



Research Article

The Political Economy of Constitutional Retaliation against the Amhara: The Origins of the Fano Movement

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Abstract

The Fano movement has emerged as a significant force in Ethiopian politics, yet the structural origins of its mobilization remain insufficiently examined. This paper locates Fano’s rise in the constitutional architecture of Ethiopia’s ethnic federalism, arguing that the 1995 Constitution embedded asymmetric institutional arrangements that structurally disadvantaged Amhara communities.

An ideological construction underpins this disadvantage: the portrayal of the Amharas as historical oppressors. During the 1970s, the EPLF, TPLF, and OLF cast the Amharas as an ‘oppressor nation’, to mobilize support and legitimize armed struggle. The narrative conflated elite privilege with collective ethnic guilt—a categorical error that proved consequential for constitutional design, policy, and resource allocation. After 1991, the 1995 Constitution translated this narrative into institutional form: it territorialized identity, fragmented civic citizenship, redefined sovereignty along ethnonational lines, and reorganized political authority and economic access in ways that structurally disadvantaged Amhara communities.

To capture this configuration, the paper introduces the concept of ‘forced staying-apart-together’ federalism. It depicts three interlocking dimensions of Ethiopia’s federal design. First, groups are forced apart through ethnic classification and territorial demarcation. Second, groups are forced together: the constitutional right to secession under Article 39 never operated as a genuine exit option as long as the TPLF was in power. Third, the arrangement is forced from above: a dominant coalition designed the federal architecture as a governing technology, not a negotiated compact among equals. Within this framework, contemporary Amhara political mobilization reflects an assertive nationalism: a defensive response to constitutionally embedded inequality and a claim to civic belonging within the polity.

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ይህ “የዐምሐራ ሕዝብ ላይ የተፈጸመው ሕገ-መንግሥታዊ የበቀል እርምጃ ፖለቲካዊ ኢኮኖሚያዊ የፋኖ ንቅናቄ መነሻዎች” በሚል ርዕስ የተሰናዳ ጥናታዊ ጽሁፍ ነው። የፋኖ ንቅናቄ በኢትዮጵያ ቀዳሚ ተከላካይ ኃይል ሆኖ ብቅ ያለ ቢሆንም፣ የንቅናቄው መዋቅራዊ መነሻዎች በሚገባ አልተመረመሩም። አብዛኞቹ ጥናቶች ትኩረት የሚሰጡት በቅርብ ጊዜያት ለተከሰቱ የፀጥታ ቀውሶች ቢሆንም፣ ይህ ጽሑፍ የፋኖን መነሻት በዐምሐራ ማኅበረሰብ ላይ ከደረሰው የረዥም ጊዜ ሥርዓታዊ ችግር፣ ከተቋማዊ አድልዎ እና በመንግሥት ከሚደገፍ ማግለል ጋር ያገናኘዋል። ለዚህ መግለል ዋናው ምክንያት ዐምሐራን እንደ “ታሪካዊ ጨቋኝ” እድርጎ የሚሰለው ርዕዮተ-ዓለማዊ ትርክት ነው። በ1960ዎቹ (በኢትዮጵያ ዘመን አቆጣጠር) በአማፀያን ንቅናቄዎች የተጠነሰሰው ይህ ትርክት፣ የፖለቲካ ልሂቃን ሰብጥርን ከመላው ብሔር የጋራ የጥፋተኝነት ክስ ጋር በማቀላቀል፣ እድሎአዊ የፖሊሲ ቀረጻና እ-ፍትሐዊ የሁብት ክፍፍል እንዲኖር ምክንያት ሆኗል።

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Keywords:

Amhara, constitution, forced-staying-apart-together, constitutional retaliation, Fano, political economy

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ዐምሐራ፣ ሕገ-መንግሥት፣ ተገደ-ተለያይቶ-አብሮ-መቆየት፣ ሕገ-መንግሥታዊ በቀል፣ ፋኖ፣ ፖለቲካዊ ኢኮኖሚ

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Contents

| | | |
|----------|---|-----------|
| 1 | Introduction and Literature Review | 3 |
| 1.1 | The Research Problem: Insufficient Analysis of Structural Forces | 3 |
| 1.2 | Existing Scholarly Accounts | 3 |
| 1.3 | Non-Scholarly and Adversarial Framings | 5 |
| 1.4 | Theoretical Framework: Assertive Nationalism | 6 |
| 1.5 | Analytical Framework: Political Economy and Constitutional Design | 7 |
| 1.6 | Structure of the Paper | 8 |
| 2 | Constitutions, Power, and Political Order | 10 |
| 2.1 | Constitutional Neutrality as Ideology | 10 |
| 2.2 | Elite Bargaining and Agenda Control | 11 |
| 2.3 | Post-Conflict Constitutions: Consolidation and Capture | 12 |
| 2.4 | Ideology, Legitimation and Symbolic Dimensions | 13 |
| 3 | Constructing the Amhara Enemy | 14 |
| 3.1 | The political Logic of Anti-Amhara Mobilization | 14 |
| 3.2 | Ideological Foundations: Marxism-Leninism and the National Question | 14 |
| 3.3 | Anti-Amhara Mobilization Across Insurgent Movements | 16 |
| 3.4 | Conquest Without Colonialism | 18 |
| 3.5 | The Amhara Oppressor Hypothesis | 19 |
| 3.6 | Institutionalizing the Narrative | 21 |
| 4 | From Victory to Constitution (1991-1995) | 22 |
| 4.1 | The Transitional Government: Rhetoric and Reality | 22 |
| 4.2 | Exclusion from the Transitional Process | 22 |
| 4.3 | Consolidation of TPLF Dominance | 26 |
| 4.4 | From Transition to Constitution | 27 |
| 5 | Constitutional Design and Strategic Ambiguity | 27 |
| 5.1 | The Preamble’s Calculated Silence | 27 |
| 5.2 | Transitional Justice and Historical Grievance | 29 |
| 5.3 | Institutionalizing the ‘Amhara Oppressor’ Narrative | 30 |
| 5.4 | Defending Ethnic Federalism | 31 |
| 5.5 | Ethnic Federalism and Centralized Control | 34 |
| 5.6 | Asymmetric Federalism and ‘Forced Staying Apart Together’ | 35 |
| 5.7 | Asymmetric Rights: Article 39 and the Amhara Dilemma | 37 |
| 5.8 | The Political Economy of Fiscal Allocation | 38 |
| 5.9 | Fiscal Design and Transfer Dependence | 39 |
| 5.10 | Fiscal and Political Control: Authoritarian Federalism | 42 |
| 5.11 | Constitutional Instability | 45 |
| 5.12 | Security Architecture and Symbolic Politics | 46 |
| 6 | Conclusion | 47 |
| | References | 49 |

1. Introduction and Literature Review

1.1. *The Research Problem: Insufficient Analysis of Structural Forces*

The TPLF and OLF have generated extensive scholarly literature, but the Fano movement remains comparatively understudied. The primary explanation is recency: the movement's armed mobilization against the government started in April 2023, but sustained scholarly analysis requires time. Porta (2014) observes that scholarship of social movements follows events with a delay; researchers need time to gather evidence, identify patterns, and situate mobilization within broader historical contexts. Tarrow (2015) makes a complementary point: analysis of contentious politics benefits from hindsight, and temporal distance enables scholars to distinguish transient protest from movements that generate enduring political effects.

Ethiopia's concurrent crises constitute a second factor: multiple emergencies have created competing demands on scholarly attention. The aftermath of the Tigray war has generated humanitarian and political questions that absorb research capacity; economic crisis, deteriorating security across multiple regions, and unresolved tensions within ethnic federalism each command independent scholarly work, conditions severe enough that some scholars characterize Ethiopia as approaching state failure (Seyoum, 2024). Ethiopia–Eritrea tensions have further redirected attention toward regional security and the prospect of interstate conflict (Aberra, 2025, Gebrehiwot Berhe and Waal, 2025). In this environment, Fano's origins and constitutional drivers have received less analytical investment than the movement's significance warrants.

Given the movement's recency and the competing demands on scholarly attention, Fano's origins, evolution, and trajectory have received inadequate analysis despite the movement's scale, persistence, and political significance. A modest body of work has emerged since 2023, concentrated on immediate security dynamics and specific facets of mobilization; the structural forces that produced the resistance remain largely underexplored.

1.2. *Existing Scholarly Accounts*

Existing scholarship on Fano examines organizational dynamics, security implications, historical antecedents, and identity formation, yet it leaves the movement's structural origins insufficiently analyzed. Some accounts attribute Fano to structural inequalities in Ethiopia's federal order without tracing these inequalities to their constitutional foundations. Others portray Fano as a militia articulating Amhara grievances within an ethnically structured federation – grievances to be addressed while defending national unity and territorial integrity—yet still provide no adequate account of the institutional conditions that have generated Fano mobilization. These narratives typically call for institutional reconfiguration to address distributive inequities and administrative inefficiencies that have deepened regional divisions and undermined balanced development (Shakoor, N, 2024, Vera, 2024).

Birara (2025) catalogues the factors behind the struggle without tracing them to their institutional source: the constitutional architecture that organizes political authority, distributes resources, and structures administrative jurisdiction in ways that produce and reproduce patterns of mistreatment. His perspective captures important dimensions of Amhara experience, and his call for unity among Fano leaders and inclusiveness toward other Ethiopian groups is reasonable as a political aspiration, but it leaves unresolved how cooperation can be realized within a constitutional system that advantages certain ethnic constituencies and disadvantages others.

Melaku (2024) argues that three decades of sustained marginalization have reshaped Amhara political identity. A population that once identified primarily with a broader Ethiopian civic-national identity has increasingly embraced a distinct Amhara ethnic identity, a shift Melaku interprets as a defensive response to institutional asymmetry. His analysis reveals a paradox inherent in asymmetric political systems: structures designed to accentuate ethnic differences can generate heightened ethnic consciousness among groups that were previously weakly ethnicized, compelling them to organize along the same institutional lines that produced their marginalization. The implication is that an inclusive constitutional system grounded in equal citizenship and legal protection would diminish the incentive for ethnic political organization and open space for renewed civic identification.

Ethnic identity, Melaku argues, becomes a political construct when institutional structures organize access to power, resources, and security along ethnic rather than civic lines. The observation is consistent with constructivist scholarship on identity formation. Barth (1969) argues that ethnic boundaries are fluid, continuously reshaped through social and political interaction; Tilly (1996) links the salience of political identities to contestation over resources; Anderson (1983) demonstrates that imagined communities crystallize through political mobilization and institutional frameworks, instead of cultural ties.

Another strand of scholarship focuses on Fano's internal divisions. Chanie and Ishiyama (2025) argue that although Fano has emerged as a serious challenger to the Abiy government, ideological divergence and organizational fragmentation constrain its effectiveness. They characterize the movement as '*a loose conglomeration of very different groups, each with different political goals and visions*'. The Fano movement is regionally organized and lacks a central command structure, yet the movement shares broad political perspectives on national unity and democracy. Organizational fragmentation affects Fano's capacity for coordinated action, but explaining ineffectiveness differs from explaining origins.

The ideological differences Chanie and Ishiyama (2025) identify among the Fano factions appear overstated: no fundamental disagreement on core commitments to national unity and democratic governance has been demonstrated, and recent coordination efforts — culminating in the January 2026 unification of the two largest factions into the Amhara Fano National Movement — suggest that internal divisions are contingent rather than ideologically irreconcilable International Crisis Group (2026). Competition for political power is a more plausible driver of disunity. Such fragmentation is common across opposition movements: ruling parties contain internal disagreement through patronage and institutional rewards, while opposition groups lacking comparable resources face intensified rivalry over leadership, strategy, and anticipated returns.

The dynamic reflects Olson (1965)'s theory of collective action; cooperation is hardest to sustain when individual costs are immediate but collective benefits remain uncertain. Fragmentation under these conditions signals strategic scarcity, not ideological incoherence. The same logic explains selective defection. Several Fano commanders have already surrendered or concluded separate agreements with the government — including the Shewa command's chief in July 2024 and an AFPO faction leader who signed an AU-brokered accord in December 2025 — while ACLED estimates that approximately 4,000 fighters had surrendered by early 2025 (ACLED, 2025, The Africa Report, 2025). The pattern is consistent with Olson's framework and observable in comparable armed movements, where individual accommodation with the state becomes rational once the

prospect of collective victory appears distant or the personal costs of continued resistance outweigh anticipated gains.

Necho and Debebe (2024), in a Rift Valley Institute study, characterize Fano as ‘*a band of leaderless soldiers who were not accountable to anybody*’. The depiction contradicts Fano’s historical record: organized resistance to Italian occupation, coordinated border defense, and collective peasant mobilization in the late imperial period. Segments of Fano were at times mobilized by elite actors, yet this reality does not justify a portrayal of the movement as inherently leaderless. Interpreting regional dispersion as disorganization distorts the historical record and current dynamics; Fano is better understood as a structured, regionally organized force.

Kebede (2024) identifies immediate triggers of mobilization in April 2023: the disbanding of the Amhara special forces, restrictions on movement into Addis Ababa, demolition of Amhara-owned homes in the capital city, and widespread displacement and violence against Amharas in Oromia. His analysis, partly based on interviews, illuminates popular support for Fano, fighter motivations, and community sympathy. His study offers valuable insight into proximate causes, but its scope remains confined to immediate catalysts. The distinction between triggers and structural causes remains central to understanding why Fano arose as an armed movement.

Existing studies have examined Fano’s historical role, documented Amhara mistreatment, and analyzed the formation of Amhara nationalism; some relate the movement to ethnic federalism but rarely specify how the constitutional architecture produces asymmetric effects. This paper addresses that gap.

1.3. Non-Scholarly and Adversarial Framings

Non-scholarly sources — international media, policy-oriented reporting, and diplomatic discourse — frequently approach the Fano movement primarily through a security lens, framing it as a threat to stability rather than a response to structural conditions. This framing implicitly favors the status quo by treating the constitutional order as a given and resistance to it as the problem requiring explanation. Reuters (2023) describes Fano as an armed militia seeking to overthrow constitutional authority, emphasizing clashes with federal forces over the grievances driving them. Vera (2024) situates the movement within a humanitarian-crisis narrative centered on civilian displacement and insecurity. Foreign government assessments reinforce the pattern: a UK Home Office country report associates Fano with alleged human-rights violations and treats the movement as a source of instability rather than a symptom of it (UK Home Office, 2025).

Statements from U.S. officials reinforce the security framing. In a policy address delivered in Addis Ababa on 15 May 2024, U.S. Ambassador to Ethiopia Ervin Massinga stated: ‘*To those that call themselves the Fano, please know that your rejection of dialogue does not serve you well. It is innocent civilians who are suffering as a result of the continued fighting. If your cause is just, make those arguments through dialogue and not violence*’ (U.S. Embassy Ethiopia, 2024). The remarks place Fano within an international narrative that emphasizes dialogue, disarmament, and state authority while giving limited attention to the movement’s constitutional claims or the structural sources of its mobilization.

Negotiation and peaceful settlement yield durable outcomes only when bargaining incentives are credible and enforcement mechanisms are in place (Fearon, 1995, Walter, 2002). Before armed struggle began, many Amhara political actors expressed willingness to engage the government on

a range of grievances, but the Abiy administration delayed, sidelined, or dismissed these concerns rather than address them through reform (Mandefro, 2023).

Disagreement persists within the Fano movement over the viability of negotiations with the Ethiopian government; prior experience shapes expectations about state behavior. The record is not encouraging: agreements ending the Tigray war have been only partially implemented, earlier negotiations with the OLF collapsed amid coercion (Human Rights Watch, 1997), and Ethiopia-Eritrea commitments following the 2018 rapprochement have been effectively abandoned. The pattern — agreements partially implemented, quietly shelved, or ultimately renounced — has weakened the state’s credibility as a negotiating partner and altered the strategic calculations of armed actors. For many Fano supporters, dialogue appears costly: it risks unilateral demobilization while leaving power relations and institutional arrangements intact. Without credible enforcement mechanisms, skepticism toward negotiation reflects rational assessment of likely bargaining failure, not principled rejection of peaceful resolution.

Ultra-ethnic nationalist groups express a strongly adversarial view of the Fano movement and depict it as a fundamental threat to the existing ethno-federal order. Oromia Today, an outlet that openly supports the Oromo Liberation Army, portrays Fano as an irredentist force animated by nostalgia for the pre-1991 political system (Oromia Today, 2025). Under this framing, Fano appears as an actor seeking to restore centralized rule, dismantle ethnic federalism, and subordinate non-Amhara groups: a vehicle for Amhara ethnic domination rather than a response to constitutional marginalization. This characterization draws on real material: the movement’s insistence on dismantling ethnic federalism and slogans that critics read as restorationist have been interpreted by opponents as evidence of centralizing ambitions (Frühwirth, 2025, Kebede, 2024). Statements by certain individuals within the movement – dismissals of ethnic self-governance, territorial claims framed as historical correction – have reinforced the narrative, even where the movement’s formal positions emphasize democratic governance and equal citizenship. Yet this framing remains reductive. It treats the movement’s most inflammatory expressions as representative of its structural origins, reflecting ideological contestation over Ethiopia’s state architecture more than serious engagement with the conditions that produced the resistance.

1.4. Theoretical Framework: Assertive Nationalism

Scholarship on nationalism distinguishes civic from ethnic forms (Brubaker, 1992, Greenfeld, 1992, Kohn, 1944, Smith, 1991). Civic nationalism emphasizes inclusive political values and shared citizenship; ethnic nationalism privileges ancestry, culture, and descent. This paper introduces the concept of assertive nationalism to capture a reactive form of collective identification that emerges under conditions of sustained limited political inclusion. Assertive nationalism arises when communities mobilize ethnic identity defensively, to contest political arrangements that deny them equal standing within the state.

