

Development Discussion Papers

Transition toward Democracy and Governance in Post Mengistu Ethiopia

John M. Cohen

Development Discussion Paper No. 493
June 1994

© Copyright 1994 John M. Cohen
and President and Fellows of Harvard College

**Harvard Institute for
International Development**

HARVARD UNIVERSITY



Transition toward Democracy and Governance in Post-Mengistu Ethiopia

John M. Cohen*

Abstract

In May 1991 forces led by the Tigrayan People's Liberation Front (TPLF) overthrew the repressive Government of Col. Mengistu Haile Mariam. A July 1991 National Conference attended by most political groups led to the approval of The Transitional Ethiopian Government (TGE). Shortly thereafter the TGE confidently began to take steps toward reconciling political and ethnic conflicts, promoting economic liberalism and development, restoring human rights, and establishing democratic governance.

This paper seeks to provide Ethiopianists and aid agency professionals with timely information on status of the democratic transition and to identify useful research documents related to that process. Towards these objectives it reviews TGE activities relating to the drafting of a constitution based on democratic principles, decentralizing substantial power to regions and districts, establishing a credible electoral system and holding legitimizing elections, reforming the judiciary, promoting human rights, supporting the emergence of an independent media, and facilitating the emergence of democratically oriented civic organizations.

John M. Cohen is an Institute Fellow at HIID. This study is drawn from a field evaluation carried out for USAID on its "Ethiopia Democracy/Governance Support Project" (March-May 1994).

*The author is indebted to his co-evaluators Emmy Simmons and William Hammink, as well as to USAID Democracy and Governance advisors Stevens Tucker and John W. Harbeson, for their ideas and criticism. However, neither they nor USAID have approved or are responsible for the data and analysis presented in this paper.

Introduction

In May 1991 forces led by the Tigrayan People's Liberation Front (TPLF) overthrew the repressive Government of Col. Mengistu Haile Mariam, promising political and ethnic reconciliation, economic liberalism, human rights, and democratic governance.¹ A July 1991 National Conference attended by most political groups led to the approval of a Transitional Government and set forth guidelines for drafting a new constitution, establishing a system of regional decentralization, holding democratic elections, and ensuring basic human rights.

The Transitional Ethiopian Government (TGE) was dominated by the Ethiopian People's Revolutionary Democratic Front (EPRDF), a coalition controlled by the TPLF. Its leader, Meles Zenawi, was named President and charged with leading the country through a transition period legally established in the Conference charter as taking no longer than 2.5 years, with regional elections scheduled for June 1992 and national elections for 1994. Shortly thereafter, despite the persistence of fundamental problems related to the politics of ethnicity and strategies of economic development, the TGE confidently began to take steps aimed at effectively reaching its transition objectives.²

It was during this period of optimism that the TGE, with the assistance of various aid agencies, began intensive efforts to draft a constitution, hold regional elections, reform the judiciary, promote human rights, support the emergence of an independent media, decentralize power to regions and districts, and encourage the emergence of democratically oriented civic organizations.

Optimism for a smooth transition toward these objectives rapidly declined as problems emerged, many of which are well documented in standard journalistic sources.³ Foremost among these problems were the steady withdrawal of opposition parties from the TGE and the lack of administrative capacity to implement transition policies and programs. As a result, the TGE's formal mandate for the transition period ended in January 1994. Most observers believe it is unlikely a constitution will be adopted and elections for a national legislature held before mid-1995. Such problems notwithstanding, the TGE appears dedicated to moving forward with its initial program. For example, on March 2, 1994, President Meles Zenawi reaffirmed commitment to constitutional rule and democratic elections in a speech broadcast over the Voice of Ethiopia Network:

"The main objective of the transitional period is to draft and approve the country's constitution with the full participation of the people and, based on this, to hand over power to a constitutionally elected government. The government is committed to this objective...I want to confirm that the transitional government will take all necessary steps to ensure that the transitional period is democratic and successful and

1.. The social aspects of the fall of Haile Selassie's Government, the unfolding revolution, and the Marxist disaster the country suffered are best described in: Christopher Clapham, *Transformation and Continuity in Revolutionary Ethiopia* (New York: Cambridge University Press, 1988); John W. Harbeson, *The Ethiopian Transformation: The Quest for the Post-Imperial State* (Boulder: Westview Press, 1988); Edmond J. Keller, *Revolutionary Ethiopia: From Empire to People's Republic* (Bloomington: Indiana University Press, 1988).
 2.. Useful overviews of the end of the Mengistu regime and the launching of the TGE are found in: Paul B. Henze, *Ethiopia in 1990 -- the Revolution Unraveling* (Santa Monica: RAND Report P-7707, March 1991); "Ethiopia: From Rebels to Rulers," *Africa Confidential*, XXXII, 11 (1991), pp. 1-3; Paul B. Henze, *Ethiopia in 1991 -- Peace Through Struggle* (Santa Monica: RAND Report P-7743, 1991); "Ethiopia: Majorities and Minorities," *Africa Confidential*, XXXII, 14 (1991), p. 1-2; Paul B. Henze,

The Defeat of the Derg and the Establishment of New Governments in Ethiopia and Eritrea (Santa Monica: RAND Report P-7766, 1992).

3.. For example: "Ethiopia: Power-Struggles and the Ethnic Weapon," *Africa Confidential*, XXXIII, 9 (1992), pp. 6-7; Colin Legum, "Series on Ethiopia" comprised of "Ethiopia: A Unique Experiment in Democracy," "The Critical Oromo Factor," and "The Amhara Factor," *Third World Reports* (August 1992); "Ethiopia: Poacher Turns Gamekeeper," *Africa Confidential*, XXXIII, 14 (1992), pp. 6-7; "Peasants on Top," *The Economist* (March 13, 1993), pp. 52-3; "Ethiopia: Meles Dictates the Agenda," *Africa Confidential*, XXXV, 2 (1994), pp. 3-4.

that it will create a conducive atmosphere for parties to participate in the constitutional congress.”

The purpose of this paper is to review the TGE's progress toward its objectives and offer tentative observations as to whether the transition is likely to be successful.

In this regard it should be noted that several Western aid agencies are involved in assisting the TGE's transition efforts. A complex coordination framework has been formulated by 22 ambassadors and representatives of multi-lateral agencies providing technical and financial assistance to this process. Relative to the activities covered in this paper, the lead agencies are: (1) Constitution Commission (USAID); (2) Regional Administration (UNDP); (3) Election Commission (UNDP); (4) Special Prosecutor's Office (SIDA and CIDA); and (5) Judiciary (SIDA). Under such leadership different combinations of aid agencies are providing assistance in these and related areas. They will be referred to when appropriate.

Initial Assumptions

In mid-1991 experienced Western observers and aid agency professionals held a number of important assumptions about the commitment of the TGE to democracy and governance.⁴ The most important of those related to the focus of this paper are:

1. The TGE will maintain commitment and undertake significant concrete steps to

4.. The following assumptions are drawn from such documents as: Transitional Government of Ethiopia, *Ethiopia's Economic Policy During the Transitional Period* (Addis Ababa: Government Printer, November 1991); USAID, "Ethiopia Democracy/Governance Support Project (663-0007) (Project Paper Prepared by Ethiopia Mission, May 15, 1992); USAID/Ethiopia, *Concept Paper: Back to the Future* (Addis Ababa: Ethiopia Mission, June 10, 1993); World Bank, *Ethiopia's Economy in the 1980s and Framework for Accelerated Growth* (Washington, D.C.: Country Operations Division, Eastern Africa Department, Africa Region, Report No. 8062-ET, March 14, 1990); United Nations Development Programme, "Programme Document: Support to Economic and Financial Management" (Paper Prepared by the UNDP Mission, Addis Ababa, n.d.).

achieve a democratic political system based on good governance and respect for basic human rights.

2. Ethiopians at all levels of society, particularly in leadership, will embrace principles and support norms of accountability and constitutional limits.
3. Central to an effective transition is the need to liberalize Ethiopia's historical pattern of authoritarian rule and introduce a more tolerant and participatory political system through establishing a rule of law and civil society that is supported by: (a) elections; (b) constitutional revisions; (c) judicial reform; (d) human rights; (e) independent media and professional journalists; (f) devolved and participatory regional and local governance; and (g) representative citizens organizations and NGOs.
4. The transition toward these goals is ambitious, risky, difficult to carry out on a sustainable basis, and likely to be ambiguous and contradictory at various stages.
5. A neutral body of experts will rapidly draft a Constitution confirming fundamental economic, human, political, media, and assembly rights and submit it for consideration to a representative group of Ethiopian citizens for revision and ratification.
6. The Constitution will have a substantial effect on the structure and functions of the regional government system, most likely along federal lines.
7. TGE will hold a series of elections for an interim Council of Representatives, a Constituent Assembly to review and finalize the Constitution, and the body (s) or offices given power and authority under the approved Constitution.
8. TGE will establish electoral rules that allow parties to be formed and openly contest all elections.
9. TGE will request and cooperate with international observers who will monitor election processes. It will also support training and orientation programs for domestic observers drawn from civil society.

10. TGE and the Ministry of Justice will promote human rights and move toward the establishment of a national human rights commission.
11. TGE will be able to find suitable candidates for the large number of judges removed from office after the end of the PMAC-PDRE regime.⁵
12. The national and regional media will play an important role in informing citizens and stimulating their debate about constitutional issues.
13. TGE will tolerate NGOs organizing symposiums and workshops focused on building consensus on human rights by initiating processes linking Ethiopian individuals and organizations with each other and international human rights groups, assisting in the definition of human rights, improving an impartial broad-based human rights commission, and building a credible judiciary.
14. TGE will convert the state media monopoly to a genuine public corporation and allow the establishment of independent media channels/initiatives.
15. Substantial opportunities will exist for the formation of interest groups promoting political and economic objectives consistent with democratic principles and good governance.
16. Emerging interest groups will play a substantial role in socializing citizens into an awareness of the rights and duties that accompany democracy and good governance.
17. TGE will welcome support from bilateral and multilateral aid agencies for Ethiopia's emergency economic recovery needs and political reforms.
18. Transition to democracy can only be accomplished by Ethiopians and aid agencies can only have a minor catalytic effect on the process through the provision of support where needed and appropriate.

5.. The post-Haile Selassie government had several names, most notable, the Provisional Military Administrative council (PMAC), established on September 12, 1974; and the People's Democratic Republic of Ethiopia (PDRE), which replaced the PMAC in September 1987.

Important Events and Patterns that Have Altered Original Assumptions about the Transition

Some of the above assumptions have held up over the past two years. However, by May 1994 a number of initial assumptions on the task environment and the possibility of progress to democracy and good governance have been changed by the course of events.⁶ These events will be described and analyzed in some detail in the next section. Briefly, they are:

1. The transition period has been extended beyond the January 1994 deadline set by the 1991 Transitional National Charter.
2. The Council of Representatives has not been as assertive as expected and the degree to which it is representative has declined for several reasons, the most important of which are the effects of the flawed June 1992 elections, the withdrawal of several major opposition parties, and delays in the drafting and approval of a constitution setting the framework for, among other matters, the election of a national legislature.
3. The political tolerance and democratic competition called for by the National Charter has been less than expected by opposition groups and the aid agencies.

6.. The analysis of changed assumptions is based on the author's discussions in Addis Ababa as well as the following selected reports: John W. Harbeson, "Ethiopia's Democratic Transition: A Preliminary Assessment" (Paper Prepared for USAID/REDSO/ESA, Nairobi, February 26, 1994); Louis A. Picard, "Regionalization in Ethiopia: Preparation of a Strategic Action Plan" (Paper Prepared for the United Nations Development Programme, Management Development Programme, New York, May 3, 1993); International Human Rights Law Group, "Ethiopia in Transition: A Report on the Judiciary and the Legal Profession" (Report Prepared by the IHRLG, Washington, D.C., January 1994); Leslie M. Fox, et al, "An Assessment of USAID's Capacity for Rapid Response in Support of African Civil Society" (Paper Prepared by Associates in Rural Development for USAID, Democracy and Governance Program, Washington, D.C., January 7, 1994).

