

A Citizen-Centered Roadmap for Systemic Political Transition in Ethiopia

Part I: The Framework

The Imbylta Group
For the Congress of Ethiopian Civic Associations (CECA)
Washington, DC (USA)

November 15, 2023

The other side of a crisis is opportunity, and the other side of the solution to a problem is proper diagnosis. Informed preparedness to seize auspicious moments for transformative change, we believe, is critical to fulfilling the dream of a democratic Ethiopia.

Since World War II, Ethiopia has encountered four momentous inflection or transition points—British Military Administration to Crown, Crown to Derg, Derg to EPRDF, and EPRDF to PP. Despite promising beginnings, Ethiopian nationalists missed these windows of transition to a modern political order to end tyranny and mass poverty for good. In the face of an imminent state collapse, a fifth window of transition to an accountable, if not democratic, order is staring us in the eye.

In updating its Ager Adin (አገር ለዳን) blueprint, Imbylta pinpoints the wellspring of our challenge to be unrestrained state powerholders. This means that society needs to craft in-built restraints on the powerful to end for good the grudging acceptance of large-scale violence against innocent citizens or those who rightly fight for their liberty. We must formulate an effective exit strategy from this political trap. A good beginning is a roadmap that identifies the contours of the highways to help those on the ground craft appropriate political, economic, and social blueprints and practicable programs.

Our aspiration, therefore, is to initiate the debate with a home-grown roadmap to extricate the quagmire of recurrent capture of the Ethiopian state onto a democratic constitutional order. The pillars of the proposed roadmap for a two-year transition period toward a capable and accountable state, comprise a Fano-backed national salvation council to oversee a caretaker government and interim elections, a transition manifesto, an elected interim parliament, and several commissions (including truth, justice, and reconciliation and constitutional reform) to guide the institutional transformation. The transition period ends with a democratic constitution championing citizenship right, checks and balances, and a duly elected national parliament.

Citizen agency is essential for keeping a democratic system anchored in a capable state and an accountable government. We invite all Ethiopians to engage in informed and thoughtful debate on the country's endangered future. The aim is to first agree on a unifying national blueprint. Companion programs such as economic development or foreign policy strategies should soon follow. Let us first restore peace and lay down the foundations of the rule of law.

Outline:

1. Diagnosis: State Fragility and Regime Legitimacy
2. Treatment: State Rebuilding and Political Settlement
3. Roadmap: A Roadmap for a People's Transition
4. Content: A Citizen-based Constitution
5. Backstop: Citizen Agency for the Democracy Project

PART ONE:

The Unfinished Project of Nation-State Building

Ethiopia, politically speaking, is an enigma as a country—it, unlike its marathon runners, sprints too early and finishes too late. The country, once again, finds itself at this historical moment at a pivotal crossroads between the hell that is political gangsterism and the promised land of the rule of just law. We, its seemingly hapless children, have finally realized that the moment has arrived to think beyond regime change and weigh in on systemic transformation. This is because the root cause of our political problem is not misgovernance per se; it is relatively weak and defective institutions that permit the entrenchment of narrow interest groups—be they ethnocentric, theocratic, classist, or regionalist.

Our country finds itself at this historical moment in a state of political anomie and, frankly, a revolutionary crisis that presents a grievous danger of a power vacuum while offering an excellent opportunity to empower the political elite to spearhead a robust development drive while making it accountable to sovereign citizens. With an abiding faith in the collective judgment of the Ethiopian people about what legacies they want their children to inherit, we offer below a novel proposal for a pathway to prosperity and democratic freedom.

Going beyond lamenting endless transgressions of human decency requires courage, honesty, and clarity about what is entailed in state rebuilding, a rigorous analysis of the alignment of powerful interests, identification of a decisive agent (the Amhara freedom movement and other democratic forces) to enforce a national pact, and identifying the foundational principles that would inform a common political platform. We seek to balance realism and idealism to formulate a realistic strategy for extricating our exceptional country from a vicious political and economic predicament.

Some of us, albeit belatedly, have been thinking more deeply, not just about the vital question of *why* the country needs transformative change, but *how* to craft a practicable transition program to achieve it. This paper provides the broad contours of the roadmap for systemic transformation in three parts: the political legacies, the process of transition, and the content of transition. All stakeholders and friends are now invited to seize this moment to engage in constructive deliberations to reimagine Ethiopia and mobilize a coalition of the willing to realize our collective dream of freedom from want and tyranny.

I. Diagnosis: State Fragility and Regime Legitimacy

1.1. State Formation

A modern political order is a constellation of interlinked economic and political institutions defining power and authority. At the minimum, it consists of a capable and accountable (but not necessarily democratic) state and the rule of law anchored in widely shared cultural values binding on elites and the masses alike (Fukuyama, 2014). *A theoretically sound and empirically grounded analysis of the ever-changing alignment of power is indispensable for understanding the coherence of a political system or the prospects for its demise at various historical conjectures*

Ethiopia is one of the world's oldest multiethnic and multi-religion (Christianity, Islam, Indigenous, and Judaic) states. With over 120 million people today, it is the second most populous country in Africa. Ethiopian polities, which have come close to completing nation-state formation, are in many ways *sui generis* in the broader context of African political history. Like other large-scale societies, Ethiopia has not fully fulfilled the three challenges of a robust state: taming large-scale violence, central financing, a strong security apparatus, and an adequate fiscal base to supply basic public services (Abegaz, 2018).

Ethiopia commenced its modernization drive at the turn of the twentieth century, initially blending monarchist institutions with modern ones. Its belated success in this effort made it one of Africa's most successful post-colonial states and a leader in the decolonization and non-alignment movement during the Cold War. Although the country lost its access to the Red Sea following Eritrea's independence in 1993, it remains an anchor state of the Horn of Africa because of its considerable economic hinterland, large population, and its role as a founding member of all major international organizations (League of Nations, U.N., I.M.F., and A.U.).

The millennia-old Monarchy ended in 1974 with a republican revolution, in a violent takeover of the government by a military regime. The garrison-socialist regime irreparably broke the fusion of Church and State and severed the link between land tenure and political power by nationalizing all land. Instead of building on what has been achieved in a century of modernization since the 1870s, the country has undergone a build-destroy cycle since the revolution.

The absolutist and authoritarian military regime (1974-1991) tried to accelerate an enfeebled industrialization drive with the state in the driver's seat and a war economy. In the process, the regime engaged in state terrorism against its left-wing political opponents—internationally oriented Marxists and populist secessionists. The unprecedented violence that ensued has traumatized the population, whose longstanding trust in the authority of state institutions was precariously eroded by large-scale political violence, institutionalized corruption, and the privileging of loyalty over competence in recruitment to public office.

It is, therefore, understandable that Ethiopian political values tend to be illiberal and based on low trust. The political culture also reflects the appalling material deprivation of most of the population despite a permissive land tenure system compared to its historical peers, such as Egypt, Iran, China, and Japan. The traditional worldview informs the deep religiosity and fatalism—understandable for a society where half of its members remain undernourished and functionally illiterate.

1.2. State Building and De-building

While state formation is an evolutionary process, state and nation-building is a deliberate act by leaders to create or consolidate a united polity. *Despite its longevity and the population's deference to central authority, the Ethiopian state has yet to transform into a robust nation-state.* This is attributable to a failure to modernize and industrialize on its terms, especially after the imperial consolidation in the mid-nineteenth century, which was less successful than Japan's or Egypt's in the same period.

We will do well here to remember that the failure of the Ethiopian state to anchor itself in a consolidated nation is reflected in the lack of robust centralization to collect taxes directly and provide public services and security by salaried civic and military services (Abegaz, 2018). Given the limited state capability to centralize its administration with a robust fiscal base, at least until the 1950s, the state continued with the age-old methods of ruling by autonomous intermediary officials (supplemented by punitive expeditions against rebellious districts) and *de facto* decentralization.

When a fraction of centralization and urbanization came with the onset of the twentieth century, significant countries had industrialized, and survival necessitated global integration—albeit as an exporter of primary products, host to international organizations, and dependent on foreign aid.

With the collapse of the Soviet Union (which provided much of the arms for the Derg) and internal dissension within the armed forces and the brutalized population, the garrison state fell into the hands of ethnicized and secessionist groups from the periphery. This group supported Eritrean independence (and hence, landlocked-ness). It reconfigured the state and its administrative territories as an ethnic federation, with the artificial federal units enjoying the right to secede at will. Hyper-centralization under the Derg was kept, disguised by manipulating federalism.