The framework explains why populations that confront persistent institutional marginalization may shift from broad national identification toward narrower ethnic affiliation as a strategy of political assertion. African American mobilization during the civil rights era, Francophone nationalism in Canada outside explicitly separatist movements, and Shi’a mobilization in post-2003 Iraq all exhibit this pattern: collective identity sharpened to demand recognition, redistribution, and institutional reform within existing state boundaries. Separatist currents may coexist within these cases,

yet assertive nationalism describes a distinct mode of claim-making oriented toward reconfiguring state institutions rather than exiting them. Amhara nationalism exhibits distinctive features linked to ethnic federalism and constitutional design; it reflects the same defensive orientation: claiming equal standing within the state.

The Amhara response to systemic marginalization can be understood as a form of assertive nationalism. Under conditions of political repression and institutional vulnerability, segments of the Amhara population have increasingly mobilized ethnic identity to claim dignity, rights, and security. This shift reflects an effort to confront structures that subordinate the community while reasserting equal civic standing without abandoning commitment to the Ethiopian polity. Melaku (2024) offers valuable insight into this process; however, his analysis does not trace the constitutional foundations through which institutional marginalization has helped produce assertive nationalism. A fuller account therefore requires explaining the legal architecture that generates, reproduces, and normalizes political underrepresentation.

1.5. Analytical Framework: Political Economy and Constitutional Design

The rise of assertive Amhara nationalism reflects systemic disadvantages embedded in Ethiopia's constitutional order. The 1995 Constitution created both structures and institutions that undermine the Amhara community; the distinction between these concepts clarifies the mechanisms of exclusion.

Structures are fundamental organizing logics that distribute power, resources, and possibilities across a political system. They establish the grammar of political life: who counts as a relevant political actor, what kinds of claims are legible, how territory and population relate. Structures constrain what is thinkable and achievable within a political order. In Ethiopia's case, three structural elements matter: ethnic federalism as an organizing principle, the territorial mapping of ethnicity onto administrative units, and a sovereignty framework that privileges *'nations, nationalities, and peoples'* over individual citizens.

Institutions are concrete organizations, rules, and procedures that operate within structures, the specific mechanisms through which structural logics become actionable. Courts, legislatures, electoral commissions, land administration systems, and language boards are institutions. They make decisions, allocate resources, and adjudicate disputes.

The relationship is hierarchical: structures set the terms; institutions execute them. Structures are the architecture; institutions are the rooms. The 1995 Constitution established a structure—ethnic federalism—that rendered Amhara collective identity politically incoherent: the Amhara's geographic dispersion and civic-national tradition fit poorly within a system that mapped ethnicity onto bounded territory. The constitution then created institutions—the House of Federation, regional state governments; zone, woreda, and kebele administrations—that operationalized exclusion through political, social, and economic decisions.

The ethnic-federal design produces what this paper terms *'forced staying apart together'* federalism, introduced earlier. Section 5.6 develops the concept in detail. Here it suffices to note that the arrangement creates structural winners and losers: groups with concentrated territorial populations gain political coherence; groups with dispersed populations or civic-national traditions are structurally disadvantaged. The Amharas occupy a particularly vulnerable position: dispersed across Ethiopia and historically oriented toward civic rather than ethnic identification, they confront a

system that rewards territorial concentration and penalizes identities that extend beyond regional boundaries.

For the Amharas, the architecture generates a triple vulnerability: political mistrust even within the Amhara region, discrimination in other regions, and persistent contestation in boundary areas. These vulnerabilities produce exclusionary practices, recurrent displacement, and chronic insecurity, without credible institutional channels for redress. Constitutional arrangements offer no remedy; they have generated assertive nationalism: mobilization oriented toward reclaiming equal standing within the state rather than exiting it.

The constitutional framework also shapes the form mobilization takes. When formal political channels are closed—or made selectively accessible—collective action migrates into informal, localized, and extra-constitutional arenas. These arenas typically lack legal recognition, durable mechanisms of aggregation, and centralized coordination, making them structurally prone to organizational dispersion. Ethiopia's political structure therefore helps explain Fano's fragmentation, not as an anomaly but as a predictable outcome. Fragmentation is present in all political systems, yet Ethiopia's constitutional order intensifies it by constricting the very channels through which collective representation and coordination might otherwise consolidate.

To specify how constitutional design generates these political outcomes, the paper combines political economy analysis with constitutional interpretation. A political economy lens highlights how constitutional rules allocate material and political advantages, create winners and losers, and shape incentives for collective action. This approach also clarifies why disadvantaged groups may respond through assertive nationalism: mobilization that seeks equal standing within the state rather than exit from it. The paper traces how historical narratives, institutional design, and distributional incentives codified in the 1995 Constitution have structured inclusion and exclusion, and analyzes the specific provisions that have produced asymmetric outcomes, legal advantages for some groups and structural disadvantages for Amhara constituencies. The analysis links constitutional architecture to political outcomes and shows constitutional law as a mechanism that organizes power and catalyzes resistance.

This paper undertakes an interpretive political economy analysis of constitutional design. Rather than treating constitutional text as a purely normative statement of ideals; it approaches the 1995 Constitution as an allocative instrument: a set of rules that distributes authority, resources, and political standing among competing groups. The analytical strategy combines three approaches: (1) constitutional interpretation through close reading of the preamble, Article 39, and related provisions; (2) process tracing to show how political objectives formed during armed insurgency were translated into constitutional commitments during the 1991–1995 transition, and to examine the distributional consequences of those commitments for structurally disadvantaged groups; and (3) brief comparative constitutional analysis drawing on Nigeria, Iraq, Rwanda, South Africa, Canada, and India. Evidence is drawn from constitutional text, transitional-period documentation, and secondary scholarship on Ethiopian political history.

1.6. Structure of the Paper

Section 2 develops the theoretical framework by examining constitutional authority from a political-economy perspective. It analyzes how constitutions derive legitimacy, perform stabilizing functions within political orders, and deploy rights discourse strategically during constitution-

making. Constitutions across diverse political systems routinely incorporate universal human-rights language to project moral universality, enhance political acceptability, and signal conformity with global norms. Formal constitutional commitments to equality do not necessarily yield substantive protections; constitutional texts can entrench existing power relations behind a veneer of universalism. The 1995 Ethiopian Constitution, however, goes further: it does not merely reproduce this gap between formal commitment and substantive protection but actively encodes ethnic hierarchy into the structure of the state. The section also elaborates the concept of *'forced staying apart together'* federalism and explains how assertive nationalism emerges as a response to constitutionally embedded exclusion.

Section 3 analyzes the emergence of the *'Amhara oppressor'* narrative and its role in shaping Ethiopia's contemporary political order. It traces how armed movements—the EPLF, TPLF, and OLF—portrayed the Amharas as an internal colonial power to advance their political objectives, casting Amhara identity as intrinsically associated with domination, oppression, and persecution. After the TPLF assumed state power in 1991, the narrative migrated from insurgent discourse into the constitutional framework. The section examines the political-economy function of ethnic scapegoating: how it contributed to organizational cohesion, bolstered ideological legitimacy, and reinforced internal compliance within insurgent movements seeking to restructure the Ethiopian state.

Section 4 examines the process that produced the 1995 Constitution, focusing on the transition period from 1991 to 1995. Constitution-making unfolded under the decisive control of armed movements that emerged victorious from the civil war, principally the TPLF, with involvement of the EPLF and OLF. These actors—most notably the TPLF—legitimated their dominant position in constitutional authorship by presenting themselves as the forces that had overcome Amhara political supremacy. The section traces the origins of the constitutional project to preliminary discussions held in Seraye, Eritrea, during the late 1980s, and shows how the process systematically excluded two categories of political actors: pan-Ethiopian organizations advocating multiethnic cooperation and Amhara communities. Neither group was afforded meaningful participation in constitutional drafting; the resulting constitution functioned as an instrument for consolidating the victors' political authority.

Section 5 presents a brief account of the 1995 Constitution as a political project. It identifies the political objectives animating the constitutional order and examines the strategic ambiguity surrounding the identification of the oppressor. Ethno-nationalist rhetoric during the liberation struggle explicitly named the Amharas as an *'oppressor nation'*; the constitutional text avoids direct attribution, preserving deniability while allowing implied meanings to shape political outcomes. The analysis focuses on the preamble and Article 39 to demonstrate how the constitutional design weakens national integration and constrains Amhara political influence without explicit accusation. Before proceeding to analyze specific constitutional mechanisms, the section confronts the strongest defenses of ethnic federalism and explains why they do not withstand scrutiny. The constitution has structured access to rights, property, and political authority along ethnically differentiated lines, a legal order that has placed the Amhara population at structural disadvantage and has generated the conditions for assertive nationalism.

2. Constitutions, Power, and Political Order

2.1. *Constitutional Neutrality as Ideology*

Constitutions are commonly presented as impartial supreme legal instruments that define how power is organized, exercised, and constrained within the state (Elster, 1995, Ginsburg, 2003). They specify government responsibilities, citizen obligations, and fundamental rights. While many constitutions predate the United Nations, postwar constitutional frameworks increasingly incorporate the language and principles articulated in the UN Universal Declaration of Human Rights. Presented as expressions of foundational norms governing political authority, economic organization, and social relations, constitutions appear to function as blueprints for governance and symbols of democratic legitimacy (Lutz, 2006).

This conventional portrayal obscures the political economy of constitutional design. Despite claims of universality, constitutions tend to reflect the interests, fears, and strategic calculations of the actors who control the drafting process. Comparative constitutional scholarship shows that constitutional design reflects the preferences of dominant political forces more than abstract commitments to impartial governance (Ginsburg, 2012, Tushnet, 2015). The gap between form and substance gives constitutions a dual character: they present themselves as universally applicable frameworks while embedding political arrangements that stabilize existing power relations.

Tushnet (2015) argues that constitutional guarantees do not constrain power by their mere existence; their meaning and force depend on political conditions external to the text. A constitution that enshrines rights of equality and non-discrimination, for instance, may function in practice as a legitimating façade if the political settlement it codifies was designed to entrench the dominance of specific groups. The gap between constitutional promise and reality is not unique to authoritarian orders, but Tushnet demonstrates that it becomes structurally pronounced where constitutional forms are adopted precisely to consolidate, rather than constrain, ruling authority. Ginsburg (2012) complements this analysis from the demand side, explaining why political elites adopt constitutional frameworks in the first place. Constitutions, on his account, function as instruments for managing uncertainty, coordinating elite interests, and securing political positions against future loss of power. Constitution-making, in this view, is less an act of collective self-governance than a strategic exercise in institutional design by those who control the drafting process. Elites write constitutions not to limit their own authority but to lock in distributional advantages, co-opt potential challengers, and signal compliance with international norms of legitimacy. Read together, the two analyses underscore that constitutional neutrality is less an empirical description than a legitimating claim, one that obscures how constitutions consolidate elite advantage under the guise of universalism.

Constitutional consolidation of elite advantage predates contemporary constitution-making. Early constitutional experiments in Europe emerged from struggles between the emerging capitalist classes and monarchical authority; the resulting documents reflected the priorities of the ascendant bourgeoisie. Provisions securing political representation, property protection, and limits on royal power expressed the material and political interests of these groups; neutral principles of governance they were not. Even in these formative cases, constitutions crystallized outcomes of conflict and translated the advantages of victorious actors into long-term legal arrangements (North and Weingast, 1989).

Popular mobilization has expanded constitutional rights. Over the nineteenth and twentieth centuries, labor movements, women's movements, anticolonial struggles, and civil rights campaigns expanded constitutional protections. These provisions matter: they have improved lives by establishing legal safeguards, widening political participation, and reducing economic vulnerability. Yet their inclusion leaves the constitution's central function within a political-economy framework unchanged. Constitutional rights coexist with institutional arrangements that concentrate authority, distribute resources unevenly, and insulate elite power from effective challenge. Rights may broaden participation at the margins, but the underlying constitutional architecture typically preserves the advantages of those who shape the constitutional order (Epp, 1998).

2.2. *Elite Bargaining and Agenda Control*

Constitution-making is a political process structured by elite bargaining and institutional control (Elster, 1995). The actors who dominate the process possess the organizational capacity, military leverage, or political authority necessary to shape foundational rules in ways that reflect their strategic interests. Constitutional design unfolds within an environment defined by unequal power; inclusive deliberation is absent. Those who prevail determine who participates, what claims count as legitimate, and what institutional arrangements are acceptable. Constitutions codify the outcomes of political struggle, translate the preferences of dominant groups into legal form, and set the boundaries for future competition.

Understanding constitutions as products of power requires a theoretical account of how organized actors convert political advantage into institutional authority. Constitutional political economy offers such an account by shifting attention from normative ideals of collective consent toward the behavior of actors who dominate the drafting arena. Constitutional rules emerge through asymmetric processes: some groups dominate the design, others negotiate from weakness, and some are excluded entirely. This framework explains why preferences embedded in a constitution reflect the distribution of power at the moment of creation, not the aggregated interests of society.

Public choice theory illuminates the strategic calculations underlying constitutional design. Buchanan and Tullock (1962) offer a foundational theory of constitutional choice, though their emphasis on *'self-interested actors'* requires qualification. Constitutional drafting is rarely conducted by isolated individuals; organized actors—armed movements, political parties, or governing coalitions—typically drive the process, and their representatives negotiate on behalf of collective interests. These interests are seldom uniform, introducing the need for internal compromise alongside external bargaining. The implication is that constitutional design is better understood as distributional bargaining among unequal collective actors than as a principled search for mutually binding rules, and that the resulting text will tend to reflect the interests of those who controlled the drafting process.

Buchanan and Tullock (1962) explain why dominant groups seek institutional advantage; they say less about how elites secure favorable outcomes in practice. Riker (1982) fills the gap. His theory of agenda control shows how elites shape constitutional outcomes by determining what issues appear on the agenda, how choices are sequenced, and what alternatives are excluded. Dominant actors structure outcomes before deliberation begins. By determining what issues appear on the agenda, how choices are sequenced, and what alternatives are excluded, dominant actors structure outcomes before deliberation begins. These perspectives underscore that constitutions rarely ex-

press the aggregated will of society; they function as mechanisms for converting political victories into durable legal authority.

The degree of participation in constitutional drafting largely determines whether a constitution reflects a broadly shared political settlement or the preferences of a dominant coalition. In plural societies, groups hold competing interests; a unified collective vision beyond minimal commitments to legal equality and protection from arbitrary rule is unlikely. Broad participation that incorporates diverse political, economic, ethnic, and social forces can mediate differences and generate frameworks with wider legitimacy. Entrenched political asymmetry, however, produces constitutions of dominance, documents that embed the preferences of narrow coalitions in fundamental law while marginalizing alternative claims.

2.3. *Post-Conflict Constitutions: Consolidation and Capture*

Post-conflict settings sharpen these dynamics by introducing a distinct basis of authority. Where constitutional design ordinarily proceeds through political negotiation—however unequal—military victory supplies a prior claim: the victors treat institutional control as both necessity and justified reward for wartime sacrifice. The provisional arrangements they establish—transitional councils, interim governments, constitutional commissions—tend to reflect the interests of winning coalitions; the broader society's preferences carry little weight, not merely because of asymmetric bargaining power but because war has weakened or destroyed the organizational capacity of non-combatant groups. As temporary structures harden into permanent institutions, the power balance forged during conflict shapes constitution-making. Military victory becomes the basis for political consolidation; armed triumph converts into durable institutional authority.

Because the distribution of power at the time of drafting decisively shapes whose interests become institutionalized, constitutional design in post-conflict settings serves the victors disproportionately: it legalizes their political triumph, entrenches their control over key institutions, and restructures the state in line with their priorities. The outcome may appear rational from the standpoint of victorious elites seeking stability, yet it raises serious normative concerns regarding democratic legitimacy, equal citizenship, and procedural fairness.

Institutional economics provides a framework for understanding this pattern. North (1990) defines institutions as the '*rules of the game*' that structure political and economic interaction by shaping incentives, reducing uncertainty, and lowering transaction costs. The rules are not distributionally neutral; dominant coalitions shape institutions to protect their interests and stabilize preferred distributions of power (North, 1991). The framework applies directly to constitutions, the highest-order rules governing political participation. Periods of radical political transition do not yield institutionally neutral outcomes; they enable victorious actors to rewrite the rules of the game; and to do so in ways that entrench their own distributional advantage.

Comparative experience supports this interpretation. Nigeria's 1999 constitution, adopted following prolonged military rule, was drafted by a military-appointed commission without popular ratification; pro-democracy organizations, ethnic minority groups, and civil society were largely excluded from a process controlled by the departing military elite and its selected civilian interlocutors (Suberu, 2001). Iraq's 2005 constitution emerged amid Sunni political marginalization after Ba'athist collapse and reflected the priorities of Shi'ite and Kurdish coalitions dominating the transitional process; federal arrangements, resource governance, and representational rules reinforced

the post-2003 balance of power and narrowed Sunni access to political influence (Arato, 2009, Dodge, 2013). Rwanda's post-genocide constitutional framework restricted ethnic mobilization—a defensible measure in the aftermath of genocide—but also consolidated power in the hands of the victorious RPF and narrowed political competition in ways that served regime consolidation regardless of democratic cost (Reyntjens, 2013).

Constitutions produced under such conditions formalize advantage for victors and disadvantage for the excluded, perpetuating grievances that risk renewed confrontation. When formerly dominant groups are perceived as threats, victorious elites deploy institutional design to dismantle their political standing and foreclose the possibility of reversal. The constitution functions as the central instrument of political consolidation, embedding the victors' interests within state architecture (Arato, 2009).

2.4. Ideology, Legitimation and Symbolic Dimensions

Strictly rationalist interpretation neglects ideological constraint. The logic of self-interest carries analytical force, yet political leaders do not act independently of normative environments (March and Olsen, 1989). Their rational calculations must be articulated through legal, moral, and ideological registers to secure legitimacy (Gramsci, 1971, Weber, 1978), and in practice instrumental self-preservation and ideological conviction are difficult to disentangle (Meyer and Rowan, 1977). The entanglement matters for understanding how elites secure compliance; it does not alter the constitution's fundamental function.

