

## Election Practices In Ethiopia: An Overview

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### ABSTRACTS

Democracy is a system of government or administration in which people (the governed people) have great role in deciding who to rule them and what kind of decision should be passed by the government. People play this role through different ways. Among these, one is through regular, free fair and democratic elections. This paper examines the concept and meaning of democratic elections in the case of Ethiopia and its relationship with democratic principles. The paper focuses on the Democratic Elections: a Case study in Ethiopia, mainly in the twentieth century. It tries to discuss the main features of Ethiopian elections that made in the country under different regimes of government that succeed each other in the twentieth Century: Namely during the reign of Emperor Haile-Sellassie I(r. 1930-1974), the Dergue regime (1974-1991) and the current government (EPDRF regime, from 1991 to present). It also deals with the general historical views of elections in Ethiopia. It try to give the reader general picture of Ethiopian elections that had practiced overtime. In addition, by comparing one election practices with the other, this paper tries to show the progresses that the country tries to achieve. In writing this paper, I encountered serious shortage of written sources or literatures in relation to my topic. The scarcity of written materials obliged me to use internet sources as a means to engrave this paper. However, I tried my best in using other different literatures that are, in one way or another, related to the issue. Nevertheless, I tried to refer the limited available written materials I am able to found and I also used my own experience that I have got in my political life.

**Key Words: Dergue-** The name of the ruling government in Ethiopia from 1974 to 1991.

**Election-** A process of choosing a leader, a parliament, councilors or representatives.

**Inclusive-** including everyone within its scope.

**Mekwanints-** Nobility

**Mesafints-** Feudal title in Ethiopia.

**Parliament-** An institution whose elected members have a legislative power.

**Periodic-** timely, regularly.

**Referendum-** A direct popular vote on a purposed law or issue.

**Shengo-** A Uni-Cameral Assembly or the National Council.

**Woreda-** Administration division equivalent to district

### INTRODUCTION

Election and Democracy complements one another, likewise, no doubt elections remained central to broader strategies for promoting democracy, and genuine democracy definitely requires substantially more than democratic elections. The cosmopolitan nature of societies and governments within a state made it imperative for societies to devise or evolve a means whereby; Peoples, Nations and States and even Family have to have an organized system of sorting out things for its smooth running. The said system is established through a direct or indirect representation at a certain level and or affairs. More so, it is impossible or unfeasible for an entire people within a Nation, State or Country to engage in governing and or directing the affairs of their state, but rather through representatives selected or elected by the people in accordance with rules and standard laid down by the law or other due process accepted by

societies. The due process of law must be adhered to in order to avoid irregularities and chaos. The systematic process of election or selection will guard against unnecessary tensions and conflicts which could lead to undesirable consequences, hence; the Concept of *Regular, Free, Fair and Democratic* Election becomes important within the spheres of both International and National Laws.<sup>1</sup>

The increase in relevance and importance of the Concept made International Community and International Organizations to become more and more involved in the affairs of assistance, organizing, and monitoring elections. *Regular, Free and Fair* Election is a direct dividend of “Democracy” and vice-versa, because, “there can only be *Regular, Free and Fair* Election where there is democracy, and there can never be democracy when there is no *Regular, Free and Fair* Election”. However, it is to be noted that, although there are contrary opinion by scholars and researchers on the relationship between *Regular, Free and Fair* elections and democracy, but by and large, the conclusion of certain positive analysis and researches conducted proved the veracity and accuracy of the complementary relationship between the two concepts.<sup>2</sup>

This paper will examine the concept and meaning of democratic elections in the case of Ethiopia and its relationship with democratic principles. The concept of right to democracy and free and fair election is getting recognition under international law to the extent that some International Law scholars are of the opinion that, a basis for the right to democratic governance can be found in International Customary Law as result of States’ Practice and Treaty commitments. I encountered serious shortage of written sources in relation to my topic. Most of the sources I found are from internet lines. The scarcity of written materials obliged me to use it as the main source to write this paper. However, I tried to refer also the limited available written materials I am able to found and I also used my own experience that I have got in my political life.

