

# Does democracy affect ethnic minority rights? Evidence from Ethiopian minorities

Ephrem Ahadu\*

**Abstract:** The management of internal minorities is one of the main problem to exercise democracy this is typically about the treatment of individuals that are not viewed as indigenous to the region in which they exist in. It is a broadly held conviction that democracy is useful for minorities. Even though no single Ethiopian region is ethnically homogeneous, ethnic minorities within each region are subjected to segregation and marginalized from political power and decision making. In order to conduct this study, academic literature papers, both Federal and Regional constitutions, theoretical literatures, laws, national and international covenants, policy documents, reports, and other legal documents were used. The purpose is to analyze the nexus between democracy and ethnic minority in Ethiopia. Protecting the rights of minorities is the main problem of a democracy due to the basic principle of democracy that is majority rule and minority right. In a situation where “majority rules” by what means can states ensure their citizen have fair treatment and equal opportunities, even those who are not part of the majority? This article follows to find answer for these questions and to recommend some solutions.

**Keywords:** democracy, minority rights, Ethiopia, FDRE Constitution, indigenous peoples

## INTRODUCTION

Internal minorities are the common feature of multi-ethnic federations. English- speakers in Quebec (Canada), Spanish-speakers in Catalonia (Spain) and French- speakers in Flanders (Belgium) are some of the prominent examples of internal minorities in the literature of multi-ethnic federations. The impractical reality of creating an ethnically or linguistically homogenous sub-national unit has made the accommodation of internal minorities an essential part of the efforts to build a successful federation (Fessha and Beken 2013, 2). Every region

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\* Ephrem Ahadu (✉)  
Wachemo University, Hossaena, Ethiopia  
e-mail: tabiney72@gmail.com

of the world has its own traditions of ethnic and religious coexistence, often with its own distinctive vocabularies and concepts which may differ from Western or international approaches. These traditions continue strongly to shape people's expectations about what constitute legitimate and appropriate forms of state–minority relations (Kymlicka and Pföstl 2014, 4).

A common assumption regarding is that democracy is useful for minorities. The logic behind this assumption is stands from its definition that is democracy is a system of government in which the political power is in the hands of the people. Yet, there are nations like Ethiopia where a focused political framework agreed with ethnic segregation and struggle. Like most African states, Ethiopia is ethnically diverse. The Ethiopian population is characterized by considerable diversity in religion (the Ethiopian Orthodox Church, Protestants, Moslems, traditional belief systems), language (there are dozens of different languages), culture, socio-economic activities (pastoral nomadism, sedentary agriculture) and traditional governance structures (Beken 2007, 106). The shift from military dictatorships to democracy has been accompanied by constitutional recognition of the distinct legal status of indigenous groups, including rights to self-government, land claims, and recognition of customary law in many countries ( Kymlicka and Pföstl 2014, 5),but the question of non-indigenous or minorities may be ignored.

According to Article 53 of FDRE constitution there shall be two Federal Houses: The House of Peoples' Representatives (HPR) and the House of Federation(HF) the and the House of People's Representatives, are the representatives of the “Ethiopian People as a whole”(Article54(4)). Whereas, Article 54(3) of the federal constitution stipulates that out of the maximum number of 550 seats in the House of People's Representatives, a minimum of 20 seats is reserved for 'minority nationalities and peoples'. As such, a representation of a large number of ethnic groups in the House of People's Representatives is guaranteed. Nevertheless, the chosen electoral system leads to the fact that the larger ethnic groups are more strongly represented in the first chamber of the parliament than the smaller ones (Beken 2007, 109). What we have to bear in mind is that the current 1995 constitution of Ethiopia didn't define what minority mean explicitly.

Even when there is not one particular group which holds numerical dominance, simple majoritarianism can work against the rights of

minorities unless they are specifically safeguarded (Woolley & Keller 2008, 4), similarly Bird (2012, 430) stated that collective mobilization of ethnic minorities is well and good, but its effects in terms of representation will be muted if the political system is not responsive to such action.

Few would argue that a system of government could work with human rights protection and the rule of law, but without political representation of the citizens of the country; that is, without democracy. Similarly, minorities can only be included in their state through representation and the safeguard of both the rights of the group and the members of the group (Bieber 2001, 7).