Since 1995, a political-tribalist constitution was imposed on the country that recognizes amorphous linguistic groups as land-anchored sovereigns by jettisoning the liberal idea of free citizens owning the state. This polarizing system, which fused identity and land, is characterized by several distinctive features. There are eight “nations” with political coherence and weight; they together account for 90% of the population (Amhara and Oromo with one-third each, Somali, Tigre, Sidama, Gurage, Wolayta, and Afar for about a quarter collectively). The remainders, some 70+ awkwardly labelled “nationalities and peoples” account for only 10%. Ethiopia has been organized around eleven ethno-regional states with some elements of federal self-governance but without the budgetary control. The vanguard communist-like ruling party has totally captured the bureaucracy, judiciary, parliament, military/security, and key economic institutions.

The core of EPRDF, the TPLF, was closely allied with Western powers and Egypt. The core of PP, the Oromo PP, has wavered between Gulf States, China, and the Atlantic West. Mobilizing ideologies have covered the spectrum of tribalism, fascist, Marxist populism, Ethiopianism, and Prosperity Gospel. Finally, since 2021, mechanized wars raged between the Federal Government and the Tigrayan People Liberation Front (TPLF) (which nominally ended with the hopelessly defective Pretoria Agreement), and between the Federal forces and the Fano militia in the Amhara Regional State and beyond.

While the United States and the greater Atlantic West justifiably supported democratic forces undergoing post-socialist transition of Central and Eastern Europe, it abandoned the Ethiopian people to the mercy of genocidal and secessionist forces. We recall with sadness the U.S.-orchestrated London negotiated settlement of 1991, which facilitated the secession of Eritrea and the assumption of unrestrained state power by the TPLF as a client regime.

According to Global Financial Integrity, illicit financial outflows averaged US\$2.5 billion between 2004 and 2013, equivalent to 97% of the country's aid inflows. Illicit financial outflows rose to US\$3.26 billion in 2009, with corruption, kickbacks, mis-invoicing (29%), and bribery accounting for most of that. The minority TPLF dictatorship is estimated to have pillaged the country to the tune of \$30 billion in three decades, imposed a totalitarian order in its impoverished home base, and introduced a polarizing constitution anchored in divisive primordial ethnicity rather than democratic free citizenship. In other words, money being fungible, all the bilateral aid received by Ethiopia from the USA during TPLF's 27 years of tyrannical reign was stolen by its client regime!

Given the multiplicity of power centers, Ethiopia's political complexity is predictably hard to fathom, even by the most devoted scholars. One revealing perspective for appreciating the diminishing value of moralizing when national existence is on the brink of catastrophe is the *realist* take on Ethiopian politics of the past fifty years (1974-2023).

Realist thinking underscores the following features of Ethiopian politics:

- (1) Political-cum-economic elites who lack unquestionable military prowess and ideological hegemony will make concessions only to violence-capable contenders. They may, of course, pay lip service to the *idealist* principles of justice, equality, and freedom for all;
- (2) When state elites enjoy unilateral hegemony, fusing power and legitimacy, hubris often overtakes them to abandon self-restraint and seek to destroy actual and potential contenders/opponents;
- (3) Willingness to negotiate a political settlement comes only when there is a military stalemate or a credibly high probability of being outrightly defeated;
- (4) Ethiopian nationalists consistently underestimate the power of identity-based political mobilization and overestimate the coordinating power of class cleavage or appeal to common interests for mobilizing the masses behind self-appointed elites. Pan-Ethiopianist nationalists also misunderstood the extent and potency of the total capture of key state institutions (military and security services, civil services, and state enterprises), not to mention politically linked party and tribalized businesses, for perpetuating the political exclusion of those considered "others." Furthermore, Ethiopian nationalists have failed to comprehend the full implications of hegemonic tribal parties organizing special forces and citizen militia to decapitate opponents, ethnically cleanse those not considered the sons of the soil, and advance territorial expansion to create independent states and
- (5) All Ethiopian political actors need to realize the corrosive effects of domestic civil strife in opening opportunities for geopolitical enemies to meddle in Ethiopian political contests to keep the country endemically destabilized and enfeebled.

1.3. The De-legitimation of an Authoritarian Regime

After the senile TPLF leadership was upended by a disgruntled Oromo faction of the EPRDF in 2018, the country entered another cycle of political violence that blended Oromo ethnonationalism with an imported prosperity gospel when it had many opportunities to opt for an inclusive industrialization drive. The international community continues to ignore the death or maiming of over one million Ethiopians and the destruction of US\$60 billion in property in the three years since November 2020. The power struggle between two ethnicist elite factions, Tigrean and Oromo, has now transmogrified into a three-way struggle that includes the long-besieged Amhara—the most extensive and dispersed linguistic community in the country.

The besieged government of Abiy Ahmed Ali has shown unprecedented ineptitude, endless warmongering, and crimes against humanity as attested by the deaths of a million citizens in just two years. It has, with alarming consistency, violated international humanitarian law, the laws of war, and the responsibility of a sitting government to protect its citizens from violent nonstate and regional-state actors. The volatile PM and his cabal rigged elections, debased Parliament and the Judiciary by concentrating power in the Executive. The delusional PM strongly prefers personal or party loyalty to merit, war with impunity as a means of imposing his will on a hapless population. Fealty to ethnic apartheid has turned the PM from a would-be savior to a vile destroyer of Ethiopia.

One can easily imagine a replay of the February 1974 or May 1991. This time, however, the situation is worrisomely ominous. The country now is highly polarized, including vast ethnic militia, and supremacist political ideologies disguised as cultural assertion, thanks to post-1991 ethnicization of politics, expanding fratricidal mayhem, and normalization of plunder. Pan-Ethiopian politics, which is based on unity and development, though supported by the silent majority, has been hopelessly

marginalized for lack of coordination. Ethiopianists are not politically organized to create an inclusive coalition based on a common program of transition to foreclose state failure.

The strategy of governing a historic and complex country by prevaricating between the rule of law and emergency decrees and, Oromo secession card and Ethiopian unity, the highly bloody regime has chosen to make public lies the norm and vainly attempts to distract attention from political violence by planting trees and building parks and white elephant palaces. The regime continues to fiddle while Rome burns, and the alarming signs of state failure are visible. One ray of hope is the probability of a military victory by the Amhara Fano militia, which is publicly committed to ending absolutist dictatorship for good.

This sad state of affairs is a product of three factors. One is the weak tradition of organizing politically across communities on the basis of a shared vision and program. The second is the tireless efforts of authoritarian rulers to stifle independent thought, sniff out promising leaders, and instill fear in the population. The third is the constant meddling of geopolitical interests given the strategic location of the country, its waters, and its role as a catalyst of African decolonization.

Without claiming to offer definitive solutions, we can provide the key ingredients of a roadmap for a post-ethnic transition toward the palpable promised land. This roadmap is based on the following premises: (i) A culturally diverse country with a long history of unity cannot be stably governed by a constitutional order that accentuates ethnic differences and political tribalization; (ii) Ending the gratuitous violence and discrimination against the Amhara (40 million+ and unbendingly Ethiopianist) is the first step toward restoring national unity; (iii) and the exclusionary and deeply corrupt rule perpetuated by Tigrean and Oromo elites must be uprooted to build a country that is based on free and equal citizenship.

Uprooting pernicious political institutions and practices requires an independent and participatory transition process. This process involves two distinct phases. The first involves creating a legitimate body of elders and leaders to restore peace and replace a collapsing government and military by a caretaker arrangement. The second is to pave the way for systemic reform by constituting an interim parliament under a transition charter.

This brief analytical foray into recent political history underscores two things. First, Ethiopia is too important to fail, whether viewed through the prism of the wishes of Ethiopians or the enlightened geopolitical interests of the West. Secondly, Ethiopia's problems are profoundly institutional and structural, meaning the solutions must also be custom-made and transformative.

We begin with what an Ethiopian political settlement might look like. We then proceed with our proposal for the institutional infrastructure of a post-ethnic political and economic order.

PART TWO:

The Contours of Ethiopia's Post-ethnic Transition

II. Treatment: State Rebuilding and Political Settlement

Since the Second World War ended, Ethiopia's modernization drive went through four momentous inflection points or lost opportunities for a democratic dispensation. *Despite promising beginnings,*

these windows of transition to a modern political order largely remained missed opportunities to end tyranny and mass poverty for good. In the face of protracted civil strife and imminent state collapse, a fifth window of transition to an accountable, if not democratic, order is staring us in the eye.