Post-conflict settings make this entanglement especially pronounced. Victorious groups must simultaneously consolidate power and construct legitimating narratives for an entirely new political order, usually before multiple audiences whose moral expectations diverge sharply: domestic populations, former adversaries, and international donors. Rwanda's post-genocide RPF regime illustrates the pattern. The RPF consolidated political control yet deployed reconciliation rhetoric and anti-genocide discourse to legitimize its dominance, particularly before international donors. Reyntjens (2013) characterizes the outcome as '*governance without democracy*': formal institutions masking concentrated power. Moral language served strategic ends; whether it also reflected genuine conviction forged through collective trauma does not alter the constitutional outcome.

Post-conflict constitutional design is shaped not only by structural incentives but also by the social-psychological dynamics through which victorious elites secure compliance. Social Identity Theory suggests that newly empowered groups establish positive distinctiveness by publicly inverting prior hierarchies, signalling political supremacy, and affirming collective worth (Hogg, 2016, Tajfel and Turner, 1979). Sherif (1966)'s Realistic Group Conflict Theory complements this account by locating such measures amid competition over scarce resources, where dominance over a designated adversary stabilizes control and normalizes the political marginality of excluded groups.

Post-conflict dominance requires both material control and symbolic legitimation: the first secures resources and authority; the second secures compliance. Constitutional provisions serve both functions simultaneously, distributing power over resources, policy, and office in ways that favor the victors while embedding that dominance in legal form and normalizing marginalization through the authority of law.

3. Constructing the Amhara Enemy

3.1. The political Logic of Anti-Amhara Mobilization

To understand the purposes served by Ethiopia's 1995 Constitution, analysis must begin with the political objectives of the armed groups that drafted it. The central objective of any armed movement is control of the state or influence over the political structure in its favor (Tilly, 1978). Achievement of that objective requires mobilization of a broad population behind a unified project (Tarrow, 1998), which in turn relies on the construction of a clearly defined enemy around which grievance can be organized for collective action (Benford and Snow, 2000). In Ethiopia, all three principal insurgencies—the EPLF, TPLF, and OLF—entered armed struggle with secessionist objectives already in place. To mobilize support for those objectives, each constructed the Amhara as oppressor nation, a narrative that unified disparate forces, justified armed struggle, and supplied moral rationale for dismantling the existing state. Sections 3.4 and 3.5 demonstrate the historical distortions this framing required.

The armed movements that defeated the military government in 1991—the EPLF, TPLF, and OLF—built mass support by advancing a shared account depicting Ethiopia as an imperial state dominated by the Amharas (Markakis, 2011). The narrative served immediate mobilization for armed struggle, but its deeper function was ideological: establishing justification for restructuring the Ethiopian state, redistributing political power along ethnic lines, and marginalizing the group cast as historical oppressor (Young, 1997). Constitutional drafting between 1991 and 1995 converted wartime portrayal into enforceable legal provisions.

The framing recast state formation as a political project organized through ethnic categories, establishing justification for the *'forced staying apart together'* federalism developed in Section 5.6. According to Donham (1999, p. 15), *'the Ethiopian state that Menelik and Haile Selassie built was an Amhara empire. The language of government and higher education was Amharic; the state religion was Orthodox Christianity.'* Donham's descriptive claim captured how the state appeared to peripheral populations, though he also acknowledged the multi-ethnic composition of imperial elites (Donham, 1999, p. 112). For populations incorporated through southern conquest, the state appeared distant and coercive, a perception that resonated with ethnonationalist accounts of Ethiopian state formation (Hassen, 1994, Jalata, 1993) and that liberation movements amplified to mobilize support (Abbay, 1998).

Complex historical processes were reduced to simplified binaries of oppressor and oppressed, a simplification essential for mass mobilization (Horowitz, 2000). The binary assigned collective guilt to an entire ethnic group, opened space for discrimination against individual Amharas (Abbay, 1998), and positioned the Amharas for the constitutional configuration analyzed in Section 5.6: formal inclusion paired with structural constraint.

3.2. Ideological Foundations: Marxism-Leninism and the National Question

The narrative's ideological origins lie in Marxist-Leninist theory, transmitted through Ethiopian student activism to armed insurgency. Marxist-Leninist discourse on the national question—particularly Lenin's principle of national self-determination and Stalin's theorization of the *'national question'*—provided conceptual frameworks that ethno-nationalists adapted to analyze imperial structures (Connor, 1984, J.V., 1913/1942, Lenin, 1914/1964).

Within Ethiopia, the student movement of the 1960s and 1970s served as the crucial transmission mechanism for these ideas (Balsvik, 1985). Student activists confronted genuine political repression and structural inequality under Haile Selassie's regime, conditions that warranted opposition on their own terms. Yet rather than framing their critique as a challenge to autocratic governance, some student activists drew on the national question literature to reinterpret these grievances as products of ethnic domination. Walelign Mekonnen, a prominent figure in the late-1960s student movement who died in 1972, argued that the Ethiopian state functioned as an instrument of Amhara domination rather than a representative institution for Ethiopia's diverse populations (Mekonnen, 1969). His death—treated as martyrdom by some in the Ethiopian left—elevated the essay to canonical status; his arguments became standard in revolutionary discourse among the liberation fronts (Tiruneh, 1993).

Armed movements that emerged in the 1970s—the EPLF, TPLF, and OLF—adopted and transformed the student movement's analysis (Donham, 1999, Young, 1997). They fused class critique with ethnic grievance to construct a hybrid revolutionary approach that privileged ethnic nationalism over class solidarity (Clapham, 1988). Ethnicized interpretations of power displaced institutional critique and enabled the construction of an ethnic adversary as the locus of oppression.

In official documents, the EPLF, TPLF, and OLF each drew formal distinctions between the Amhara ruling class and the Amhara masses. In practice, all three abandoned the distinction. The EPLF labeled successive Ethiopian governments as '*Amhara*' regimes and characterized state violence against Eritreans as '*Amhara crimes*', collapsing the distance between state and ethnic group; in the 1980s, the front executed internal dissidents for being '*Amharas*' (Berhe, 2008). The OLF's colonial thesis formally targeted the '*neftegna*' system, yet the label was applied indiscriminately to Amhara settlers regardless of social position, a collapse made brutally visible in the 1991–92 attacks on Amhara farming communities in Arsi (Human Rights Watch, 1993). Vaughan (2025, p. 68) illustrates the same pattern within the TPLF: one cadre explained that the nationality question '*was easily felt as a slogan among us ordinary people, much more than the class issue*'. Across all three movements, ethnic targeting demanded only immediate group identification; class consciousness required sustained ideological instruction. Cognitive simplicity made ethnic appeals more effective for mass mobilization (Abbay, 1998, Young, 1997). The abandonment of class distinction meant that all Amharas—regardless of social position—became legitimate targets of political suspicion.

The distinction carried constitutional implications. Class analysis would have implied solidarity across ethnic lines and redistribution along economic axes. Ethnic analysis implied separation along territorial lines and redistribution across ethnic categories. The ideological choice between class and ethnicity prefigured the constitutional choice between integrative federalism and '*forced staying apart together*'.

The emphasis on ethnic construction over class analysis can be understood through social-psychological theories of group conflict. Social identity theory (Tajfel and Turner, 1979) explains how organizations strengthen internal solidarity by identifying a clear external antagonist (Hogg, 2016). The cognitive simplification Horowitz (2000) describes in ethnic conflict helps explain how Ethiopia's complex, multi-ethnic political order was recast as stark us-versus-them opposition, a framing that intensified motivation, defined objectives, and justified political violence. The '*Amhara enemy*' supplied insurgent movements with a morally unambiguous focal point and ob-

scured political ambiguities within their own projects: the EPLF's multi-ethnic composition, class divisions within each ethnic group, and the substantial Amhara peasant population that experienced exploitation comparable to other rural populations.

3.3. Anti-Amhara Mobilization Across Insurgent Movements

These dynamics played out across the three major insurgencies, with the EPLF establishing the model. The Eritrean independence movement had waged armed struggle since the early 1960s, longer than any other Ethiopian insurgency. After splitting from the Eritrean Liberation Front (ELF), the EPLF emerged in 1970, developed sophisticated organizational structures, controlled significant territory in Eritrea, and achieved military successes against the Derg using anti-Amhara propaganda. The movement's success established anti-Amhara framing as a viable insurgent model and positioned the EPLF as ideological mentor to emerging Ethiopian insurgencies (Tronvoll and Vaughan, 2003, Young, 1997).

The EPLF, in its struggle against the military government during the 1980s, offered material, ideological, and military assistance to the TPLF and OLF. Training programs, shared propaganda networks, and coordinated political education served as the primary channels through which the EPLF transmitted its framework to these allied movements (Iyob, 1995, Young, 1997). The TPLF and OLF adopted both the tactical methods and the anti-Amhara analytical lens (Clapham, 1988). This coordination fostered convergence across movements that might otherwise have developed independent strategies and tactics.

The anti-Amhara framework supplied insurgent organizations, their major ideological differences notwithstanding, with a powerful political resource: rebellion as anti-colonial struggle against an ethnic hegemon. Class language framed the analysis, yet ethnic oppression — not class exploitation — did the mobilizational work. The EPLF's 1971 manifesto exemplified the pattern, declaring that *'the Ethiopian state is the instrument of the feudal and bureaucratic bourgeoisie which is predominantly Amhara'*, a formulation that grounded ethnic attribution in class categories (EPLF, 1971, p. 2).

Each movement's portrayal of Amhara domination reinforced the others; together they constructed a shared diagnosis of Ethiopian state formation. Their prescriptions diverged: the EPLF pursued all-inclusive Eritrean nationalism, the OLF sought an independent Oromo state, and the TPLF advocated ethnically defined political units that could become independent states if conditions warranted. For the TPLF, ethnic federalism served as vehicle, not destination. The TPLF framework would shape constitutional design — a new political order in which ethnic groups governed as distinct communities, formally united yet substantively fragmented.

The TPLF embraced anti-Amhara framing with particular intensity (Abbay, 1998), drawing explicitly on the Bolshevik analogy of the Russian Empire as a *'prison of nations'* under tsarist rule (Young, 1997). Its 1976 program portrayed the Amharas as an *'oppressor nation'*, asserting that *'Tigray was a colony of the Amhara'* and characterizing Ethiopia as a *'prison of peoples'* in which *'the Amhara ruling class and the Amhara people in general are the jailers'* (see T.P.L.F., 1976, Young, 1997, p. 99). The formulation marked a significant broadening: whereas the EPLF's 1971 manifesto attributed oppression to the *'predominantly Amhara'* ruling class, the TPLF extended collective blame to an entire ethnic community. Yet the claim of Tigray as an Amhara colony conflicts with historical evidence. Amhara presence — administrative or demographic — was

minimal in Tigray, where local Tigrayan elites dominated landholding and governance throughout the imperial period (Clapham, 1988). Amhara presence was substantial in southern Ethiopia, where imperial conquest established administrative control and migrant populations (Clapham, 1988, Donham, 1999). The discrepancy between TPLF rhetoric and historical reality illustrates how mobilization narratives simplified — or distorted — complex political relationships into ethnic dichotomies.

The ‘*Amhara oppressor*’ narrative became central to TPLF political education and enabled peasants facing food insecurity and taxation to attribute hardship to the Amharas, not to local Tigrayan aristocratic landownership (Abbay, 1998, p. 158). The misdirection served two ends: it deflected blame from Tigrayan elites who had extracted surplus from Tigrayan peasants for centuries and constructed a common enemy that unified Tigrayans across class lines.

The OLF shared the TPLF’s diagnosis of Amhara domination but grounded it in Oromo-specific historical grievances. The movement deployed anti-Amhara rhetoric as its main mobilization instrument (Jalata, 1993). It conceptualized Ethiopia as a ‘*colonial empire*’ founded on Abyssinian (Amhara-Tigrayan) conquest. Oromo nationalist scholars such as Hassen (1994) maintain that the Oromo people endured prolonged subjugation under Abyssinian colonial rule. The OLF’s political programs formally articulate the perspective: ‘*The Oromo people have been under Abyssinian colonial rule for more than a century. During the period, they have been victims of oppression, exploitation, subjugation and systematic humiliation*’ (OLF, 2013). Jalata (1993, p. 134) reinforces the framework by identifying ‘*the Amhara as the primary oppressor group, responsible for the political subordination, economic exploitation, and cultural suppression of the Oromo nation*’.

The narrative, though politically effective, does not survive historical scrutiny. Menelik’s armies included substantial Oromo contingents, and Oromo nobles held high imperial positions (Clapham, 1988, Donham, 1986). One might argue these figures were collaborators or mercenaries serving Amhara interests, but that reframing concedes the central point: Oromos were integrated into state power, not merely subjected to it. Economically, Amhara peasants experienced exploitation comparable to Oromo counterparts under the tributary land system; no ‘*colonial dividend*’ flowed to the Amhara population collectively. The system was extractive, but extraction operated along class lines, not the metropolitan-periphery structure characteristic of colonialism.

Despite these historical complications, the ethnic grievance narrative proved a low-cost, high-yield mobilization instrument. Ethnic appeals simplified complex political realities into accessible binaries — oppressor and oppressed, colonizer and colonized — reducing the cognitive demands on potential recruits and lowering barriers to collective action (Bates, 1983, Olson, 1965).

The instrumental character of these narratives found an unexpected confirmation decades later. In 2018, Eritrean President Isaias Afewerki publicly expressed regret to the Amhara people for his movement’s earlier anti-Amhara narratives (ESAT, 2018). The expression of regret may have reflected diplomatic calculation during the Ethiopia-Eritrea rapprochement, genuine ideological evolution, or acknowledgment of past manipulation. Regardless of motive, it cast doubt on the factual basis of the narratives and supports the interpretation that anti-Amhara mobilization was deliberate political construction, not an accurate representation of Ethiopian history.

The oppressor narrative thus enabled disparate insurgencies to unite under a banner of liberation from Amhara rule and supplied moral justification for the federal architecture that would institutionalize ethnic separation (Gamson, 1992).

3.4. *Conquest Without Colonialism*

Central to the anti-Amhara mobilization strategy was the colonial thesis, the claim that Ethiopian state formation constituted colonial domination. The thesis conflates conquest with colonialism and obscures crucial analytical distinctions. Ethiopia's past contains episodes of conquest (Clapham, 1988, Marcus, 1994), yet conquest alone does not constitute colonialism (Osterhammel, 2005). The Oromos themselves expanded from southern Ethiopia to the north, northeast, and southwest in the 16th century, assimilating different ethnic groups (Hassen, 1990, Zewde, 1991), some of whom ceased to exist as distinct cultural identities. If conquest constitutes colonialism, then Oromo expansion — documented by Hassen (1990) — would qualify equally, a characterization no Oromo nationalist would accept.

Colonialism, as historically constituted, emerged from capitalist expansion: industrial economies required raw materials and external markets (Hobsbawm, 1987, Osterhammel, 2014). Colonial domination presupposed industrial production and integration through global trade, capacities Ethiopia lacked (Fieldhouse, 1981). Ethiopia's nineteenth-century expansion occurred within a tributary mode of production: surplus extraction through land grants and compulsory service, rather than capitalist exploitation through wage labor and commodity production. Exploitative economic relations nevertheless developed, tributary taxation, compulsory labor service (gabbar system), and neftegna land grants in southern regions (Donham, 1986, McCann, 1995).

Comparable forms of domination appeared elsewhere: Zulu expansion under Shaka (Etherington, 2001), Fulani jihads in West Africa (Last, 1967), Arab subjugation of Nubian societies in Sudan (Holt and Daly, 2011), Russian incorporation of Central Asian peoples (Kappeler, 2001), and Ottoman rule in the Balkans and elsewhere (Barkey, 2008). These cases differ from classical colonialism in lacking capitalist economic structures, industrial metropolises, and integration into global commodity markets (Fieldhouse, 1981, Osterhammel, 2005).

The colonial interpretation of Ethiopia's territorial expansion served strategic political purpose (Iyob, 1995, Young, 1997). It supplied an ideological frame through which movements could advance sovereignty claims: territorial independence in Eritrea's case, ethnically defined statehood in the OLF's, and in the TPLF's case, ethnic self-determination—including independence—within a restructured Ethiopia. Insurgent elites cast state formation as colonial domination and transformed secession from challenge to authority into project of decolonization. The reinterpretation linked political objectives to material incentives, external recognition, and mobilization capacity (Clapham, 1996). Leaders of the liberation movements understood that independence claims depended on acceptance of the colonial thesis. The thesis recast internal political conflict as anti-colonial struggle, making it intelligible within global norms that privileged self-determination. Jackson (1990) identifies this pattern across post-colonial sovereignty claims.

Cultural hierarchy marked Ethiopia's imperial order, yet cultural domination points to internal state-making, not a colonial relation. Colonialism names a political form that presumes permanent social distance between ruler and ruled, sustained by legal dualism, racial hierarchy, and a metropole that claims a separate civilizational standing. Ethiopia's imperial project relied less on separation than on integration. Non-Amhara elites entered imperial service, acquired court status, and joined Amhara elite networks through patronage, schooling, and inter-elite marriage. Social mixing at the apex mattered because it narrowed the boundary that colonial rule normally polices. The state advanced a hegemonic culture and suppressed rivals, but the pathway for elite entry and

social assimilation complicates any claim that cultural dominance alone amounts to colonialism.

That distinction sharpens the debate over the colonial thesis. Defenders argue that political domination and cultural suppression constitute colonialism even when industrial capitalism plays no central role (Jalata, 1993). Postcolonial scholarship supports a broad definition, treating cultural imperialism as central alongside economic exploitation (Said, 1978). Analytical precision suffers when colonialism absorbs every form of conquest, under that definition, Oromo expansion also qualifies as colonial. Classical colonialism rested on metropole–periphery rule, racial hierarchy legitimated by scientific racism, and extraction geared to industrial production. Ethiopian expansion incorporated neighboring polities into tributary arrangements; conquered elites retained local authority and entered imperial hierarchies (Clapham, 1988, Donham, 1986).

