

## **Sub-National Formal Conflict Resolution Institutions in Ethiopia: The Case of South Nations, Nationalities, and People's Region**

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### **Abstract**

*After the collapse of the dictatorial regime in 1991, Ethiopia developed its first Federal Democratic Republic Constitution in 1995. Accordingly, the federation comprises ten regional states and two city administrations. The SNNP region is one among the founding member states of the federation. The region suffered from inter-ethnic disputes over various issues: identity, border, resource and cultural miscommunication. In the constitution, adopted by the Nations, Nationalities, and Peoples of the SNNPR, the Council of Nationalities was institutionalized with a number of constitutional mandates of which dispute management and resolution is the prominent one. Primary and secondary data had been collected for the accomplishment of the objective of the article. Thus, efforts and mechanisms the region used to deal with conflicts through formal conflict resolution institutions were analyzed. Hence, findings of this study showed that formal conflict resolution institutions (mainly the Council of Nationalities) of the region did not achieve what was expected from it. Conflict resolution responses of the region largely were not dynamic and systematically designed: deploying security force has been taken as a viable option to find out resort for conflicts emerged in the region. As a result, many conflict cases in the region remain unsettled. In fact the CoN had made some remarkable achievements that reinforce its future endeavor. As an institution which is found in a conflict prone region, the CoN should strengthen its instructional frameworks, skilled human power, modern technology, and desire to work with indigenous conflict resolution institutions to get things done.*

Keywords: Conflict, peace-building, ethnicity, federalism, peace education, peace culture

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## 1. Introduction

Different people comprehend the political history of Ethiopia differently. For some people, it is the oldest country which is a cradle of civilization and pride of Africa from which any freedom fighter will take immense inspiration. Ethno-nationalist political forces, on the other hand, regard it as a nation of ruthless colonial history. The 1960s and 70s dominant multinational movements which crystallized from Ethiopian students' movement redefined the country as multi-cultural and multi-religious and the safest way to make peace prevail in the country is through accommodating these diversities. Here the question is why people comprehend the history of the country differently? Some scholars argued that the written history of the country sowed the seed of diversified political ramification into political crisis (Fiseha, 2007). In terms of coverage, Fiseha (2007) further noted that the dominant approach has portrayed it as "a story of succession of rulers and dynasties and as it was equated with what the ferengis call the Abyssinian culture."

On the other hand, historians and politicians of the new generation have brought different approaches of writing Ethiopian history. Ethno-nationalists' characterization focused on undermining the shared values and reconstruction of the past history for the purpose of mobilizing the people based on ethnic affinity. Political elites and activists (dominantly Eritrean and Oromo), guided by primordial reasons, developed a perspective of colonization and subjugation to intensify the struggle for self-determination (Záhořík, 2011). For example, the rise of the Eritrean movement which was based on ethnic affinity served for other movements as a signal to mobilize the people. In a similar fashion, the Oromos, Somalis and Tigrayans picked up ethnicity as the hub of their political struggle (Zewde, 2010).

Ethnicity has been salient feature of Ethiopia's political struggle from the mid-20<sup>th</sup> C. Since then dominate opposition political forces (both nationalist and multi-nationalist) overtly criticize the imperial regime of Haile Selassie over the alienation and marginalization of ethnic groups of Ethiopia. The quest for self-determination and social justice which was raised during the events of the 1960s 1970s were particularly crucial and still have repercussions on the present state structure and the ideology behind it. But these political forces came onboard with different positions in terms of the vision they wanted to realize.

The discourse of ethnicity remains unanswered even after the Dergue controlled political power as ethnic groups during the regime became gradually more suppressed and less empowered than previous governments (Aalen, 2006). On the other hand, the Dergue regarded multi-nationalist political forces (mainly EPRP) as a prime enemy and perpetrated and driven them out of the country's political landscape. The denial of political space for multinational forces opened a new chapter for ethno nationalist struggle. The Tigray People's Liberation Front (TPLF) was formed on 18 February, 1975 (Berhe, 2009) with the intention of establishing democratic republic of Tigray. After the downfall of the Dergue in 1991, TPLF leaders architected the political system of Ethiopia and ethnicity had become the epicenter of their political ideology.

The other ethno-nationalist political, the Oromo Liberation Front, laid its foundation in 1973 with the quest to have self-administration up to and including secession of the Oromo people (Merera, 2003). The OLF joined the EPRDF coalition as partner and participated in the EPRDF-led transitional government in 1991 (Bereketeab, 2013). The cumulative efforts and momentum of different political forces (ethno-nationalist and non-ethnic political forces) deposed the military regime and changed the political landscape of the country.

Following the collapse of the Dergue regime, the country established a federal system in the form of granting regional autonomy, self-determination up to and including secession, which started in 1991 and lasted for about four years of transition period, and it was fully formalized in the 1995 FDRE Constitution. This is evident from the first article of the Constitution that stipulates the establishment of a federal state. The preamble taken together with other provisions of the Constitution may be considered as an indication to prove the considerable importance that ethnicity and the accommodation of diversity have in contemporary Ethiopian politics. The member states of the federation comprise the basis of the settlements pattern, language, identity and consents of the people concerned<sup>1</sup>. EPRDF claimed that the rationale for restructuring of Ethiopia as federal is a way forward to address deep-rooted conflicts among ethnic groups of the country.<sup>2</sup>

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<sup>1</sup>Article 39/5, 1994/5 FDRE constitution

<sup>2</sup> See the EPRDF Political Program, 2005, p:1

In Ethiopia, the long-established unitary political system that failed to recognize the very diverse nature of the Ethiopian society led to the process of federalization of the Ethiopian political structure (Regassa, 2009; Vaughan & Tronvoll, 2003). Regassa (2009) further noted that the rationale behind the establishment of a federal form of state structure since 1991 was to address the past questions of nationalities which have been causes for conflicts. As indicated earlier, in an effort to manage and resolve conflicts, Article 52 (1) of the FDRE Constitution, granted the constituent regional states to establish a state administration that best advances the rights of ethnic communities to self-government, democratic order and peace building based on the rule of law.

