

THE CONCORDANCE BETWEEN CONSTITUTIONAL PRINCIPLES AND OPERATIONAL REALITIES IN THE CREATION OF NEW REGIONAL STATES IN SOUTH ETHIOPIA

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Abstract

Although the 1995 constitution of the Federal Democratic Republic of Ethiopia (FDRE) and the 2001 revised constitution of the Southern Nations, Nationalities, and Peoples' Region (SNNPR) impose obligations on federal and regional governments, the constitutional principles of self-determination do not align with the operational realities in Southern Ethiopia. A gap exists between rhetoric and reality. This article examines the concordance between constitutional principles and operational realities in establishing new regional states in Southern Ethiopia. A mixed-methods research approach was employed to collect and triangulate data alongside relevant literature. The research findings indicate that the claim of Nations, Nationalities, and Peoples (NNPs) for self-determination has encountered significant obstacles. The constitutional rights outlined in Articles 39 and 47 have not been effectively implemented in Southern, Central, and Southwestern Ethiopia, designated as multiethnic clustered regional states. In contrast, Sidama, organized as a mono-ethnic regional state, enjoys certain constitutional rights that other new regional states do not. Consequently, the government and the ruling party should address the claims for self-rule concerning the right to establish a separate regional state and learn from the failures of SNNPR.

Keywords: Self-Determination, Constitutional Principles, Unconditional Rights, Referendum, Regional States.

1. INTRODUCTION

The absence of democratic and inclusive governance is fundamental to Ethiopia's socio-political crisis. This indicates that redesigning the country's institutional framework is essential for tackling the challenges of poor governance, which include the need for equal citizenship, equitable representation, and the protection of human and minority rights (Assefa, 2022).

Ethiopia transitioned from a unitary to a federal state structure in 1991 to address historical injustices and promote self-determination for various ethnic groups (Asebe, 2021; Beken, 2018). Federalism involves the rule of law and democracy, and federations incorporate provisions in their constitutions that outline the distribution of powers between central and regional governments (Anderson, 2008). Introducing ethnicity as the basis for reconstituting the Ethiopian state has led to reorganizing political representation and territorial administration along ethnic lines (Vaughan, 2003).

The creation of federal regions poses a significant challenge for emerging federations, requiring a delicate balance between ethnic, linguistic, and cultural identities and non-ethnic criteria such as economic viability and administrative convenience (Anderson, 2008). Ethiopia's federal and regional constitutions allow states to draft their own constitutions, select their official languages, establish their administrative structures, create independent police departments, and impose specific taxes. However, these arrangements are initiated more practically at the federal level than by the states that make up the federation (Keller, 2002).

Additionally, the Constitution of the SNNPR guarantees various rights to its citizens, including freedom of thought, conscience, and religion; freedom of expression; and the right to self-determination, which includes the right to secession. The SNNPR constitution aims to balance unity and diversity; however, its provisions and implementation face challenges, including tensions between constitutional provisions and the dominant political tendency, necessitating revisions and more precise mechanisms for intergovernmental relations and minority protection (Beken, 2013).

The Constitution of the FDRE, as stated in Articles 39 and 47, along with Article 39 of the 2001 Revised Constitution of SNNPR, affirms that NNP has the right to establish its own states by separating from the original state. Furthermore, according to the Declaration on Principles of International Law Relating to Friendly Relations and Cooperation among Nations, states have an affirmative and active obligation to advance the right to self-determination, as stated in UN General Assembly Resolution 2625 of 1970.

The evolution of the international human rights framework has established the right to self-determination within nation-states as a crucial entitlement for minority groups. The International Covenant on Civil and Political Rights (ICCPR) explicitly recognizes self-determination as a foundation for ethnic, religious, or linguistic minorities to protect and maintain their culture, religion, and language. Self-determination has supported claims of fundamental democratic rights, including voting, participating in peaceful protests and associations, and engaging in political activities.

Hawkes (2002) suggests that accommodating the self-determination of Indigenous peoples within federal systems is beneficial and necessary for achieving equitable governance and promoting positive intergovernmental relations. According to Missang (2022), ultimately, self-determination is connected to the essential good of autonomy, enabling individuals to lead lives they can recognize as their own. Furthermore, Senese underscores the importance of acknowledging individuals' right to internal self-determination, which involves the freedom to choose their political, economic, and social systems (Senese, 1989).

In 1991, when the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF) advanced southward from Addis Ababa, its primary message to the Southern populations was that it had arrived to emancipate the ethnicities from the repressive *Dergue*¹ Regime. Their founders asserted that all ethnic groups should have the autonomy to self-govern, utilize their native languages, and advance their cultural traditions.

The demand for self-governance through regional statehood in the SNNPR of Ethiopia highlights the need for a balanced response to ensure peace, stability, and economic progress (Tefera Assefa, 2025). The writer further states that the quest for statehood in the region emphasizes the country's inconsistent and arbitrary implementation of multinational federalism. However, the federal government's lack of political will to make timely and responsive decisions undermines the effectiveness of constitutional provisions in practice.

Since the 2018 political transition in Ethiopia, the NNP has been making ongoing claims for a separate regional state, which previously existed as part of the SNNPR state. These rights are firmly enshrined in Articles 39 and 47 of the Constitution of the FDRE. Furthermore, according to Article 88, guided by democratic principles, the government shall promote and support the people's self-determination.

According to these constitutional frameworks, a minimum of fourteen national groups (Sidama, Wolayta, Kaffa, Gurage, Bench-Maji, Hadiya, Dawro, Gamo, West Omo, Kembata-Tembaro, Gofa, South Omo, Konso, and Gedeo) in the now-defunct SNNPR Region have collectively voted for the establishment of separate regional states within their respective zonal councils since 2018.

The core of the nationalities' inquiries regarding creating national-regional states includes issues such as official language, preservation of national identity, representation, and political autonomy, cultural freedom and preservation, access to federal resources, and socio-economic development related to budget allocation—essentially, self-determination. These are inherent and constitutional rights of ethnic groups in Ethiopia.

These rights are embedded in both the national constitution and the constitution of the SNNPR Regional State (Addis Standard, 19 September 2023). However, Legide (2019) argues that the Ethiopian law of self-determination for nationalities has not been effectively implemented in practice, and a "wide gap exists between the rhetoric and the reality."

Following the ongoing struggle for self-determination, the SNNPR was dissolved, and the Central Ethiopia, Sidama, South Ethiopia, and South West Ethiopia Regional States emerged as regional states. The dissolution of the region became effective on 18 August 2023 when the South Ethiopia Regional State was established following the referendum, with the remainder of the SNNPR forming the Central Ethiopia Regional State.

However, the constitutional practice and implementation regarding the establishment of new regional states from the SNNPR requires investigation. Therefore, this article examines constitutional stipulations in light of both the rhetoric and reality, following the self-determination rights outlined in Articles 39 and 47 of the Federal Constitution and Article 39 of the Revised Constitution of the SNNPR. Thus, the article addresses the research question, "How well do operational realities align with constitutional principles during the foundation of new regional states in South Ethiopia?"

2. METHOD OF THE STUDY

Social constructivism or relativism serves as the foundation for the discussion in this article. Since realities are believed to vary depending on different social perspectives, relative interpretations are unavoidable. Data collection employed a mixed-methods research approach, incorporating both quantitative and qualitative data. A structured questionnaire was distributed to standing committees to gather the opinions of individuals in the newly established regional state. Each region's parliament has five standing committees comprising five members, totaling 100 across the four regions. Furthermore, five were randomly selected from each region's parliament to gather additional data from other parliament members, resulting in 120 surveys. A five-point Likert scale was used for descriptive analysis, and the data were analyzed using SPSS version 25. The tools were created in English and translated into Amharic, a language widely spoken in Ethiopia, to ensure respondents understood easily. They were revised based on the results of the pilot test.

Additionally, qualitative data were collected through ten in-depth interviews and nine key informant interviews conducted across four newly formed regional states where it was saturated. In-depth interviews were held with key individuals from those regions. In contrast, key informant interviews were conducted with lawyers in these areas to gather insights into the implementation of the Constitution.

In addition to quantitative and qualitative data, relevant literature was reviewed to triangulate and substantiate the information. Given the political sensitivity of the subject, a supportive letter from my university was issued. Ethical considerations, such as informed consent and confidentiality, were prioritized significantly.

Written consent was then obtained to secure the respondents' permission. Data collection began by informing respondents that their information would be kept anonymous and used solely for academic purposes. To extract valuable insights, data collection procedures included encoding, transcription, and thematic analysis. Secondary sources comprised books, journals, electronic media, legal documents, and policy briefs.

This article is based on the legal relativism theory, which asserts that law is not always applied as written but is shaped by social, institutional, and political realities. This study highlights the shortcomings in implementing the 1995 Constitution and the 2001 revised Constitution of SNNPR regarding the right to self-determination in establishing new regional states in Southern Ethiopia.

3. EXAMINING CONSTITUTIONAL PRINCIPLES AGAINST OPERATIONAL REALITIES

Under this major title, the implementation of the right to self-determination for NNP in southern Ethiopia is examined in detail. Issues such as the NNP's right to speak, write, and develop their own languages; to express, cultivate, and promote their cultures; and to preserve their histories—along with full self-governance, including the establishment

of their own governmental institutions within their territories and equitable representation in regional and federal governments—are evaluated.

Moreover, it assesses whether a referendum was timely organized based on the written requests for self-determination or if any obstructions exist. The tabulation of referendum results for each ethnic group in multi-ethnic zonal constituencies is critically evaluated both quantitatively and qualitatively. This analysis is based on provisions in Article 47(2) of the Federal Constitution of Ethiopia and Article 39(5) of the SNNPR Revised Constitution of 2001, which establish the right to self-determination, each fundamental right to self-determination is evaluated hereafter.

3.1 The Right to Establish Their Own State at Any Time

Gilliland (2014) discusses practices for establishing a new regional state within a federation. He asserts that creating new states within the federation should not solely serve the interests of the concerned groups. According to him, however, the creation of new states within federal frameworks should be negotiated with the federal government, existing constituent units, and representatives of the proposed units to facilitate establishing a state.

The author claims that any explanation of its rationale must consider the reciprocal loyalty and respect between a federation and its constituent units. Contrary to this, however, Ethiopia's federal and regional constitutions grant the concerned NNP exclusive power regarding self-determination. Based on Articles 39 and 47 of the Federal Constitution of Ethiopia and Article 39 of the SNNPR Revised Constitution of 2001, NNP, within the states listed in sub-article 1 of Article 47 of the Federal Constitution, has the right to establish its own state at any time.

This provision has two key aspects: the right to establish their own state and the ability to do so at any time. This is crucial for the people of SNNPR because the region is home to diverse ethnic and identity groups that have persistently claimed a separate regional state.

