elites accountably representing autonomous communities and the adoption of veto power (Lijphart, 2007). Considering that, it is possible to make sense of some consociational elements in the structure of EPRDF. Its composition from segmental parties representing ethnic groups having the constitutional right to self-determination is a point of similarity. Equal representation in such organs of EPRDF as the Congress, Council and Executive could be argued as potentially another aspect of the consociational 'grand-coalition'. Lijphart (2007) argues that representation is meaningful only in the context of *parity* in population sizes. So, equal representation advances the purpose of proportional representation when the relevant communities have extreme gaps in their sizes. It is imperative to protect the rights of minority groups, as an effective system of power-sharing.

Hence, equal representation in EPRDF was, in principle, protective of the relative minority ethnic groups identified with its member parties. It could have enhanced consensus-democracy in general and minority-veto in particular, if there had been a binding criterion of unanimity. When unanimous agreements were out of reach, EPRDF resorted to simple majoritarian 50<sup>+1</sup> ((EPRDF, 2006, Art.7(2)). The norm of secrecy also exacerbated the problem of representativeness which might be similar to the syndrome of 'elite-power cartel', or power-hijack, referring to unaccountable power division and negotiations among elites hardly seen as legitimate representatives by the relevant constituencies.

It was stated that, like the Soviet experience of democratic-centralism, the Ethiopian regional governments were dependent on EPRDF to secure their economic and political demands, and in terms of adopting the program of the EPRDF to such extent they have become policy enforcers, let alone protecting of the federal constitutional system. As long as the principle of democratic-centralism was the chief instrument of the party, power concentration was inevitable. Abraha (2008, p. 72) claimed that "[t]he party programs stipulate that a political party can be a member of the EPRDF only if it follows democratic centralism...The party also forbids its members in legislative branches at both levels to lobby or create factions and different legislative groups." Regional governments did not effectively exercise their constitutional autonomy in the area of policy formulation.

Related to federal stability, the centralized functioning of EPRDF circumscribed the purpose of inter-governmental relations to the stability of the federal constitutional arrangement and the federation. It enforced informal and executive-dominated efforts of inter-ethnic and/or state conflict resolution. Conflict management in the monopoly of the executive offices of the government is less accountable and transparent to win durable solutions, much less in the EPRDF controlled federal orders of government. Recognizing that, the former Ministry of Pastoralists' and Federal Affairs was making a policy of intergovernmental relations that would

enable institutional and consistent collaborations among regional governments (FGACO, 2015). In addition, EPRDF's centralism had also its own marks on the stability of the federal system in terms of conflict management. Aalen (2002) made the case that the contradictory relation of EPRDF with the application of the constitutional federal dispensation induced ethnic conflicts and tensions, it though had not encountered the demand to exercise the constitutional right to secession. The conflicts would escalate, out of constitutional frustration, from asserting the federal system to outright centrifugalism, including secession.

### Party-State Fusion

Party-state fusion was the other feature of the EPRDF-dominated Ethiopian party system which had ramifications on the federal constitutional order. It infers the diversion as well as the exclusive capture of the state by EPRDF. It is the ultimate negative consequence of what Bobbio (1989, p. 106) said about party system that it, as the soul of government, "influences the formal constitution to the point of changing its structure." The legislative and judiciary system become the rubber stumps of the executive where the highest power of a party usually lies and this party, using its channels, controls the bureaucracy. In Ethiopia, Asnake Kefala remarked that state-party separation gradually withered away so that the accusation on EPRDF of abusing the resources and power had truth in it. As the inseparability of party and state connotes an unchartered power system, the coupling of EPRDF's structures and their operations with the edifices of the government was accounted for in at the federal and regional levels. Even at the local community level, "the blurred borders between the state and the party are expressed by people's notion of the *Woreda* and *Kebelle* bureaucracy as party organs," Aalen (2002, p. 84). That went to the extent of, HRW (2010, p.24-25) reported, misusing humanitarian relief aids to exact spell frustration among opposition party members and supporters while sustaining its patron-client relations with its local cadres.

The high level of inseparability between the state and EPRDF was an impediment to the democratic procedure of power check-and-balance. That installed unaccountable executive pivoted with the core-power of EPRDF, notable the Executive Committee. The judiciary and the legislatures of the Federal Government were not witnessed fending the federal constitutional division of power and the federal principle of constitutional supremacy from the far-reaching hands of the executive (Turton, 2005, p. 94). That was aggravated by the difficulty in the leverages of the lawmakers and the apparatus of public administration to curb the dominance of the executive from infringing on the federal constitutional system with the procedures of constitutional review. The executives were also close to the top leadership of EPRDF. Asserting the supremacy of the Constitution (Art. 9) could be dependent on the grip of EPRDF on mechanisms and institutions entrusted to interpret and amend the Federal Constitution. In all procedures of constitutional review and amendment, whether it requires the unanimous majority votes of all the States and the separate sessions of the HoPRs and the HoF or not; three institutions: The State Councils, HoF and HoPRs are involved (Art. 10). Therefore, how EPRDF's attachment with the state affected these institutions is the crux of the matter. The possibility of effective and independent constitutional interpretation was limited due to there was no reason to believe that bodies of constitutional adjudication were uniquely unaffected by the fusion of EPRDF and the institutions of the government in the federation, at large (Aalen, 2002).