4. The validity of the first election, held for regional and local officials on June 21, 1992, was compromised, largely because: (a) TGE preparation for the elections inadequate and untimely; (b) administrative and logistical shortcomings seriously impaired the electoral process; (c) TGE resolution of emerging problems was poorly handled; (d) competitive participation did not occur; (e) strong ethnic based parties, particularly the OLF, withdrew from the election process; and (f) most of the population did not understand the purpose and rules of multi-party elections.
5. The designation of a Constitutional Commission was delayed, setting back the drafting timetable and raising substantial questions as to whether the Constituent Assembly, charged with deliberating on the Constitutional Commission's draft, could carry out its task before the end of 1994.
6. Initial progress toward prosecution of officials of the previous Government, particularly through the Special Prosecutor's Office (SPO), has slowed down, largely because of the number of cases and complexity of marshalling prosecution evidence, and, paradoxically, because the pressure from the TGE for more rapid prosecution has made it difficult to fully comply with international human rights standards.
7. TGE decision making processes, never particularly transparent or open, appears to some observers to be becoming more opaque, especially in regard to planning documents related to land tenure, agricultural productivity, and regionalization.
8. Conflicting statements about the structure, functions, and legal responsibilities of the forthcoming regional government system have emerged from the Regional Affairs Sector of the Prime Minister's Office and the Proclamations issued in the *Negarit Gazeta*, making it difficult for aid agencies to effectively support training needs of recently elected councilors, newly appointed judges, and central ministry personnel transferred to regional, zonal, or wereda levels.
9. Serious misunderstandings exist between TGE insiders, central government ministries, political parties, and Ethiopian citizens over the legal, administrative, technical, fiscal, and budgetary powers to be granted to all subnational government levels.
10. Withdrawal of major opposition parties from participation in democratic processes, whether due to events surrounding the flawed June 1992 election, TGE policies, or internal political ideology and ambitions, has seriously hampered the Government's efforts to move toward multi-party politics.
11. Emerging TGE controls on the organization, movement, and campaign activities of opposition parties, as well as not so veiled threats of succession and armed struggle from spokesmen of opposition parties, has complicated efforts to establish an effective, competitive multi-party system, compromising efforts to establish agreed rules, procedures for arbitration of disputes, and normative agreement that competitors will accept the results of democratic engagement.
12. TGE officials have not proven flexible, creative, or particularly conciliatory in their dealings with issues raised or actions taken by opposition groups, although it must be recognized that conflict management has largely been carried out through non-violent means.
13. Efforts by international mediators, particularly the Carter Center at Emory University, to bring opposition parties back into the democratic process and future elections has not been successful.
14. Despite party, media, and transparency problems identified below, there are indicators that a civil society is emerging. While not based on surveys and interviews, it appears to some that:
 - a. the number of Ethiopian citizens knowledgeable about democratic processes appears to have increased more rapidly than originally anticipated given problems of literacy, language group, and limited communications infrastructure;

- b. through the efforts of the Constitutional Commission, there has been a limited increase in the flow of information among rural and urban populations about issues related to democracy and governance; and
 - c. there has been an increase in the number of organizations and groups seeking to educate and involve Ethiopian citizens in democratization and governance issues and processes; however, they are still largely Addis Ababa based.
15. Also in the absence of any empirical evidence based on surveys and interviews, some observers argue that there has been a decline in the trust Ethiopian citizens, particularly those living in Addis Ababa, have in the commitment of the TGE leadership to a democratic process leading to the Government promised by the Transitional National Charter.
 16. Progress by civil society organizations and NGOs in expanding public knowledge of the rights and duties of citizens in a democratic country, through seminars, training institutions, community meeting, and other means, has been slower than expected, particularly in remoter areas of the country; indeed, the expected flourishing of civic associations and democratic or human rights oriented NGOs has not materialized.
 17. Aside from TGE action on the media, where most observers find the Government's performance unsatisfactory, there is disagreement among observers over the extent to which the TGE has shown respect for economic, human, political, and freedom of expression rights. Sufficient evidence exists in support of those with negative views that a changed assumption about TGE behavior appears to exist.

Analysis and Documentation

The purpose of this section of the paper is to provide documentation and analytical support for the above observations on changed conditions relative to initial Western expectations for the transition. Particular efforts will be

made to cite documents and reports that might facilitate further research on these and related topics. This is important because not all Ethiopianists agree on past patterns and future trends.⁷ More specifically, it is important because the study of Ethiopian politics and governance has historically been plagued by fallacies.⁸ The only way to address this problem is to try and make timely information available and cite materials in support of that information where ever possible.

1. Constitutional Development

The legal basis of the TGE was established by Charter July 22, 1991.⁹ The Charter, among other provisions, establishes the structure of the national government, adopts the UN Charter on Human Rights, commits the Transitional Government to democratic principles, confirms the rights of nationalities to self determination, declares a policy of neutrality in foreign relations, and establishes a structure for elaborating center-regional relationships.

Specifically, the TGE consists of an 87 member Council of Representatives (COR) and a Council of Ministers (COM) (Article 7). The TGE is to exercise all legal and political responsibility for the Government of Ethiopia until it hands over power to a government popularly elected on the basis of a new constitution (Article 8). As such the COR will oversee the selection of a Chairperson, who will be Head of State. This Head of State appoints a Prime Minister, who, subject to the approval of the COR,

7.. For a lengthy review of differences among Ethiopianists on the politics of the revolution and its relationship to ethnicity and society during the 1974-90 period, see: Paul B. Henze, "Marxist Disaster and Cultural Survival in Ethiopia," *Problems of Communism*, (Nov.-Dec. 1990), pp. 66-80.

8.. This point is well made in: Paul B. Henze, "The Ethiopian Revolution: Mythology and History," *Northeast African Studies*, XII, 2-3 (1990), pp. 1-15; and his "History and the Horn," *Problems of Communism*, (Jan.-Feb. 1983), pp. 66-75; A good review of the types of ethnic and local governance fallacies likely to hamper analysis of the democratic transition is found in: Clapham, *Transformation and Continuity in Revolutionary Ethiopia*, pp. 195-219.

9.. "Transitional Period Charter of Ethiopia," Charter No. 1 of 1991, *Negarit Gazeta*, 50th Year, No. 1, July 22, 1991.

appoints the members of the COM on the basis of broad national representation, technical competence, and unswerving adherence to the Charter (Article 9 [b-c]). Among other provisions, the Charter calls for the formation of a Constitutional Commission (CC) (Article 9 [g]), promotion of judicial reform and independence (Article 9 [f]), and establishment of a set of decentralized regional and wereda councils (Article 13).

It should be noted that the Transitional Government Charter provides a time period of 2.5 years, with an extension of 6 months, to adopt a constitution and establish a Government elected and based on its provisions (Article 12). This period expired on January 22, 1994. There is no provision in the Charter that allows it to be amended so as to take care of this delay.

The powers of the President, the COR, the Prime Minister, the COM, central government ministries, agencies, and commissions, and regional, zonal, and wereda councils, were established by subsequent Proclamations issued between August 1991 and November 1993.¹⁰

The CC was established by Proclamation in August 1992.¹¹ The Transitional Period Charter, and its supporting Proclamations, provide the basis on which the CC began its deliberations.

10.. "A Proclamation to Define the Powers and Functions of the President of the Transitional Government of Ethiopia," Proclamation No. 1 of 1991, *Negarit Gazeta*, 50th Year, No. 2, August 12, 1991; "A Proclamation to Define the Powers and Duties of the Prime Minister and the Council of Ministers," Proclamation No. 2 of 1991, *Negarit Gazeta*, 50th Year, No. 3, August 12, 1991; "A Proclamation to Define the Rights and Duties of Members of the Council of Representatives," Proclamation No. 4 of 1991, *Negarit Gazeta*, 50th Year, No. 6, September 5, 1991; "A Proclamation to Provide for the Establishment of National/Regional Self-Governments," Proclamation No. 7 of 1992, *Negarit Gazeta*, 51st Year, No. 2, January 14, 1992; "A Proclamation to Define the Powers and Duties of the Central and Regional Executive Organs of the Transitional Government of Ethiopia," Proclamation No. 41 of 1993, *Negarit Gazeta*, 52nd Year, No. 26, January 20, 1993.

11.. "A Proclamation to Provide for the Establishment of the Constitutional Commission," Proclamation No. 24 of 1992, *Negarit Gazeta*, 51st Year, No. 20, August 18, 1992.

In this regard, the CC is specifically charged with:

"(drafting)...in conformity with the spirit of the Charter, a constitution in accordance with which the new democratic Ethiopia shall be established and administered; upon approval by the Council of Representatives to present the Draft Constitution for public discussion, to prepare the final Draft so gathered and, upon approval by the Council of Representatives (and) in accordance with the public opinion of representatives, to submit same to the Constituent Assembly."¹²

Among the supporting powers and duties of the CC are: (1) to promote public discussions about constitutional issues through the media, educational institutions, seminars or symposiums, or other appropriate bodies; (2) to organize the necessary forums and facilities to present the draft constitution for public discussion; (3) to communicate comments received on the draft from various sources to the COR; (4) to receive the comments on the approved draft from regional and wereda councils; and (5) to publicize and distribute to the public the draft constitution after its approval by the COR (Article 5). The CC is to be comprised of 29 members of equal vote, including 7 members of the COR, 7 members of political organizations, 3 members from trade unions, 3 members from the Chamber of Commerce, 2 members from the Ethiopian Lawyers Association, 2 members from the Ethiopian Teachers' Association, 2 members from the Ethiopian Health Professionals' Association; and 3 women representatives (Article 7). The Chairman of the CC's Executive Committee (Article 10) is Ato Kifle Wadajo.

The CC began its work in March 1993. Between then and the release of the draft in May 1994, it met frequently, though one review states that attendance was poor for reasons not wholly understood.¹³ Its Constitutional Concept Paper was endorsed by the COR at its 84th Regular Session. In support of its legal deliberations the CC has drawn upon the discussions at a Constitutional Symposium, which took place

12.. There is a major drafting error affecting the English translation of Article 4. This quote is based on an attempt to make sense of what is most likely a dropped line.

13.. Harbeson, "Ethiopia's Democratic Transition, p. 10.

in May 1993, kebele-level discussions of an issues paper on key constitutional issues and questions drafted by the CC,¹⁴ and a number of special discussions, such as: (1) November 27, 1993 seminar for regional committees conducting constitution related discussions; (2) December 1, 1993 seminar for journalists; (3) December 23, 1993 seminar for political and civic organizations, professional associations, and scholars; (4) January 20, 1994 seminar with members of religious organizations and professional associations; and (5) a workshop on Islam and constitutional development.

The Constitutional Symposium merits some discussion. On May 17-21, 1993, an NGO funded through USAID, the Inter-Africa Group, organized a well regarded and influential constitutional symposium in Addis Ababa titled: "The Symposium on the Making of the New Ethiopian Constitution." It is important to note that other donors contributed to the IAG organized symposium, most notably SIDA, CIDA, ODI, GTZ, The Netherlands, the Ford Foundation, and Oxfam. Most of the expenditures were on travel and per diem for participants. Aside from plenary presentations, there were hundreds of panel meetings, numerous informal consultations, and high media coverage of the events and discussions.

A number of international experts attended the Symposium under aid agency funding. They were joined by Ethiopian legal experts. The Chairman of the CC publically noted those attending the Symposium, as well as CC members through private discussions, benefitted greatly from discussion stimulated by some of the participants. This influence is reflected in the March 1994 CC newsletter, which stated:

"Much has been gained from sharing the knowledge and expertise of internationally acclaimed experts. The meetings and seminars have often raised controversial issues and dis-

cussions have been lively and thought provoking."¹⁵

Aid agencies have provided experts for both the Symposium and general discussions with members of the CC.¹⁶ It was not until May 1993 that the IAG published papers by foreign and Ethiopian specialists on topics related to the constitution.¹⁷ The extent to which these papers were available to CC draftsmen or influenced their thinking has not been evaluated.

Until the recent completion of the draft, there was little public information on its thrust and content. Up till then the CC had provided only a few glimpses of the draft, most notably through a newsletter, which was widely distributed.¹⁸ It covered the following topics: (1) names of CC members and their organizations;

15.. Transitional Government of Ethiopia, *Constitutional Commission Newsletter*, No. 1 (March 1994), p. 1.

16.. Most notably, USAID funded: (1) Dean James Paul: faculty of Rutgers University Law school, former Ford Foundation funded Dean of Haile Selassie Law School, co-author with Dr. Christopher Clapham on a case book for training law students on the 1952 constitution, and long term scholar focused on constitutional development in Africa; (2) Mr. Paul Henze: former State Department official with long service at the US Embassy, widely connected to Ethiopians from all sectors, and RAND corporation consultant who has made major contributions to understanding the political and economic patterns marking the PMAC-PDRE regime and the transition process; and (3) Professor Samuel P. Huntington: Distinguished Government Department Professor, Harvard University, Director of the John M. Olin Institute for Strategic Studies at the Center of International Affairs, and specialist in comparative political systems and the relationship between politics and economic development.

17.. The report's 24 authored papers are divided into the following topics: international context, Ethiopian context, constitutional choices, federalism and ethnic diversity, and constitutional order. Eighteen of the 24 papers are by foreigners, of which only 5 are known Ethiopian experts. The Inter-Africa Group, *Constitutionalism: Reflections and Recommendations - The Symposium on the Making of the New Ethiopian Constitution 17-21 May 1993* (Addis Ababa: Center for Dialogue on Humanitarian Peace and Development Issues in the Horn of Africa, May 1994).

18.. Transitional Government of Ethiopia, *Constitutional Commission Newsletter*.

