

Patricia Popelier · Maja Sahadžić  
Editors

# Constitutional Asymmetry in Multinational Federalism

Managing Multinationalism in Multi-tiered  
Systems

palgrave  
macmillan

*Editors*

Patricia Popelier  
Law Faculty, Government and Law  
University of Antwerp  
Antwerp, Belgium

Maja Sahadžić  
Research Group Government and Law  
Law Faculty  
University of Antwerp  
Antwerp, Belgium

Federalism and Internal Conflicts

ISBN 978-3-030-11700-9

ISBN 978-3-030-11701-6 (eBook)

<https://doi.org/10.1007/978-3-030-11701-6>

Library of Congress Control Number: 2018967763

© The Editor(s) (if applicable) and The Author(s), under exclusive license to Springer Nature Switzerland AG, part of Springer Nature 2019

This work is subject to copyright. All rights are solely and exclusively licensed by the Publisher, whether the whole or part of the material is concerned, specifically the rights of translation, reprinting, reuse of illustrations, recitation, broadcasting, reproduction on microfilms or in any other physical way, and transmission or information storage and retrieval, electronic adaptation, computer software, or by similar or dissimilar methodology now known or hereafter developed.

The use of general descriptive names, registered names, trademarks, service marks, etc. in this publication does not imply, even in the absence of a specific statement, that such names are exempt from the relevant protective laws and regulations and therefore free for general use. The publisher, the authors and the editors are safe to assume that the advice and information in this book are believed to be true and accurate at the date of publication. Neither the publisher nor the authors or the editors give a warranty, express or implied, with respect to the material contained herein or for any errors or omissions that may have been made. The publisher remains neutral with regard to jurisdictional claims in published maps and institutional affiliations.

Cover credit: © Westend61/Getty Images

This Palgrave Macmillan imprint is published by the registered company Springer Nature Switzerland AG

The registered company address is: Gewerbestrasse 11, 6330 Cham, Switzerland



# Federation Among Unequals. A Country Study of Constitutional Asymmetry in Ethiopia

*Yonatan T. Fessha and Biniyam N. Bezabih*

## I INTRODUCTION

Although some level of political asymmetry is unavoidable in any federal arrangement, the problem of an Ethiopian federation affected by glaring political asymmetry remains unexplored. The aim of this chapter is to examine whether the political asymmetry that characterizes the federation is translated into constitutional asymmetry and affects the working of the federation. It seeks to unravel the repercussion of the unbalanced nature of the existing ethnically defined states on the federation as a whole, ramifications that, this chapter argues, have not fully come into effect because of a ruling party that has effectively equalized the unequal subnational entities. This, the paper concludes, is set to change as competitive politics replaces the political space that is currently characterized by ‘one-party

---

Y. T. Fessha (✉)  
University of the Western Cape, Cape Town, South Africa

Y. T. Fessha  
Eurac Research, Bolzano, Italy

B. N. Bezabih  
University of Trento, Trento, Italy

dominance', or even when the balance of power within the ruling party goes under major reconfiguration, as seems to be happening these days.<sup>1</sup>

The chapter commences the discussion by providing a historical background of the federal system. It then moves to identify the political asymmetrical features of the Ethiopian federal system. The chapter further detects constitutional asymmetry and investigates the potential and actual implications of the asymmetry for the functioning of the federation. This is followed by a discussion that explores the link between multinationalism and the asymmetry that characterizes the Ethiopian federation. The chapter then explores whether the federal system has put in place mechanisms that can help to moderate the effects of the asymmetry before it concludes the discussion.

## 2 HISTORICAL CONTEXT

Like many African countries, Ethiopia is home to diverse groups of people. Although Ethiopia, as a country that accepted Christianity in the third century AD, is often regarded as a Christian state, almost half of its population belongs to the religion of Islam. Close to eighty ethnic communities inhabit the territory. Many are, however, small in numerical size. Members of the four largest ethnic communities (i.e. Oromo, Amhara, Somali and Tigre) account for just under 75% of the population.

Although Ethiopia is one of the ancient civilizations in the world, the making of a modern Ethiopian state is traced back to the last quarter of the nineteenth century. Prior to that, what now forms a part of Northern Ethiopia, home to the Tigre and Amhara, was largely administered by a centralized Christian kingdom. Despite centuries of ties that have manifested in terms of wars, population movement, trade and marriage, inhabitants of what is now South and Southwestern Ethiopia were governed under different kingdoms. It was when Menelik II ascended to the throne of the Christian Kingdom that the birth of modern Ethiopia commenced. Menelik II, prior to and after his coronation as King of Kings, marched to the South and forcefully (or by threat of force) incorporated most of the small southern kingdoms. Between 1875 and 1889, Menelik and his army subjugated numerous communities and expanded the empire to 'four of five times of its original size'.<sup>2</sup> As a result of the march to the south, what was a largely Christian Amhara/Tigre kingdom was turned into the multiethnic, multi-faith and multilinguistic country that we now call Ethiopia.

It is in the making of modern Ethiopia that we find the seeds of politicized ethnicity and the conflicts that engulfed the country for decades. The expansion of the largely Christian Empire was followed by major cultural, economic and political dislocations. Economically, it resulted in the dispossession of land from the southerners. Two-third of the land was confiscated and distributed among the northerners. The southerners were as a result reduced to tenants in the land that they once owned. The marginalization of the conquered people was also visible in the cultural and political arena. The language and culture of the northerners came to be what defines Ethiopia. As a result, Southerners were pressured to assimilate to the language and culture of the northerners. The political dominance of the northerners was palpable. Although those that submitted peacefully were allowed to administer their own territories, many were placed under the direct rule of the northerners.

The limited autonomy enjoyed by the northern regional rulers and those in charge of the southern kingdoms that submitted peacefully came to an end with the rise to power of Haile Selassie I. The Haile Selassie regime is known, among other things, for the extensive centralization policy it carried out. This, on the one hand, intensified the double oppression of the Southern population (i.e. national and class oppression). The centralization policy of the regime, on the other hand, resulted in 'the gradual erosion of [the autonomy of northern regional rulers] and their 'marginalization from the center of Ethiopian politics'.<sup>3</sup> In fact, it is the interference with the local autonomy of the northern rulers that explains the peasant rebellions that challenged the Haile Selassie regime. The Weyanne rebellion in Tigray and the 1968 Gojam Rebellion were partly caused by the increasing appointment of regional administrators from the center.

The resistance to Haile Selassie regime reached a boiling point when the students of Addis Ababa University, in February 1974, took to the streets, calling for the abolishment of the feudal regime. Joined by other segments of the population, the student-led mass revolution brought to an end the Haile Selassie regime. But the revolution was hijacked by the military junta, known as the Derg, which deposed the Emperor and assumed power.

