Twenty Years of Experimenting With 'Revolutionary Democracy': Elections and Democratization in Ethiopia, 1991-2010

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Introduction

Following its capture of state power in May 1991 the Ethiopian People's Revolutionary Democratic Front (EPRDF[2]) promised the country and its people: multiparty democracy, respect for human rights, a decentralized system of governance and a liberalized economy. To make true its promises, it proclaimed a Charter for the Transitional Period which enumerated the various freedoms, policies and rights to come (see TGE Charter 1991).

In its project of reordering the Ethiopian state, the EPRDF dismantled the structures of the *Derg* military regime (1974-1991) and proceeded to replace them by its own structures of governance and introduced a new administrative map of the country based on linguistic/ethnic criteria. It also discarded the military regime's command economy and announced a more free market-oriented policy (see TGE New Economic Policy 1992). The newly introduced federalization policy and multiparty democracy system were later promulgated in the 1994 National Constitution (see the FDRE Constitution 1994, effective in August 1995).

After nearly twenty years in power and the conduct of several elections, the democratization enterprise in Ethiopia is foundering and what is being institutionalized is a *de facto* one-party state (Tronvoll2011) where the role of what appears to be a vanguard party is central. There is a huge gap between popular expectation and the reality on the ground. The bewildered Ethiopian people have continued to ask: *quo vadis* Ethiopia? The 'mother of all problems' in Ethiopia's hoped for democratic transition is the regime's philosophy of 'revolutionary democracy', which is officially presented as an anti-thesis of liberal democracy and its *modus operandi* based on the Leninist principle of 'democratic centralism' both of which allow the fusion of party and state that fully negates the separation of powers as well as check and balances. The conscious choice of such an ideology is the hegemonic aspirations of the EPRDF leaders, which is reinforced by the legacy of the inherited authoritarian political culture that have been frustrating both the creation of democratic institutions and an effective and fair federal structure of governance.

This study, by using multiple sources of data, offers an in-depth empirical investigation of the EPRDF regime's twenty years' experiment with democratic transformation and with the concomitant efforts to build federalism.

[2] Acronyms are explained in the Appendix. They will be spelled out when first mentioned.

Democracy and Democratic Elections: Some Theoretical Discussions

After the departure of some of Africa's dictators such as the Bandas and Kaundas through the ballot box in the wave that has been precipitated by the end of the Cold War, most of its brutal dictators survived the wave by instituting cosmetic changes where 'free and fair' elections have been presented to the public as a 'midwife' for democratic transitions. Consequently, undemocratic elections continue to be conducted to legitimize authoritarian regimes across Africa, often more for the consumption of the donors than for the empowerment of citizens. Thus the art of election manipulation has been perfected by both old and new authoritarian leaders in much of the continent while more interestingly the American 'war on terror' has provided a new opportunity equivalent to the Cold War where dictators could declare themselves as 'anti-terrorists', but allowed to terrorize their own citizens without a closer scrutiny of the western powers, which at least theoretically support democratic transitions. Here Mubarak, Meles and Museveni have been the best examples. In sum, elections have become rituals to legitimatize authoritarian rulers than effecting regime changes by the consent of the people. And, by the turn of this century regime types that have emerged in Africa can be characterized as what Ninsin (2006) calls 'choiceless democracies' at best, and 'electoral authoritarianism' Schedler (2006) at worst. And, even if we have reason to agree - especially after the call for the ballot box swept away two of Africa's entrenched brutal dictators in Tunisia and Egypt - with a more positive balance sheet by Josef and *et al* (2008) in their work, 'Progress and Retreat in Africa: Challenges of A "Frontier Region", there are only few spots on the continent's political map that can qualify as democratic states.

One of the most serious problems associated with elections and democratic transitions in Africa is what Basile Ndjio (2008), following Hermet, calls the turn of African dictators into 'democrats by convenience', not by conviction (p. 118) i.e. 'the ability of African dictators to invent their own democracy' (p. 120). As we shall see below, arguably the EPRDF regime's 'revolutionary democracy' is the best example of such an invention in Africa.

In connection with the role of elections, Ali Mazrui (2008) in his advice to African democratizers, argues that there is a need 'to distinguish between fundamental rights and instrumental rights', where to him 'the right to vote ... is an instrumental right designed to help us achieve the fundamental right of government by consent' (p. 2). Furthermore, in making a distinction 'between democracy as means and democracy as goal', he has noted that

the four fundamental goals of democracy are to make the rulers accountable for their actions and policies, to make citizens effective participants in choosing those rulers and in regulating their actions (with free and fair elections as the instrument); to make society as open and the economy as transparent as possible, and finally to make the social order fundamentally just and equitable to the greatest number possible (*Ibid:*.2).

Even African dictators may not quarrel at the theoretical level with Mazrui as to the centrality of elections 'to make citizens effective participants in choosing [their] rulers and in regulating their actions'. But the real challenge is the commitment to conduct genuine 'free and fair' elections at a point in time when even Africa's most brutal dictators already boldly claim that they *were* elected into office through such 'free and fair' elections and *are* accountable to their citizens. In this respect, Anebo has noted:

> …..in Africa ….the incumbents, however bad, tend to win elections. It is not uncommon for ruling parties and their leaders to manipulate the vote with ease. Most African heads of state see nothing in using the trappings of office to campaign for re-election. Some presidents also appoint those who run the election. And, when all else fails, they can loot the treasury to buy votes. (Anebo 2001: 70)

In the same vein, Bangura (1998: 23) has argued that "…there is still much arbitrary rule in many parts of Africa, including in countries that have made significant progress in instituting the rule of law as a cardinal principle of statecraft". He noted that ruling parties were not sufficiently separated from the state institutions, and the organization of 'free and fair' elections as well as the alternation of governmental power by the political parties was rare.