Plenty studies have been conducted so far about minority right and majority rule in a democratic system and electoral system to mention some Ruiz-Rufino (2013) studies about satisfaction with democracy in multi ethnic countries, Wilkes and Wu (2018) studied about Ethnicity, Democracy, Trust: A Majority-Minority Approach, Zollinger and Bochsler (2012) conducted a research about Minority Representation in a Semi-Democratic Regime, Abebe (2012) studied about The Dilemma of Adopting Ethnic Federal System in Africa in Light of the Perspectives from Ethiopian Experience, Ben-porat and Yuval (2012) studies a research entitled Minorities in Democracy and Policing Policy: From Alienation to Cooperation., Appiagyei-atua (2012) similarly studies about Minority Rights, Democracy and Development: The African Experience, Lewis (2013) studied about the connection between direct democracy and minority right, a research entitled Democracy and Minority Rights in Bangladesh is studied by Murshed, (n.d.) and many others studied about minority right and majority rule in a democratic system but the issue of the right of minority under democracy system in general and particularly in Ethiopia is not studies very well hence, differently, this study investigates the relationship between democracy and minority right under the first past the post system of election and tries to find check whether the minority right is respected or not.

In a system of democracy there is a basic principle called “majority rule and minority right”, so if the majority idea and say is outweigh over the minority how can the right of minority is respected and safeguarded fairly with others? Accordingly this paper will try to find answer for these questions.

## ETHNIC MINORITIES

First of all, it should be clear which group in a state has the status of a minority. If a treaty gives a right to a minority, other types of groups cannot claim this right. Since there is no single precise definition for the term minority. The previous Special Rapporteur of the United Nations, Francesco Capotorti, developed a definition in 1979 which is the most prominent concept and the initial point of any discussion. According to his definition a minority is a group which is numerically lesser to the rest of the population of a state and in a non-dominant position, whose members possess ethnic, religious or linguistic characteristics which differ from those of the rest of the population, and who if only implicitly, maintain a sense of solidarity directed towards preserving their culture, traditions, religion or language. As Capotorti developed his definition for a sub-commission of the former Commission on Human Rights of the United Nations, it is linked to article 27 of the International Covenant on Civil and Political Rights (ICCPR), the most prominent provision in international law concerning minorities. The beneficiaries of the rights under article 27 are persons belonging to “ethnic, religious or linguistic minorities” (Kugelmann 2019, 237-238).

Adopted by consensus in 1992, the United Nations Minorities Declaration in its article 1 refers to minorities as based on national or ethnic, cultural, religious and linguistic identity, and provides that States should protect their existence. There is no internationally agreed definition as to which groups constitute minorities. It is often stressed that the existence of a minority is a question of fact and that any definition must include both objective factors (such as the existence of a shared ethnicity, language or religion) and subjective factors (including that individuals must identify themselves as members of a minority) (UN 2010,2).

In today’s world, in every region of the globe, debates on issues of ethnic minorities have both a local and a global dimension, and draw upon both global discourses and local vernaculars. On the one hand, there is a global discourse of multiculturalism, which is championed by various international organizations such as the European Union and the United Nations, and which is formulated in recent international declarations on minority and indigenous rights (Kymlicka and Pfössl 2014, 3), a few of the more prominent statements of this global discourse would include: UN Declaration on the Rights of Persons

Belonging to National or Ethnic, Religious and Linguistic Minorities (1992); UN Declaration on the Rights of Indigenous Peoples (2007); Council of Europe's European Charter for Regional or Minority Languages (1992); Council of Europe Framework Convention for the Protection of National Minorities (1995); UNESCO's Universal Declaration on Cultural Diversity (2001). This discourse, which is strongly shaped by Western liberal-democratic experiences of multiculturalism, frames minority rights as innate and appropriate extension of existing human rights principles, and hence a matter of universal principle. This study used the meaning given by Beken (2007) to define ethnic minority "The terms ethnic minorities, intra-sub state minorities, internal minorities and minorities within minorities are used interchangeably to refer to those who do not belong to the regionally empowered group".