With the military Junta declaring Marxism as its governing ideology, the scene was set for major socioeconomic changes. Perhaps the major and most historical decision made by the Derg was the nationalization

of land. This had a significant impact on the lives of the Southern population who no longer had to pay tribute and offer their services to the absentee northern landlords. Through its Declaration of the National Democratic Revolution of Ethiopia (NDR), the Derg promised that 'each nationality will have regional autonomy to decide on matters concerning its internal affairs...Within its environs, it has the right to determine the contents of its political, economic and social life, use its own languages and elect its own leaders and administrators to head its own internal organs'.<sup>4</sup> The military government did not, however, live up to its promises of recognizing and ensuring the right to self-determination of 'nationalities'. Although it allowed for the use of language other than Amharic in the areas of printing, broadcasting and education, it implemented a policy of centralization that emphasized the indivisibility of the Ethiopian state. National oppression is no longer an issue as that, the Derg argued, had been brought to an end by the Socialist revolution. Counter-revolutionary was the badge attached to those that clamored for some sort of political autonomy. It eventually sought to find a military solution to the nationalist movements that took up arms immediately after the revolution. It was the ethno-nationalist movement under the banner of the Ethiopian People Revolutionary Democratic Front (EPRDF) that declared the national question as the primary question of democratization and stability in Ethiopia gained militarily victories, marched to the center and managed to oust the military rule, taking the reins of power in May 1991.

With central power falling in the hands of nationalist movements that made the national question the primacy question of democratization and stability, the reconfiguration of the state was inevitable. The Peace and Democracy Conference that was organized by the new rulers in July 1991 was largely composed of political parties that claim to represent different ethnic communities. Political parties with a state-wide agenda were few in number. As a result, the Transitional Charter and the Transitional Governments that were established based on the July conference placed the ethnic factor at the center of the reorganization of the state. Ethnic factor was taken into account in the reconfiguration of the internal boundaries of the state. Ethnic balance was also seriously and explicitly taken into account in the composition of the Transitional government. The new dispensation was further codified with the adoption of the 1995 Constitution that declared the establishment of the Federal Democratic Republic of Ethiopia.

### 3 POLITICAL ASYMMETRY IN ETHIOPIA'S FEDERAL SYSTEM

Nine States and two administrative cities make up the Ethiopian federation.<sup>5</sup> In terms of population and land size, Ethiopia is most likely one of the most unbalanced federations. In fact, the phrase 'political asymmetry' truly captures the variation that characterizes the size and features of the subnational entities.

In terms of size, the largest subnational entity, Oromia, is 1200 times bigger than the smallest one, Harari, which covers only 0.002% of the total territory of the federation. In fact, Oromia is almost twice the size of the second largest subnational entity, namely the State of Amhara; three times bigger than the Southern Nations, Nationalities, and Peoples Regional State (SNNPR), which roughly corresponds to the average size of the nine constituent units of the federation. Close to two-third of the total land area of the federation falls within the boundaries of three states (i.e. Oromia, Somali and Amhara), leaving one-third to the remaining six states and two chartered cities.

The variation in population size is equally startling. The smallest subnational entity, Harari, is home to only 0.23% of the total population while Oromia is inhabited by no less than 36% of the population. In fact, the population size of Harari, Benishangul-Gumuz and Gambella, combined together, is far below one million and accounts for less than two percent of the population. On the other hand, Oromia, Amhara and SNNPR, taken together, are home to more than 80% of the population.<sup>6</sup> With the exception of the State of Somali, which is sparsely populated, the larger subnational entities are also home to a large population.<sup>7</sup> It must be added that the ratio of the population size of Oromia and Harari is one of the highest in the world. Interestingly, according to Ronald Watts, when compared with the ratio of the population size of the largest and the smallest constituent units of 27 federal systems, Ethiopia's ratio is the third highest, next to India and the European Union.<sup>8</sup>

It is not only in terms of size that the demography of the subnational entities exhibits variations. Their demographic composition reveals an equally strong asymmetry. Although Ethiopia is home to more than eighty ethnic communities, only five of the nine subnational entities are home to a particular ethnic community that accounts for the overwhelming majority of their respective populations (i.e. Tigray, Afar, Amhara,

Oromia and Somali). The remaining ones are markedly multiethnic in which no particular ethnic community decisively forms the majority of their respective populations.<sup>9</sup> In short, while some ethnic communities enjoy a homeland of their own, many others have to settle for some sort of internal autonomy within ethnically heterogeneous subnational entities.

The variation in the demographic composition of the subnational entities is complicated by the fact that some ‘numerically stronger’ ethnic communities are denied the status of a State while other ‘numerically weak’ ethnic communities are allowed to have ‘their own’ State. The State of Harari is home to the eponymous ethnic community that can only boast a population size of few hundred thousands. The SNNPR, which is home to some 60 ethnic communities, is another example. Although a number of ethnic communities that inhabit the SNNPR might be too small to achieve a State of their own, there are ethnic communities, like the Sidama, that are numerically far superior to other ethnic communities, like the Harari, that have acquired a State of their own. In fact, some of the ethnic communities have a population size that exceeds the population of subnational entities like Harari and Gambella.

Finally, the constituent units of the federation are unequal in terms of socioeconomic development. When the Ethiopian state became a de facto federation some 27 years ago, a certain degree of socioeconomic disparity among the newly constituted units was immediately evident. States like Tigray were devastated by decades-long civil war. Most of the peripheral subnational entities were ignored or marginalized for too long, and as a result, most of them were bereft of the administrative capacity that was necessary to fully exercise their newly found self-governance rights.<sup>10</sup> This continues to be the case today. For a number of reasons, some of the subnational entities are relatively poorer than others. That is true both in terms of administrative and revenue generating capacity as well as wealth and resources.

The socioeconomic disparity among the constituent units has, in fact, received recognition beginning from the early days of the federation. A distinction was initially made by the central government between war-ravaged Tigray and other States that were relatively less affected by the war. Another distinction was later introduced between emerging (or less developed) and relatively developed subnational entities<sup>11</sup> in recognition of ‘the dichotomy that prevails between the “highland/central” and “lowland/peripheral” States’.<sup>12</sup> The highland States, which include Amhara, Oromia, Harari, Tigray and SNNPR, are ‘relatively well off in

terms of social and physical infrastructure' when compared to 'the lowland states – Somali, Afar, Benishangul-Gumuz and Gambella'.<sup>13</sup> The lowland areas have benefited little from the developmental programs of successive governments.<sup>14</sup> For most part of the Ethiopian history, the presence of the central government was barely felt in the peripheries.