Van de Walle (2002: 67), who gives a topology of regime types in Africa that runs from 'full democracy, hybrid regimes to electoral autocracy' observes that "Vote fraud is common. Violence against the opposition goes unpunished. Civil society and the press are repressed", all of highly contribute to what has termed "elections without democracy." Schedler (2002), who also shares van de Walle's "Elections Without Democracy", not only makes a clear distinction between 'electoral democracy' and 'electoral authoritarianism', but also cogently argues that "To qualify as democratic elections must offer an effective choice of political authorities among a community of free and equal citizens' (p. 3) and that 'they must take place in an open environment where civil and political liberties are not subject to repression' (p.5).

Schedler (2006), in his recent volume, summarizing the global experiences on election manipulations, introduced a very useful concept in the study of elections: *electoral authoritarianism.* In this work, which incidentally includes Ethiopia as one of electoral authoritarian regimes, he noted that:

> A large number of political regimes in the contemporary world…. have established the institutional façades of democracy, including regular multiparty elections …. in order to conceal (and reproduce) the harsh realities of authoritarian governance. Although in historical perspective the authoritarian use of elections is nothing new, contemporary electoral authoritarianism regimes take the time-honored practice of electoral manipulation to new heights (2006: 1).

He further argued that under such regimes, appearances of inclusivity, pluralism and competitiveness deceive and hide the flouting of the liberal democratic principles of freedom and fairness so as to render elections instruments of authoritarian rule rather than 'instruments of democracy'. Overall, he claims, "…electoral contests are subject to state manipulation so severe, widespread, and systematic that they do not qualify as democratic'' (*ibid.* In identifying the different mechanisms widely used by authoritarian regimes in their attempts to hold on to power by using any means necessary, Schedler noted that rulers can:

> …devise discriminatory electoral rules, exclude opposition parties and candidates from entering electoral arena, infringe upon their political rights and civil liberties, restrict their access to mass media and campaign finance, impose formal or informal suffrage restrictions on their supporters, coerce or corrupt them into deserting the opposition camp, or simply redistribute votes and seats through electoral fraud (*ibid.*).

Consequently, to join Paul Nugent & Michiel Hendrix (2009) in their query regarding elections in Africa, in few countries elections are fair while in most states they are both façade and failure. And, as we shall see below, such observations equally apply to the Ethiopian context, the subject of this study. This article argues that under the Ethiopian condition of the 'ideology of revolutionary democracy', which allows the fusion of the role of the party and state and designed to fulfill the hegemonic aspirations of its proponents, the basic principles of liberal democracy are easily negated and consequently the democratization of state and society is easily derailed. The article further argues that as the Leninist principle of 'democratic centralism' (developed as an anti-thesis of liberal democracy), which requires decisions of higher bodies to be accepted and implemented by lower bodies without asking

any serious questions is central in this ideology, it has the resultant effect of undermining the separation of powers and check and balances, blocking open democratic discourse and local initiatives by turning citizens to mere recipients of orders than active participants in their own affairs while tends to promote centralization than decentralization of power as well as concentration of power than devolution of power. Taken as whole such a strategy is designed to make the ruling party to stay in power by undemocratic means as the proponents of this ideology consciously undermine the respect for the rule of law and the independence of institutions critical for the conducting of 'free and fair' elections such as the National Electoral Board, the judiciary, etc.; while not hesitating to use the repressive arms of the state – the police, the security personnel and the army during and between elections for massive repression to get the desired results. Certainly, these are what universally applied in all Ethiopian elections to date at varying degrees.

The Change of Regime and the Promise of Multiparty Democracy

The EPRDF, which assumed state power in May 1991, promised both federalism and multiparty democracy in response to the popular quest for equality and democratic governance. The ethnic-based model of federalism appeared to be a response to the much debated 'national question' since the 1960s among the forces of change while multiparty democracy seems to be motivated to get the support of the victorious West in the Cold War.

The Transitional Charter and the Transitional Government

Upon capturing state power the TPLF/EPRDF quickly moved to consolidate its position by calling a national conference to establish the 'Transitional Government of Ethiopia' under its complete control. Conspicuously, attendance of the conference was by invitation of the EPRDF leaders. Some 'political parties' created over-night were selectively invited to attend[3], while political parties of far longer existence but not liked by the EPRDF were excluded. No less worse, the organizational basis of TGE as well as the decentralization of the administrative structure were all products of political engineering guided by the imperatives of the 'right to self-determination up to secession' - core political commandments

[3] Some of such political groups were: APDM, APDM, BPDO, GPDO, GPDF, HNDO, KPDU, KPC, OPDM, WPDF & YNDM.

both in the TPLF/EPRDF programmes. By the same token, the ethnic-based decentralization formula and the consequent state restructuring were also a logical product of the TPLF's philosophy of 'national struggle first', while what is presented as a 'democratization' initiative as a whole seems to be guided by the EPRDF's political philosophy of 'revolutionary democracy' (Merera 2002, Leenco 1999).

The rationale for the July Conference of 1991 was ostensibly the need to establish a 'legitimate, broad-based' transitional government that could prepare the country for a 'smooth democratic transformation', as agreed upon at the American-brokered London Peace Conference (see Cohen 1991). But, the more than two dozen political groups invited to attend the conference had no strength and no agenda of their own. The exception was the Oromo Liberation Front (OLF); another armed insurgent movement (founded about 1974).

As expected, the T.G.E. Charter, approved with little or no resistance among the participants, was made to serve as the supreme law of the land for the transitional period. This Charter, which provided a façade of legality to the new regime, had both negative as well as positive aspects. On the positive side, it stipulated the new regime's commitment to respect the Universal Declaration of Human Rights by the United Nations, especially the 'freedom of conscience, expression, association … peaceable assembly … right to engage in unrestricted political activity and to organize political parties' (see the T.G.E. Charter 1991). It also contained the provisions that promised to address the historical grievances of the hitherto marginalized ethnic groups and their quest for equality. But with the benefit of hindsight one can argue that except some positive gains in the areas of culture and language, the negative side of the Charter far outweighed the positive side while even the positive provisions on paper are generally negated in practice.