### **A DEMOCRATIC SYSTEM**

The dictionary definition of democracy is “a system of government established by the people in whom the supreme power is vested in the people and exercised directly by them or by their elected agents under a free electoral system”. Freedom and democracy are often used interchangeably, but the two are not synonymous. Democracy is indeed a set of ideas and principles about freedom, but democracy is also the institutionalization of freedom. Democratic systems fall into two basic categories: Direct and Indirect (also known as Representative). In a direct democracy, all citizens, without the intermediary of elected or appointed officials, can participate in making public decisions. Such a democracy is practical with relatively small numbers of people.

Today, the most common form of democracy is representative democracy, in which citizens elect officials to make political decisions, formulate laws and administer programs for the public good.

Among others, the main principles of a democratic system are:

- Sovereignty of the people
- Wide spread public participation
- Rule of law
- Majority rule and minority rights
- Accountability and Transparency
- Peaceful transition of political power
- The presence of pluralism
- The prevalence of universal suffrage
- Regular, Fair, Free and Democratic election

Even though all principles are related and back each other in one way or another, but I focus only in the last democratic principle: *Regular, Fair, Free and democratic election*, particularly the case of Ethiopia.

### **ELECTORAL SYSTEM OF ETHIOPIA**

Electoral System is a system that is followed by a country based on election and representation to establish a government. There are three major Electoral Systems in the world. These are: Majority System, Proportional Representation System and Mixed System.<sup>3</sup>

The Constitution of the Federal Democratic Republic of Ethiopia, in its Article 56, declares a Political Party or a Coalition of Political Parties that has the greatest number of seats in the House of People's Representatives shall form the executive and lead it.<sup>4</sup> Also in the Amended Electoral Law of Ethiopia, Proclamation no. 532/2007 clearly puts that a Candidate who received more votes than other Candidates within a Constituency shall be declared the winner (Article 25).<sup>5</sup>

Therefore, the Constitution and the amended Electoral law emphasize that the country follows the majority system, under which the candidate who receives more votes than any competitors within a constituency is declared the winner.

#### **Types of Elections**

Elections conducted in Ethiopia are the following: General Election, Local Election, By-Election, Re-election and Referendum.<sup>6</sup>

General Elections shall be elections to the House of People's Representatives or State Councils conducted every 5 Years. General elections shall be conducted throughout the country simultaneously. However, where the National Election Board of Ethiopia (NEBE) finds it necessary and decided by the House of Peoples' Representatives, it may conduct at different times. Only a single representative shall be elected to the Federal House of Peoples' Representatives from a constituency.

The number of representatives elected to State Councils shall be decided by the constitutions of the respective states. If State Councils decide to change the number of their members, they shall give political parties sufficient time for preparation.

Local elections are elections to Zonal, District (Locally known as *Woreda*), City Municipality and Sub-City or *Kebele* councils conducted in accordance with the law. The number of representatives elected in a constituency for a local election shall be determined by laws of Regional States on the basis of the type of election and the number of seats in each council. The time to hold local elections shall be determined in accordance with the laws of Regional States. Local elections shall be conducted based on regulations and directives issued by the Board in accordance with this Proclamation.<sup>7</sup>

By election shall be conducted where councils at different levels request the Board to replace council members whose mandates are terminated due to various reasons; Or where a request for recall lodged in accordance with the law is accepted. Board shall hold by-election in three months from the receipt of the request.<sup>8</sup>

Re-election may be conducted for one of the following reasons: Where the Board decides in accordance with Article 7 (10) of Proclamation 532/2007; or where candidates receive equal votes in accordance with Article 76 (3) of Proclamation 532/2007 and where it becomes

difficult to determine the winner. While conducting re-election, only those voters who had been registered in a constituency or polling stations where irregularities occurred shall be eligible to vote without the need to conduct new voter registration.

Where it has been decided to conduct re-election in accordance with the provision of Article 1 (a), only those candidates who had been registered earlier shall be eligible to run for the re-election without the need to conduct new candidate registration. In re – election campaigning shall be prohibited. Particulars of re-election shall be decided by the regulation or directive to be issued by the Board.<sup>9</sup>

Referendum is conducted to assess public interest or make decision when decided by a competent body in accordance with the Constitution. The Board, in accordance with the directive given by the body that authorized the referendum, shall hold the referendum by organizing polling stations in a way convenient to execute the referendum. Particulars shall be determined by the regulation to be issued by the Board.<sup>10</sup>

