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Incorporating “Democratic Developmental State Ideology” into Ethiopia’s Ethnic Federalism – A Contradiction?

BIZUAYEHU DABA and FESSEHA MULU

Abstract

The ruling Ethiopia’s People Revolutionary Democratic Front (EPRDF) has adopted a mix of two ideologies called “Democratic Developmental State” (democracy from the dominant west), and Developmental State Ideology (from the east), initially under the leadership of the late Prime Minister, Meles Zenawi. Thus, this desk research paper aims to analyze the adoption of developmental state ideology within the existing federal structure of the state, whether or not it is contradictory to the 1995 Federal Democratic Republic of Ethiopia Constitution, and assess its implication to the autonomy of regional states. Accordingly, the study concludes that the adoption of this ideology amounts to a change of constitution, and state structure from federal to unitary. The state governments would be under a visible shadow of the federal government where the states would serve merely as agents of the federal government, and their autonomy would be degraded significantly.

Keywords: autonomy, democratic developmental state, federal structure, interfering, unitary.



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Introduction

Federalism is simply defined as a constitutional division of power between two levels of government. It is the structure of the state in which there is constitutional guarantee of the existence and autonomy of constituent local units (regional governments). Unlike unitary state structure where the central government is very powerful and has the right to establish and remove local governments, in federalism the autonomy of the regional states is protected by the constitution. Thus, there are no subordinate relationships between the federal and regional governments as their power is derived from the constitution (Law, 2013), so that the federal government does not have unlimited power to destruct the constitutionally established autonomy of the states (Fiseha, 2007). The constituting units and the central government have constitutionally demarked powers and responsibilities in their own spheres. But, this doesn't mean that the federal and regional states do not have overlapping powers they share in common. Both governments have executive, legislative and judiciary powers to deal with their own affairs, and both can levy taxes to run their day-to-day activities (Law, 2013). So, from the above definition it is possible to understand that in federal state structure, the source of power for both levels of government is the constitution and regional states are not responsible to the federal government.

According to the International Institute for Democracy and Electoral Assistance (2015), various states have adopted federal state structure, mainly for reasons associated with scale and diversity.

Scale: When great distance is created between central government and the people due to the physical size of the state and the large number of its people, it is difficult for the central government to control and implement political, economic, social, legal and other activities in a way that the needs and interests of its people can be satisfied. Therefore, this overburdens the central government with onerous responsibilities. In addition to this, it is also difficult for the local people to express their views and actively participate on matters concerning them at the local level. This situation may lead to the creation of a system in which the voices of the local people is hardly heard and inappropriate and ineffective government policies and strategies that cannot match the needs and interests of the people at the local level. Such a kind of system of governing can separate the people from the government by creating a sense of alienation and frustration. Federalism served as a solution to this problem by decentralizing the political power to local units in order to create opportunities for people to easily communicate with their local government and actively participate on the issues that concern them (International Institute for Democracy and Electoral Assistance, 2015).

Diversity: One of the main reasons why some states adopt a federal system of government is to accommodate diversities like ethnicity, language, religion, and culture. Thus, unlike the unitary system, federalism offers constitutionally guaranteed autonomy to different ethnocultural groups to administer themselves within their own jurisdiction. For instance, this is the main reason Ethiopia adopted the federal state structure following the downfall of the ruling Dergue regime in 1995 (Fiseha, 2007). However, this doesn't mean that this kind of state structure is not applicable or preferable in societies where there is no diversity of ethnic groups, religious beliefs, or language etc. In short, federalism is a tool to protect minorities, prevent disintegration and conflict by providing the constitutional means

for conflict management and self-determination (International Institute for Democracy and Electoral Assistance, 2015).

Shared Features of Federations

According to Montes (2006), most federations are commonly characterized by features such as: division of powers and autonomy; participation of constituent units in federal decision-making; recognition of diversity; and fiscal federalism.

Division of Powers

One of the main features of federalism is the constitutional division of powers between the federal government and the constituent units of the federation. This does not mean that there is a uniform method of the distribution of power. The basic concept that matters concerns the constituent local units given to regional states, while matters of national concern are the responsibility of the federal government. The division of power cannot be arbitrarily changed, hence the common constitution of a federation guarantees the right of local governments to self-governance ensuring their autonomy. The federal constitution gives some power exclusively to the national government, shares some powers to both national and regional governments concurrently, and reserves some powers for either regional states or federal government (Montes, 2006).