New strategies of power consolidation: The PDOs and the regionalization policy

More than anything else, the novelty of the TPLF/EPRDF leadership is the creation of the PDOs. The PDOs are in name 'peoples' democratic organizations', which are in reality satellite parties created by the TPLF/EPRDF to facilitate central control.[4]. It reflects a strategy

[4] There are two types of PDOs: those which are directly made members of the ruling party (OPDO, EPDM, later renamed ANDM) and those which are said to have allied with the ruling

of manufacturing a political support base by creating controlled ethnic-based organizations for the various ethnic groups of the country. This has helped the EPRDF leaders to speak through the mouths of other ethnic groups as well as win elections and rule the country in the name of 'all the peoples of Ethiopia'. The prime uses of the PDOs system is to help covering the false political game of decentralizing power on paper, but effectively centralizing in practice through the party structure (compare Merera, 2002; Leenco, 1999; Aalen, 2000). And the TPLF, as the creator of all the PDOs that constitute the EPRDF, remained at the top of the pyramidal (informal) power structure. Put differently, the PDOs are controlled through the formal application of party rules based on 'democratic centralism', the *modus operandi* of 'revolutionary democracy' (Aregawi 2009), and forced to implement the decisions made by the TPLF/EPRDF leading bodies at all levels.

In the 5-tier government structure - i.e. federal, regional, zonal, *woreda* and *Kebele* levels - the TPLF generally controls the central government by occupying the key political posts (Prime Minister) as well as the key posts in the army, the police and security structure. In other words, the TPLF, which controls the PDOs through the EPRDF, in turn controls the regional and other tiers of local governments through the PDOs. Here, it is important to note that as Young (1997: 212) has observed, the cadres of the PDOs `have little political or military experiences, generally have low levels of education, frequently appear to be motivated by opportunism, and not surprisingly, have little legitimacy among their constituents.' Despite gaining some experience and training in the later years, the non-TPLF cadres have continued to be more corrupt and lack legitimacy. At any rate, Young is not alone to make such observation. Aalen (2000), who has done extensive interviewing with Ethiopian officials and the local cadres, confirms the same thing. Questioning Ethiopia's federal policy and the decentralization of power through the instrumentality of the PDOs, she notes:

> The centralized party structure of the EPRDF is clearly contradictory to the provisions of the federal and regional constitutions, which give these levels the right to self-determination. It promotes upward accountability to the party organs above rather than downward accountability to the people of the region, *Woreda* and *Kebele*. The constitutional rights for the regions to formulate and implement plans and policies are severely diminished by the fact that the regional governments, which are all under the EPRDF's hegemony, follow the centrally designed policies and five-year plans… in the Ethiopian case, the party structures are centralized, and

party (ANDP, BGPDF, GPDM, HNL & SPDP). All take directives and orders from the same centre.

> when the state and party are the same this leads inevitably to a centralized division of state power. (2000: 80)

Aalen further points out that there is a 'dual administration' whereby as she says 'politics outside of the legal framework' dominates the *modus operandi* of the EPRDF federation and the decentralization of power thereof *(ibid*.). Ironically, several years after the observations of both of Young and Aalen were made we still find the same anomaly within the EPRDF federal experiment. In the next section we look at the way in which elections have figured in Ethiopia's post-1991political experiment.

The June Local Elections of 1992

The regional election of 1992 became the first major test for the new regime's decentralization initiative. It was hoped both to further legitimatize EPRDF's rule and ensure local autonomy. To judge the fairness of the process, international observer groups were invited. However, as the stakes in these elections were high for both the incumbent government and the major opposition groups, the existing atmosphere of distrust and suspicion easily turned to one of confrontation. The OLF, the then major contending party, was forced to withdraw from the election process at the eleventh hour. Consequently, the other legally registered parties like Islamic Front for the Liberation of Oromia (IFLO), All-Amhara Peoples' Organization (AAPO) and the Southern Ethiopian groups boycotted the elections, while the older revolutionary parties of the 1970s like the Ethiopian Peoples' Revolutionary Party (EPRP) and All Ethiopian Socialist Movement (MEISON) were excluded from the process. According to the Report of the US National Democratic Institute of 1992 (NDI/AAI, 1992: 7): "The June 21 elections did not contribute directly to Ethiopia's development as a democratic state. At best, the elections were premature, especially for the southern half of Ethiopia. Less kindly judged the elections were ill-conceived, dubious and counter-productive in their contribution to the democratization of Ethiopia."

Despite such concerns by both national and international observers regarding the flaws in the election process, the EPRDF quickly moved to set up local governments, which were neither democratic nor autonomous. And in what seemed to be a new style of authoritarianism, TPLF ensured its domination over Tigray while the rest of the EPRDF's constituent parts, the Oromo People's Democratic Organization (OPDO), the Ethiopian People's Democratic Movement (later renamed in ethnic form as the Amhara National Democratic Movement or

ANDM) and the Southern Ethiopian Peoples' Democratic Front (SEPDF) established a monopoly of power over the Oromo, Amhara and Southern Ethiopian regions respectively (Pausewang, 1992).

Constitutional engineering and the institutionalization of a *de facto* one-party state

As set out in the Charter, the final act in closing the transitional chapter was the constitution-making process, both for the consolidation of power and fulfills the quest for legitimacy of the ruling party. To facilitate the process, the EPRDF-controlled Council of Representatives (COR) appointed a Constitution Drafting Commission in 1993 pursuant to Article 10 of the Charter (see the T.G.E. Charter, 1991). To ensure the loyalty of the Commission, members of the Commission were mostly hand-picked from members of the EPRDF-dominated Council of Representatives itself, while the few Commission members appointed from outside the Council were subject to the approval of the same body (Merera, 2002 Vestal, 1996). Consequently, the EPRDF leaders got elected a rubber stamp Constituent Assembly on 5 June 1994 in an election boycotted by all independent political groups. And, despite the need for building a national consensus over basic issues such as constitution making, the TPLF/EPRDF sponsored draft was put to the vote of a Constituent Assembly practically controlled by the EPRDF itself (Pausewang, 1994). Not surprisingly, every article of the draft constitution was approved unanimously or with one or two dissenting voices in the 547-member Constituent Assembly. As a result, in the eyes of many observers the basic provisions in the new Constitution were taken from the EPRDF programme in both letter and spirit (Cf. EPRDF Programme, 1991; Vestal, 1996). In this regard, as the American scholar Th. Vestal cogently put it:

> The draft constitution embodies essentially what the EPRDF/TGE wishes the world outside and its own people to believe about the political order….. The constitution does not restrain government because it is not an expression of a firm belief in the importance of doing so. Exercise of power in such a system is not subject to review by someone other than the holder of the power - the antithesis of constitutionalism. (Vestal, 1996: 35f)

The Constitution was an attempt by the TPLF to canonize the remaking of Ethiopia according to its own image and ensure the permanency of its hegemonic position in the reordered state. As we shall see below, all the measures taken by the new regime in the post-1995 period were aimed at the further consolidation of power in the face of doubtful legitimacy and substantial resistance among the opposition as well as the wider public at large.