The Reporter (2018) states that the Congress of Southern Ethiopia Peoples' Democratic Movement (SEPDM) has received multiple requests to form a separate regional state. Over the past two years, the eleven most populous ethnic groups—Sidama, Wolayta, Gurage, Gofa, Gedeo, Keffa, Gamo, Kambata-Tambaro, Bench-Maji, Hadiya, South Omo, and Dawro—have formally requested referendums from the regional government to elevate their status to that of a regional state.

According to the reporter, informants note that each zonal council has endorsed the quest for a regional state. This suggests that each of the ethnic groups in the South claimed a separate regional state rather than a cluster² one.

A survey was conducted to assess the implementation of the right to establish their own states at any time in relation to the newly formed regions in the South. The results are shown in the bar chart below.

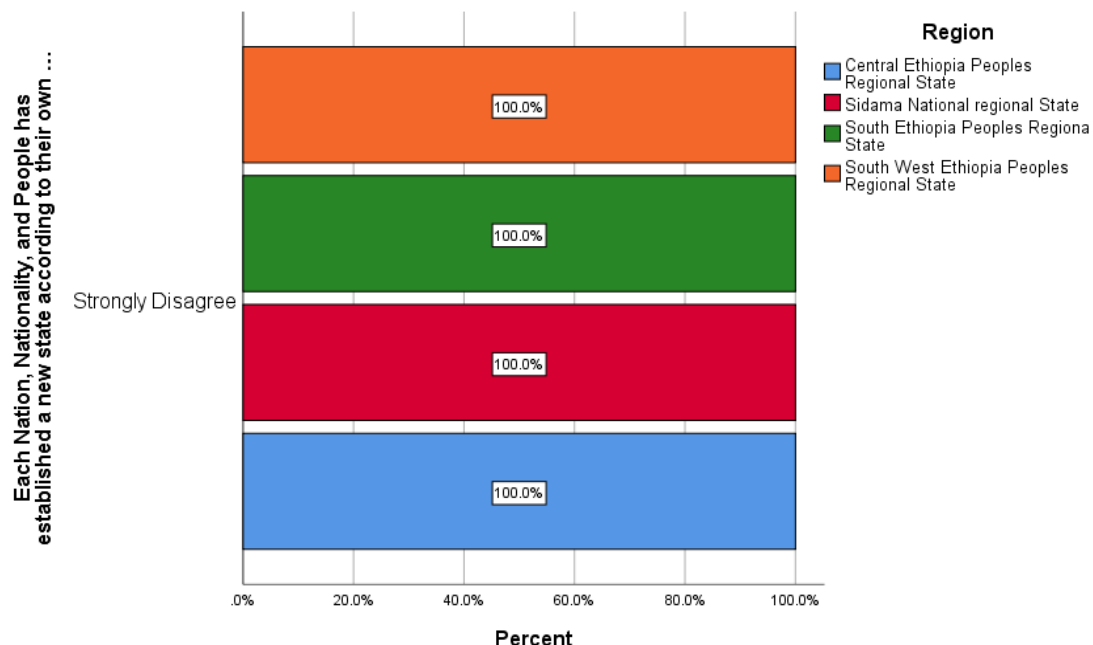


Chart 1: Responses on the implementation of NNPs to establish their own state at any time

Source: Own Survey, 2024

The data gathered from four newly established regional states in the bar chart above indicate that respondents from four regions ‘strongly disagree’, without variation, that NNPs were not allowed to establish their regional state within their timeline. Surprisingly, all 120 informants from the four regions responded that the constitutional stipulation in the document had not been implemented.

The data obtained from in-depth interviews complements the survey results. The informants convey that the practice differs, although the constitutional stipulation favors a straightforward process for forming a regional state. Informants from Sidama and Wolaita indicate that NNPs have consistently pursued self-determination, a stance that the federal government and its regional allies have continually denied.

One informant from Sidama strongly supports this idea, stating that the Sidama Council endorsed statehood in 2005, anticipating a referendum. However, the late Prime Minister Meles Zenawi intervened and halted the process, promising to implement development projects for the people.

According to the informant, thereafter, such claims were categorized as emanating from unrepresentative individuals, ultimately leading to their detention and being associated with ethnocentrism and narrow nationalism.

Moreover, other informants noted that the aforementioned right exists only on paper, and pursuing it involves certain risks where party advantage takes precedence over the legal

framework. This highlights that an anti-constitutional approach was used in addressing self-determination claims.

Therefore, the right of NNP within the Member States of the FDRE to establish their own states at any time remains unimplemented, as evidenced by the various nationalities and peoples in Southern Ethiopia asserting this right. The legal process has been replaced by political repression, and activists have been labeled as ethnonationalists.

It appears that political interests are undermining the constitutionally guaranteed right, with party agendas seemingly overriding the law. The results indicate that the handling of self-determination does not align with the Constitution. This highlights a broader issue with Ethiopia's selective application of the constitution.

3.2 Unconditional Right to Self-Determination

There are various laws and practices regarding the implementation of the right to self-determination. Some literature favors a conditional right to self-determination. For example, remedial rights validate secession solely in cases of significant grievances and injustices.

A group's inherent right to secede is asserted to apply only in situations of genuine injustice (Buchanan, 1991). It posits that secession may be permissible as a last resort to end persecution (Vidmar, 2010). This is often referred to as "just cause," emphasizing different rationales or specific circumstances that advocate for political separation.

It suggests preconditions for exercising the right to self-determination and highlights the diversity among the constitutions of federations regarding the implementation of internal self-determination.

However, article 39(1) of the FDRE Constitution states that every NNP in Ethiopia has an unconditional right to self-determination, including the right to secession. The same principle is also reflected in the Revised Constitution of the SNNPR. No precondition is set for NNPs demanding the establishment of their own state.

Both constitutions affirm an unconditional right to self-determination, regardless of unjust relations or conquests; it is up to each NNP in Ethiopia to exercise this right. This position supports primary rights theories that advocate for a right to self-determination and/or secession, grounded in individual moral autonomy and liberal principles, which regard secession as an inherent right. This concept suggests that the right to self-determination is among the primary rights of NNPs.

A quantitative data-based assessment was conducted to evaluate the implementation of this right in the newly formed regions in the South. Here is the bar chart showing the responses from informants in four regions of the South.

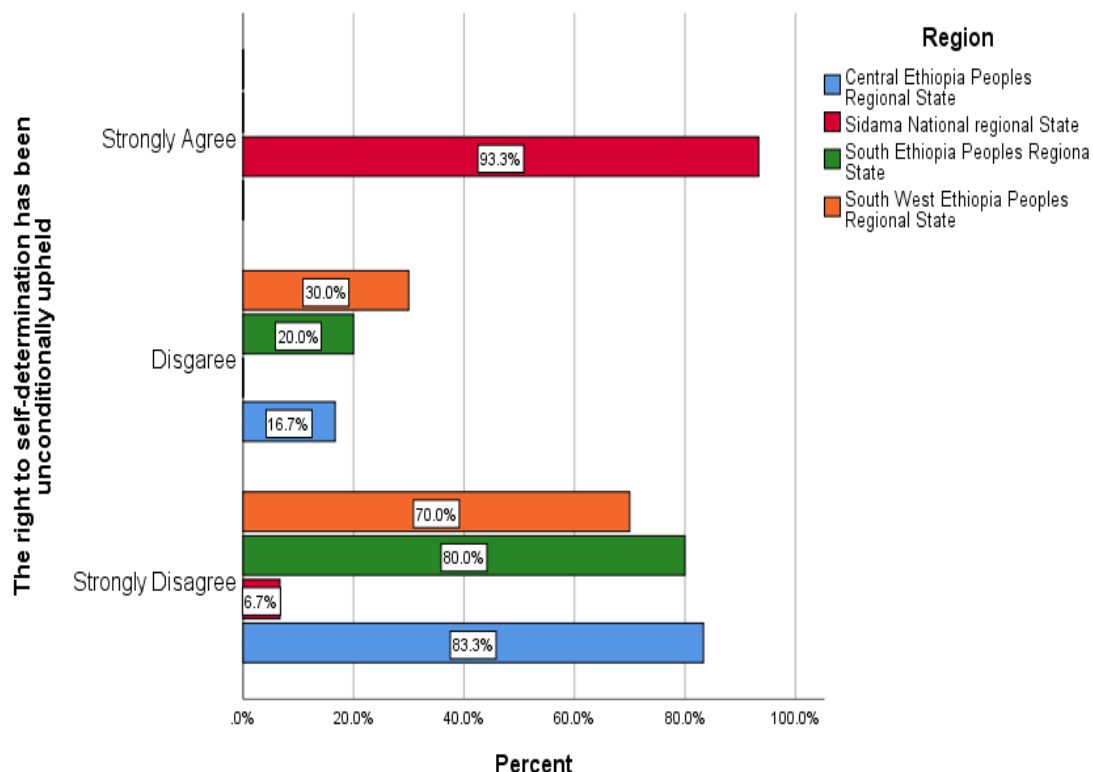


Chart 2: Responses on the implementation of unconditional Right to Self-determination

Source: Own Survey, 2024

According to the survey, respondents from Sidama 'strongly agree' with the unconditional right to self-determination to establish their own regional state. However, the responses from the other three regions—South Ethiopia, Southwest Ethiopia, and Central Ethiopia—'disagree' with the unconditional application of constitutional principles for establishing their own regional states.

Moreover, informants in the in-depth interviews supplemented the survey results. Accordingly, the Sidama people have pursued a referendum to establish their own regional state, as they claim, and have secured it without any challenge. However, one informant reminds me the challenges they faced in 2005 when the Sidama zone council decided to separate statehood while the central party stopped the process. Although each ethnic group in the remaining three regions claimed a separate regional state, the in-depth interviews reveal that they were compelled to cluster together against their interests.

Though the people of Southern Ethiopia have repeatedly claimed self-determination, the actual practices in the region are different from the stipulations in the constitution. Ethiopian Insight (26 September 2020) explains that creating a separate regional state

depends on the interests of the central government. According to it, the current Prime Minister stated that granting each of the 56 NNP a separate state is neither appropriate nor feasible. Kulle, the writer for Ethiopian Insight, also noted that during a meeting in Addis Ababa, the premier cautioned senior officials from the zones and special weredas of the region against exacerbating statehood demands. Therefore, the central government not only suppresses the right to self-determination but also makes it evident that establishing a regional state is conditional upon the interests of the ruling party and the government in power.

The Southern NNP's entitlement to create its own regional states in accordance with its constitutional right to self-determination must be upheld. The tragedy in Wolaita suggests that the infringement of fundamental rights and unwarranted delays exacerbated the decline of peace and security, frequently leading to the needless loss of innocent lives. According to my informant in Wolaita, this is conditional, with the condition being the ruling party's interests rather than constitutional provisions. According to senior political personnel in the area, party dominance prevails over constitutional stipulations.