14.. The list of 73 questions is printed: TGE, *Constitutional Commission Newsletter*, No. 1 (March 1994), pp. 7-9. One observer concludes the questions were poorly phrased: Harbeson, "Ethiopia's Democratic Transition, p. 10.

(2) actions taken as of March 1994; (3) description of basic constitutional concepts; and (4) presentation of the major issues to be discussed by the forthcoming CA. It is assumed that the list of major issues comes from the check list of issues discussed in the Kebele meetings but until now not available in English.

Observers should soon know more. The CC completed the draft Constitution on May 13th and submitted it to the COR through President Meles Zenawi. The press release stated nothing about the content but did reveal that the draft contains 11 chapters and 106 articles, with particularly lengthy sections on human rights, as there is little case law on this in Ethiopia and the country cannot wait for it to emerge. Observers note that the India model guides the Federal structure proposed, although the constitution will follow the American approach toward length rather than that of India, which is 80+ volumes long.

Preliminary press releases, reinforced by the comments of observers following the process, suggest that on the basis of considerable compromise the following important decisions were taken by the CC and recommended in the draft: (1) the name of the country should be The Federal Democratic Republic of Ethiopia; (2) the Constitution should be the supreme law of the land taking precedence even over customary law; (3) rights to free speech thought and expression should be guaranteed; (4) an independent judiciary should be established; (5) extensive provisions should be adopted related to human, political, and democratic rights, since there is little time for such law to develop; (6) the form of government should be a federation, with states having the right of self-determination of culture and language but not as to secession (though some conflicting reports say it will recommend allowing secession under specified conditions, others suggest it is silent on the right to secession); (7) territorial boundary should encompass what are currently being called "states," probably numbering 9, excluding Addis Ababa, which should be the country's capital city and administered by the Federal Government; (8) the boundaries of states should follow the ethnic boundary demarcations now in force, and ethnic groups within these states should have the right to form their own state; (9) states should have equal powers and rights; (10) the official Federal language

will be Amharic while the members of the federation should be allowed to decide their own official language; (11) there should be a prime minister and a nominal head of state; (12) the legislative function should be performed by two chambers in parliament, namely an upper house, or "Council of Federation," apparently appointed by ethnic groups or the councils of the states, rather than elected, and a lower house, or "Council of People's Representatives," comprised of representatives elected by secret ballot every 4 to 5 years; and (13) the prime minister, as well as the council of ministers he appoints, should be selected by the dominant party in the lower house of elected representatives; (14) the prime minister and his council should be accountable to the lower house; (15) the states should be given adequate tax powers to generate the revenue required to carry out its legal activities, but the national government should set policies and regulations, and, possibly, regulate budgets; and (16) states should be able to prepare their own constitutions and be responsible for a separate police force.

The approved draft is to be submitted to an elected Consultative Assembly (CA) rather than to the general public as a referendum. One knowledgeable observer suggests that the major constitutional debates in the CA are likely to be over: (1) balance of power between center and the regions; (2) right to secede; (3) judicial interpretation and review; (4) scope of economic, social, and individual rights to be incorporated into document; (5) referendum and recall; (6) human rights and their amendment; (7) role of government in the economy; and (8) national and regional language.¹⁹

The CA is to be comprised of one delegate elected from each of the country's weredas, which do not appear to overlap entirely with constituencies. There is some uncertainty over the number of candidates to be elected. The National Election Board of Ethiopia (NEBE) puts the figure at 548. Part of the problem lies in the fact that there are 22 special constituencies for designated national minorities, which are intended to ensure that these small groups have some representation.

19.. Harbeson, "Ethiopia's Democratic Transition," pp. 11-12.

By mid-May candidates were registered in 527 of the 548 constituencies. Some 60 percent of the 1,476 candidates standing for the election stated they were independent and not allied to any of the 39 political parties contesting the poll. See Annex I for NEBE data on constituencies, voters, and candidates. The elections took place as scheduled on June 5, 1994. Information on election results is due in early July

2. Regionalization

A central issue the constitution and subsequent political debate and policy making exercises will have to deal with is the structure of subnational government. From the beginning the EPRDF has been committed to devolution of substantial powers to regions, zones, and weredas located within boundaries based on ethnic identity. However, for several reasons the TGE has had difficulties getting regional and local governments up and running without undue delay.

Some delays have been due to the effects of civil war or the remoteness of regions. Other delays are due to the fact that in many regions, particularly in the west and south, historical local government structures continued to function – although little research is available to outsiders seeking to determine the extent to which Haile Selassie’s provincial and municipal government systems continue or have been altered by 17 years of military rule.²⁰ Finally, and

most importantly, delays have been occasioned by disagreements within and between the major parties and senior line ministry civil servants over the constitutional and legal type of decentralization that should be approved, as well as over the division of tax revenue and budgetary allocation resources between the center and the new regions, zones, and weredas. Significantly, the TGE appears to have failed to anticipate the complex policy, regulatory, service provision, and revenue/budgetary allocations issues that have to be resolved.²¹

Initial regionalization reforms emerged in early 1992 when the TGE issued Proclamation No. 7 aimed at “providing for the establishment of national and regional self-governments.”²² It was designed to implement provisions in the Transitional Charter aimed at carrying out the EPRDF’s historic objective of establishing a “federal” system of autonomous regions (sometimes called “states” by those discussing the Charter) based on ethnic identities. Toward this end, the Proclamation divided the country into 12 regions, the boundaries of which were drawn along ethnic lines. It also established 2 regions that were too diverse to be subdivided by ethnic identity: the municipalities of Addis Ababa and Harar. These were given numbers and names. In 1993, five of these regions (7, 8, 9, 10 and 11) were collapsed into one region: Southern Region. Hence, as of May 1994, there are 10 regions: Tigray, Afar, Amhara, Oromiya, Gam-

20.. The major studies of Haile Selassie’s system are: W.H.E. Howard, *Public Administration in Ethiopia: A Study in Retrospect and Prospect* (Groningen: J.B. Wolters Press, 1956); John M. Cohen and Peter H. Koehn, *Ethiopian Provincial and Municipal Government: Imperial Patterns and Post Revolutionary Changes* (East Lansing: African Studies Center, Michigan State University Press, 1980). It is important to begin by noting that a provincial and municipal government system was in place at the time the TGE was established. However, more than a decade of PMAC-PDRG rule had raised questions as to the status of the provincial and municipal governance system established by Haile Selassie and, as noted below, largely sustained by Mengistu’s government. Lack of access and research opportunities, compounded by the effects of guerrilla war, famine relief, villagization, resettlement, and a decade of ideological party politics, gave aid agencies little confidence that Haile Selassie’s deconcentrated system of pro-

vincial administration, typified by the Italian unintegrated prefectural system marked by divided administrative and technical control, still prevailed. This was particularly the case because of the changes in the number of provincial units, the use of military officers as unit administrators, and the introduction of hierarchies of urban and rural associations or kebeles.

21.. Preliminary but inconclusive analysis of central-regional revenue, budgetary, and expenditure reporting relationships is provided in a 1993 USAID funded study: Satish Chandra Mishra, “Public Expenditure Implications of Regional Economic Devolution” (Report Prepared as Part of the Public Expenditure review, USAID/REDSO, Addis Ababa, June 1993).

22.. “Proclamation to Provide for the Establishment of National/Regional Self-Government,” Proclamation No. 7 of 1992, *Negarit Gazeta*, 51st Year, No. 2 (January 14, 1992).

bella, Benshangui, Somali, Southern Ethiopia, Addis Ababa, and Harar. A rough map of these regions is provided in Annex II.

Regions are divided into weredas, which were administrative subdistricts under Haile Selassie's provincial government system, and, subject to minor changes made because of ethnic patterns, appear to still have roughly the same boundaries as they did under his regime. Between the regions and weredas are zones, which also roughly approximate the boundaries of awrajas during the imperial era. To date not all regions have been fully subdivided by zones. Official Government and aid agency reports on the current numbers of such subnational units are conflicting, but it appears there are 56 zones and 676 weredas. By way of comparison, in 1973 there were 14 provinces (teklay ghizat), 99 awrajas (cf. zones), 444 weredas, and 1339 mikel wereda (some of which must have been converted or combined into weredas).²³

But, as noted in the section on "Constitutional Development," NEBE states there are 548 constituencies, including the 22 special constituencies for designated national minorities, which are intended to ensure that these small groups have some representation. Apparently, some constituency and wereda boundaries are not coterminous or, rather some constituencies contain more than one wereda.

Drawing the boundaries of these government units, particularly weredas, has not been without difficulty, and some remain contested. Disputes are not numerous and appear to be relative localized. The most prominent disputes relate to the boundary between Regions 4 and 5, one area on the border between Amhara and Tigre Regions, and one area along the Amhara-Benishangul boundary.

Boundary disputes were anticipated by the Proclamation, which provided that the TGE would up-date the pre-1974 wereda boundaries when the "details of geographical borders of each nation, nationality and people are specifically laid down." Observers in Ethiopia report hearing about numerous disputes over current boundaries. This, as noted in the above section on "Election Support," has serious implications

for efforts to register voters and candidates or carry out planned elections.

Indeed, it has serious, little analyzed long-term implications the success of democratization. The author of the only published study of post 1992 ethnic conflict, Jon Abbink, notes, on the basis of his study of the Dizi and Suri in Southern Ethiopia, that:

"The number of ethno-regional conflicts in the world has grown in intensity during the last few decades as a result of political and economic crises, and one of the unsolved paradoxes of this world-wide trend is that there seems to be a basic contradiction between the two core concepts of "democratisation" and "ethnic self-determination."

"..Ethiopia is the first country in the African continent where, in the post-colonial era, a part of the state has been allowed to break away (Eritrea, following the independence referendum held in April 1993), and where the political fabric is being radically rearranged in an authorized fashion 'from above'...a controversial nation-wide experiment in government and administration is in progress, with power being diverted to ethno-regional units that have rather strict boundaries. Such rearrangements are obviously not being achieved without great difficulties: fights over regional or ethnic 'identity,' over rights of residence, and over educational and language policy have been very frequent during the past few years."²⁴

Based on this observation, Abbink analyzes conflict in the Maji area, finding that insecurity over boundaries and local authority, coupled with weak central political administration, has led to violent confrontations that are increasingly difficult to stop. He concludes that without strong assertion of central power it will be difficult to reduce inter-ethnic violence, prevent the dominant ethnic group from suppressing minorities in their areas, build representative government, guarantee an independent judiciary, and foster pan-ethnic sharing in economic growth. To be sure Maji is at the fringe of the old empire, but Abbink has enough experience to conclude, for Ethiopia as a whole, that:

23.. Imperial Ethiopian Government, *Statistical Abstract 1964* (Addis Ababa: Central Statistical Office, 1965), pp. 183-206.

24.. Jon Abbink, "Ethnic Conflict in the 'Tribal Zone:' The Dizi and Suri in Southern Ethiopia," *Journal of Modern African Studies*, XXXI, 4 (1993), p. 675.

“...in the interstices of state transformation, where traditional power relations fall apart and new structures of a representative democracy are not yet established, traditional enmities and conflicts of interest are being completely politicised and played out on an ethnic basis. The policy-makers have not yet come to grips with these realities, either intellectually or administratively, not least because they know not how to handle the rising tide of movements for both ‘democracy’ and ‘ethnic self-determination.’”²⁵ In this regard, a number of specialists in ethnic conflict have concluded that federal solutions can promote secession or partition and exacerbate intolerance toward minority groups left behind. This literature further argues that devolution to units larger than a district threatens minorities left in districts, which is clearly a problem for the TGE, whose ethnic based system currently does not extend below the wereda.²⁶

Finally, it should be noted that Ethiopia has a long, complex history of regional administration with shifting boundaries and changing patterns for administering them. This history compounds the problem of defining boundaries and developing center-periphery relationships.²⁷

Chapter 4 of Proclamation No. 7 details the structure and functions of regional councils and governments. Briefly, these have the following characteristics: (1) the head of the elected Council will be called either Chairman or President; (2) the Council will be served by an Executive Committee headed by a Secretary charged with overseeing such administrative functions as audits, inspections, personnel, documentation, archives, and public relations; (3) there will be several offices, most notably: judicial, public prosecution, police and security; (4) there will

be three support bureaus: public servants administration, planning and economic development, and finance; (5) there will be 4 commissions to monitor the remaining 17 bureaus, which mirror the central line ministries: administration, productivity and construction, economic services, and social services; and (6) personnel in field offices of line ministries are supposed to have been transferred to the bureaus in early 1993.

According to Chapter 4 of Proclamation No. 7, wereda administration will be subordinate to the national and regional government. Its jurisdiction over the rural and urban kebeles is to be determined by national or regional government. Briefly wereda government consists of a directly elected council having “powers necessary to prepare, determine and implement within its own areas plans concerning social services and economic development; as well as to implement laws, policies and directives” of the national and regional governments. Basic administrative action is to be handled by an executive committee comprised of 9 to 15 council members and headed by a chairman responsible for overseeing the following basic units: judicial, public prosecution, audit and control, security and police force, and services and development of offices.