Colonial language shifts a dispute over power and distribution into a claim for sovereign exit. It supplies a moral script—colony and metropole, domination and liberation—then treats decolonization as the proper remedy, with separation as its endpoint. That framing reallocates legitimacy: independence reads as liberation, continued union reads as coercion. Claims to statehood can rest on self-determination, security, and governance capacity even when the prior relationship fits internal incorporation more than colonial rule. Colonialism speeds the argument; politics decides the outcome.

Quebec nationalists held two referenda on sovereignty without invoking colonialism, presenting claims through language rights and cultural preservation (Bastien, 2005). Scotland’s 2014 referendum emphasized economic autonomy, rather than colonial grievance (Currie, 2015). Czechoslovakia’s 1993 *‘Velvet Divorce’* proceeded through constitutional agreement, with leaders justifying independence through administrative rationality instead of anti-colonial struggle (Musil, 1995). Yugoslavia’s disintegration produced successor states that grounded independence in self-determination and security imperatives instead of colonial subjugation (Glenny, 1999, Woodward, 1995). This comparison underscores a central distinction: colonialism may be mobilized rhetorically to strengthen secessionist claims, but it is neither necessary nor sufficient condition for independence.

The colonial thesis served mobilizational and constitutional purposes alike. It justified not merely independence for Eritrea but a particular federal arrangement for the remainder of Ethiopia: one that treated ethnic groups as distinct nations requiring separate governance within a common state, with secession as an ever-present constitutional option. The thesis supplied the ideological foundation for *‘forced staying apart together’*: if Ethiopian state formation constituted colonial domination, then post-colonial governance required ethnic self-determination within territorially bounded units, each retaining the right to exit the arrangement entirely. The federal structure institutionalized the colonial interpretation even as historical evidence undermined it (Keller, 1988, Marcus, 1994).

3.5. *The Amhara Oppressor Hypothesis*

Just as the colonial thesis invites contestation, the Amhara oppressor hypothesis merits scrutiny. Disproportionate representation of Amhara elites within imperial and military governments did not transform those regimes into Amhara governments (Clapham, 1988, Zewde, 1991). The distinction between ruling ethnic composition and ethnic governance is crucial.

The ruling elite under Haile Selassie, though dominated by the Amharas, was multi-ethnic. Several key portfolios belonged to non-Amharas: Yilma Deressa, an Oromo, held senior economic

and foreign-policy responsibilities; Zewde Gebre-Selassie, a Tigrayan, occupied senior economic posts. These appointments point to an elite structure shaped by loyalty, education, and court access rather than simple ethnicity. Marriage alliances bound regional nobility to the center, reinforcing incorporation over exclusion. Senior military leadership reflected similar diversity: General Tadesse Biru, an Oromo, commanded the Imperial Bodyguard, and General Aman Andom, an Eritrean, became one of the regime's most prominent commanders. The pattern persisted beyond the imperial order. The Derg's leadership council comprised members from multiple ethnic backgrounds — General Aman Andom, an Eritrean; General Teferi Benti, an Oromo; Lt. Col. Fisseha Desta, a Tigrayan. Mengistu himself is reported to be of southern origin. The Derg operated through institutional hierarchy, not ethnic networks; political authority rested on coercive capacity and fiscal control (Clapham, 1988). Ethnic identity structured neither recruitment nor command — a pattern consistent with broader theories of state power (Tilly, 1990, Weber, 1978).

The presence of non-Amhara officials does not negate substantial Amhara representation within imperial and Derg institutions or the privileged status of Amharic in state life. It does complicate claims that the Ethiopian state was a straightforward ethnic regime. The evidence suggests an elite-centered hierarchy that incorporated regional aristocracies under the monarchy and the Derg ruling elite across ethnic lines.

The multi-ethnic character of pre-1991 governance reflected more than demographic arithmetic. Officials from different ethnic backgrounds shared a common vision of Ethiopia as a unitary state; their authority derived from institutional position, not ethnic delegation. Non-Amhara officials advanced policy in national and administrative terms. claims on behalf of ethnic constituencies were absent. Yilma Deressa served as a minister, not as an Oromo representative; Teferi Benti governed as head of state, not as an Oromo delegate. The distinction matters because it separates two fundamentally different modes of political incorporation. Pre-1991 regimes integrated elites as civic officeholders within state institutions. Ethnic federalism redefined political participation through group-based delegation, converting officials into representatives of territorially defined identities. Under this logic, an Amhara minister no longer served the state; he represented a bounded constituency within a fragmented order.

The post-1991 system did not merely reorganize governance — it restructured the terms of political belonging. Earlier elite formation integrated officials across ethnic lines; the post-1995 order sorted them into ethnic silos. Amhara officials under the EPRDF and Prosperity Party occupied structurally constrained positions: largely symbolic representatives with limited policy autonomy, operating within a system designed to contain rather than incorporate. Citizenship, the shared civic bond that had — for all the previous regimes' authoritarian defects — held the political class together, gave way to ethnicity as the primary organizing principle of public life. The distinction is not symbolic inclusion versus exclusion but civic incorporation versus ethnic containment.

The absence of ethnic privilege extended beyond elite circles. Pre-1991 regimes created no formal ethnic categories (Clapham, 1988, Levine, 1974); ordinary Amharas derived no collective benefit from state expansion. An Amhara peasant in Wollo gained nothing from an Amhara general's land grant in Arsi. The ruling elites operated within an Ethiopian civic nationalist framework that emphasized territorial integrity and national unity over ethnic particularism (Zewde, 1991). Both the monarchy and the military government defined themselves as Ethiopian institutions, not ethnic projects.

Critics point to Amharic language policy and Orthodox Church influence as evidence of Amhara privilege. The distributional effects were real: Amharic's dominance predictably disadvantaged non-Amharic speakers in access to state employment, courts, and upward mobility. Yet these reflected state-building imperatives rather than ethnic governance; Orthodox Christianity's influence derived from its historical role as state ideology, not deliberate policy to advantage Amhara adherents (Zewde, 1991). Section 5.4 engages this counterargument in detail and considers why multilingual policy, rather than ethnic federalism, is the appropriate remedy.

Without formal ethnic privilege, social and economic outcomes varied by class, position, and region over ethnic membership. The Amharas constitute a heterogeneous population with internal divisions across social position, regional dialect, and geographic location. As Donham (1999, p. 112) emphasizes, '*Amhara*' functioned as a symbol of central state power; insurgent movements converted the symbol into political adversary. The abstraction erased internal stratification. Amhara peasants in Gojjam experienced tributary extraction comparable to cultivators in newly incorporated southern provinces (Markakis, 1989). The ethnic discourse cast northern Amhara populations as imperial beneficiaries while obscuring their economic hardships, severing potential class solidarities across ethnic boundaries.

The oppressor hypothesis performed concrete constitutional work beyond general justification. It supplied the rationale for denying dispersed Amhara populations equal rights in regions where they resided and for subordinating their citizenship claims to the collective entitlements of formerly oppressed nations. Structural disadvantage — in power distribution, resource allocation, and territorial organization — followed not from administrative logic but from ideological design. The narrative that cast the Amharas as oppressor produced a constitutional order that now generates the very resistance it sought to prevent: the assertive nationalism analyzed in Section 5.6.

3.6. Institutionalizing the Narrative

The '*Amhara oppressor*' narrative that generated resistance also served the consolidation of power. The narrative justified dismantling the pre-1991 state and legitimized concentration of authority within an ethnic federal system. Kebede (2001, p. 134) contends that '*systematic vilification was necessary to legitimize the dismantling of the old state and its replacement by an ethnic federation in which the Amhara would be permanently weakened*'.

Pre-emptive delegitimization anchored the approach. Acknowledging the multi-ethnic composition of earlier ruling elites or the exploitation of Amhara peasants would have weakened the '*oppressed nation*' claim and rendered constitutional provisions targeting the Amharas difficult to sustain (Abbink, 2011). The entire edifice of ethnic federalism drew its moral justification from the portrayal of an Amhara adversary; concede the complexity, and the structure loses its foundation.

The narrative did not end with military victory; state power institutionalized it. The TPLF's ascent elevated anti-Amhara historiography into official ideology. Political discourse became '*dominated by the liberation narrative*' that '*defined legitimacy in opposition to the so-called Amhara state*' (Tronvoll and Vaughan, 2003, p. 42). Revolutionary propaganda, once a wartime instrument, transformed ethnic grievance into a permanent feature of governance. Abbink (2011, p. 607) observes that '*the Amhara remained politically suspect by definition*'.

Institutions reinforced the narrative through administrative practice, state media, and public pronouncements. Educational curricula at all levels emphasized ethnic oppression under impe-

rial rule; access to federal and regional government employment required ethnic identification. Federal offices tied allocation decisions to ethnic classification; employment opportunities depended on ethnic identity; party advancement required acceptance of the ‘*Amhara domination*’ thesis (Pausewang, 2005). Dissent constituted political betrayal; questioning Amhara culpability implied defense of oppression. Repetition, enforcement, and institutional reward gave the ideology hegemonic status. What began as wartime propaganda became the operating system of the state.

The 1995 constitution — analyzed in detail later — gave the wartime narrative permanent legal form. The process established what Pierson (2000) calls a ‘*self-reinforcing cycle*’: wartime propaganda justified armed struggle, the postwar narrative justified constitutional marginalization, and constitutional marginalization validated the original propaganda. Constitutional design presupposed Amhara dominance; restrictions on Amhara political influence then appeared to confirm the constitution’s necessity. Circular reasoning became institutionalized, foreclosing democratic contestation.

4. From Victory to Constitution (1991-1995)

4.1. *The Transitional Government: Rhetoric and Reality*

Translation of the ethno-nationalist narrative into state power began immediately after military victory. The TPLF established the Transitional Government of Ethiopia (TGE) in July 1991, presenting it as a rupture from authoritarian rule and a vehicle for national reconciliation. The declared mandate covered constitutional drafting, state restructuring, and grievance redress for Ethiopia’s multiethnic society (Tibebu, 1995, Tronvoll and Vaughan, 2003).

The TGE placed ethnic federalism at the center of its mandate, promoting it as a framework for regional autonomy and equitable participation: an institutional response to long-standing perceptions of political and economic imbalance (Ayalew, 2024, Jacobs, 2020). The TGE charter affirmed self-determination, democratic participation, and equality among nations and nationalities. The TGE crafted language that appealed to domestic constituencies exhausted by centralized rule and to international actors pressing for democratic reform. It secured endorsement from international financial institutions and Western governments, which directed substantial assistance toward the new administration and treated the transition as a democratic breakthrough (Young, 1997).

Implementation exposed a gap between rhetoric and reality. Beneath inclusive language, transitional institutions served as instruments of single-party consolidation. The TPLF concentrated authority within these institutions, secured military, intelligence, and economic control, and ensured decisions remained within its command structure (Pausewang, 2002, Tronvoll and Vaughan, 2003). Opposition groups found themselves shut out of TGE, dissenting voices faced exclusion, and civil institutions operated under EPRDF direction. The transition functioned as managed realignment that legitimated TPLF dominance, not national participation (Pausewang, 2002, Tronvoll and Vaughan, 2003). The transitional period established the pattern of ‘*forced staying apart together*’ federalism. The constitution would embed this pattern in fundamental law.

4.2. *Exclusion from the Transitional Process*

The 1991 Transitional Conference revealed this dynamic in practice. Formally presented as an inclusive forum representing Ethiopia’s diverse ethnic groups and political constituencies, the con-

ference was in practice tightly controlled by the TPLF and its allies. Groups regarded as political rivals were barred from participation (Tronvoll and Vaughan, 2003, Young, 1997).

The Amharas—one of the two largest ethnic groups in Ethiopia—lacked effective representation. The organization that later became the Amhara National Democratic Movement (ANDM) originated as the Ethiopian People’s Democratic Movement (EPDM), a multiethnic organization with a pan-Ethiopian platform. In 1994, the EPDM was reorganized as the ANDM to fit the EPRDF’s ethnic federal structure. Its original pan-Ethiopian orientation placed it at odds with the TPLF’s ethnonational framework, a tension that appears to have contributed to ANDM’s marginalization (Young, 1997).

The EPDM/ANDM transformation illustrates a broader pattern: ethnic federalism was imposed rather than negotiated. The TPLF required coalition partners to adopt ethnic identities that fit its federal template. It converted multiethnic organizations into ethnic parties regardless of their original political character; where no suitable organization existed, it created ethnic parties overnight (Vaughan, S., 2003). The conversion and creation exemplified the logic of *‘forced staying apart together’*: groups were compelled to participate in an ethnically defined order whether ethnic identification reflected their political orientation. Coexistence within the EPRDF required ethnic separation; coalition membership demanded acceptance of this template. The ANDM, nominally designated to represent Amhara interests, became a client organization inside the EPRDF hierarchy. It possessed no autonomy to defend political or territorial claims and executed directives instead of shaping policy (Tibebu, 1995, Tronvoll and Vaughan, 2003).

The ANDM’s subordination within the EPRDF coalition followed one logic; the exclusion of pan-Ethiopian organizations followed another. The Ethiopian People’s Revolutionary Party (EPRP) and the All-Ethiopia Socialist Movement (MEISON) — both with multiethnic membership and national programs — were barred from participation altogether (Abbink, 2011, Vaughan, S., 2003). The ANDM at least occupied a seat at the table, even if the TPLF determined the menu. Pan-Ethiopian organizations received no seat at all. Justifications for exclusion varied: some groups received labels as remnants of the previous regime; others faced accusations of lacking popular legitimacy, posing security risks, or failing to conform to the emerging ethnically defined political order (Vaughan, S., 2003). These rationales functioned as political instruments to narrow participation — neutral procedural criteria they were not.

The logic of restriction determined the constitutional architecture that would follow. Groups advocating civic nationalism, multiethnic coalitions, or territorial arrangements that cut across ethnic lines threatened the TPLF federal template. The EPRP and MEISON were barred because their multiethnic platforms contradicted the premise that political organization must follow ethnic lines; the EPDM was absorbed and recast precisely because it could not be permitted to survive in its original form. Their marginalization was not incidental but constitutive: the ethnic federal design required the suppression of alternatives.

The constitutional architecture of post-1991 Ethiopia did not emerge from the transitional period alone. Its foundations were laid years earlier, in wartime consultations among the three principal insurgent movements. Representatives of the EPLF, TPLF, and OLF met in Seraye, Eritrea, during the late 1980s to draft the political framework that would govern Ethiopia after the anticipated defeat of the Derg (Asrat, 2014, Vaughan, S., 2003). Lencho Letta, the OLF’s former Deputy Secretary General, confirmed that *‘the three distinct groups — the EPLF, TPLF, and the*

OLF worked very hard to put together a covenant' (Vaughan, S., 2003, p. 35). The EPLF hosted the discussions on the territory it held and, as the senior military and organizational force among the three, played the leading role in shaping the document's framework. OLF sources corroborated this account, noting that the EPLF *'was also heavily involved in the process which resulted in the draft document, and the three organizations spent some time, hammering out the details'* (Vaughan, S., 2003, p. 35).

The discussions centered on two questions: the political structure that would replace the Derg, and the terms under which the three movements — each with distinct territorial ambitions — would coexist in a post-war order. The EPLF's position was clear: full Eritrean independence, combined with an Ethiopian state sufficiently decentralized to prevent the re-emergence of a strong central government that might challenge Eritrean sovereignty. The EPLF did not formally endorse ethnic federalism — a model that could destabilize its own multi-ethnic polity — yet its strategic interest lay in an Ethiopia too fragmented to project power northward. The TPLF sought ethnic self-determination within Ethiopia, with secession retained as a constitutional option should conditions warrant. The OLF pursued self-determination for the Oromo, also with the possibility of eventual independence. All three shared the anti-Amhara analytical framework, yet their prescriptions diverged: the EPLF sought separation from Ethiopia, the TPLF sought to restructure it under its leadership, and the OLF sought autonomy within or exit from it.

The covenant that emerged from these discussions became the template for the 1991 Transitional Charter. Article 2 of the charter affirmed the right of nations, nationalities, and peoples to self-determination, a provision that would later be refined and expanded into Article 39 of the 1995 constitution — the secession clause. The continuity between the wartime covenant and the constitutional text was deliberate. EPLF constitutional experts were reportedly instrumental in drafting the 1995 constitution itself, and the document bore the imprint of the Seraye discussions throughout (Asrat, 2014, Vaughan, S., 2003). The constitutional order that would govern Ethiopia for the next three decades was thus conceived not in a constituent assembly or a national dialogue but in a wartime meeting among three armed movements, on territory outside the effective control of the Ethiopian government, without the participation of the Ethiopian people or the political forces that represented them. The Amhara — the group that the constitution would structurally disadvantage — had no seat at the table where their political fate was decided.

Ethnic federalism has created a new category of political subjects: the regional minorities. By drawing regional boundaries along ethno-linguistic lines, the 1995 constitution ensures that every region contains populations whose ethnic identity does not match that of the titular group (Fessha, 2017). The federal constitution prescribes no mechanisms for protecting these minorities. Articles 46 and 47 establish the regional states and grant them authority to subdivide into zones, woredas, and kebeles, but the question of how — or whether — internal minorities would receive institutional recognition was left to regional governments (Federal Democratic Republic of Ethiopia, 1995, arts. 46–47). The result has been a patchwork of sub-regional arrangements that vary by region, by group, and by political calculation (Van der Beken, 2007).

The rationale for these arrangements follows logically from the premises of ethnic federalism. If self-determination requires territorial control, then groups stranded outside their designated homeland face a structural deficit. Special zones and woredas are designed to restore, at a sub-regional level, what the federal architecture removes: the right to administer one's own affairs,

to educate children in their mother tongue, and to participate in local governance as members of a recognized political community rather than as unaffiliated residents (Aalen, 2002).