### **DEMOCRATIC ELECTIONS AND THE ETHIOPIAN PRACTICES**

Elections are the central institution of democratic representative governments because, in a democracy, the authority of the government derives solely from the consent of the governed. The principal mechanism for translating that consent into governmental authority is the holding of periodic, free, fair and democratic elections. There could be elections in non – democratic systems, which are most of the time regular, but not free and fair elections.<sup>11</sup> In Ethiopia, we have a plenty of examples of such kind of elections in our past government's election history. The elections during the imperial time of Haile – Sellassie I (r.1930 – 1974), when the right of election of the citizens was based on *birth* and the *wealth one possess*,<sup>12</sup> and the elections that made during the military rule of the *Dergue* regime for the National Assembly called '*Shengos*' were worth mentioning. Therefore, by the side of regular, free and fair elections are the indispensable requirements for democracy.

Democratic elections are *not merely symbolic*. They are competitive, periodic, inclusive and democratic elections in which the chief decision – makers in a government are selected by citizens who enjoy broad freedom to criticize government, to express their criticism and to choose among different alternatives.

Elections are the constitutional means through which citizens of a democratic state put across their will by choosing officials to represent them in government. As a result, rather than simply appealing elections, how they are carried out within democratic states considerably matters.<sup>13</sup>

Democratic elections must be *competitive* in the sense that opposition parties and candidates must enjoy the freedom of speech, assembly and movement necessary to voice their criticisms openly and to bring alternative policies and candidates to the voters. In addition, democratic elections have need of the existence of consequential alternatives. That is to say, voters must have the possibility to choose from among different candidates. Similarly, candidates, for example, political parties, running for elections should be endowed with equal opportunities to make public speeches and organize rallies to get the support of potential voters.<sup>14</sup>

However, I greatly doubt that this democratic election principle is practicing in Ethiopian election processes. Because the opportunity given for the ruling and opposing parties and candidates, if any, to propagate their policies and programs is not equal and fair. One can clearly observe that unequal distribution of materials and time among the competitors. For example, I my self participated in the last 2005 and 2010 Ethiopian elections by electing

candidates whom I considered important for the country. In these elections, I observed that the ruling party (EPRDF) enjoyed more chance than the other opposition parties to tell its programs and policies and to organize its rallies. Therefore, this undemocratic exercise should be corrected in order to carry out the process of democratization of the country in a good pace.

Democratic elections must also be *periodic*. This is because since elected officials must be accountable to the people, they must return to the voters at prescribed intervals to seek their mandate to continue in office. Therefore, elections must take place regularly or periodically within specified time limit and may not be cancelled or indefinitely postponed by the decision of any official. Hence officials in a democracy must accept the risk of being voted out of office.<sup>15</sup> Moreover, democratic elections should also be *inclusive*. The definition of citizen and voter must be large enough to include a large proportion of the adult population. A government chosen by a small, exclusive group can not be a democratic government no matter how democratic its internal workings may appear.

The principle of the prevalence of universal suffrage is highly related or explains best the inclusiveness of elections. According to the principle of universal suffrage, every citizen, without on the basis of race, colour, nation, nationality, sex, language, religion, political or any other status shall have the right to:

- take part in the conduct of public affairs, directly or through freely chosen representatives;
- Vote at a genuine periodic elections held by secret ballot which guarantee the free expression of the will of the electors.

On the other hand, democratic elections must also be *definitive* in the sense that they should determine the leadership of the government. Hence, in a democracy, only popularly elected representatives hold the reins power in accordance with the laws and constitution of the country. They are not simply figureheads or symbolic leaders but rather true representatives.

Another very important issue in a process of democratic election is the *counting of votes*. This is one of the great challenges of African elections including my country, Ethiopia. In the last fifteen years, many elections in Africa have turned into severe conflicts rather than bringing peaceful transmission of power and developing democratic culture in the continent.<sup>16</sup> Because, it is usual to hear, after every election that made in Africa, the news of emblazonments of election (vote) numbers. In a real democratic elections, the counting of votes must provide an accurate results and the reporting of the results should be made public honestly. This indicates that elections require full participation of citizens.<sup>17</sup> Yet, in Ethiopian election processes, there is no time when every competing parties accepted the final results of the election as real and honest. Many political parties and candidates disapprove the announcement of the final results by the concerned body as it was emblazed depend on their evidences and the government rejected mostly such claims. Nevertheless, this shows that there is a great problem in counting the votes democratically and honestly. If the votes are not counted honestly, it disqualifies the whole processes that the election passes through, even though the processes were democratic.