#### ETHNIC MINORITIES IN ETHIOPIA

Ethiopia design ethnic-based federal (though not purely) state structure to respond to the challenges of minorities by developing a counter-majority institutional system. However, this approach literally left 'non-native'/'non-indigenous' group of peoples out of the constitutional recognition and institutional consideration of the regional state administration (Gizachew 2019, 192). According to the current FDRE constitution of 1995 article 47 sub article 1 there are nine regional in the county that is the state of Tigray, the state of Afar, the state of Amhara, the state of Oromia, the state of Somali, the state of Bembshangul-Gumuz, the state of the Southern Nations, Nationalities and Peoples, the state of Gambella and the state of Harar. Since the constitutional drafter tried to create an overlap between regional and ethnic boundaries, the Ethiopian federal structure can be called an ethnic federation. However, a closer look at the various state populations indicates that none of the nine regions is ethnically homogeneous. A perfect match between ethnic group and territory has thus not materialized. This is not surprising taking into account the presence of more than 80 different ethnic groups in Ethiopia. However, the degree of diversity differs from region to region (Beken 2007, 114).

Within each "big" ethnic group there are minorities in all regions, the political participation of non-indigenous internal minorities in state administration has been largely curtailed (Fessha and Beken 2013, 12). Ethnic, religious and linguistic minorities are vulnerable to economic

and political exclusion largely due to direct and indirect discrimination (Baldwin, Chapman, and Gray 2007,18). For example in Ethiopia, the parliament of the Oromia region, the *Caffee Oromia*, is likewise the highest authority of the region. (Art. 46 (1), Oromia Constitution).The *Caffee* is unicameral and its members are representatives of the "peoples of the region as a whole." (Art. 48 (3), Ibid).They are elected for a term of five years (Art. 48 (1), Ibid). The electoral system that is used is the first past the post system. However, unlike in Amhara, there is no guaranteed representation of minority groups (Art. 48 (2), Ibid).

The Amhara regional council is the highest authority of the region (Art. 46 (1), Amhara Constitution). Unlike the federal parliament, it is unicameral. Its members are representatives of the "peoples in the regional state as a whole" (Art. 48 (3), Ibid) and are elected for a term of five years on the basis of direct elections (Art. 48 (1), Ibid) using the so-called first past the post system (Art. 48 (2), Ibid). The Amhara Constitution pays attention to the position of ethnic minority groups by providing for a guaranteed representation of "minority nationalities and peoples" (Art. 48 (2), Ibid). At this point we can already see differences between the Amhara and the Oromia constitutions in the ways they handle ethnic diversity. The first significant provisions are in the preamble. The preamble of the Amhara Constitution refers to the peoples of the region, whereas the Oromia Constitution refers to the Oromo people. This illustrates different constitutional attitudes towards diversity: a positive attitude in Amhara, a negative one in Oromia. The constitutional provisions on sovereignty reinforce this attitude. In the Amhara Constitution, sovereign power in the region is exercised by the different peoples, in Oromia by the Oromo people. The same attitudes can be found in the provisions for the composition of the respective regional parliaments. The Amhara Constitution recognizes that the first past the post electoral system in an ethnically organized state carries dangers for the representation of ethnic minorities, hence its provision for the guaranteed representation of ethnic minority groups. The Oromia Constitution pays no attention to the representation of minority groups; the association of the region with the Oromo people leaves no room for it (Beken 2007, 119-120).

Similarly in Benishangul-Gumuz regional state, according to the 2007 Ethiopian Census, above 16 ethnic groups has been registered. Among these, five ethnic groups Berta which accounts 25.4%, Gumuz 21.1%, Shinasha 7.7%, Mao 1.9%, and Komo 0.9% of the total population of the region (Central Statistical Agency, 2007). These

groups of peoples are politically empowered and legally recognized groups of peoples in the regional and federal government of Ethiopia (Mengie 2010). Yet the rest are ignored and discriminated, as one regional state of Ethiopia, Benishangul-Gumuz National Regional State had face serious criticism concerning on the right of minorities groups of people (Gizachew 2019, 128). The political and legal empowerment of these groups makes them to politically major, legally authorized in the regional political administration system of the region. This also makes them political, socially, psychologically, economically and legally powerful and dominant (Gizachew 2019, 200). According to CSA (2007), the rest groups of peoples of the region which coined by the regional constitution as ‘non-indigenous peoples’ are the Amhara which accounts 21.1%, Oromo 13.5%, Agew 4.5%, Tigray 0.7% and others 4.1% of the total population of the region. Unlike the indigenous peoples of the region, ‘non-indigenous peoples’, no matter how their numeric comparability, are neither empowered to form their own national administration institutions nor legally and politically guaranteed to have equal participation in self-governing institution of ‘indigenous people’. As a result, ‘non-indigenous’ peoples are politically dominated and alienated group of peoples in which their right to participate in decision making process are incapacitated (Beken 2006 as cited in Gizachew 2019, 200-2001) this is confirmed by a researcher called Samsonov (2017).