The Non-Competitive 1995 Elections

Like the elections during the transitional period, once again the 1995 elections were conducted without level playing field conditions for the contending parties. A major study on the 1995 elections conducted by the Department of Political Science and International Relations of Addis Ababa University showed that more than 56% of the people interviewed across the country expressed a lack of genuine choice among candidates. This figure was higher for the Oromia Region, the Southern Ethiopian Peoples Region and Addis Ababa (71%, 72% and 75.6% of the respondents, respectively) (see Department of Political Science & International Relations [PSIR] 1997). No known opposition party participated in these elections, and according to the statistical report of the National Election Board, the EPRDF took more than 90% of the seats. And, despite the much publicized 'birth of the new republic' by Ethiopia's ruling party, the central question in the country's politics - which way power was to be transferred, through the barrel of the gun or the ballot box - was not settled in the eyes of most Ethiopians. The Norwegian election observer group concluded that the 1995 elections could not be termed 'free, fair, and impartial' and has noted that "Conducting elections as a mere formality and claiming democracy without having any democratic public debate is a futile exercise" (Tronvoll and Aadland, 1995: 59f.). To be sure, the Norwegian group is not alone to reach in such a conclusion. Ottaway (1995) and Vestal (1996) have identified similar pitfalls in what claimed to be 'free and fair' elections by the Ethiopian regime. And it is in the context of such a flawed transition that the EPRDF has moved to post-transition institution-building in the direction that ensures its hegemony.

The Post-Transition Elections and the Emergence of Electoral Authoritarianism

Having consolidated their power with the 1995 elections, the EPRDF leaders have started to conduct elections periodically every five years - in 2000, 2005 and 2010. All were, with the exception of the 2005 version, largely non-competitive, as argued by most studies. A brief analysis of the three major elections and their implications for both federalism and democracy are in order here.

The 2000 Elections

Despite the participation of some opposition parties like AAPO, Ethiopian Democratic Party (EDP), Oromo National Congress (ONC) and Council of Alternative Forces for Peace & Democracy in Ethiopia (CAFPDE) in the elections, for all practical purposes, the 2000 elections were held with little respect for civil liberties and level playing field conditions needed to conduct 'free and fair' elections. Consequently, as usual more than 90% of the seats were said to be won by the EPRDF and its surrogates. The most serious anomaly in this arrangement was that by far the smallest group among the EPRDF member organizations, the TPLF occupied the central position, while parties which had 106 seats more (ANDM), or 143 seats more.(OPDO) were demoted to play a secondary role. No less serious was the systematic inflation of the Tigrayan seats in the Federal Parliament compared to the other major ethnic groups, especially the Oromo and Amhara. Here if we take Tigray as a base and compare its seats in terms of seats per population with the other regions**,** the Oromo region lost 54 seats, the Amhara region lost 30 seats, Southern Ethiopian Peoples' region lost 14 seats and the Somali Region lost 21 seats (see Merera 2002: 132-33).

The opposition was allowed to win only 13 out of 547 Federal Parliament seats, which were shared between the then known opposition parties AAPO, CAFPDE, EDP, ONC and SEPDU (see Merera 2002: 135). In a nutshell, the process was as flawed as ever. In this connection, a volume discussing the elections notes:

> Large segments of the population characterize the process of democratization in Ethiopia since 1991 as little more than window dressing. … The TPLF/EPRDF changed its Marxist rhetoric in 1989/90 during the last phase of the struggle against the *Derg* regime, and opened up for multiparty democracy and market economy. However, Ethiopians from different walks of life still argue that the change was only in rhetoric, and not in substance. (Pausewang, S. and K. Tronvoll, 2000: 177)

The authors of the volume have further argued that:

> There are strong indications that this scenario is not just a product of foreigners' 'over-interpreting' the empirical data, but a real danger. Peasants have been complaining on a grand scale of threats and intimidation, particularly in places where local authorities are afraid of strong opposition candidates. The conditions for an open process towards democracy are thus far from being met, and vigilance remains necessary. (*ibid*.: 179).

Their keen observation clearly identifies and fairly sums up the major pitfalls in the EPRDF-sponsored elections and the resulting quasi-democracy, a façade, which even the public relations exercises by the regime were unable to hide.

The May 2005 Elections: From Rising Expectation to Rising Frustration

After four major non-competitive elections in1992, 1994, 1995 and 2000, Ethiopia made a great leap forward in the direction of 'free and fair' elections with the May 2005 elections. The leap was made possible as the result of a combined national and international pressure, which forced the EPRDF regime to open up the political space in a manner unknown in the country's long recorded history.

The Major Challenges during the May 2005 elections

The major challenges in the run-up to the May 2005 elections were voters' and candidates' registration, which were immediately followed by election campaigns. As these were the first relatively competitive elections, in a lot of areas, especially where the opposition appeared to have strong support, serious attempts were made by the regime-controlled *Kebele* associations either to selectively register or to discourage registration of persons suspected to vote for the opposition. In such a deliberate scheme of things, the youth, generally known for their opposition to the regime, were specifically targeted for exclusion. Furthermore, some eligible voters still did not register because of the widespread political apathy and their lack of faith in the ballot box that emanated from Ethiopia's past political legacy. Consequently, both voters' and candidates' registration had almost become a war against the opposition. Hundreds of candidates were intimidated and forced to withdraw, while a similar number of opposition members and supporters – including potential candidates - were detained and some even killed (Human Rights Watch 2005b & c). In other words, both stick and carrot were used to reduce the number of candidates, in which the role of the hand-picked National Electoral Board (NEB) officials was central.

