

Full Length Research

From Formation to Redefinition: Exploring the Principles of Constituent Unit Boundary (un)Making in the Ethiopian Federation

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This article examined the principles used in the (un)making of constituent unit boundaries of the Ethiopian federation from its inception in 1992 until its redefinition in 1994. It organized the data using various media reports, retrieved life experiences from seven purposely chosen Key Informant Interviews, and conducted a qualitative analysis of documents. Accordingly, it revealed eight (8) principles that were utilized in the establishment of interregional states' boundaries in Ethiopia, including the "four principles" enshrined in the 1995 Federal Democratic Republic of Ethiopia (FDRE) Constitution and the principles of agreement among and/or between adjacent nationalities, ethnoterritoriality, ethnoculturality, and ethnolinguisticity. It also revealed historical considerations and informal agreements between officials. It was discovered that the political objectives of ethno-national groupings dictated the implementation of these principles. It is discovered that interregional state boundaries making of the 1992 had a paramount ramifications for nationality groups' ability to safeguard, promote, and preserve the ethnonational groups' identities.

Keyword: Ethiopian Federation, Principles, Interregional Boundary-making, Ethnoterritoriality

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INTRODUCTION

Principles that federations utilize to organize their constituent unit¹ significantly vary, and mostly dependent on the nature of the federation. Specially, young federations usually face the problem of what criteria to use when demarcating their constituent unit boundaries (Villiers, 2012), whether on an administrative, personal or ethnonational group² basis.

Literature shows that the nature of a federation, meaning, being a 'classical' or an 'emergent' federation, significantly determines the general political map of the country and the organizations of its constituent unit boundaries. For "classic"

¹ The phrase constituent unit(s) is used in this study when referring to the second level of government, except when a specific case study is referred to in which case the terminology used by that country will be followed, for example, states, provinces, Länder or cantons and the like. For instance, constituent unit governments are known by a variety of names in various countries: In the USA, Mexico, Nigeria, India, and Ethiopia, they are called "states" or "regions"; in Switzerland "cantons"; in Canada and South Africa "provinces," in Germany and Austria "Länder"; in Belgium "regions"; in Spain "autonomous communities"; in Russia "republics", or "oblasts".

² For the sake of clarity, the term 'ethnonational groups' is used in this study when it is conceived that a certain ethnic group is a politically mobilized group and 'ethnic groups' when it generally describes the overall groups of people residing in certain nation, for example, alternatively to refer to nations, nationalities, and peoples of Ethiopia.

federations, constituent units are said to be given because such federations came to exist through the coming together of previously existing separate entities under the new constitution (Anderson, 2014, p.3). Where federations are newly formed - “emergent”³ – federations, however, drawing a new political map takes place during the transition to federalism, or some years after the transition (Anderson, 2014). In creating this new political map, what is primarily challenging is creating viable constituent units and their boundaries to embrace the diverse nature of the country’s population, and it becomes more difficult where there is a widespread politically mobilized and territorially concentrated ethnonational group like Ethiopia.⁴

Mareno and Colino (2010) studied the federal states with politically relevant ethnic minorities and found that the boundaries of constituent units cut across ethnic groups in Brazil and in the United States (US). However, we do not boldly notice ethnic mobilization in such federations. In other federations such as Canada, Nigeria, Russia, Spain, and Switzerland, on the other hand, noting two points is important. First, their federal structure reflects to some extent ethnic diversity, but it is certain ethnic and linguistic groups that enjoy autonomy under the federal structure. Second, those ethnic-linguistic groups are divided among different constituent units by design. In Ethiopia and Belgium, however, the federal structure promptly reflects the territorial distribution of ethnic groups (Mareno and Colino, 2010) (Mareno and Colino, 2010) because these federations have politically mobilized ethnonational groups.

Scholars who studied objectives that underlay the creation of (new) regions revealed that many aims must be met before we create new constituent units. Firstly, a balance between demands of minorities to have regions of their own and to make the number of regions sustainable, whether it is practically and financially affordable must be ensured. Secondly, it is stated that the outcome of the demarcation of regions must provide certainty as far as the boundaries of regions are concerned, while at the same time, the process must allow some flexibility so as to adjust regional boundaries and/or creating new regions or amalgamating the existing regions if necessary. Thirdly, it is mentioned that to ensure the free flow of people, goods and services across the nation measures have to be implemented without impediment by regional boundaries, while at the same time regions should be encouraged to experiment and develop their resources and maximize their economic potential. Finally, it is identified that measures meant to protect minorities within the respective regions must be considered so as to protect such minorities against abuse of powers by the dominant group within the region, while at the same time, regional governments should be allowed autonomy to arrange for their internal governance institutions and processes (Villiers, 2012). But, if we closely observe these identified objectives, at their face value, these objectives may seem to militate against one another and are competing objectives. So, finding out a proper balance between these competing objectives is thus not an easy task. Even well-established (sometimes called full-fledged) federations such as Switzerland, Canada, and India have shown that it requires long time to bring all the competing objectives into equilibrium (Villiers, 2012).

It is also expected that constituent units need to be created and/or reorganized on the basis of administrative convenience, economic viability, and similarity in the developmental needs of a sub-region and cultural-linguistic affinity to accommodate and institutionalize various sub-regional identities. The aim is to strengthen “the self-rule, shared-rule” principle of cooperative federalism, as well as, to provide quality governance.

This shows that the territorial design of federations usually faces paramount problems on how to regulate the challenges of ethnic diversity. More precisely, to what extent should constituent units accommodate the diverse nature of the society and ensure the unity of the country is a serious problem for the territorial design of a federation. Studies (for example, Bauböck, 2001) show that, although the territorial concentration of cultural identities contributes to the emergence of a polity consciousness among a subsection of the citizenry (that significantly raises the issue of the internal boundary in a federation), it is not itself a sufficient cause. The consciousness also depends on the nature of the cultural differences (linguistic ones being generally more relevant than religious ones), and other factors like a history of past self-government or exclusion from the political community (Bauböck, 2001). In this way, the territorial concentration of cultural or linguistic communities along with the history of the past or exclusion from the political community perhaps plays a paramount role in the organization of internal boundaries of the federation. And this should be a critical factor to consider when developing a federal solution that addresses the issues of ethnic variety (in any federal design) while avoiding the risk of further entrenching and deepening existing differences (Fessha, 2012).

On the basis of the institutional design perspective, Assefa Fiseha summarizes two impliedly indicated options that the African states pursued in this regard (Assefa, 2022). The first is said the integrationist or centripetal model, which is usually associated with Donald Horowitz with its ideological roots in the United States of America (USA), and is reflected in the constitutions of Nigeria and South Africa. The second option is largely a European, and is known by different names as pluri-national, multinational or ethnonational based federations with its core feature of accommodation policy

³ For detail understanding of classical and emergent federations, see Watts (2008).

⁴ Ethiopia is a country constituted of politically mobilized and territorially concentrated ethnonational groups. For better understanding, see (Assefa, 2012, 2019).

towards territorially based politically mobilized cleavages (Assefa, 2022). As a consequence, there is a clear institutional design difference among the African federations although little divergence is observed in reality (Assefa, 2022; Fessha, 2012). Ethiopia, which is the focus of this study, instituted the second model because there are politically mobilized and territorially concentrated nationality groups in the country.

Studies on the Ethiopia's political dynamics have primarily concentrated on the "ethno-federal" (to use Asnake's (2010) phrase) or commonly said, "ethnic federalism" aspect of the current federal structure: the degree to which ethnicity in politics has succeeded and has resulted in democratization, equity, or socio-economic growth (Abbink, 2009) of the country. When some (Teshome-Bahiru & Zahorik, 2008, p. 9) disparaged it asserting as a "re-tribalization" of the country, others (Bihonegn, 2015; Mulatu, 2017) have gone to conclude that unless Ethiopia goes through (re)configuration, it is in danger of fragmentation. In the views of Alemante, creation of a "distinct societies" from 'non-existing' is the animating desire behind the current Ethiopian federal design (Alemante, 2003, p. 53).

More often than not, the recurring inter-ethnic and/or inter-regional conflicts in the Ethiopian federation since 1991 have been primarily conceived as the ill-fates of the 'ethnic-based federal structure' in the country. Disagreements over administrative boundary demarcation between Oromia and Somali regional States; between Oromia and the Southern Nations, Nationalities and Peoples' National Regional State (hereunder SNNPRS) regions; between Oromia and Benishangul-Gumuz regions (Asnake, 2009, p. 5); and between Amhara and Tigray regions recently⁵ are attributed to the ill-fates of the current federal setups. More specifically, the competition over the town of Babile between Oromia and the Somali Regional State (hereunder the SRS), as well as all exacerbated conflicts over access to water and land by pastoral groups such as the Borana and Garri, and tensions between the Afar and the Issa in the Afar and Somali Regional States (Hawi, 2016), among others are all ascribed to the nature of the federal structure.