However, some powers may not be given expressly by the federal constitution to either exclusively or to both concurrently. In such condition, various states have their own mechanisms to assign the powers to either party. For instance, in Ethiopia, such kind of power is given to regional states (Federal Democratic Republic of Ethiopia (FDRE) Constitution, 1995, Article 52(1)), but in countries such as India, powers not expressly given to any of the governments or in common are left up to the central government (Fiseha, 2007).

Though power is divided constitutionally between the states and central government, some states may receive preferential treatment unlike other constituting units of the federation for economic and political cases. For instance, in France the case of Monaco, in Canada the case of Quebec, in India the case of Kashmir and so on. Such federal arrangements are termed as “asymmetric federalism” (Fiseha, 2007).

State Participation at Federal Decision-Making

As previously discussed, the federal state structure has two levels of governments with different interests and rights/powers. These interests and rights must be both respected and protected. There should be a venue for the regional state voices to be heard during policymaking by the federal government. This can be realized only through a bicameral legislature. A bicameral legislature refers to the two houses (the upper and the lower houses) which represent the two interests of both levels of governments. Thus, Local governments must have a say or participate in federal policymaking by proposing legislation on matters concerning them through the upper house or second chamber, whereas the lower house represents the interests of the national government (Montes, 2006).

Accommodation of Diversity

The accommodation of diversity is also another basic feature of federalism. The states in which there are multicultural communities adopted federalism as the main solution to their lingering ethnic conflicts or inequalities by recognizing the existing diversities. Diversities

existed in terms of ethnicity, language, religion, cultures and others are natural to human beings. Thus, accepting such diversities as a “beauty” in a particular state is a foundation stone for peaceful co-existence of distinct and diversified societies, and can result in national unity. This can be achieved through allowing multi-cultural groups the right to self-government by ensuring their autonomy constitutionally. In this case federalism is a bed-rock to ensure unity within diversity or multi-cultural communities (Fiseha, 2007).

Fiscal Federalism

Fiscal federalism deals with the decentralization of expenditures and raising revenue powers between the federal and regional governments. Naturally, power is divided between the governments and both governments need finances to execute their expectations. In this way, they can maximize social welfare through fostering economic prosperity. Fiscal federalism mitigates the vertical and horizontal imbalances between the federal and state governments, and among the states through intergovernmental fiscal transfer. In federalism as opposed to regional governments which have some of the most heavy expenditure responsibilities such as health, education, and social services, the federal government has the major tax-raising powers. Fiscal federalism is also characterized by fiscal equalization which refers to the redistribution of revenues from the federal government and rich regional states to poor regional states, for the sake of fostering equal levels of public services (Chandra, 2012).

Constitutionalism

As discussed, in a federal system the source of power for both federal government and regional states is the constitution. It is a fundamental political and legal document that defines the powers and functions of the two tiers of government. So, it is a must for both levels of government to respect and act according to the constitution so as to stay alive and enjoy the benefits of the union. This can be achieved only when that which is enshrined in the federal constitution are seen in reality or practice (Montes, 2006).

Federalism in Multiethnic Ethiopia: An Overview

After the downfall of the military regime in 1991, Ethiopia introduces ethnic-based federalism for the first time in the political history of the country. The FDRE 1995 Constitution created a federal system of government set out according to ethnic-based territorial units to ensure ethnic and regional autonomy of the respective states. Accordingly, regional states of the federation were determined based on settlement patterns, language, identity, and the consent of the population concerned. Article 46 of the FDRE Constitution makes this explicit by stating “States shall be delimited on the basis of the settlement patterns, language, identity and consent of the peoples concerned.” Based on this, nine regional states are listed under Article 47(1) of the FDRE Constitution. Namely: the states of Tigray, Afar, Amhara, Oromia, Somalia, Benishangul/Gumuz, Southern Nations, Nationalities and Peoples (hereafter the Southern state), the state of the Gambela peoples and the state of the Harari people.

The FDRE Constitution recognizes the state is the home of multiethnic groups beginning from the preamble. And, it calls its citizens not as Ethiopian citizens, rather as Nation, Nationalities and Peoples of Ethiopia.

As it has been repeatedly raised, that in a federal system there are two folds of government with separate legislatures, executives, and judiciaries. Similarly, the Ethiopian

federal system is also not far away from this reality (FDRE Constitution, Article 46(1) and Article 50(1)). Both the federal government and regional states have their own separate legislatures, executives, and judiciaries within their own domain (FDRE Constitution, Article 50(2)). Besides, the 1995 FDRE Constitution empowers the regional states with significant autonomies.