Consequently, as contrasting to democratic principle and values, the political domination and alienation of the right to political participation of ‘non-indigenous’ peoples make them to be subordinate to any decision, policy and governing institutions of ‘indigenous’ peoples of the region. Due to the case, ‘non-indigenous’ peoples are victim of different forms of evictions, forced displacement as a result they subsequently claim to justice, fairly, sovereignty, freedom of settlement, land rights, legal and political recognition in a place where they settled as non-indigenous minorities do not enjoy the same level of protection (Fessha, and Beken 2013, 11). Accordingly, ‘non-indigenous’ peoples of the region demands to get legal and political protection of their identity as well as an fair and proportional representation and participation in public administration institutions and decision making process that affects them directly or indirectly (Mesfin 2016, 19); hence, non-matter how there numeric comparability, ‘non-indigenous’ peoples of the region are reduce down to political minority status as they as politically and legally

marginalized and face different forms of human right violations like eviction, forceful displacement and discrimination.

There is no single means of solving problem to dealing with minority-group differences in perspectives, beliefs, and values. Only through the democratic process of tolerance, debate, and willingness to compromise can free societies reach agreements that include the twin pillars of majority rule and minority rights. An examination of particular models for multi-cultural or multi-ethnic states must take into account not only their contribution to political stability, at times a short-term measure, but also their ability to promote participatory democracy, fairness, social cohesion and social justice in the longer term. Questions of rights (individual and group rights), fair opportunities, democratic participation, and access to public services underscore practical questions of policy and policy reforms (Porat & Yuval 2012, 237). Some critics argue that they involve merely symbolic changes. Indeed some argue that these policies were designed by neo-liberal elites precisely to deflect political attention away from underlying power structures (Hale 2002) Others argue that while perhaps providing tangible benefits to indigenous peoples, multicultural reforms are creating new ethnic hierarchies in the process—for example, by excluding Black (Afro-Latino) groups who are not typically considered as “indigenous peoples.” Yet others argue that they are imprisoning people in cultural scripts, and jeopardizing individual freedom. In order to qualify for new multicultural rights, members of indigenous communities are expected to “act Indian”—i.e. to follow “authentic” cultural practices—an expectation that strengthens the hand of conservative or patriarchal leaders within the community who assert the authority to determine what is “authentic” (Kymlicka and Pfössl 2014, 5-6).

According to the FDRE constitution article 53 there are two chambers that is the House of People's Representatives (HPR) and the House of the Federation (HF). The representatives of the HPR are representatives of the Ethiopian people as a whole. They are elected by means of general and direct elections for a term of five years on the basis of universal suffrage under the *first-past-the-post* electoral system as Article 54 indicates.

In practice, this means that one seat in each electoral district is won by the candidate who gets the most votes in the district. In a state organized on an ethnic basis, the use of such an electoral system runs the risk that the one seat in each electoral district will be won by the



candidate who represents the interests of the largest ethnic group in the district. As indicated in figure 1 above this will result in the tyranny of majority. This in turn is a problematic for those ethnic groups that are a minority in every electoral district. There is a real risk that those ethnic groups will not have a single representative in the House of People's Representatives (Beken 2007, 109). When minorities are denied a say in political affairs, conflict often results because a political voice is the key to the enjoyment of all other rights. For example, exclusion from education/employment opportunities and land rights can result, as minorities fail to influence government policy and practice. Further, a strong signal is sent to minorities that the dominant community does not see them as belonging in the nation. In the face of such exclusion, a minority may see secession as the only route (Baldwin, Chapman, and Gray 2007, 12).

As Baldwin, Chapman, and Gray (2007, 13) most importantly, the actual causes of the lack of representation of minorities in the parliament, in particular systematic discrimination must be addressed. Reserved seats must not become an excuse for avoiding addressing the underlying problems. If an arrangement for reserved seats is agreed as part of a peace agreement, it may be possible to incorporate a clause replacing them with a more integrative arrangement after a certain number of years. Conversely, in some autocracies minorities are not facing persecution and may even share the power. Benin and Ghana during their autocratic period did not witness ethnic discrimination, and various ethnicities were included in the government (Samsonov, 2017, 2).