These and other similar 'attacks' against the current federal structure of Ethiopia mostly come from those groups whom Assefa prefers to call 'hard-line' centralizers and parties that disguised the current regional states' configuration. 'Hard-line' centralizers were a very stringent group that strongly insisted on a unitary state with the sovereignty of the state indivisible and no right of self-determination for the ethnonational groups (Assefa, 2019). The central argument of this groups is that the current federal state structure would put the survival of the state apprehensively in danger (Bihonegn, 2015).

Other groups that contend to undue the historic provinces as the best way for restructuring the current regional states in the country also resemble to have the same motive. For instance, the Ethiopian Democratic Party (hereunder EDP), which in principle acknowledges the possibility of federal state structure for Ethiopia, advocates the demarcation of regional state boundaries based on administrative convenience following the historic provinces (of the Dergue time).

On the contrary, for parties, such as the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF), which dominated the transition of the country to a federal state until it was replaced by the Prosperity Party (PP) in December 2019 and the strong advocate of the current federal design, "the federalization was necessary to address the problem of national inequalities in the past; to secure peace and democracy in the country; and to maintain the territorial integrity of the state endangered by secessionist movements" (Bihonegn, 2015). And by categorically rejecting the continued attacks against the federal design, the EPRDF continually argued for maintaining the current structure of regional states structures, which they believed that, it is part of the full measure of self-determination of the rights of nations, nationalities of peoples of Ethiopia. not only this, other ethnonationalist parties, such as the Southern Ethiopian People's Democratic Coalition (hereunder SEPDC), and the Oromo National Congress (hereunder ONC), that criticize the dominant position of the EPRDF also profoundly demonstrate the same position. For instance, the ONC is more or less a supportive of the current federal design, but is opposed to the dominance of the EPRDF and for its seriously impeding the formal constitutional provisions (Merera, 2007).

Nevertheless, a thorough examination of scholarly research that concentrates on the 'ethno-federal' element, in addition to the stances of both supporters and detractors of the present federal structure, highlights two crucial, yet significant, factors that are absent and imperative in fully comprehending whether reorganization of regional states and their borders is necessary. That is to say, research on Ethiopian federalism's 'ethno-federal aspect' and opposing groups have similar conclusions. Both groups agreed that the current Ethiopian federal structure is unworkable, but did not sufficiently explain why⁶. The majority of what they claim to be the profound pitfalls of the federal design are basically

⁵ There is no doubt that the bone of conflict between the Amhara and Tigray regions was primarily on who should administer Welkait Tsegede and other similar areas, and when this thesis was in production, it was the main source of tension between the two regions.

⁶ For example, neither these groups provided plausible justifications to remedy the long-aged struggle for the right to self-determination of the ethnonational groups if we are to resume the provincial administrations of the preceding regimes. Struggle for the right to self-determination of NNPs of Ethiopia was at the center of struggle of liberation movements almost for more than 60 years and it became the guiding principle of the current multinational federal design.

provided following a simple description of the failed states. Ethiopia's federal structure is seen as a potential cause for the country's division, based on the failed federal countries of Eastern Europe.

There is no doubt that in the early 1990s, the Soviet Union split into fifteen independent nations. Yugoslavia gave way to seven sovereign states, and it broke Czechoslovakia into two separate states. But the history of federalism did not end here. Federalism has thrived, for example, in Canada, India, Switzerland, and South Africa, since these nations significantly relied on democracy to manage their varied groupings. That is, each state has been effectively granted autonomy to uphold the core linguistic and cultural norms of its national people. So, most part of critics against the current Ethiopian federal design fail to capture the flourishing part of federalism, and as a result, they failed to establish a strong justification for why they press to undo the current federal structure.

In other words, EPRDF, in charge of implementing the federal system, failed to follow agreed principles. It used the concept of federalism instrumentally rather than genuinely. Because of this, it failed to convince the belittling group.

So, the central argument is that to get a comprehensive understanding on whether we should (re)organize the current regional states' structure, we have to first examine the principles that guided their designing in 1992. For this, we need to scrutinize the feelings and experiences of those who were part of the (un)making process, mainly representatives of ethnonational movement. It is argued that interregional state boundaries are not mere administrative boundaries in multinational federations. So, we need to examine whether interregional state boundary delineations have implications for the diverse nature of the Ethiopian population, as well as, for the integrity of the country. This analysis in Ethiopia focused on whether the guiding principles resolved 'nationality questions' and upheld political unity of the country.

Ethiopia is known to have a continual changing of its provincial administrations and has never experienced a stable internal administrative system in its history (Assefa, 2019). An unfolding call for the (re)structuring of the regional states is still pronounced and inflicting the Ethiopian politics following the inception of the federal system. And, in our everyday political, economic, social, as well as policy discussions, it is hardly possible to escape the milieu of recurring pursuit for the necessity of constituent units' (re)organization in the Ethiopian federation.

It gauges two basic questions in mind: 1. why should we go for restructuring of the regional states, and their boundaries? This helps us explore the guiding principles of the making of the first 14 National/Regional Self-governments in 1992, and the unmaking process at the end of the transition. And 2, is redefinition of interregional state boundaries a rule or a norm? This also enables us to neutralize the assumption held by the disparaging group against the current federal structure of Ethiopia. More importantly, analyzing these two questions is essential to grasp the overarching problem in the Ethiopian federation.

Even at the international level, the huge literature on federalism has paid relatively little attention to how federal political maps have been or need to be drawn and revised; thus, there is very little (if available) comparative study in this regard. Not only this, no single or ideal model is also yet established (Watts, 2008) to follow while demarcating constituent unit boundaries in federations. For such and other profound reasons, studies on the principles of (un)making constituent unit boundaries in federations in general and Ethiopia in particular lack a comprehensive and systematic analysis.

It is mostly heard that 'there is not any (physical) boundary between regional states in Ethiopia; what is there is only an administrative boundary' (mostly said in Amharic *Yeastedader wesen*). What does this mean from the perspective of the federal principle? So, this article tried to examine how the territorial design (that is, institutional) of the state (from the federal principles, political orientation, social forces, and historical factors) influenced the making of regional state boundaries during the transitional period in Ethiopia; and whether the established territorial design adopted by the EPRDF reflected the lived reality of social forces in the society.⁷In line with this, it shaded light on the impact of interregional borders on the cultural, identity and language groups of the Nations, Nationalities, and Peoples (NNPs) of Ethiopia. It is believed that such analysis supplements the efforts that policymakers, politicians, and students of the field make to comprehensively understand the principles that impact the making and unmaking of constituent unit boundaries in multinational federations with territorially concentrated and politically mobilized ethnonational groups like Ethiopia.

To achieve this objective, this study undertakes a qualitative analysis of documents and collects the live experiences of seven (7) purposively selected individuals who were part of the making and unmaking processes through Key Informant Interviews (KIIs) to logically solicit the principles that were pursued as the state strategy to delineate interregional state boundaries in Ethiopia during the Transitional Period (TP). The information obtained through the interviews was transcribed thematically and analyzed accordingly. The qualitative analysis of different legal documents

⁷ In this regard, it is important to note that the pressures within a society may force a particular expression in its political institutions, processes, and behavior; yet once these institutions and processes are adopted, in turn, they also can shape the society by determining the channels in which these social pressures and political activities flow. Thus, it is reasonable to assess whether those institutions, their behavior, and processes existing even at the regional level express the pressure of their respective society within each federation.

and media reports supplemented the developed arguments.

The remainder of this paper includes the making of constituent unit boundaries in federations, the making and unmaking of interregional state boundaries in the Ethiopian federation and the implications that interregional state boundary-making has for ethnonational groups in Ethiopia, as well as, the conclusions drawn from the study.

Boundary Design: Principles and Considerations for Constituent Unit Boundary Formation in Federations

Federations are characterized by having at least two levels of government, one for the whole federation and the other for the constituent units, each acting directly on its citizens (Anderson, 2008, 2014; Riker, 1964; Watts, 2008). While countries, such as the US and Ethiopia recognize two orders of government in their constitutions, other “emergent” federations, such as South Africa, Nigeria, and India have constitutionally entrenched local governments as the third tier of administrative units.

In the organization of the second tiers of administration, the delineation of interregional state boundaries is usually a problem; especially in federations characterized by politically mobilized and territorially concentrated groups. For instance, young federations face the problem of what criteria to use when demarcating their constituent unit boundaries (Villiers, 2012), whether an administrative, personal or ethnonational group. This is mainly because interregional state boundaries may mean different things to different people. It is also because of the assumption held that interregional state boundaries serve mere administrative purposes; thus lack proper attention from federal scholars.

Understood differently from border – that signifies a natural or man-made mark separating one sovereign country from another sovereign country, and we can define a boundary to mean a natural or man-made mark that separates one administrative unit from another administrative unit (in this case, regional state from another regional state) within a country. In this way, empirical studies on multinational federations depict that boundary-making in multinational federations does not merely serve administrative convenience. It is strongly connected to, for example, minorities’ rights to self-determination because it renders social status and an opportunity to monopolize privileges (Krstić, 2022). Inversely stated, drawing boundaries by making the minorities a minority even on their own territory compromises their rights to self-determination. In this case, minorities’ desire to remain the majority in their home province (Jnawali, 2018) may necessarily require delineating a boundary coinciding it with their inhabiting areas.