For the Southern Nations, Nationalities and Peoples' Regional State, which is composed of diverse ethnic and linguistic groups, the issue of accommodating diversities is more crucial than for the other member regional states of the federation. However, in the SNNPR, series of claims for the recognition of separate status by ethnic groups and subgroups were either rejected or deferred (Young, 1998). According to Dereje (2010), there were four dominant types of conflict in post-1991 in the SNNPRS. These are unclear boundaries between ethnic groups and territorial claim, failure to accommodate the new minorities in the regional state, the issue of 'ownership' of multi-ethnic regional states and instrumentalization of popular feelings of relative deprivation in the pursuit of political power. Following the post-1991 political changes, in the SNNPRS, hostilities between different communities have been transformed into conflicts between adjacent ethnic groups (Fiseha, 2005).

The task of resolving and transforming conflicts is more demanding in the SNNPR than in other member regional states of the federation. Hence, it is in light of this demand that the SNNP region established a formal conflict resolution institution by virtue of the region's constitution. Thus, the Council of Nationalities, the executive body and the judiciary organs in all the hierarchies of the regional government's administration, according to their nature are supposed to have a role in managing and resolving conflicts.

## **1.2. Theories of Ethnic Conflicts**

Scholars in the field make a distinction between "ethnicity and nationalism". For example, Aalen (2006) identifies ethnicity as a sociological concept, whereas nationalism is associated with

political science. He further argues that ethnicity is a foundation for the formation of nationalism. On the other hand, the Transitional Charter, which was formulated in 1991, characterizes ethnicity as race. Many academicians in the field still use terms such as clan, tribe and nationality to describe ethnicity.

Political scientists and sociologists categorize the notion of ethnicity into three groups, namely primordial approach, instrumental view and social construction. The primordialists view ethnicity as something that is natural (biologically inherited) and eternal and confined by common and consistent cultural elements. To the contrary, instrumentalists' version of ethnicity is a social entity which is manipulated by political elites whenever they want to claim political power. Neither ethnicity nor ethnic identity has a natural existence. On the other hand, the social construction perspective holds the view that ethnicity is something that neither exists naturally nor is artificially formed. It would rather be created based on the consent of the members of the ethnic group (Horowitz, 1985).

Most of the time political elites maneuver ethnicity as a way to claim political power. For instance, early European colonialists' image of African identities shows the primordial approach; populations divided into clearly separated 'tribes' defined on the basis of objective cultural markers (Aalen, 2020). In the meantime, their policy of indirect rule demonstrated official definition of ethnicity based on compatibility to their political arrangement (Aalen, 2006). As a result, the ethnic conflicts that emerged in Africa were stimulated by elites under the cover of race, religion, language and identity (Gurr, 1994; Horowitz, 2000).

In Ethiopian, the 1995 FDRE Constitution's definition of ethnicity as a distinguishable cultural group is a good example of primordial ideas of ethnicity.

Article 39/5 of the Constitution stipulates that:

*Nation, Nationality or People is a group of people who have or share a large measure of a common culture, similar custom, mutual intelligibility of language, common related or related identity, a common psychological makeup, and who inhabit an identifiable, predominantly contiguous territory.*

A rival explanation for the above argument contends that the theory hardly corresponds with the specific characteristics and definitions of ethnicity and ethnic identity in Ethiopia. Despite the fact that the Constitution's definition of ethnic groups is akin to the primordial approach to ethnicity, on the ground the political arrangement made in the country conceptualizes ethnicity and ethnic groups as instrumental viewpoints. As a result, the federal experiment witnessed many conflicts in the country underpinned by issues related to identity (Markakis, 1998). In a similar vein, Beyene<sup>3</sup> argues that the main reason behind conflicts in federal Ethiopia since 1991 is that the artificial arrangements of ethnic groups created by the EPRDF. For instance, the South Nations, Nationalities and People's Region was created by pulling different ethnic groups together<sup>4</sup>.

A number of explanations of ethnic conflicts and models are available. For example, Horowitz forwards three major theories to explain ethnic conflicts, namely class theory, modernization theory and cultural difference theories. Modernization theory predicts that mere sentimental value to 'outmoded traditionalism' causes ethnic conflicts. The theory underlines that penetration of modernization to the domain of ethnic existence is most viable option to mitigate ethnic based conflicts. However, class theories of ethnic conflicts hold that belief in a particular ethnic identity is part of an ideology that masks class interests and diverts the working class from pursuing their interests. As such, most ethnic demands have emerged as part of the response and resistance to different classes of oppression, namely exploitation, marginalization, powerlessness, violence, and cultural imperialism (Tsegaye, 2009; Young, 1998). On the other hand, the cultural difference theory underlines that conflicts among ethnic groups arise out of incompatibilities among their cultures (Horowitz, 2000).

Some more theories, for example, the grievance and justice seeking model explains that ethnic conflicts occur by relative deprivation defined as a gap between what the social group believes it deserves and what it actually gets (Gurr, 1970; Mengisteab, 2013). As a result, an ethnic conflict emerges when conflicting groups who want either to improve their historically claimed socio-

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<sup>3</sup>Voice of America: Amharic Service, Interview held with Prof, Beyene Petros(Opposition political leader) on 20/6/2017 edition.

<sup>4</sup>There was an attempt made by the government by merging four languages together: Wolayita, Gamo, Gofa, and Dawro into a single language called Wogagoda.

economic position or to preserve hegemonic positions. A research finding, for example, shows a positive relation between inequalities and occurrence of ethnic conflicts (Cook-Huffman, 2008).