Every Nation, Nationality and People in Ethiopia has an unconditional right to self-determination, including the right to secession and has the right to a full measure of self-government which includes the right to establish institutions of government in the territory that it inhabits and to equitable representation in state and Federal governments. (FDRE Constitution, Article 39(1, 3))

Moreover, as clearly outlined under Article 52 of the FDRE Constitution, regional states are empowered to establish a state administration that best advances self-governance, enact and execute the state constitution and other laws, formulate and execute economic, social and development policies, strategies and plans of the State, administer land and other natural resources in accordance with federal laws, levy and collect taxes and duties on revenue sources reserved to the states and to draw-up and administer the state budget, enact and enforce laws on the State civil service and their condition of work and establish and administer a state police force, and to maintain public order and peace within the State.

As can be seen from the provisions of the constitution mentioned, the FDRE Constitution empowers the regional states with plenty of power and responsibilities that they are expected to carry out within their jurisdictions (FDRE Constitution, Article 50(4-7), and Article 52). They are autonomous to exercise all of the powers and responsibilities granted to them by the constitution. They are not accountable to the federal governments or a kind of superior–subordinate relationships between them. The federal government does not have the power to intervene in the issues or matters of regional states by crossing the boundary existed between them which is the constitution. The same is true for regional states. It is only when what are postulated in the constitution are being realized by both levels of government that people can enjoy the benefits or fruits of federalism. Thus, both levels of governments have the constitutional responsibility to respect the power of each other by acting in accordance with the FDRE Constitution (Article 50(8)).

Developmental State as Alternative Ideology to Developing Countries

These days, the concept of “Developmental State” is dominating global development and political discourses as the result of the successful economic development from the East Asian countries. Developmental State as an economic ideology has emerged as an alternative to the dominant neoliberal ideology of the west. Neoliberalists call for no or limited government intervention in the market where the market operates under ‘supply and demand’ as a result of a competition among suppliers results in improving the socio-economic conditions of citizens (Gebretesane, 2015). This has been lectured to the developing countries as if the only way to achieve development, and developing countries have been serving as the laboratories of the newly emerging political and economic ideologies of the west in which none of the ideologies help developing countries to lift them out from poverty successfully. Instead, state interventions result in civil wars and failed states in different parts of the world (Bonda, 2011). However, countries from the East,

mainly from the so-called Asian Tigers, showed an alternative and successive way to achieve development (United Nations Economic & Social Council, 2013).

Though developmental states have socioeconomic and political missions in society, their utmost goal is to promote economic development (Bagachi, 2000). To this end, governments work to establish strong institutions, equip themselves with technocrats, and invest capital in building social infrastructure the private sector failed to address. Both the government and the private sector need to work in congruence to address both parties' gaps and failures (Gebretesane, 2015). The government therefore has to play a significant role in the industrialization and economic transformation of the state; which is at the core of developmental state ideology. This doesn't mean that the government replaces the role of the private sector in the economy or the opposite; there is a place for both the government and the private sector. As Meles Zenawi, the late former prime minister of Ethiopia indicated, in a developmental state the government intervenes in areas where the private sector is unable to address or fulfill, perhaps due to the need for massive scale risky investment or short-term profit driven by the private sector (Routley, 2014).

The term development state is usually attributed to Asian Tigers as a generic name and serves as a point of reference, but has been used by countries like Germany, Britain, Sweden and Norway since the 16th century (Öniş, 1991). More recently, African countries like Ethiopia, Botswana, South Africa, Rwanda etc....have adopted this ideology (Matfess, 2015). For instance, unlike the Asian Tigers, Ethiopia assumes democracy is the founding block for the development, unity and existence/survival of the state. As a result, the government used to refer to itself as the "Democratic Developmental Government" (Jebena, 2015).

Basic Features of Developmental States

Though the nature and features of development state varies from time to time and country to country, the following characteristics are some of the most common features across all forms of developmental states.

Aim: The ultimate priority of all developmental states is realizing economic development Intervention (United Nations Economic & Social Council, 2013). To this end, there is a clear state intervention in some selected areas of the economy where there is market failure (Johnson, 1982).

Role of the state in the economy: The state plays a central role in macro-planning; having independent political power and economic autonomy (Johnson, 1982).

Effective Bureaucracy: The political leadership is determined to bring about economic development and is relatively less corrupt. Recruitment and assignment to positions is based on merit (Leftwich, 2008), hence technocrats are effective, competent, and nonpolitical.