## DEMOCRACY

Democracy originated more than 2,400 years ago in ancient Greece. The word "democracy" means "rule by the people." While this definition tells us that the citizens of a democracy govern their nation, it omits essential parts of the idea of democracy as practiced in countries around the world. The principal purposes for which the People establish democratic government are *the protection and promotion of their rights, interests, and welfare*. Democracy requires that each individual be free to participate in the political community's self-government. *Thus political freedom lies at the heart of the concept of democracy*. The overall concept of modern democracy has three principal parts: "democracy," "constitutionalism," and "liberalism." Each must exist in a political system for it to be a genuine democracy.

These could be: has the result been good policy, i.e., policies that have benefited society or large parts of society? Has government become more responsive and accountable to the public or to major parts of the public? Have political institutions been strengthened? Has rule of law been reinforced? (DeBardeleben 2008, 287).

As Munck, (2014, 17) clearly stated the term “government” is used to refer to the executive and other office holders who can make law. A country that meets the democratic standards relevant to the access to government offices is called an ‘electoral democracy’. The democratic standards relevant to government decision-making and the social environment of politics are the new concerns pertaining to the ‘quality of democracy’. The rights and conditions of the social environment of politics do not directly contribute to democracy; rather, they affect democracy through their impact on the two spheres of politics.

This issue can be seen most clearly in the thinking of Jean-Jacques Rousseau, who said in *Social Contract*: “Thus deputies of the people are not and cannot be, its representatives: they are merely its agents, and can make no final decisions. Any law which the people have not ratified in person is null, it is not a law.” Here Rousseau has used two types of definitions of *represent*. For him a representative is not an independent agent but one who acts only with constituent approval. Rousseau understood that within a large country direct democracy was unfeasible even impossible and although he upheld the ideal of direct democracy he did discuss representation in a more promising light:

I have just shown that government weakens as the number of magistrates [...] increases; and I have already shown that the more numerous the people [are], the more repressive force is needed. From which it follows that the ratio of magistrates to government should be in inverse proportions to the ratio of subjects to sovereign: which means that the more the state expands, the more the government ought to contract; and thus that the number of rulers should diminish in proportion to the increases of the population. (Rousseau)

The argument that minorities’ rights cannot be safe without participation of minorities in public life and in the mechanisms of protection is a pretty straightforward. First, the protective mechanisms run the risk of not being relevant for the minority community; that is, they might focus on the protection of educational rights, whereas social rights might be of more fundamental importance (Bieber 2001, 5). As an example, consider how some ethnic minorities are given access to political activity. One strategy is to deny, for example in the constitution, the presence of ethnically based political parties so that

minorities from a particular ethnic group are not allowed to have formal political representation in parliament. Bulgaria exemplifies this scenario by expressly forbidding the creation of political parties based ‘on a confessional or an ethnic principle’<sup>1</sup> in the constitution (Rufino 2013, 4). In between these two contrasting strategies there is a third, characterized by an intermediate approach between merely recognizing the existence of ethnic minority groups and favoring their parliamentary representation. Poland,<sup>2</sup> Lithuania<sup>3</sup> and Slovakia<sup>4</sup> are countries that fit this distinction. Finally, a fourth strategy can be to ignore completely the existence of ethnic minorities, as in the case of Ukraine where none of the major legal texts regulating the elections or political participation even mention the existence of ethnic minority groups (Rufino 2013, 4).

Minority protection has fallen in the private domain. But there is less emphasis on equal recognition to minority groups in the public sphere (Mallick 2013, 75). Regarding to Electoral systems and reserved seats Baldwin, Chapman, and Gray (2007, 13) stated that at the national level, a common arrangement is to reserve quotas for minorities – these can be ministerial posts in government, and/or seats in parliament. In addition, certain electoral arrangements, such as

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<sup>1</sup> This legal disposition was a general attack against parliamentary representation of all the ethnic groups existing in Bulgaria and against the Turkish minority in particular. However, the Turkish minority managed to twist the law and succeeded in creating a political party that defends the interests of this minority: the Movement for Rights and Freedom (DPS). Although it is true that this political party can be considered an exception in the Bulgarian legislation, the case is that the Turks have participated in parliament since the first democratic elections and have even been part of the governing coalition. However, this does not invalidate the ban established by the constitution against the creation of ethnic political parties.