Among Ethiopia's major ethno-nationally defined regions, the Amhara region has maintained the most extensive set of such accommodations. The Oromia Special Zone, established in 1994, provided five woredas of self-administration for Oromo communities in North Shewa (Addisu, 2018). The Argobba Special Woreda, created by Proclamation No. 130/2006, granted a small but territorially concentrated group its own administrative unit of nine kebeles (Amhara National Regional State, 2006). The Agaw Awi Zone and Wag Hemra Zone afforded the Agaw people nationality-based governance. The Qemant received the right to self-rule within a nationality woreda (Addisu, 2018, Van der Beken, 2007).

Elsewhere, minority accommodation took different forms. In Benishangul-Gumuz, the regional constitution recognizes five indigenous nationalities — Berta, Gumuz, Shinasha, Mao, and Komo — and created a Nationality Council to represent their interests (Benishangul-Gumuz Regional State, 2008, Kefale, 2008, proclamation No.73/2008). The Gambella constitution requires that minority nationalities receive direct representation in regional and zonal councils (Feyissa, 2006, Gambella Peoples' Regional State, 2002, art. 47(3)). The Southern Nations, Nationalities, and Peoples' Region established multiple special woredas for smaller groups such as the Yem (Vaughan, 2006). The Harari region goes furthest: despite the Harari comprising less than ten percent of the regional population, the constitutional structure guarantees their political dominance through a dedicated Harari National Council that reserves executive authority for the titular group (Van der Beken, 2007).

Applied consistently, the logic of minority protection would extend to all internal minorities. It does not. No comparable region — not Oromia, not Tigray, not Somali, not Afar — has created equivalent structures for Amhara minorities within its borders, despite the presence of hundreds of thousands of Amhara residents in each, millions in the case of Oromia (Central Statistical Agency, 2007). According to the 2007 census, 451,362 Oromo residents in the Amhara region benefited from the institutional framework of the Oromia Special Zone. Amhara residents in Oromia — numbering in the millions and forming demographic majorities in cities such as Adama (Nazret, until recently), where sixty percent of residents reported Amharic as their mother tongue, and Bishoftu (Debre Zeit until recently), where the figure reached seventy-two percent — received no equivalent administrative unit, no special zone, and no dedicated political representation (Kasse and Woldemariam, 2022). In Benishangul-Gumuz, the regional constitution's distinction between '*indigenous*' and '*non-indigenous*' peoples excludes Amhara populations from the Nationality Council and denies them participation in regional self-governance, despite generations of settlement in the Metekel Zone (Kefale, 2008). In Harari, Amhara and Gurages report discrimination in access to public services and microfinance institutions, subordinated to a titular group that constitutes a small fraction of the population (Mulugeta and Woldemariam, 2022). In Gambella, similar indigenous/non-indigenous classifications exclude Amhara residents from political institutions altogether (Feyissa, 2006).

The region designated as the homeland of the putative oppressor group thus proved the most institutionally generous toward its minorities, while the regions that claimed liberation from Amhara dominance provided no reciprocal protections. This asymmetry is a product of the Amhara oppressor hypothesis, not a reflection of the federal system's commitment to minority rights. The premise

that the Amhara historically dominated all other groups generates a specific institutional corollary: non-Amhara populations within Amhara territory require protection from the titular group in ways that Amhara populations elsewhere do not. The Oromia Special Zone, the Argobba Woreda, and the Agaw nationality zones were established not because the Amhara regional government was uniquely threatening, but because the constitutional order presumes it to be. Their very existence affirms the premise that Amhara governance poses a danger to minority populations. The same logic renders Amhara minority protection elsewhere conceptually impossible — to protect Amharas as minorities is to concede that the oppressor can also be the oppressed, and such a concession undermines the ideological foundation on which the entire federal structure rests (Abbink, 2011, Kasse and Woldemariam, 2022).

The arrangement also served a strategic function. Each special zone and nationality woreda carved from Amhara administrative territory reduced the region's demographic weight, diluted its political cohesion, and created internal constituencies whose institutional loyalties ran to the federal center or other groups rather than to the regional government. The Oromia Special Zone was reportedly created under pressure from the OLF, but the decision was mediated through the EPRDF structure that the TPLF controlled (Woldemichael, 2023). The TPLF-controlled EPRDF did not invest in minority protection within Amhara region because it valued pluralism. It did so because subdividing the Amhara polity from within served the same objective as excluding it from power at the center: the containment of the one group whose political tradition posed the greatest challenge to ethnic federalism's foundational premises (Fessha, 2017). Minority protection within the Amhara region and the abandonment of Amhara minority rights elsewhere were not contradictory policies. They were complementary instruments of the same project.

4.3. Consolidation of TPLF Dominance

During the transitional period, the exclusion of rival political forces translated into Tigrayan institutional dominance. Tigrayans, constituting roughly six percent of the national population (Central Statistical Agency, 2007), occupied a disproportionate share of senior positions in the military, intelligence services, and economic ministries between 1991 and 1995 (Abbink, 2011, Tronvoll and Vaughan, 2003, Young, 1997). This concentration of coercive and economic power in the hands of TPLF loyalist cadres ensured that constitutional drafting would proceed under TPLF control.

Between 1991 and 1995, the TGE adopted far-reaching decisions: it drafted and ratified the constitution, created ethnically defined administrative regions, recognized Eritrea as an independent state—thereby landlocking Ethiopia—and established the federal legislature. Constitutional and boundary-drawing bodies were controlled by EPRDF-affiliated organizations, with independent Amhara representation notably absent (Abbink, 2011). Transitional authorities established interim councils, restructured local administrations, and initiated ethnic federalism's institutional framework.

Among these decisions, boundary demarcation proved particularly consequential. A ten-member boundary commission set up by the EPRDF, with no representation of the Amhara community, determined regional boundaries (Vaughan, 2025). Regional demarcation determined which populations would constitute majorities, which would become minorities, and which would find themselves divided across administrative lines. The Amhara region's boundaries excluded territories

with significant Amhara populations: Wolkait, Tsegede, and Humera were assigned to Tigray's Western Zone; Raya Azebo, Raya Kobo, and Raya Alamata were assigned to Tigray's Southern Zone; Metekel Zone was assigned to Benishangul-Gumuz; and areas around Ataye, Kemise, and parts of North Shewa were assigned to Oromia (ACLED, 2024, UK Home Office, 2025). These decisions were made with little or no consultation with affected populations. Populations assigned minority status in regions they had long inhabited would confront administrative systems that privileged ethnic majorities. The Amharas, dispersed across multiple regions and denied territorial coherence, faced the triple vulnerability identified in Section 1.5. These administrative choices, presented as technical delimitation, carried profound political implications that the constitutional settlement would formalize.

4.4. From Transition to Constitution

The transitional period enabled the TPLF to convert wartime dominance into constitutional permanence. Having excluded rival political forces from the 1991 London Conference and the July 1991 National Conference, the TPLF controlled the composition of the Transitional Government, the terms of the Transitional Charter, and the process through which the 1995 Constitution was drafted and ratified. (Buchanan and Tullock, 1962) observe that constitutional designers operating without effective constraints embed rules that protect the interests of those who write them; the Ethiopian transition followed this logic precisely. International actors reinforced the outcome by interpreting, knowingly or unknowingly, federal language as genuine devolution while overlooking the concentration of coercive and economic authority behind formal structures (Young, 1997). The constitutional order that emerged thus bore the imprint of exclusion.

The transitional arrangements achieved permanent codification in the 1995 constitution. The constitution transformed informal power consolidation into formal institutional architecture and embedded the political logic of the transitional period in language that appeared inclusive yet preserved hierarchical control. The TPLF's ethnic federal template was not negotiated among Ethiopia's diverse populations but imposed by a victorious coalition that excluded rivals, monopolized boundary demarcation, and constructed ethnically defined affiliate parties that operated as satellites within a hierarchical coalition structured around TPLF control. The constitution would formalize these arrangements: compel coexistence within a single state and organize political life around ethnic separation and differentiated access to power.

The exclusion of 1991–1995 established structural conditions for the political response that would follow. Amhara marginalization during the transitional period would shape the grievances that fuel contemporary mobilization. Section 5 examines the constitutional provisions that gave transitional dominance legal permanence.

5. Constitutional Design and Strategic Ambiguity

5.1. The Preamble's Calculated Silence

Constitutional preambles perform legitimating functions: they narrate founding myths, establish moral foundations, and define the boundaries of political community (Jacobsohn, 2006). Comparative scholarship distinguishes between preambles that ground sovereignty in inclusive civic identity and those that mobilize exclusive historical grievance (Elkins et al., 2009). The constitutions of the United States, South Africa, and India illustrate the first tradition. Despite vast

differences in historical context, all three open with variations of *'We, the people'*, vesting ultimate sovereignty in a single political community rather than in its ethnic, racial, or linguistic subdivisions (Ackerman, 1991, Austin, 1966). The Ethiopian Constitution's preamble departs from this model.

Ethiopia's constitution deliberately rejected this civic model, opening instead with *'We the Nations, Nationalities and Peoples of Ethiopia'* (Federal Democratic Republic of Ethiopia, 1995, preamble). This linguistic choice replaces pan-Ethiopian identity with ethnic fragmentation as the basis of political community (Abbink, 2011). The preamble narrates liberation from *'historically distorted relationships'* but identifies no oppressor. Choudhry (2008) describes this technique as strategic ambiguity, a drafting strategy in which constitution-makers obscure contested claims to forestall opposition. The Ethiopian case illustrates the strategy precisely: to name the Amhara as oppressors would have invited contestation; to leave them unnamed while structuring the entire document around their implicit culpability assigns historical responsibility without specific attribution.

The preamble's operative phrase reinforces this ambiguity. Its declaration that *'our common destiny needs to be based upon the rectification of historically distorted relationships and promoting common interests'* (Federal Democratic Republic of Ethiopia, 1995, preamble) acknowledges past injustice without naming its agents. Pausewang (2005, p. 22) characterizes this as *'semantic transformation'* that converted the Amhara — an internally diverse community — into the primary bearer of historical responsibility. The formulation embedded the colonial thesis examined in Section 3 into constitutional language: it attributed collective responsibility to an ethnic category rather than to specific political institutions or elite actors, while rendering that attribution sufficiently abstract to deflect direct challenge.

Several factors explain the omission of an explicitly named oppressor. During the insurgency, identifying the Amhara as oppressor served as a mobilization instrument; after victory, ambiguity offered greater political utility (Young, 1997). Naming an oppressor nation in the constitution risked provoking resistance from Amhara constituencies at a time when the new regime sought consolidation rather than confrontation (Pausewang, 2005, Vaughan, S., 2003). International legitimacy concerns may have reinforced this calculation: explicitly attributing oppression to the Amhara would have raised concerns about collective punishment and undermined claims to democratic transition (Clapham, 2009, U.S. State Department, 1995). Silence thus served multiple functions simultaneously. It positioned the new order as principled and restrained while preserving institutional arrangements that redistributed power along ethno-national lines (Abbink, 2011). It insulated the constitutional text from legal challenge while allowing administrative practice to achieve what explicit language could have secured only at considerable political cost (Turton, 2006).

The preamble's strategic ambiguity exemplified the logic of *'forced staying apart together'*. By vesting sovereignty in *'nations, nationalities, and peoples'* and implicitly assigning historical responsibility to a single ethnic category, the preamble established the framework that subsequent provisions would operationalize.

5.2. Transitional Justice and Historical Grievance

Defenders of the constitution present these design choices as sincere efforts at historical redress, not strategic exclusion. Meles Zenawi argued that ethnic federalism represented ‘*genuine democratization*’ and ‘*historical correction*’ (Zenawi, 2010). The claim warrants scrutiny. The preamble refers to ‘*the rectification of historically distorted relationships*’ without naming an oppressor or identifying the distortion, yet subsequent constitutional arrangements translated this abstract diagnosis into concrete institutional outcomes that redistributed power, resources, and influence asymmetrically (Federal Democratic Republic of Ethiopia, 1995). As noted earlier, Tigrayans occupied a disproportionate share of senior military, intelligence, and economic positions during and after the transition. As Abbink (2011, p. 607) observes, ‘*the system excluded those not cast as oppressed, thus institutionalizing hierarchy instead of equality*’.

Ethiopia’s transitional process conflated two functions that transitional justice theory treats as distinct. Constitutions structure political authority; transitional justice addresses past wrongs through dedicated mechanisms: trials, lustration, truth commissions, and reparations programs, Teitel (2000). The 1995 Constitution merged both, embedding historical grievance into state architecture without establishing any mechanism for accountability or reconciliation. The restorative-retributive distinction that Teitel identifies collapsed entirely: the constitutional order neither pursued accountability through sanction nor reconciliation through acknowledgment, but instead implicitly assigned collective responsibility to an unnamed oppressor and distributed institutional power accordingly.

Comparative experience illustrates the distinction. Germany addressed Nazi crimes through the Nuremberg trials, subsequent prosecutions, lustration, and reparations, while the Basic Law established civic equality without itself dispensing justice (Kommers, 1997). South Africa created the Truth and Reconciliation Commission as a statutory body separate from the constitution, documenting apartheid crimes and offering amnesty in exchange for truth, while the 1996 Constitution established civic equality for all races (Berman et al., 2017, Wilson, 2001). In both cases, transitional justice and constitutional design operated through separate institutional channels. Rwanda illustrates the dangers of collapsing this distinction. Gacaca courts addressed genocide crimes by statute and the constitution prohibited ethnic categorization in public life (Clark, 2010), yet the broader transition involved selective justice that disproportionately targeted Hutu populations while shielding the ruling Rwandan Patriotic Front from accountability (Reyntjens, 2011, Straus, 2015).

Ethiopia’s transitional process followed neither a restorative nor a retributive path. The regime established no truth commission, no accountability mechanism, and no reparations program. It acknowledged oppression without establishing civic equality and named no perpetrators and imposed no sanctions. Instead, the constitutional framework functioned as ersatz transitional justice, embedding the Amhara oppressor narrative into state structure and assigning collective responsibility to an ethnic category without adjudication. The preamble’s reference to ‘*historically distorted relationships*’ acknowledged grievance; no mechanism addressed it. The result was implicit collective punishment: responsibility attributed to an entire people, hierarchy inverted without formal process, and division institutionalized rather than resolved.

5.3. Institutionalizing the ‘Amhara Oppressor’ Narrative

Specific constitutional provisions translated the preamble’s implicit assignment of historical responsibility into institutional arrangements that operationalized the Amhara oppressor narrative. Foucault (1980, pp. 131–133) argues that control over historical interpretation confers control over political legitimacy. The 1995 Constitution achieved precisely this: by grounding sovereignty in ethnic categories and structuring federal arrangements around the premise that certain groups had oppressed others, the EPRDF embedded its interpretation of Ethiopian history into the architecture of the state itself (Abbink, 2011, Pausewang, 2005). The provisions that follow illustrate how this narrative became institutional practice.

Competing accounts lost standing in official discourse. Scholarship documenting Amhara peasant exploitation comparable to that of other ethnic groups (Donham, 1986, 1999), multiethnic imperial elite composition (Levine, 1974), and Tigrayan participation in state formation (Vaughan, S., 2003) was marginalized; scholars advancing these perspectives encountered accusations of ‘*Amhara nationalism*’ (Abbink, 2011). Over time, the liberation narrative became hegemonic history: accepted, normalized, and enforced through educational curricula and party training programs (Pausewang, 2005, Tronvoll and Vaughan, 2003). The ruling coalition’s contested interpretation of Ethiopian history became self-evident truth, reinforcing coercive control with ideological legitimacy (Tronvoll and Vaughan, 2003).

The federal constitution muted the ‘*Amhara oppressor nation*’ construction, but the narrative persisted in public discourse. References to ‘*Amhara chauvinism*’ became routine during the EPRDF era, reinforcing ethnicized interpretations of political debate (Aalen, 2011, Abbink, 2011). Ethnicity was further institutionalized through symbolic practices: ministers were introduced with explicit identification of ethnic background, presenting political authority as ethnically situated rather than civic (Clapham, 2009, Turton, 2006).

Regional symbolism reinforced the pattern. Ethiopia permits regions to maintain their own anthems, a departure from the typical function of national anthems, which foster unity and cultivate common civic identity (Cerulo, 1995, Smith, 1991). The Tigray regional anthem invokes ‘*enemy*’ repeatedly, with imagery of being ‘*surrounded by hyenas*’, facing ‘*a million of our enemies*’, and shedding ‘*the river of our blood*.’ The enemy is never explicitly identified, yet within the historical narrative promoted during the TPLF era, its referent is implicitly clear. The Oromia regional anthem similarly emphasizes sacrifice and resistance without specifying the adversary, though within the dominant narrative the implication is unmistakable.

The Amhara regional constitution itself internalized the dominant narrative. Its preamble states: ‘*Being duly convinced of the fact that we had for long been victims of an unbearable harm caused to us directly or indirectly by an atrocious national oppression[operation, sic] which had to be committed in the past on and against the majority of our country’s nations, nationalities, and peoples, and henceforth needs to be corrected and rectified hereafter...*’ (Amhara National Regional State Constitution, 2001, preamble). No other regional constitution contains comparable language. Where Tigray’s and Oromia’s foundational documents foreground narratives of resistance and liberation, the Amhara constitution accepts collective responsibility for historical wrongdoing, embedding an admission of culpability into the region’s foundational document that has constrained Amhara political claims within the federal system ever since.

The institutionalization of the oppressor narrative established the conditions for what followed:

a constitutional order that assigned collective guilt to the Amhara while denying them the protections afforded to groups designated as historically oppressed.

5.4. Defending Ethnic Federalism

The strongest defenses of Ethiopia's constitutional order must be addressed before analyzing the specific mechanisms through which the Amhara oppressor narrative operates in constitutional practice. Five counterarguments merit direct engagement.