For precision purpose, it is important to differentiate symbolic boundaries from social boundaries.⁸ “Symbolic boundaries are conceptual distinctions made by social actors to categorize objects, people, practices, and even time and space. They are tools by which individuals and groups struggle over and come to agree upon definitions of reality” (Lamont & Molnár, 2002, p. 168). They also separate people into groups and generate feelings of similarity and group membership. Its concept can aptly explain how people’s separation into groups helps generate a sense of community and group affiliation, as well as establish the scope of their identity (Krstić, 2022). Symbolic boundaries are thus an essential medium through which people acquire status and monopolize resources (Kuipers, 2010; Lamont & Molnár, 2002).

It is argued that symbolic boundaries become a restraining factor “once they meet two conditions: when they become widely accepted, and when they translate into visible patterns of social exclusion, i.e., when they have become social boundaries” (Krstić, 2022, p. 65). There are five generally identified categories of boundaries:

1) Geographic boundaries (e.g. topographic features, physical characteristics, climate, flora and fauna, natural resources); 2) Political boundaries (e.g. political, administrative and/or military divisions); 3) Demographic boundaries (e.g. ethnicity, gender, population density, health); 4) Cultural boundaries (along linguistic, religious and/or divisions of material culture); and 5) Economic boundaries (e.g. extraction of raw materials, transshipment of commodities, production of finished products, agricultural production) (Langer & Fernández-Götz, 2020, p. 35).

The third and fourth categories are the focus of this article. Ethnoterritoriality from demographic boundaries and cultural boundaries, primarily linguistic and material culture are the principles developed in this study (see the next sections for details) following people’s differentiation of their ethnic groups from other groups in order to explain the delimiting boundaries between interregional states in the Ethiopian federation. In understanding this sense, it is crucial to bear in mind that, in contrast to (real or imagined) lines on the ground, boundaries are the result of several human interactions and have a variety of implications for coexistence depending on historical contexts (Langer & Fernández-Götz, 2020). And, this understanding is more pronounced when interregional state boundary-making follows such differences in federations, and when such differences mark the principles for making and unmaking of constituent unit boundaries in federations. It is claimed that federalism permits distinct communities, defined by their territorial boundaries, to exercise guaranteed autonomy over certain matters of particular importance to them while being part of a

⁸ For detail understanding of the concept, characters and scope of symbolic boundaries, see Nomanja (Krstić, 2022).

larger federal union through which shared powers and responsibilities are exercised over matters of common concern (Bulmer, 2017, p. 4).

Literature shows that principles used in the making of constituent-unit boundaries in federations could emanate from the spirit of the federalism itself; or they are constitutionally or legally entrenched provisions; or they could evolve through practice via the decision of a government for the making of constituent-unit boundaries (Anderson, 2014). The principles may include mechanisms or decisions, and the governance system whether fully centralized or devolved, and/or entrenched constitutional provisions that help federations to implement the central tenet of federalism. Understandably, therefore, these principles inevitably determine not only the overall structure of the federations but also the making of constituent unit boundaries. The principles we use to design regional state boundaries could be expressed in other different ways. For example, Nigeria was formed after military rule was overthrown in 1966, and their 'new' states were created based on the principles of "no dominant state in the federation; geographical compactness; administrative convenience and the wishes of the people; and effective capacity" (Anderson, 2014).

Nonetheless, when creating constituent unit boundaries, the principles and the practical processes could indeed be different. Based on Anderson's analysis, even though in principle Iraq has provided for the role of local voice in determining the constituent units, in practice the process of creating regions has been put on hold (Anderson, 2014).

But still, only a few literature (for example, Anderson, 2014; Villiers, 2012) has emphasized studying the (un)making of constituent unit boundaries in the federations. Because of this, it is possible to assert that it is apparently at its infancy stage in the study of federalism. As indicated above, interregional state boundaries are most often conceived as only the geographic limits of administrative divisions inside a single nation and have little political relevance (Asnake, 2010). But, the political order of federalism requires, among other things, the definition of boundaries and the composition of the member units (Primer et al., 2017).

Studies (Anderson, 2014) that attempted to explore how the boundaries of the constituent units are drawn and redrawn revealed that the federal constitutions of the 'classic' federations – the United States, Switzerland, Canada and Australia; namely the federations that were formed through the coming together process of previously separate units – maintained existing unit boundaries and there was no need to draw new boundaries. By contrast, in more recent cases of forming federations, the drawing of a new 'political' boundary⁹ is necessary at the time of the transition to federalism or some years after the transition. In some cases, problems were caused when federalism was established in the new constitution without resolving the establishment of constituent units. Libya, Myanmar, Nepal, Somalia and Yemen are countries recently engaged in potential federal transitions where the political map was an issue (Anderson, 2014).

Even though such studies are appreciated for being a good start, particularly since they deal with the principles that underlie the determination of interregional boundaries, they are too general and therefore require a detailed analysis in the study of the organization of constituent units in federations. In his analysis of the 'classic federations', for example, Anderson did not capture the principles of gerrymandering that were employed in the US to create the final structure of their constituent unit boundaries. As McGarry and O'Leary noted, "As the United States expanded southwestward from its original largely homogenous (except for African slaves) thirteen colonies, it was decided that no territory would receive statehood unless White Anglo-Saxon Protestants (WASPs) outnumbered minorities" (McGarry & O'leary, 2005, p. 269). According to the authors, this was partly achieved by gerrymandering state boundaries in a way it ensures that Indians and Hispanics were outnumbered, as in Florida, and partly achieved through delaying statehood "until the region's long-standing residents could be swamped with enough WASP settlers" (McGarry & O'leary, 2005, p. 269). This shows an existence of the makers' best interests behind the delineation of regional state organization.

It is generally concluded that the principles used in the (un)making of constituent unit boundaries in federations are predominantly dependent on the country's political situation or circumstances, and therefore may be different from

⁹ Political boundaries are the dividing lines between countries, states, provinces, counties, and cities. These lines, more often called borders, are created by people to separate areas governed by different groups. Sometimes, political boundaries follow physical boundaries, but most of the time you cannot see them. Most maps show political boundaries. They change over time through wars, treaties, and trade. The boundary which this thesis treats is the administrative boundary that is delineated between constituent units in federal states, which also most of the time functions as fairly powerful jurisdictional borderlines of the states– which also has not only border effect but also the effect of identity and policy differences, in addition to ensuring certain community are right to self-government. Illustrated in another way, 'constituent units do not control their own borders and they allow the free flow of individuals over their borders and treat everyone as a member of the polity who takes up residence in the territory, thus they have to accept immigrants from other parts of the state as local citizens. On the contrary, independent states control their borders in order to maintain their boundaries of membership. But, in provinces borders merely define the range the persons who will be subject to the local political authority' (Baubock, 2001, pp.6-7).

federation to federation. Additionally, they could be changed over time to coincide with the country's social structure and to fit with the country's political changes.

By going beyond a simple prescriptive and descriptive model of federal studies this study is expected to contribute to this 'new' area of research development in federal studies. Additionally, it tries to clarify the implications that interregional boundary-making has in multinational federations, taking Ethiopia as a case study.

The Principles for the (Un)making of Interregional State Boundaries in the Ethiopian Federation

It can be noted that the current geographic map of Ethiopia is largely the outcome of the late 19th Century Menelik II conquering of the previously semi-autonomous peripheral peoples of the Ethiopian Empire¹⁰ and the emergence of Marxist-Leninist (ML) teaching as the dominant ideology of opposition since the end of the 1960s. After the country was established as a diverse modern state thus the lines of internal administrations were continually changing from time to time but it did not take the diverse nature of the country's population into consideration.

For example, during both the Imperial and the Dergue times, it was the exigencies of transport and communication across a mountainous terrain (rather than continuities of culture or language) that had determined the lines of administrative units in the country. As the policies of the Imperial and socialist times were highly centralizing and advocates of a homogenized identity, they significantly marginalized most parts of the population (Assefa, 2019), which gave birth to what is usually framed as the 'nationality questions'.

Following the downfall of the Dergue regime in 1991, the EPRDF assumed power and a new structure was commenced as a response to the prolonged 'nationality questions'. Then the Ethiopian empire state was reconfigured into a new political map and boundaries of the established National/Regional Self-governments were made to be coincided to the lines of supposed ethnonational groups' differences.

The making of configuring the structure of the state took place two times. The first period was during the Transitional time (from 1991-94 – the making period) when 14 (fourteen) National/Regional Self-governments were first created, in 1992. Accordingly, the Transitional Government of Ethiopia (the TGE) issued Proclamation No. 7/1992 (National/Regional Self-Government Establishment Proclamation), which was entrusted to create the fourteen national/regional governments, two of which were chartered cities - Addis Ababa and Harar City. The states were further divided into sixty-six (66) zones, and five hundred fifty (550) *Woredas* (Mulatu, 2017). At that time, the regions were created based on the self-determination principle (details are presented under 3.2. below).