The researcher questioned the former political personnel in the region regarding the government's hesitation to uphold the unconditional right to self-determination enshrined in the constitution, to which they articulated concerns about a potential "domino effect" instigated by the government. For example, the Sidama's acquisition of self-determination is likely to be followed by the Wolaita, Gurage, Hadiya, and other ethnic groups. The insider asserts that the government is indifferent to overseeing numerous dispersed locations. Consequently, for administrative convenience, the party and government choose to infringe upon the constitutionally given rights of the populace. This suggests that the ruling party appears to have overlooked the fundamental purpose of federalism and ethnic federalism established in the nation.

3.3 The Right to Speak, Write, And Develop Language; To Express, Develop, and Promote Culture; and to Preserve Its History

Language, culture, and history are primary expressions of identity. According to article 39/2 of the FDRE constitution and 39/1 of 2001 revised constitution of SNNPR, 'Every Nation, Nationality, and People in Ethiopia has the right to speak, to write and to develop its own language; to express, to develop and to promote its culture, and to preserve its history.' This provision is crucial for Ethiopia's multi-ethnic state, especially for the Southern peoples. Three subsections detail this provision.

A. The Right to Speak, to Write, and to Develop Its Own Language

Article 39/2 states that every NNP in Ethiopia has the right to speak, write, and develop their own language. Article 5/3 of the FDRE Constitution also states that 'Members of the Federation may, by law, determine their respective working languages.' This encompasses the medium of instruction. As a result, numerous ethno-linguistic groups have adopted their native languages as the primary medium of instruction in schools, alongside the administrative language (Tosco, 2008). Language enables specific modes of expression and action but can also obstruct or make other types of communication

unfeasible. The importance of language in education is highlighted by the fact that the languages used in educational discourse primarily dictate what may be articulated and, consequently, what remains unexpressed (Biesta, 2005).

This right has been simple for homogeneous regional states in Ethiopia, but it becomes challenging for multi-ethnic regions like SNNPR, where more than 56 ethnic groups coexist. This is why Article 5/2 of the 2001 revised constitution of the SNNPR states, "Amharic shall be the working language of the regional government," which designates Amharic as the working language for the regional government. Of course, zones and special woredas³ were authorized to establish their own working languages within their councils.

A survey was conducted to assess whether every NNP in the newly formed regions in the South has benefited from the right to speak, write, and develop their own language. The results are depicted below.

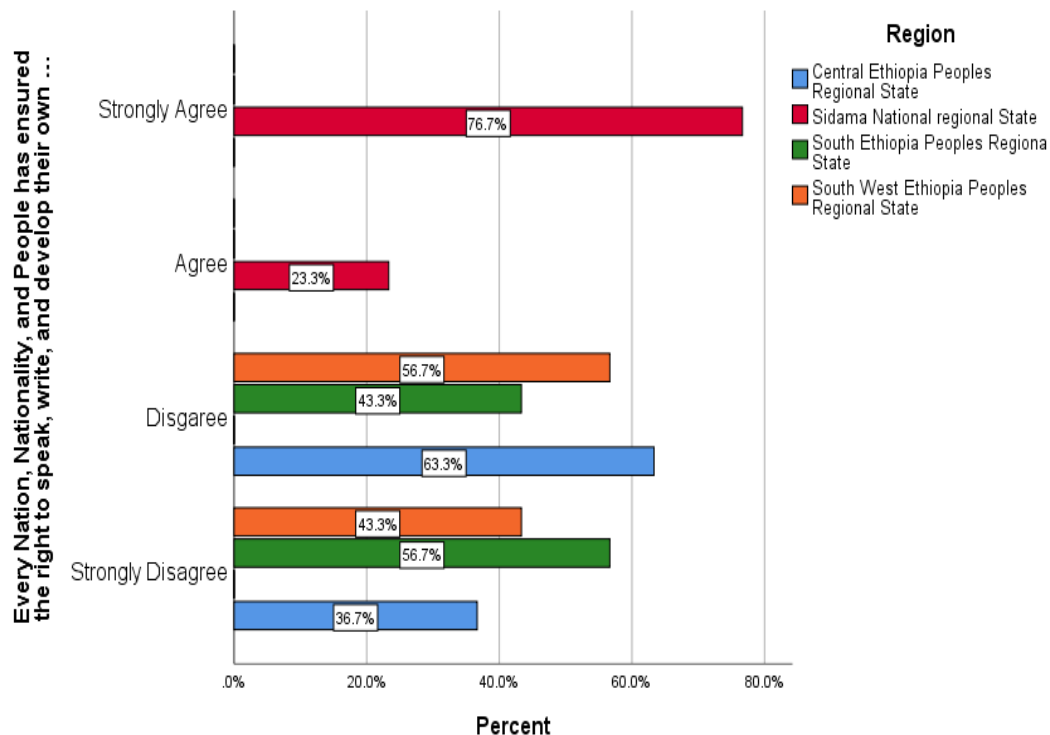


Chart 3: Responses on the implementation of the right to Speak, Write, and Develop their own language

Source: Own Survey, 2024

According to the survey, informants from Sidama unanimously 'agree' that they have ensured the right to speak, write, and develop their own language. At the same time, NNPs in South Ethiopia, Central Ethiopia, and Southwest Ethiopia regional states

'disagree' that they have not ensured the right to speak, write, and develop their own language. The same result was found in the in-depth interview.

According to my informants, during the post-Balkanization period, there was variation among the four regions. Sidama secured the right to speak, write, and develop their own language, as they had established a mono-ethnic regional state. Founded by the Sidama ethnic group, this situation enabled them to protect their linguistic rights within the region. However, this has not been the case for the other three regional states, which are clustered together. These regions are multi-ethnic, and according to their respective constitutions, like the old SNNPR, they have designated Amharic as the working language of their regions. My informant states that public services and judicial matters are primarily managed by the regional government, where court language and office services are conducted in a language different from the mother tongue. Moreover, the researcher's observation of the educational curriculum in the region indicates that students do not learn in their native languages from grade 5 onward due to the implementation of a harmonized curriculum at the regional level. In contrast, in other homogeneous regions of the country, such as Oromia, students learn in their mother tongues at both primary and secondary levels. It is evident that ethnic groups in the SNNPR, while expected to promote their own languages as working and instructional languages, are forced to adopt an external language. Balcha (2007) critiques these issues as arbitrary administrative decisions, arguing that managing nearly 60 ethnic groups within a single state presents significant challenges.

According to informants from the Central Ethiopia regional state, the educational curriculum and medium of instruction, similar to those of the former SNNPR, are still conducted in non-mother-tongue languages. The inability of each ethnic group to establish its own regional state has resulted in the denial of the use of their first language in academic, court, and other official services. According to my informants from Wolaita Soddo, the primary objective of the people of Wolaita in establishing the Wolaita National Regional State was to ensure the right to speak, write, and develop their own language, which the ruling government had previously suppressed forcefully. This violates the constitutional stipulation in Article 39(2) of the FDRE Constitution: "Every Nation, Nationality, and people have the right to speak, write, and develop their own language." The successes of Sidama and Oromia highlight that having separate mono-ethnic regions allows NNPs to exercise their rights to speak, write, and develop their own languages. Therefore, the only solution to secure such rights is the establishment of a separate regional state for these ethnic groups.

B. The Right to Express, Develop, and Promote Their Culture

The right to preserve culture should be regarded as the entitlement of a cultural group to access essential conditions and enact supportive governmental measures that guarantee the ongoing and authentic development of its culture (Hoesch, 2022). Article 39/2 of the FDRE asserts that every NNP in Ethiopia possesses the right to articulate, cultivate, and advance its culture.

Article 6 of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions outlines the sovereign right of the Parties to implement cultural policy measures aimed at promoting and safeguarding cultural diversity within their respective jurisdictions (UNESCO, 2007). Furthermore, Article 7 of the same source emphasizes particular measures that the Parties must implement to promote and encourage the development of cultural expressions and enhance access to these expressions.

This article emphasizes that promoting cultural diversity should be regarded as a fundamental tenet of the Parties' domestic cultural policy and an essential obligation for the Parties to foster the diversity of cultural expressions within their respective jurisdictions.

A survey was conducted to assess the implementation of the right to express, develop, and promote their culture in the newly formed regions in the South. The results are depicted below.

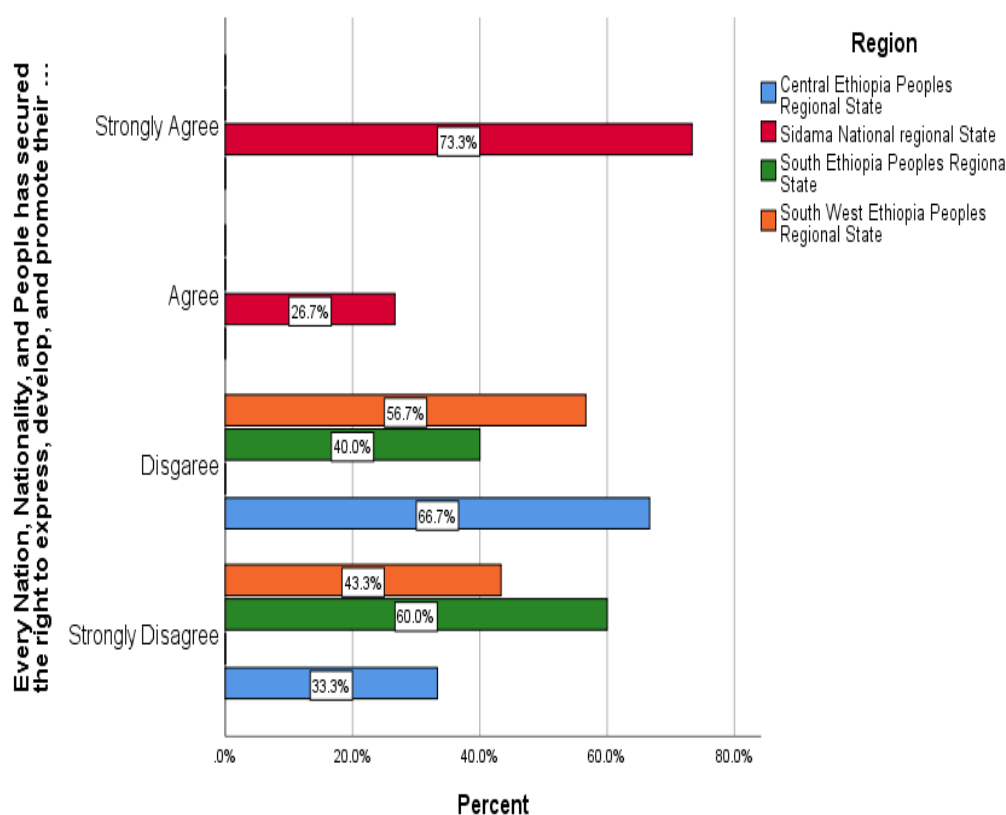


Chart 4: Responses on the implementation of the right to Express, Develop, and Promote their Culture

Source: Own Survey, 2024

The survey on the rights of the NNP in Ethiopia to express, develop, and promote their culture reveals differences among NNPs regarding these rights. Respondents from the Sidama National Regional State unanimously 'agree' that the establishment of the new regional state allowed them to express, develop, and promote their culture.