The TGE appears to be waiting for the Constitutional process to resolve issues and ambiguities over the relationship between the national and subnational governments. However, this delay has risks. For example, a recently published report by the National Democratic Institute concluded:

“Rather than mollify the yearnings of various nationality groups for their assumed rights to self-determination, the TGE’s attempt to empower various nationalities through Proclamation 7 may have broadened and deepened ethnic discord...friction...also emerged from the contrary expectations of OLF and EPRDF leaders concerning the authority of national/regional governments. Elements of the OLF had long hoped to establish the independent state of Oromiya and sought an arrangement from the EPRDF similar to the plan for Eritrea. The EPRDF, however, intended regional autonomy only within the context of a

25.. *Ibid.*, p. 682.

26.. For example: Kingsley M. de Silva, *Managing Ethnic Tensions in Multi-Ethnic Societies* (Lanham: University Press of America, 1986), p. 374; and his “Decentralization and Regionalization in the Management of Sri Lanka’s Ethnic Conflict,” *International Journal of Group Tensions*, XIX, 4 (1989).

27.. See: G.W.B. Huntingford, *The Historical Geography of Ethiopia: From the First Century AD to 1704* (Oxford: Oxford University Press, 1989); Asmelash Beyene, “Some Notes on the Evolution of Regional Administration in Ethiopia,” *Development Research*, IX, 1 (1987).

unified Ethiopia, with Eritrea representing a unique solution to past colonial injustices.”²⁸

In this regard, Harbeson concludes:

“In political terms the regional governments take on almost federal character, while in economic resource and policy setting terms the regional governments remain clearly subordinate to the central government, although they will acquire broad latitude in the implementation of centrally determined economic policies. In cultural terms, illustrated especially by language policy, the regions are afforded something approaching autonomy.”²⁹

Harbeson’s view is reinforced by the fact that a major Government policy statement on regional reforms strongly suggests, with few details, the outline of a devolved federalism without right to secession or extensive subnational control over technical policies, laws, and regulations.³⁰

Because of its availability, further description of the complexities of Proclamation No. 7 is not necessary. More importantly, further description would be misleading because: (1) the outcome of the CA’s constitutional deliberations can not be predicted; (2) there is, as discussed shortly, ambiguity within the proclamation and between it and other proclamations, particularly in regard to taxes, budgets, and technical control over line ministry policy, legislation and regulations, which may or may not be clarified by the emerging constitutional draft; (3) the TGE has yet to further clarify the organizational structure of line ministry activities in the field; and (4) there are no detailed field studies of how the proclamation is being implemented and what constraints are being encountered.

These complicating factors are important for several reasons. First, Christopher Clapham notes that as of 1988: (1) the formal structure of

local government in Ethiopia did not change in the years following the revolution, though there was turnover of officials holding administrative government positions under the emperor; (2) line ministries and local governments at provincial and municipal levels was operative throughout the country; (3) leadership ceased to seriously consider regional autonomy, let alone secession, after 1978; and (4) the September 1987 constitution used the term “autonomous regions” but ensured that regions were entirely subordinate to the national government.³¹ Clearly, whatever the commitment of the TPLF to its historic objective of “regional autonomy,” and whatever statements it makes about future federal structures and functions, the residue of the Haile Selassie and PMAC-PDRG regimes’ position on decentralization is going to make it unlikely that the political and legal issues on the form of decentralization expected to emerge from the transition process will be easily resolved much less implemented by government field agents under the technical, if not administrative, jurisdiction of central line ministries. This outcome could change if the TGE moves toward restructuring of central ministries, thereby reducing their powers.

Second, in analyzing ongoing debates over regionalization it is important to distinguish between administrative and technical jurisdiction. Under Haile Selassie, field personnel of line ministries were administratively under the Ministry of Interior’s governors but technically under the supervision of their ministry superiors. In essence, Ethiopia has an unintegrated prefectural system, similar to that of Italy. Similarly, analysis of existing proclamations and statements suggests that the TGE is: (1) transferring administrative functions to regional/wereda councils and their executive committees; and (2) placing technical field agents of line ministries under the administrative supervision of council units while leaving technical supervision of their implementation of national policies, regulations, and activities to their line ministry directors at national headquarters.

28.. National Democratic Institute for International Affairs and the African-American Institute and the African-American Institute, *An Evaluation of the June 21, 1992 Elections in Ethiopia* (Washington, D.C.: NDI, 1992), pp. 21-22.

29.. Harbeson, *Ethiopia’s Democratic Transition*, pp. 31-2.

30.. Regional Affairs Sector, *The System of Regional Administration in Ethiopia* (Addis Ababa: Prime Minister’s Office of the TGE, January 1994).

31.. Clapham, *Transformation and Continuity in Revolutionary Ethiopia*, pp. 195-204. It should be noted that Clapham is the only student of governance under the PMAC-PDRG to have spent considerable field time in Ethiopia.

Third, there is little or no documented information on deeper aspects of field, local, and municipal government, particularly in regard to current patterns and directions of change. Indeed, it is difficult to determine the current state of municipalities. Several examples can be given: (1) there are an estimated 200 towns and municipalities with varying powers and legal authority; yet, the current operations of these units is rarely acknowledged, much less discussed, in reports and memoranda on decentralization and regionalization in Ethiopia; (2) the role of rural and urban kebeles under the emerging regional system have not been clearly spelled out; (3) there are reports that the TGE is currently in the process of transferring central government personnel to regions, zones, and weredas; yet, there is no data on the numbers, patterns, or effects of such transfer; (4) it is asserted in some aid agency reports that the new executive committees of the regional councils have little or no administrative capacity; yet, the old Ministry of Interior and Ministry of Finance administrators, tax officials, budget officers, auditors/accountants, and clerks are probably still in place in many local government jurisdictions and there are no studies supporting suppositions that there is no capacity outside Addis Ababa to provide support for councils and their committees; and (5) there are general statements about decentralization of central ministry headquarters or field staff to regions, zones, and weredas; yet, there are no studies about the form and limitations of such decentralization.

Clearly civil war has affected local and municipal government in some geographic areas. But since government administrative services and activities are being carried out at the local level in most areas it seems quite likely that some capacity does exist. In sum, there is pressing need to get a better picture on such topics as supervisory jurisdictions, administrative and technical capacities, revenue sources, budgetary systems, allocation and expenditure patterns, and municipal governance. Until this is done it will not be possible to evaluate the kinds of boldly asserted but questionable factual statements made in Government and aid agency reports on regionalization.³²

32.. For example: Louis A. Picard, "Regionalization in Ethiopia: Preparation of a Strategic Action Plan" (Paper Prepared for the United Nations Development

Only one study has been identified that addresses these kinds of issues. It related to assertions by some government officials that budget and expenditures are to be transferred to councils, which assertions fail to describe how this would be done or consider what problems and constraints were likely to effect the effort. That study, undertaken by Satish Chandra Mishra, is preliminary.³³ What is important is it shows the kind of research that is greatly needed and it suggests that under emerging legislation, the center will dominate the regions through its control of major revenue sources and budgetary allocations.

Late May 1994 TGE press releases, unsupported by textual documentation, suggest some direction related to this problem is contained in the draft constitution submitted to the COR for the just elected CA. It seems likely, that in regard to persons, firms, and property within their established boundaries, states will be given the power to levy and collect taxes related to employment, land use, agricultural cess, sales, houses, licenses, and royalties. But TGE statements also suggest that the constitution draft will recommend that the central government determine economic, sectoral, and social policies and regulations. How tax revenues will be administrated relative to national vs. state priorities, how revenue sharing relative to common tax sources will be handled, and how budgetary equity will be assured (between the national and regional governments, as well as among zones and weredas within regions) cannot be predicted until the constitution is formally approved and released. But clearly, developing a growth oriented and equitable revenue and budget allocation system for a country as ecologically diverse and economically imbalanced as Ethiopia will be much more difficult than current statements by the government or some aid agencies suggest. Moreover, if, as predicted in this paper the center is already moving to maintain technical supervision over field agents and projects/programs paid for by, and to some extent administered by, the re-

Programme, Management Development Programme, New York, May 3, 1993), pp. 1-20.

33.. Satish Chandra Mirsha, "Public Expenditure Implications of Regional Economic Devolution" (Report Prepared as Part of the Public Expenditure review, USAID/REDSO, Addis Ababa, June 1993).

gions, then these revenue and budget issues will be even more complex and contentious.

Despite these problems, it is possible to reflect on regionalization issues. First, the Regional Affairs Sector of the Prime Minister's Office established an administrative framework for national, regional, and wereda elections. This was done by Proclamation No. 11 of February 1992. The problems related to this framework will be discussed below in the section on "Election Support." Here it need only be noted that the Regional Affairs Sector appears to have limited policy making and administrative authority, that its actions largely reflect decisions taken elsewhere in the TGE by influential political actors.

Second, in the face of numerous questions, the TGE issued two additional Proclamations. The first, Proclamation No. 33 of 1992 attempted to define how revenue would be shared between the central government and regional, zonal, and wereda "self-governments."³⁴ The second, Proclamation No. 41 of 1993, sought to define the powers and duties of the Central and Regional Executive Organs of the Transitional Government.³⁵ Both proclamations will be analyzed shortly.

Some observers who have read this legislation and reflected on its meaning and relation to both TGE policy statements and the inherited system of Haile Selassie and the PMAC-PDRG argue that: (1) the debate over the form of decentralization is going to be fierce and prolonged; (2) Proclamations 7, 11, 33 and 41 are inconsistent with each other, statements of different units of the TGE, and with public sector administrative patterns established under Haile Selassie and probably still on the ground in many areas; (3) formulating and implementing decentralization reforms will take a considerable period of time; (4) development of systems for sharing revenue and budgetary power will

be an extremely complex process unlikely to lead to substantial budgetary resources to the regions; (5) the proclamations fail to address the status of municipalities and towns; and, most importantly, (6) a struggle will emerge between TGE political factions arguing for "power to the people" and experienced central civil servants who recognize that development requires uniform national policy and skilled administrative and technical implementation leadership.

These questions are compounded by a paper commissioned from Samuel P. Huntington as part of his services to the CC. The paper reflected the concerns of embassies, aid agencies, and observers like the previously cited Jon Ab-bink, over a decentralization reform based on ethnicity, although no pretense was made that the paper was based on analytical insights into the intricacies of the particular Ethiopian political context. Huntington pointed out that the combination of party and regional ethnicity was unstable and potentially volatile:

"...ethnicity is likely to be central to Ethiopian political parties, elections, and politics generally. Attempts to suppress ethnic identifications or to prevent ethnic political appeals are not likely to be successful...Parties and other political groups will undoubtedly be organized primarily on ethnic lines. Drawing regional boundaries on ethnic lines, however, *supplements what is unavoidable with what is undesirable...the combination of ethnic territorial units and ethnic parties cumulative cleavages and can have a disastrous effect on national unity and political stability.*" (emphasis added)³⁶

The concerns of Huntington have been reflected in the political infighting that occurred among groups and parties contending for control over regional and wereda councils. For example, it was reported that on April 6th, at a meeting of the region Five Council in Jijiga, those attending declared the Regional Executive Committee (REC) removed for neglect of duty and financial irregularities.³⁷ The REC responded that the Council meeting was invalid because many of those attending and voting were "new faces," so that its decisions were illegal and invalid. The result was two groups

34.. "Proclamation to Define the Sharing of revenue Between the Central Government and the National/Regional Self-Governments," Proclamation No. 33 of 1992, *Negarit Gazeta*, 52nd Year, No. 8 (October 20, 1992).

35.. "Proclamation to Define the Powers and Duties of the Central and Regional Executive Organs of the Transition Government of Ethiopia," Proclamation No. 41 of 1993, *Negarit Gazeta*, 52nd Year, No. 26 (January 20, 1993).

36.. Huntington, "Political Development in Ethiopia," pp. 14-6.

37.. "Turmoil in Ethiopia's Region Five," *Somalia News Update*, III, 12 (April 22, 1994).

claiming to head the Regional Council. Much of the argument between the two groups appears centered on questions of whether the capital should be Gode or Jijiga and which clans should have positions of power on the Council. It was further compounded by party disputes over the removal of the President of the Council in early 1994 for expropriation of money from the Council's budget. Among the range of parties involved in this case were the Western Somali Liberation Front, the Ogaden National Liberation Front, the Ethiopian Somali Democratic League, the Western Somali Democratic Party, and Al-Ittihad, an armed Islamic fundamentalist group (the EPRDF had no co-party in the region to represent it). Clearly, under ethnic federalism it is possible for politics in the regions to get complex and convoluted, making it difficult to carry out programs aimed at building the capacity of regional and wereda councils.