Vaughan (2011) and Lavers (2023) instructively highlight how the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF, 1991-2018) sought to maintain the exclusionary political order that collapsed with a rupture. The EPRDF sought to secure self-limiting elite acquiescence through politically driven growth that accentuated public investment, the distribution of state land, and the creation of jobs in the service and emerging industrial sectors. The same has happened with the successor Prosperity Party (PP), which is currently on the brink of collapse due to its drive to eradicate the Amhara and Tigrayan regional contenders to perpetuate supremacist rule by the Oromo state elite.

Many hard questions confront Ethiopians at this historical juncture: how can we extricate the country from the institutionalized quagmire of divisive identitarian politics and thuggery into a world of stability with justice, prosperity, and democracy? The other is about human agency: which disinterested entity has the legitimacy and power to oversee the transition to a better future?

A credible analysis of transition (how) must first identify the initial circumstances (where from) and the endpoint (where to). Wherever the inspiration comes from, it is reasonable to assume that the Ethiopian people aspire for freedom—freedom from want in a prosperous society and freedom from tyranny in a modern, preferably democratic, political order.

To be sure, putting out fires is the first order of business. But the country also needs to aspire for rehabilitation and rebuilding. To end institutionalized corruption and unaccountability, determined citizen engagement and the support of international partners and friends is essential in an environment of mass poverty and mass trauma.

Mindful of an environment of actual and imagined fears by opposition politicians and activists, we deploy the theoretical framework of “political settlements” to conceptualize escapes from the political and economic traps by incentivizing win-win arrangements and institutions. A political settlement is often defined (Khan, 2010; Gray, 2017; 2019) as “a combination of power and institutions that are mutually compatible and also sustainable in terms of economic and political viability.” The main theoretical building blocks of the framework are institutions, ideology, violence, and economic rent as sources of holding power.

Success in delivering on a transformative development agenda and accountable leadership (via paternalism or democratic) crucially depends on the quality of state institutions, engagement of civil society, and the autonomy and responsibility of the ruling party. The regime's effectiveness, in turn, depends on the quality of the often clientelist political settlement—one that combines high state capacity and collective actions among elites that matter.

When viewed as a *process* of state formation, the political settlement approach focuses on the evolution to a stable political order that has not necessarily been planned or consciously organized by important social groups. If viewed as an *action* of state-building, the political settlement perspective emphasizes the role of negotiated politico-economic agreements made by powerful groups or elites. We will focus below on the second conceptualization.

The relationship among violence, cooptation, and powerholding is intriguing, especially in the context of Ethiopia. *The post-1991 regimes relied not only on the power of ethno-nationalism but also institutionalized grand corruption, unprecedented political violence, and polarizing narratives to mobilize kin and non-kin collaborators against their actual and perceived challengers.* The ruling elite coalitions (EPRDF or Prosperity) made heroic attempts to legitimize their rule by invoking external and internal threats to build elite cohesion and popular support. As the settlement perspective

would predict, the Ethiopian model of political clientelism (i.e., the use of state resources to build a patrimonial class of politically connected businesspersons) created hyper-ethnicized rent seekers rather than wealth creators.

Actual or imagined political identity (not garden-variety cultural identity) has been the driving force in recent Ethiopian politics. In the long history of the country's political culture, this is merely a blip, but an important one at that. The project of post-identity institutional and behavioral overhaul that decouples party and state involves three distinct and sequential phases: cessation of state terrorism and emerging inter-communal hostilities, a transitional government and interim Constitution, and a new government elected under a democratic constitutional framework.

2.1. Cessation of the ongoing civil strife and government-led polarization

Civil wars are nasty, brutish, and long, causing such atrocity crimes as mass arrests, killings, displacement, deportation, and livelihood destruction. They are also likely to expand across state boundaries. Just like civil wars in other countries, the current Ethiopian civil war has resulted in massive economic destruction and numerous civilian deaths, human rights violations, and war atrocities.

The history of viable states and democracy shows that active and informed citizen engagement in public affairs is the key to preventing the abuse of power, promoting the rule of law and public accountability, and building citizen confidence and trust in government. Ethiopians should be supported in mounting a massive civic resistance against the current dictatorship and its secessionist agenda. This must be done under the "Save Ethiopia for All" banner, which resonates with Ethiopians of all regions, ethnicities, and religions.

Lessons from comparable in-conflict and post-conflict societies underscore the uncomfortable truth that civil wars may end with either complete state disintegration or a viable political settlement. A workable political settlement (የስልጣን ክፍፍል) requires a context-specific reconciliation of the endemic conflict between particularistic elite interests and the national interest. In highly polarized societies, structural or institutional transformation, a multi-stage process of reallocating political and economic power, is what the political moment calls for.

Contemplating a viable peace agreement to end the civil war to pave the way for structural reforms to prevent future horizontal or inter-communal conflicts, we need to be mindful that traditional methods of mediation by elders are unlikely to work for identity-rooted civil strife. Several reasons can be adduced. The politics of linking territory to identity has an in-built tendency to escalate local or personal conflicts into wars between regional government militias. The relentless attack on Ethiopian nationalism by ethno-nationalists has eroded the social capital of the country to the point of normlessness and lawlessness by both state actors and nonstate actors.

Before we identify the central actors that may have the incentive to cooperate and those who are likely to be spoilers, let us ponder some sobering stylized facts from the history of civil conflicts:

- A majority of civil wars, which are more devastating and harder to end than interstate wars, have an ethnic or religious dimension;
- Civil wars, motivated by competition for resources or status, often end with the extermination, expulsion, or capitulation of the losing side;
- Wars that involve a high cost and end in outright military victory by one party take less time and are more stable than those that ended with negotiated settlements;
- Big powers work through the United Nations to end civil wars if they consider them threats to international security;

- Vague agreements that are open to multiple interpretations and do not do enough to mitigate credible fears feed backsliding and
- Agreements tend to be ineffective because of the commitment deficit problem where savvy spoilers abound, the future looks bleak for the ordinary people, and powerful enforcers and resource-providing mediator-guarantors are absent.

Political ethnicity, like Marxism before it, is currently in vogue in much of the world as a tool of cultural promotion by aggrieved communities and mass mobilization by elites against competitors. Central as well as local politicians in divided societies have tried to minimize communal strife by building cohesive nation-states through a combination of controlling and permissive methods—genocide, expulsion, territorial partitions, non-coercive assimilation, or autonomous integration.

Power sharing, the ideal for successful conflict resolution, requires a creative institutional design or redesign (O'Leary, 2014). Successful political settlements, based on unilateral military victory or negotiated agreements, characterize only one-third of recent civil wars. This means the commitment of those who capture the center to shoring up unity is more important for success than the determination of marginal groups to form their own polities.

A power-sharing peace accord, crafted by savvy and impartial mediators, is a complex process with many moving parts. It must address the following points: define the root causes of the conflict to shape a workable agenda for the draft peace accord; identify the timing and political context (bargaining power of the violence-capable parties and other stakeholders); consider what will happen if Fano refuses to negotiate with the Oromo-led Prosperity Government; consider the trustworthiness of the principal actors, given their record; consider the role of guarantors in ensuring the negotiators' safety and the full implementation of the Accord; and identify who covers the costs of the negotiation process and rebuilding of lives as critical incentives for successful negotiation and implementation.

Ethiopia, being a nation of ethno-linguistic minorities (with Amhara and Oromo accounting for only one-third each), would greatly benefit from a political settlement from democratic institutions that allows for cross-cutting coalitions. Just as importantly, systemic transition is always context-specific, fluid, and fraught. We need not dwell here on myriad scenarios that usher in a transitional moment, other than indicating some important things to keep in mind.

Those who have benefited enormously from the status quo will fight; those likely to benefit from an inclusive political order find it hard to turn hope and uncertainty into a practical plan worthy of support. Political settlement is a considerable challenge in Ethiopia precisely because the state elites find it in their narrow self-interest to prevent the emergence of oppositional political forces who can restrain their abuse of power. This vile effort encompasses legal, violent, corrupt, and extra-legal mechanisms.

There are countervailing forces, too. One is the resilience of an ancient polity, which awakens every time a promising leadership rears its head. The other is the periodic emergence of effective armed resistance and organized civil disobedience against an overbearing state elite—the latest example being the rapid rise of Amhara resistance. The ethnocentric political order has not only frayed under the weight of institutionalized grand corruption and pathological lies by the political class, but it is on the verge of collapse.

The real prospect for a post-ethnic systemic transition in Ethiopia has been enhanced by the combination of a bloody armed resistance and a costly civil disobedience campaign led by Amhara

popular militia and its emerging political arm. The question is what form it is likely to take, and how to mobilize others to join the fight for freedom and liberty for all.