However, the South Ethiopia, Central Ethiopia, and South West Ethiopia Regional States 'disagree' that the establishment of new regional states facilitates the expression, development, and promotion of their cultures.

According to informants in in-depth interviews, the difference between Sidama and other regions lies in their restructuring methods. This means that Sidama emerged as a mono-ethnic regional state, enabling them to express, develop, and promote their culture. In contrast, the others were multi-ethnic regional states that were unable to achieve it.

According to the informants, in three regions, the claim to obtain a regional state to secure the right to express, develop, and promote their culture falters due to the establishment of a regional state that includes multiple ethnic groups.

Since Sidama established a mono-ethnic region, they quickly began to express, develop, and promote their culture. However, the other three regions have not been able to do so because they are multi-ethnic regions emphasizing diversity over uniqueness.

This indicates that the long-awaited regional setup has failed, and the multi-ethnic regional system does not allow the NNP to express, develop, and promote its culture. Therefore, ethnic groups should establish their own separate regional states to express, develop, and promote their unique cultures effectively.

C. The Right to Preserve Their History

The preservation of history is increasingly essential for forming collective memories. Historic preservation involves various methods used to maintain, conserve, and manage historic edifices. These strategies include preservation, restoration, conservation, consolidation, reconstitution, adaptive reuse, reconstruction, and reproduction (Barthel, 1996).

A significant portion of our cultural history is preserved in museums, libraries, and archives, with the items within offering unique insights into the lives of individuals from the past and the overlooked techniques related to materials (Nancy & David, 2007).

One of the primary rights of NNPs in Ethiopia is to preserve their history, as stated in Article 39, sub-article 2 of the federal constitution. NNPs in the South are historically diverse and have a vested interest in maintaining their historical legacy.

In today's globalized world, neglecting the history of NNPs can easily lead to deterioration. This is why NNPs advocate for a separate regional state to ensure proper attention to histories when establishing such a state. A survey was conducted to assess the implementation of the right to preserve their history in the newly formed regions in the South. The results are depicted below.

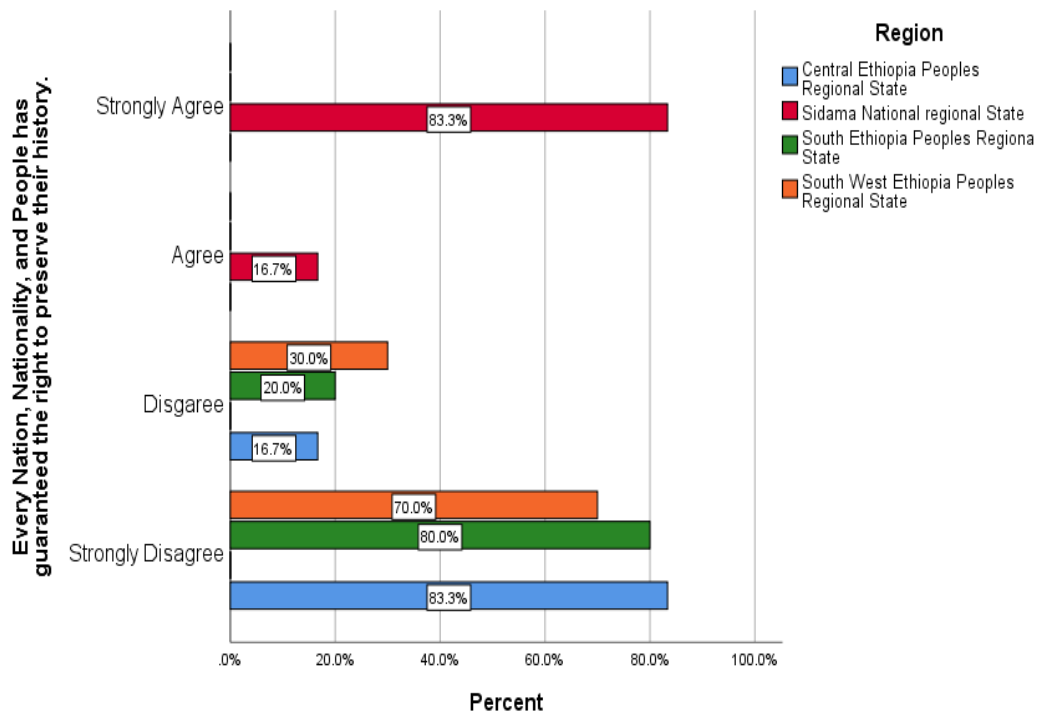


Chart 5: Responses on the implementation of the right to Preserve their history

Source: Own Survey, 2024

According to the survey, respondents from the Sidama National Regional State 'agree' that the new regional state configuration has enabled them to preserve their history. However, the South, Central, and Southwest Ethiopia Regional States 'disagree,' stating that the new regional configuration did not grant them the right to preserve their history.

Qualitative data supports the survey findings. Informants in in-depth interviews indicate that Sidama is a mono-ethnic region that has created favorable conditions for preserving its history. In contrast, the South, Central, and Southwest Ethiopia Regional States have not been as successful in this regard.

Informants assert that regions are configured under the strong influence of the party, which hinders their ability to preserve their history. One informant in Wolaita noted that the educational curriculum of the regional governments was designed to address the diverse historical events of various NNPs in the region.

Consequently, it does not adequately focus on the history of the Wolaita ethnic group, undermining the interests of the people in promoting their history. This confirms that the NNPs' decision to establish its own separate regional state was the right decision, as the struggle must continue until it is achieved to ensure that their history is preserved.

3.4 The Right to Achieve Full Self-Governance

Self-governance is defined as the highest form of autonomy, encompassing the right to self-determination across various dimensions, including culture, religion, finance, judicial administration, and public safety (Danspeckgruber, 2000). It enables the management of daily communal or regional matters, providing a community with greater autonomy and flexibility to customize its administrative structures, bodies, and regulations to meet the specific needs of its population. This concept extends beyond self-administration. Full self-governance is a relative concept because the Ethiopian federal structure features a highly concentrated and centralized authority supported by totalitarian institutions (Bekalu, 2017). The 2001 Revised Constitution of the SNNPR, in Article 116/1, stipulates that, guided by democratic principles, the government shall promote and support the people's self-governance at all levels. This acknowledges the importance of self-governance for the people. The demand for self-governance has long been a priority for the people of Southern Ethiopia. Citing Articles 39 and 47 of the federal constitution, the NNP has consistently raised issues regarding self-rule, which has led to the balkanization of the SNNPR. Each ethnic group aspires to establish its regional state, as constitutionally guaranteed. However, the ruling government is not equipped to implement these constitutional principles. A survey was conducted to assess the implementation of real-world practices in achieving full self-governance in the newly formed southern regions.

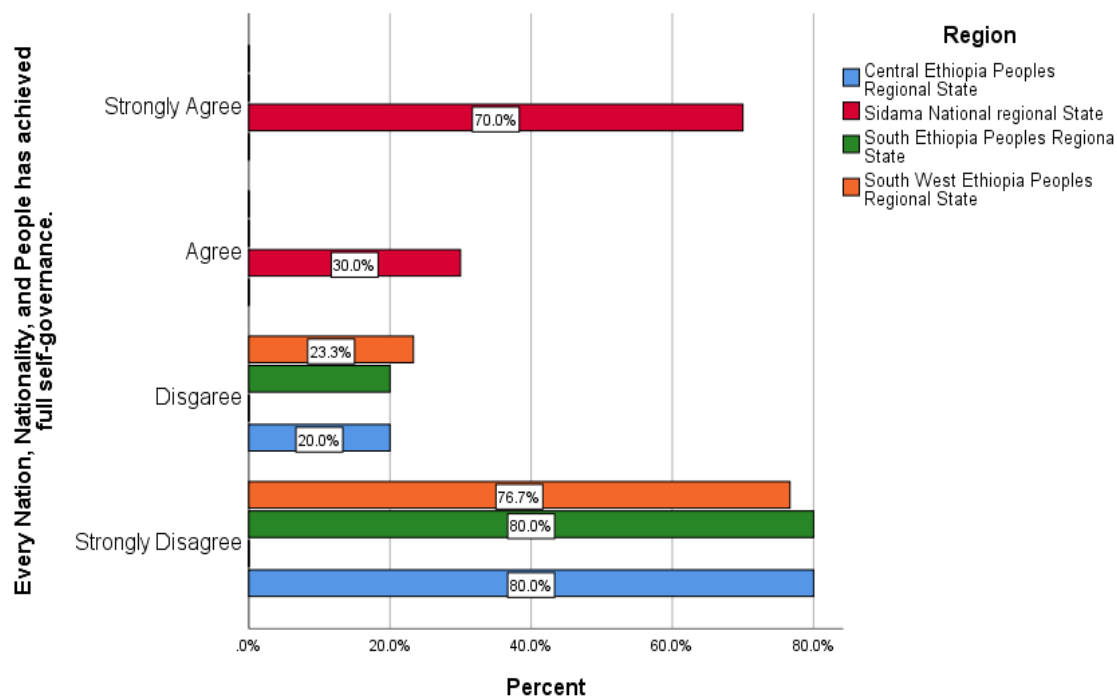


Chart 6: Responses on the implementation of the right to achieve full Self-governance

Source: Own Survey, 2024

The bar chart above indicates that informants from the Sidama National Regional State ‘strongly agree’ that the new region is structured to enable the Sidama people to achieve full self-governance. At the same time, the three regions—South, Central, and South West Ethiopia Regional States— ‘disagree,’ asserting that the new regions do not provide the opportunity for full self-governance.

Thus, organizing NNP in mono-ethnic regional administration enhances the right to full self-governance, while heterogeneous regionalization hinders that opportunity. The data from the in-depth interviews align with the survey results.

According to informants in Wolaita and Kaffa, their people were self-governing before the central government's conquest at the end of the 19th century, which destroyed their right to self-rule. This indicates that ethnic federalism and federalism, in general, were adopted to promote the right to self-rule for the people in Ethiopia; however, this has not been the case for the southern people, despite claims of its implementation.

3.5 The Right to Establish Governmental Institutions

Governmental institutions must be established with the essential components required for restoring order, such as a provisional executive authority, a military and police force, and a judicial system (Reding, 1991).

Article 39/3 of the federal constitution states the right of NNP, as ‘every Nation, Nationality, and People has the right to establish their own governmental institutions within their territories.’

This provision is part of the unconditional rights of the NNPs, which are not dependent on the actual institutional, human, and financial capacity to maintain the institutions, nor does it stress national integration.