### **1.3. Ethnicity and Conflicts in Federal Ethiopia: An overview**

Scholars in the field of federal studies state two strategies for mitigating ethnic conflicts in federal states – building democratic governments and developing common citizenship (Horowitz, 2000). Coercion undermines basic principles of federalism (self-rule and shared rule and division of power of member states). Likewise, the idea of federalism without common citizenship and that grants the right to self-determination for ethnic groups are likely to lead to secession and finally to disintegration of the federal state (Aalen, 2006). The development of national identity could be a remedy to ethnically based self-rule from leading to parochialism and fragmentation (Aalen, 2006). In doing so, in times of disagreement between ethnic groups, the appeal to the idea of an overall citizenship may prevent the conflict from escalating into open ethnic fighting.

Ensuring social justice and the quest for equal treatment of ethnic groups have been taking place as primary agendas of Ethiopia political forces over decades. Some, including the ruling political party, contend that the country has been on the brink of total collapse and disintegration because of the social, political and economic policies adopted by the previous regimes<sup>5</sup>. Principally, uneven ethnic relations in the country are considered as a foundation for problems as the country has never known either a democratic political system or an administrative culture to accommodate the ethnic groupss demands (Habtu, 2003; Merera, 2003). As a result, ethnicity is taken seriously in the endeavor to reconstruct the state as a multi-national, multicultural federal polity since 1991. The restructuring of the state since then was the response to build a suitable system that could be used as an instrument of managing the complex ethno-linguistic diversity and mitigate ethnic-based conflicts (Kefale, 2010).

Federal arrangements are widely believed to be a panacea for a nation with multi-ethnic society if and only if the following conditions are fulfilled. First, in the endeavor to mitigate conflicts, readiness in terms of putting in place a systematic set of policies, institutions, strategies, and methods for handling conflicts should be carried out. Because the extent to which the policies,

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<sup>5</sup>See the EPRDF Political Program, 2005, p:1

strategies and institutional framework address the quest rises from member states of a federation indicates the functionality of a federal system (Aalen, 2006). To realize these benefits, the EPRDF vowed to build democratic norms and institutions capable of reflecting the principles of federalism.

The question is, therefore, did the federal experiment prove to be a panacea for the country's deep-rooted socio-political problems as it promised? Many scholars believe that it has fallen short of expectations. For example, Aalen (2006) argued that the new political arrangement of Ethiopia did not bring about durable peace as the EPRDF promised that it would. She further noted that, firstly, the EPRDF regime is semi- authoritarian in nature; it did not build strong democratic institutions. Given the fact that democratic institutions are instrumental to ensure self-rule and shared rule, a federal system with democratic institutions is not better than symbolic. In light of this, the question of political equality and self-administration were the driving force that led the country to political crackdowns since 2015<sup>6</sup>. Subsequently, the new federal experiment has emphasized the risk of undermining the concept of citizenship<sup>7</sup>. Citizenship and values attached with it are overridden by ethnic issues (Habtu, 2003). As a result, the process of seeking solutions to old problems has given birth to new conflicts: conflicts for new power, new resources, the quest to have self-administrative status, identity, political empowerment, and the demand to ensure local economic justice (Regassa, 2009).

Apparently, the federal system of Ethiopia established several institutions both at the federal and regional levels to deal with conflicts. Some of them are explicitly established by the Constitution and proclamations at federal and regional levels while others are mostly organized based on formal and informal bilateral and/or multilateral agreements. The House of Federation and Ministry of Federal Affairs at the federal level, and Council of Nationalities (SNNPR) and the like have been created at regional levels to deal with conflicts<sup>8</sup>.

The House of Federation is established with mandates to keep balance within the federal arrangement. It was explicitly granted the power to adjudicate disputes within the federation. In

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<sup>6</sup> For example the Oromo protest since 2015 and Amhara resistance since 2016

<sup>7</sup>For example, Addis Ababa is a federal city. But official identification requires ethnic identification, although ethnicity is irrelevant in a federal city

<sup>8</sup>First National Conference on Federalism , conflict and peace building organized by Ministry of Federal affair and German technical cooperation held on, May 5-6 , 2003 Addis Ababa, Ethiopia



addition, the Ministry of Federal Affairs has been established, by virtue of Proclamation No. 256/2001, with a special mandate to get involved in the affairs of the regional states when (1) regions request the federal government's involvement and (2) the issue(s) is/are violent that endanger the Constitution. The engagements of such institutions in conflict management and resolution have supported the country's effort to ensure sustainable peace.

Owing to the benefit of formal conflict resolution institutions, member regional governments cascaded the federal conflict resolution institutions' mandates and organizational structure to realize their objectives in their respective regions. Given the fact that the South Nations, Nationalities and Peoples' Region is home to various ethnic groups (more than 56), establishing conflict resolution institutions was more demanding than any other region. Hence, by the virtue of the 1994 SNNPRS Constitution, Council of Nationalities were formed with the goal of addressing matters of nationalities.

## **2. Nature of Conflicts in South Nations, Nationalities and Peoples' Region**

Southern Nations, Nationalities and Peoples' Regional (SNNPR) State is located in the southern part of Ethiopia bordering Kenya, Gambela regional state in the west and the Oromia regional state in the north and east. The total area of the region is 113,539 square kilometres, i.e. 10% of the country's geographic area. It is also home to more than 56 different nations, nationalities and peoples<sup>9</sup>.