The socioeconomic disparity among the subnational entities is also evident in their differential capacity to staff the bureaucracy of their respective State by competent and qualified personnel that is visibly drawn from their own community. Briefly put, the so-called emerging States have been doing poorly on these scores while the 'developed States' have done a relatively better job.<sup>15</sup> This obviously affects the capacity of the former to provide comparable public services in the areas of health, education, transportation, municipal services, and ensure administrative efficiency.<sup>16</sup>

Despite the evident political asymmetry outlined above, the Constitution enumerates equal powers and competences for the nine States irrespective of their capacity and need.<sup>17</sup> 'Member States of the Federal Democratic Republic of Ethiopia', according to the Constitution, 'shall have equal rights and powers'.<sup>18</sup> Constitutional asymmetry, it seems, is non-existent among Ethiopia's subnational entities. As the next section shows, however, that may not be true among 'nations, nationalities and peoples of Ethiopia', the constituent communities of the federation.

#### 4 THE LOGIC BEHIND CONSTITUTIONAL ASYMMETRIES AND THEIR EVOLUTION

The federation, according to the constitution, is a social contract entered between 'nations, nationalities and peoples of Ethiopia', the term the constitution uses to refer to ethnic communities. This is evident from the opening paragraph to the Preamble of the Ethiopian Constitution, which begins with 'We nations, nationalities and peoples of Ethiopia'. The ethnic communities, according to the Constitution, are 'authors of, and beneficiaries from the Constitution of 1994'.<sup>19</sup> In fact, Article 8 of the Constitution states that 'all sovereign power resides in the nations, nationalities and peoples of Ethiopia'. And '[t]he Constitution is an expression of their sovereignty'. This obviously makes the ethnic communities of Ethiopia the constituent communities of the federation.

The constituent communities that, according to the Preamble of the Constitution, 'came together' to form the Ethiopian federation

are characterized by constitutional asymmetry. They enjoy different levels of power and carry a different degree of influence over central decision-making processes. This is significant considering the fact that most of the subnational entities are, as indicated earlier, considered as belonging to a particular ethnic community. This means that, despite the declared constitutional symmetry among the subnational entities, the constitutional asymmetry among the constituent communities may, to some extent, tantamount to asymmetry among the subnational entities. This asymmetry among the constituent communities is also significant because the constituent communities of the federation, the nations, nationalities and peoples of Ethiopia, as the Constitution would like to refer to them, are, as mentioned above, the custodians of ‘all sovereign power’. The following pages detect some of the constitutional asymmetries among the constituent communities and explain how they might affect the operation of the federation.

## 5 DETECTING CONSTITUTIONAL ASYMMETRY

### 5.1 *The Distinct Status of the Subnational Entity*

Article 47 of the Constitution declares nine States as ‘Member States’ of the Federal Democratic Republic of Ethiopia. Although the Constitution makes it clear that the central authority shall have a parliamentary form of government, it does not say much about the political structures of subnational governments. It simply provides that the States, like the Federal Government, ‘shall have legislative, executive and judicial powers’. It vests legislative powers on the State Council, which is regarded as the highest organ of State authority. The State Administration, according to the Constitution, constitutes the highest organ of executive power. State judicial power, on the other hand, ‘is vested in its courts’. It also provides that ‘State government shall be established at State and other administrative levels that they find necessary’, thus alluding to the establishment of a local government. Although the status and powers of local government is left to each state, the Constitution, by stating that ‘adequate power shall be granted to the lowest units of government to enable the people to participate directly in the administration of such units’, seems to expect the establishment of a local government that enjoy some level of autonomy.

The Constitution is, however, silent on the particular configuration of the three branches of subnational governments. That is left for the

States. Like their federal counterpart, however, the nine States, through their respective constitutions, have established a parliamentary form of government. Despite the room given to each State to organize its own executive authority, each State has emulated the structure of the central government with the notable exception that the office of the head of State and head of government is vested in the office of the State president.<sup>20</sup> With respect to legislative authority, most State constitutions have opted for a unicameral State Council while a number of them, in particular those that are ethnically diverse, have amended their constitutions to introduce a second chamber, thereby establishing a bicameral State Council. Each state, using its constitution, has determined the size of its council.

An important consequence of the political asymmetry on the status of the subnational entities relates to the demographic composition of the constituent units of the federation. As mentioned earlier, while few ethnic communities are provided a State in which they are in majority, many cannot point to a territory they inhabit that has achieved the status of a State. To begin with, this particular asymmetry affects, albeit unintentionally, the level of recognition that an ethnic community enjoys. This is, for example, the case in the symbolic arena of recognition. The State-owning ethnic communities can wave their own flags, sing their own national anthem and write their own constitutions. Each State-owning ethnic community has a state-funded TV program in its working language while the numerically stronger ethnic communities, like the Sidama, which do not have their own State, do not enjoy the symbolic benefits of recognition.<sup>21</sup> Further, State-owning ethnic communities enjoy powers and rights that are constitutionally guaranteed to ethnic communities and States, respectively, while ethnic communities with no State of their own are limited to enjoying rights that are given to ethnic communities. To be sure, some of those ethnic communities are given their own local government (Zones and woredas), allowing them to exercise powers that are reserved to local administrations. The powers and functions entrusted to local government are not, however, comparable to those of State governments.

The asymmetrical outcome is compounded by its financial dimension. The place that an ethnic community assumes, albeit indirectly, in the administrative hierarchy of the federal arrangement determines the amount of money it receives from the federal redistribution regime. State-owning ethnic communities receive a much more substantial share

of the federal transfer than those that are made to exercise their right to self-administration at the level of local government. This is irrespective of the fact that some of the ethnic communities that do not have their own State boast a population size that is far larger than some of the State-owning ethnic communities. In 2018, Gambella, a state that, according to the last census, is home to just under 310,000 people, received a 1.54 Billion Birr grant from the federal government. On the other hand, the Benchi Maji Zone, a local government unit within the SNNPR with a population size that is twice the population size of the Gambella state, has only received just above 1.2 Billion Birr in federal grant.<sup>22</sup>

From the foregoing, it is clear that the asymmetrical outcome of the demographic composition of the States is not limited to the symbolic recognition that a particular ethnic community enjoys. It also affects the level of economic opportunity, political power and social status that a particular community enjoys. State-owning ethnic communities are by far in a better position to provide their members with better ‘economic opportunity, political power and social status’. That is why states like Harari, with their small population, are envied by the ethnic communities that have larger population size but no State of their own. That also explains, to some extent, the dormant but yet persistent demand for a status of Statehood by some of these ethnic communities. The Sidama ‘nationalists’ point to subnational entities like Harari and argue that they should also be provided with a State of their own.<sup>23</sup>

## *5.2 Representation: A Federal Center That Is Susceptible to the Domination of Few States*

One can also detect asymmetry in the capacity of the constituent units to influence decision-making in majoritarian institutions of the Ethiopian federation. One such majoritarian federal institution in Ethiopia is the central Parliament, which is composed of two houses: The lower chamber, the House of Peoples’ Representatives (HPR), and the House of Federation, which is the second chamber.