<sup>2</sup> Arts 3, 4, 5, 109 and 110 of the law regulating the 1993 parliamentary elections established some mechanisms whereby the legal threshold to win parliamentary representation was lowered in the case of organizations of national minorities.

<sup>3</sup> The Lithuanian approach towards political representation of ethnic minorities is ambiguous. Whereas the different laws regulating the 1996 or 2000 parliamentary elections say nothing about minorities, article 45 of the constitutions expressly guarantees that the ‘state shall support ethnic communities’.

<sup>4</sup> In the Slovak Republic, art. 34.1 of the constitution says that ‘the comprehensive development of citizens representing national minorities or ethnic groups in the Slovak Republic is guaranteed, particularly the right to develop their own culture, together with other members of the minority or ethnic group, the right to disseminate and receive information in their mother tongue, the right to associate in national minority associations, and the right to set up and maintain educational and cultural institutions’.

block votes, closed or open list proportional representation and transferable votes will not guarantee minority representation but under certain circumstances may promote it. Important issues here include the extent to which the minority representatives genuinely represent their communities (in particular the full diversity of those communities, including minority women), and the impact they have in practice, being one voice among many. Concerning to minority right protection International Covenant on Civil and Political Rights (ICCPR) under article 27 stated that

In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language.

According to Lennox (2018, 9), three caveats of Article 27 should be noted. First, the Human Rights Committee that monitors the ICCPR has asserted that the determination of whether a minority exists should be established by objective criteria and does not depend upon a decision by the state. Second, as a component of human rights, minority rights protections are entitled by all persons within the territory or jurisdiction of the state and not only to those minorities who are also citizens of the state. Third, although expressed as rights of “persons,” it has been recognized that minorities may exercise these rights individually as well as in community with other members of their group. In sum, these three caveats are very important enablers of pluralism. States cannot wish away diversity, nor unduly restrict the expression of communal identities, by edict of law.

In the Dialogues of Plato, Socrates is portrayed as hugely pessimistic about the whole business of democracy. In Book Six of *The Republic*, Plato describes Socrates falling into conversation with a character called Adeimantus and trying to get him to see the flaws of democracy by comparing a society to a ship. If you were heading out on a journey by sea, asks Socrates, who would you ideally want deciding who was in charge of the vessel? Just anyone or people educated in the rules and demands of seafaring? The latter of course, says Adeimantus, so why then, responds Socrates, do we keep thinking that any old person should be fit to judge who should be a ruler of a country? Socrates’ point is that voting in an election is a skill, not a random intuition. And like any skill, it needs to be taught systematically to people. Letting the citizenry vote without an

education is as irresponsible as putting them in charge of a trireme sailing to Samos in a storm.

#### THE PARADOX OF MINORITY RIGHT IN ETHIOPIA

The right not to be discriminated against is paramount in protecting the rights of persons belonging to minorities in all regions of the world. Minorities everywhere experience direct and indirect, *de jure* and *de facto* discrimination in their daily lives (UN 2010, 8). Eighteen years after the change of power and the ushering in of the second Ethiopian republic in 1991, the political process in Ethiopia has, according to most observers, rigidified and largely closed the space for representative democracy (Abbink 2009, 2). According to Art 61(1) of the FDRE constitution, house of federation is composed of representatives from among each nation, nationality and people of Ethiopia.

However, there is a unique arrangement, for the more populous ethnic groups in the house. The nation that has more population will have more seats in the house. This arrangement however, deviates from international practices. In USA, there is equal state representation in the second chamber, senate (each state has two representatives). Under the Canadian, each province has the right to have equal representation in the senate, and the same rule is also applied in Australia federation. In Switzerland, the upper house is composed of 46 representatives, two from each 20 full canton and one from half cantons (Bogale 2012, 77; Dafflon, 1992).

But, though there are more than eighty ethno-linguistic groups in Ethiopia, there are nations who do not have seats in the house. In contrast, the four more populated and relatively economically advanced ethnic groups Amhara Oromo, Somalia, and SNNP constituted the largest seats which accounts for 61 seats out of 135 seats by the principles of additional seat for extra one million populations. Thus, such kinds of arrangement provided by the constitution might create domination of the minority ethnic groups by the largest groups in the house (Agegnehu & Dibu, 2017, 145). Therefore, the representative of each ethnic group in the country, that is, the minorities have no strong impact on the legislation, policy formulation and implementation processes of the central or federal government.