The second period was at the end of the transition in 1994 when unmaking of the five National/Regional Self-governments (Regions 7 to 11) was started by amalgamating them to form one region, the SNNPNRS thereby only nine regional states were formally enshrined in the 1995 FDRE Constitution. Similar to the Transitional Period Charter (TPC), by reducing the size of the administrative regions into nine and establishing one self-administrating city, the City of Addis Ababa, the 1995 FDRE Constitution granted all 'nations, nationalities and peoples' the unconditional right to self-determination, including secession (see Art. 39). This principle of self-determination was the principle that had formerly underpinned the formation of the first 14 National/Regional Self-governments in 1992. Besides, based on Article 47 (2) of the same Constitution, these 'nations, nationalities and peoples' residing within those enumerated regional states are fully granted the power to establish their own [new] State(s) at any time of their will. This principle is also entrenched as part of their unconditional right to self-determination included under Article 39 of the FDRE Constitution. In other words, the 1995 FDRE Constitution mentions four criteria: the settlement patterns, language, identity, and consent of the people concerned (see Art. 46 (2)) to be the principles for the demarcation of constituent unit boundaries in the Ethiopian federation.

In so doing, contrary to the preceding provincial administrative delimitation, the post-1991 redrawing of territories needed to be aimed at making the constituent units the basis for exercising self-rule by the larger ethnonationalist groups (Assefa, 2019) as promised in the Transitional Charter (Fessha, 2008). Accordingly, Ethiopia was restructured into 14 National/Regional Self-Governments in 1991/2.¹¹

With the formal federalization of Ethiopia, de facto 1991, and de jure 1995, the TPC¹² of July 1991 proposed to restructure the Ethiopian state as indicated in Map 1 below based on the principle of self-determination of all peoples residing in the country. In contrast to the preceding Ethiopian regimes' processes of centralization and homogenization,

¹⁰ It is sometimes named 'Historic Ethiopia'. For further understanding see Merera (2003)

¹¹ When this article was developing, there were eleven regional states but more states were to evolve in the next few years given the strong move from the Southern Nations, Nationalities and Peoples' region.

¹² The TPC, also known as 'an Interim Constitution of the TGE,' was an outcome of a national conference convened at African Hall in Addis Ababa from July 1-5, 1991 constituted from representatives of some 31 political parties.

this new approach introduced an accommodative approach to the diverse nature of the Ethiopian people. It has opened a new chapter to address the aged 'question of nationalities' and respond to the long-awaited quest for autonomy.

The right to self-determination of all the peoples then became the foundational governing principle in the new political order. It is stated that the adoption of the TPC would

start a new chapter in Ethiopian history in which freedom, equal rights, and self-determination of all the peoples shall be the governing principles of political, economic, and social life [...] thereby contributing to the welfare of the Ethiopian Peoples and rescuing them from centuries of subjugation and backwardness (Vaughan, 2003, p. 14).

The text of the Charter under Article 2 of part one continued with the affirmation of the 'right of nations, nationalities, and peoples to self-determination' stating that:

[T]o this end, each nation, nationality, and people is guaranteed the right: a) to preserve its identity and have it respected, promote its culture and history, and use and develop its language; b) to administer its affairs within its own defined territory and effectively participate in the central government based on freedom, and fair and proper representation; c) to exercise its right to self-determination of independence when the concerned nation/nationality and people are convinced that the above rights are denied, abridged, or abrogated.

Accordingly, the Charter guaranteed the nationalities, among other things, the right to preserve their identity, administer their affairs within their own defined territory, the right to have fair and proper representation in the central government, and the right to self-determination, including secession. One can argue that this dynamic shift of power from the center to hitherto marginalized nationalities has undoubtedly opened not only a new chapter in the country's political history but also in the fundamental thinking of state reorganization primarily emphasizing to address the last longing 'question of nationalities', which lend to the evolution of different governing principles for the making of the constituent unit boundaries of in the Ethiopian federation.

When the FDRE Constitution was later enforced in 1995, the principle of self-determination was also directly transplanted to the Constitution. Under Article 39 (1) of the same Constitution, it is explicitly enshrined that 'Every Nation, Nationality, and People in Ethiopia has an unconditional right to self-determination, including the right to secession.' In this way, the Constitution extended the right to self-determination to include the secession clause and granted it unconditionally to all ethnonational groups that it prefers to call "nations, nationalities, and peoples" to secede from the nation. Even though there was a strong move from the moderate centrist group to federalism short of secession (Assefa, 2019), the EPRDF was committed to uniquely bestow this right upon all NNPs without any threshold if certain conditions are fulfilled.¹³

The right to self-determination which included the right to secession has become the profound principle to restructure the Ethiopian federation. Accordingly, the oldest nation-state Ethiopia was carved up into 14 autonomous self-administrative regions, which later formally reduced to nine 'regional states,' each organized along the lines of the major language or ethnic groups living within its borders and one semi-autonomous city-state of Addis Ababa (Vaughan, 2003). What is made clear in this statement and evident from the next sections is that ethnolinguisticity and/or ethnoterritoriality principles were used accordingly for the making of the constituent unit boundaries in the Ethiopian federation. A substantive scholarly analysis additionally reveals some historical factors, ethnoculturalism, as well as geographic boundaries to be the prime organizing principles for the delineation of the nine-member states established in the 1995 FDRE Constitution (Mccracken, 2004, p. 193) and are presented in other sections this article.

The central argument is that the interregional state boundary arrangement is a guarantee for the right to self-government for NNPs in the Ethiopian federation. This emanates from the premise that NNPs of Ethiopia would fully exercise their group-specific rights, such as the right to self-administration, culture, language, and history, among other group rights, if the internal boundary demarcation in the federation ensured their territorial dispensation. As a result, it is fair to contend that political mobilization was accepted as other determining principle for the constituent-unit boundaries' arrangements in the Ethiopian federation.

Following Article 39 (5) of the 1995 FDRE Constitution, objective and subjective markers are identified as defining elements of 'nations, nationalities and peoples' of Ethiopia. The objective elements include having common culture, language, and territory, while the subjective elements are collective identity and a common psychological makeup. Therefore, in identifying the organizing principles for the making and unmaking of interregional boundaries in the Ethiopian federation, the existing and imagined attachment between these objective elements and ethnicity is properly linked, and expressed in the form of 'ethnoterritoriality', 'ethnoculturality', and 'ethnolinguisticity' principles to qualify the intergroup classification and differentiation stated (see also discussions under the second section above). Consequently, these principles have been referred to in these terms in the discussion sections of the following sections.

Accordingly, based on Article 39(5) of the FDRE Constitution, having common culture, language and territory were also accepted as objective elements associated with ethnicity. In the end, ethnoterritoriality, ethnoculturality, and

¹³ Article 39 (4) of the FDRE Constitution for conditions.

ethnolinguisticity, principles were developed to be used in the analysis of constituent-unit boundary configuration in the Ethiopian federation. Since ethnonational groups mobilize themselves also politically along an ethnic line to claim a certain aspect of the right to self-determination and thereby to safeguard their collective identity, the principle of ethnonational political mobilization was also added to those adopted principles.

The Guiding Principles for the (un)Making of Interregional State Boundaries in Ethiopia

The Principle of Agreement between or Among Adjacent Nationalities

Under Proclamation No. 7/1992, a proclamation to provide for the establishment of National/Regional Self-Governments enacted in 1992, and the Charter, it is explicitly stated that the boundaries of the territorial regions be defined based on nationality to guarantee the nationalities' right to self-administration. For this purpose, it enumerates sixty-four nationalities out of which forty-eight started organizing their own National/Regional Self-Government at the *Woreda* level or above. Read from Articles 2 and 3 of the same proclamation, one can contend that the demarcation of boundaries between to be established National/Regional Self-Governments is based on the agreement between two or more adjacent nationalities and national self-governments established by any nation, national or people.

In the effect, ethnolinguistic based regional states in Ethiopia. Inversely stated, the result was an establishment of a regional administration based on the agreement of adjacent nationalities. The basis of the formation of the SNNPNRS could be said this premise. Abate Kisho, the first president of this newly created region, and active participant in the process of amalgamating the five regions, states that the process of amalgamating the five regions basically followed political integration among the nationality parties (*beharawi dirijitoch* in Amharic) that assumed their respective ethnonational regional powers in the south, following the first Ethiopian General Assembly Elections of 1994. Subsequent to the election, negotiations among the parties for political unification continued because they had uniform programs and goals. In their discussions, they opted to create a new region by assembling five regions comprising numerous nationalities. The discussions aimed to unify the people for one goal and ensure the betterment of their respective people.¹⁴ Subsequently, the process of political integration began among twenty-three parties representing the five regions (Regions 7 to 11) to form the Southern Peoples' Democratic Movement (SPDM).¹⁵ This led to administrative unification, that is, the amalgamation of the five regions and the formation of the SNNPNRS.

The commencement process followed Transitional Charter provisions. Articles 2 and 3 (2b) of Proclamation No. 7/1992, and the Charter mention that the demarcation of boundaries between established National/Regional Self-Governments is based on the agreement between two or more adjacent nationalities and national self-governments established by any nation, national, or people. However, personal interviews conducted with representatives from ethnonational groups of the transitional period reveal that the five self-governing regions, regions 7 to 11, were amalgamated singlehandedly and illegally by the TPLF/EPRDF, although negotiations among the nationality parties finally realized it [P1, P2].