Defenders of Ethiopia's post-1991 constitutional settlement are right to insist that recognition mattered. Under the imperial and Derg eras, the state promoted a homogenizing national project that privileged Amharic in administration and schooling and left many ethnolinguistic communities without meaningful cultural or linguistic protection (Fiseha, 2006b, Habtu, 2003). The 1995 Constitution marked a real break by constitutionally recognizing '*nations, nationalities and peoples*', enabling subnational self-government, and opening space for mother-tongue education and culturally responsive administration (Federal Democratic Republic of Ethiopia, 1995, Habtu, 2003). In practice, language-in-education reforms and the broader post-1991 expansion of primary schooling widened access at massive scale—primary enrolment reached roughly 15.5 million by 2011—so conceding the distributive benefit of decentralization and language recognition is not optional; it is part of an honest assessment of what changed (Engel, 2011, UNICEF, 2016). Equally, the practical necessity of a common working language for federal administration, interstate commerce, and national cohesion is not in dispute; no multilingual federation of Ethiopia's scale functions without one.

But acknowledging that advance does not settle the design question. Linguistic rights, cultural autonomy, and educational decentralization can be delivered through multiple constitutional pathways—territorial federalism, asymmetric devolution, functional autonomy, or multilingual administrative regimes—without making ethnic classification the exclusive basis of political standing (Choudhry and Houlihan, 2021). Comparative experience is instructive: Belgium and Switzerland protect language through territorially grounded language regimes and subnational competencies, while India combines territorial reorganization with multilingual administration, none of which requires a constitutional architecture that ties access to political representation, resources, and territorial belonging to a single ethno-national identity (Choudhry and Houlihan, 2021, Seidle, 2023, Watts, 2008). The problem, then, is not recognizing diversity; it is constitutionalizing ethnicity as the dominant—and gatekeeping—organizing principle of political life, when other institutional routes could have protected language and culture without hardwiring political status to ethnonational membership.

A related but distinct defense concerns Article 39's right to secession. The strongest version of this argument begins from Ethiopia's history of coercive state-building: peripheral groups had reason to distrust promises of inclusion issued by a powerful center, so an '*exit option*' could, in theory, make union voluntary and therefore more legitimate. That logic appears in EPRDF-era constitutional discourse as a claim that the right to secession makes federalism a choice rather than a cage, strengthening commitment by making it revocable (Habtu, 2005, Tekleberhan, 2010). Meles Zenawi framed Ethiopian unity as something that must rest on equality and '*freely expressed will*', and on federalism's capacity to manage centrifugal pressures rather than deny them (Zenawi, 2010).

Yet the rebuttal should be stated directly: Article 39 never operated as advertised. While the EPRDF/TPLF controlled the center, self-determination claims were selectively suppressed or procedurally deferred. Human Rights Watch documents how the OLF's participation in the transitional order collapsed amid harassment and coercion in 1992, an early signal that '*self-determination*' would not be neutrally available to challengers Human Rights Watch (1997). The Sidama's long struggle for statehood illustrates how constitutionally promised pathways could be stalled: the Sidama Zone Council's request was deterred for years, and later procedural timelines became a site of federal delay and bargaining rather than a predictable legal guarantee (Tronvoll et al., 2020). In effect, the '*exit option*' functioned less as a universal credibility mechanism than as a strategic reserve, usable by actors with coercive capacity, politically meaningless for those without it. The self-determination defense thus fails on its own functional terms.

A third line of defense shifts from institutional design to linguistic structure. This counterargument has genuine force. Whatever the intent, Amharic's dominance as the language of government, courts, and schooling predictably disadvantaged non-Amharic speakers in access to state employment, legal navigation, and upward mobility (Fiseha, 2006b, Habtu, 2003). Even after 1995, Amharic remained the federal working language, which means the distributional effects of linguistic hierarchy did not disappear simply because cultural rights were newly recognized (Federal Democratic Republic of Ethiopia, 1995). The key analytical move, though, is to separate structural advantage from intentional ethnic governance: a state language can emerge as an administrative solution (especially absent a colonial *lingua franca*) while still producing unequal life chances for native versus non-native speakers, a pattern observable in many large multiethnic states (Choudhry and Houlihan, 2021).

More importantly, the appropriate remedy for linguistic inequality is multilingual policy, not ethnic federalism as such. Constitutional design can recognize multiple official languages, require multilingual access in public services and courts, and decentralize education policy without tying political representation and territorial authority to ethnonational identity (Choudhry and Houlihan, 2021, Seidle, 2023). India's experience is particularly relevant: it illustrates how multilingual administration and territorially differentiated language regimes can be constitutionalized without making ethnic identity the master key to political standing (Choudhry and Houlihan, 2021). Moreover, retaining Amharic as a federal working language need not confer ethnic advantage on the Amharas. Amharic functions as a *lingua franca* across ethnic lines; millions of non-Amhara Ethiopians speak it as a first or second language, and proficiency correlates with urbanization and education as much as with ethnicity (Habtu, 2003). A multilingual policy that retained Amharic for federal administration while expanding official status to other languages would have addressed linguistic inequality without attributing the language's historical dominance to a single ethnic group's deliberate design. Ethnic federalism was therefore not the necessary corrective for Amharic-based disadvantage; it was one political choice among several, and one that likely served additional insurgent-era objectives beyond linguistic equality.

Defenders can plausibly point to formal symmetry: the Amhara regional state possesses the same constitutionalized apparatus of regional government — executive authority, budgetary competencies, police, and administration — as other member states (Federal Democratic Republic of Ethiopia, 1995). If ethnic federalism structurally disadvantages the Amhara, why does an Amhara regional state exist with apparently equivalent powers? But formal equivalence masks structural

asymmetry. In a dominant-party federation, regional autonomy is subordinated to party hierarchy; Ethiopian federalism operated within precisely such a context (Aalen, 2002). Human Rights Watch's reporting on the 1990s underscores how coercion and party control shaped '*participation*' and constrained genuine autonomous bargaining at the periphery (Human Rights Watch, 1997). No region exercised genuine self-rule under EPRDF dominance, but the Amhara region faced an additional constraint: the liberation narrative cast it as the historic seat of oppression, subjecting its political leadership to heightened ideological surveillance. Regional leaders across all member states were selected by the center rather than chosen through competitive local politics (Aalen (2002), Tronvoll and Vaughan (2003)); in Amhara, this control ensured that regional leadership would not challenge the foundational narrative upon which the constitutional order rested. That the current armed resistance in the Amhara region centers in significant part on the demand for genuine self-rule — the very principle the constitution formally guarantees — indicates the depth of the gap between formal autonomy and lived political experience.

The territorial dimension sharpens the asymmetry further. The Amhara population is not neatly contained within the Amhara regional state; dispersed Amhara communities in other regions become '*internal minorities*' whose security and political standing are harder to protect in a system that treats ethnically defined territorial units as the primary locus of rights and recognition (Fesha and Beken, 2013, Van der Beken, 2007). Scholarship on self-determination and '*indigeneity*' in Ethiopia further notes how these frameworks translate into systematic disadvantage for people categorized as non-indigenous within a given regional unit (Zelege (2023)). Regional autonomy benefits territorially concentrated groups; it predictably disadvantages dispersed populations; so, the appearance of symmetry at the level of regional powers conceals a real inequality produced by territorial dispersion under ethnicized federal design.

A final counterargument draws on comparative federalism. The objection is that federalism always generates uneven outcomes: Canadian, German, and Indian federations all display asymmetries driven by demography, economic geography, and policy choices, many of which are managed through ordinary political bargaining and revisable fiscal and legislative instruments (Watts, 2008). The response, however, is to distinguish incidental asymmetry from constitutive asymmetry. In many federations, unequal outcomes arise as contingent byproducts of decentralization, disparities that can be mitigated through equalization, intergovernmental transfers, boundary commissions, language policy reform, or ordinary statute (Seidle, 2023, Watts, 2008).

In Ethiopia, by contrast, key asymmetries were embedded in the constitutional settlement and then locked in through the political conditions of implementation. The constitutional architecture elevated ethnonational categories as the foundation of territorial authority and political status (Federal Democratic Republic of Ethiopia, 1995, Habtu, 2003), while practice unfolded within a dominant-party system that limited institutional self-correction and turned federal forms into instruments of centralized party management (Aalen, 2002). Critical constitutional scholarship also emphasizes how Ethiopian federalism's '*faces*' include ethnocratic and confederal logics alongside formal federal commitments—suggesting that distributional effects cannot be dismissed as mere side-effects of generic federal governance (Gebeye, 2022). The process tracing undertaken in preceding sections supports this conclusion: the asymmetry is not simply what happened to the federation, but what the federation was designed to produce under the political economy of the transition.

5.5. Ethnic Federalism and Centralized Control

The federal structure introduced by the 1995 Constitution gave the Amhara oppressor narrative concrete institutional form. Article 46 established ethnicity, language, identity, and popular consent as criteria for delimiting regional states (Federal Democratic Republic of Ethiopia, 1995, Art. 46). Article 47 organized the federation into nine member states — later expanded to twelve — alongside two federally chartered cities (Federal Democratic Republic of Ethiopia, 1995, Art. 47). These provisions replaced Ethiopia's prior administrative geography with a constitutional map organized around group identity rather than historical provincial boundaries (Clapham, 1988, Fiseha, 2006b). Yet the federal architecture that formally devolved authority to ethno-national units co-existed with a dominant-party system that centralized effective control, producing a structure in which constitutional form and political practice operated in systematic tension.

The result was federalism in form, authoritarianism in substance, a hybrid that arose from strategic design, not from institutional drift (Aalen, 2011, Tronvoll and Vaughan, 2003). Loewenstein (1957) describes such arrangements as semantic constitutions: documents that do not constrain power but constitutionalize the dominance of those who hold it. Ethiopia's 1995 Constitution operated in this mode. Articles 50-52 promised regional autonomy (Federal Democratic Republic of Ethiopia, 1995), yet party discipline ensured compliance with federal direction (Tronvoll and Vaughan, 2003). Federalism appeared in constitutional text; *de facto* unitarism prevailed through party organization.

This façade served an external function as well. International actors treated Ethiopia as a reforming federation—whether through genuine belief or strategic convenience—and extended development assistance, even as domestic political practice diverged from constitutional commitments (Abbink, 2011, Clapham, 2009). The behavior fits a broader pattern: formal institutional signals can sustain external support despite limited accountability (Furtado and Smith, 2009).

Central control operated through multiple channels. Cadre placement was among the most direct: EPRDF *'technical and political advisers'* embedded within regional governments ensured decisions were consistent with party objectives (Aalen, 2011). The Amhara region exemplified this pattern, with the ANDM functioning as an auxiliary of the central party (Section 4.2).

Party control inverted the constitutional relationship between regional and federal authority. In formal terms, regional parties were principals vested with authority to represent distinct peoples; the EPRDF, constituted as their coalition, appeared as agent. In practice, the relationship reversed. Principal-agent theory captures this inversion precisely (Ross, 1973, Strøm, 2000): the EPRDF core exercised control through information asymmetry, incentive structures, and monitoring mechanisms. Information flowed upward through party reporting channels; accountability to regional constituencies remained weak (Tronvoll and Vaughan, 2003). Political advancement depended on compliance with central direction (Lefort, 2012). The result was constitutional autonomy in text, party domination in practice.

The organizational logic of the EPRDF reflected the ideological origins of the ruling elite. The TPLF core leadership emerged from the Marxist-Leninist League of Tigray, a clandestine vanguard organization that instilled strict internal discipline during the liberation struggle (Asrat, 2014, Young, 1997). Leninist democratic centralism — the principle that lower organs obey decisions of higher organs without deviation — carried directly into the EPRDF's post-1991 institutional design. The party's 1991 charter affirmed it; discipline committees enforced compliance under the

doctrine of ‘*revolutionary democracy*’ (Lefort, 2012). The result was a party structure that used constitutionally defined ethnic boundaries as administrative channels for centralized authority: regional parties governed their respective ethnic territories, but governing meant executing directives from the center.

5.6. *Asymmetric Federalism and ‘Forced Staying Apart Together’*

The organizational logic outlined above—based on vanguardism, cadre discipline, and democratic centralism (Lefort, 2012, Young, 1997)—extended beyond the party sphere. It was translated into constitutional form through a federal architecture that mapped authority onto ethnically defined territories while preserving hierarchical control through party organization. In this sense, Ethiopia’s federal arrangement was therefore not simply a mechanism for managing diversity; it was a governing technology through which a victorious coalition could administer difference, delimit political community, and regulate access to power.

Federalism adopted under conditions of asymmetric power operates differently from federalism negotiated among relatively equal partners. Where a dominant post-war coalition controls constitutional design, federal structures can function as a modality of asymmetric inclusion: formally incorporating all groups within a shared state while structuring political competition and resource access in ways that advantage some and constrain others (Stepan, 1999). Ethiopia’s 1995 Constitution exemplifies this form. The theoretical framework developed in preceding sections — constitutional capture, elite consolidation, ideological legitimation — applies with particular force to federal systems designed under precisely these conditions.

Asymmetric inclusion is captured by the concept of ‘*forced staying apart together*’, introduced earlier, which characterizes Ethiopia’s federal arrangements as compelling coexistence within a single state framework while organizing political life around separation, boundary-making, differentiated access to power, and centralized control. The concept describes a constitutional logic distinct from integrative federalism, which seeks unified citizenship regardless of ethnic or linguistic identity, and consociationalism, which negotiates power-sharing among recognized groups (Lijphart, 1977, Stepan, 1999). ‘*Forced staying apart together*’ denotes a system in which groups are simultaneously separated, contained, and dominated; formally united, substantively fragmented, and centrally controlled.

‘*Forced staying apart together*’ generates distinctive political dynamics. The system demands cooperation and state-wide coordination but grounds political legitimacy in ethnic identification (Aalen, 2011, Abbink, 2011, International Crisis Group, 2009). Competition over land, jurisdiction, and recognition becomes difficult to resolve through ordinary institutional bargaining. The incentives of elites and communities shift toward defending ‘*their*’ territorial and political space; routine disputes become existential struggles over identity, status, and survival (Abbink, 2006, International Crisis Group, 2009). Conflict is produced by the rules meant to manage diversity; it is endemic to the system, not an accidental deviation from it.

‘*Forced staying apart together*’ creates structural winners and losers. Groups with concentrated territorial populations and bounded administrative units gain political coherence within the federal structure. Groups with dispersed populations and civic-national traditions that transcend regional boundaries — as is the case with the Amharas — are structurally disadvantaged: the constitutional logic renders their collective identity politically incoherent.

Ethiopia's ethnic federalism exemplifies this pattern of asymmetric inclusion. The 1995 Constitution organizes political life around ethnically defined regions understood as the homelands of particular '*nations, nationalities, and peoples*'. The constitution formally guarantees freedom of movement and residence, yet political belonging and legitimacy are territorially anchored in ethnicity (Federal Democratic Republic of Ethiopia, 1995, Arts. 8, 32, 46–47; Fessha and Beken, 2013). Cross-regional settlement and participation remain legally permissible but institutionally constrained. Unity is preserved at the level of state structure; integration is systematically discouraged through constitutional design.

The absence of robust minority-rights protections within ethnically defined regions reinforces the separation. Regions are implicitly treated as belonging to their dominant ethnic groups; minorities residing within them—even long-standing populations—are positioned as political outsiders, labeled newcomers or settlers (Fessha and Beken, 2013, Gizachew, 2019, Van der Beken, 2015). Access to political office, public employment, language rights, and administrative services is mediated by ethnic affiliation, particularly through regional working languages and local bureaucratic practices (Fessha and Beken, 2013, Van der Beken, 2015). The effect is differentiated political standing: residents of the same region hold unequal claims to representation, employment, and services based on ethnic affiliation rather than citizenship. Minorities may remain physically present within regions while being politically marginalized, staying together territorially, apart institutionally.

Political institutions entrench this separation by organizing representation along ethnic lines. Electoral competition, party formation, and claims to political authority are framed in ethnic terms; cross-ethnic or citizenship-based political projects face structural constraints. The ethnicization of regional security institutions compounds the dynamic. Police and special forces are recruited predominantly from the dominant ethnic group and commonly understood as protectors of ethnic territory rather than neutral enforcers of the law (European Institute of peace, 2021). The state's coercive capacities enforce ethnic boundaries rather than mediate across them, and where boundaries are contested, regional security forces become instruments of territorial struggle rather than resolution.

Economic and social life follows the same logic. The constitution guarantees freedom of movement, yet labor mobility across regions is constrained by ethnicized access to employment, land, and public services (Federal Democratic Republic of Ethiopia, 1995, Art. 32; Lavers, 2018). Land belonging to a minority ethnic group member is more vulnerable to dispossession or exclusionary administrative decisions than land belonging to the dominant group (Lavers, 2018). Regional control over resources and development prioritization creates incentives to serve dominant ethnic constituencies rather than pursue cross-regional economic integration. At the symbolic level, ethnic federalism has emphasized difference over shared national narratives, framing common histories and collective political experiences as instruments of domination, not sources of solidarity (Aalen (2011), Abbink (2011)). The system compels ethnic groups to coexist within a single polity while governing them apart: forced to stay together as a state, structured to remain apart as political communities.

Constitutional exclusion generates political response. When a constitutional order compels participation while denying equal standing, and when formal channels for redress are closed, political mobilization shifts into identity-based forms. The logic is self-reinforcing: ethnic marginalization

produces ethnic resistance. The system that demands ethnic identification as the basis for political participation generates ethnic mobilization among those it excludes. The response can take two forms: secessionist nationalism, which seeks exit from the state, or assertive nationalism, which seeks equal standing within it.

The dynamics of ethnic suppression point to a clear outcome: constitutional orders that entrench exclusion while denying credible avenues of institutional redress produce assertive nationalism among structurally disadvantaged groups. Such nationalism may be expressed through peaceful political action or, where constraints intensify, through armed resistance.