Therefore, the article grants the right to create executive, legislative, and judiciary organs within their respective ethnic-based administrations without limitations. To evaluate the implementation of the right to establish governmental institutions in the formation of new regional states in southern Ethiopia, a survey was conducted, yielding the following results.

The Central, South Ethiopia, and Southwest Ethiopia regional states ‘disagree’ that the new regional configuration allows them to establish their own governmental institutions within their territories. The same position is also reflected in the qualitative data. According to informants from the three newly established regional states, NNPs have not yet established their own governmental institutions.

Though each NNP claimed the right to establish its own regional state, and the local government council had already approved it, the central government and party reversed this decision, implementing instead the formation of clustered regional states. Informants in these regions noted that clustering was not appealing to the local population, as it was perceived as a decision imposed from above.

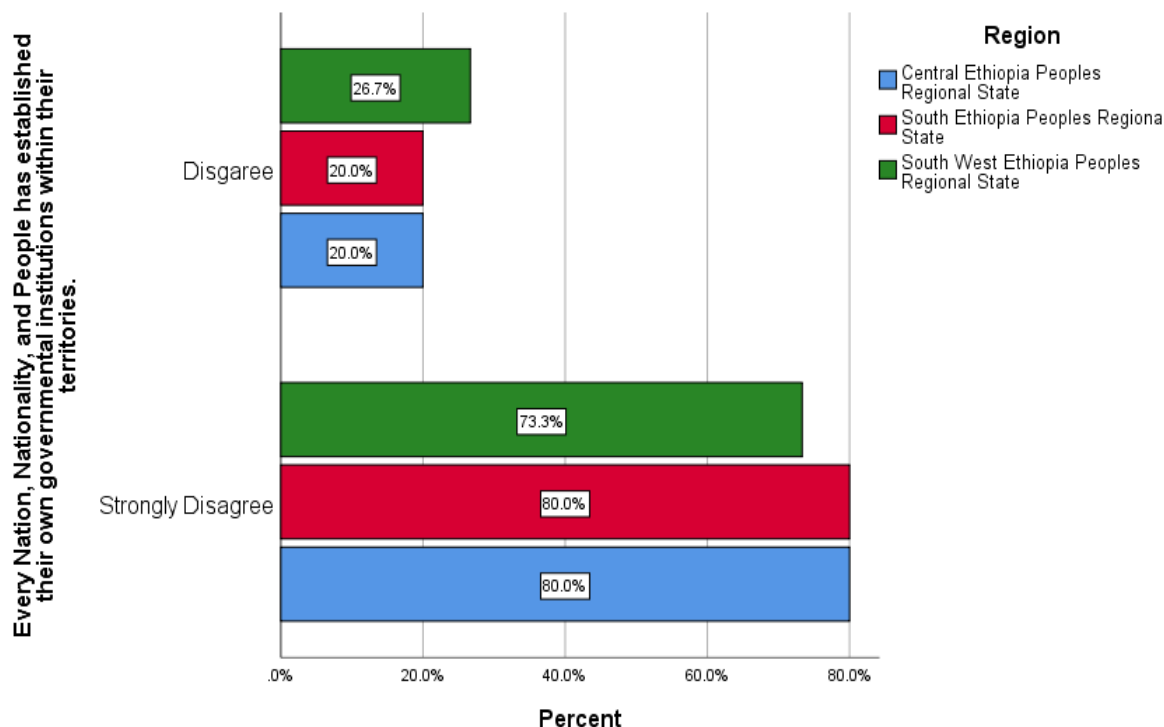


Chart 7: Responses on the implementation of the Right to Establish Governmental Institutions

Source: Own Survey, 2024

They also indicated that the ruling government and party should have learned from the failed regionalization in SNNPR, which the center created without the consent of the concerned people.

This implies that establishing a separate regional state enables ethnic groups to form their own governmental institutions within their territories, unlike the multiethnic arrangement. Sidama was not included in this question since it established a mono-ethnic regional state.

3.6 Representation in State and Federal Government

Given the self-rule and shared rule-defining features of federalism (Elaza, 1987), representation is essential at both the regional and federal levels. In upper houses, the representation of constituent units in central institutions is designed to ensure regional participation in central decision-making, often granting disproportionate weight to smaller units relative to their population size (Anderson, 2008).

Article 39/3 of the FDRE constitution states that ‘Every Nation, Nationality, and People in Ethiopia has the right to equitable representation in state and Federal governments.’

Based on these constitutional provisions, NNPs have consistently argued that this right should be implemented in conjunction with the new regional state configuration.

Article 39/e of the Revised Constitution of SNNPR also specifies that NNPs have the right to establish their governmental organizations relevant to their geographic settlement and to receive fair representation in state and federal administration.

A survey was conducted to assess the implementation of the right to equitable representation in state and Federal governments. First, let us examine representation at the regional level.

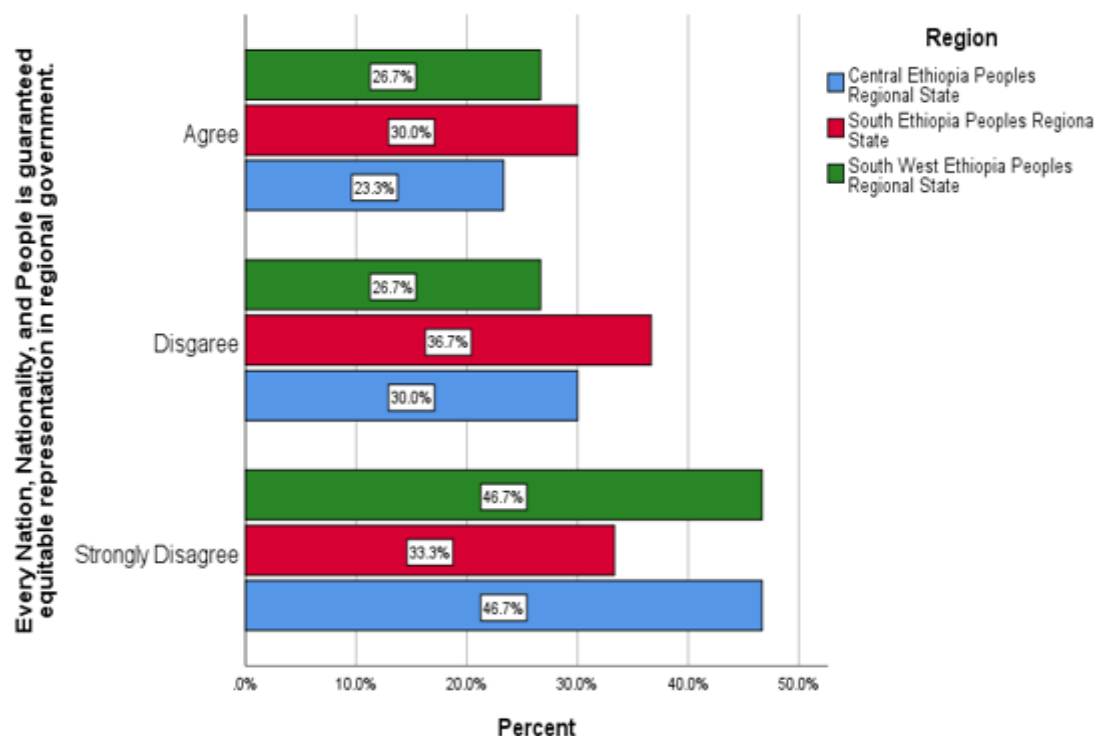


Chart 8: Responses on the implementation of fair Representation in regional Government

Source: Own Survey, 2024

According to the bar chart above, respondents from the Central, South, and Southwest Ethiopia Peoples' Regional States 'strongly disagree' and 'disagree' with the implementation of fair representation. The interview results support this finding. Sidama was not included in this question since it established a mono-ethnic regional state.

The interview highlighted a significant complication of representation in certain regions, such as southern Ethiopia. For instance, minority ethnic groups are overrepresented and satisfied in the region. In contrast, majority groups, such as the Wolaita, feel

underrepresented and express concerns about further disintegration from the newly configured regional state.

This was similarly observed during my visit to Bonga, the regional capital of Southwest Ethiopia. Residents in the area feel underrepresented in the regional government and are advocating for fair representation.

According to the opposition political parties in Kaffa, they issued an official letter to the Prime Minister's office, requesting intervention to revisit the regional governmental structure. Moreover, because South, Central, and Southwest Ethiopia are multi-ethnic regions, unlike Sidama, informants state that these regions foster unnecessary competition among the NNP, where the ethnic group of the chief administrator holds lucrative power positions.

In contrast, others are relegated to marginal roles, as strongly asserted by the people of the Southern Ethiopian Regional State. This situation also applies to the other two regional states, Central and Southwest Ethiopia. With an understanding of representation at the regional level, an opinion survey was conducted to assess the implementation of the right to equitable representation in Federal governments, and the results are presented as follows.

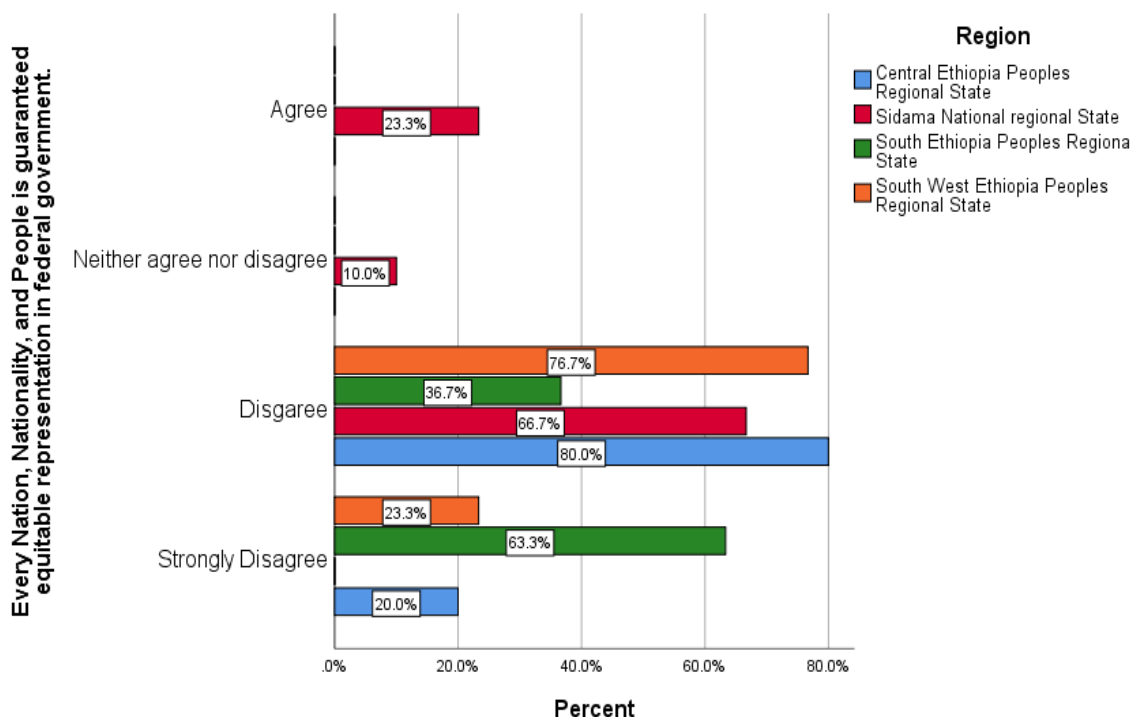


Chart 9: Responses on the implementation of Representation in the Federal Government

Source: Own Survey, 2024

The bar chart above illustrates that the newly formed regional governments, specifically the Sidama, Central, South, and Southwest Ethiopia Peoples' Regional States, have not received fair representation in the federal government. Respondents from these four regions tended to 'disagree' or 'strongly disagree' with the assessments.