**MEASURES TO HALVE THE PROBLEM OF ETHNIC MINORITY**  
Minorities are often in a disadvantaged, marginalized and vulnerable position. Consequently, they require special measures to ensure that they benefit from the same rights as the rest of the population. Hence, minority rights serve to bring all members of society to a balanced enjoyment of their human rights. In other words, their objective is to safeguard that persons belonging to a national minority enjoy real equality with those persons belonging to the majority. In order to protect the right of ethnic minorities more efficiently, there are a lot of obstacles and ambiguities that need to be overcome, and the most noteworthy are the indeterminacy, generality, narrowness and vagueness contemporary minority rights. Another very important and still unresolved dilemma is whether the primacy should be given to the individual or the group rights. Majority of modern theorists take the stand that human rights belong to the individuals in particular, and the corporate conception of a group as an entity needs to be avoided. Within the United Nations, the shield of minorities targets at strengthening peace and security as well as the protection of human rights. In the last 30 years, the protection of indigenous peoples made its way onto the international agenda. As a matter of fact, the problems of indigenous peoples were part of the discussions on minority rights. Therefore, the related matter of minority rights was the starting point for a legal analysis of the rights of indigenous peoples (Kugelmann 2019, 236).

According to UN (2010) differential treatment may be permissible if its objective is to overcome past discrimination or address persisting inequalities. In fact, international human rights law provides for the adoption of special measures in favor of certain persons or groups for the purpose of eliminating discrimination and achieving full equality, not only in law but also in practice. Several legal instruments envisage this. The International Convention on the Elimination of All Forms of Racial Discrimination (ICEARD) permits the implementation of special measures “for the sole purpose of securing adequate advancement of certain racial or ethnic groups or individuals requiring such protection as may be necessary in order to ensure such groups or individuals’ equal enjoyment or exercise of human rights and fundamental freedoms”. Similarly the International Covenant on Civil and Political Rights (ICCPR) article 27 protects the rights of persons belonging to minorities to their national, ethnic, religious or linguistic identity, or a combination thereof, and to preserve the characteristics

which they wish to maintain and develop. Although it refers to the rights of minorities in those States in which they exist, its applicability is not subject to official recognition of a minority by a State. States that have ratified the Covenant are obliged to ensure that all individuals under their jurisdiction enjoy their rights; this may require specific action to correct inequalities to which minorities are subjected (UN 2010, 14-15). On the other hand (Bird 2012, 430) stated that factors such as strong party competition, a high degree of legislative turnover, and public funding for political campaigns may also make political systems more open to ethnic minority candidates.

Seats in Parliament are not always an effective way of influencing political decision making. Imagine that a minority ethnic party obtains representation in the national parliament. If the party is in the opposition, seats will be of little use in a parliament where the executive dominates the policy process at all stages. In this situation, only participation in government would allow for, though by no means guarantee, participation in decision-making processes. However, when minority ethnic parties in the legislature have a real chance of influencing decision making and of forcing the executive to bargain and to pull back when necessary, the moderating effect of representation over ethnic conflict seems more plausible (Alonso and Rufino 2007, 241).

The moderating effect of parliamentary representation on ethnic conflict seems plausible, but only under certain conditions. First, parliamentary representation will not give ethnic parties effective influence over decision-making processes unless the parliament is strong relative to the executive. Only then it is reasonable to expect a moderating effect of representation on conflict. Second, before parliamentary representation can have any effect on ethnic conflict, ethnic groups and the organizations representing them must actively seek participation and influence in decision making. This may not be the case for one of two reasons: either the minority ethnic group has not solved its collective action problems or it has organized around radical demands including a change of the status quo and the use of violence (Alonso and Rufino 2007, 243-244).

## CONCLUSION AND RECOMMENDATION

Throughout Africa, the notion of protecting minority rights by way of group entitlements and privileges has been eschewed in favor of giving each and every individual (not group) equal rights under the

constitutions in place, subject to such limitations of general application as may be in place. Fundamental to the privileges of minorities are the advancement and security of their identity and their basic right. Advancing and securing their identity counteract constrained digestion and the loss of culture, religions and dialects the premise of the wealth of the world and along these lines some portion of its legacy. Non-assimilation requires decent variety and plural identity to be endured as well as ensured and regarded.