There are several risks, too. The national armed and security forces, whose leadership has been hijacked and ethnicized by the TPLF and PP governments alike, may be tempted to go for a last-minute military coup d'état, if not engage in self-destructive infighting along ethnic lines. Alternatively, an all-out civil war may ensue, thereby frightening the resident international organizations in Addis to flee and some regional states to attempt vainglorious secession by invoking Article 39 of the Constitution.

Peacemaking and peacebuilding are, therefore, protracted and fraught processes that end in viable political settlements. Such settlements would include demobilization and demilitarization of regional states, resettlement and/or return of refugees, the launching of a democratization process, restoration of the rule of law, plans for accountability for committed atrocities, and ensuring the free movement of citizens from one region to the other. The path to enduring social peace involves security building, good governance building, and transitional justice (A.U., 2019 ; U.N., 2000). This means identity wars can sustainably end only if the victor is willing to grant self-governance, share or cede central state power, and ban societal militarization through the proliferation of ethnic militia.

2.2. *Launching the transition process*

As noted above, Ethiopians have long hoped that the ruling Prosperity Party will allow a parallel and independent process to plan for the eventual dismantling of the structures of political control and plunder and forging a citizen-based constitution. The regime has instead degenerated into a de-builder of the Ethiopian state and squanderer of its rich social capital.

The alternative, a government of national unity (aka GNU), led by primarily ethnic-based regional opposition parties, has become patently infeasible since such political parties were denied operating freely even in the big cities, and most lack the vision or the technocratic capability to replace the extant system, let alone run a government. The only alternative, hard as it may be, is a citizen-based and Fano-sponsored transitional arrangement that accommodates all fundamental stakeholders in Ethiopian society.

In undertaking the urgent task of stabilizing the country as a prelude for structural reform, a national coalition for transformation must be supported by international organizations (such as the A.U. and the U.N.) and strategic geopolitical players (USA, E.U., World Bank, China, S. Africa). The coalition must be broad-based, and its leadership that spearheads the negotiations must reach out to well-established C.S.O.s, religious bodies, business associations, trade unions, respected elders, independent-minded members of the civil and security services, and opposition political parties.

With the Abiy administration being on the verge of collapse under the hands of a formidable Fano-led rebellion and intra-party dissension, preempting imminent chaos calls for drastic actions. These include (1) the suspension of the Prime Minister, the Federal and Regional Parliaments, and the ethnocentric Constitution; (2) the immediate establishment of a cabinet of technocrats and a council of military professionals to run a caretaker government; and (3) the election/selection of the members of an interim parliament or Transitional Shengo (TS). The rationale for such decisive actions is articulated below in some detail.

2.3. *Debate on the mechanics of transition*

Systemic transition, unlike incremental reform, is a product of a profound political crisis. A sensible transition platform must, therefore, take full account of the initial circumstances, the endpoints, and

the modalities of the transition. This is how we can design an irreversible and enforceable negotiated settlement among the contending groups. Such a political settlement may occur under one of three circumstances: the existing order collapses and chaos reigns, insurgent forces and federal forces enter a military stalemate, or nonstate forces become victors and capture the state (as in 1974 and 1991). All three possibilities are alive in Ethiopia in the second half of 2023.

A bit of history on intellectual activism and ever-changing circumstances is instructive here. A group of Ethiopian intellectuals and civil servants from the Diaspora offered a grand vision for a united and modern Ethiopia, along with the modalities of citizen engagement in the democratization project (CCG, 2012). This was operationalized in a 'save the country' *Ager Adin* Declaration (I.G., 2021).

The Citizens Charter (CCG, 2012) presciently drew attention to certain core values that the constitutional commission must embed in the new democratic Constitution. These include but are not limited to respect for Ethiopia's sovereignty and territorial integrity; primacy of the constitutional rights of the individual citizen; the right to food security for all citizens; at least one national language (Amharic); non-identitarian devolution of state power; representative military, judicial, and civil services; a full-fledged market economy with secure rights to private property, including land; independent civic and political organizations as watchdogs of public authorities; and checks and balances among the major organs of the state.

The Imbylta Declaration (I.G., 2021) spelled out the details of the charter's wish list by outlining three scenario-based transition modalities which appeared feasible after the demise of the EPRDF coalition. It will suffice to list three transition probable options, the first two which are patently infeasible.

Road 1: A PP-led Transition

One pathway is for the new Prosperity Party (PP) to honor its promise of spearheading institutional and constitutional reforms to create, at least on paper, a uniting and inclusive state, open economy, and just society. The PP, after receiving an electoral mandate, was to lead the country into a post-ethnic democratic society. The PP instead chose to become a vanguard ruling coalition by replacing the worn-out EPRDF. Regrettably, the administration of PM Abiy Ahmed has allowed much of his unprecedented reform mandate to dissipate.

An incrementalist approach to removing the sharpest edges of identity politics might have taken the form of a bargain among ethnic parties with a nod to Ethiopian nationalists. He has instead chosen to maintain the status quo, aimlessly fiddling at the crossroads of a flagbearer of the Ethiopian renaissance or an agent of tiresome grievance politics intent on masking the desire for Oromo supremacy or secession.

To understand the unenviable tradeoffs imposed by this straitjacket, we need only note the following facts: PP stands for two things: followership (መገኛ) under an ethnic-supremacist vanguard party and developmentalism (ብልጽግና) under a prosperity gospel of vanity projects when it had ample choices to launch an inclusive industrialization plan to diversify the country's economic base. This stance is far from the principles of citizen sovereignty, agency, and democratic accountability. It conceptualizes national unity in instrumentalist terms to be managed rather than as a core value.

It suffices to note here that The Fund for Peace (<https://fragilestatesindex.org/country-data/>) puts Ethiopia among the most fragile and least resilient states (11th among 179 countries) in 2023 in elite fractionalization, economic inequality, group grievance, and human rights. Federal forces continue to commit war atrocities in provoked (as in Tigray) and unprovoked invasions (as in Amhara) to stem perceived threats to the power of the Prime Minister or in support of an expansionist Oromia Regional

State. Under the campaign of collective punishment, as the Ethiopian Human Rights Commission has documented, the country has lost a million lives, became the home of the world's largest IDPs (5 million and counting), suffered unprecedented atrocity crimes, saw one-third the population in chronic hunger, and the unraveling of the social cohesion that underwrote Ethiopia's resiliency. This regime cannot spearhead a transition to the promised land of freedom with prosperity.

Road 2: A GNU-led Transition

Consumed by bafflingly self-serving grand narratives, this failed regime is clearly neither able nor willing to *negotiate* a systemic overhaul. Well-intentioned patriots and political groups are still calling for a national dialogue with this regime. Trying something repeatedly and expecting a different result, as they say, is a vainglorious endeavor. These groups must abandon their willful ignorance about the irreparable nature of political ethnicity and the palpable absence of group intelligence to cooperate on commonly agreed-upon goals and rules.

A second option that has worked in a handful of post-conflict societies is for a unified block of opposition and ruling political parties to form a government of national unity (GNU) through an enforceable mechanism of power sharing. A coalition of opposition political parties jointly spearheads a political transition under a government of national unity.

Ethiopia, with its low urbanization level and cellular rural communities, has not been a fertile ground for class-based (business-led or union-led) party formation. This might explain why national political parties tend to be formed by small, educated cliques (which makes them prone to factionalism) and are based mainly in Addis Ababa. Regional parties have recently discovered ethnicity a potent tool for mass political mobilization of a rural electorate compared to class-based or policy-based platforms.

It is no surprise, then, that both ethnic political parties and multiethnic political parties have found it hard to transcend identity or personality to form effective coalitions to forge a competitive political landscape to render electoral choices meaningful. The missed opportunities of the 1995 (Lyons, 1996) and 2015 elections show that there continues to be a formidable coordination failure among opposition parties to rally around a minimum national program in a climate of relentless suppression of political dissent. Worse still, the big-man mentality of leaders undermines rule-based organizations.

Road 3: A Citizen-led Transition

A third option is for a coalition of reformist parties, independent rights-based organizations, professional associations, the media, and esteemed religious and other elders to oversee a citizen-led transition to a democratic order. Such an all-stakeholder coalition for change can serve as legitimate transition agents by overseeing a power transfer from failed incumbents, despite monopolizing the reins of power for three decades, to elected interim administrative and legislative bodies.

Given the developments over the past two years, we can confidently say that only the third option is viable and desirable for laying down firm foundations for a democratic order. It bestows the necessary political legitimacy for a negotiated, no-loser political settlement. It also embraces the core values of Ethiopiawinnet, including the equality of citizens before God (and now, the Constitution), self-government, the rule of law, a voice for all fundamental political interests, and an abiding

commitment to the unity of the Ethiopian people and the territorial indivisibility of the Ethiopian state.