Recognizing that the TGE's decentralization reforms were more problematic than initially thought, most aid agencies have chosen to wait and see what the structure and function of the emerging regional government system will be. Showing less caution, UNDP has begun planning a \$22.0 million regionalization program on the basis of a consultant report marked by limited awareness of the issues just raised, little evidence of field inquiry, and questionable assumptions.³⁸ This initiative is titled "Management of Economic and Technical Change" (METC).³⁹ It is focused on building managerial

38.. Picard, "Regionalization in Ethiopia." A critique of this paper's documentation, understanding and proposal is found in: Satish Mishra, "USAID's Possible Contribution to Regional Devolution" (Internal USAID Memorandum to the Deputy Director, Addis Ababa, September 17, 1993).

39.. UNDP describes the major donor activities in the area of decentralization as the "Programme Planning Framework for Upgrading the Economic and Social Conditions in Ethiopia." Under that frame work it cites four major initiatives: (1) economic recovery (World Bank/IMF); (2) Poverty Alleviation and Social Action/Safety Net (World Bank/UNICEF); (3) economic recovery and reconstruction; and (4) management of economic and technical change in both public and private sectors (UNDP). Under the UNDP initiative there appear to be six programs, one of which is "participatory re-

capacity at the regional level through local and external training, supporting regional planning efforts at the center and in the regions, supplying computers, vehicles, office equipment, furniture, communications gear, and other commodities to regions, and providing technical experts to assist regions to carry out the functions UNDP draftsmen appear to believe have been firmly delegated by the central government.⁴⁰

While management training can always be useful, UNDP appears to have the cart before the horse. As argued earlier, the situation is not as clear as it seems because different political groups within the TGE and the civil service have conflicting views about the objectives and structure of the declared regionalization policy.⁴¹ Debates and power struggles among these groups, as well as the outcome of the Constitutional Development process, will determine the

gional development." "Management of Economic and Technical Change in Both Public and Private Sectors: Annex 2 Sub-Programme on Participatory Regional Development."

40.. UNDP, "TGE National Programme for Management of Economic and Technical Change (METC)" (Discussion Paper on the Supplementary Funds Requirements for the Ethiopian Regionalization Process, Addis Ababa, n.d.). This project proposal is further elaborated by a subsequent UNDP proposal giving greater specificity to the proposed METC tasks. "Annex 2: Sub-Programme on Participatory Regional Development" published as part of: UNDP, "Management of Economic and Technical Change in Both Public and Private Sectors," (Programme Prepared by UNDP, Addis Ababa, June 1993).

41.. Among other factors, these groups can probably be distinguished on the basis of their: (1) expectations about the possibilities and difficulties of empowering local populations; (2) experience in managing large-scale institutions other than military units; and (3) understanding of the difficulties of formulating policies essential to development and implementing such policies through the preparation of regulations, the provision of basic services to urban and rural populations, and the identification, design, and implementation of sustainable development oriented projects and programs; and (4) appreciation of the complexities of public sector planning processes, revenue generation, budgeting, expenditure, and accounting procedures in line ministries and agencies.

final structure, functions, and scope of decentralization after the transition.

Current conflict among these groups is well illustrated by the difference between the vague, conflicting 1994 pamphlet titled *The System of Regional Administration in Ethiopia*, issued by the Regional Affairs Sector, and the language found in Proclamation No. 7 of 1992 and Proclamation No. 41 of 1993, just to pick two of the products of ministries and agencies that appear to be seeking to retain the major policy, implementation, and financial powers they held under Haile Selassie and the PMAC-PDRG.

Briefly, Proclamation No. 41, in describing the powers and duties of ministries, agencies, and commissions, consistently uses clauses suggesting substantial central control of policy and implementation.⁴² For example, in regard to the Ministry of Health, the Proclamation states, among other things, that the Ministry shall:

“...formulate the Country’s public health policies and strategy and...supervise their implementation; prepare and submit draft laws...on public health and supervise their enforcement; provide technical and professional assistance to hospitals, health centers, clinics and research and training centers; determine and supervise standards to be maintained by health services...operated in the country; determine the qualifications of professionals...at various levels; register and issue certificates of competence to medical practitioners and pharmacists; undertake necessary quarantine controls; prepare and enforce essential drugs’ list; control the quality standards of drugs and medical supplies.” (emphasis added)⁴³

This statement should be compared to the same Proclamation’s statement on the powers of the Regional Health Bureaus, which, among various tasks, are charged with:

“preparing on the basis of the health policy of the country, the health care plan and programme for the people of the region; ensure that professionals engaged in public health services in the region satisfy the prescribed standards;” (Emphasis added)⁴⁴

42.. “A Proclamation to Define the Powers and Duties of the Central and Regional Executive Organs of the Transitional Government of Ethiopia,” Proclamation No. 41 of 1993, *Negarit Gazeta*, 52nd Year, No. 26, January 20, 1993.

43.. Article 22, Proclamation No. 24, pp. 246-7.

44.. *Ibid.*, Article 51, pp. 264.

Proclamation No. 7 reinforces what is suggested by Proclamation 24’s allocation of duties to central and regional governments.⁴⁵ It consistently uses clauses such as: (1) “without prejudice to the powers of the center the bureau shall;” (2) “in conformity with central regulations the bureau shall;” or (3) in making policy or implementing activities they should “not conflict with the powers, policies, or regulations of the center.” This emerging pattern of central control is further reinforced by Proclamation No. 7’s provision that the regional councils are responsible to the Council of Representatives and that the activities that regional bureaus wish to carry out must be in accord with central ministry policy, regulations, and implied oversight.

The pattern of regional/wereda subordination to central line ministries that emerges in the above analysis is reinforced in only one study. After reviewing the likely revenue and expenditure patterns under these proclamations and legal notices,⁴⁶ it estimates that at present the approximate relative shares of the center and the regions in: (1) domestic revenue generation will find 14% going to regions and 86% to the center; and (2) expenditure allocations will find: (a) 22% of capital expenditure going to regions and 78% to central ministries and agencies; and (b) 26% of recurrent expenditures going to regions.⁴⁷ Further, this study notes that:

“...in the preparation of the recurrent and the capital budgets the final approving agencies are the central Ministries of Finance and Planning and Economic Development rather than the regional councils. The later have the authority to act as first stage filters in the budgetary process only.”⁴⁸

45.. A Proclamation to Provide for the Establishment of National/Regional Self-Governments,” Proclamation No. 7 of 1992, *Negarit Gazeta*, 51st Year, No. 2, January 14, 1992.

46.. “1984 E.C. Budget Proclamation,” Proclamation No. 26, 1992, *Negarit Gazeta*, 51st Year No. 22, September 7, 1992; “A Proclamation to Define the Sharing of Revenue Between the Central Government and the National/Regional Self Governments,” Proclamation No. 33 of 1992, *Negarit Gazeta*, 52nd Year, No.7, October 20, 1992.

47.. Mishra, “Public Expenditure Implications of Regional Economic Devolution,” pp. 5-7.

48.. *Ibid.*, p. 5.

Clearly, in terms of resources the center is in the dominant position.

To be sure the language in both these and other key proclamations could be clearer. Legal ambiguities prevail, though the language in the Proclamations is clearer than that in the statements of the Regional Affairs Sector. What is suggested here is that these proclamations probably represent the efforts of experienced senior managers and professionals in central institutions seeking to ensure that the devolution of the powers from central ministries to their parallel regional bureaus is limited and guided by central ministry technical control over such matters as policy and regulatory implementation, national program implementation, maintenance of nation-wide standards, budgetary processes, and so on.

In sum, it is not by chance that the current legislation, Proclamation No. 24, identifies 20 line ministries that mirror 20 regional and wereda bureaus. It is likely that the former central government personnel who currently staff field offices will be transferred to decentralized units or "bureaus." On the other hand, it is also likely that technical supervision, and all the control and powers that go with line ministry authority over field agents, will rest with the center. If these predictions hold, subnational government personnel will be subject to the same division of administrative and technical supervision that hampered the effectiveness of provincial civil servants during the administrations of Haile Selassie and the PMAC-PDRG.

3. Election Systems and Elections

Transitional progress toward building a credible electoral system and holding democratic elections can best be described by considering two different type periods: pre- and post-June 1992.

a. Pre-June 1992

As discussed in detail in the section on "Constitutional Development," the legal basis of the TGE was established by Charter July 22, 1991.⁴⁹ Under the Charter, an 87-seat Council of Representatives was appointed. It was selected from among the leaders of the 27 political

movements that met at the Transitional Conference and approved the Charter. Hence, there were no national elections at the start of the TGE. Still, the TGE was dominated by the EPRDF party, which was controlled by the TPLF and expanded by other ethnic groups, known generally as People's Democratic Organizations (PDOs). The other major party making up the TGE was the OLF.

Regional and Wereda Council Elections were called for under Article 13 of the Charter, which states:

"There shall be a law establishing local and regional councils for local administrative purposes defined on the basis on nationality. Elections for such local and regional councils shall be held within three months of the establishment of the Transitional Government, wherever local conditions allow."

In anticipation of these elections, USAID funded a November 1991 visit to Ethiopia by the National Democratic Institute for International Affairs (NDI).⁵⁰ The trip was arranged in response to a request from President Meles Zenawi to former US President Jimmy Carter, who had visited the country earlier in the month. The NDI team met with the President, major legal advisors, members of the COR, leaders of civic organizations and embassy representatives. Based on these discussions and other information, NDI's team prepared a document that: (1) reviewed the difficulties Ethiopia was likely to face in designing and implementing a democratic election system; and (2) outlined the electoral options that should be considered by the Council's Committee on Elections and Nationalities.⁵¹

In January 1992, NDI joined with both the Inter-Africa Group (IAG), a Ethiopian civic or-

49.. "Transitional Period Charter of Ethiopia," Charter No. 1 of 1991, *Negarit Gazeta*, 50th Year, No. 1, July 22, 1991.

50.. NDI was established in 1983. Its objectives are to promote, maintain, and strengthen democratic institutions in new and emerging democracies. Since its establishment it has conducted democratic development programs in more than 60 countries. Its programs focus on: political party training, election processes, legislative training, local government, civil military relations, and civic education.

51.. NDI, "Ethiopia Trip Report: NDI Elections Advisory Team" (Report Prepared by NDI, Addis Ababa, November 1991).

ganization,⁵² and the newly formed National Election Commission (NEC) to carry out a one-day symposium for 30 members of the Council of Representatives. These discussions centered on issues related to electoral administration, campaign organization, and security.

The NEC was established in December 1991 and functioned until November 1993, when it was replaced by National Election Board of Ethiopia (NEBE). Its commissioners were selected from among the members of the Council of Representatives with the objective of reflecting the major political groupings in the Council. It was charged with developing administrative rules and regulations for governing the overdue regional and local elections. Operating out of offices in the Institute of Ethiopian Nationalities, the NEC worked closely with the EPRDF, the Council, and electoral commissions established in 14 electoral areas.

The latter were established by Proclamation No. 11 of 1992.⁵³ It provided for electoral commissions at three jurisdictional levels (region, zone, and wereda) and set forth the powers and duties of these election commissions, eligibility requirements for voters and candidates, regulations regarding the voter registration process, procedures for nominating candidates, and ac-

ceptable forms of campaigning. Unfortunately, it proved difficult for the TGE to establish these commissions, and by the time the TGE called for elections such commissions, at all three jurisdictional levels, were often missing or non-functional in many parts of the country. Among the problems that plagued the establishment and effective functioning of these commissions were: (1) failure to clear up some jurisdictional boundaries among regions and weredas due to questions of ethnicity and culture; (2) disputes among parties within jurisdictions over the intentions of the TGE relative to its decentralization strategy; (3) limited understanding of democratic electoral practices at regional and wereda levels; (4) unnecessary exclusion of certain segments of society from the election process; and (5) lack of adequate resources and infrastructure constraints.

These technical problems, as well as deeper political problems, were revealed in the April 1992 "snap elections," which were held in 450 of an estimated 676 weredas. Specifically, in late January 1992 the TGE called for the "selection" of election officials in the approximately 30,000 kebeles, which are sub-units of the weredas.⁵⁴ There were no formal campaigns or secret ballots. Those selected at public kebele meetings were supposed to represent members of the two leading political forces in the kebele and to administer polling sites at the forthcoming regional and wereda elections. The opposition parties charged that these snap elections were marked by serious irregularities and led to EPRDF domination of kebele election machinery. The TGE canceled or disallowed some of the results of these elections. It also claimed to have learned from them and decided to move forward with the scheduled regional and local elections, seeking to hold them in June before the onset of the rainy season.⁵⁵

In early June, to address some of these problems, the NEC issued "Electoral Rules of

52.. The main focus of IDA is to mobilize Ethiopians to participate in the democratic process through group discussions on public policy issues, constitutional development, and the rule of law. The IDA seeks to maintain close ties with the TGE and opposition parties. Because it has deliberately adopted a non-confrontational stance vis à vis the TGE, IAG is sometimes described as being closely identified with the both the TGE and its political positions and activities. However, the organization staff insists that working with the Government to achieve its objectives does not mean that it is controlled, or necessarily identified with, the Government. See the position of IAG on this in: International Human Rights Law Group, "Ethiopia in Transition: A Report on the Judiciary and the Legal Profession" (Report Prepared by the IHR LG, Washington, D.C., January 1994), pp. I/5-I/8. Strong criticism is made of IAG connections to the TGE in: *Ibid.*, p. 39.