5.7. *Asymmetric Rights: Article 39 and the Amhara Dilemma*

Asymmetry was sustained through party discipline and reinforced by the unequal allocation of constitutional rights. Article 39 granted '*nations, nationalities, and peoples*' the right to self-determination, including secession (Federal Democratic Republic of Ethiopia, 1995, art. 39). The provision was heralded as the apex of self-determination. In practice, it deepened the logic of '*forced staying apart together*'. For groups whose collective identity was defined against the Ethiopian state, Article 39 offered a credible — if never exercised — claim to sovereign exit. For historically integrative groups like the Amhara, whose collective identity remains tied to the Ethiopian polity, Article 39 created a constitutional double bind: it weakened integrative claims to national unity without providing a viable pathway to self-rule. The provision forced them further apart from other groups by constitutionalizing ethnic separation, forced them to stay together within a state whose foundational narrative cast them as oppressors, and denied them meaningful agency within either position. Abbink (2011) observes that the legal right politically disarmed those whose vision transcended ethnic boundaries.

Under Article 39, affirming Ethiopian unity effectively required the Amhara to accept their dispersion across multiple regions, an arrangement that translated into political vulnerability. Yet an Amhara secessionist pathway was scarcely viable. It would have demanded a redefinition of Amhara political identity away from a pan-Ethiopian civic project and imposed substantial political costs. It would have also generated a further dilemma: an exit strategy centered on an Amhara regional unit would risk abandoning Amhara communities outside that region — dispersed across several federal states — without reliable institutional protection or effective representation.

For the Amhara, each strategic option carried existential risks, while groups whose elites were oriented toward separation faced no comparable constraint. In Tigray Region and Oromia Region, ruling elites operated within territorially consolidated regions that afforded greater flexibility. They could treat self-determination as a usable instrument, consolidating regional authority while retaining influence at the federal center. Territorial cohesion and demographic concentration enabled them to expand regional autonomy without forfeiting access to central power, a configuration unavailable to territorially dispersed groups. Article 39 thus produced asymmetric options: it empowered secession-capable elites while constraining groups committed to integration.

Article 39 operationalized '*forced staying apart together*' at the level of constitutional rights by distributing exit options asymmetrically. Territorial consolidation and population concentration made self-determination actionable; dispersion and integrative orientations made it politically unviable and institutionally inoperative. The Amharas thus confronted a constitutional order offering neither credible inclusion nor viable autonomy, precisely the kind of structural vulnerability that

generates assertive nationalism.

5.8. *The Political Economy of Fiscal Allocation*

Own-source revenue partially offsets transfer dependence, yet varies substantially across Ethiopia. Based on 2015/16 regional budget data, UNICEF reports that own-source revenue financed roughly 17-40 percent of regional budgets for Afar, Amhara, Oromia, SNNP, Somali, and Tigray (UNICEF Ethiopia, 2020). Transfer dependence is most acute in the so-called ‘*developing regional states*’ (Afar, Somali, Benishangul-Gumuz, and Gambella), where limited economic development constrains revenue capacity. Addis Ababa’s chartered-city status corresponds to stronger own-revenue capacity (UNDP, 2025). The Amhara region occupies an intermediate position. UNICEF’s Amhara Regional State budget brief, covering 2007/08-2015/16, records that the region financed 21.6 percent of its budget from own sources in 2015/16, with the remainder largely covered by federal transfers (UNICEF Ethiopia, 2018). This positioning matters politically. Unlike the ‘*developing regional states*’, where transfer dependence is commonly attributed to low fiscal capacity and infrastructure deficits, Amhara’s fiscal subordination reflects the political economy traced throughout this article: contested population accounting (as shown below), designation as the historic seat of oppression, administrative subordination, and distributive arrangements shaped by the liberation narrative. All satellite parties shared subordination within the coalition; what distinguished the Amhara was the oppressor framing, which justified differential treatment.

Within this hierarchical system, all regions depended heavily on federal transfers, but the Amhara region faced compounded disadvantage. The ANDM’s subordinate position (Sections 4.2, 5.5) constrained its capacity to bargain for regional interests against the dominant TPLF. The oppressor framing deepened this structural weakness: Amhara claims on federal resources attracted institutional suspicion that other regions’ claims did not, and heightened political scrutiny normalized tighter oversight of the region’s fiscal allocations. Distributive outcomes were thus shaped not only by formula design but by conditionality, administrative gatekeeping, and the political standing of the claimant region within the coalition.

Amhara territorial dispersion and minority exposure across multiple regional states compound these constraints: regional allocations to the Amhara region do not reach Amhara constituencies outside it. Per capita federal development spending in Tigray exceeded that in the Amhara region during the decades after 1995 (Aalen, 2011, Gebregziabher and Taffesse, 2015, World Bank, 2006). These disparities reflect hierarchical discretion operating alongside — and at times overriding — formula-based equalization, with acute consequences for a region designated as politically suspect. The resulting developmental gap is visible across socio-economic indicators: high poverty rates, lower life expectancy, low literacy, low vaccination coverage, and other measures of human development (Aberra, 2023).

The distributive stakes have been worsened by population accounting. Official demographic series report a decline in the Amhara share of Ethiopia’s population over time. Since population shares anchor transfer formulas, this reported decline has reduced the resource envelope attributed to the Amhara region. The central issue is not demographic change itself but the political economy of measurement: as shown below, changes in the recorded Amhara share reflect political considerations and administrative practices rather than demographic dynamics alone (Aberra, 2023).

Table 1 summarizes recorded population shares for the Amhara and Oromo populations from

Table 1. Recorded population shares (selected years)

| Year | Amhara | Oromo |
|------|--------|-------|
| 1984 | 28% | 29% |
| 2007 | 23% | 37% |
| 2017 | 23% | 37% |
| 2019 | 20% | 40% |

Sources: Central Statistical Authority. (1991). The 1984 Population and Housing Census of Ethiopia. Addis Ababa. Central Statistical Agency. (2008). Summary and Statistical Report of the 2007 Population and Housing Census. Addis Ababa. Central Statistical Agency. (2013). Population Projection of Ethiopia for All Regions at Wereda Level from 2014–2017. Addis Ababa. USAID. (2021). Mini Demographic and Health Survey 2019. Rockville.

the mid-1980s to the late 2010s. The series shows divergence: the Amhara share declined over time while the Oromo share rose. The trajectory includes periods of relative stability followed by sharp shifts, a pattern more consistent with changes in enumeration methods, projection assumptions, or administrative classification than with demographic dynamics alone. The distributive implications are direct: because population shares anchor transfer formulas and planning baselines, a declining recorded share reduces the resource envelope attributed to the Amhara region, but demographic changes alone cannot account for the reported decline. Political incentives — operating through measurement, classification, and projection practices — plausibly shaped the baselines on which allocation formulas depend, with substantial consequences for fiscal equity (Aberra, 2023).

Fiscal federalism theory emphasizes two core equity principles: vertical equity, whereby federal transfers compensate for disparities in regional revenue-raising capacity, and horizontal equity, whereby jurisdictions with comparable needs and characteristics receive comparable treatment (Oates, 1972). Ethiopian practice has departed from both. Intergovernmental transfers have reflected political considerations alongside — and at times overriding — redistributive and developmental criteria.

These arrangements served multiple strategic functions simultaneously. The ruling coalition embedded fiscal authority within party-mediated networks, using hierarchical access to resources as an instrument of coalition management and compliance enforcement (Lefort, 2012). The oppressor narrative normalized the resulting distributive inequalities as corrective rather than discriminatory (Aalen, 2011). Regional reliance on transfers, central authorization over major development projects, and party-linked access to contracts created asymmetric dependencies that sustained political discipline, a pattern consistent with rent-seeking theory, in which political actors design and operate institutions to generate and allocate rents while remaining formally consistent with constitutional rules (Krueger, 1974). The fiscal architecture thus weakened regions positioned as historically culpable rather than fostering autonomous regional governance (Keller, 2002, Vaughan, S., 2003, Young, 2006).

5.9. Fiscal Design and Transfer Dependence

Ethiopia's fiscal federalism has displayed the same disjuncture between constitutional formality and political practice that has characterized the broader federal order. The constitution provides for formula-based fiscal transfers to regional states. In practice, access to funding for development projects and discretionary fiscal flows has depended on hierarchy within the ruling coalition. Aalen

(2011, p. 105) documents that allocation has frequently followed hierarchical discretion — what the TPLF-led core has defined as warranted — more than rule-based assessments of regional need.

Resource allocation under the EPRDF followed particularistic logic. Studies of EPRDF-era governance link fiscal transfers to coalition management, not to transparent criteria such as population, poverty, or infrastructure deficits (Kefale, 2013, Kitschelt and Wilkinson, 2007, Young, 2006). Allocation functioned as a disciplinary instrument: it rewarded compliant subnational actors and sustained coalition control (Lefort, 2012).

The fiscal design of Ethiopia's ethnic federation has enabled differentiated distributive arrangements. Regional budgets rely on a mix of own-source revenue and federal transfers, but the constitutional assignment of major tax bases to the federal government ensures structural dependence (Federal Democratic Republic of Ethiopia, 1995, art. 96-99; UNDP, 2025). The federal tier controls customs, foreign trade, and federal enterprise profits under Articles 96–98; regional powers under Article 97 are more limited. Regions depend on federal transfers for recurrent expenditure and basic service delivery. Under these arrangements, intergovernmental transfers function both as equalization instruments and as a channel enabling the federal executive and ruling-party networks to exercise leverage over subnational authorities.

The intergovernmental transfer system extends federal influence through multiple channels. General-purpose block grants provide regional governments with unearmarked budget support, leaving formal discretion over spending decisions (UNICEF Ethiopia, 2020). Specific-purpose conditional transfers earmark funds for agreed sectors, administered through agreements specifying expenditure purposes and compliance requirements (UNICEF Ethiopia, 2020, World Bank, 2023). Article 94 goes further, empowering the federal government to provide emergency, rehabilitation, and development assistance and to audit the use of subsidies it provides (Federal Democratic Republic of Ethiopia, 1995, art. 94). Each channel increases federal leverage: from general support with notional regional discretion, to earmarked spending with compliance conditions, to emergency interventions where discretion over priorities, sequencing, and monitoring is most extensive.

Budgetary allocation is widely described as vested in the House of Federation (HoF), with transfers distributed through a HoF-adopted formula (UNDP, 2025). Policy documentation presents the formula's logic in equalization terms: it addresses regional fiscal gaps by comparing estimated expenditure needs with estimated revenue capacity, an approach commonly framed as a '*Representative Revenue and Expenditure System*' (RRES) (UNDP, 2025). Yet the formula's objectivity is not self-evident. Equalization depends on judgments about what constitutes '*need*' and '*capacity*', and these judgments are produced within a political order in which the Amharas have been framed as a historically '*oppressor nation*'. In this context, apparently technical parameters can embed normative assumptions about deservingness, shaping distributive outcomes without explicit attribution.

The political implications of fiscal dependence vary with regional capacity. Regions with stronger own-source revenue — typically those with larger urban economies, extractive resources, or significant commercial agriculture — retain greater fiscal autonomy and bargaining power vis-à-vis the center. Regions with narrow tax bases depend more heavily on federal transfers, and dependency deepens susceptibility to political conditioning. Regional governments serve as the principal intermediary for financing woreda-level service delivery, allocating resources to woredas through

block-grant formulas adopted at the regional level (World Bank, 2023). The result is a multi-tier dependency chain: federal transfers flow to regions, regions allocate to woredas, and where each link operates through party-structured administrative hierarchies, fiscal flows strengthen compliance and discipline across successive levels of government. Decentralization in form produces centralization in fiscal practice.

The disciplinary potential of fiscal dependence operated in practice. During the 1990s, Tigray received a disproportionate share of federal grants relative to its population and developmental indicators, an imbalance that TPLF officials justified by citing the region's wartime sacrifices and infrastructure losses under the Derg (Yimenu, 2024). Regions with larger populations and greater developmental needs — notably Somali, Afar, and Benishangul-Gumuz — received smaller allocations than equalization criteria would have predicted (Yimenu, 2024). Transfers were framed on the grounds that Tigray was the region most devastated by the armed struggle against the military government and that Tigrayan fighters and communities had made disproportionate sacrifices in overthrowing it (Deutsch-Äthiopischer Verein, 2017, p. 15). A commonly cited episode from 1994 involves a directive sent by the Prime Minister to the Addis Ababa Health Bureau in which funds officially allocated to the capital were redirected to Tigray: the original request exceeded 4 million birr, but the amount reportedly disbursed reached 17 million birr (Deutsch-Äthiopischer Verein, 2017, p. 15). What was presented administratively as post-war reimbursement functioned politically as a distributive decision justified through claims of Tigrayan devastation and sacrifice.

Financial institutions reinforced the pattern. Dubale Jale, who served as the governor of National Bank of Ethiopia from 1995 to 2006, stated that he was dismissed after refusing to authorize fund transfers from the bank to TPLF-affiliated companies (Braná Tube, 2023). His successor, Teklewold Atnafu, reportedly provided illegal loan guarantees of up to 100 percent on foreign loans taken by EFFORT, including a \$100 million guarantee for Almeda Textile arranged by Azeb Mesfin, the widow of Prime Minister Meles Zenawi (ESAT, 2018). Dubale Jale's trajectory — from central bank governor to impoverishment requiring private charitable assistance for kidney treatment (Ethiopian Reporter, 2022) — illustrates the personal cost of institutional resistance and, by contrast, the rewards of compliance. Given the degree of administrative subordination, TPLF political dominance, and limited transparency mechanisms, fiscally consequential transfers plausibly occurred without public disclosure. Over time, such practices became more procedurally routinized and less visible, operating through increasingly technical channels instead of government directives. A 1.7 billion Birr loan from the Commercial Bank of Ethiopia to EFFORT was increased to 1.8 billion Birr, transferred to the Development Bank of Ethiopia, and subsequently classified as non-performing debt (Gellaw, 2010).

Fiscal federalism under TPLF domination thus operated on two levels simultaneously. Formally, the constitutional framework established formula-based transfers, assigned tax bases, and created intergovernmental channels that approximated standard federal fiscal architecture. In practice, every node in this architecture — the equalization formula, the block-grant allocation process, the National Bank of Ethiopia, the government owned-commercial and development banks — functioned as a site of discretionary extraction and redistribution serving coalition priorities.

The result was a fiscal system in which constitutional form provided external legitimacy while internal practice concentrated financial resources among politically favored regions, enterprises, and individuals. Regions dependent on federal transfers lacked the fiscal autonomy to challenge

center-imposed priorities; officials who resisted faced personal sanction; and the technical complexity of intergovernmental finance rendered the pattern increasingly opaque over time. Fiscal federalism, designed in principle to empower subnational governments, became an instrument through which the center disciplined them and practiced differentiated resource allocation.

5.10. Fiscal and Political Control: Authoritarian Federalism

Fiscal arrangements reinforced political control; together they constituted a distinctive federal architecture. Stepan (1999) distinguishes between ‘*coming together*’ federations, in which previously sovereign units unite while retaining substantial authority, and ‘*holding together*’ federations, in which a central state devolves power to manage diversity. Ethiopia’s ethnic federation fits neither category. The post-1995 order exemplifies the ‘*forced staying apart together*’ federalism discussed in Section 5.6: ethnic groups separated by constitutional design, bound to a state they cannot leave on terms they did not negotiate, and governed through a federal architecture administered from above.

The 1995 Constitution thus represents a distinctive case of authoritarian federalism: a formally empowering legal framework that cloaked hierarchical political control. Comparative experience underscores the divergence. Federal systems in Canada, Germany, and India each mediate unity and diversity through institutionalized protections for both national cohesion and regional autonomy: accommodating Quebec’s distinctiveness, granting German Länder substantial legislative competence, and managing India’s linguistic diversity within a secular constitutional order (Kommers, 1997, Stepan et al., 2011, Watts, 2008). Ethiopia’s system achieved none of these outcomes as a matter of institutional design. It proclaimed self-determination while entrenching ‘*forced staying apart together*’, maintained centralized authority through ethnically territorialized administration, and translated formal equality into a hierarchical and dependent federal order.

Ethiopia’s federal architecture represents authoritarian innovation. Unlike the Soviet Union, Yugoslavia, and Czechoslovakia — whose federal systems collapsed with the end of the Cold War — Ethiopia constructed its authoritarian federalism in the post-socialist era, deploying Leninist organizational principles within an international environment that nominally favored democratization. The system persisted for nearly three decades before its internal contradictions produced the mass protests of 2014–2018 and the subsequent unravelling of EPRDF coalition discipline.

After 2018, the TPLF’s loss of federal control weakened the party mechanisms that had managed the tension between self-determination and centralized authority. The Tigray war (2020–2022) demonstrated how that unresolved tension escalated into armed conflict. Having lost control of the federal government, the TPLF leadership relocated to Mekelle and invoked claims of Tigrayan statehood grounded in the constitution’s self-determination provisions; the federal government under the Prosperity Party treated these claims as an existential challenge to territorial sovereignty.

The constitution’s dual commitments — self-determination and centralized control over coercive power — created the incentive structure within which both sides operated. The TPLF had defended national unity and suppressed separatist movements while controlling the center, yet invoked Tigrayan statehood once federal power was lost. Article 39 institutionalized this strategic option, keeping secession in reserve as a resource available when the political calculus shifted. The

pattern constitutes power-contingent secessionism: self-determination claimed or denied depending on proximity to federal power.

The war confirmed that Article 39 and ethnic federalism operate less as an architecture of voluntary unity than as a contingent instrument whose meaning shifts with political position. Article 39 was defended on the premise that voluntary membership would strengthen unity and that separation would be contemplated only under *'unbearable'* conditions (Asrat, 2014, Fiseha, 2006b). Yet *'unbearable'* was never an objective threshold; it remained open to elite interpretation, and that interpretation shifted sharply after 2018.