Finally, it should be noted that democratic elections are not limited to selecting candidates. Voters can also be asked to decide policy issues directly through different means like referendums.

### **HISTORY OF ELECTIONS IN ETHIOPIA**

National Elections in Ethiopia began in the 20<sup>th</sup> Century. In July, 1935 Emperor Haile Selassie I(r. 1930 – 1974) granted a Constitution that asserted his own status, reserved imperial

succession to the line of Haile Selassie, and declared that “the Person of the Emperor is sacred, his dignity inviolable and his power Indisputable.”<sup>18</sup>

### **Elections During the Reign of Emperor Haile Selassie, 1931 - 1936 (Prior to the Italian occupation)**

The first Parliament was established in 1931 in the history of the country. The parliament was bi-cameral i.e. the Senate and the Chamber of Deputies. The Senate was constituted of *Mesafints* and *Mekwanints* chosen by the Emperor. The Chamber of Deputies was composed of members of the nobility, the aristocracy, ministers, distinguished veterans and Commanders noted for their long Service. They were elected through indirect elections. The property qualification excluded the common people from being a member of the parliament.<sup>19</sup> The number of the members of the two houses was equal. The term of the Deputies to the Chamber was 15 to 20 Years.<sup>20</sup>

### **The Parliament Established After 1941 (Post Italian Occupation)**

There was no change in structure from the previous arrangement. The elders used to meet at the district level and elect the landed aristocrats as members of the Deputies. The election to the Chamber of Deputies was proclaimed in the revised constitution of 1955. However, in reality, it was not taken to the ground to be practiced and participation of the people in elections remained always low.<sup>21</sup> There were five elections between 1955 and 1974. Both the Chamber of Deputies and the Senate were the legislative bodies. The number of Deputies reached 250 and the Senate 125 at the end of their mandate. Members to the Chamber of Deputies in the last assembly were mostly from the highly paid segments of the civil Service, feudal lords and rich merchants.<sup>22</sup>

As one can see from the above brief discussion of Ethiopian election history during the reign of Haile Sellassie I (r.1930 – 1974), the system of election was, by any means, did not fulfill the criteria of a democratic election. It did not allow all adult citizens to participate either in electing or being elected. There were restrictions on the right of the people to participate based on wealth they possessed. Only the higher class societies were enjoyed the right of electing and being elected which was against the principles of democratic election.

### **Election During the *Dergue* (Military Junta) From 1974 to 1991**

An assembly of councilors consisting of 60 members selected from various government institutions and provinces was established in October 1974. The mandate of this assembly lasted until 1975.

The rule of the *Dergue* was Socialist oriented. The people were organized in various associations to elect their representative. There were direct and indirect modalities of elections. Members to the various posts of leadership were elected only from the rank of followers and supporters of Socialism. No other group was eligible.

A Uni-Cameral Assembly or the National Council (the '*Shengo*') with 835 members was established in 1986. The '*Shengo*' was structured at the national, autonomous and the regional administrator levels with a five-year term.

The election practice of Ethiopia during the regime of *Dergue* was not also democratic. Competitors were only from the followers of one political ideology, which was Socialism. This means, there was no alternatives or choices for the voters to select from variety of ideas and policies. In another word, there was no competitiveness in the election process, among the runners of the election, since all were one and the same. As a result, we can say that elections

that made during the rule of the *Dergue* (1974 – 1991) did not fulfill the requirements of democratic elections.

### **Elections of Ethiopia After 1991**

#### ***The Transitional Government of Ethiopia***

The Ethiopian Peoples' Revolutionary Democratic Front (EPRDF) toppled the *Dergue* through Popular armed struggle and established a Transitional Government (TGE) in 1991. The Transitional Government consisted of political organizations and National Liberation Movements that endorsed a Transitional Charter in June 1991. Elections of members to the Chambers of regional states and *Woreda* (district) Councils were conducted in 1992.

The National Electoral Commission, accountable to the House of Representatives, was established through Proclamation No. 11/1992. The mandate of the National Electoral Commission terminated after the election of members of regional and zonal councils. The Ethiopian National Electoral Board was established, as a free and neutral institution, based on proclamation No. 64/1993.