The state-party fusion was also a set back to the practice of responsive and effective ethnic conflict management. Because of their ethnic segmental bases and the capture of the government institutions by them, EPRDF's parties and the "affiliates" have faced with the challenges of ethnic and political neutrality in dealing conflicts of ethnic nature. Among ethnic conflict episodes

that occurred between 1997 and mid-2015, Bekalu Atnafu (2017) presented 20 episodes along with the relevant ethnic groups, the special spots of the conflicts, the consequences and the leading factors such as communal ethnic assertiveness and mobilizations, boundary disputes, and natural resource competitions and elite power rivalries. The incumbent ethnic parties might be ineffective to facilitate the peaceful mitigation of the conflicts for they were likely assumed partial to their co-ethnic groups. Here, the challenge was how sub-national institutions controlled by segmental ethnic parties could establish the legitimacy of neutrality to prevent, manage and resolve conflicts among ethnic groups. The experience of Gambella, in 2003 and 2008, attested to the rent-seeking behaviours of the top public officials in ossifying the regional government to prevent and stop the devastating ethnic conflicts (Meles Zenawi Leadership Academy, 2017, p. 100).

### Power Balance in EPRDF and in its Relations with the “affiliate” Parties

The nature of intra- EPRDF power dynamics and the relationships of the “affiliate” parties to EPRDF is the other prism to look into the federal experience of Ethiopia. Despite the fact that EPRDF ensured the symmetrical representation of the member parties, the representative legitimacy of the parties had been debated. One of the reasons was, as indicated by many experts in such internationally recognized institutions as IDEA (2007, p. 36), the flagrant dominance of TPLF within the front. Aalen (2002, p. 88) mentioned the view of a member of TPLF Central Committee who had said that the dominance of TPLF in EPRDF was true due to the number and the political merits of its senior cadres in the structures of EPRDF, and the competence of Meles Zenawi, the then Chairman of TPLF as well as EPRDF.

The political crises that erupted between 2015 and 2018 called in the dominance of TPLF, in one way or the other. In this period, the political development of the country might hint at the proposition that the relative power of the other parties to TPLF was dependent on the extent of the public political support they had. Formerly had been perceived as “go-betweens”, OPDO and ANDM became much more visible as they rallied the broad section of the society behind, not limited to their respective regions. That generated the waning of TPLF in EPRDF as well as in the Federal Government. This re-balancing of power configuration was more likely to have effects in the direction of improving the deficit of representativeness, as a broad-based and accountable form of representation (Lijphart, 2006), in the federal operation of ANDM and OPDO.

In addition, the nature of power relations between EPRDF and its “affiliate” parties: the Harrari National League (HNL), Benishangul-Gumuz Peoples Democratic Unity Front (BGPDUF), Afar National Democratic Party (ANDP), Ethiopian Somali People’s Democratic Party (ESPDP) and Gambella People’s Democratic Front (GPDF) had impacts on the legitimacy of the federal operation. It was widely recognized that EPRDF backed the establishment and the building of these ally parties. Their exclusion from the federal power locus might convey the message of the peripheralization of ethnic groups identified with them. In explaining their relative weaknesses and subservient relationship with EPRDF, in terms of safeguarding the federal self-rule of their regional states vis-à-vis the powerful EPRDF, the question of why they did not join in to EPRDF arises, given its close relationship between them. Interviewing a top EPRDF official, Aalen (2003, p.83) found out that EPRDF, for any political party to join in, applied strict ideological criteria drawn from its revolutionary-democracy such as gender equality, a criterion that had been a barrier to the Somali and Afar “affiliate” parties to be admitted into EPRDF because of religious contexts in their regions. Based on that, it was conceivable that the “affiliates” had asked for the full membership and EPRDF measured their applications against a pre-determined set of criteria. That, combined with the sort of Ethiopian political discourse of ethnic equality

and accommodation, could be also interpreted as the subservience of the ethnic and regional constituencies of the “affiliate parties”. It did not go along with the federal constitutional dispersal of powers and shared-rule.

## Conclusion

The hegemonic politics, structure, and functioning mechanisms of EPRDF resulted in anomalies in the legitimacy and stability of the federal constitutional dispensation. Party-centralism, fusion with the state, internal power imbalance, side-lining of the affiliate parties, and non-competitive dominance were negating to the opinion that EPRDF was the champion of the ‘question of nationalities’ and ethnic federalism. They poised challenges to the genuine and stable operation of the federal constitutional order and politics (Aalen, 2002). As the constitutional division of powers has instrumental and intrinsic dimensions to the rights of ethnic groups, the centralized and party-dominated federal operation under EPRDF availed not to manage legitimately the increasingly polarized ethnic relations and political uprisings.

Thus, the all-around assessment of EPRDF reflected a significant mismatch with the federal system, nor did it allow alternative effective political parties in the political landscape of the federal system. Multi-party system could not thrive in nurturing the necessary political pluralism for the effective and stable consolidation of the Ethiopian federalism. Juxtaposing the essence of federal constitutional diversity with the presumption that EPRDF had the advantage of forging congressional inter-ethnic consensual federal governance, the latter becomes a mere technical arrangement to deal with the possible ethnic political fragmentation than embracing the federal value of a multi-chrome exercise of power. In filling that gap, provided the Marxist vanguard party politics of EPRDF and their own weaknesses, the opposition political parties were not able to play their role too. Following the political change ensued public protests and ethnic conflicts observed roughly between 2015 and 2018, EPRDF faced with internal and external pressures towards political opening. The query how the Prosperity Party (PP), the successor of EPRDF since 2019, has changed political space and reformed the politics of hegemony is too premature. It will be a topic for new studies addressing the changes and continuities of the Ethiopian party system.

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(**Note:** Last name does not exist in the Ethiopian nomenclature of persons)

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