¹⁴ Interview of Abate Kisho, the first Region 8 (currently the Sidama National Regional State) and SNNPNRS's President with EthioHAQ Tube. Retrieved from <https://www.youtube.com/watch?v=4TDeFJ0wTEo>, as accessed on January 15, 2022.

¹⁵ Abate Kisho, supra at 14.

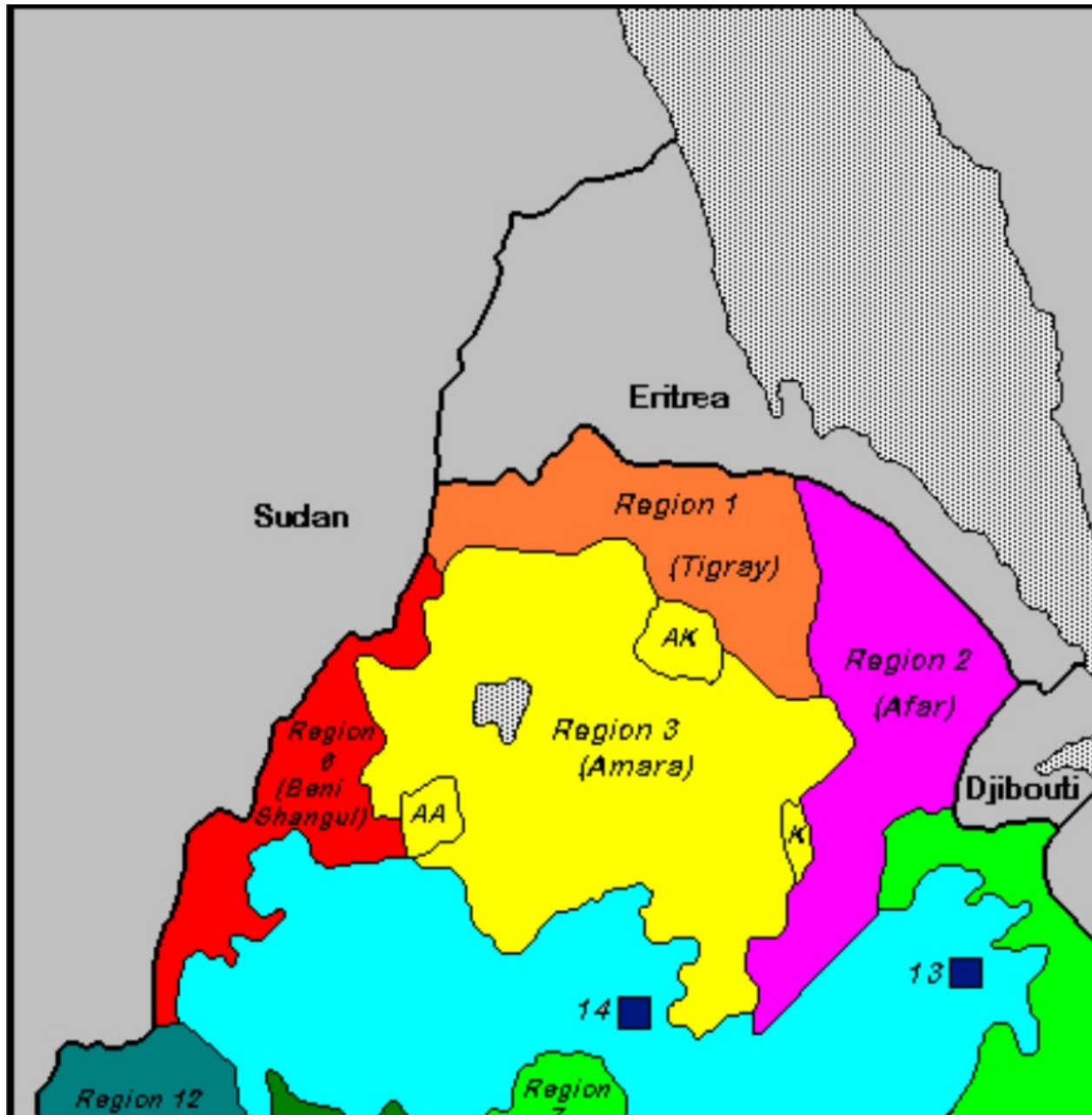


Figure 1: National/Regional Self-Governments Established Based on Proclamation No. 7/1992 (National/Regional Self-Government Establishment Proclamation)
Source: (FDRE, 2017, p. 9)

The Principle of Ethnoterritoriality

Notions of territory and territoriality have been firmly anchored in the mainstream literature on federalism and federation for a long time but they tended in the past a mere territory that conveyed simple ideas and images of land, space, landscape, boundaries and frontiers (Burgess, 2013, p. 8). According to Burgess, this way of conceiving territory and territoriality is a narrow meaning that limited it to a sense of fixity and permanence, implying something static and unchanging. In particular, it was linked to the state – the territorial state – along stereotypical Westphalian lines and was understood as the bedrock of all politico-legal authority. In recent times, however, this notion of viewing territory has

been revisited and re-examined from the standpoint of the relationship between space, place, and polity in the era of globalization. Today, it is best understood as political territoriality because it more accurately captures the complex amalgam of socio-economic and cultural-ideological elements having political salience encapsulated in a spatial organization (Burgess, 2013).

Accordingly, Burgess illustrates that constituent units are all territorially bounded communities that are the distinct component units of each federation and represent the political organization of space in the occupation of territory (Burgess, 2013, p. 9). And in many, though not all, of these cases territoriality – the sense of place – plays a significant role in their self-definition.

Nonetheless, we must be clear with the nature of something we construe as territorial identity. This construction of identity cannot be depicted in isolation from other social cleavages that interact with it to forge a distinct compound identity, a strong sense of self. It is therefore unconvincing, as it is mentioned above, to depict territoriality as akin to an empty container that stands in its own right as an independent variable set apart from other patterns of social cleavages having political and sometimes constitutional salience (Burgess, 2013, p. 9). To make it more meaningful it has to be attached to certain self-identifying group; thus, the concepts of 'ethnoterritoriality' and 'ethnoculturality' have been developed and used in this study (see also part two of this article).

Following the 1974 revolution and the rise of the EPRDF to power in 1991, the principle of ethnicity and ethnic identity has been predominantly instituted in the Ethiopian political discourse and played a key role to determine the boundaries of regional states in the Ethiopian federation. Mainly, the two ethnic-based movements: the TPLF and the Oromo Liberation Front (OLF) needed a new identity based upon which Ethiopia should be reconstructed [R1-R7]¹⁶. Consequently, ethnoterritoriality became a forefront principle for the organization of the constituent unit boundaries in the Ethiopian federation.

Adding to it was political mobilization of the ethnonational liberation movements. Beginning from the 1960s and '70s, there had been strong political mobilization among ethnonational minorities in Ethiopia. As discussed by Assefa Fiseha, mobilized ethnonational minorities are "regionally concentrated ethnic groups who once enjoyed or aim to enjoy political autonomy and have become part of states in which they constitute an ethnic minority through conquest, annexation, colonization or incorporation during the coercive process of nation building" (Assefa, 2022, p. 3). The political mobilization is for national identity and self-determination with the goal to regain the wide-ranging self-government they assert to have enjoyed historically (Assefa, 2022). Therefore, the making of interregional state boundaries in Ethiopia at the beginning followed the politically mobilized ethnonational minorities' demands to enjoy any form of self-determination. It is believed that the process saved the country from fragmentation [R1, R2]. Those who wrote from their experiences (for example, Leenco, 1998) similarly confirmed that opting for the multinational federal design was more than simply regime change; it was about whether to affirm the survival of Ethiopia as an entity.

As an extension of rights of self-administration granted to the NNPs of Ethiopia, Article 39 has incorporated the ethnonational groups' right to establish institutions of self-government in the territory that it inhabits,¹⁷ revealing that a territorial autonomy is granted to them. Such right can be also viewed as part of the right to self-determination of peoples enshrined in the international legal system (Beken, 2010, pp. 6–8). In Miller's expressions, "emancipatory movements asserting a positive sense of group difference is a different ideal of liberation, which might be called democratic cultural pluralism [and] the good society does not eliminate or transcend group difference" (Miller, 1995, p. 132).

Arguably, therefore, the adoption of ethnoterritoriality as the major organizing principle for the making of the first fourteen National/Regional Self-government boundaries in the Ethiopian federation could be attributed to the following reasons. The first was as a strategy to build the equitable, inclusive, and just country, Ethiopia. It is already accepted that ethnic homogenization and centralization of power as strategies to build national identity failed to develop its goal and did not create stability within the state in Ethiopia (Beken, 2010). Such political arrangement came after 100 years of dominance of the Amhara ethnic group over the others (Mccracken, 2004). Hence, based on equality and inclusive national identity (where there is no dominance of a single ethnic group in the state (Beken, 2010, p. 4), the ethnonational federal design was put into place to remedy the preceding national identity failure. Experience of the Ethiopian federalism shows that geographically concentrated minority can be given their own territory to administer their own affairs (Fessha, 2010).