Following the collapse of the Dergue regime in 1991, the Transitional Government of Ethiopia formed fourteen regions. Five of them were found in the present day of the SNNPR. These were Region Seven,<sup>10</sup> Region Eight<sup>11</sup>, Region Nine<sup>12</sup>, Region Ten<sup>13</sup> and Region Eleven<sup>14</sup>. Meanwhile, in February 8, 1993<sup>15</sup> these regions merged to one and were established as 'The Southern Ethiopia Transitional Government'. The government justified the new political arrangement as a response to the request of nations, nationalities and peoples presented to it. With regard to the

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<sup>9</sup> Strategy for conflict resolution in SNNPR (2011) prepared by the Council of Nationalities

<sup>10</sup> Region 7 consisted Guraghe, Hadiya, Kambata, Halaba and Yem

<sup>11</sup> Region 8 holds Sidama, Gedeokore, Borji, and Gidicho

<sup>12</sup> Region includes Gamo Gofa, Dawro, Wolyta, Zayse, Ozyda, Konta, Ale, Mosiye, Derashe, Mashole and Konso

<sup>13</sup> Region eight contains Male, Arsi, Hammer, Bana, Tesemay, Dasench, Gnaygatom

<sup>14</sup> Incorporates Kafficho, Shakicho, Bench, Nao, Chara, Dizi, Surma, Meinet, Sheko and Zilmam).<sup>14</sup>

<sup>15</sup> Strategy for conflict resolution in SNNPR (2011) prepared by the CoN

local administration arrangement, initially the region established eleven zones and five special *woreda* administrations. Meanwhile, as part of the efforts to create an effective administrative system, two additional zonal administrations have been established<sup>16</sup>.

The government claimed that the new arrangement was intended to manage nations' and nationalities' human and material resources, overcoming their common enemy, poverty, democratization process, thereby establishing a single, strong political and economic community. Opposed to the government's claim, some scholars, for example, Vaughan (2003) argued that the decision that has been made by EPRDF in the south was to manage conflicts provoked by political and administrative organizations.

As stipulated in the 2001 revised Constitution of SNNPR, the regional state has three organs, namely the legislative (State Council & the Council of Nationalities), the executive and judiciary body. The State Council, the executive and judiciary organs have organizational structure at zones, special *woreda* and *kebele* levels. However, the Council of Nationalities has no organizational structure at lower levels of government<sup>17</sup>.

Diversity by itself is not a problem, but it is lack of proper handling of the existing objective reality that makes it worse (Fisher, 1993). In this regard, despite the fact that the SNNPR has been trying to resolve some of the major conflicts, several intra- and inter-regional ethnic conflicts have still occurred in different parts of the region (Feyissa, Hoehne, & Höhne, 2010). Given the fact that it is wealthy in terms of natural resources coupled with its diversity makes the region highly sensitive. Moreover, asymmetric relations among ethnic groups within and out of the region driven by factors related with cultural and economic reasons feed into the crisis of the region.

Therefore, the conflicts ravaging the region are underpinned by historical, socio-economic and environmental issues that can be classified into the following categories: border issues, identity and the quest for self-administrative status, cultural miscommunications and resource-based

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<sup>16</sup> The Revised Constitution of Southern Nations Nationalities Peoples Regional state(2001)

<sup>17</sup> The Revised Constitution of Southern Nations Nationalities Peoples Regional state(2001)

conflicts<sup>18</sup>. Furthermore, the conflicts have been compounded by the federal government and inter-regional interventions. Ostensibly, such interventions have been motivated dominantly by economic factors. This section offers an overview of conflicts in the SNNPR focusing on major causes of conflicts.

### **2.1. Border Conflicts in the Region**

Among the several triggering causes of conflict, conflicts over border issues are the most potent. Predominantly, along with the boundary of two neighboring ethnic groups, disputes are apparent in the demarcation of their respective territory. Border related conflicts that the region has experienced so far have two dimensions, namely inter- and intra-regional state boundary conflicts.<sup>19</sup> Many of inter-regional conflicts the region experienced at different times have been along the borders of Oromia regional state<sup>20</sup>.

The region has also suffered from potent intra-state conflicts which occurred between different ethnic groups over their boundaries. Since 1991, there had been violent conflicts between Wolyta-Sidama around Blatte River, Zaise-Derashe, Konso-Derashe and Konso-Burji. There were also border related conflicts in some parts of the region, for example, Konso-Amarro, Beta-Durka *kebele*, Zellba-Zalla and Keddida-Baddiwochu. Furthermore, conflicts happening between Mereko-Manskan and Ixie-Bemuhr over border issues are not resolved yet<sup>21</sup>. Scholars argued that many of these simmering conflicts were provoked and lingered by the new constitutional order as EPRDF urged them to draw boundaries based on ethnic and linguistic criteria (Vaughan & Tronvoll, 2003). As a result, the new political arrangement since 1991 accorded legitimacy to pre-existing competitions and antagonisms.

In general, the issues of border in the SNNPR in particular have become the major causes of violent conflicts following the restructuring of the Ethiopian state and the policy adopted by the

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<sup>18</sup> An interview held with Tekle Diedu: the former heads of conflict management and resolution division in Council of Nationalities(2001-2008), November 11/04/2011, 4:37

<sup>19</sup>Ibid

<sup>20</sup> For example Guji-Sidama conflict, Guji-Gedeo conflict, Guji-Burji conflict, Arsi –Halaba conflict e.t.c

<sup>21</sup> An interview held with Zelleke Belayneh working in the Council of Nationalities; Nationality common values promotion and dispute resolution core work process owner October, 24/2011

regime. However, the federal government blamed local government leaders and the people misinterpretation of federal system for border related issues more complex in the region.<sup>22</sup>

## **2.2. Cultural Miscommunication and Conflicts in the SNNPRS**

According to the theory of cultural miscommunication, culture does much to determine the way we think about and perceive the events happening around us and the way we act and the manner in which we relate to others. Many conflicts between and within nations are in one way or another rooted in cultural differences, lack of respect for cultural diversity, and the resulting misunderstandings and tensions between peoples. Some scholars contend that cultural miscommunication contribute a lot to the occurrences of ethnic conflicts by sharpening ethnic identity and by producing conditions of uncertainty (Matthews et al., 2005). In a similar vein, (Harrison, 2009) in his piece entitled “Culture and Conflict Underscores”, stated the fact that peoples honor their own culture, and often seek to maintain it in the face of outside influences; it has been the root cause of some conflicts in multiethnic societies.

In the SNNPR, too, cultural miscommunication has been a cause of many conflicts. Most of such conflicts appeared when one party considers itself as being traditionally betrayed by the other party and it led to distrust among the parties<sup>23</sup>. Characterizing and labeling the others ethnic group’s culture as inferior and uncivilized caused suspicious and hostile ethnic relations among ethnic groups of the SNNP region. For example, ethnic groups of the southwest part of the region regarded Mejenjer and Menja as inferior, as a result, resentment and disappointment is high.