#### ***The Federal Democratic Republic of Ethiopia (FDRE)***

The government has a Federal Structure. There are two Houses: The House of People's Representatives and the House of the Federation. The House of People's Representatives has not more than 550 members, elected for a term of five Years.<sup>23</sup> The House of the Federation is composed of representatives of Nations, Nationalities and Peoples. It has 117 members elected for a term of five Years.<sup>24</sup> The Regional State Councils elect the members of the House of Federation. Each nation, nationalities and peoples is represented in the house of the Federation by at least one Deputy.<sup>25</sup>

Since 1995, when the Federal Democratic Republic of Ethiopia (FDRE) was established, five national elections were made with every five year intervals: 1995, 2000, 2005, 2010 and 2015. There are many differences with the elections that made during monarchical or military regimes. Elections after 1995 were better democratic than the previous elections though it has its own weaknesses. It allows every adult citizen to participate in the election process. It also attempted to be organized by Ethiopian National Electoral Board which was established as a free and neutral institution in 1993.

From different problems that the FDRE elections are facing are lack competitions.<sup>26</sup> We have said that democratic elections must be competitive. But the recent Ethiopian national elections show that there was no competition. The last two elections that were made in 2010 and 2015 clearly indicated this fact. In these elections, the EPRDF competed and won alone in most election stations of the country.

However, recent public protests and political developments in Ethiopia have hoped to bring good chance for the democratic election that expected to be made in the next year, 2020. The current Prime Minister of Ethiopia, Dr. Abiy Ahmad, is repeatedly promising the people to make a genuine, free, fair and democratic election in upcoming round (6<sup>th</sup> round election since the coming of EPRDF to power in 1991). To this end, he already restructured the Ethiopia's National Election Board in the way it become more independent and able to perform its duties without the interference of the government. The board is now headed by Ms. Birtukan Mideksa, the previous opposition party leader. The people of Ethiopia are also expecting such democratic election which they long struggled for.

## NOTES

<sup>1</sup>Nasiru Aliyu, Concept of Democratic Elections under International Law, in the: *Research Journal of International Studies - Issue 10* (April, 2009), P. 17.

<sup>2</sup>*Ibid.*

<sup>3</sup><http://www.electionethiopia.org/en/ethiopian-election/election-system.html>.

<sup>4</sup>The Constitution of the Federal Democratic Republic of Ethiopia, *Federal Negarit Gazeta, 1<sup>st</sup> Year, No.1* ( Addis Ababa, 1995), P. 113.

<sup>5</sup><http://www.electionethiopia.org/en/ethiopian-election/election-system.html>.

<sup>6</sup>*Ibid.*

<sup>7</sup>*Ibid.*

<sup>8</sup>*Ibid.*

<sup>9</sup>*Ibid.*

<sup>10</sup>*Ibid.*

<sup>11</sup>Jimma University, Civics and Ethical Studies, Teaching Material (October, 2008), P. 11.

<sup>12</sup>Bahiru Zewde, *A History of Modern Ethiopia: 1855 – 1991*, Second Edition, East African Studies (Oxford, Athens, Addis Ababa, 2001), P. 141.

<sup>13</sup>Jimma University, P.11.

<sup>14</sup>*Ibid.*

<sup>15</sup>*Ibid.*

<sup>16</sup>Wondwosen Teshome, Electoral Violence in Africa: Experience from Ethiopia, under the: *International Journal of Human and Social Sciences, 2009*, P. 481.

<sup>17</sup>Jimma University, P. 11.

<sup>18</sup><http://www.electionethiopia.org/en/ethiopia-election.html>

<sup>19</sup>Bahiru, P. 141.

<sup>20</sup><http://www.electionethiopia.org/en/ethiopia-election.html>

<sup>21</sup>Bahiru, P. 207.

<sup>22</sup><http://www.electionethiopia.org/en/ethiopia-election.html>

<sup>23</sup>The Constitution, P. 109.

<sup>24</sup>[http://en.wikipedia.org/wiki/Elections\\_in\\_Ethiopia#2005\\_General\\_election](http://en.wikipedia.org/wiki/Elections_in_Ethiopia#2005_General_election)

<sup>25</sup><http://www.electionethiopia.org/en/ethiopia-election.html>

<sup>26</sup>Wondwosen, P. 465.

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