One informant in Hawassa noted that Sidama holds one ministerial position at the federal level, similar to its status under SNNPR. Informants from other regions also reflected the idea. The most striking claims came from informants in Wolaita, who stated that they lack adequate representation and hold only one ministerial position, which plays a marginal role.

These arguments support the notion that the central government exacerbated the balkanization of SNNPR to diminish the significance of Southern Peoples in Ethiopian politics. Most informants emphasized that the balkanization of SNNPR is a political maneuver designed to undermine the role of Southern Peoples in the Ethiopian federal system, with allegations that the region maintained a close relationship with the TPLF.

According to Balcha (2007), the issue of fair and proportional representation in the political institutions of regional and federal governments has also become a point of contention. The equal representation and visibility of NNP at the federal level are major concerns for the people of the South.

For Wolaita and Kaffa,, who have experience in self-governance, the current system has become increasingly hostile. These issues also affect Hadiya, Gurage, and other ethnic groups in Southern Ethiopia.

3.7 Was a Referendum Organized Within One Year?

Representative governments serve as the primary tool for national decision-making. Occasionally, this system of governance seems to face challenges. In this context, the direct involvement of the populace, especially through referendums, has been proposed as a solution (Suksi, 1993).

A referendum is a direct democracy technique in which individuals vote directly on a specific subject or policy (Rosenfeld & Sajó, 2012). Article 47/3a of the FDRE Constitution and 39/6b of the Revised SNNPR Constitutions state that a two-thirds majority of the members of the relevant Council of the Nation, Nationality, or People must endorse the request for statehood. This request must then be presented in writing to the State Council.

The Council that receives the request must arrange a referendum within one year in the nation, nationality, or people who submitted the request. The State Council is expected to cooperate with the House of Federation to execute the referendum within one year.

This constitutional stipulation is examined in light of the practical situation to determine whether the government adheres to the principles of constitutionalism. The survey was conducted to gather opinions and assess whether the Council, in collaboration with the House of Federation, conducted the referendum within the specified time frame.

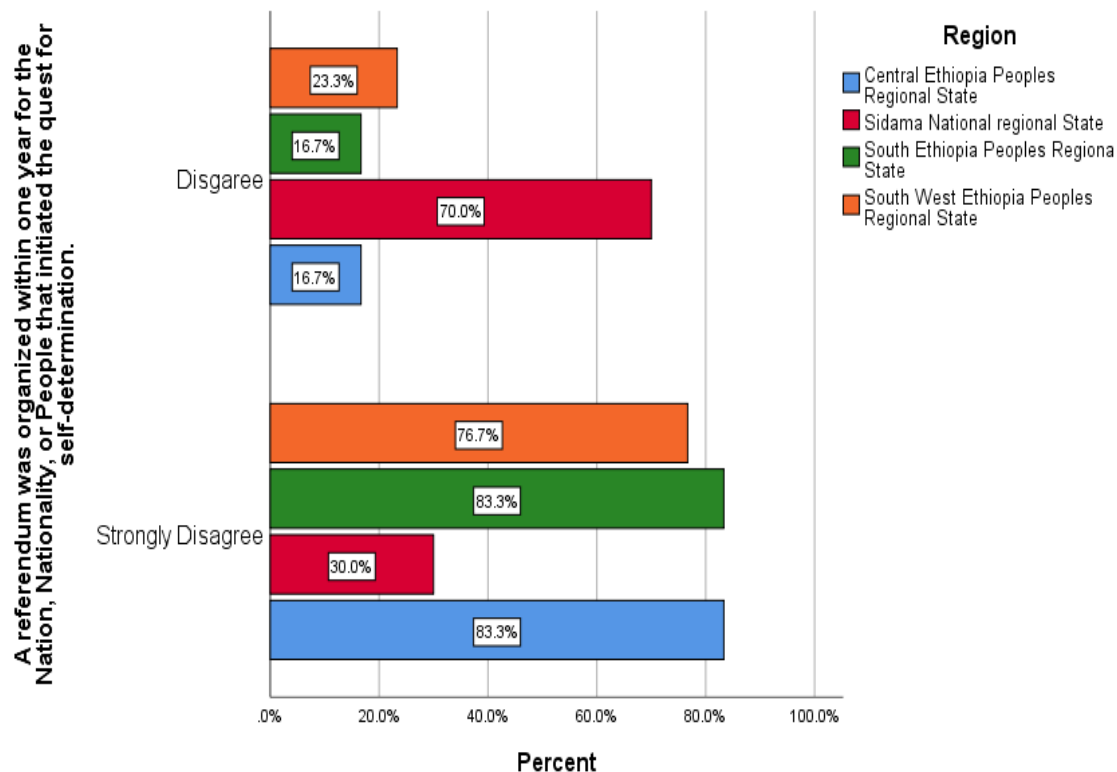


Chart 10: Responses on the implementation of Referendum Timeline

Source: Own Survey, 2024

As the bar chart indicates, respondents from all regional states 'disagree' with implementing a referendum within one year of the decision made by the council of the demanding NNP in four regional states. In-depth interviews with informants also supported this finding.

Respondents from the four regions noted that although the ruling government is responsible for ensuring the implementation of constitutional provisions, it has been reluctant to fulfill this duty.

Each ethnic group, after endorsing its claim for a separate regional state in their zonal or special woreda council and presenting a written statement to the regional council, had to undertake a time-consuming and challenging effort to persuade the regional government to conduct a referendum within a year.

Although the Sidama National Regional State is better positioned to assert its right to self-determination than the other three regions, all four regions now share a common issue: failing to conduct a referendum within the stipulated one-year timeframe. Some instances substantiate this fact.

Due to the government's delay in implementing the Sidama Zone Council's 2005 decision, the Sidama people protested, urging the government to hold a referendum as required by law. The second instance occurred during the Sidama Zonal Council's special meeting on July 18, 2018, where they unanimously resolved to create their own regional state (Addis Standard, 18 February 2019).

To adhere to the deadline, they established a day known as 11/11, signifying the 11th day of the 11th month in the 2011 Ethiopian calendar. This is precisely one year after the Sidama Zone Council voted for regional statehood.

The date was fixed to comply with the stipulation of article 47/3a, which states, "When the Council that received the demand has to organize a referendum within one year to be held in the Nation, Nationality or People that made the demand."

According to the Sidama people, the regional council, in collaboration with the House of Federation, should have organized a referendum; otherwise, a unilateral declaration would have been made. Due to the government's unresponsiveness, the date encountered a massive revolt that resulted in loss of life and destruction of property.

Although it did not occur within one year, the Sidama, after a persistent struggle, eventually secured the opportunity to conduct a referendum, which led to the establishment of the Sidama National Regional State.

The opportunity was at least delayed for Sidama but remains entirely inaccessible for others. Yared (2021) asserted that the government's refusal to grant Wolayta's request for statehood, unlike its reaction to Sidama, has exacerbated feelings of marginalization and intensified rivalry among the elites.

For instance, in the Wolaita Zone, the people held frequent demonstrations due to the government's failure to address their demands. The Wolaita Youth Movement, known as Yelega (meaning "youth" in the Wolaita language), in conjunction with the Wolaita Teachers Association, organized a public peace protest that drew hundreds of thousands of participants. They protested the delay in addressing demands for Wolaita statehood.

The federal administration issued baseless accusations that the Wolaita elite was conspiring with the Tigray People's Liberation Front (TPLF) and the Oromo Liberation Army (OLA), both of whom were designated as 'terrorist groups' at the time by the federal Parliament. Additionally, during the rally, security forces fatally shot 21 protesters and injured 18 others in the violent clashes (Addis Standard, 28 June 2022).

Lastly, the Wolaita people took their issue to federal court regarding the competent body's failure to conduct a referendum. According to the informants, the court began hearings, but the ruling party and government ordered the process to stop.

Subsequently, the party adopted an unconstitutional approach by merging various NNPs into a single entity to create a regional state. As a result, it became impossible to hold a referendum within one year, and the people of Southern Ethiopia's quest for self-determination was denied entirely.

Activists, pro-autonomy government officials, and PP members in SNNPR argue that the federal government's reluctance to recognize the right to self-determination reflects a lack of commitment to the foundational principles of self-governance established in the constitution (Yared, 2021).

This implies that the government and ruling party were unprepared to implement the constitutional provisions despite the referendum that was meant to be conducted within a year. People struggled to enforce the Constitution despite the government's responsibilities, and obstructing this implementation led to unnecessary societal conflicts.

3.8 Counting Referendum Results for Each Ethnic Group

Advocates of direct democracy contend that a referendum yields more representative policy results than a solely representative democracy (Leininger, 2017). The constitutional contexts in articles 39 and 47 of the FDRE Constitution indicate that the right of self-determination is granted to specific nations, nationalities, or peoples. Consequently, each ethnic group possesses the right to ascertain its own fate.

For example, article 39/1 declares that "Every Nation, Nationality, and People in Ethiopia has an unconditional right to self-determination, including the right to secession," and article 39/41 states, "When a demand for secession has been approved by a two-thirds majority of the members of the Legislative Council of the Nation, Nationality or People concerned."

Article 47/2 states that Nations, Nationalities, and Peoples within the states enumerated in sub-Article 1 of this article have the right to establish, at any time, their own states, and sub-Article 3 states that the right of any Nation, Nationality, or People to form its own state is exercisable under certain procedures.

This implies that the right of self-determination belongs to the NNP, and the referendum results should be tabulated separately for each ethnic group, which is essential in multiethnic constituencies.

This addresses the concerns of each ethnic group, ensuring that those of others do not overshadow their rights, and that each distinct ethnic group has the authority to determine its destiny.

This stipulation further clarifies that it is not an administrative area, such as a zone or Special Woreda, that is to be considered for counting, but rather the NNPs concerned. A survey was conducted to understand the realities of the referendum process in creating the new region, and the results are presented below.