## **2.3. Identity Conflicts in SNNPRS**

Ethnicity or identity has been the driving force behind many of the demands for a measure of self-rule in a well-defined territorial level of local government either with the status of a zone or *woreda* (Weldemariam, 2009). Hence, identity deprivation or oppression is the motive behind the demand to have their own defined territories and administrative status and in a situation where such a demand is not met; identity becomes a triggering cause for conflicts.

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<sup>22</sup>Ibid

<sup>23</sup> ibid

Although the government claimed identity and the quest for having self-administrative status as less frequent causes of conflicts, several conflicts, for example in Silte, Donga, Alle, Wolene, Saykaree and Maneko<sup>24</sup> had occurred in the region. Merging of ethnic groups and the right to self-determination stipulated in the Constitution encouraged various ethnic groups to assert their own ethnic identities. On the other hand, the patterns of relationships between ethnic majorities and settler communities experienced change as a result of the overall changes in the political structures of the country and its underlying ideologies (Regassa, 2009).

#### **2.4. Conflicts over Natural Resources in the Region**

Resource conflicts increased because of dwindling resources, population pressure, and changes in livelihood strategies of communities. Interviews held with key informants noted that natural resource is the major triggering cause of conflicts in the region.<sup>25</sup> In a similar vein, an expert<sup>26</sup> working in the Council of Nationalities affirmed that conflicts occurring in the region owing to natural resources are many in number. Changes in political structures and processes within the country have been attributed to environmental conflicts (Tadesse, 2003). Dwindling of land resources as a result of development interventions (large scale mechanized farms), and continuous and cyclic droughts induce acute resource conflicts between users of natural resources. There had been conflicts in South Omo and Bench-Maji Zones of the SNNP region over grazing land and cattle raids (Weldemariam, 2009). Besides, changes in the livelihood strategies and mode of production of pastoral communities (particularly transformation from pastoralism to agriculture and agro-pastoralism) have intensified resource conflicts in the region<sup>27</sup>.

### **3. The Council of Nationalities**

#### **3.1. Selection and Composition**

South Nations, Nationalities and Peoples' regional states is home to diverse ethnic and linguistic groups. Therefore, each nation and nationality has to be represented in a particular institution to protect their interests. For this reason, the SNNPR Constitution has created an encouraging atmosphere so as to enable all nationalities to actively participate in decision-making on public

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<sup>24</sup> An interview held with Anonymous informants October 27, 2011

<sup>25</sup> Interview held with Birku Adugna, lecturer at Hawassa university

<sup>26</sup> An interview held with Zelleke Belayneh working in the Council of Nationalities; Nationality common values promotion and dispute resolution core work process owner October, 24/2011

<sup>27</sup> An interview held with Zelleke Belayneh working in the Council of Nationalities; Nationality common values promotion and dispute resolution core work process owner October, 24/2011

affairs directly or indirectly, i.e. through their representatives in the two organs of government, particularly in the legislative organ of the state, not only regarding issues relating to their special interests but also all matters affecting the wellbeing of the regional state.

The SNNPR Constitution guarantees the right of each nation, nationality and people to equitable representation in regional state governments. It stipulates:

*In accordance with the provision the constitution, every Nation, Nationality and People in the region has the right to a full measure of self-government which includes the right to establish institutions of government in the territory that it inhabits and to equitable representation in the regional state governments*<sup>28</sup>.

Peculiar to SNNPRS, in a unique provision which echoes the House of Federation at the national level, the 2001 revised Constitution of the SNNPR state provides for the establishment of a Council of Nationalities in 12 November 2001<sup>29</sup>. The demand to have one more legislative organ was required to accommodate much-diversified characters of the SNNPR society. It is with these objectives that the Constitution clearly provides for the representation of each nation, nationality and peoples in the Council of Nationalities.<sup>30</sup>

This constitutional provision does not put any minimum demographic requirement to the nations, nationalities and peoples represented in the CoN. Thus, each nation and nationality is entitled to have one representative in it. They are also constitutionally granted to have more representatives as their population size reaches one million.<sup>31</sup> Hence, the Council of Nationalities, as one of the institutions established to respect constitutional rights of the people, is responsible for and plays an important role in enhancing the democratic unity of the regional state<sup>32</sup>.

### **3.2 Conflict Management and Resolution Strategies of the CoN**

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<sup>28</sup> Article 39/4/ of the revised constitution of southern nations nationalities and peoples regional state(2001)

<sup>29</sup> Strategy for conflict resolution in the SNNPR, prepared by the Council of Nationalities, 2011

<sup>30</sup> It is hoped that the representation of all these nationalities, especially minorities, will create harmony and peaceful relation among nationalities and strengthens the unity of the regional state, which they inhabit. In addition to representation role, the House promotes their identity, culture, history, and so forth.

<sup>31</sup> The essence of representation of Nations, and Nationalities representation necessitated to not be become Council of Nationalities as a means of restraining ‘the large Nationalities from having improper advantage over the small ones’ interview held with Lema Gezu, November, 2011

<sup>32</sup> Ibid

As it has been clearly pronounced in this article, the gravity of the above mentioned conflict cases necessitate the need to establish conflict resolution institutions at sub-national level like Council of Nationalities. Accordingly, it is extremely important to have a clear policy and strategies to discharge duties effectively. Hence, CoN has designed strategies of conflict management and resolution as per the mandate given by the region's constitution. In this section, the article examines the list and nature of the strategies of conflict management and resolution formulated by the CoN, and discusses the way it executes those strategies to manage and resolve conflict cases appearing in the region.