Divergent opinions may exist in this regard but Ethiopia had lacked (and even partly lacking today on the side of the unionist group) a clear understanding of how national identities are not cast in stone rather they are above all 'imagined' identities (to use Miller's expression), where the content of the imagining changes with time (Miller, 1995). It also failed to confess that the national identities from which Ethiopia was portrayed invariably contained some ethnic ingredients. It

¹⁶ All interviewees have unanimously agreed that reconstruction of Ethiopia based ethnonational identity was a guiding principle in the making of National/Regional Self-governments of 1992.

¹⁷ See Article 39 (3) of the FDRE Constitution.

is an scholarly agreement that “Very often a nation has been formed from the ethnic group that is dominant in a particular territory, and bears the hallmarks of that group: language, religion, cultural identity”(Miller, 1995, p. 122).

The second presumed reason why the ethnoterritoriality principle was used to determine interregional boundaries in the Ethiopian federation was to address the root cause of the prolonged war in Ethiopia. There was strong believe that without recognizing the rights to self-administration, autonomy, and language for nationalities, it would be difficult to resolve the questions of equality, and identities of nationalities aired from the ethnonationalist movements, and resolve the widespread conflicts in the country.¹⁸ Moreover, as a statement expressed by then-President Meles Zenawi shows, ‘the key cause of the war all over the country was the issue of nationalities’. It was impossible to address the issue of war and peace without guaranteeing the people’s right to use their language, to use their culture, to administer themselves (Vaughan, 2003). This is the presumption that people express their political aspirations along ethnic lines, and that the abolition of a strong central government and the empowerment of lower ethnically defined units would ensure stability (Worku, 2016).

Furthermore, as explained in the preceding paragraphs, an organization based on ethnoterritoriality and other similar identities could be considered as a part of the fundamental right to protect ethnic minorities. More specifically, it is to guarantee ethnonational groups’ right to self-determination, mainly to protect the ethnonational groups’ right to self-administration. Based on the definition enshrined under Article 39(5)¹⁹ of the FDRE Constitution, there is no clearly defined constituent ethnic group that constitutes a majority in the country as “nations, nationalities, and peoples” in Ethiopia can be considered as ethnic minorities (Beken, 2010). It is obvious that certain policy choices, such as the choice of language for administrative and educational purposes, will almost certainly benefit the dominant group. Hence, members of ethnic minorities demand more than a mere recognition and protection of their universal rights. They expect the state to give their group the same status as the majority group. Accordingly, among many others, there are extensive group rights entrusted to Ethiopia’s ethnic groups enshrined under Article 39 of the FDRE Constitution as a continuum of ever-increasing protection of ethnic minorities (Beken, 2010).

The question that is vital to examine in such analysis is, if there is a possibility to have a separate ethnoterritorial boundary in a federation and whether there is a boundary line between ethnic groups. An empirical investigation of the character of ethnic boundaries produces two discoveries about the boundaries between ethnic groups. First, ethnic boundaries persist despite a flow of personnel across them. In other words, categorical ethnic distinctions do not depend on an absence of mobility, contact, and information, but do entail social processes of exclusion and incorporation whereby discrete categories are maintained despite changing participation and membership in the course of individual life histories. Secondly, one finds that stable, persisting, and often vitally important social relations are maintained across such boundaries and are frequently based precisely on the dichotomized ethnic statuses (Barth, 1969) (see also discussions under the second section of this article).

In other words, ethnic distinctions do not depend on an absence of social interaction and acceptance but are quite to the contrary often the very foundations on which embracing social systems are built. Interaction in such a social system does not lead to its liquidation through change and acculturation; cultural differences can persist despite inter-ethnic contact and interdependence (Barth, 1969). This shows that ethnic boundaries can be possibly used to delineate interregional state boundaries in federations with regionally concentrated ethnic communities like Ethiopia.

The Principle of Ethnoculturality

In addition to ethnoterritoriality principle, the making of boundaries of at least six regional states, namely the Tigray, Afar, Amhara, Oromia, Somalia, and Sidama in the Ethiopian federation followed the extant fact of ethnocultural boundaries of the dominant ethnonational groups (Vaughan, 2003).

One may ask whether ethnoculturality can be used as an organizing principle for demarcating the boundaries between constituent units in federations. It is argued that social structure performs a unifying force and cleavage functions (Anderson, 2012). Culture, as a social structure and with all its manifestations, is, therefore, a prominent marker of ethnic identity that could be accepted as a way of protecting the distinctive existence of cultural boundaries. Sociologically speaking, society cannot exist without culture as culture cannot exist without society (OpenStax, 2017). Scholars in anthropology also clearly depict that ethnic boundaries persist despite the frequent flow of personnel across them (Barth, 1969), and it does not depend on the absence of mobility, contact, and information as explained before.

¹⁸ ESAT interview with Yusuf Yasin about EPRDF Federalism and Dergue Unitary state. Available at [ESAT Ethiopia: Interview with Yousuf Yasin about EPRDF federalism & Derg unitary state. - Bing video](#) (accessed on January 23, 2019).

¹⁹ Under same Article, there is no any difference between ‘nations, nationalities and peoples’; therefore, all ethnic groups could be named by one the terms equally.

Hence, it is possible to argue that ethnoculturality was among the principles used during the making and unmaking of the six constituent unit boundaries in the Ethiopian federation. Even the boundaries of the newly established state of the Sidama region similarly followed the boundaries that had been in place during its establishment at the transitional period.

The Principle of Ethnolinguisticity

Ethnolinguisticity was another prime principle used for the (re)making of the interregional state boundaries of the Ethiopian federation. In addition to the principles explained in the preceding sections, the 14 National/Regional Self-governments established by TGE under Proclamation No. 7/1992 were largely organized based on the ethnic groups' language markers.

The plea of reconfiguring the Ethiopian empire state to recognize the rights of nationalities for self-administration, autonomy, and language were among the tabled alternatives by the expertise of the Studies for the Ethiopian Nationalities (ISEN) instituted during the Dergue regime.²⁰ When the Dergue regime was demised and EPRDF assumed power, geographically organized provinces under the unitary state were reorganized based on mainly ethnolinguistic criterion. Accordingly, the demarcation of interregional state boundaries took place following the ethnolinguistic criterion of that respective area [R1-R7]. In so doing, EPRDF and other actors utilized studies that had been conducted by the ISEN during the Dergue time. In the process of this making, the numbering was given to newly created areas with the name in the form of Region 1 (in Amharic *Keilil* 1) up to Region 14 to the National/Regional Governments. Region 14 was Addis Ababa City Administration.

When the TGE was ended and the new constitution was promulgated, the 14 national/regional governments under the Proclamation 7/1992 were reduced to 9 regions and two self-autonomous city administrations. With this, the name of regional administrations was changed from numbering to regional state. Furthermore, *Keilil* 7, 8,9,10 and 11 were amalgamated to form a single regional state called the SNNPRS. However, majority of the remaining regions were named following the language (and culture) of the ethnonational groups residing within that particular area.



Figure 2: Nine Regional States in Ethiopia (1994-2020)

²⁰ ESAT interview with Yusuf Yasin about EPRDF Federalism and Dergue Unitary state. Available at [ESAT Ethiopia: Interview with Yousuf Yasin about EPRDF federalism & Derg unitary state. - Bing video](#) (accessed on January 23, 2019).

Anthropological studies indicate that language is a prominent marker to differentiate one ethnic group from the other, and it is a key determinant to ensure the continuity of any community group as an entity. It is the language that we use that 'forms an important part of our sense of who we are - of our identity (Edwards, 2009). French sociologist Dominique Schnapper on his part expressed that "language is an ethnic marker..." (in Erk, 2008, p. 7). For instance, language divides French-speakers and German-speakers in Switzerland, and French-speakers and Dutch-speakers in Belgium, but it also strengthens inner-group cohesion within linguistic communities otherwise divided over religion, class, and region. It is also an important element of preserving and transmitting one's culture and history (OpenStax, 2017).

Erk, who studied five countries of the world, namely Australia, Belgium, Canada, Germany, and Switzerland, identified that in the last fifty years, language has grown into the main basis of collective identity (Erk, 2008, p. 7). Arguably, therefore the ethnolinguistic cleavage can be taken as the social base for delimiting the borders of collective identity (Erk, 2008). For instance, it is asserted that the use of a non-Geez script helped the Oromo people's search for national identity by enhancing their sociolinguistic boundaries. Such actions marked the pinnacle of politicized ethnicity in contemporary Ethiopia and a crucial step in the self-definition process (Assefaw, 2003).

Ethno-linguistic forces of course become important when other significant social cleavages decline in terms of their political relevance (Erk, 2008). This is, for example, done through the secularization of societies and the subsequent decline of the political relevance of religion as a social division. Being both a unifying and the dividing force language has appeared as the main social demarcation in most of the industrialized West following the end of World War II (Erk, 2008).

According to Jeremy Webber, "language tends by its very nature to define the boundaries of political community... because... it is the medium through which public debate occurs" (quoted in Erk, 2008, p. 7); and the linguistic community in other words perform the role of the default *demos*, i.e. the collectivity which functions as the primary base for democratic politics (Erk, 2008). The linguistic cleavages in Belgium, Canada, and Switzerland delimit the borders between separate *demos*, i.e., communities which function as the default base for democratic politics.