The bar chart above shows that respondents from South Ethiopia and Southwest Ethiopia Peoples Regional State 'disagree' and 'strongly disagree' in their responses to whether the referendum result is tabulated for each ethnic group.

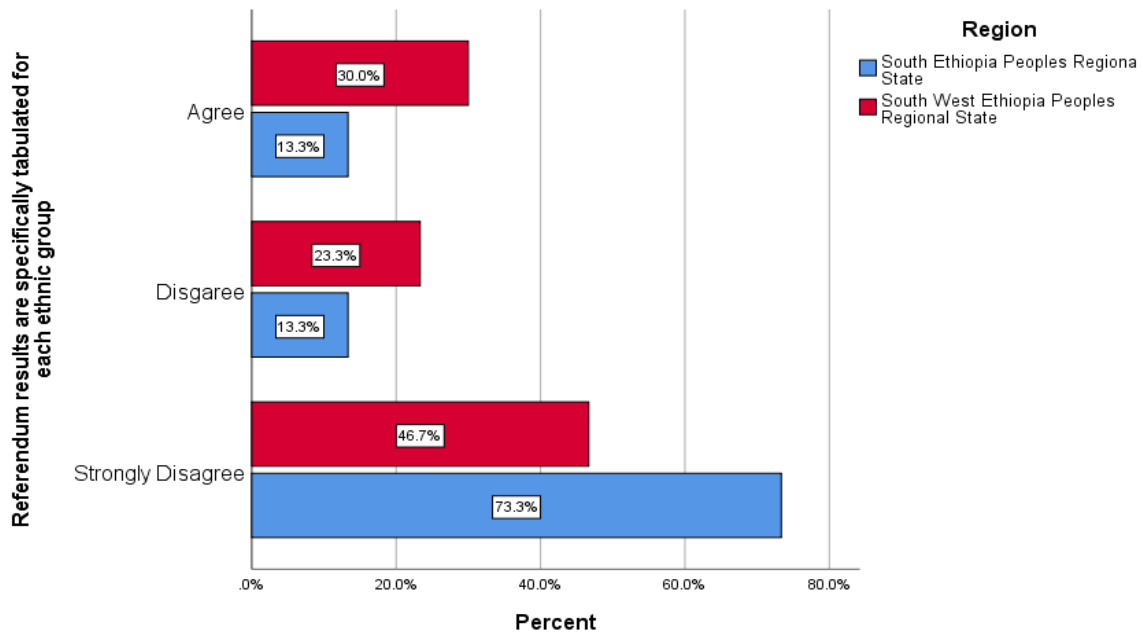


Chart 11: Responses on tubulation of referendum results

Source: Own Survey, 2024

The referendum results were counted and tabulated based on administrative areas, including zones and special woredas. For example, Derashe was a special woreda in the SNNPR and is home to four major ethnic groups: Derashe, Mashole, Mosiye, and Kusume. According to data from the National Electoral Board, the results were declared based on the aggregate result of all votes in a special woreda rather than by a specific ethnic group.



Figure 1: Referendum results of Derashe Special woreda

Source: National Election Board of Ethiopia

This also applies to the Gamo Zone, where at least two recognized ethnic groups, the Gamo and Zeyse, coexist. However, according to data from the National Electoral Board, the results accounted for all votes in the Gamo Zone while overlooking its diversities.

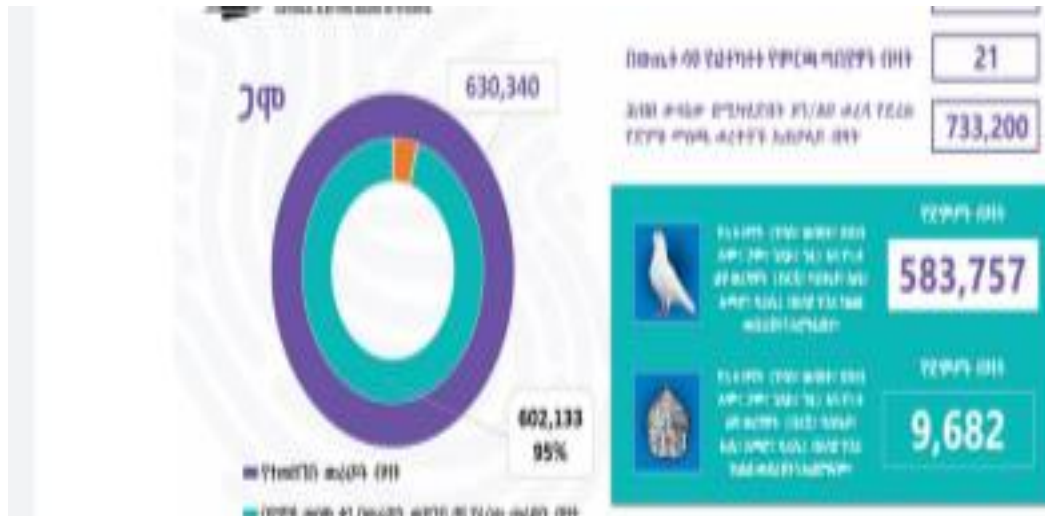


Figure 2: Referendum results of Gamo Zone

Source: National Election Board of Ethiopia

Furthermore, the South Omo Zone comprises approximately 16 ethnic groups (Gedecho & Tensay, 2017); however, the results were aggregated and reported as a single entity, the South Omo Zone, referencing the administrative area.



Figure 3: Referendum results of South Omo Zone

Source: National Election Board of Ethiopia

The Southwest Ethiopia Peoples Region consists of 12 ethnic groups in five zones – West Omo, Bench Sheko, Kefa, Dawero, and Sheka zones – and one special woreda, Konta special woreda (EPO Monthly, 18 July 2022).

For example, the Bench-Sheko zone in Southwestern Ethiopia comprises various ethnic groups, including the Bench, Me'en, Kafficho, Dizi, Sheko, and Suri (Census, 2008). However, according to sources from the National Election Board of Ethiopia, the vote count was conducted by aggregating the votes within the administrative area. This contradicts the constitutional stipulation that empowers NNPs to self-determination their destiny.

These four instances indicate that while the right to self-determination is granted to each NNP in creating the two regional states—Southern Ethiopia and Southwest Ethiopia Regional State—counting and reporting the referendum results involved summing all votes together based on administrative area, overshadowing the votes of minority ethnic groups.

According to the respondents, these regions are multiethnic, and votes were counted in administrative areas (zones or woredas) that encompass different ethnic groups rather than the specific NNP.

My informants in these regions report that people complain that their votes have been suppressed, as the national electoral board failed to count them separately. Therefore, it is evident that this constitutes a constitutional violation, given that the rights of NNP are covered under Articles 39 and 47 of the FDRE.

3.9 The Role of the Ruling Political Party in Self-Determination

Bekalu (2017) asserts that the Ethiopian federal structure resembles a one-party state, characterized by highly concentrated and centralized authority, supported by totalitarian institutions such as the military, various security agencies, and state-controlled mass media.

The party structure often poses a threat to the country's constitutionalism, which led to the dissolution of SNNPR in 2023. The Constitution of the FDRE, Article 9, addresses the principle of constitutional supremacy.

It states that the Constitution is the highest law of the land. Any law, customary practice, or decision made by a state body or public official that contradicts this Constitution shall be null and void.

Furthermore, it specifies that all citizens, state bodies, political organizations, and other associations, along with their officials, must ensure adherence to the Constitution. However, the position of the ruling political party in Ethiopia must be evaluated in light of the right to self-determination.

A survey was conducted to assess the role of the ruling political party in implementing the right to self-determination, and the results are presented in the following bar chart.

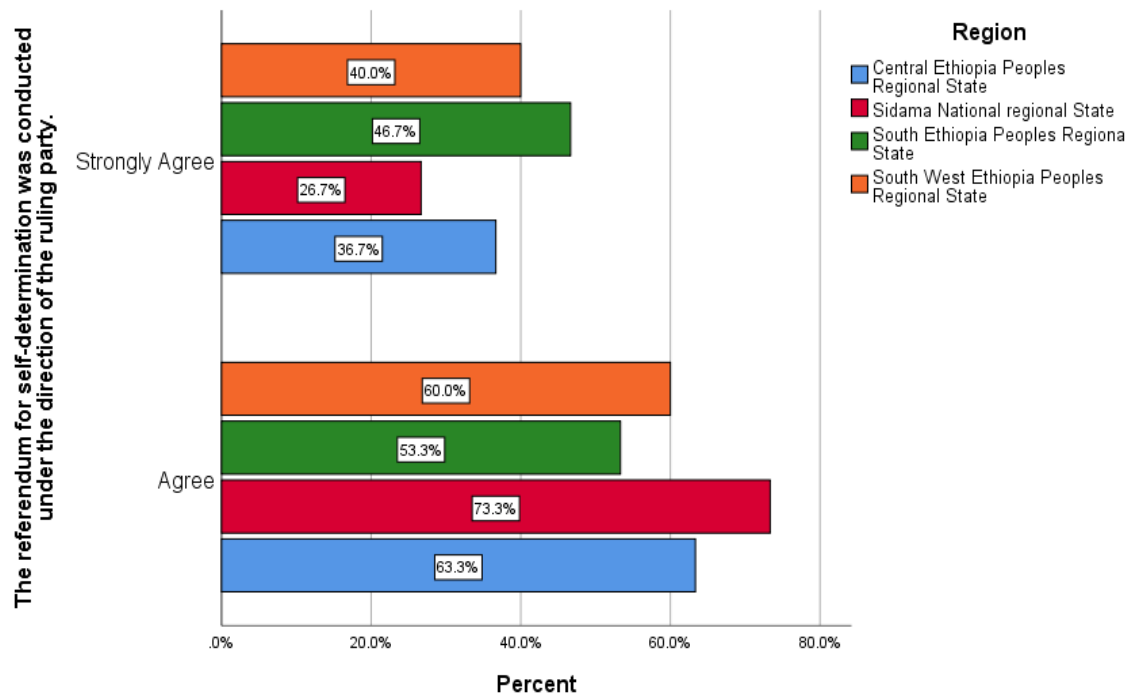


Chart 12: Responses on roles of the Ruling Party in implementing the right to self-determination

Source: Own Survey, 2024

According to the data presented in the bar chart above, all regional states 'agree' that the referendum for self-determination was conducted under the direction of the ruling party. Key informants noted that while the Sidama region was organized into mono-ethnic configurations and achieved its goals aligned with its demands, this occurred at the will and interest of the ruling party.

In contrast, South, Central, and Southwest Ethiopia were organized into multi-ethnic clusters under the pressure of the ruling party. Informants also support the findings from the survey conducted in the four regions. They stated that, regardless of each NNP's claims to self-determination, it compelled people to gather for the convenience of the ruling political party, except for Sidama.