53.. "Proclamation to Provide for the Establishment of the National, Regional, and Wereda Councils Members Election Commission," Proclamation No. 11 of 1992, *Negarit Gazeta*, 51st Year, No. 7 (February 18, 1992).

54.. Kebeles emerged as a result of the rural and urban land reforms which established peasants associations and urban dwellers associations, both of which came to be called kebeles. See: John M. Cohen and Peter H Koehn, "Rural and Urban Land Reform in Ethiopia," *African Law Studies*, 14 (1977), pp. 3-62.

55.. Transitional Government of Ethiopia, *Election Commission Bulletin*, Issue No. 3 (May 1992).

Implementation.” These tried to address ambiguities in Proclamation No. 11 as well as to offer greater specification in regard to the procedures for organizing the commissions, and the responsibilities of commissions, as well as the regulations governing voter and candidate registration, campaign activities, and balloting and counting procedures. These rules were challenged by several opposition parties, most notably the OLF, underlying the fact that the rules of the game were not agreed upon immediately prior to the election.

Even though elections were postponed to June 21, 1992, some 11 months after the approval of the Charter, irregularities and grievances were inevitable. The call for elections came in early 1992, when the TGE issued a Proclamation to provide for the election of national, regional, and wereda council members.⁵⁶ The major objectives of the TGE in calling for elections was to: (1) provide regional and local governments with a popular mandate and sanction the replacement of non-elected administrators designated by the TGE; (2) facilitate the resolution of simmering armed conflict among different contending ethnic groups, particularly in southern Oromo areas; and (3) demonstrate the commitment of TGE to democratic pluralism.

The significant political problems facing the June elections are well summed up in an NDI study published after the elections:

“Planning and Preparation for the elections encountered several formidable challenges. Ethiopia’s predominantly peasant society, overwhelming illiterate, has little collective experience with the formal structures of democratic government, exists in a poor state of economic development, and is just emerging from years of war and famine. Additional impediments to creating a meaningful electoral system include: intensified intra-ethnic mistrust and

56.. “Proclamation to provide for the Establishment of the National, Regional and Wereda Councils Members Election Commission,” Proclamation No. 6 of 1992, *Negarit Gazeta*, 51st Year, No. 6, February 9, 1992. It was amended shortly thereafter by: “Proclamation to provide for the Amendment of the Creation of Appropriate Conditions for conducting National/Regional Self-Governments Elections Proclamation.” Proclamation No. 12 of 1992, *Negarit Gazeta*, 51st Year, No. 7, February 18, 1992.

violent conflict; the wide availability of weapons; a gross disparity of power between the EPRDF and all other movements; the lack of genuine, functioning political parties; a public administration woefully ill-prepared to conduct formal elections across Ethiopia’s large territory; and perhaps most important, considerable ambivalence regarding the TGE’s proposed electoral transition to a new, ethnically-based federalism. Some Amhara political leaders, for example, asserted that the TGE’s experiment implied the sacrifice of an Ethiopian national identity and effective central government. Alternatively, certain quarters within the OLF believed that the proposed ethnic federalism would merely co-opt the OLF into yet another northern dominated system, and that Oromos would thereby forfeit an historic opportunity to achieve true sovereign independence for Oromia.”⁵⁷

As noted above, in regard to the NEC and Proclamation No. 11 of 1992, the major technical problem with the elections was that the legal foundations for regulating elections and the registration of parties were not widely agreed upon. It would not be until after the April and June elections that a more specific set of laws and regulations would be issued.

Twenty-three countries responded to the request of the TGE for international election observers and funded members of the Joint International Observer Group (JIOG). Of the more than 200 observers provided, 70 were funded by USAID. That aid agency also funded a local monitoring effort carried out by the Ethiopian Free Elections Observer Association (EFEOA).

It was clear from the beginning that the EPRDF was likely to dominate the elections. The fact that most parties have regional bases increased inter-ethnic tensions, threatening the hopes for fair and broad based elections. Major disputes arose over the encampment of TPLF and OLF forces during the elections. The ethnic factor, as much as technical and administrative problems with the election process, contributed to election failure in a number of areas. In Harbeson’s words:

57.. NDI, *An Evaluation of the June 21, 1992 Elections in Ethiopia*, p. 2.

“The June 1992 regional elections were flawed not only for numerous technical reasons but because of the coalition’s very insecurity.”⁵⁸

The potential for EPRDF domination became increasingly likely when during the run up to the elections a number of opposition parties began to withdraw from transitional institutions and processes. Just before the elections, the OLF and four other opposition groups boycotted them, with the OLF also withdrawing from the TGE and decamping its troops.⁵⁹ This withdrawal, compounded by cases of improprieties and harassment of non-EPRDF candidates during voter registration and balloting, resulted in the EPRDF and its affiliated parties winning nearly 97 percent of the seats, resulting in a situation where there is minimal opposition in the newly elected councils.⁶⁰ Further, the Southern Coalition (SEPCD) was dismissed from the Government after the Paris Conference Declaration in early 1993 and the All Amhara People’s Organization (AAPO) emerged to give voice to growing opposition to the TGE from that ethnic group.⁶¹ As a result, by mid-1993 the initially broad political base of the TGE was significantly narrowed.

58.. Harbeson, “Ethiopia’s Democratic Transition,” p. 24.

59.. Several reasons for this are cited in journalistic reports, the most commonly cited being the OLF leadership’s accusation that the EPRDF was giving military support to its rival, the Oromo People’s Democratic Organization, which separated from the OLF to join the EPRDF during the period of the armed struggle. The other major reason given is that the OLF’s demand for a guaranteed right for its region to secede was not agreed to by the EPRDF. A number of other interpersonal and arcane reasons are also cited in the press but there is little documented information on the reasons for disagreement between the two groups.

60.. Carter Center at Emory University, “Ethiopia,” Newsletter, 1993, p. 4.

61.. In late April, 1994, the AAPO officially announced its transformation to a political party in order to comply with government legislation. The most commonly reported reasons for Amhara opposition are a belief that EPRDF policies will lead to the dismemberment of historic Ethiopia and an anger among Amhara of academics, professionals, and holdovers from the ancien regime that the country is being governed by provincial upstarts.

The most useful study of the election process was prepared by the staff of the NDI.⁶² It outlines in some detail the contextual setting, the national electoral process, differences in that process across regions, the problems that emerged during the election process, and the effects of those problems on the future of electoral democracy and civil society. As a result, the relationship between these patterns and constraints and the activities of NDI and AAI need only be summarized here.

Briefly, the June 21 1992 elections did not reach TGE and international community objectives because, in the words of NDI’s report: (1) competitive participation, for the most part, did not occur; (2) administrative and logistical shortcomings seriously impaired the electoral process; (3) elections failed to resolve the nagging ethnic problems concentrated in the southern regions of the country; and (4) despite what may have been the TGE’s best intentions, the voting exercise did not educate a majority of the population regarding the nature of genuine, multiparty elections.⁶³ Further, many elections were not effectively carried out until later.⁶⁴

After the troubled elections, the TGE issued a subsequent Proclamation establishing an Election Review Board charged with looking into grievances and complaints emerging from alleged irregularities in the regional and wereda elections.⁶⁵

b. Post-June 1992

Since the elections three laws central to establishing a democratic electoral system were issued: (1) a Proclamation on the registration of political parties;⁶⁶ (2) a Proclamation providing

62.. NDI, *An Evaluation of the June 21, 1992 Elections in Ethiopia*, *passim*.

63.. *Ibid.*, pp. 3-5.

64.. For example, regional election occurred in: Afar in November 1992, Somalia in January 1993, Benshangul in April 1993, and Harar in May 1993.

65.. “Election Review Board Establishment Proclamation,” Proclamation No. 21 of 1992, *Negarit Gazeta*, 51st Year, No. 17, July 30, 1992.

66.. “Political Parties Registration Proclamation,” Proclamation No. 46 of 1992, *Negarit Gazeta*, 52nd Year, No. 37, April 27, 1993.

an electoral law for the country;⁶⁷ and (3) Regulations defining the procedures for electoral execution and determination of decisions of National Electoral Board regulations.⁶⁸ The first defines political parties and sets rules for the formation, registration, internal governance, and operations of parties. Its most notable provisions ban the registration of parties aimed at fomenting conflict by preaching hatred among peoples on the basis of differences in race, religion and ethnicity, as well as organizations based on commercial or industrial activities, non-profit welfare purposes, trade unions, professional associations, mutual help organizations, religious organizations, and social formations.

The second is a very comprehensive law that seeks to meet Western standards relative to voters, parties, candidates, and election processes. In this regard, it declares that elections shall be based on free, direct and equal popular suffrage, voting to be secret, and decisions to be based on majority rule. Provisions are provided for registration of persons over 18 years of age and the eventual establishment of constituency size and boundaries. Among the Proclamation's most important provisions are the specification and registration criteria for candidature, the guarantee of freedom of campaigning, the right of candidates to media access, the rights of recognized parties and NGOs to observe the electoral process, the content of voter registration documents and electoral rolls, and the filing of complaints arising from the electoral process.

The April 1994 regulations were issued by the NEBE. They are in essence an election code related to establishment of polling stations, responsibilities of polling station observers, electoral registration rules and processes, registration of candidates, voting, counting and announcement of results, standards for observers and the media, and procedures for grievance hearings. Presumably it incorporates the more

salient lessons learned from the June 1992 elections.

To ensure the effective and impartial implementation of these and other provisions, the Proclamation establishes the NEBE to replace the NEC. It is comprised of 7 members appointed by the Council of Representatives on the basis of national representation, technical competence, integrity, and experience. This Board has legislative and judicial powers to conduct elections, promote public civic education relating to elections, to organize and train manpower required for conducting elections, analyzing election results, and recommending revisions in the election laws to the Council of Representatives. Most importantly the Board is given responsibility for interrupting electoral processes or nullifying electoral results where it finds fraud, rectifying electoral irregularities and deciding on complaints, confirming election results, and officially announcing the results.

The passage of these Proclamations, which should have been in place before the June 21 1992 elections, help clarify the rules of the election process. They governed the June 1994 Constituent Assembly elections described earlier.

Still, one observer lists several legal flaws in these new proclamations:

"...the requirement of two years residency in a constituency as a voting requirement; inexact definition of constituencies and the possibility that the boundaries could be altered for political advantage; the high number of signatures required for candidate nomination; five year residency requirements for candidates; and a limited window for voter election complaints."⁶⁹

These and other problems were anticipated in 1991 by Paul B. Henze, whose paper "Thoughts on the Formation and Operation of Political Parties in Ethiopia" notes:

"Dividing a country up into ethnically defined administrative regions can be fascinating, but it can have hideous consequences decades hence, as we see in the ex-Soviet Union. It makes no allowance for population movements that are bound to occur as modernization and development accelerate; it creates entitlement

67.. "Proclamation to Provide for the Electoral Law of Ethiopia," Proclamation No. 64 of 1993, *Negarit Gazeta*, 52nd Year, No. 56, August 23, 1993.

68.. "National Electoral Board of Ethiopia Regulations: Definition of the Procedure for Electoral Execution and Determination of Decisions," Regulation No. 1 of 1994, *Negarit Gazeta*, 53rd Year, No. 82, April 1, 1994.

69.. Harbeson, "Ethiopia's Transition to Democracy," p. 30.

and leads to irrational use of energy and resources."⁷⁰

Harbeson takes Henze's point one step further by correctly noting the relationship between the election law and the eventual constitutional and legal laws on decentralization. Specifically, he states:

"Underlying the poor condition of the political party system lies a conflation of two fundamental but distinct issues by all parties...(these are) those of redefining the Ethiopian state and establishing rules of the game for a party system to structure party competition during elections and at other hands. The parties need, on the one hand, to reestablish and broaden collaboration and consensus on the design of the new Ethiopian state as expressed in a draft constitution, and, on the other hand, to define their policy differences and the terms of their electoral competition with each other."⁷¹

It is important to note that throughout the period reviewed, the Carter Center at Emory University in Atlanta has been periodically involved in trying to mediate - or otherwise encourage a dialogue - between the TGE and the opposition parties, most notably the OLF and AAPO. This discontinuous, and at time somewhat superficial effort, has been carried out under its International Conflict Resolution Program. It is based on former President Jimmy Carter's November 1991 meeting with President Meles Zenawi and a subsequent September 1993 request by President Zenawi for Carter Center assistance in promoting dialogue and mediation. The most recent effort by the CCEU, which ended in failure, occurred February 5-8th in Atlanta.⁷²

70.. Paul B. Henze, Cover Letter to Paper on "Thoughts on the Formation and Operation of Political Parties in Ethiopia," November 15, 1991, p. 2.