### *5.2.1 The House of Peoples’ Representatives*

The HPR is the highest legislative body of the federal government. It has a maximum of 500 seats. Based on the first-past-the-post system, members of the HPR are elected from the plurality of votes cast in each electoral district. If one, however, looks at the composition of the HPR in

terms of the State from which the delegates come from, it ranges from the two members that come from Harari to the 178 parliamentarians that represent constituencies in Oromia. Gambella and Benishangul-Gumuz, along with Harari, are able to produce less than 10 parliamentarians. In contrast, members of the HPR from Oromia and Amhara, combined together, account for about 58% of the total members of the HPR. If we add the representatives of the SNNPR to those that hail from Oromia and Amhara, the result is an overwhelming majority of the HPR.

From the foregoing, it is clear that alliance between successful sub-national parties from Oromia and Amhara or Oromia and SNNPR can easily help to secure the vote necessary to form a central government.<sup>24</sup> In effect, the election of the powerful office of the prime minister would easily fall in the hands of such coalitions. Such an alliance will also be in a position to easily pass laws in a wide range of important matters that fall under the long list of federal competencies.<sup>25</sup> Simply put, the power of federal law making would completely fall ‘in the hands of the largely populated states’.<sup>26</sup> Perhaps, the only thing that is beyond the reach of such alliance is amending the Constitution.

Based on the above, it would not be an exaggeration to claim that the Ethiopian federal system can easily fall under the domination of few States. The smaller subnational entities are bound to be overwhelmed by their powerlessness. The best they can hope is an offer for a junior partnership when alliance between and among larger units proves to be impossible. In fact, a political scenario in which the States of Amhara and Oromia, the two big States, being ‘structurally locked into conflict with one another and seeking competitive alliances with the different “minorities”’<sup>27</sup> is not far-fetched. That reduces the federal center into an arena of contestation between the two big States, making the federation prone to unhealthy tension and instability. In fact, as one author notes, it is this particular implication of the political asymmetry that characterizes the federation that poses a serious threat to the Ethiopian federation.

Naturally, the competition is perceived as a threat by minority groups, but it is also a constant menace to national unity. The existence of two disproportionately vast and self-sufficient states is constant incentive for secessionist or hegemonic tendencies.<sup>28</sup>

This is also consistent with the experience of other federations where the larger and self-sufficient units ‘tend to be more powerful, and are more

likely to become the constituencies of territorial conflict'.<sup>29</sup> In short, the Ethiopian federation could, therefore, 'become the hostage of either the partnership or animosity of the two big states'.<sup>30</sup>

The competition between the large states can be compounded by the very 'ethnic' nature of the federal system. The federation, as mentioned earlier, largely attempts to match political boundaries with cultural boundaries (i.e. federated units and ethno-linguistic communities). This gives every interstate dispute, an ethnic dimension. Tension and conflict between the subnational entities may easily slide into conflict between ethnic communities. '*The disproportion, essentially caused by the relatively huge size of Oromia and the Amhara [States], creates imbalance, which [might provoke] an unhealthy competition for the capture of the federal power between groups claiming to represent important ethnic groups*'.<sup>31</sup>

One may discount the impact of political asymmetries on the HPR on the basis that the latter is not an arena of subnational politics. Members of the HPR, like members of any lower house of a parliament, are deemed to be representatives of the people as a whole. Unlike the upper house of a parliament in which members articulate issues on subnational basis, members of the lower house are deemed to represent citizens as individuals and articulate issues on non-territorial basis. Members are not supposed to articulate issues on subnational basis. This would suggest that the numerical domination of representatives from particular states should not concern us.

Yet, one cannot ignore the ramification of the political asymmetries reflected in the lower house in a context of identity politics in which the political landscape is dominated by competing subnational political parties. In such scenario, it is more likely that members of subnational parties in the HPR might not limit their mandate to representing their respective constituencies but extend it to the subnational unit that the political party claims to represent. Once we factor the possibility of subnational politics dominating the HPR, the implication of the political asymmetries becomes more evident and alarming.

### 5.2.2 *The House of Federation*

Both in terms of its composition as well as of the function it is entrusted to perform by the Constitution, the HOF is a unique institution leading many to conclude that the House is not a typical second chamber and the Ethiopian federal parliament, as a result, is not a bicameral parliament. To begin with, the HOF is not a house of States. It is not a house

in which the subnational entities are represented. The HOF is composed of representatives of ‘nation, nationalities and peoples of Ethiopia’, the term that the Constitution, as mentioned earlier, uses to refer to ethnic communities. The constitution requires that each ethnic community shall be represented by at least one member. Formally speaking, thus, members of the HOF are not representatives of States who are required to represent and voice the preferences of the States.

With the subnational entities having no direct representation in the HOF, one may be tempted to immediately disregard the HOF in any discussion of constitutional asymmetry of subnational entities. However, the lack of direct link between the States and the HOF is circumvented by the role that the State Councils play in the selection of members of the House. According to the Constitution, election of members of the House can be either direct or indirect. The decision is left to the councils of the States. In practice, the State Councils have never held elections to have the members of the House directly elected by the people. It is the State Councils themselves that have chosen representatives to the House. Thus, the HOF is not composed of individuals who are elected by the people, but instead, of members appointed by the State Councils. The role of the State Councils in the appointment of members seems to indirectly make up for the lack of explicit link between members of the HOF and the States from which they are elected. Members of the HOF are, in fact, *de facto* representatives of the States. It is no coincidence that members of the Executives of the subnational entities including the Presidents are mostly members of the House of Federation.