The Council of Nationalities has designed the following strategies to address conflict cases and ensure peace and stability in the region. Making all-round participation in conflict resolving tasks, performing capacity building activities, identifying and strengthening social organizations, extending peace education and working on the youth continuously are some of the strategies. The CoN claims that much has been done to empower women and to make them participant in conflict resolution processes, and integrate development plans with conflict resolving tasks.<sup>33</sup>

### **3.1.1. Encouraging all-round participation in conflict resolving tasks**

The CoN characterizes the involvement of various societal organizations as a corner stone for conflict management and resolution<sup>34</sup>. Sustainable conflict resolution could be attainable, if and only if, various social institutions are encouraged to participate in the process<sup>35</sup>. Community elders, religious leaders and clan leaders have big potential to use their widespread recognition and respect in several social issues<sup>36</sup>. Nonetheless, informants approached for this study claimed that though the elders have potential to manage and resolve conflicts, those who served as elders and worked with the CoN were not ones accepted as such by the community<sup>37</sup>. The informant further noted that in many conflict resolution processes, the government manipulates elders to ultimately obtain results that it desires.

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<sup>33</sup>See Council of Nationalities, Conflict Mapping document, 2011, P 42-46

<sup>34</sup> Strategy of conflict resolution of the SNNPR, 2011 prepared by the Council of Nationalities

<sup>35</sup> Ibid

<sup>36</sup> An interview held with Zelleke Belayneh , whom working in Council of Nationalities, as Nationality common values promotion and dispute core work process on October 21, 2011

<sup>37</sup> An interview held with anonymous informants on October 27, 2011

Moreover, some elders whom were elected to work as partners with the Council of Nationalities were highly emotional and partial towards their respective communities. They were accused of playing destructive roles in the efforts to mitigate conflicts. For instance, during conflict settlement process of Sidama-Wolyta, local elders exacerbate the conflict and led it to violence<sup>38</sup>. Undeniably, the effectiveness of a dispute settlement system depends upon the selection and training of credible participants and their impartiality or the perception of impartiality. Therefore, conflict management and resolution could be creative, when institutions working with conflicts are critical in recruiting key personalities who are respected by a particular community so that the process of conflict management and resolution could be more participatory.

### **3.1.2. Extending peace education**

Culture of peace has to be identified in the socio-political and economic dynamics of the society that could either sustain the culture of violence thereby hindering the achievement of a culture of peace or create a condition for the entrenchment of a culture of peace (LeBaron, 2003). There may also be a tendency that the socio-economic and political dynamics may sustain the culture of violence and the culture of peace in different context of life or even in the same areas in different contexts.

The process of entrenching the culture of peace in the SNNPR via the Council of Nationalities in collaboration with NGOs and bilateral cooperation has accomplished core tasks such as organizing peace conferences for the public through mass media and preparing a training manual in collaboration with partner organizations working in the area of peace and conflict resolution<sup>39</sup>. In this regard, it is GiZ which takes the lion's share by facilitating the peace conference. In a similar vein, an interview held with the coordinators of GiZ<sup>40</sup> in the south district corroborated that they had been busy preparing forums to create awareness in different areas of the region. He further shed light on the effort being made by the GiZ in south district that peace culture, peace education, and conflict management and resolution techniques were priority areas in which the organization operated. In general, in the processes used to entrench the culture of peace, the CoN in collaboration with GiZ has been trying to put forth efforts. However, the absence of skilled

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<sup>38</sup> Ibid

<sup>39</sup> An interview held with Zelleke Belayneh, whom working in Council of Nationalities, as Nationality common values promotion and dispute resolution core work process owner on October 21, 2011

<sup>40</sup> An interview held with David Fuechtjohann November, 27, 2011



manpower and lack of commitment from the local government side led the project to struggle and fell somehow short of expectations.<sup>41</sup>

### **3.1.3. Reducing damage and creating suitable information networks for conflict resolution tasks**

Conflict assessment is the process of systematic collection of information about the dynamics of a conflict and open-ended, participant-based data as the path to specifying conflict processes<sup>42</sup>. Well-designed information system is particularly useful for third parties such as intervention agents and institutions which are mandated to investigate a particular conflict.

Some key informants, for example Zeleke<sup>43</sup>, stated that the CoN has used systematic ways of collecting and obtaining necessary information. He further claimed that it has strong network with zonal, *woreda* and *kebele* leaders who collect information which shall be used as input<sup>44</sup>. As opposed to what has been said above, an anonymous informant approached the interviewers and noted that the CoN did not establish channels of communication to exchange information with stakeholders. As a result, there is no trained expert in the CoN to process information systematically. Undeniably, well trained human resource and smooth line of communication are necessary to be able to work cooperatively with stakeholders, and transform conflicts. The researcher had the opportunity to see the CoN filing and information management systems and found it poor and disorganized. However, effective conflict settlement requires sufficient filing system, i.e. availability of information to be used as input for the purpose of case investigation.

Moreover, interview held with the anonymous informant portrayed the “Council of Nationalities” as less effective in discharging its responsibilities due to the following reasons. First and foremost, the CoN does not have early warning systems. Secondly, there is nobody assigned to collect information on behalf of it about the day to day activities that go on in the

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<sup>41</sup> Ibid

<sup>42</sup> Conflict Resolution and Negotiation Skills manual, prepared by International Network for Capacity Building in Integrated Water Resources Management 2008

<sup>43</sup> An interview held with Zelleke Belayneh, whom working in Council of Nationalities, as Nationality common values promotion and dispute resolution core work process owner on October 21, 2011

<sup>44</sup> An interview held with Zelleke Belayneh, whom working in Council of Nationalities, as Nationality common values promotion and dispute resolution core work process on October 21, 2011

region. What it has been doing so far is forming committee(s) when cases presented to it. Most cases were submitted to it after the conflicts escalated to violence<sup>45</sup>.