71.. Harbeson, "Ethiopia's Democratic Transition," p. 27.

72.. Carter Center, "Carter Center Statement on Ethiopia Negotiations" (New Release by Carrie Harmon, Director, Public Information, March 23, 1994), which noted: "...we have been unable to find a mutually acceptable basis for talks between the government and opposition groups. President Carter has urged all parties to continue to seek a peaceful solution to the problems that divide them so that Ethiopia can achieve sustained peace, democracy, and economic development. President Carter has

Some knowledgeable observers believe that the EPRDF and the OLF are closer than the rhetoric of some of the latter party's spokesmen. Evidence for this is found in the patterns of the just completed elections for the CA.

Implementation of the steps required to carry out the Constituent Assembly elections went relatively well. For example voter registration was carried out adequately despite logistics problems, limited abilities of some lower-level election officials, and "official" boycotting of the process by the OLF, AAPO, Southern Coalition and other opposition parties. The NEBE estimates that outside Addis Ababa, where about 50-60% of expected registration levels were reached, 70-80% levels were reached. Candidate registration was initially delayed. But by mid-May it had been carried out satisfactorily and in time to meet ballot printing deadlines.

Annex I is included because it provides data on the number of voters registering for the June 5 1994 CA election, the number of constituencies, and the number of candidates registered. As such, it can provide a marker for future progress on democratization and the success of the NEBE in strengthening registration processes and numbers.

Importantly, given EPRDF-OLF differences, the number of independent candidates is larger than the number of candidates registered as members of a party. For example, Agence France Presse reported on June 13th that only 538 of the 1,447 registered candidates were from the EPRD. This suggests that those who registered as "independent" are members of these opposition parties, most probably the OLF and other southern parties. Further evidence for this comes from the fact that the involved political parties, and individuals identified with parties that have withdrawn from the process, met with the NEBE and the Ministry of Information to promote fair access to the media during the election campaign for the Constituent Assembly. No information is available on the results of this dialogue.

On June 6th, Samson Getahun, the NEBE head of legal affairs, told Reuters that polling went smoothly and that there was a large turn-

offered his assistance, and that of the Carter Center, in the future if asked by the major opposition parties and the government."

out of the 15 million registered voters.⁷³ However, Agence France Press reported on June 13th that there was “little sign of enthusiasm, but rather a disciplined showing at the polls by people carrying out their civic duty.” Reports from other observers note that there was no voting in Region 5 and Dire Dawa, the ballot was poorly designed, voters were not adequately informed about the purposes of the election or the election process, voter turnout was moderate to good, little manipulation of the electoral process occurred, and independents appear to have done well in many areas of the country. These observers conclude from these findings that the elections went far better than the June 1992 ones, that a solid step in the learning process about elections and democracy took place for both the Government and voters, and the Government deserves credit for carrying out the election on time. Final figures on the elections are due by July 1st.

4. Judicial Reform and Human Rights

Government efforts in this area are concentrated on prosecuting members of the previous regime for alleged criminal actions and strengthening the capacity of subnational judges.

a. Special Prosecutor Office

The Office of the Special Prosecutor (SPO) was established by Proclamation No. 22 of 1992. The SPO has operated since early 1993 and is charged with investigating crimes committed by officials of the former regime, particularly the estimated 50,000 extra-judicial executions that took place during the PMAC-PDRE's 17 year rule. In this regard, the SPO aims to have these cases prosecuted under international legal principles as crimes against humanity, which if this occurs will make Ethiopia's trials the most extensive human rights trials since Nuremberg.

This is not an insignificant task. It is estimated that 1,500 to 2,000 former government officials serving under the PMAC-PDRE were arrested after the TGE came to power in May 1991. This number has been reduced to roughly 1,200 since the releases of February-March 1993. These were occasioned because of habeas corpus proceedings and delays in moving toward

prosecution. SPO prosecutors still must decide, from a large number of detainees, who to prosecute.

Responsibility for overseeing extradition and prosecution is held by the former Minister of Justice, Ato Girma Wakjira, as the Chief Special Prosecutor. He is carrying out his duties with the assistance of 20 prosecutors, some of whom are inexperienced and some of whom have long experience in criminal experience but were not connected to the WPE or otherwise linked to PMAC-PDRE excesses.

Decisions on prosecution are overdue and the Government is under increasing pressure from the international community and human rights groups to file cases against those to be charged and release those who will not be charged, whether because of presumed innocence or lack of evidence. Aid agencies have helped the SPO respond to these pressures. For example, USAID assisted the SPO by: (1) providing legal experts to the Special Prosecutor's Office (SPO);⁷⁴ and (2) funding the phased visits of forensic experts from the Argentine contractor Equipo Argentina to review evidence related to SPO prosecutions.⁷⁵ DANIDA and SIDA are funding computer specialists to develop a relational data base that can organize an extremely large number of file documents containing references of multiple official involvement in regard to those deprived of their legal

74.. These lawyers have strong academic backgrounds in international human rights law and relevant practical experience in its application, and are advising the SPO on the human rights provisions of international law and how to incorporate them into existing domestic civil and criminal codes, as well as a proclamation that can guide eventual prosecution. They also assist in preparing prosecutors on how use international legal instruments, handle sensitive information, and anticipate standard types of defense offered governments during such prosecution. One of these lawyers is profiled in: American Bar Association Journal. “Traveling Human Rights Lawyer,” *ABA Journal* (March 1994), pp. 40-1.

75.. Members of Equipo Argentina spent time in August 1993 meeting with SPO personnel to discuss experiences in the use of forensic evidence in case prosecution and to formulate terms of reference for a more substantive visit by the Equipo team in early 1994.

73.. Tsegaye Tadesse, “Ethiopia Poll Completed Without Incident,” Reuters, June 5, 1994.

rights or executed through extra-judicial actions.⁷⁶

Martin Hill of Amnesty International, London, recently stated that the move toward prosecuting these 1,200 former officials, as well as efforts to obtain the extradition of major senior officials of the Mengistu regime, including the junta leader himself, is “a major triumph for human rights and democracy.”⁷⁷ Relative to the Project, he further stated that “The work of the forensic team is very important because it will be very difficult to bring successful prosecution without bodies and without their identification.”

b. Judicial Training and Human Rights

Movement toward a rule of law and an independent judiciary began in earnest with a 1992 Proclamation to provide for the establishment of an independent judicial administration.⁷⁸ This reform of the Ministry of Justice was followed by a Proclamation establishing a Judicial Administration Commission, to select and administer judges, an Office of the Central Attorney General,⁷⁹ defining the legal profession,⁸⁰ and, most importantly, a Proclamation establishing a Central Supreme, High and First In-

stance Courts independent of the Ministry of Justice.⁸¹

On the personnel side, many central, regional and wereda judges were removed for such reasons as WPE membership, extra-legal actions, and corruption. To replace them the Ministry of Justice appointed a commission to select 600 people to act as judges within the regional system. Many of these persons have no legal training. Hence, it is extremely important to provide them with training in the philosophy of an independent judiciary, the principles of the rule of law, the established court proceedings and regulations, human rights, and the laws and codes of Ethiopia.

Progress in aid agency efforts to assist the TGE to train these new lawyers appears to have been delayed because under the 1992 Proclamation just described, has been delayed by the reorganization of the Ministry of Justice, which lost control of judicial administration, although it was assigned the functions of training judges and providing legal draftsmanship support to TGE institutions.

Still, opportunities to train exist. For example, the Ethiopian Human Rights and Peace Council, located at Addis Ababa University Law School, is currently designing workshops for lay judges that will be focused on human rights and democratization issues. Eventually, it hopes to expand workshops to cover judicial independence, supervision of the judiciary, rights of citizens, public defenders, and legal representation for the poor. As presently designed, with initial funding from DANIDA, Phase I workshops will begin in June in Awasa and Bahir Dar. Phase II will hold workshops in Regions 1 and 4. Depending on the area, workshops will be held in Amharic, Oromiya, Somali, and Tigrinya. If these go well, aid agencies may provide further assistance to judicial training.

Finally, it is important to note that the International Human Rights Law Group (IHRLG) reviewed the status of judicial reform, the legal profession, including legal training, and civic organizations involved in the promotion of human rights. The terms of reference for this study were to: (1) review the present state of

76.. One newspaper report notes: “The special prosecutor’s office...has so far received 250,000 pages of government documents, from death warrants to calculations of the cost of executions...Col. Mengistu’s was a vicious but highly bureaucratized system - virtually every decision was noted, and copies sent to superiors.” George Alagiah, “Ethiopia’s pursuit of Former Regime May Spawn Biggest Trial For Crimes Against Humanity Since Nuremberg,” *The Guardian* (May 23, 1994).

77.. *Africa Link*, IV, 1 (1994). See also: Alagiah, “Ethiopia’s pursuit of Former Regime.”

78.. “A Proclamation to Provide for the Independence of Judicial Administration,” Proclamation No. 23 of 1992, *Negarit Gazeta*, 51st Year, No. 19, August 8, 1992.

79.. “A Proclamation to Provide for the Establishment of the Office of the Central Attorney General of the Transitional Government of Ethiopia,” Proclamation No. 39 of 1992, *Negarit Gazeta*, 52nd Year, No. 24, January 11, 1993.

80.. “A Proclamation Regulating to Attorneys,” Proclamation No. 74 of 1993,” *Negarit Gazeta*, 53rd Year, No. 5, October 22, 1993.

81.. “A Proclamation to Amend the Central Government Courts Establishment,” Proclamation No. 72 of 1993, 53rd Year, No. 1, October 7, 1993.

judicial and legal affairs in Ethiopia; (2) analyze recent laws governing judicial administration, jurisdiction of the courts, and the Law School's curriculum; and (3) give aid agencies a better idea of where problems existed in the judicial and legal system so they could use their resources more effectively. Unfortunately, the utility of the lengthy findings and recommendations contained in the resultant report was negated by the apparent anti-TGE biases of the principal author and his decision to circulate the draft report to the Ministry of Justice and other TGE officials without thorough editing and without prior review by the funding agency.

The final report was released in April 1994. It includes the critical responses of TGE officials.⁸² In this regard, it is worth noting that Mr. Makau published several extra-curricular and highly critical articles on the TGE just prior to the release of the IHRLC draft.⁸³

A new look at the judicial sector is currently being carried out with SIDA funding. This is a preliminary step toward an emerging large-scale SIDA program for assisting Ethiopia's judiciary.

5. Media Reform

Several significant changes in the overall environment affecting the media have occurred since 1992. The most important of these was a new press law proclaimed in October 1992. It provided the legal outlines for the rights and responsibilities of a free press in Ethiopia.⁸⁴

82.. International Human Rights Law Group, "Ethiopia in Transition: A Report on the Judiciary and the Legal Profession" (Report Prepared by the IHRLG, Washington, D.C., January 1994). The letters include those of the SPO, the Minister of Justice, the IAG, which was criticized in the report for being too close to the TGE, and the widely circulated and angry letter to "Dear Vern," written by an unknown but obviously well connected Ethiopian. A response to these criticisms, by Mr. Reed Brody, Executive Director of IHRLG, prefaces the report and should be considered.

83.. Makau Mutua, "Democracy's Bid Fades in Ethiopia," *Christian Science Monitor* (August 18, 1993); and his "Ethiopia: The New Oligarchy," *Africa Report* (September/October 1993).

84.. "A Proclamation to Provide for the Freedom of the Press," Proclamation No. 34 of 1992, *Negarit*

Following approval of this law, 173 new private papers and periodicals registered with the Government. But there are only about 30 regularly published private weekly newspapers and 13 magazines.

Many of the founders and editors of the new private papers are those dismissed from the Government of the previous regime following the installation of the TGE. Most observers have concluded that the private press sees itself as the Government's opposition. Beyond this view there is disagreement among those who follow media prosecutions. Some outside observers argue that the free press is frequently unprofessional, sensational, and carrying out a hearsay-based vendetta. Others admit to these problems but assert that they are largely due to TGE secretiveness, which limits the information flow, leading to questionable, sometimes sensational, speculation by private press reporters and editors.⁸⁵ Most observers also note there is conflict between and among private presses, much of which appears to relate to charges and counter charges as to who is too close to the TGE. In any case, it is clear that the TGE needs to better understand the importance of accurate information flows and the press needs to follow professional standards related to the release, verification, and presentation of information.