Once we accept that the House of Federation is at least indirectly composed of representatives of the subnational entities, it becomes clear that the HOF, like the lower chamber, is potentially prone to the considerable impacts of the existing asymmetry. This relates to the fact that there is no malapportioned representation in the HOF. The representative system of the HOF is, in fact, majoritarian in nature.<sup>32</sup> According to the Constitution, each ethnic community, as mentioned earlier, shall be represented by at least one member. Moreover, those ethnic communities whose population exceeds one million, are entitled to have one additional representative for every further million of population. In a federation where the boundary of the state coincides with that of an ethnic community, the State that is home to the ethnic community with the largest size ends up having more seats than others. The states with larger populations have a significant presence in the HOF. As a result, 38% of

members of the House come from the two heavily populated and ethnically defined states of Oromia and Amhara.<sup>33</sup>

The representation system in the HOF clearly shows that small States are likely to be easily outvoted by the numerically strong States unless they establish large coalitions, which are often difficult to sustain. Some of the provisions of the constitution can, for example, be interpreted by a single subnational entity, the SNNPR, provided that the State secures five more votes from the remaining members of the House.<sup>34</sup> The division of revenues derived from concurrent tax bases, like ‘large-scale mining, all petroleum and gas operations, and royalties on such operations’<sup>35</sup> can also be determined largely based on the wishes of the numerically strong SNNPR if it manages to convince few other members of the House to rally behind it.<sup>36</sup> In short, the representation system in the HOF has reinforced the bargaining position of the larger subnational entities, revealing that the HOF, like the lower house, is potentially prone to the considerable impacts of the existing political asymmetry.

### 5.3 *Fiscal Autonomy*

Article 95 of the Constitution outlines the basic principle for the sharing of revenue between the Federal Government and the States. It states that the division of revenue shall take the federal arrangement into account. This means that the divisions of revenue should reflect the sovereignty of each level of government in their respective domain. The territorial principle, coupled with the principle of ownership of the source of revenue, by and large, informs the division of taxation powers between the federal and State governments. Sources of revenue that are owned by the Federal Government and tax bases that have a national character are subject to federal taxation. The federal government has the power to levy and collect import and export taxes and other dues, income tax from federal and international organization employees; income, profit, sales and excise tax on enterprise owned by the Federal Government; on the income and winnings of national lotteries and other game of chance. Other sources of federal revenue include taxes on income of houses and properties owned by the Federal Government as well as the income of air, rail and sea transport services. Import and export taxes and dues represent the major sources of revenue for the Federal Government.

Following the territorial cum ownership model, State governments are entrusted with the power to levy and collect income tax on employees of the State and private enterprise (Article 97(1)). The States can levy and collect taxes on the income of private farmers and farmers forming cooperatives. They can also levy and collect profit, income, sales and excise taxes on public enterprises which they own. Consistent with the territorial and ownership principle, the Constitution also provides for concurrent powers of taxation (Article 98). The power to levy and collect profits, sales, excise and personal income taxes on enterprises that the central and State governments jointly establish resides with both levels of government. The concurrent power of taxation is also extended to taxes on income derived from large-scale mining and all petroleum and gas operations as well as royalties on such operations.

From the foregoing, it is clear that the most productive taxes are assigned to the Federal Government. Although the States are provided with an array of tax sources, they are of limited significance. The State's own sources of revenue account for less than 20% of State expenditure responsibilities. Despite the Constitution's mandate that each level of government bears all financial expenditure necessary to discharge its expenditure responsibilities (Article 94), State governments often struggle to raise sufficient revenue to finance their recurrent expenditure let alone capital expenditures. The subnational entities of the federation are, as a result, heavily dependent on the central government.<sup>37</sup> Subsidies, which are unconditional fiscal transfers, account for 80% of State government revenue. These grants are supplemented by what are usually called specific purpose grants. These are conditional grants that are allocated for a specific project. More often than not, these grants are transferred to finance specific food security and safety net programs.

As a result of the socioeconomic disparity-induced political asymmetries, some of the subnational entities are more dependent than others. Only four States (i.e. Tigray, Amhara, Oromia and SNNPR) manage to cover between 20 and 30% of their own expenditure. The rest barely manage to cover 10% of their own expenditure.<sup>38</sup> It is clear from this that the larger States tend to make a relatively higher contribution to own expenditure. The smaller States, on the other hand, are extremely dependent on federal transfers.

One may dismiss the horizontal fiscal imbalance as insignificant. However, one must note that the imbalance that characterizes the

federation does not accurately represent the socioeconomic disparities that exist among the States. The imbalance is concealed by the fact that the central government has taken control of the richest sources of revenue, leaving low-yielding taxes to the States. The larger States would have been in a better position to finance their expenditure and a more accurate picture of the fiscal asymmetry would have emerged had most of the productive taxes not been assigned to the central government. Berhanu Gutema has the State of Oromia in his mind when he stated that ‘if most of the taxes and revenue sources are left to the [State] governments, there could be a severe horizontal imbalance in budget that could create few wealthy states,... putting many of the states in a precarious financial condition, particularly the fiscal condition of the disadvantaged states would be very fragile’.<sup>39</sup> There is also no doubt that, in addition to Oromia, ‘other states such as SNNPR and Amhara could have also been in a better position to finance their expenditures’.<sup>40</sup>

The fiscal effect of the political asymmetry is not limited to the creation of horizontal fiscal imbalance. It has also affected the federal redistribution regime. Introduced to distribute the federal grant among the States, the federal redistribution regime is the major source of revenue for the State governments.<sup>41</sup> For obvious reasons, the larger and the smaller States have a contrasting stance on the weight that should be attached to the population size of a State in the equation that determines the division of the federal grant.<sup>42</sup> The most populated units would like to see the population factor weigh more. They argue that the per capita share of the federal subsidy of the larger States has consistently been far lower than the relatively smaller units, including Tigray and Harari.<sup>43</sup>

The controversy over the redistribution formula is compounded by the fact that States, like Oromia, who have expressed dissatisfaction over the system of fiscal equalization transfer, are widely considered to be ‘a storehouse of Ethiopia’s wealth’ and a major contributor for national economy.<sup>44</sup> Given the numerical strength and relative wealth of Oromia, the controversy and anomaly in the apportionment of the federal equalization transfer might have far-reaching adverse repercussions by providing the Oromo political movements with ‘an important agitational weapon in mass mobilization’.<sup>45</sup>

## 6 LINKING CONSTITUTIONAL ASYMMETRY TO MULTINATIONALISM

The asymmetry that characterizes the Ethiopian federation is directly linked to multinationalism. This is because the making of the subnational entities of the Ethiopian federation was primarily justified by the need to accommodate ethnic diversity. In fact, ethnicity is the basis for the internal organization of the federal state. States that are largely delimited along ethno-linguistic lines constitute the Federal Democratic Republic of Ethiopia. Territorial, demographic and economic considerations were not seriously taken into consideration in the making of the subnational entities. As a result, the subnational entities are asymmetrical in size and capacity. Although this political asymmetry is not officially accompanied by constitutional asymmetry of the subnational entities, it has resulted in the constitutional asymmetry of the constituent communities. Ethnic communities that have a 'homeland' in which they are in majority enjoy more powers and have more financial resources at their disposal when compared to the ethnic communities that do not have their own state.