The Ethiopian government under article 41 declared that every Ethiopian has the right to engage freely in economic activity and to pursue a livelihood of his choice anywhere within the national territory. But this article did not provide full right regarding to the right to vote and to be elected under which a certain citizen lives “outside” their own region. The right of minorities did not addressed very well in the Ethiopian current constitution. The Ethiopian constitution even denies Ethiopian citizenship as it declared in the preamble the owner of the constitution are the Ethiopian nation, nationality and people of Ethiopian, even they have the right to secede from the country as article 39 stipulated ,so as a single Ethiopian no one can claim about the ownership of the constitution. In worst scenario if a foreigner acquires Ethiopian citizenship he/she must be included in a certain ethnic group in order to be the owner of the constitution. This is directly go in line with against the principle and values of democracy. Accordingly a solution has to be made in order to save and protect the right of ethnic minorities. By expanding the quantity of minority delegates in governing bodies, reserve seats can cultivate the sway of minorities in political life. Further, they signal generosity on the side of the state and accordingly, can be significant in making a comprehensive situation where minorities can relate to and feel belongingness of the country they live in, in this way diminishing the probability of dissenter propensities.

To halve the problems of ethnic minorities the federal government shall self-consciously evolve more thoroughly. The need is to develop the pluralistic model of democracy, which would demarcate the form and scope of individual and shared action within the administrations and associations of state and civil society. Political portrayal without insurance of minority rights is in this way prone to bring about precariousness and intervention, similar to a state administered by election, yet without the lawful protections forestalling maltreatment by those chosen.



To make the Ethiopian government explore a triumph regarding to ethnic minority, solid measures to political convenience of different political groupings, acknowledging certified vote based system and building up productive political establishments are basic. Until such restorative measures are embraced to make the Ethiopian government analyze a manageable venture, other African nations need take suitable consideration when they endeavor to detail their political framework as per the Ethiopian model that is still on the junction.

The other most significant factor that should be reflected considering pleasing ethnic diversity and ethnic minority is installing the system of real democracy in Ethiopia and this democracy should be placed in a broad based way, comprehensive central government represented by entirely ethnic groups in the country. This shall comprise the automatic reservation of assured parliamentary seats for deprived and disregarded minority groups. Yet Democracy by itself did not guaranty the right of minority since the voice of majority always will win that will lead to the tyranny of majority hence correcting *the first- past-the post*-election system should not be ignored.

The endeavor made by the Ethiopian regime to suit ethnic diversity without relating procedure of democratization is disaster. Hypothetical and observational confirmations recommend that procedure of obliging ethnic assorted variety through procedure of federalization is firmly connected with the degree of democratization of the framework. Considering the essentialness of democratization process during the time spent obliging ethnic assorted variety in Africa, there must be consistently responsibility to democratization through the foundation of popularity based organizations, opportunity of affiliation and articulation and improving the job of civil society groups. Similarly (Hindeya 2018, 364) indicated that the role of civil society, including the assistance of individuals and NGOs, to ethnic minorities' efforts to challenge arbitrary actions of the Ethiopian government is critical.

Integrating an ethnic minority group into broader parties is also imperative in order to increase and foster their political participation and boost their representation. In this regard (Rufino 2013, 16) indicated that minorities that have a political party are, on average, more satisfied than those without one. Furthermore, satisfaction with democracy can also be explained depending on the type of democracy existing where the minority lives. On average, ethnic minority parties working in parliamentary democracies produce greater levels of

satisfaction with democracy. Following this result, the electoral system is also vital in a double sense. If minorities are not politically represented, more proportional electoral systems increase satisfaction with democracy because they help raise expectations about future electoral success. If minorities are represented in parliament, then more proportional representation systems only increase satisfaction with democracy if the party is small, otherwise satisfaction with democracy decreases. Stronger parties are happier under restricted electoral rules. Ethnic minorities need to have real power to decide their own affairs and to be able to actively take part in their own country. Precisely speaking, the state needs to create promising environment for the real participation of persons belonging to a certain ethnic group considered as minority in cultural, social, economic and public affairs, particularly on issues explicitly affecting them. This includes attaining proportional representation in administrative positions, and equal participation in public affairs.

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Ephrem Ahadu

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