### **3.2. The Council of Nationalities Intervention Systems**

The intervention mechanisms that the Council of Nationalities takes to settle conflicts has been conducted by carefully considering the context of the political, social and economic situation of the conflicting parties<sup>46</sup>. According to the key informant approached for the study, the first phase was conceptualization and diagnosis of the nature and characteristics of conflicts, actors, history of the conflicts and efforts being made to resolve conflicts so far. Following the mapping of conflicts, discussions with local government officials and security institutions decided on the intervention mechanisms<sup>47</sup>. However, the key informant<sup>48</sup> was critical of the above mentioned claim of the CoN'. He<sup>49</sup> further argued that the CoN's effort to map conflicts in the region led to politicization of issues and overlooked vital scientific methodologies.

#### ***Military Interventions in the Region***

Interventions the CoN made so far have two dimensions<sup>50</sup>, i.e. peaceful reconciliation (for cases that are not violent in a particular context) and fire brigade approach (military intervention). Given the fact that it has not a command to deploy security forces, it carried out military intervention in collaboration with the executive council of the region to contain violent conflicts.<sup>51</sup> But military interventions made so far were not successful as some members of the security forces sided with their respective ethnic groups<sup>52</sup>. There was such experience during the 2008 clashes between peoples of Konso and Derashe, in which some members of the South Police Special Force took sides and intensified the conflict to the worst level<sup>53</sup>. The 1995

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<sup>45</sup> An interview held with anonymous informants on October, 27, 2011

<sup>46</sup> An interview held with Zelleke Belayneh, whom working in Council of Nationalities, as Nationality common values promotion and dispute resolution core work process on October 21, 2011

<sup>47</sup> Ibid

<sup>48</sup> Interview held with Birku Adugna, lecturer at Hawassa university

<sup>49</sup> Ibid

<sup>50</sup> Interview held with Lema Gezu, November, 2011

<sup>51</sup> An interview held with Zelleke Belayneh, whom working in Council of Nationalities, as Nationality common values promotion and dispute core work process owner on October 21, 2011

<sup>52</sup> An interview held with Tekle Deidu whom worked in CoN conflict management and resolution division (2001-2009) November 20, 2011

<sup>53</sup> An interview held with Anonymous informant on November, 16, 2011

Sidama-Wolyta conflict was contained through deploying security forces. However, it still remains tense and has likelihood to erupt again when there are triggering issues<sup>54</sup>.

### **3.3. Challenges of the Council of Nationalities (SNNPRS)**

Challenges the CoN has been facing are multifaceted. Most of them emanated from shortage of budget, lack of skilled manpower, lack of good governance and absence of systematic strategies to deal with conflicts. Furthermore, weak horizontal and vertical interaction, absence of clear structure that that can involve the population, confusion in clearly setting the role of the Council and delay in handling have been the shortcomings of the CoN so far<sup>55</sup>.

#### **3.3.1. Lack of good governance in the SNNPR**

Tekle Deidu states that “issues like structural instability, low level of recognition of the traditional conflict resolution system, misunderstanding between political parties and their role in conflict resolution and aggravation, and lack of political will and commitment are some of the visible features of mal-administration in the region”<sup>56</sup>. Undoubtedly, mal-administrations induce conflicts and instabilities. Such issues are not unique to the CoN as many conflict cases in the region are driven by bad governance related problems, marginalization, deep-rooted discrimination and domination of ethnic groups over minorities.<sup>57</sup>

On the other hand, Zelleke<sup>58</sup> claimed that absence of good governance has not been the main cause of conflicts in the region. The people and local government officials’ misinterpretations of the new political arrangement (ethnic-based federal system) would rather be a driving force to degenerate ethnic groups to conflicts.

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<sup>54</sup> An interview held with anonymous informant on ,October , 29, 2011

<sup>55</sup> An interview held with Tekle Deidu who worked in CoN conflict management and resolution division (2001-2009) November 20, 2011

<sup>56</sup> An interview held with Tekle Deidu whom worked in CoN conflict management and resolution division (2001-2009) November 20, 2011

<sup>57</sup> Ibid

<sup>58</sup> An interview held with Zelleke Belayneh , whom working in Council of Nationalities, as Nationality common values promotion and dispute core work process on October 21, 2011

### **3.3.2. Financial constraints and shortage of skilled manpower**

Financial constraint is a big quandary the Council of Nationalities encountered. Government support, it could be both from federal and regional level, is not sufficient. As a result, it faced serious problems in dealing with registered cases and resulted in delays. At the moment, however, CoN budgetary problems were not solved, but partners like GiZ supported it both financially and materially<sup>59</sup>.

As it has been said earlier, well-trained human resource is the most important issue for institutions working in conflict management and resolution. Hiring staff members who are relevant to the field highly determine success and failure of the institutions. In this regard, the CoN has no sufficient staff members who are trained in the field of conflict studies and communication. For that reason, staff who are working as expert in the CoN are few (only two) in number. For the institution which was established supposedly to manage the ethnic relations of various ethnic (more than fifty six) groups, having only two experts is not more than showing the existence of nominal institutions. However, the regional government claimed that the staff is highly qualified and pretty enough to coordinate the activities of the CoN<sup>60</sup>.

### **3.3.3. Absence of a systematic strategy to handle cases**

Conflict handling is an expensive and demanding task. As a result, it requires institutions working in the areas of peace and conflict to be patient, creative and methodical (Fisher, 1993). In the study areas, stakeholders' (government agencies, practitioners and religious groups) conceptualization of conflicts, their nature, dynamics and intervention mechanisms and the art to approach conflicting parties are not systematically designed<sup>61</sup>. Participants of the resolution processes were involved without having proper knowledge because they had neither the science nor the art of conflict resolution. As a result, there is no integrated and comprehensive approach

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<sup>59</sup> An interview held with Zelleke Belayneh, whom working in Council of Nationalities, as Nationality common values promotion and dispute core work process on October 21, 2011

<sup>60</sup>Ibid

<sup>61</sup> An interview held with Birku Adugna Damte, lecturer at Department of governance, Hawassa University, November 2011

to dealing with conflict cases scientifically. As different scholars noted, the art and science of conflict resolution is not something that end overnight.<sup>62</sup>

Well studied plan of action and strategies in each step of the resolution process are required. Successful conflict resolution strategies and practices need integration of both external and local knowledge, transparent procedures, an accessible judicial system, and the like (Regassa, 2009). With this regard, cases whose resolution processes were carried out by the CoN showed, once involved in the resolution process, it did not chec to transform it to the next level. As conflict is a never ending social process, then things we learned from our experience are very useful to handle other conflicts<sup>63</sup>. Moreover, most of conflict resolution trends in the region witnessed that the processes are under the sphere of influence of the ruling party. Most of the conflict resolution processes were concluded neither in ways that involved empirical data, nor were they based on rationales presented.