As mentioned earlier, due to the ethnic based nature of the federal system, this constitutional asymmetry of the constituent communities to a large extent translates into a constitutional asymmetry among the subnational entities. The Ethiopian federal system is susceptible to the cooperation or competition of the two subnational entities, namely the Amhara and the Oromia states. The legislative and the executive branch of the federal government can easily fall under the control of a coalition of few States. The smaller States would be overwhelmed by their powerlessness and end up being perpetual losers or clients in the federal partnership. This can potentially put at stake the self-administration of smaller subnational entities, undermine the effectiveness of shared rule and make the federation prone to unhealthy tension and political instability. The asymmetry has also significantly contributed to the controversy surrounding the federal grant redistribution system, with the larger States often clashing with the smaller ones over the weight attached to population size in the formula that determines the distribution of the federal financial transfer.

## 7 MODERATING THE ASYMMETRY

From the foregoing, it is clear not only that political asymmetry characterizes the Ethiopian federation but also that it has, to a large extent, translated into constitutional asymmetry among the subnational entities. As is the case in many federations, asymmetries have the capacity to generate unhealthy tension and instability. The question is thus whether the formal federal institutions offer much by way of preventing or mitigating the potential capture of the center by few states.

It is often held that a second chamber can play an important role in moderating the corrosive effects of political asymmetry.<sup>46</sup> Its doing so depends on its composition and the powers it is entrusted to exercise. An important element is the degree of symmetry in the representation of the subnational entities in the second chamber. The disproportionate influence of larger States can be counterbalanced by malapportioned representation of the subnational entities in the second chamber. The question is thus whether the HOF is well placed to moderate the corrosive impacts of political asymmetry.

As stated earlier, the dominance of the larger subnational entities in the lower chamber is reinforced by their significant presence in the HOF; the bargaining position of smaller subnational entities in the HOF has, as a result, remained weak. This makes it difficult for the HOF to serve as a federal institution that can be used to counterbalance the relative dominance of the larger subnational entities in the lower chamber. Furthermore, even if the HOF had not been majoritarian in terms of its representation system, it would still not be in a position to counterbalance the dominance of large States. This basically relates to the role that the HOF plays in the federal legislative process.

A quick survey of the relevant constitutional provisions reveals that the House enjoys some important powers, including the unique power of interpreting the Constitution. It has the power to determine the constitutionality of laws and conducts of both state and federal governments. It is also the only institution that has the power to determine constitutional disputes between the federal government and the subnational entities.<sup>47</sup> In addition, the HOF has the power to determine the division of revenues derived from joint federal and state tax sources and the federal equalization transfer to states. It also plays an important role in the initiation and approval of constitutional amendments.<sup>48</sup> But this is where the legislative role of the HOF ends. It plays no other meaningful role in

the federal legislative process. Federal legislative competences over a wide range of areas are assigned to the HPR, the lower house of the Ethiopian federal parliament. The HOF is not involved in the overwhelming majority of laws passed by the Federal Government. As Brietzke<sup>49</sup> noted, ‘the consent of the [HOF] is not a precondition to the effectiveness of federal legislation’. As a result, the HOF does not have meaningful powers and functions to significantly moderate the corrosive impact of political asymmetry on the operation of the federation.

The good news is that the corrosive impacts of the political asymmetry have been largely limited. This largely has to do with the anomalous evolution of the federal system, which has been, to a greater extent, functioning as a centralized system. The federation is dominated by a highly centralized ruling party that has effectively equalized the unequal subnational units.

For more than two decades now, the Ethiopian political landscape has been dominated by a single political party, namely the Ethiopian People’s Revolutionary Democratic Front (EPRDF), a coalition of four ethnic-based parties, which claim to represent the four numerically dominant ethnic communities and the subnational units that are regarded as the ‘homelands’ of these ethnic communities.<sup>50</sup> The other subnational states and city administrations are also ruled by the affiliates of EPRDF or the coalition of member parties and affiliates. Although the fact that the ruling party is a coalition of mainly ethnic based parties, which are assumed to have their stronghold in the subnational entities, might suggest a party structure that might accentuate the impacts of the political asymmetry of the federation,<sup>51</sup> a close look at the way in which the coalition functions reveals a political party that operates in a manner that has dampened the potential effects of political asymmetry. At the center of this is the policy of ‘democratic centralism’ that guides the modus operandi of the ruling party.<sup>52</sup>

Democratic centralism reserves decision-making on important matters of policy to the highest decision-making body. Members of the party and particularly office holders at all level must adhere to these decisions. More importantly, for our purpose, a dominant party that is guided by democratic centralism had undermined the federal feature of central–subnational relationship. Decisions are made by the Executive Committee of the ruling party and members of the coalition are expected to follow and implement those decisions. Party discipline ensures that every member of the coalition toes the lines of the Executive

committee. This means decision is concentrated in one institution at the national level, namely the Executive Committee of the ruling party. That same decision is implemented by officials at each level of government. This is also the case in subnational entities governed by affiliated parties.

The glaring political asymmetry that characterizes the federal system has, therefore, been largely moderated within the ruling front that is functioning 'indifferent to the federal structure'. The moderating role of the ruling party is, for example, evident in dampening the controversy surrounding the distribution of the federal grant. As mentioned earlier, the larger States have time and time again expressed their dissatisfaction in the redistribution formula. They have regularly done so in parliamentary sessions that deliberated on the matter. At times, the interest of the larger and smaller subnational entities seemed irreconcilable. But that is only until an instruction arrives from the Executive committee of the ruling party. In fact, major compromises and decisions with regard to federal grant apportionment are made at the party level. That is why, despite their unhappiness, the delegates from the larger States have not used their numerical dominance to effect a reform that would be favorable to their constituencies.<sup>53</sup>

It must, however, be noted that it is not just the centralized nature of the ruling party that helped the latter to moderate the effects of political asymmetry. Equally important is the organizational structure of the party that has equalized political parties that claim to represent strikingly unequal constituencies. As mentioned earlier, EPRDF is a coalition of four parties that claim to represent the populations of four subnational units.<sup>54</sup> Each organ of the ruling party is constituted based on equal representation of member parties.<sup>55</sup> This means OPDO, which claims to represent about 36.7% of the total population of the country and has 180 parliamentarians in the HPR, and TPLF, which represents 6% of the total population and which has only 38 seats in the HPR, have equal representation in all the important organs of the ruling party. Numerically speaking, each of the four member parties have, therefore, equal leverage at their disposal to influence the decision-making process within the ruling party.<sup>56</sup> Accordingly, the seemingly strong bargaining position of OPDO and ANDM in the formal federal institutions like the HPR, and the dominance of SEPDM in the HOF, which are both consequences of the political asymmetry that characterizes the federation, are significantly moderated by the egalitarian representation in the important decision-making bodies of the ruling party. One must also add that the

TPLF, which spearheaded the armed struggle against the military government and was instrumental in the formation of the member and affiliated parties, had assumed a leading role in the ruling front, further diminishing the importance of the member parties representing numerically strong subnational entities.