The TGE has periodically arrested and tried a number of journalists, mainly from the private side but also including several government journalists. The best available evidence suggests that as of late March 1994 there were 18 journalists in jail.⁸⁶ All had been arrested under pro-

Gazeta, 52nd Year, No. 8, October 21, 1992. This followed: "A Proclamation to Provide for the Determination of the Application of State Owned Mass Media," Proclamation No.6 of 1991, *Negarit Gazeta*, 51st Year, No. 1, October 3, 1991.

85.. The EFPJA claims that the free press has exposed corruption and nepotism, as well as provoked discussion and public debates on vital issues related to the economy, urban land lease policy, rural land, status of expropriated urban houses, the constitution, ethnic purges in the public sector, and TGE-Eritrea relations. Press Release (Addis Ababa, May 13, 1994).

86.. The Ethiopian Free Press Journalists Association issued an April 22, 1994 press release giving the names, charges, and sentences for 30 journalists and

visions of the penal code of 1957. Those arrested and their supporters claimed that the arrests were made only because the Government is oversensitive to criticism and desires to suppress opposition statements and views. The validity of this claim is difficult to judge. Some observers say that the arrested journalists deserve their treatment because of false and misleading articles. Other observers point out that serious journalists have also been arrested and the effect is to hinder the advancement of a responsible, independent private press.

Despite arrests and harassment, it is estimated that 3-5 new press organs start each week. But new presses frequently go under quickly, largely because they lack the financial base required to establish themselves and because their editors and journalists are jailed.

There are three different press associations. The first was established under the PMAC-PDRG and still exists. The second, the EJA, organized in July 1993, includes over 400 dues-paying members. Of these, only 15-20 journalists are from the private sector. According to the President of the EJA, their 400 members represent 90% of all journalists in Ethiopia. The other association, the Ethiopian Free Press Journalists Association (EFPJA), started in March 1993, and has a small membership. This association is not open to government journalists.

In summary, few journalists have any formal journalism training and many of those who do, received their training in Eastern Europe. Further, there is no code of ethics nor facility to judge peers against this code outside of a crimi-

claiming that an additional 13 existed, the names of which have not been released by the CID. EFPJA, "To All Concerned" (Press Release, Addis Ababa, April 22, 1994). Contrary to this statement, the Minister of Justice stated on April 20th that only three journalists from the private press were imprisoned on court decisions, one of whom is detained only because he has not paid his fine. Perhaps the qualification "on court decisions" is the distinguishing factor. The Minister dismissed the Amharic service of the VOA's report that 24 journalists and editors of the private press had been arrested in past months. He said journalists were arrested for printing pornographic press products, interfering with religious affairs, inciting people against the government, and spreading rumors and unfounded information.

nal court of law. Most western journalists have concluded that the emerging private press seems to have lost an historic opportunity to be a strong, credible countervailing force. For them the private press has instead engaged in unprofessional reporting, focusing on only a few inflammatory issues such as ethnicity and regionalism. Substantial progress needs to be made by the owners and editors of private presses in training their journalists and ensuring responsible reporting and analysis.

6. Civic Associations and Advocacy Groups

The emergence of various kinds of political and civic organizations in the nongovernment sector is expected to be an important element in Ethiopia's democratic transition. This was recently highlighted in the April 29, 1994 testimony of Irvin Hicks, Ambassador Nominee to Ethiopia, to a Senate Foreign Relations Subcommittee:

"As the democratic process takes shape, I am concerned that too many groups remain outside the political process. President Meles has pledged that the TGE will work to make wider participation possible - a pledge that the U.S. intends to make effective, providing those Ethiopians desiring a participatory democracy an opportunity they would do well to seize. If confirmed...I would do my utmost to promote peaceful dialogue among Ethiopians and discourage those who, after thirty years of war and suffering, still appear attracted to violent solutions to Ethiopia's complex problems."

In other African countries, political liberalization has led to the rapid emergence of civic action and interest groups. But in Ethiopia the formation of such organizations has occurred at only a moderate pace. In the absence of reliable data on such organizations, it can only be estimated that there are at most 10-20 civic action and interest groups actively involved in the democratic transition. Some groups, such as the Ethiopian Free Election Observers Association (OFEOA), which early on in the transition played a more active and visible role in the public policy debate, seem to have lowered their profiles. New groups have been slow to emerge. In sum, such associations are not at present taking up leadership or advocacy roles in the policy debate surrounding the political transition.

Three hypotheses may help explain why this is the case: (1) organizational harassment or over-regulation by the TGE, or what might be termed a hostile operating environment; (2) lack of interest by the populace; (3) financing problems (linked either to external funding agencies or to the organization's own capacities to request, raise, and/or manage funds); and (4) extremely thin leadership in great need of strengthening.

Many civic associations and advocacy groups are inadequately prepared to take on responsibilities. Even when resources are available, several of the organizations, particularly those operating in the civic sector, have displayed a marked inability to generate, even with substantial encouragement, either substantive ideas or proposals for aid agency funding of even modest quality. Beyond this some associations and groups appear more interested in rent seeking than in promoting civic awareness.

Funding problems constrain the activity of most civic associations and advocacy groups. At present such organizations rely almost entirely on external support. Few are in any way membership organizations. Observers believe that fund raising opportunities within the country are quite restricted.

Such organizations also appear constrained by confusion surrounding TGE requirements for registration. Proactive civic action groups appear particularly inhibited by the registration requirements. Some observers think that registration has become more difficult as a result of the refusal of opposition parties to participate in the process. They also note that the withdrawal of these parties led to disillusionment with the Transitional Government's commitment to an open process and a conclusion, whether true or not, that citizen groups would not be allowed participate freely in the debates relating to the establishment of a new government system.

It is presently difficult to get any picture on the extent of public interest in civic action activities. Views on the level of voters' interest vary. Most observers believe it will be difficult to stimulate proactive civic action groups because of the historical legacy of non-debate of and non-participation in political questions. Established associations and groups are cautious, especially those dependent on outside sources of funding and focused on topics related to peace, human rights, and the civics of democ-

racy. "Development" NGOs appear to be emerging from the established "relief" NGO category and may eventually complement the more civic action oriented organizations. But progress toward this transition is slow.

Because of the low level of NGO or civic organization activity, rate at which various target groups (voters, community leaders, judges, etc.) are being reached through association sponsored civic education or other kinds of training activities is low. It should be noted that donor funding helps local associations and groups withstand possible harassment by local officials, though there is little evidence that this happens to non-party affiliated civic associations and advocacy groups.⁸⁷

If the constitutional process (drafting, election of the Constituent Assembly, and debate in that forum) goes as expected, there should be ample new opportunities for debate of critical issues raised by the Constitution and in preparation for the regional and national elections required to establish a permanent government. To take advantage of this opportunity, a reorientation of civic education is needed, particularly in regard to regional issues and governance. For this to happen it will be necessary for the currently weak central organizations to decentralize. Doing this may prove quite difficult.

In regard to civic action associations and advocacy groups, aid agencies should consider funding an activity that trains members in leadership, assists them in improving their organizational design and operation, informs members in proposal writing format and technique, and advises members on standard reporting and accounting practices.

Economic Development and the Democratic Transition

The TGE recognizes that a successful transition to both democracy and the control of inter-ethnic conflict rests on stimulating broad based economic growth. In aid negotiations in 1992 the Government appeared prepared to invest in infrastructure and agricultural development,

87.. The veracity of claims is difficult to determine. It appears the Oromo Relief Association has been harassed, but this probably results from its failure to break its link with the OLF.

ensure food security, promote the progress and security of the rural and urban poor, introduce effective environmental protection policies, make a transition to a market based economy, improve fiscal, monetary, and budgetary management, and strengthen public investment planning and implementation.⁸⁸

In this regard there is pressing need for the TGE and aid agencies to have a better understanding of the relationship between effective rural based development and the possibility of establishing and sustaining ethnicity-based democracy and improved governance in Ethiopia. The Huntington paper discussed earlier raises grave questions as to whether it is possible for any poor under-developed rural based country to achieve, establish, and sustain a democratic government, particularly when it is organized along ethnic regional and political lines.⁸⁹ In his analysis, Huntington recognizes a poor country can overcome this deep structural constraint if it has: (a) committed leadership; and (b) a well conceived and financed development program aimed at improving the income and well-being of farmers and the urban poor. The example Huntington offers the TGE is Ghandi and Nehru's efforts to promote democracy and development in India after 1948.

Hence it is imperative that the TGE and aid agencies formulate and implement an effective economic development strategy. Initial work on this topic took place shortly after the end of the PMAC-PDRG, which in turn grew out of World Bank-SIDA efforts to get the Mengistu regime to reverse its support for agrarian socialism and move toward a market-based small holder system.⁹⁰ But whatever work has been carried out

by aid agencies relative to agricultural and rural development since the end of the PMAC-PDRG does not appear to have been expressly linked to the economic growth conditions that support the emergence of democratization. What work has been done could provide the basis for launching such studies.⁹¹

Available evidence suggests the TGE policy on agricultural and rural development favors: (1) usufruct with long leaseholds and Government ownership; (2) unimodal small holder production systems; (3) regional/ethnic determination of land tenure rules based on Government determined range of variations; and (4) partial exchange to free market system in local

88.. World Bank, *Ethiopia's Economy in the 1980s and Framework for Accelerated Growth* (Washington, D.C.: Country Operations Division, Eastern Africa Department, Africa Region, Report No. 8062-ET, March 14, 1990); World Bank, "Memorandum and Recommendation of the President of the International Development Association to the Executive Directors on a Proposed Credit of SDR 104.9 Million to Ethiopia for an Emergency Recovery and Reconstruction Project" (Paper Prepared by the World Bank, Report No. P-5702-ET, March 9, 1992).

89.. Huntington, "Political Development in Ethiopia: A Peasant-Based Dominant-Party Democracy?" *passim*.

90.. This decade-long debate is reviewed in: John M. Cohen and N. Isaksson, "Food Production Debates in

Revolutionary Ethiopia," *World Development*, XIII, 12 (1985), pp. 1211-30. This article was the subject of a sustained debate over whether or not there was a compromise policy that stood mid-way between the agrarian socialism advocated by the communist left in the PMAC-PDRG and a western style, land owning small-holder system: Siegfried Pausewang, et al., *Ethiopia: Options for Rural Development* (London: Zed Books Ltd., 1990).

91.. The importance of land tenure and agricultural development is not a strong component in the documents reviewed. For example see the schedules of financing by major aid agencies and brief text in: International Development Association, "Emergency Recovery and Reconstruction Project" (Memorandum and Recommendation Prepared for the Executive Directors, Report P-5702-ET, Washington, D.C., March 9, 1992), pp. 10-15; 23-4. One academic study of the type needed is: Solomon Bekure, "Priming the Pump of Economic Growth: A Strategy for Agricultural Development in Ethiopia" (Paper Presented Symposium on Economic Development in Ethiopia During the Transition Period, Africa Hall, Addis Ababa, January 1992).

markets.⁹² In support of these activities, sustained research and analysis is required on: (1) agricultural and rural development policy, as set in a larger macro-economic context; (2) general trends in agricultural production and basic human services that have marked the 1990s; (3) the position of aid agencies on Government policy and potential support for agricultural development; and (4) the likelihood of the above patterns and trends leading to the significant increase in income and standard of living required to build a sustainable rural base for the promotion of democracy and progressive governance in a country marked by regional and political ethnicity.

92.. For example: Transitional Government of Ethiopia, *Ethiopia's Economic Policy During the Transitional Period* (Addis Ababa: Government Printer, November 1991), pp 21-6.

Annex I: Results of Voter and Candidate Registration for June 5, 1994, Constituent Assembly Election (by Region)

Region	No. Registered Voters (Est. eligible voters)	No. of Constituencies ³ (Minority Nationality Constituencies)	Total No. Candidates Registered (Party/ independent)
Region 1	1,226,208	37 (2)	69 (37/32)
Region 2	337,341	6	33 (31/2)
Region 3	3,107,183	137 (1)	404 (139/265)
Region 4	4,444,423	178	564 (166/394) (560)
Region 5	***	***	***
Region 6	155,494	8 (2)	27 (6/21)
Southern People's	3,531,269	108 (15)	258 (122/136)
Region 12	49,360	2 (1)	14 (3/11)
Region 13 (Harar)	35,304	2 (1-Harari)	8 (5/3)
Dire Dawa	35,728	2	8 (3/3)
Region 14 Addis Ababa	539,946 (1,128,781) 53%	23	62 (27/35)
Total	13,462,256 ¹	503 (22) ²	1447 (539/904) [1443]

Source: National Election Board of Ethiopia (NEBE)

Notes:

¹ NEBE's figures indicate total registration of 13,621,600

² NEBE's figures indicate a total of 548 constituencies of which 22 are National Minority constituencies – presumably the difference is accounted for by Region 5.

³ The number of constituencies is based on estimated population; special constituencies have also been allocated to certain minor ethnic/national groups who, it was felt, would otherwise be unrepresented in Government due to their size.

Annex II: Map of Regions and Weredas (Amharic)