The decisive change preceding the Tigray war was not a sudden collapse in the economic or political circumstances of ordinary Tigrayans but the TPLF leadership's loss of federal power, which reconfigured the costs and benefits of continued participation in the federation. Constitutional commitments were treated as compatible with unity when the ruling core controlled the center; the same constitutional text was mobilized to justify coercive exit once that control was lost (Hudson, 2020). The episode illustrates power-contingent secessionism at its limit — and the terminal logic of *'forced staying apart together'*: coexistence mandated within one state, separation institutionalized as a standing option, and crisis resolved through coercion rather than negotiated autonomy.

Although TPLF leaders portrayed the 2020 confrontation as a dispute over constitutional principle — arguing that the postponement of national elections was unlawful and that House of Federation decisions lacked legitimacy — this constitutionalist framing contradicts the movement's own record in power (Dutch Ministry of Foreign Affairs, 2021, Tronvoll, 2024). The 1995 Constitution requires that the national armed forces *'reflect the equitable representation of the Nations, Nationalities and Peoples'* (Federal Democratic Republic of Ethiopia, 1995, art. 87(1)), yet TPLF-linked former fighters were disproportionately represented within senior security institutions (Dutch Ministry of Foreign Affairs, 2021, Reuters, 2021). When Meles Zenawi died in 2012, the constitutional provision that the Deputy Prime Minister *'act[s] on behalf of the Prime Minister in his absence'* (Federal Democratic Republic of Ethiopia, 1995, art. 75(1)(b)) was circumvented through a cabinet reshuffle that produced an unprecedented arrangement of three deputy prime ministers (Reuters, 2012, VOA, 2012). The constitution empowers regional states to establish and administer police forces (Federal Democratic Republic of Ethiopia, 1995, art. 52(2)(g)) but contains no provision for heavily armed regional formations. The TPLF cultivated such forces across the federation, establishing the Somali region's *'Liyu Police'* to suppress the Ogaden National Liberation Front and building Tigray's own special forces into a formidable paramilitary capacity (Fiseha, 2022, Woldemichael, 2023). By 2020, the latter had evolved into the Tigray Defence Forces, a military organization capable of confronting the national army.

Against this backdrop, the claim that the 2020 crisis was driven primarily by principled constitutional fidelity is unconvincing. The TPLF's decades in power were marked by administrative intimidation constraining freedoms of expression and association, serious deficiencies in electoral competitiveness and complaints review — most notably the disputed 2005 elections — and expansive security legislation deployed against journalists, civil society organizations, and opposition figures (Al Jazeera, 2020, Amnesty International, 2011, Dutch Ministry of Foreign Affairs, 2021, European Union Election Observation Mission, 2005, Human Rights Watch, 2010, Humanitarian, 2005, The Carter Center, 2005). Constitutional language was invoked for legitimizing purposes, but the record amounts to paper fidelity and practical disregard: a commitment performed in legal

language while routinely subordinated to political expediency.

For the Amhara — neither aligned with Tigrayan secessionism nor in control of the federal center — the war carried serious implications. Many members of the Amhara elite initially supported the federal government, given their prior mistreatment under the TPLF, yet they lacked both dominant influence at the center and an institutionally credible exit threat convertible into bargaining leverage. The Amhara population bore the costs of ethnic federalism without access to the strategic instruments that other actors wielded within the system: credible self-determination claims, effective center control, or enforceable protections for dispersed populations. With conflict escalation, Amhara communities became arenas rather than architects of confrontation, exposed to territorial disputes, mass displacement, and intercommunal violence. The constitutional order that enabled some actors to leverage self-determination left the Amhara structurally vulnerable within a federation offering neither dependable inclusion nor credible exit.

This vulnerability has produced unlikely political alignments. The recent tacit alliance between TPLF and Fano armed networks reflects shared pressure from the federal center rather than programmatic agreement; one report cites TPLF leaders seeking cooperation with Fano to isolate the Prosperity Party government (Africa Confidential, 2025). Yet the alliance faces structural constraints that make sustained coordination improbable. During the 2020–2022 war, Fano forces fought alongside federal troops against the TPLF, leaving mutual distrust that no formal agreement can easily overcome (The African Report, 2026).

The TPLF's July–December 2021 offensive into the Amhara and Afar regions deepened this enmity. Tigray Defence Forces advanced through North Wollo, capturing Dessie and Kombolcha — the Amhara region's principal industrial center — and reaching within 200 kilometres of Addis Ababa. The offensive left a trail of systematic destruction: hospitals, universities, factories, schools, and public infrastructure were looted and demolished across occupied towns (Ethiopia Peace Observatory, 2021, Gerth-Niculescu, 2021). In Kombolcha, government officials reported that nearly 80 percent of factories and businesses were destroyed; Wollo University estimated damages at approximately 10 billion Birr; and the Dessie Comprehensive Specialized Hospital — an 80-year-old institution serving 450,000 people annually — was rendered inoperable (Ethiopia Observer, 2022, Fana Media Corporation, 2021). The offensive was accompanied by serious allegations of war crimes. Amnesty International (2022) documented deliberate killings, gang rapes of women and girls as young as fourteen, and mass looting in Chenna and Kobo, concluding that the atrocities may have constituted war crimes and crimes against humanity committed as part of a systematic attack against the Amhara civilian population. Ethiopian Human Rights Commission (2022) corroborated findings of widespread and systematic sexual violence by Tigray forces in both the Amhara and Afar regions. Human Rights Watch documented summary executions of civilians in multiple towns (Human Rights Watch, 2024). Up to two million Amhara were displaced and property destruction reached billions of Birr (Moges, 2022). For Amhara communities, the invasion confirmed that the constitutional order offered neither physical security nor institutional protection — and that the TPLF, which had constructed the system, was willing to devastate the region it had designated as historically culpable when its own power was at stake.

Disputed territories — most prominently Wolkait, Tsegede, and Humera, as well as parts of Raya — remain central to both parties' legitimacy, and such claims are not divisible through negotiation (ACLED, 2024, Associated Press, 2023). Fano itself lacks cohesive command-and-control

across its constituent groupings, complicating enforcement of any inter-organizational agreement despite recent unification attempts (Necho and Debebe, 2024). The TPLF's own intra-elite splits since 2024–2025 have further eroded bargaining coherence on its side (Africa Center Strategic Studies, 2025).

Beyond these operational constraints lies a fundamental incompatibility: the TPLF constructed and institutionalized the Amhara oppressor narrative; Fano emerged as a response to Amhara marginalization under TPLF-led governance. The TPLF's orientation toward Tigrayan self-determination is irreconcilable with Fano's demand for Amhara rights within a unified Ethiopian state. The alliance is a marriage of convenience likely to fracture once immediate pressure recedes.

Ethiopia's authoritarian federalism produced the crisis it was designed to prevent. A constitutional order built on ethnic separation, centralized party control, and asymmetric distribution of power and resources held together only as long as a single coalition commanded both the center and the periphery. When that command fractured, the system's dual commitments — self-determination and territorial unity — supplied competing constitutional warrants for armed confrontation, not mechanisms for negotiated resolution. The Tigray war, the TPLF–Fano alliance of convenience, and the ongoing Amhara insurgency are not deviations from the constitutional design but consequences of it. *'Forced staying apart together'* federalism separated communities whose interactions were historically fluid, bound them to a state whose terms they could not renegotiate, and governed them through an architecture that distributed security to some and vulnerability to others. The system's central promise — that ethnic self-determination within a federal framework would manage diversity peacefully — collapsed precisely because the framework was never designed to manage diversity; it was designed to manage power.

5.11. Constitutional Instability

The Amhara's structural vulnerability illustrates a broader pattern of constitutional instability. Beyond the coercive fragility analyzed above, the constitutional design itself embedded destabilizing mechanisms that no amount of party discipline could permanently contain. Ethiopia's post-1991 political order endured for nearly three decades because exclusionary institutions can maintain stability when backed by coercive capacity, international tolerance, and patronage distribution. The TPLF-led EPRDF maintained rule through coercive enforcement, elite co-optation, and ethnic polarization, yet never cultivated broad-based acceptance of the constitutional framework. When coalition cohesion fractured in 2018 and coercive authority weakened, the system's stabilizing supports collapsed simultaneously.

Article 39 institutionalized secession as a constitutional possibility, enlarging the strategic value of territorial claims and status reclassification (Federal Democratic Republic of Ethiopia, 1995, art. 39). Because ethnically defined administrative borders rarely coincide with settlement patterns, the design produced recurrent disputes over boundaries, jurisdiction, minority protection, and resource control (Abbink, 2006, Kefale, 2013). Tensions between Oromia and the Somali region, between Tigray and Amhara, between SNNPR and Oromia, and between Afar and neighbouring regions have been persistent features of the system, not anomalies within it (Hagmann and Abbink, 2011, International Crisis Group, 2009, Kefale, 2013). The federal framework also enables continuous state formation with no clear termination point: small populations like the Harari possess their own regional state while larger ethnic groups lack equivalent recognition, generating

grievances about unequal treatment (Abbink, 2011, Turton, 2006). Local elites face incentives to frame distributive disputes as questions of territorial entitlement, escalating routine competition into existential struggles over status. For the Amhara, dispersed across multiple regions, these dynamics are especially acute: Amhara populations in Tigray, Oromia, Benishangul-Gumuz, and SNNPR lack territorial protection and face displacement during boundary disputes, a vulnerability the constitutional framework creates but does not address.

Under the TPLF-led EPRDF, ethnic federalism made ethnicity the primary basis of political representation and entitlement, channeling distributional disputes through ethnically defined territorial units and increasing the political returns to violent ethnic mobilization (Abbink, 2011, International Crisis Group, 2009).

5.12. Security Architecture and Symbolic Politics

The security architecture of ethnic federalism has expanded subnational coercive capacity in ways that heighten the conflict potential of boundary disputes. Although the constitution allocates national defense to the federal tier, regional governments have developed militarized '*special police*' — often functioning as special forces — alongside regular police and militia, operating in constitutionally ambiguous space (European Institute of peace, 2021). As discussed in Section 5.10, the TPLF cultivated these formations across the federation while building Tigray's own forces into a formidable military capacity. These regional forces have become consequential actors in inter-regional disputes, particularly where administrative jurisdictions are contested, raising the likelihood that political disputes over territory are enforced through coercion instead of negotiated settlement. The result is a federation in which subnational units possess the coercive means to defend ethnic boundaries but lack the institutional mechanisms to resolve the disputes those boundaries generate.

During the 2020–2022 war, the TPLF drew on Tigray's regional security apparatus, former soldiers and officers, and civilian recruits to form the Tigray Defence Forces (TDF), an organization with conventional command structures, heavy equipment, and state-like military capability (Blanchard, 2024). Open-source inventories documented the TDF's operation of armoured vehicles, tanks, artillery, multiple-launch rocket systems, and surface-to-air missile systems captured from federal forces during the conflict.

This arsenal enabled conventional force employment, not merely irregular warfare (Oryx, 2021a,b). Senior command drew on veteran officers, including former ENDF Chief of Staff General Tsadkan Gebretensae (International Crisis Group, 2021). Post-war political arrangements have elevated senior Tigrayan military commanders into top regional executive roles, appointments reflecting continued organizational cohesion and political leverage rather than demobilization (UK Home Office, 2024).

The 2022 Pretoria Agreement set explicit timelines and procedures for disarmament, demobilization, and reintegration (DDR), prioritizing heavy armaments and requiring completion on an agreed schedule (IGAD, 2022). Initial implementation produced documented heavy-weapons handovers (Reuters, 2023). Yet conflict monitoring, reporting, and public statements by officials from rival TPLF factions indicate that large numbers of combatants have retained their weapons and that DDR implementation has stalled, leaving the force largely intact (ACLED, 2025, Critical Threats, 2025, Harter, 2025, UNDP, 2024). The TPLF has justified its non-compliance by arguing that

the federal government has failed to implement its own obligations under the Pretoria Agreement. Whether this claim is valid or pretextual, the outcome is the same: Tigray retains autonomous coercive capacity, undermining the constitutional premise that the federal tier monopolizes legitimate force.

Symbolic and discursive practices have reinforced the same separation dynamic. Each regional head carries the title ‘President’, normalizing state-like executive symbolism at the subnational level (Pätz, 2019). During the Tigray war, the armed organization was designated the ‘Tigray Defence Forces’ and led by regional state officials and retired military figures, framing a center–region confrontation in the language of statehood (Blanchard, 2024). Regional flags, anthems, and related markers have remained contested, intensifying centrifugal interpretations of identity and authority within an already polarized federation (Forum of Federations, 2023). These institutional and symbolic developments sustain the *‘forced staying apart together’* dynamic: continued constitutional union alongside political separation, reinforced by regional coercive capacity and state-like representation.

6. Conclusion

Existing scholarship on the Fano movement has addressed its historical roots, organizational features, and military dynamics, but has not examined the constitutional and institutional foundations that produced the conditions for Amhara armed resistance. This paper filled that gap by tracing how the 1995 Constitution’s design — not merely its implementation — structured the Amhara’s political marginalization and generated the grievances from which Fano emerged. The paper argued that constitutional neutrality is a myth. Constitutions reflect the interests and ideologies of the actors who dominate the drafting process. Ethiopia’s 1995 Constitution was written by liberation movements — principally the TPLF — that had identified the Amhara as a historically *‘oppressor nation’*. This narrative was embedded in the constitutional architecture: the preamble’s strategic ambiguity, sovereignty vested in ethnic categories, federal boundaries that fragmented Amhara populations while consolidating others, fiscal arrangements enabling differential treatment, and self-determination provisions that advantaged territorially concentrated groups. The constitution did not neutrally manage diversity; it institutionalized asymmetric incorporation, positioning the Amhara as bearers of collective culpability and subjecting them to structural disadvantage without formal accusation. The resulting architecture constituted *‘forced staying apart together’* federalism: ethnic groups separated by constitutional design, bound to a state whose terms they could not renegotiate, and governed from above through a federal framework that distributed security to some and vulnerability to others.

The Ethiopian constitutional case exposes a fundamental gap between constitutional text and constitutional function. Constitutional language celebrating diversity, self-determination, and federalism served not only as normative commitment but as a strategy of legitimation, embedding distributive and political hierarchies beneath an inclusive vocabulary. The constitution guaranteed rights while its own structural provisions — ethnic sovereignty, asymmetric fiscal arrangements, territorial fragmentation — produced underrepresentation, dependence, and unequal access to protection. The limitation is not imperfect implementation but the constitutional design itself: a document that accommodated multiple audiences — domestic and international — while embedding decisive arrangements of power, coercion, and distribution within its own architecture.

Textual analysis reveals what constitutions promise; political economy analysis explains what they deliver. Ethiopian constitutional scholarship privileging textual and normative approaches praised the 1995 Constitution's progressive provisions while giving limited attention to the political conditions governing execution (Fiseha, 2006a, Habtu, 2003, Tesfaye, 2010, Zenawi, 2010). Political economy theorists emphasize elite dominance in constitution-making and warn that constitutional guarantees without enforcement capacity lack practical effect (Acemoglu and Robinson, 2012, Hirschl, 2004, North and Weingast, 1989, Przeworski, 1991). Three decades confirm their skepticism.

The constitution endured for more than three decades, but stability grounded in coercion, not consent, remains structurally vulnerable. The TPLF-led EPRDF suppressed conflict without resolving it, delayed reckoning without preventing it, and converted postponed grievances into more destructive confrontations once control faltered. The Tigray war revealed the system's terminal logic through power-contingent secessionism: the TPLF defended national unity while controlling the center, then invoked self-determination once federal power was lost, demonstrating that Article 39 functioned not as a guarantee of voluntary membership but as a strategic resource activated when the political calculus shifted. Armed resistance in Amhara, insurgency in Oromia, and episodes of ethnic violence across multiple regions followed, not aberrations but deferred consequences of an order that had prioritized domination over reconciliation.

Ethiopia confronts a specific constitutional problem: the instrumentalization of ethnic identity as an organizing principle. A viable alternative would ground political rights in citizenship instead of ethnic classification, but de-ethnicization threatens regional elites whose authority derives from ethnic organization. Fiscal federalism would need to operate on transparent criteria of population and need rather than political loyalty, but genuine transparency would curtail the federal government's patronage capacity. Historical reconciliation would require honest reckoning beyond simplified oppressor–oppressed binaries, but such reckoning would challenge the liberation narratives on which incumbent legitimacy rests. Constitution-making would need to engage civil society, independent intellectuals, and autonomous regional representatives, but inclusive processes would dilute power holders' control over institutional design. In each case, the barrier is political, not technical: reform requires redistribution of power, yet the current order allocates authority in ways that resist its own revision.

Constitutional reform demands political leverage, but the constitution distributes authority in ways that prevent transformative change. The persistence of power-contingent secessionism — self-determination claimed or denied depending on proximity to federal power — means that actors with coercive capacity have no incentive to negotiate constitutional revision when they can hold exit in reserve. Such deadlocks rarely break through incremental reform. South Africa's constitutional transformation required the convergence of internal resistance, economic crisis, and international sanctions to render the apartheid order unsustainable (Strøm, 2000); Nepal's 2015 constitution emerged only after civil war and the abolition of the monarchy dismantled the existing power structure (Lawoti, 2019). Absent a comparable rupture, Ethiopia's constitutional order will likely remain resistant to substantive reform.

The 1995 Constitution's deepest failure lies in its founding logic: the belief that sustainable governance can be built on institutionalized historical grievance. Renan (1990) definition of nationhood captures the alternative: *'A nation is a soul, a spiritual principle... a daily plebiscite'*.

Ethiopia's 1995 Constitution inverted Renan's logic: instead of shared citizenship, it institutionalized ethnic division; instead of a common political project, it institutionalized historical grievance; instead of a daily plebiscite, it established permanent ethnic categories. Where Renan envisioned nationhood as voluntary political community, Ethiopia's constitution produced '*forced staying apart together*', its antithesis. Constitutional orders built on such foundations do not hold. Ethiopia's constitutional future depends on recovering what Renan articulated: civic identity grounded in shared political commitment.

Acknowledgements

I am grateful to two anonymous referees for their comments and suggestions on earlier drafts of this article.

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