## 8 CONCLUSION

The asymmetry that characterizes the Ethiopian federation has been moderated by the dominance of a highly centralized ruling party that has effectively equalized the unequal subnational entities. However, relying on a political party to moderate effects of asymmetry is not without problems. To begin with, the state of politics is not static. The party system in general and the nature and organization of the ruling party, in particular, are susceptible to changes. As we are currently witnessing, the integrated party system may give way to a more fragmented and competitive intra-party politics. Given the winds of political reform that are currently sweeping the country, the political landscape that is now dominated by a single political party could be replaced by a more dynamic political space that is characterized by political pluralism. In both cases, the emergence of subnational politics that is driven by ethnic based subnational parties is a real possibility. The federation, when that happens, may end up being a sight of political battle in which size of population and representation in formal institutions matter most. The serious consequences of the asymmetry that is the hallmark of the Ethiopian federation may, as a result, come into reality.

## NOTES

1. After three years of uninterrupted political unrest, Ethiopia, and the ruling coalition that has been at the helm for the last 27 years, is going through a political sea change since February 2018. The political parties claimed to be representing the big subnational entities (Oromia and Amhara) seem to play a more assertive role within the ruling ethnic coalition defying the decades long central role of the core party from the relatively smaller subnational entity (i.e. Tigray).
2. H. S. Lewis, 'Ethnicity in Ethiopia: The View from Below (and from South, East and West)', in C. Young (ed.), *The Rising Tide of Cultural Pluralism: The Nation-State at Bay?* (Wisconsin: The University of Wisconsin Press, 1993), 158–178, 160.

3. Yonatan T. Fessha, *Ethnic Diversity and Federalism: Constitution Making in South Africa and Ethiopia* (Ashgate, 2010), 171.
4. Provisional Military Administrative Council, 'National Democratic Revolution Program', Addis Ababa, 1976.
5. The nine States are the State of Tigray, Afar, Amhara, Oromia, Somalia, Benishangul/Gumuz, Harari and Southern Nations, Nationalities and peoples.
6. The population size of the remaining three states (i.e. Tigray, Somali and Afar) is less than the average population size of the member states of the federation.
7. It seems that the gap in the population size of the federated units is likely to remain the same for the foreseeable future. According to the projection of the Central Statistics Agency, the population growth rate shows little or no difference across the constituent units. For example, the population of Oromia is projected to increase to 35,466,978 (37.5%) when the population of the federation climbs to 95 million in 2017. The population of Harari is projected to increase to 244,756 (0.25%). It is, therefore, clear that the Ethiopian federation will continue to remain a federation of nine states that are widely asymmetrical in terms of population size.
8. R. Watts, *Comparing Federal System, Montreal and Kingston*, 3rd ed. (McGill-Queens University Press, 2008).
9. Benishangul-Gumuz, SNNPR and Gambella are good examples.
10. A. Kefale, 'Ethnic Decentralization and the Challenges of Inclusive Governance in Multi-ethnic Cities: The Case of Dire Dawa, Ethiopia', *Regional & Federal Studies* 24, no. 5 (2014), 159.
11. The official policy documents and state media consistently make distinction between emerging and relatively well-off States. Interestingly, the FDRE constitution mandated the government to 'provide special assistance to' nationalities 'least advantaged in economic and social development'.
12. A. Fiseha, *Federalism and the Accommodation of Diversity in Ethiopia* (Postbus: Wolf Legal Publishers, 2007).
13. Ibid.
14. B. Gutema, *Restructuring State and Society: Ethnic Federalism in Ethiopia*, Spirit & Department of Culture and Global Studies Aalborg University (2007).
15. J. Young, 'Along Ethiopia's Western Frontier: Gambella and Benishangul in Transition', *Journal of Modern African Studies* 2, no. 32 (1999), 321–346. See also S. Negussie, *Fiscal Federalism in the Ethiopian Ethnic-Based Federal System* (Postbus: Wolf Legal Publishers, 2006).
16. The variations in socioeconomic developments, however, must not be exaggerated. As a closer look into the socioeconomic development data

of the country would reveal, the variation among the States in terms of socioeconomic developments is not that significant. After all, Ethiopia is one of the poorest countries in the world. See B. Gutema (2006), *supra* note 9, pp. 104–106. After analyzing the relative accesses of States to public services, do you mean: accesses of people to public services in the States? and States' health and nutritional status, Gutema concluded that 'socio-economic developments do not show much variation across the States'.

17. Constitution of the Federal Democratic Republic of Ethiopia (FDRE), Articles 52, 97, and 98.
18. FDRE Constitution Article 47(4).
19. Fasil Nahum, *Constitution for a Nation of Nations* (Lawrenceville and New York: The Red Sea Press, 1997), 51.
20. Like most parliamentary systems, the federal constitution introduces a separation between the head of state, which is a ceremonial president, and head of executive, represented by a very powerful prime Minister, elected by members of parliament among members of parliament. In each of the nine states, however, the office of the head of state and head of government is vested in the office of the President.
21. The Ethiopian State Television allocates air time to member states of the federation. The states broadcast using the working language of their respective states.
22. Asrat Seyoum, Budget breakdown *The Reporter*, 17 June 2017, available at <https://www.thereporterethiopia.com/content/budget-breakdown>. For more, see S. Negussie, *Fiscal Federalism in the Ethiopian Ethnic-Based Federal System* (Postbus: Wolf Legal Publishers, 2006).
23. In spite of a relatively lax constitutional procedure to own a State, no single ethnic community achieved statehood since the introduction of the federal system. It is well-known that the Sidama's attempt to invoke their constitutional rights has not materialized because of the central government's refusal to allow the request take the constitutional route.
24. FDRE Constitution, Article 73.
25. FDRE Constitution, Article 55.
26. A. Fiseha, *Federalism and the Accommodation of Diversity in Ethiopia* (Postbus: Wolf Legal Publishers, 2007).
27. C. Clapman, 'Afterward', in D. Turton (ed.), *Ethnic Federalism: The Ethiopian Experience in Comparative Perspective* (2006), 231–240.
28. K. Messay, *Medrek's Path to Unity and Charisma* (2012), available at [www.zelabesha.com](http://www.zelabesha.com), accessed on 17 September 2017.
29. U. M. Amoretti, 'Introduction: Federalism and Territorial Cleavages', in U. M. Amoretti and Nancy Bermeo (eds.), *Federalism and Territorial Cleavages* (The John Hopkins University Press, 2002), 10.