2.4. *The Amhara Popular Movement (A.P.M.) as a Game Changer*

A council of the wise, though it may have a high moral ground, can be a handmaiden of successfully launching an all-Ethiopia transition. The trillion-birr question is what unassailable group can be assembled to provide the political space for a political settlement and become a guarantor for its enforcement.

Game theorists tell us that there are two basic mechanisms for enforcing a uniting and fair political settlement in a divided society. One is a dominant but benevolent politico-military group. The other is a united front of disparate forces who, with a common political vision and platform, muster the power to restrain spoilers collectively. Assembling ethnic parties, ruling, and aspiring to rule, will certainly be trying the same thing again and expecting different results.

At this historical juncture, the Fano-led Amhara people's movement seems to have the redeeming quality of being an inclusionary enforcer of the pan-Ethiopian political vision. If it manages to complete its ambition of synchronizing its armed and political wings to create a unified leadership and a sound political program, it can serve as a one-off savior of both the beleaguered Amhara and Ethiopia itself.

There is a proviso for sure. Suppose all stakeholders in building a modern and united Ethiopia were to mount an effective civic and political resistance against tyranny. In that case, *the Amhara self-defense struggle will have to be both victorious and accountable to all Ethiopians.*

Whether we like it or not, and without a benevolent external power, there is no alternative in sight. We do not see any other readily available national leadership, including coalitions of opposition parties, which can do the job under the inauspicious political landscape. Entitlement-oriented political groupings with feet of sand cannot and will not do the job. If so, the agency of all stakeholders, ethno-nationalists and Ethiopian-nationalists alike, now shoulder the burden of ensuring that the national political settlement will henceforth not be limited to violence-capable and narrowly clad interests.

This means we are *ruling out* the unlikely and tragic scenarios of the defeat of the popular uprisings (in Amhara, Gurage, etc.) by the dictatorship or total disintegration of the country with a war of all against all. What are *ruled in* are two likely and promising scenarios: (i) The A.P.M. emerges outrightly victorious, or (ii) a military stalemate prevails (with the inevitable demise of the sycophant Amhara PP and weakened Oromo PP and TPLF), thereby incentivizing the major contending groups to come to the negotiation table to make significant concessions to pave the way for an even more participatory transition.

We do not need to delve into the terms of the negotiation for our purposes here, other than to underscore that the endgame is systemic change in favor of inclusiveness, justice, and equality for all. The ideal endgame of seeking to rebuild the Ethiopian state under the banner of unity, equality, self-administration, and modernity is laudable indeed. However, it requires the full engagement of all Ethiopians in the politico-military struggle for this endeavor to succeed.

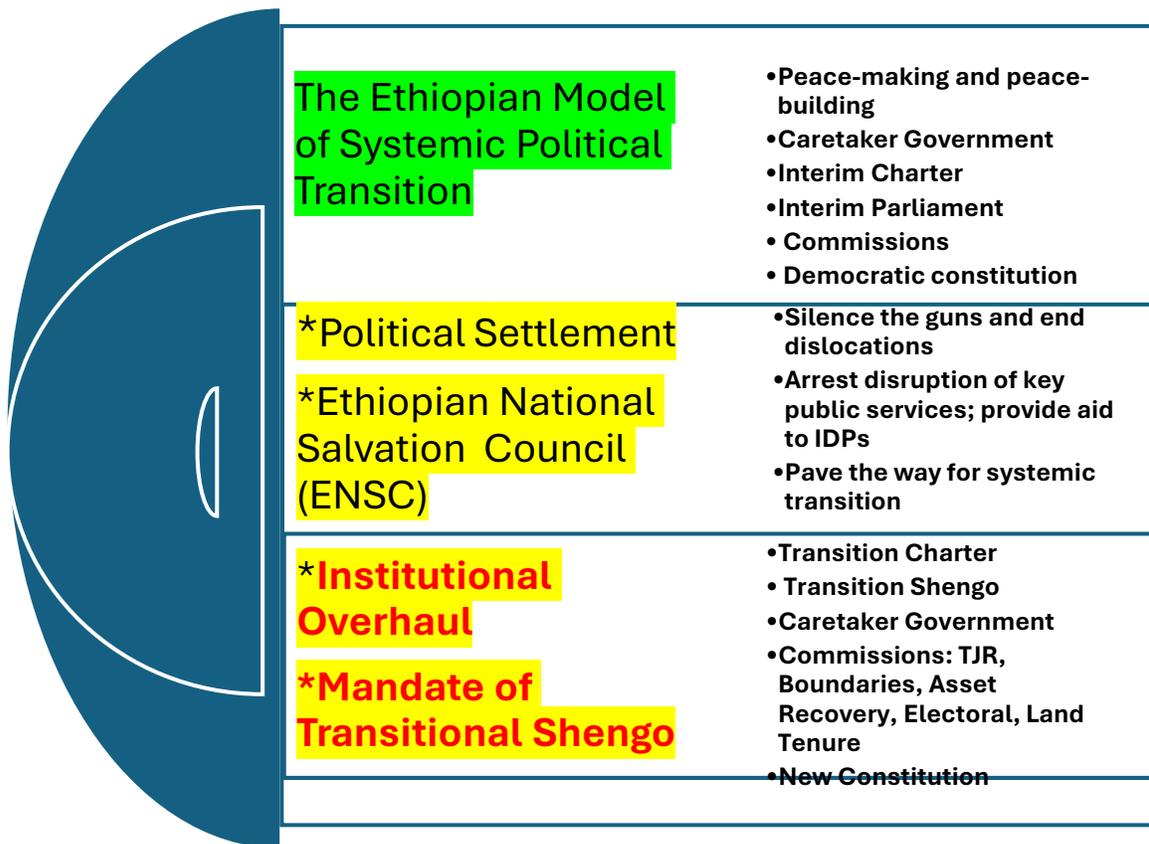
The three transition pillars may be usefully conceptualized as a process involving three interconnected phases. Chart 1 provides a snapshot of the proposal.

Chart 1: From Peacebuilding to Democracy-building



Chart 2 provides a more detailed illustration of our Ethiopia-wide model of systemic transition. It assumes that a broadly representative national salvation council will be established at the dangerous point of finding oneself in a no man’s land where the regime can no longer impose its will, and a viable alternative is not yet in place.

Chart 2: Overlapping Features of the Transition Program



The success of the Amhara self-defense movement is a game changer, not just for the Amhara as an aggrieved people, but for all oppressed Ethiopians by comprador, murderous, and plunderer politicians. Whether there will be a decisive Fano military victory, or a stalemate prevails that leads to a negotiated settlement, Ethiopia is staring at yet another fleeting window of opportunity to lock in an irreversible democratic transition. Unlike the parasitic and anti-Ethiopian Tigrawi and Orommumaa elites, the Amhara People's Movement can credibly serve as a dependable guarantor of a fair political settlement in post-conflict Ethiopia.

We must, of course, hold the Fano-led movement to the promise embedded in its motto (A.B.F., 2023): "We begin with Amhara self-defense and end with Ethiopia's salvation." This is not what we have heard from the bewildering assortment of uniformly anti-Ethiopian and anti-Amhara liberation fronts over the past fifty years! The case of the Amhara movement, which emerges unquestionably, provides even more opportunities for systemic reform.

We label this novel modality the People's Transition. Having made the case for transition, we now turn to the details of how to do it right.

PART THREE:

Proposed Platform and Blueprint

III. Roadmapping the People's Transition

For the Ethiopian realities, the transition can be usefully framed as involving three distinct stages, each of which is necessary but not sufficient: (a) A Peace Accord (primarily, but not exclusively, among the Fano, the Feds (only in the event of a stalemate), TPLF/TDF, and OLF/OLA) to silence the guns and pave the way for a just peace. As we will spell out below, these combatant-focused tasks include establishing a caretaker government, demobilizing combatants, and launching rehabilitation and reconstruction programs, (b) An Interim Charter to guide the transitional order, and (c) An Interim Parliament consisting of legitimately elected and selected members to oversee the transition process. Road 3 is a pathway that is more citizen-led than elite-led.

The two key escapes from the stranglehold of dictatorship and polarizing ethnic/sectarian politics are easy to guess: who will have the credibility and the wherewithal to inherit a broken-down system to transform it into a promised land? If the backer is in place, what are the modalities of the transition in such a polarized society?