He also identified that these three countries have federal societies along with Livingston's formulation of the concept of federal society. When multiple *demos* exist within a single state, political institutions gradually change to match with the social structure and come to reflect the underlying ethnolinguistic divisions (Erk, 2008). Accordingly, cultural areas, such as education and media, are prominent where such a process is more pronounced. And local language will become a marker of identity and vital for the cultural self-esteem of a people (Meckelburg, 2016) in such cases.

Extended beyond those cultural areas, as it is evident from the case used to illustrate the effects of boundaries, ethnolinguisticity is a significant boundary marker in the Ethiopian federation. Therefore, in federations, specifically, if they have territorially concentrated and mobilized ethnonational groups and/or ethnic cleavages, and their constituent units are organized along the ethnolinguistic lines, and interregional state boundaries do not serve mere an administrative purpose rather play an indispensable role in preserving, developing and promoting the identities of a certain ethnic group (see discussions under 3.3. for details). An arrangement that makes an ethnic group a majority in its own house empowers geographically concentrated ethnic groups with the necessary space to protect and promote their distinctiveness, without fear of the dominant group imposing their values or vetoing their aspirations (Fessha, 2008).

'Historical Factors' as Principles for Making Constituent Unit Boundaries in the Ethiopian Federation

In some areas of Ethiopia, historical factors were also used to supplement other criterion mentioned above in the boundary-making to protect and preserve the interest of certain ethnic groups. This is evident from Vaughan's (2003) analysis of the establishment of the Harari Harari NRS. The Harari people were accorded the status of NRS in 1991-2. In her analysis, Vaughan identified that historical factors had supplemented the determination of the Harari NRS boundaries and in the identity creation of the Harari people. The reason why historical factors were included in the making of the Harari NRS and other similar areas was partly that, the EPRDF-led TGE demanded to recognize and accommodate the claims of certain groups to a special status, permitting the incorporation of large numbers of non-language-group members within the autonomous areas named for them, based on historical factors (Vaughan, 2003, p. 229). Accordingly, in the making of the Harari region, the historicity of the Harari claim was fully recognized and utilized. In an interview conducted by the same author with the Chairman of Harari National Assembly Cultural Committee of the time, in January 2000, what has been made evident is that the Amhara and Oromo were even given regional status, not because of their largeness in population or size rather more based on language, the psychological makeup, and history of the people (Vaughan, 2003).

In the eyes of Vaughan, the arrangement of Harari NRS can serve at least two important functions from the federal government/party in power's privilege of history over census results: (1) it 'was intended to symbolize the reversal of a history of poor relations with the Ethiopian state; [and (2) for a] good geopolitical reasons' (Vaughan, 2003, pp. 235-236).

In addition, the Harari were beneficiaries of the opportunity, according to the author, for the fact that: the conventional profile of Harari identity coincided closely with the criteria identified by Stalin for 'nationhood', qualifying it as well if not better than any other language group in Ethiopia. Members and outsiders agree that Hararis share distinctive and defined language, culture, territory, history, and economic life [...] if any group in Ethiopia was to qualify as a 'nation', rather than just a 'nationality' or 'people', it was surely the miniscule population of Harar (Vaughan, 2003, p. 238).

It can be argued that the government's determination to use historical factors in delimiting the boundaries of the constituent units in the Ethiopian federation shows its commitment to effecting the principle of equality of all nations, nationalities, and peoples to enjoy, inter alia, the right to develop one's own historical, cultural, social, and linguistic culture; the right to use ones' language; and the right to establish an independent administrative unit with ones' independent executive, legislative, and judicial system, as well as taxation powers enshrined under (Article 39, 46 (2), 47(2) 52 and 97) of the 1995 FDRE Constitution. It follows that the principle of "equal recognition of the rights of all nationalities" also plays an important role in the determination of the powers and functions granted to the regional states included in provisions of the 1995 FDRE Constitution.

What can be said following the empirical and provisional analysis in the preceding sections is that a failure to include such an unambiguous case into the federal design was unthinkable (Vaughan, 2003, p. 238). In the analysis of using historicity as a criterion to organize regions in Ethiopia, it is, however, observed that the party was unwilling to accommodate similar appeals in some areas as it preferred to deal in 'contemporary demography' (Vaughan, 2003) rather than ethnic groups claims. Here, proving which type(s) of historical claims – narrated or extant facts that were not addressed, is left to the historians because it is beyond the scope of this article.

Generally, it can be argued that the historical factors along with the other markers were employed for the making of the boundaries of the Harari NRS and other neighboring regional states because of the coincidence of interest between the Harari nationalist lobby and the ERPFD-led TGE in institutionalizing a dramatic and high profile degree of autonomy to Harar and its indigenous population (Vaughan, 2003). Consequently, the establishment of the city of Harar was able to mark the existence of Harari identity (Vaughan, 2003).

Indeed, it must be noted from the case discussed above in the 1990s the government of Ethiopia had been simultaneously engaged in the processes of both recognizing a pre-existing language group and identities. For instance, it is strongly stated that the boundaries demarcated to bound the self-determination of the Harari people was not only to enclose the contemporary members of a dwindling language group but also to include those who can somehow historically be associated with it (Vaughan, 2003).

'Officials Informal Agreement' as a Guiding Principle

This system of informal agreement as a guiding principle was employed between Oromia National Regional State (ONRS), Gambella and the SNNPNRS when numerical thresholds were required from ethnic groups to qualify for establishing zones or special *Woredas* in the latter region mostly in 1999 (Vaughan, 2003). The requirement of numerical thresholds was applied to limit the demand for more states or more local governments. For example, it was impliedly applied when the Sheka Zone was established in November 2000 constituting Shekicho speaking people living in Meti *Woreda* (from the Gambella region) and Sale and Nono (from the ONRS). The process of establishing the Sheka zone into the SNNPNRS was realized through an informal agreement within representatives from the Shekicho people of the Masha area working in the Gambella region and an agreement made between Oromo cadres from the Mattu area with the SNNPNRS government in the process to transfer the two areas to the Shekicho speaking area (Vaughan, 2003). In this way, the boundaries between the Gambella region, SNNPNRS, and Oromia region were determined in the surrounding areas.

Referendums as Guiding Principles

It is a fact that in practice, the division or merger of existing units in established federations has been rare²¹ because most federations require existing units to consent to their dismemberment—which few would—and the politics of territorial division can be especially volatile (as experienced in Nigeria, where the process has been made almost impossibly difficult).

In the 1995 FDRE Constitution, any nation, nationality, or people residing within the existing nine regional states can, at any time establish their region (See Article 47 (2)). Indeed, only two regional states have been created so far: the

²¹ It is rare because only a few cases have been done so far, in such as Switzerland, where a new canton, Jura, was created out of the Berne canton in 1980 in response to demands for more autonomy.

Sidama region and the South West Ethiopian Peoples' regional states. Referendum would serve for the reorganization of interregional state boundary-making in this process of unmaking. Indeed, only for organizing the South West Ethiopia region that the referendum was conducted by the National Electoral Board of Ethiopia (NEBE). This region was organized after the peoples from West Omo, Bench-Sheko, Dawro, Kafa, Sheka Zones, and Konta Special District voted for separate statehood on September 30, 2021. Following the establishment of this region, it can be said that the role of the NEBE will remain significant in the unmaking process of interregional boundaries in the Ethiopian federation because if the question of separate statehood arises, it will inevitably manage the organization via the referendum. Referendums will also remain a workable principle in the making and unmaking of constituent unit boundaries in the Ethiopian federation.