When the campaign period came, at the beginning public mass rallies were restricted while the public media was fully closed and the local government cadres were hostile to the opposition, actively blocking the movement of opposition members and supporters. But, as Election Day was coming nearer, and with it the arrival of the international observers, the situation temporarily changed for the better. Critical aspects of the new situation were the national televised debates and mass rallies, which were positively unique and new in the country's history. To put differently, albeit late such unprecedented national debates over key election issues between the ruling party and the opposition and the mass rallies across the

country held by the opposition parties moved millions for the history-making event. Television programs were eagerly watched and radio was listened to by the public, while the turn-out for opposition mass rallies was astonishingly high. As the result, the country's hitherto repressed opposition was able to break its isolation and could galvanize the support of millions. Rising expectations engulfed the nation. Consequently, despite the alarmingly high last minute harassment of opposition activists and voters (see Human Rights Watch 2005b & c) by using repressive methods such as selective detentions of staunch supporters of the opposition as well as party-poll watchers, which included some killings, people came out in force to vote for the candidates of their choice.

The Crisis

Before May 2005 there were mass arrests and harassment of opposition members and supporters, as well as blocking party poll watchers from observing the process to open the way for fraud, but the elections day passed relatively peacefully. However, the Prime Minister, who seemingly had a better grasp of the overall situation, expected trouble and declared a semi-state of emergency in Addis Ababa at the evening of election day. This was practically applied throughout the country (see Aalen & Tronvoll 2009; Abbink 2006).

As expected by many, on the morrow of the elections things started to turn for the worse when with the shock of losing Addis Ababa with nearly 100%, the ruling party declared its victory in the major regions of the country. It claimed to have won enough seats to form the next government, even before 50% of the votes were counted. Arguably, while there was element of surprise in the opposition camp for its excellent showing at the polls, the election results shocked the ruling party, and its new strategy became both to pacify its bewildered cadres on the one hand, and to prepare the ground for the intended massive rigging during the vote counting - without which it became impossible to stay in power - on the other. There were overwhelming indications that, using hand-picked partisan election managers throughout the country, massive tampering with vote-counting took place in many constituencies. This led to 299 cases of complaints of irregularities, which constituted more than 50% of the total seats for the whole country (see European Union Election Observation Mission 2005).

As the opposition continued to challenge the results, the frustrated populace started to react. Consequently, in the chain of events, from June 5 – 8, 2005, first the university students of Addis Ababa, historically the centre of opposition to the successive Ethiopian regimes came out in force. Then the larger populace of Addis Ababa joined in their thousands to demand the investigation of the massive election fraud. The EPRDF leaders, who neither prepared to share power nor to give up power, responded with a massive show of their military muscle, where thousands were arrested and tens of people were killed.

The key demands of the opposition were: restructuring of the NEB, freedom of movement by opposition party leaders and members, strict neutrality of the government security personnel from election affairs, stopping the harassment of members and supporters of political parties, and reasonable access to public media by the opposition. Although the intentions of the opposition were peaceful, the call for the demonstration by the opposition alarmed the government, which started to accuse it of intending to organize a Ukrainian-type 'orange revolution'. Consequently, when a negotiation brokered by the donors group in Addis Ababa to defuse the tense situation failed, the regime once again acted more aggressively against the opposition and its supporters. And, in what can be termed a systematic post-election state repression, dozens of people were killed; thousands were wounded while several thousand herded to prisons (see Aalen & Tronvoll 2009; Abbink 2006).

The case of the opposition was further strengthened when the EU-EOM, to the anger of the EPRDF leaders, unambiguously stated that there had been major irregularities at the counting stage, and that the Ethiopian election was short of meeting international standards. The observation of the EU-EOM partly reads:

> … the counting and aggregation processes were marred by irregular practices, confusion and a lack of transparency. Subsequent complaints and appeals mechanisms did not provide an effective remedy. The human rights situation rapidly deteriorated in the post-election day period when dozens of citizens were killed by the police and thousands were arrested. Overall, therefore, the elections fell short of international principles for genuine democratic elections (EU-EOM 2005: 1).

As to the Ethiopian public the stolen election thesis stuck in the minds of people and became a rallying point for the anti-government forces at home and abroad.

Despite the declaration to boycott the parliament by Coalition for Unity & Democracy (CUD) leaders, spearheaded by UEDF leaders about 90% of the elected opposition members took up

their seats. Conspicuously, in spite of the increase of their seats from 13 in the previous parliament to 173, the fortune of the Ethiopian opposition was not improved much. The regime introduced new parliamentary rules of procedure which totally hampered the opposition from tabling any agenda item for debate by its own by raising the number of members required to propose an agenda item for debate from 20 to about 183 members. Far worse, according to the same procedure the ability of members to engage in a parliamentary debate was seriously undermined through a system of time-budgeting, fully dictated by the ruling-party (see the HPR Rules of Procedures and Members' Code of Conduct Regulation No. 3/2006). The measures taken had a debilitating effect on the workings of the country's parliament as a law-making independent institution that could have ensured the checks and balances principle – a critical factor in the workings of modern representative governments.

In this connection, it can be noted that the observations of both Ethiopian as well as non-Ethiopian scholars have been much in the same vein. For instance, Clapham (2005), one of the keen observers of Ethiopian politics since the later days of Emperor Haile Selassie in the 1960s, underlined that '…the EPRDF has now reached a stage at which it is almost impossible to imagine it winning a remotely fair election against any reasonable plausible and effective opposition'. He further argued that "It [EPRDF] has lost 'the mandate of heaven', and envisaged three possible scenarios: 'The EPRDF government might leave power peacefully; the government might leave power violently, [and that] The government might succeed in retaining its hold on power, in the process converting itself into an overtly repressive regime''. The US-Somali academic, Abdi Ismail Samatar, arrived at similar conclusions. He wrote:

> TPLF's instrumentalist political agenda and practice contradicted the rhetoric of liberation and regional development. The PDOs which the Tigray party spawned won provincial elections in 1992 and dominated federal parliament ever since. Two subsequent elections reconfirmed a new pattern of supremacy in which TPLF held all organs of political and military power. Such manufacture of puppet parties beholden to federal authorities and pseudo-elections doubly undermined regional autonomy from the center and accountability of leaders to their communities. …The dominant federal party's obsession with retaining power in spite of its narrow popular base has deprived the country of an opportunity to gain a civic footing, and has unnecessarily heightened ethnic political identity (Samatar 2005, 5).