If the current fleeting window of opportunity is to be realized, Ethiopians must once again aim to establish a two-legged modern constitutional political order (Acemoglu and Robinson, 2012). One leg is a technocratically *capable* State to provide security, guard liberty, and support prosperity. The second and equally important leg is an inclusive and *accountable* State to the electorate under the rule of law. For this reason, James Madison, at the U.S. Constitutional Convention of 1787, precociously advocated the constitutional principles of separation of powers, checks and balances, bicameralism, and federalism, all of which would limit government and protect individual liberties.

Transition is ultimately above creative destruction—dismantling and replacing the dysfunctional old with something superior. We now proceed to parse the only transition strategy worthy of debate. This

proposed roadway to freedom involves several sequential actions of deconstructing and reconstructing.

3.1. Pre-Transition: The Ethiopian National Salvation Council

To be frank, the hardest problem in any conceptualization of transition is the answer we can give to the question: Who will take over as a savior when the government collapses with little notice? Our feeble answer is to be prepared with an *ager-adin* mantra. *This means an essential component of any peace accord/settlement worthy of its name is the establishment of a broad-based Ethiopian National Salvation Council (ENSC) of eminent persons to oversee a caretaker civil service and a de-ethnicized military until a transitional charter and an interim parliament are established.* The devil, as they say, is in the details.

3.1.1. Composition and Mandate of ENSC

The membership of the transition council should be selected from respected rights-based C.S.O.s, national and regional political parties (some ethnocentric, majority Ethiopianist), professional associations, respected elders, and respected leaders of the Ethiopian Diaspora.

Possible criteria for selection of members of the ENSC are the following personal qualities: Deep knowledge of the country, independent-mindedness, farsightedness, compassion, and integrity, a commitment to diversity and Ethiopian unity and territorial integrity, and richness of life and work experience. A commitment to justice, truth, and reconciliation is also a heavy plus. This includes being free from accusations of corruption or violation of citizen rights, which will be vetted during the transitional justice process.

The Coalition of Ethiopian Civil Society Organizations for Election has 175 CSOs members nationwide. These include the Ethiopian Civil Society Forum (ECSF), Inter-Africa Group (I.A.G.), Ethiopian Lawyers Association (E.L.A.), Coalition of Christian Relief and Development Associations (CCRDA), Network of Ethiopian Women's Associations (NEWA), Ethiopian Civic and Voters Education Actors and Ethiopian National Disabilities Associations Network (ENDAN).

The Consortium of Ethiopian Universities can also be tapped to provide members. The Ethiopian Political Parties Joint Council boasts several seasoned politicians. The Inter-Religious Council of Ethiopia represents the major Christian denominations and the Supreme Islamic Council. Along with Ethiopian notables, this group of wise men and women is an essential component of the non-partisan ENSC. The trade unions, the Ethiopian Chamber of Commerce, and Sectoral Associations are important stakeholders, too.

The immediate task then is to identify the names of potential members of the transition council. This informal body can finalize the list of candidates and the mission and deliberate roadmaps like this with an eye on implementable and lasting solutions.

3.1.2. Transition Charter or Manifesto

As noted above, the most vexing challenge of a systemic transition program is getting traction between the collapse of the regime and the urgent restoration of stability long enough to devise new institutions to replace the dysfunctional ones. A legitimate and capable body has to emerge out of the ashes of a polarized polity in truly short order.

Ideally, in the absence of an explosion, a brief national dialogue process among crucial stakeholders would deliberate on selecting a representative group of leaders mandated to oversee a transitional government, issue an interim constitution or charter, and oversee the election of a transitional parliament. The dialogue will outline the modalities of negotiation, including the role of international arbiters and mediators and the confidence-building measures that define the preconditions.

The Mandate of the ENSC (for, say, six months) would include the following tasks:

- (1) Finalizing a peace accord among combatants. Establish guiding principles, issues, and modalities for a cessation of hostilities, including all major combatants, finding credible facilitators and guarantors, and providing security guarantees for all citizens: a peace accord involving cease-fire and D.D.R. (disarmament, demobilization, reintegration/rehabilitation); and a declaration of principles and implementational modalities for a comprehensive settlement that involves all stakeholders;
- (2) Demobilizing the polarizing ethnic militia of the regional states by converting them into regional police forces or national defense forces;
- (3) Preparing a realistic plan for selecting and supervising a caretaker government of meritorious technocrats and re-professionalized security to replace the delegitimized and collapsing PP-led government;
- (4) Establishing and supervising independent courts led by competent professionals;
- (5) Dismissing the toothless PP parliaments (federal and *killil*) and replacing them with elected/selected advisory councils answerable to ENSC;
- (6) Overseeing the election (and, in some cases, selection) of the members of the Transitional Shengo (TS) to ensure legitimacy and
- (7) Drafting a Transition Charter that specifies the authority and mandate of the Transitional Shengo (interim parliament), which will undertake the multifaceted tasks outlined below.

3.2. The Election and Mandate of Transitional Shengo (1-2 years)

There are many valuable ideas concerning the composition of the Shengo, but we distill here what is the most realistic. Mindful that democracy is merely a procedure to elect leaders for majoritarian rule with minority protection, the hybrid election-cum-selection modality we propose is as follows:

- all rural and urban districts or *Woreda* (approximately 1700), adjusted for population size, may each be represented at least by one elected deputy;
- while lower-level members of the ruling PP and TPLF may run for the interim parliament, senior cadres of the ruling coalition will be disqualified to avoid the capture of the people-centered electoral process by an entrenched class of ethnic politicians;
- Selected (i.e., non-elected) members of notable C.S.O.s and respected members of the Diaspora may be given seats in the interim parliament at the discretion of the ENSC; and
- Since a 1700-member Shengo is likely to be too big and unwieldy, the ENSC may constitute them by regional state. Each regional state can then elect its representatives in the federal Shengo of some 600.

In a nutshell, the transitional parliament will represent Ethiopian society's broad spectrum of views and interests. By the very framing of this historic election and selection process, a reasonable expectation is that both nationalist and ethnicist forces will be fully represented to deliberate on the country's future.

The Shengo, as an authoritative body and constituent assembly, will take over the responsibility of overseeing the Caretaker Government of Technocrats. This will ensure continuity in governmental administration, including the responsibility of undertaking daily public services and ensuring the country's defense against an assortment of foreign enemies intent on exploiting any political vacuum. The caretaker administration must put a high premium on merit in the civil and security services. It can, by fiat, serve as a Constituent Assembly to oversee the drafting and ratification of a democratic constitution.

The mandate of the TS includes establishing the following key commissions to study and recommend structural reform:

(A) *A Peace, Truth, and Reconciliation Commission.* This commission has the mandate to stabilize the country by restoring public order and formalizing a truth-telling process to provide an opportunity for victims of political violence and plunder to tell their stories. Impunity will end only when transitional justice, customary as well as judicial, is delivered against crimes on humanity perpetrated by the political class.

As noted above, a core mission of the TS is to establish a Truth, Justice, and Reconciliation Commission whose tasks must include initiating a transitional justice process that addresses massive and serious human rights violations through judicial redress, political reforms in a region or country, and other measures to prevent the recurrence of human rights abuse. It embraces judicial and non-judicial measures implemented to redress the legacies of human rights abuses. It is instituted at a point of political transition classically from war to positive peace or, more broadly, from violence and repression to societal stability. It is also about victims and their rights and dignity as citizens and human beings—testimony, restitution/reparation, or amnesty.

A transitional justice mechanism is designed to promote or bring about accountability, justice, sustainable peace, and reconciliation in post-conflict and transitional societies through judicial and other processes that include prosecutions, reparations, truth-seeking, repentance, and various kinds of institutional reform. Transitional justice, accentuating the restorative rather than the retributive, focuses on truth finding by giving voice to victims, appropriate forms of punishment (retributive and restorative), and appropriate forms of compensation for victims. Furthermore, transitional justice is instituted at a point of political transition, classically from war to positive peace or, more broadly, from violence and repression to societal stability (U.N., 2000; A.U., 2009).

Transitional justice, when done with a restorative rather than a punitive mindset (Anonymous, 2023), can benefit post-conflict societies that have experienced massive and serious human rights violations. The benefits include establishing a historical record and countering denial; ensuring accountability and ending impunity; fostering reconciliation and socio-political reconstruction; and transitional justice can help address grievances and divisions, empower and transform societies, and prevent the recurrence of violent conflict.

Transitional justice also faces many challenges in its implementation and effectiveness, including *political resistance and lack of political will, diversity and complexity of contexts and needs, tradeoffs and dilemmas*, such as balancing justice and peace, accountability and reconciliation, individual and collective rights, local and international norms, and short-term and long-term goals, *measuring results and impact*. A credible and participatory transitional justice process that addresses the country's legacy of gross human rights violations is critical for establishing a durable peace.