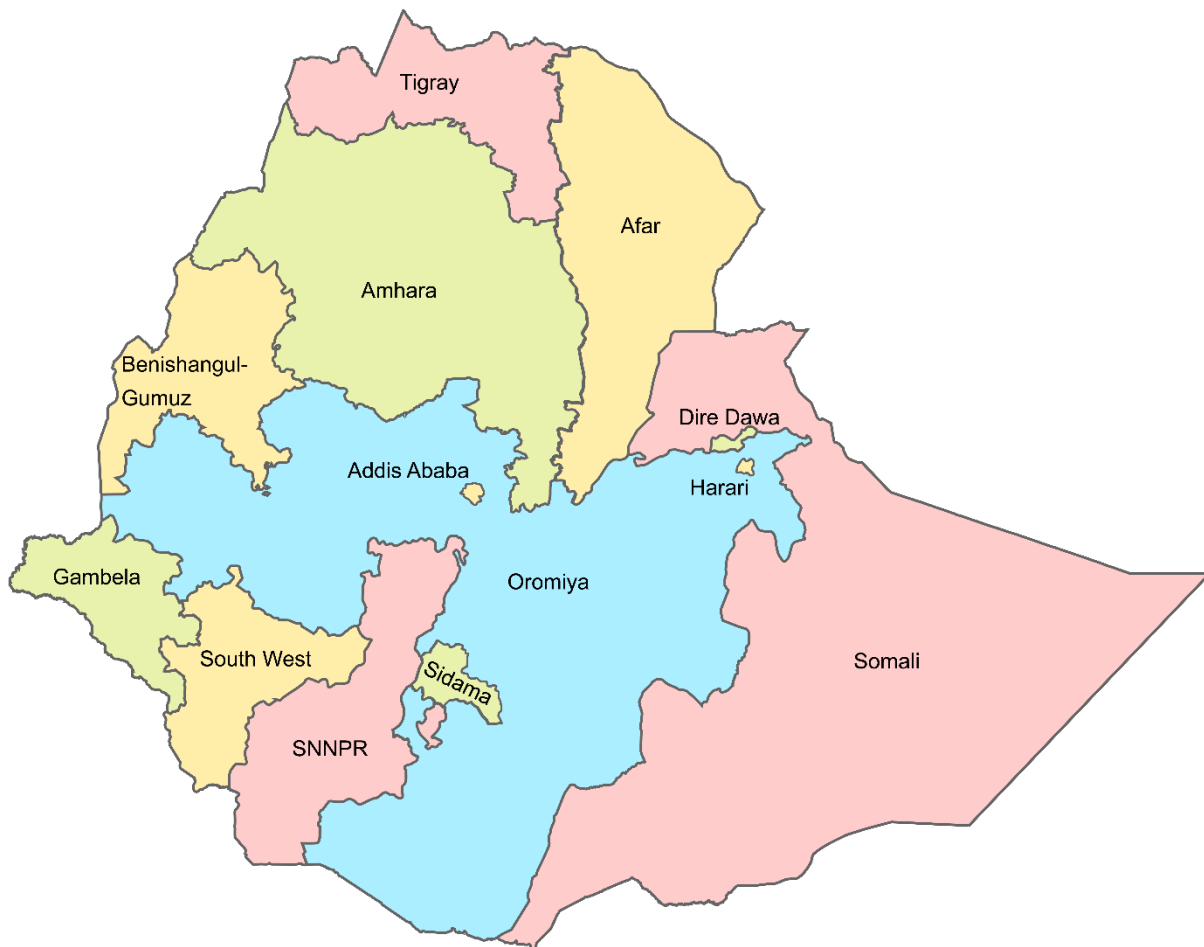


Figure 3: The Current Regional States of Ethiopia (2020 – 2022)

Source:

Retrieved

from

https://blog.prif.org/wpcontent/uploads/2021/12/Regions_of_Ethiopia_EN_png.png, July 30, 2022.

Referendum will remain paramount in the cases where contested areas exist between two or more states. A recent study conducted on this issue revealed that although there are constitutionally stipulated principles that support peaceful boundary friction resolution²² in the country, it has become difficult to adequately handle (Habib, 2021) it without referendum.

²² He identified eight resolution mechanisms apparent in the FDRE Constitution, including primacy of federal union, cooperation and dispute settlement, co-dependence and disablement, federal oversight, sanctity of human rights, inclusive human rights invocation, peaceful coexistence, and rule of law. For better understanding of those resolution mechanisms, read (Habib, 2021)

Successes in the practice on the application of this principle however depict that there is a mixed outcome when the status of a contested particular area is determined. For instance, referendum was applied to determine the status of Begi area to settle border disputes between Benishangul-Gumuz and Oromia regional states. Its process was nevertheless challenged due partly to the 'antagonistic administrations use of the settlement patterns of people to claim the territory'. Over the area, the Berta people of Gumuz-Benishangul and the Oromo people had fought for a long time to control the surrounding areas of Begi. Finally, the decision required the involvement of the Office of the Prime Minister. In effect, the Office of the Prime Minister finally sent a decision stating that Begi would remain part of Oromia (Meckelburg, 2016). In the end it was finally decided that Begi area would remain part of the Oromia region.

The 'Four Principles' Enshrined in the 1995 FDRE Constitution

In the document prepared for public discussion during the making of the Constitution, different alternatives were presented from members of the Constitutional Commission to determine the boundary-making of self-governing units. As observed from the Minute of the Commission's 56th Regular Meeting held on 17 November 1993 (000026)²³, the criteria presented to public discussion included three alternatives.

The first included four criteria such as people's settlement pattern, common psychological makeup, economic ties, and administrative convenience. The second alternative encompasses language, the NNP's geographical settlement, economic ties, and administrative convenience. And in third alternative, a consideration of the struggle of NNPs for their rights, and thus language, culture, and psychological makeup were emphasized.

As observed from Article 46 (2) of the FDRE Constitution, the first four criteria were finally adopted and included in the Constitution. Accordingly, the settlement patterns, language, identity, and consent of the people concerned have been stated as criteria to be used in the making of interregional state arrangements in the Ethiopian federation. It is mostly claimed that "linguistic and territorial criteria are necessary for the definition of all groups of people, whilst the other criteria are used to back up these two, implying that other factors of a less easily defined nature can remain important in establishing the identity of a group, which seeks to assert the states [sic] rights" (notes in Fessha, 2008, p. 386).

The Implications of Interregional State Boundary Making in the Ethiopian Federation

It is less likely to think a country without internal boundaries - no matter how big or small. This raises the question of what political, social, and economic implications do boundaries have for the countries because internal governance has various political, economic, and social implications. For example, administrative boundaries determine the identity of a community. The identity of a nation is linked to the geographic area where it lives, and this area is characterized by the geographic area (Leenco, 2004). Ethnonational liberation movements in Ethiopia, for instance, attach their struggle for recognition principally to their long time inhabiting area [P1]. They believe that it is the boundaries that give them the landscape of their identity.

The scope of governance also has political implications. As discussed in the main body of this article, boundaries are the geographic area within which a political community exercises its political rights and exercises its relative political autonomy. It helps define the language policy of certain ethnonational group, and where their decision-making power lies. A society's political freedom, whether broad or narrow, is thus exercised within a certain administrative boundary.

Additionally, internal administrative boundaries define the area in which electoral and similar democratic rights are exercised. In this regard, the existence of administrative boundaries helps create accountable regional and local political governance. They also indicate the where the resource allocation, capital and commodity distribution, and overall economic development lies.

So, it can be argued that interregional state boundaries in multinational federations, such as Ethiopia, are not simply administrative delimits. More than serving this purpose, they determine the protection, promotion, and preservation of the identities of ethnonational group more than any other mechanisms that the federations can adopt to respond to the demands of such groups. Moreover, commencing interregional state boundary-making by tracking peoples' settlement patterns and psychological makeup primarily focusing on ethnoterritoriality, ethnolinguisticity and ethnoculturality principles significantly contribute to safeguarding the distinctive nature of a politically mobilized and territorially based social cleavage.

For the establishment and management of interregional state boundaries in multinational federations where multiple distinct national or ethnic groups coexist within the federation, there are additional implications and ramifications. The

²³ For further information, see “የሕገ መንግሥት ኮሚሽን ከ51ኛ እስከ 88ኛ መደበኛ ስብሰባ ቃለ ጉባኤ፤ ጥራዝ 2፤ ከጥቅምት 22 ቀን 1986 ዓ.ም እስከ መጋቢት 27 ቀን 1986 ዓ.ም፤ አዲስ አበባ”

central idea is the distinct national or ethnic identities of different groups are usually recognized and accommodated within multinational federations. Hence, the creation of interregional state boundaries may take into account these identities, aiming to ensure that each group has a degree of self-governance and the ability to preserve and promote its cultural, linguistic, and political distinctiveness.

Moreover, the boundaries of interregional states may be designed to grant a certain level of autonomy and self-government to constituent units representing different national or ethnic groups to govern their internal affairs, such as cultural, educational, and linguistic policies. Such a design can also guarantee the language and education policies aiming to protect and promote the languages and cultures of different national or ethnic groups for own language and educational institutions in multinational federations. In this way, they can device mechanisms to protect the rights of minority groups within the federation.

In this way, interregional state boundary-making significantly impact the rights and interests of different ethnonational or ethnic groups whether to get constitutional guarantees and protected. Therefore, interregional state boundaries in multinational federations need to be designed in a careful attention to the recognition of ethnonational or ethnic identities, the protection of minority rights, and the promotion of interethnic harmony and cooperation.

Conclusions and Implications

The aim of this article was to analyze the principles of making and unmaking interregional state boundaries in the Ethiopian federation, and infer its implications by going back to the time of the Transitional Period. Accordingly, it identified eight (8) principles that were used (or potential to use) to delineate the interregional state boundaries in the Ethiopian federation. These principles include the principles of agreement among and/between adjacent nationalities, the principle of ethnoterritoriality, ethnoculturality, ethnolinguisticity, historical factors, informal agreements among officials, referendums, and the 'four principles' enshrined in the FDRE Constitution. Moreover, these principles were applied in delineating the interregional state boundaries following the political mobilization of the ethnonational group movements.

In relation to the implication of interregional state boundary-making it is asserted that interregional state boundaries in multinational federations such as Ethiopia are not simply administrative delimits. More than serving this purpose, they determine the protection, promotion, and preservation of the identities of certain ethnonational group more than any other mechanisms that the federations can adopt to respond to the demands of such groups.

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