Two American academics who largely share the same opinion with Clapham and Samatar described the situation as "troubled transition" (Lyons 2006) and "democratic uncertainty" (Smith, 2007) while Abbink (2006) called it a 'discomfiture of democracy'. Here, as we shall

see below, ironically the May 2005 elections, in which the opposition were allowed to win about 30% of the seats, have become a turning point for the worse in the Ethiopian democratization enterprise.

The May 2010 Elections

As noted earlier, after several non-competitive elections, the EPRDF regime allowed a partially competitive election in May 2005. Certainly, there was no fair level playing field for the opposition, but the partial opening of political space was enough to release voters' courage and to create a shock to the regime. In fact, the outcome of the 2005 elections was a severe test for a regime whose leaders had been skillfully dividing the opposition and had maneuvered the West to support them despite their thin democratic credentials. As soon as the EPRDF leaders recovered from their shock, they started to enact new laws, whose objectives were to narrow down the political space for the opposition on the one hand, while organizing millions of young vigilantes to use against the opposition, on the other. Furthermore, the ruling party has increased its membership more than 8 fold by blatantly introducing unwritten rule whereby getting public employments and promotions or access to credit and safety net are requiring membership cards of the ruling party, including young graduates from the universities. The whole strategy was to reduce the political space for both the opposition and the emerging civil society organizations through these laws. The new laws are:

- the Amended Electoral Law (No.532/2007);
- the Political Parties Registration Proclamation (No. 573/2008);
- the Freedom of the Mass Media and Access to Information Proclamation (No. 590/2008);
- the Anti-Terrorism Law (No. 652/2009);
- the Registration and Regulation of Charities and Societies Proclamation (CSO Law) (No. 621/2009); and the
- the Electoral Code of Conduct for Political Parties (No. 662/2009).

Each of these laws was openly and effectively used by the EPRDF regime during the 2010 elections to block any repetition of the 2005 scenario. Besides the laws, the regime also produced manuals for its cadres on how to slow down and undermine opposition movements as early as 2006 (see EPRDF 2006a & b). This was put to the test during the April 2008 local elections, from which the opposition was forced to withdraw. What the EPRDF regime was able to achieve in such political maneuvering was total control of the local *Kebele*

associations, whose role proved to be critical in the May 2010 elections, where local officials administered and controlled voting that favored the incumbent.

The opposition on its part did not sit idle. The main opposition groups, which had a good grasp of the nature of the EPRDF regime and its political strategies, responded to pressure by creating a common forum that attracted political groups with meaningful support among the country's major ethnic communities.[5]

Both before and after its official declaration in October 2009, the EFDUF moved fast to the diplomatic and political offensive by challenging the EPRDF regime to negotiate the electoral landscape. The proposed key points of negotiation were: respect for the rule of law, release of political prisoners, reform of electoral law so as to ensure independence of the country's Election Board as per the law of the land, reasonable access to the (state owned) media, and provision of government subsidy as per the existing electoral law.

The EPRDF regime evaded the EFDUF's calls both to buy time and to launch its own initiative. This finally came in the form of a 'Code of Conduct' for 'free and fair' elections (HPR 2010), drawn up through the intermediary of the British Embassy, which was either consciously involved in the Ethiopian regime's political game or outmaneuvered by the EPRDF leaders.

The EFDUF, not trusting the EPRDF leadership, refused to sign the said Code of Conduct unless the more substantive issues – see above – would be included in the package. Not surprisingly, the ruling party went on to approach weaker and surrogate parties, got it signed by them, and quickly moved the draft law on the Code of Conduct through the parliament, despite a strong resistance by the main opposition groups.

As suspected all along by the main opposition grouping organized around the EFDUF, the EPRDF regime used the Code of Conduct, together with other related laws, to block the movements of the opposition during the campaigns. In addition the regime's local cadres

[5] Currently (early 2011) the members of EFDUF are: Arena Tigray for Democracy and Sovereignty, Oromo Federalist Democratic Movement, Oromo People's Congress, Social Democratic Party, Southern Ethiopian Peoples' Democratic Union, and Unity for Democracy and Justice.

cared very little for observing the provisions in the Code of Conduct said to protect the rights of the opposition.

An important difference between the 2005 elections and those of 2010 is the much reduced number of independent election observers. Even the European Union Election Observation Mission came too late to make a real difference in the process in which the EPRDF controlled the whole process from voters' and candidates' registration, the campaigning, to the actual voting and vote counting. To be sure, the control of the whole process by the ruling party was made possible by staffing more than 215,000 election officers[6] (!) in the more than 43,000 polling stations across the country. In practical terms, the EPRDF leaders made themselves both referees and players at the same time (see the EFDUF Complaints *Genbot* & *Sene* 2002; Tronvoll 2011).

The tricks of 2005 improved and repeated during voters registration for 2010: in a lot of constituencies, persons known or suspected to be supporters of the opposition were prevented from registering on trivial grounds, such as 'Registration cards are finished' or 'You are not a resident of this constituency' - despite the existence of provisions in the electoral law through which one could prove one's identity. Young people, tending to vote for the opposition, were specifically targeted. No less worse, the closing of offices during the daytime and distributing registration cards to supporters of the government at night were common occurrences (see the EFDUF Complaints *Genbot*, *Sene* and *Hamle* 2002 E.C).