Instead top leaders of the regional state decided on resolving conflicting issues and the way they were resolved as per the command given by top leaders and middle and lower level leaders enforced rules to convince conflicting parties to accept the resolution. If both or one of the conflicting parties refused not to accept the resolution, intimidation and torture would follow. Religious leaders and clan leaders played major roles in giving the resolution processes legitimacy<sup>64</sup>.

#### **3.3.4. Unlawful horizontal and vertical intervention**

Interdependence between the federal government and regional states has been a fact and both levels of government need to respect the powers each level exercises (Fisher, 2001). However, for any reason, sometimes disputes may arise between the federal and regional governments. For instance, the two levels of government may experience disputes over divisions of powers and so forth. For such circumstances, there has to be a constitutional mechanism to deal with vertical conflicts.

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<sup>62</sup> bid

<sup>63</sup> An interview held with Anonymous informants on October, 27,2011

<sup>64</sup> Ibid

In Ethiopia, the FDRE Constitution states nothing about how to deal with vertical conflicts, i.e. conflicts between the federal government versus regional states (Abbink, 2011). In a similar vein, Tekele<sup>65</sup> noted that despite segregation of authorities between the CoN and HoF in their vertical relationship, practically in some cases HoF meddled in cases being entertained by the CoN unconstitutionally. The conflict between Gamo Gofa and Debub Omo over their border side, Arasaki, shows that the resolution process can be taken as a best case to show the unconstitutional intervention of the HoF in the CoN authority<sup>66</sup>.

### **3.4. Prospects of the Council of Nationalities**

The CoN adopted some remarkable trends working with different stakeholders, designed a strategy of conflict resolution, researching the history, cultural practices and core values of nations and nationalities and peoples of the region and preparing conflict analysis reader which includes the situation of each nation, nationality and people of the region.<sup>67</sup>

#### **3.4.1. Preparing strategies for resolving conflicts and conflict analysis reader**

The CoN has carried out assessment that shows the prevailing situation starting from its establishment to 2007 so as to prepare a strategy for resolving and managing conflicts. In the process to prepare a reader, government bodies, civil society organizations and resource persons participated. Moreover, discussions were held at different levels to enrich and develop the document<sup>68</sup>. In a similar vein, an interview held with Zeleke<sup>69</sup>, the regional Council of Nationalities has also delved into the community behavior, i.e. the community beliefs and the perceptions and cultural systems. Accordingly, behaviors of different nations and nationalities have been recorded in a file form so that the tasks of conflict management and dispute resolution will not be longer difficult<sup>70</sup>.

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<sup>65</sup> An interview held with Tekle Deidu whom worked in CoN conflict management and resolution division (2001-2009) November 20, 2011

<sup>66</sup> Ibid

<sup>67</sup> An interview held with Zelleke Belayneh, whom working in Council of Nationalities, as Nationality common values promotion and dispute resolution core work process owner on October 21, 2011

<sup>68</sup> Strategy for conflict resolution prepared by council of nationalities(SNNPR),may 2011

<sup>69</sup> An interview held with Zelleke Belayneh, whom working in Council of Nationalities, as Nationality common values promotion and dispute resolution core work process owner on October 21, 2011

<sup>70</sup>Strategy for conflict resolution prepared by Council of Nationalities(SNNPR),may 2011

#### **4. Conclusion**

The Ethiopian federal system has been working to devise mechanisms to prevent inter- and intra-regional controversies. Because of the serious dangers that ethnic conflicts pose to multiethnic states, and the seemingly inevitable periodic disputes arising among ethnically defined communities and so forth, it is imperative that the federation develops methods of conflict resolution. In a federation, an organ or institution is needed to resolve both vertical and horizontal disputes. Accordingly, the 1995 FDRE Constitution established permanent institutions, i.e. the House of Federation and Ministry of Federal Affairs, for this purpose.

Recognizing the inevitability of disputes among the various nationalities, the SNNPR Constitution also realized the establishment of the Council of Nationalities. The drivers of ravaging conflicts in the region are underpinned mainly by the political strategy of EPRDF used to create subnational governments. Some of the commonly cited causes are merging of diverse ethnic groups together, the struggle of ethnic groups to reserve their identity and their right to self-administrative, border issues and natural resource utilizations coupled with maladministration.

In an endeavor to fulfill its mandate, the CoN has designed the following strategies of conflict resolution. Accordingly, extending peace education, making all-round participation in conflict resolution tasks, creating a suitable information network and reducing damages were included. The CoN has also endorsed mechanisms of intervention whenever violent conflicts appear within its authority. As a result, peaceful reconciliation and military interventions have been used to settle conflicts. Quite understandably any conflict resolution institution faces challenges in the effort to make peace. The absence of early warning systems, financial constraints, the absence of skilled manpower, poor information management systems, failure to utilize social agents and indigenous conflict resolution techniques are among the challenges the CoN has faced so far.

On the other hand, there are a couple of things that are accomplished by CoN that are promising. Some of the strategies employed by CoN are working with institutions like GiZ, preparing training in conflict prone areas, peace education using mass media and mapping actual and potential conflict areas in the region. It has also been working to reshape the societies' understanding of conflicts. Given the fact that conflict is a social phenomenon, it

would have positive synergy if conflicting parties worked out their problems collaboratively by understanding each other's concerns and interests.

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