Role of the private sector: This sector is expected to be efficient and effectively engage in production to combat market failure from failures of the state (Jebena, 2015).

Source of legitimacy from the public: Governments are generally devoted to activities aimed at significantly reducing poverty and unemployment in order that citizens can benefit from the fruits of the country (Johnson, 1982).

Ethnic Federalism and Democratic Developmental State in Ethiopia

Since 1991, Ethiopia has been arranged on an ethnic-based federal structure, as clearly stipulated in the 1995 FDRE Constitution. During the 2000s, Ethiopia adopted developmental state ideology despite many critics from various institutions and the elite. According to Bekele and Regassa (2012), Ethiopia's move towards democratization as a development state is to rescue itself from the problems of neoliberalism, ethnocracy, and legacy of the Dergue regime. This meant restructuring state departments with capable and skilled manpower, opening the political arena to all organized legal political oppositions, but creating a national consensus on the agenda of development as the utmost goal of the state, whilst protecting collective and individual rights as nonnegotiable.

In fact, the country experienced a sustained fast-growing economy in the decade since the adoption of this new ideology (Bonda, 2011). In such a case, the role of the government in the market is unavoidable. The state needs to intervene in the market with the assumption that market failure would impact on the population in rural areas as they would not benefit from the country's development, especially in the relation to physical infrastructures (Fourie, 2011). Ethiopia mostly resembles with the case of South Korea in its policy of import substitution, establishing industrial corridors, encouraging entrepreneurs and microenterprises (Bonda, 2011). Some conceived this kind of paradigm shift was experienced while the ruling Ethiopian People's Revolutionary Democratic Front (EPRDF) adopted a democratic developmental state ideology (Bonda, 2011). To various scholars such as Jebena (2015) and Asnake (2011), this newly-adopted ideology contradicts the very foundation of the FDRE Constitution and federal arrangement of the country. Jebena (2015) stated that it is:

...as a result of ethnic based federalism of Ethiopia, the politics of self-determination drastically hindered elite commitment, and ethnically affiliated bureaucracy has been cultivated instead of meritocracy, all of which affect DDS. In addition, ethnic federalism has also been exacerbated by ethnic conflict with the creation of new minorities at regional level which erodes national consensus, the core element for the success of democratic developmental state. Furthermore, despite the federal and decentralized structure of the Ethiopian state, development policies, targets and programs are designed at the center, authorizing regional and local authorities little for maneuver in a centralized and top-down logic. Accordingly, the ethnic-based federalism of the Ethiopian state seems to stand in sharp contradiction with the centralistic and top-down logic that inspired the DDS model and practices... (Jebena, 2015).

Furthermore, Matfess (2015) devalues Ethiopia's Democratic Developmental State as something insignificant. He stated, naturally developmental states are characterized by the principle of ruling by a government for a long period of time to realize the targeted economic development at the expense of democracy. In this case, there is no such thing as democracy in the developmental state. Thus, democracy and the developmental state are two contradictory concepts. As Bonda (2011) depicted, the very arrangement of the state on an ethnic basis has an implication to "establishing highly competent bureaucracy due to the ethno-language criteria for recruitment and appointment of bureaucrat and their patron client arrangement." In line with this argument, one of the utmost challenges in establishing

a unified state is that citizens used to link themselves with their ethnicity so that it is very hard to create a national consensus which is the core for creating a successful developmental state (Bonda (2011)).

Besides, in the developmental state, the level/degree of autonomy of regional government would be strongly degraded as a result of which regional governments remain as executors of orders from and the interests of a strong central federal government (Jebena, 2015). Above all, the subnational fiscal autonomy would be threatened as a result of the adoption of a developmental state in Ethiopia. Regional governments are endowed with the right to generate their own income via the FDRE 1995 Constitution, but are now in clear danger to operate in their own way due to the new paradigm shift at the center. This could result in vertical fiscal imbalance (Mulu, 2015; Yesigat, 2016).

Conclusion

Ethiopia is one of the fastest growing world economies, but it is debatable whether or not this is as a result of the adoption of developmental state ideology. This is something different than from the perspective of economic development. The adoption of this new ideology into the state structure is problematic in various ways: from state autonomy politically and economically, to the constitutional structure itself. These days, the state governments are too weak, and the federal government is almost always interfering in the regional affairs. As a result, the state structure seems to be more unitary than federal. Thus, the adoption of developmental state in Ethiopian context is almost unconstitutional.

Notes

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