After voter registration, the real tough task for the opposition was the registration of their candidates. In fact, it was here that the confrontation in the election process intensified. It is also here where the carrot and stick policy of the regime started to be employed in full force. Buying and intimidation of opposition candidates and forcing them to withdraw their candidacy quickly became a common occurrence (see the complaints of EFDUF & AEUP *Megebit & Miazia* 2002 E.C). Not surprisingly, many who resisted the carrot fell by the stick of the government. For instance, the EFDUF lost many of its original candidates to under-table payment, beatings and detentions in much of the country (see the EFDUF Complaints *Genbot*, *Sene* and *Hamle* 2002 E.C., Human Rights Watch 2010a, b & c).

[6] As per Ethiopian Electoral Law there are 5 election officers per a polling station and as there are about 43,000 polling stations in the country , the total number of election officers are as high as 215,000.

Campaigning was yet another tug of war in the May 2010 election process. For the EFDUF, which tried to challenge the regime, its planned town halls meetings were blocked in a lot of areas through bureaucratic hurdles; its open air and street campaigns were disrupted by local officials, while organized youth vigilantes obstructed the campaigns by smashing windows of cars used by the opposition, tore down posters of opposition candidates, blocked the movement of campaign cars, etc; - despite all being illegal as per the Code of Conduct signed by the ruling party and its supporters. Far worse, the EPRDF regime not only fully used government resources without any reservation, but also unleashed its propaganda machine against the genuine opposition. In what appears to be criminalization of opposition politics, especially that of the Forum, the regime painted it as 'anti-peace, anti- development' and even as 'the enemy of the Ethiopian people' through internal papers of the regime entitled 'Forces of Destruction' in Amharic (2002E.C.) and *Addis Raey* (New Vision), which (EPRDF 2002 E.C.) took the propaganda to the extreme.

Yet another political game, first used timidly because of fear of the Western donors but began to be used more openly after the May 2010 elections, was depicting the main opposition as 'adherents of neo-liberalism' – and subscriber to the Washington consensus (see *Addis Admas* 2002) and hence inimical to the interest of the Ethiopian peoples. An important point to note here is that, whether this is a clear signal on the part of the Ethiopian regime for its gradual abandoning of the *pax Americana* and shifting to the Chinese camp - where 'revolutionary democrats' might be more at home - remains to be seen. The extent to which such actions of the Ethiopian Government created a cloud over the fairness of the electoral process was widely reported in the international media (see BBC News 2010a, b, c; Reuters 2010).

The last desperate act of the EPRDF regime came on the Election Day - as the main opposition group, EFDUF had enough candidates to win the elections. The two main activities on the election day were voting and counting processes where each party has the right to be represented by one poll-watcher at every polling station who is required to counter – sign by the law of the land on the aggregated votes for each candidates . As the list of party poll-watchers were asked to be submitted to the hand- picked election officials by the ruling party, which appeared to have reported to the government security personnel, a witch hunt of party poll watchers began at the eve of the Election Day and continued to the morning. Consequently, by using all tactics that run from buying to detentions, the local administrations of the ruling party had effectively blocked the presence of representatives of the opposition

from most polling stations. And, what was left thereafter was getting the numbers right where mechanisms from forcing people to vote for the government candidates, staffing of the ballot boxes to throwing opposition votes to the toilets were used - where at worst even killings were employed (see Complaints of the EFDUF *Genbot* 2002 E.C; Tronvoll 2011.).

The European Union Election Observation Mission (EU-EOM), which deployed about 170 observers in a country where more than 43,000 polling stations were to be observed made some attempts to identify some of the major irregularities, such as the use of government resources by the ruling party, absence of opposition party poll-watchers in a majority of the areas it observed, and an over-all lack of a level playing field between the contending parties. The gist of the EU-EOM Final Report reads: '…the electoral process fell short of international commitments for elections, notably regarding the transparency of the process and the lack of a level playing field for all the contesting parties. Insufficient efforts were taken to ensure a more equitable and representative electoral process' (see the EU-EOM Final Report 2010: 1). Unlike regarding the 2005 elections, this time round the Americans were also quick to join the EU-EOM in characterizing the May 2010 elections to be 'below international standards'.

Finally a 99.6% election victory was declared by the EPRDF regime, where all the seats - except two (one opposition and one independent), were said to be won by the EPRDF and its affiliates. Not surprisingly the Ethiopian regime moved fast to defend the results as a vote of support for its policy of a dominant party - a reminiscence of the role of a vanguard party in yesteryears. The degree to which the May 2010 elections can be taken as a great leap backwards can be easily understood by comparing the results of the 2010 elections with that of 2005 where the ruling party and its puppets claimed to have won all the seats for the national parliament - except the one seat given to the opposition that reduced opposition seats from 172 to 1. And, with a clear implication for the future of Ethiopian democracy, the May 2010 elections will go down as 'Soviet era' elections, where the people voted and the cadres' counted – a game, which Ethiopians had had their fair share during the period of the *Derg* military regime.

The two major opposition groupings, including the EFDUF, publicly rejected the results and requested a re-run under independent election officers. They appealed first to the Ethiopian National Election Board (NEB), then to the country's Supreme Court and finally to the

Cassation Court, as per the 'law of the land'. All rejected the opposition requests - at that without any investigation what so ever into the opposition claims. The opposition had no other recourse to law and it was here that the lack of independence by the judiciary was found to be most harmful for the democratization enterprise.

The public reaction is mixed. In my field visits for my other research projects, I was able to obtain from my key informants reactions such as: 'we wonder why the government has wasted so much money that can be used for meaningful economic development just for the sake of democratic pretension'; 'the game of electoral politics is over'; 'it is good that they stand naked by massively stealing and claiming to have won 99.6% of the seats'; some even dared to say 'Mengistu was more honest, because he did not cheat people by declaring multi-party elections and doing something else'. Furthermore, in few areas such as Ambo where people are relatively bold and the area is the opposition strong hold, they were heard saying 'don't call us for your meetings as we did not elect you and it is you, who have elected yourselves'. In sum, the general mood is one of anger and frustration. And, seen in light of the promised democratization project at the change of regime in 1991, it was a great leap backward. The same conclusion was drawn by a Norwegian scholar, Tronvoll (2011). He noted that 'a totalitarian outcome' under the guise of 'multi-party election' is the result of:

> 1. restrictive laws enacted between 2005 and 2010 such as 'the media law, the CSO law, and the anti-terror law;
> 2. the development of an omnipresent and all-embracing totalitarian state and party structure';
> 3. 'the expansion of the local administration councils from about 600,000 members to 3.5 million' and 'the EPRDF party membership base from about 760,000 in 2005 to more than 5 million';
> 4. cooptation policies of the regime;
> 5. massive human rights violations especially in the country side. (p. 12)

In sum, as our preceding discussion amply demonstrates it is not difficult to conclude that the Ethiopian experiment at multi-party democracy and federalism appears to be devoid of real democratic substance. And reinforced by the authoritarian past from which the EPRDF leaders successfully failed to make a radical break - what is being built is a *de facto* one-party rule under the guise of federalism and multiparty democracy, while the essential public goods in terms of improvement in the lives of ordinary citizens are not delivered.