(B) *State Assets Reclamation Commission.* This commission has the mandate to audit all state enterprises and political party-owned (under the disguise of endowments) and ethnic-based financial

institutions. These organizations have been used to divert public assets to politically connected individuals and groups. The commission must assess what is stolen, what methods were used to institutionalize grand corruption, identify where these assets are today (liquid, real estate, capital flight), and forge a strategy to reclaim these public assets.

(C) *Constitutional Commission*. A representative group of legal experts, political thinkers, and wise elders to draft a citizen-based, democratic constitution. The Shengo must provide the commission with guidelines for the substantive content and the deliberation procedures. We provide a long list of issues to consider in the sections below.

(D) *Electoral Commission*. An independent electoral commission is critical for credible elections by which free citizens choose their leaders or approve referenda on controversial issues.

(E) *Territorial Administration Commission*. Given the recent history of tying ethnic identity to land, the country needs to decouple the two to institute a robust system of democratic governance. This delimitation of purely administrative boundaries, to be supplied to the Constitutional Commission, is ideally a geography-based system that reconciles the principles of ready accessibility for the majority of rural residents, popular consent, and economic viability.

(F) *Land Tenure Commission*. This commission will delineate public lands from private lands and restore *rist* rights to all cultivators on the basis of the 1975 land proclamation. This should be done in the context of what kind of economic system the country should embrace.

(G) *Population and Housing Commission*. This commission will conduct a clean population census to apportion legitimate electoral districts.

(H) *Constituent Assembly*. The TS, building on its legitimacy, *de facto* becomes a constituent assembly to oversee a participatory constitution drafting process and conduct a national referendum on the citizen-based Constitution.

With a democratic constitution in place and free and fair elections held, Ethiopia will be well on its way to keeping poverty and tyranny at bay. In this fraught journey and critical moment, the generous support of foreign friends with ideas and money is crucial to avoid reversibility in the form of a counter-revolution or a coup d'état by self-serving officers. Finally, if a democratic constitution is the pillar of a successful transition, what are its contents in light of the Ethiopian experience with three (imperial, socialist, and ethnicist) constitutions?

IV. Content: A Citizenship-based Ethiopian Constitution

A constitution, the foundational "basic law" that informs legislation, outlines the sacred compact between sovereign citizens and their servile government. The contents of a democratic constitution must, therefore, be provided in the most explicit terms to the constitution-writing commission, whose mandate is to undertake the technical work—the legal language, including minimizing ambiguities to facilitate the crafting and implementing legislation to bring the constitutional principles to life, where the rubber meets the road.

Framing constitutional reform has two dimensions. *Procedure-wise*, the choice should be made between amending the existing Constitution extensively and starting from scratch. The existing Constitution is thoroughly infused by the core values and vision of a group-based and inherently conflictual political identity (Policy Study Institute, 2022). It is inherently violence-prone, antithetical to the principle of equality before the law, and violates the principle of citizen sovereignty over political decision-making. Amending the FDRE Constitution (such as replacing the Preamble, and Articles 8, 39, 82, and 93) is, in our view, a fool's errand since nearly all the articles (other than those

copied from international conventions) are anchored in the exclusionary notion of the primacy of group rights.

Content-wise, we offer a list of twenty controversial and non-controversial considerations that should be provided to the drafting commission by the Shengo as a duly elected constituent assembly. Again, these guidelines must reflect values that resonate with the vast majority, if not all, Ethiopians. They should be accommodated to give the constitution coherence and integrity.

We offer the following list of vital considerations that should underpin the new Constitution as a consensual social pact that is based on the fundamental equality rights of sovereign citizens. The list, offered in the spirit of illustrative examples for debate, is certainly not exhaustive:

- (1) Strong Bill of Rights, as expressed by various international instruments of human, civil, and economic rights.
- (2) Equality and Universal Suffrage: respect for internationally recognized civil, political, and economic rights.
- (3) Individual Rights and Universal Suffrage: Citizen-based individual rights are the foundations on which any group rights are based. This is because there is nothing a citizen-based constitution cannot address that a group-based constitution can.
- (4) Sovereignty, Territorial Indivisibility, and National Unity: Ethiopia may be a unitary or federal state. The current system is *de facto* unitary and (confusingly) *de jure* federal-confederal. We must reject a union territorially delimited confederation of artificially created ethnolinguistic communities with veto rights.
- (5) Federalist(unity in diversity) based on non-identitarian federal units or Unitarist (diversity in unity): Either form will do as long as citizen equality and local self-governance are honored. Most democratic states today are unitary, many with a robust devolution of authority. Decentralized unitarism (say, much like the old *Awraja* system) may be more attractive for Ethiopia because eliminating mass poverty and disunity requires a capable, undivided, and accountable central government.

Federations imposed from above and in atomized societies are predestined to fail, as in Yugoslavia or the Soviet Union. There are many faux federal states (Russia, Ethiopia) where the victor defines the federal units and the central government resists devolution of authority. A federal system coming from above can work in Ethiopia only if federal units are delimited territorially by consensus and decentralized self-governance is ensured. Furthermore, until full industrialization and high urbanization are attained, local governments will remain ethnic-based, but a democratic order prevents them from being exclusionary.

- (6) Republican or Constitutional Monarchy: Either system can work in Ethiopia, but this must certainly be open to debate.
- (7) Presidential, Parliamentary, or Hybrid. A parliamentary system has proven to be an entrenched mono-party that dominates across dimensions of power—executive, legislative, judicial, and economic. The parliamentary system of Ethiopia currently lacks the requisite checks and balances of a democratic system. Presidentialism, with a term limit, has the potential to help transcend ethnic or regional polarization.

Messay (2023), for example, argues that ethnic federalism is divisive, but political ethnicity is here to stay, which means a hybrid presidential system will promote unity while allowing ethnic self-administration. An empowered and nationally elected president may serve as a counterweight to parliament and the prime minister. We reject his advice to accept

exclusionary political ethnicity as a fact on the ground, which cannot be rectified by presidentialism. *We believe that open federalism or decentralized unitarism can adequately address the demand by democracy-minded ethnic politicians for robust, citizen-based local self-administration.*

- (8) Federally Recognized Languages vs. Federal Working Languages: Ethiopia can recognize many languages. However, it can only afford up to one working language (Amharic) at this point, which must be the language of instruction in all post-primary schools. As other major languages develop (such as Oromiffa, Tigrigna, and Somaligna), they can be promoted to federal working language status with the proviso that they be written in the shared heritage of the Geez script.
- (9) A Competitive Market Economy: History, including Ethiopia's own, has taught us that there is no economic system that delivers prosperity than a well-regulated market economy with constitutionally protected secure private property rights. This will also eliminate the incentive of elites to focus on wealth appropriation rather than wealth creation.
- (10) Electoral System: The first-past-the-post system works reasonably for parliamentary and presidential elections. However, to accommodate minority representation in diverse societies, the proportional system can play a centripetal role, especially when applied to regional and local elections, because it allows for multiple representation in large electoral districts.
- (11) Administrative Boundaries: Self-governing federal units or administrative units—based on geography, economics, and history.
- (12) Selection of Civil Servants: Recruitment for the civil service and the military services should be non-discriminatory, competitive, and merit-based.
- (13) Independent Constitutional Court: An independent and non-partisan constitutional court to adjudicate constitutional disputes in a politically neutral manner (Selassie, 2015; Policy Studies Institute, 2022). The principle of independence also applies to all courts if legal redress at all levels is to be meaningful in its enforceability.
- (14) Right to Life and Livelihood: Regardless of a country's unenviable economic status, no one should be a victim of famine and chronic malnutrition. This and universal literacy should be listed as constitutional economic rights.
- (15) Dual Citizenship: The Ethiopian Constitution should permit dual citizenship to bring the growing Diaspora as close to the society as possible.
- (16) Checks and Balances: There should be robust checks and balances among the three independent branches of government.
- (17) Prohibition of Ethnic or Religious Political Parties: While communities may organize themselves to promote culture and history, identity-based political organizations and ethnic militia should be constitutionally prohibited.
- (18) National flag: Ethiopia's national flag is tricolor, preferably without an emblem.
- (19) Status of Addis Ababa: A.A., as a primate city, should be recognized as a politically autonomous unit.
- (20) Population and Housing Census: Given the enshrined practice of political manipulation, especially of the 2007 national census, a clean national population census must be conducted to apportion electoral districts and create fairness in budgetary allocations.