Literature supports this view as well. Aalen (2011) asserts that central party restraints significantly restrict the constitutional right to regional autonomy in Ethiopia. As a result, regional state actors depend on decisions made by national political figures, while national ideological and pragmatic considerations influence the implementation of state policy at the regional level. State and zone officials, typically aligned with the party, make structural decisions at the woreda and sub-woreda levels to adhere to centrally established priorities (Keller, 2002).

Erk (2017) claims that one-party dominance has led to the centralization of power, contrary to the explicit constitutional aim of decentralizing authority to the states. Moreover, the Reporter (10 November 2018) indicated that, as is customary with the EPRDF, any decision is made within the party before being made public.

Despite the Constitution's provisions [the right to self-determination], no nation, nationality, or people has achieved self-administrative regional state status since the formation of the Ethiopian Federation nearly three decades ago.

However, this situation is not due to a lack of demand but rather to strong political engagement at both party and government levels that effectively suppresses or delays such requests.

Therefore, the right to establish their own states unconditionally at any time is unconstitutionally restricted. Instead, it is determined by the ruling party and its government when to permit or deny such actions. One Hossana informant stated that the Southern satellite's ruling party outrightly declared that 'new regions in SNNPR will be created at the grave of SEPDM.'

Thus, the ruling party and its federal and regional party structures 'coercively rejected claims' out of an alleged fear that it would trigger further fragmentation of the Southern peoples (Balcha, 2007).

Overall, the right to self-determination in Ethiopia's ethnic federalism is hindered by the ruling party's hegemonic experience, a centralized party structure, and an authoritarian legacy, which undermine the implementation of constitutional promises (Legide, 2019). This suggests that the dominance of political parties has overshadowed the principles of constitutionalism.

3.10 Constitutionalism in the Balkanization of SNNPR

Referendums are increasingly recognized as a valuable instrument for addressing a fundamental and sensitive political issue: the establishment of an independent state (Rivera, 2023).

According to Articles 39 and 47 of the FDRE Constitution, the referendum was held to create three regional states: Sidama, Southwest Ethiopia, and South Ethiopia National Regional State. The formation of Central Ethiopia was approached differently, as it aimed to inherit from the SNNPR and later implement the name change.

However, the referendum involved numerous contentious issues, such as the legitimacy of the options presented to voters. According to my key informants, the referendum conducted in Sidama National Regional State was the only one that offered voters a suitable choice.

The ballot paper provided two options: one for the Sidama people to establish an independent regional state, symbolized by "Shafeta" (a traditional Sidama food vessel), and the other for Sidama to remain within the SNNPR, represented by the "Gojo" (a traditional Sidama hut) symbol.



Figure 4: Referendum Symbols for Sidama People

Source: National Electoral Board of Ethiopia

The referendum provided voters with the choice to vote for or against. This was a viable option since Sidama demanded a separate state, which received approval from the members of the Sidama Zone Council, and the request was submitted in writing to the State Council. The second option was SNNPR, which was in effect at that time. Although the vote had many positive qualities, it procedurally lacked democratic elements. Key informants, including the regional president, noted that all government cabinets mobilized the people to vote for a separate regional state of Sidama, utilizing all available government resources. This limited opportunities for others, and there were even reports of harassment. Despite these shortcomings, it was managed relatively well compared to the other two referendums. Following the formation of the Sidama National Regional State, informants from the three regional states reported that the so-called “survey” was conducted by party-assigned individuals who proposed a geographic-based reconfiguration of the region into three parts. This made the disintegration of SNNPR inevitable.

One surprising piece of information from a former high-ranking official of SNNPR indicated that, after Sidama's secession, officials from the remaining SNNPR approached the Prime Minister, expressing their interest in maintaining the integrity of the remaining SNNPR. They aimed to unite the remaining NNP in SNNPR by relocating the capital city from Hawassa, which has now become part of Sidama. However, the informant reported that the Prime Minister ordered officials to promptly facilitate the division of the region into three regional states. This is why some people argue that the balkanization of SNNPR is a political ploy by the new federal government groups. Following directives from the center, officials were busy breaking up SNNPR. The second referendum was held on creating a Southwest Ethiopia Peoples' Region state, which encompasses

Keffa, Sheka, Bench Sheko, Dawro, West Omo Zones, and the Konta special woreda of the SNNPR of Ethiopia, on September 30, 2021, alongside the 2021 Ethiopian general election (Addis Standard, 9 October 2021). The referendum introduced two symbols.

The first symbol was the hands of the people, “handed together,” representing the people of the mentioned zones and special woreda, organized into one clustered regional state. The second symbol was the “traditional hut,” which signifies the zones and special woredas continuing to be part of the SNNPR. However, according to my informants, contradictions exist. First, each of the aforementioned NNPs claimed to establish their own separate regional state.

However, this was not included as an option in the referendum. Second, it is already clear, as discussed above, that SNNPR is no longer in operation since the Prime Minister ordered regional officials to prepare for a division into three separate regions.

Thus, SNNPR should not have been presented as an option. Presenting it as an option for the electorate is irrelevant and renders the referendum fictitious. Moreover, similar to the Sidama referendum, all government bodies and resources have been mobilized to create a clustered regional state in the region. Thus, differing ideas and attempts to counter them are perceived as extremism. Currently, SNNPR has been dissolved.



Figure 5: Referendum Symbols for Southwest Ethiopia Peoples

Source: National Electoral Board of Ethiopia

The third referendum was held to establish the Southern Ethiopia Regional State. This referendum followed two previous ones conducted in 2019 and 2021 for the Sidama and Southwest Ethiopia areas, respectively, which resulted in votes in favor of their separation into new regions. On February 6, 2023, a referendum took place in the Wolayita, Gamo, Gofa, South Omo, Gedee, and Konso Zones, along with the Dirashe, Amaro, Burji, Ale, and Basketo special woredas of the SNNP in Ethiopia, concerning the potential secession of these territories from SNNP to create a consolidated region. The National Electoral

Board of Ethiopia has introduced two electoral symbols. A ‘white dove’ symbol represents the specified zones and special woredas for those who wish to unite into one clustered regional state. In contrast, a ‘traditional hut’ symbol represents the zones and special woredas that want to vote against being organized into a clustered regional state. At this stage, SNNPR is not presented as an option. According to key informants, the referendum has been contentious from the outset. The second option was unclear to voters, as there was no SNNPR, a separate regional state (which NNPs claimed more), or other alternatives. What does it mean to vote against clustered regional states? Where do those groups belong? Why isn't a clear option presented? This sparked a heated debate about its implications. People brought their questions to the National Board of Elections for clarification. However, no one was ready to define it or explain the status of voters who could vote against creating a single regional state. This would leave voters who choose the second option stateless, as they belong to neither the new region (since they voted against it) nor to the SNNPR or any other regions, as that is not specified in the option.

#	የሕዝብ ውሳኔ አማራጮች
1.	 የ6ቱ ዞኖች (ኮንሶ፣ ወላይታ፣ ደቡብ አሞ፣ ጋሞ፣ ጌዴላ፣ ጎፋ) እና የ5ቱ ልዩ ወረዳዎች (ቡርጂ፣ ባሰኪቶ፣ አሊ፣ አማሮ፣ ዲራቪ) በአንድ የጋራ ክልል መደራጀትን አድግፋለሁ።
2.	 የ6ቱ ዞኖች (ኮንሶ፣ ወላይታ፣ ደቡብ አሞ፣ ጋሞ፣ ጌዴላ፣ ጎፋ) እና የ5ቱ ልዩ ወረዳዎች (ቡርጂ፣ ባሰኪቶ፣ አሊ፣ አማሮ፣ ዲራቪ) በአንድ የጋራ ክልል መደራጀትን አልደግፍም።

Figure 6: Referendum Symbols for South Ethiopia Peoples

Source: National Electoral Board of Ethiopia

According to key informants in South Ethiopia, a referendum without appropriate options is equivalent to one that is not held. This is because, despite the considerable resources spent, it merely serves as a formality rather than genuinely addressing the voters' interests, rendering the referendum deficient in terms of democracy.

Moreover, similar to the other two referendums, the regional government directly utilizes its resources to support a campaign for creating a clustered regional state. In contrast, opposing campaign efforts would incur significant costs, which is utterly contrary to the will of the respective NNP. For example, Wolaita boldly claimed a separate regional state. Consequently, the regional government introduced a serious security issue in Wolaita to achieve its goal. According to my informants from Wolaita, voters deliberately made the first-round referendum ineffective, and the National Electoral Board of Ethiopia was compelled to hold a second round of voting under intense pressure.

4. CONCLUSION

Articles 39 and 47 of the Constitution of the FDRE, along with the 2001 Revised Constitution of SNNPR, stipulate that NNP can establish their own states by separating from the main state. Furthermore, according to UN General Assembly Resolution 2625, adopted in October 1970, states have an active and affirmative duty to promote the right to self-determination. However, a significant gap exists between constitutional statements and operational realities in the creation of new regional states in South Ethiopia from 2019 to 2023. The implementation of regional statehood highlights the haphazard and inconsistent application of laws within Ethiopia's multinational federalism.

Quantitative and qualitative data indicate that NNPs were not permitted to exercise their right to establish a state at any time. They have not secured their rights to speak, write, and develop their own languages; to express, cultivate, and promote their cultures; and to preserve their histories, except for the Sidama. Although it is constitutionally recognized, the NNP has lacked full self-governance, including establishing its governmental institutions within its territories and obtaining equitable representation in regional and federal governments. The written request for self-determination from the concerned Council of Nations, Nationalities, and Peoples, to be forwarded to the House of Federation to organize a referendum, was obstructed. At the same time, the referendum results were not tabulated separately for each ethnic group in multi-ethnic zonal constituencies. Moreover, the referendum was not conducted within a year of the NNP's initiation of the pursuit of self-determination and was held under the ruling party's influence. Additionally, no appropriate options for the referendum were presented for election, except for Sidama.

Therefore, the quest for self-determination was not addressed according to the country's constitution, as constitutional principles and operational realities did not align. Ethiopia's constitutional implementation demonstrates a significant gap between rhetoric and reality in the creation of new regional states. Most of the constitutional rights outlined in federal and regional constitutions are relatively well-implemented for Sidama, while the other three regions lack such rights. This suggests that having a separate regional state is crucial for attaining the constitutionally guaranteed rights of the NNP. Furthermore, the government and the ruling party should learn from the failed regionalization of SNNPR, which was imposed without the people's consent, resulting in a process of balkanization. Therefore, a regional state must be established in response to public demands.

Footnotes

- 1) Dergue refers to the military government that existed from 1974-1991. It was a leftist government usually accused of gross human rights violations.
- 2) Cluster is the new trend in Ethiopia, creating a regional state by merging different identity groups due to geographic proximity or other factors. It, however, has no constitutional basis to support its implementation.
- 3) Zone or Special Woreda is an administrative hierarchy next to Region (Revised constitution of 2001, SNNPR, article 88 sub article 1)

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