Concluding Remarks

Shortly after the capture of state power by the EPRDF, the late Eshetu Chole, Ethiopia's most known political economist, strongly warned against succumbing 'to the polarizing forces that have been unleashed' by the new regime and advised that both 'wishful thinking' and 'making facile promises' cannot be helpful for the much promised democratic transition of the country.(2004, p. 205)

Ironically, nearly twenty years later Ethiopians are still pondering over the same issues Eshetu was able to predict with remarkable certainty what the future holds for Ethiopians under the EPRDF regime and the extent to which the regime's 'facile promises --- turned out to be hollow.'

If we limit our conclusion to the political front in light of our discussion, the EPRDF regime in 1991 promised genuine federalism in a manner that would end the domination of one ethnic group over others; democratic governance in which the political and human rights of citizens were to be fully respected with periodic 'free and fair' elections through which the governed would freely choose their rulers and would make them accountable for their actions. However, as we demonstrated, with the May 2010 elections, where the ruling-party and its allies claimed to have won 99.6% of the parliamentary seats, what has emerged beyond the shadow of a doubt is what is variously called 'new authoritarianism' (Ottaway 1995). The major pitfalls in the hoped for Ethiopian democratic transition are the conjuncture of the EPRDF leaders' philosophy 'revolutionary democracy', their hegemonic aspirations and the authoritarian political culture that has been enabled the sustenance of the country's repressive regimes to date. In the nutshell the pitfalls can summarized as follows:

1. the regime's ideology allows the fusion of party and state, which in turn allows the ruling party to use unhindered the resources under the command of the state with little or no accountability;
2. as it is based on the Leninist principle of democratic centralism, it undermines the separation of powers and check and balances, which consequently undermines the respect for the rule of law, which is central for the existence and *modus operandi* of representative governments;

3. it creates the condition where the independent civil society movements as well as independent media – both of which are critical in workings of democratic governance – are stifled by overt and covert means, which include the legal trappings and heavy hands of the regimes security personnel;
4. allows the practice of creating and/or capturing opposition parties to oppose the genuine opposition groups. Here, the best example are the current CUD and ONC, which were created through a political surgery by taking away from the original founders because of their impressive showing during the 2005 elections that shocked the regime;
5. the hegemonic aspirations of the EPRDF leaders make them to advance myopic political agendas that have blurred their vision from committing themselves to implement the requirements of multi-party democracy. Put differently, as the result of their hegemonic aspirations, they lack the political will to go beyond the provisions on paper and build institutions such as independent judiciary, election board, etc.; that serve as pillars of multi-party democracy;
6. the PDOs structure has also been negating whatever decentralization of power provided on power while ethnic politics is being used by the regime as a passport to power and instrument of divide and rule.

As our preceding discussion shows, taken together, rather than making a radical break with the authoritarian past and pushed by a mentality of what Wrong (2009) calls 'It's Our Turn to Eat', the EPRDF leaders ended in building new authoritarian rule where the ballot box is reduced to mere instrument of legitimating it than creating a government by the consent of the people and accountable to the country's citizens. In conclusion, this article underlines that the mother of all problems with which Ethiopians should grapple with is the EPRDF leaders' notion of 'revolutionary democracy' and their hegemonic aspirations for power and without addressing this central problem, the hoped-for Ethiopian democratization and the political project of building real federalism will continue to be as illusory as ever.

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Abbreviations Used

AAPO -------All Amhara People's Organization
APDM -------Adere People's Democratic Movement
APDM -------Agew People's Democratic Movement
ANDM-------Amhara National Democratic Movement
BGPDF ------Benishangul-Gumuz Peoples' Democratic Front
BPLM --------Benishangul People's Liberation Movement
BPDO -------- Burji People's Democratic Organization
CAFPDE-----Council for Alternative Forces for Peace and Democracy
COR ---------Council of Representatives
CUD----------Coalition for Unity and Democracy
EDP ----------Ethiopian Democratic Party
EFDUF-------Ethiopian Federal Democratic Unity Forum
EPRDF-------Ethiopian Peoples' Revolutionary Democratic Forces
EPRP ---------Ethiopian Peoples' Revolutionary Party
GPDM --------Gambella People's Democratic Movement
GPDO --------Gedeo People's Democratic Organization
GPDF ---------Gurage People's Democratic Front
HNDO -------- Hadiya Nationality Democratic Organization
HNL------------Harari National League
IFLO Islamic Front for the Liberation of Oromia
KPDU ----------Kefa People's Democratic Union
KPC ---------- Kembata People's Congress
MEISON ---- -All Ethiopian Socialist Movement [Amharic acronym]
OFDM --------Oromo Federal Democratic Movement
OLF -----------Oromo Liberation Front
OPDM ---------Omotetic People's Democratic Movement
ONC ----------Oromo National Congress
OPC -----------Oromo People's Congress
OPDO---------Oromo People's Democratic Organization
PDO ---------- Peoples' Democratic Organization
SEPDU--------Southern Ethiopian Peoples' Democratic Union
TGE----------Transitional Government of Ethiopia
TPLF ---------Tigray People's Liberation Front
UEDF --------United Ethiopian Democratic Forces
WPDF --------Wolayta People's Democratic Front
YNDM --------Yem National Democratic Movement