These and other pertinent considerations also imply, going beyond content, that the drafting process must be consultative and participatory with respect to citizen groups. The Shengo should strive to lay the foundations for a robust electoral competition through free media and a multi-party system.

Finally, the transition ends successfully when parliamentary and local elections are held under the ratified Constitution.

V. **Backstop: Citizen Agency for the Democracy Project**

The post-transition period can be as perilous as the pre-transition one. This is because the core challenge of democratizing progressively involves a momentous dilemma: development and the rule of law require a strong state but an overbearing state in the hands of parasitic elites is often oppressive. As James Madison put it in 1788, "In framing a government, the great difficulty lies in this: you must first *enable* the government to control the governed; and, in the next place, *oblige* it to control itself." Reconciling the enabling-obliging imperative then falls on the back of citizen engagement and perhaps luck in having farsighted statesmen to lead the transition.

We wholeheartedly agree that the true strength of a paper-perfect constitution lies in its effective implementation. This is because the soft underbelly of democracy is the absence of a vigilant, knowledgeable, and empowered citizenry capable of defending their hard-won constitutional rights. Otherwise, the cycle of tragedy of backsliding and warlordism will continue to haunt the nation of great beginners but disappointing finishers.

Traditional values, born of custom and debilitating poverty, must then be re-examined and appropriately modernized to ensure they embrace the core values and vision embedded in the democratic Constitution. An illustrative caricature would include (i) Belief in equality before God, but not before Big Men or the rule of just law; (ii) Deference to established authority, aka custom or rule by law; (iii) Legitimacy to rule based on skills, the fear of God, or even fate; and (iv) high respect for leaders with military skills such as courage, honor, neighborliness, and generosity.

The hallmarks of a modern political order then become no less than a cultural revolution of sorts:

- The traditional Ethiopian ethos, even in communally oriented pastoral communities, where equality and belongingness are highly valued, does not embed the universality of free citizenship and the rights associated with it across strangers;
- The Orthodox Tewahido Church and the Sunni Mosque (umma) preached the virtues of simple living and generous almsgiving to tame abuse by the powerful or restrained materialism;
- It is hard to transition from the ideology of "equality before God" to "equality before the law," although many countries have done so through robust urbanization and aggressive civic education;
- It is a challenge to transition from reliance on "parish or clan" to identification with a geographically more extensive and demographically diverse "nation"—the high intensity of competition for scarce resources trumps everything and
- It is hard to shift opportunistic loyalty from "the leader, the Party, or the king" to inclusive principles-based and rule-based "organizations" for advancing collective interests because of the initial commitment (or enforcement) problem involving strangers.

In this vein, Messay Kebede (2023) argues that the failure of the modernization drive in Ethiopia is a product of the elites confusing modernization (individual liberty, meritocracy, accountability) with Westernization. This disorientation has been detrimental to the preservation of those traditional Ethiopian values which are consistent with modernity. He invokes this reasoning to explain the

propensity of political elites to resort to ideological absolutism and populist authoritarianism (abusing state monopoly of large-scale violence by a vanguard party to oppress opponents in the name of the hapless people, i.e., revolutionary democracy).

Abiy Ahmed Ali has in the past four years managed to myopically destabilize the country using repression, ethnic polarization, bribes, hunger, and the help of a cynical and opportunistic political and economic elite. Existing precariously in an unstable equilibrium, this ethnocratic dictatorship has no choice but to rely on fomented civil strife, redirection of socio-economic spending to military spending, preemptive mass arrests, genocidal political violence, and war crimes with impunity.

His strategic vision seems to revolve around the complacency of potential resisters in the vainglorious hope that atomized citizens will endure existential fear, fatalism, and passivity. As the Fano movement and the growing defiance of the youth suggest, this strategy is failing miserably.

Socializing citizens into democratic values of fairness, inclusion, rule-based decision-making, and accountability calls for civics education in schools. All democracies instill in the young a deep understanding of their rights and obligations, the meaning of constitutional order, the mythologies of the nation, and the value of civic engagement to defend the core institutions of democratic governance.

Going down to the roots, the family must democratize itself and socialize children to respect the rights of others and to manage differences in a non-violent way. The schools must teach civics, eliminate authoritarian and toxic relations that include physical or corporal punishment of powerless pupils and abuse of girls. Religious institutions must also learn to protect the weak against parasitic forces (including within themselves) so that authoritarian values can be purged for good. With enlightened, non-pliant, and courageous citizens in place, participation in public decisions and in defending the institutions will guarantee liberty and enhance the quality of government policies and corporate social responsibility.

Enhancing societal capacity as a countervailing power means strengthening independent media and C.S.O.s championing human rights, social justice, and good governance within the framework of inclusive institutions. The twinning of a capable state and equally adept civil society is essential for providing training, advocacy, and acting as watchdogs to hold those in power accountable. Fostering independent traditional and digital media provides the citizenry with reliable and diverse information and analyses. Lastly, the hallmark of citizen empowerment is earnestly fostering a culture of dialogue, mutual respect, and reconciliation.

As we move away from a political culture that glorifies violence to settle differences, we should focus on identifying those core values that inform inclusive platforms and trustful communities that encourage the peaceful resolution of conflicts. An unengaged silent majority, in the face of the cancer in the form of an institutionalized and inherently exclusionary identity politics, is little more than a politically doomed majority. We must unavoidably muster the courage of our convictions to instruct our children, by our example, to be empathetic and seek to bridge ethnic, class, regional, or religious fissures to regain mutual trust as a politically united people with a great destiny.

References:

- Abba Bahrey Forum (A.B.F., 2023), *የዐማራ የነፃነት ቃልኪዳን (Amhara Freedom Charter. A.F.C.:* downloadable from www.abbabahrey.org).
- Acemoglu, Daron and James Robinson (2012), *Why Nations Fail*, Crown Currency.
- African Union (2019), *Transitional Justice Policy*, Addis Ababa.
- Alemante G. Selassie, (2015), “The Case for a New Constitution,” *International Journal of Ethiopian Studies*, vol. 9 (1).
- Anonymous (2023), *ኢትዮጵያ፡- የሽግግር ፍትህ የፖሊሲ አቅጣጫ አማራጮች* (Ethiopia: Options for Transitional Justice Policy), አዲስ አበባ፡፡
- Berhanu Abegaz (2018), *A Tributary Model of State Formation: Ethiopia, 1600-2015*, Springer.
- Citizens Charter Group (CCG, 2012), *A Citizens Charter for a Democratic Ethiopia* (downloadable from www.imbylta.org or www.ethiopiawin.net).
- Citizens Charter Group (CCG, 2018), “A People’s Transition Manifesto for a United Democratic Republic of Ethiopia,” *International Journal of Ethiopian Studies*, 12(1).
- Fukuyama, Francis (2014), *Political Order and Political Decay*, Farar, Straus, and Giroux.
- Gray, Hazel, et al. (2017), “Studying Political Settlements in Africa” *African Affairs*, 116.
- Gray, Hazel (2019), “Understanding and Deploying the Political Settlement Framework,” *Politics*, <https://doi.org/10.1093/acrefore/9780190228637.013.888>.
- Imbylta Group (I.G., 2021), “Ethiopia: A Declaration of National Salvation.” [Declaration_Apr2021 \(1\).pdf](#).
- Khan, Mushtaq (2010), *Political Settlements and the Governance of Growth-Enhancing Institutions*, SOAS.
- Lavers, Tom (2023), *Ethiopia’s ‘Developmental State’: Political Order and Distributive Crisis*, Cambridge University Press.
- Lyons, Terrence (1996), “Closing the Transition: The May 1995 Elections in Ethiopia,” *Journal of Modern African Studies*, 34(1).
- Messay Kebede (2023), *Ethiopian Modernization: Opportunities and Derailments*. (downloadable from <https://zehabesha.com/ethiopian-modernization-opportunities-and-derailments-new-prof-messay-kebedes-book/>).
- O’Leary, Brendan (2014), “Macro-political Approaches to Ethnic Conflict Resolution,” <https://www.youtube.com/watch?v=O76ilgnaaOE>.
- Policy Studies Institute (2022), *FDRE Constitution After Three Decades: Inquiring into Whether and What to Amend*, Addis Ababa University, Addis Ababa.
- United Nations (2000), *Approach to Transitional Justice*, Guidance Note of the Secretary-General, New York.
- Vaughan, Sarah (2011), “Revolutionary Democratic State-building: Party, State, and People in the EPRDF’s Ethiopia,” *Journal of Eastern Africa Studies*, 5(4).