30. Ibid. This is also where the irony of the system lies. The system that is supposed to reverse the history of ethnic-based domination and marginalization by protecting and empowering the numerically weak communities has failed to put in place proper mechanisms to curb the capture of the center by the few larger units and ethnic communities.
31. K. Messay, 'Medrek's Path to Unity and Charisma' (2012), available at [www.zelabesha.com](http://www.zelabesha.com), accessed on 17 September 2017.
32. Strictly speaking, the HOF is not a majoritarian institution where representation is based on the principle of 'one-person-one-vote'. Though it is essentially a house of nationalities, it gives a degree of weight to population size of the nationalities as each nationality shall have one representative with one more for each 1 million additional population.
33. Of course, due to the nature of representation, it is not only numerical size that matters. As the HOF is a house of ethnic communities, some of the states that are ethnically diverse have more representatives than states that are less diverse. They have more representatives than their population size warrants. It is this fact that, in fact, explains the numerical strength of the representation of SNNPR in the House. The House derives about 50% of its members from this ethnically mosaic state, which, however, only accounts for 20% of the total population of the federation. With the exception of the SNNPR, this aspect of the representation system does not, however, change the fact that the most populated states dominate the HOF. Currently, the Oromo and the Amhara are represented by 19 and 13 representatives, respectively, while no less than 50 other ethnic communities have one representative each. Harari, the micro-federated unit, is represented by only one representative.
34. There was a time when the delegates from the SNNPR accounted for the majority of the members of the HOF. The SNNPR lost its majority control when the representation of nationalities in the house was revised in line with the 2007 population census result. In those years, HOF was theoretically under the full control of a single state.
35. FDRE Constitution, Articles 62(7) and 98(3).
36. If the much-awaited petroleum is discovered in one of the states, no state other than SNNPR would have a dominant say in the apportionment of the revenue that derived from it.
37. S. Negussie, *Fiscal Federalism in the Ethiopian Ethnic-Based Federal System* (Postbus: Wolf Legal Publishers, 2006).
38. Ibid.
39. M. Gudina, *Ethiopia from Autocracy to Revolutionary Democracy* (Chamber Printing House, 2011); B. Gutema, *Restructuring State and Society: Ethnic Federalism in Ethiopia*, Spirit & Department of Culture and Global Studies, Aalborg University (2007).

40. Ibid., p. 133.
41. S. Negussie, *Fiscal Federalism in the Ethiopian Ethnic-Based Federal System* (Postbus: Wolf Legal Publishers, 2006).
42. A. Fisela, *Federalism and the Accommodation of Diversity in Ethiopia* (Postbus: Wolf Legal Publishers, 2007).
43. M. Gudina, *Ethiopia from Autocracy to Revolutionary Democracy* (Chamber Printing House, 2011).
44. Ibid.
45. Ibid.
46. Political asymmetry can, be moderated by consciously designed formal federal institutions and/or by expediently developed informal institutions. Federal redistributive equalization transfers are also employed to moderate the corrosive impact of political asymmetry arising from disparities of wealth among different states. Downsizing giant member states by sub-dividing into two or more states can also be adopted as a corrective measure.
47. The courts are excluded from interpreting the constitution and reviewing the constitutionality of government actions.
48. Other powers and competences of the HOF listed under Article 62 of the 1995 federal constitution could not also help it to play a meaningful role in counterbalancing the dominance of larger states/nationalities in the popular house of the federation. It is, however, important to note that the HOF has an important power of reviewing the constitutionality of laws enacted by the House of Peoples' Representatives.
49. P. Brietzke, 'Ethiopia's "Leap in the Dark": Federalism and Self-Determination in the New Constitution', *Journal of African Law* 39, no. 1 (1995), 19–38, 28.
50. The ruling party, the Ethiopian People's Revolutionary Democratic Front (EPRDF), is a coalition of four ethnic-based parties, namely Tigray People Liberation Movement (TPLF), Amhara National Democratic Movement (ANDM), Oromo People Democratic Organization (OPDO) and Southern Ethiopia Peoples Democratic Movement (SEPDM) whose constituencies are Tigray, Amhara, Oromia and SNNPR, respectively. It must be noted that SEPDM is a multiethnic party which represents a remarkably diverse subnational entity.
51. Basically, these are subnational parties, giving an impression of ethnic based parties that, in their assertions for autonomy, bring into reality the outcomes of political asymmetry.
52. The constitutive law of the ruling party states that 'all organizations that come under the EPRDF umbrella are those which are led by democratic principles and those which respect democratic centralism' (EPRDF, Article 1 (e) 8).

53. 'During the past decade, the central political leadership has made frequent changes in the indicators and weights of transfer formulas. The decision-making process has been dominated by the central political leadership or the executive branch of the central government. The House of Federation, which is formally responsible for managing the transfer system, has been acting as a rubber stamp. The debates in the House of Federation have not been effective in changing or adjusting the draft formulas presented to the House'. P. Chanie, *What One Hand Giveth, the Other Hand Taketh Away: Ethiopia's Post-1991 Decentralization Reform Under Neo-patrimonialism* (Unpublished PhD Dissertation, The Institute of Social Studies, 2007), p. 242.
54. Originally a coalition of two insurgencies, namely TPLF (est.1975) and the Ethiopian People's Democratic Movement (currently, ANDM [est.1982]), which was later joined by OPDO (est.1990) and SEPDM (est.1992), was founded in 1989. Secretariat of the Council of the EPRDF, Public and Foreign Relations Department, 2013.
55. The organizational structure of EPRDF consists of the General Congress, the highest authority of the party which is convened every two years, the Council of the EPRDF, the second highest decision-making body that is composed of 180 members and the Executive Committee, the body that is responsible for most important decisions.
56. In fact, if there is any sign of asymmetrical power relation in the operation of the ruling party, it does not come as a result of the political asymmetry. Despite their equal representation, member parties within EPRDF do not have equal bargaining power. Despite the official claim that the ruling party is composed of four equal and autonomous ethnic-based parties, many observers, until recently, point to the asymmetrical power relation between TPLF and the other three constituent parties (i.e. ANDM, OPDO and SEPDM). The current political developments have led to the displacement of the TPLF as the most influential member of the ruling coalition.