

**LESSONS FROM THE MAY 2005 ETHIOPIAN ELECTIONS:
THE WAY FORWARD**

by
Getachew Begashaw, PhD*

I would like to start my presentation by thanking the Canadian Peacebuilding Coordinating Committee and all non-governmental organization members who spent time and effort to put together this conference, and I sincerely hope their efforts will be worthwhile in enshrining peace and democracy in Ethiopia.

The conveners of this conference have asked me to participate in a panel, and to present a paper on the subject title. Subtitles include the following:

- The May 2005 elections and lessons learned: what was fair, and what was not.
- Is parliamentary democracy working in Ethiopia?
- Is effective parliamentary power-sharing possible?
- Key areas for change and assistance.

Broadly speaking, two narratives may emerge in response to all of the questions raised: the first narrative encapsulates the Ethiopian government's side and position, and it might go something like the following:

We had certainly an unprecedented open and democratic election in our country in 2005. In the first phase, the pre-election proceedings, we allowed the opposition to freely express its ideas, and campaign on its platforms with no restrictions or hindrances throughout our country. The ruling party made available its senior leaders and government officials for the debates. During the second phase, the day of election, we were encouraged by the fact that our people have taken advantage of the democracy our party bestowed upon them, and to have stood in long lines for a long period of time to vote for candidates of their choice. There is little or no disagreement in these facts, or their interpretation neither from the opposition, nor from our international friends. In the last phase, that of the tabulation of the votes, and the announcement, some problems were noted. As all the major parties including the ruling party started disputing some of the vote results, the government took quick actions to put mechanisms of mediation and fact-finding in place so as to quickly resolve the concerns. Unfortunately, when the opposition saw that it has lost in the majority of the countryside, and as a result, could not win the election to form a new government, some of the hardliner opposition embarked upon illegal and unconstitutional actions that challenged the constitutional order of the country. It is regrettable that the government was forced to restore law and order which unfortunately resulted in the unnecessary loss of lives, including members of our police force.

Getachew Begashaw is Chair of Economics Department and Associate Professor, William Rainey Harper College, Chicago, Illinois. USA

This is more or less the position of the ruling party that is on record. The second narrative summarizes that of the opposition that took part in the elections. Despite the eventual disintegration of oppositional unity when a faction of United Ethiopian Democratic Forces (UEDF), Oromo Federalist Democratic Party (OFDP) and to some degree Coalition of Unity Democratic Party (CUDP) decided to break ranks and join the parliament, the following summary appears to be shared by all as the record shows. Therefore, the difference among the opposition was not on the narratives of the events surrounding the election, but rather on the tactics of what to do next given the agreed upon description of the events:

Largely because the donors and friendly nations have weighed upon the ruling party to open up for real competition for the election this time around (2005), indeed conditions leading to the May 2005 were much better than before: despite harassments and intimidation, we were able to field candidates not in all but in most places. We used the mass media for debates and for introducing our political program to millions of our supporters. We thought the Ethiopian people were able to see and judge the incompetence of the ruling party's officials during these debates, which naturally turned to votes for the opposition. The ruling party was living so isolated from the people and was so distant, it fantasized that it had mass support among the people which it decided to show case at a demonstration. To its surprise, the ruling party was outdone by the opposition the following day when with minimal preparations the opposition was able to call millions to express their support for the opposition in a very peaceful, and calm manner demonstrative of the Ethiopian trait and culture. On the day of the election, our people waited for hours and hours to cast their votes, and as international monitors testified, despite some inconveniences related to electoral proceedings, such as armed police illegally posted at booths, our people freely voted their desire, and in most precincts, spent the night guarding the ballot boxes. Trouble started the election day when the ruling party illegally announced in the evening that it has gotten a second mandate to rule the country. By law, the National Election Board was the body that was supposed to announce the winner(s). Soon after, reports came trickling into opposition headquarters that the ruling party cadres were forcing election monitors to change results in precincts where they lost.

While the opposition accepted in good faith the mechanisms of dispute resolutions, the ruling party teamed up with the supposedly independent National Election Board representatives, and the votes were nearly 2 to 1 against opposition candidate appeals (ruling party + NEB v's opposition candidate). Considering the expanding daylight robbery of the Ethiopian election, the opposition tried unsuccessfully to negotiate the deadlock with the ruling party. The opposition then drew a plan for peaceful and non-violent opposition with a slogan of "Respect the Vote", and peaceful measures and rolling actions were announced to the people to follow using our rights given to us by the constitution. However, the ruling party would have none of these, and picked up opposition leaders one by one, and intensified its mass terror of killing, jailing and disappearing thousands of people. Almost 200 people were killed, and over 30,000 were jailed. The leaders of the CUDP are still languishing in jail accused of trumped up

charges, such as intending to commit ethnic cleansing and overthrowing the constitutional order.

These are the two narratives that show satisfactory, although not completely convergent consensus on the two phases (pre-election events and the actual Election Day events), but betray a diametrically opposite rendering of the final and fateful phase of the election.

At the root of the problem is the one million dollar question of who won the Ethiopian federal election of May 2005. According to the ruling party, election monitors such as the Carter Center and the European Union monitors have conclusively stated that the ruling party has won. But this does not seem to be the case. Both entities have only described the general processes, strength and weaknesses of the May 2005 election without making their position known on the winner. To this one might add the strong displeasure of Ms. Ana Gomes- the leader of the European Union observer mission election monitor contingent- with the heavy-handed approach of the ruling party. According to Christopher Clapham (Comments on the Ethiopian Crisis, November 2005), "*The EU observer mission, the Ethiopian Human Rights Council, and Donald Levine in his correspondence with Ethiopian diplomats in the US, have convincingly demonstrated that significant rigging took place*". From here, Clapham concludes that the charge that the elections were stolen is eminently plausible.

The opposition, especially CUDP, has stated that the fact that it had a clean sweep of the Addis Ababa city council election is a microcosm of the election result of the larger Ethiopian polity. Furthermore, there are two pieces of circumstantial evidences that the opposition can dangle: one was the fact that in order to resolve the impasse, the opposition had requested to do a re-run federal election within a certain period of time which the ruling party rejected. Second, the opposition had drafted a transitional coalition government plan to bring the contending parties in a single government whose mandate might not exceed 2 years, and whose major tasks might be the preparation for elections. This too was rejected by the government as unconstitutional.

Instead, the government of the ruling party, once it procured the consent of the opposition parties to participate in the appeal review process, a process whose outcome was predetermined, had no incentive to participate in an exercise that might result in total loss of power, or at the minimum, in sharing power. In fact, Terrence Lyons, in a paper he presented to the US Council on Foreign Relations, (December, 2006), titled "Avoiding Conflict in the Horn of Africa – US Policy Toward Ethiopia and Eritrea", argues that "*the opposition pointed to a series of decisions made by the EPRDF after the election to restrict the opposition's role in parliament and to limit the capacity of the CUD-controlled Addis Ababa assembly as evidence that the ruling party would not allow the opposition to participate effectively*".

This is then the backdrop against which the questions we raised earlier have to be evaluated. The fact that there appears to be a symmetry of opinion between the ruling party and the opposition for the two phases of the election might lead some to believe that agreement between the opposition and the ruling party might be a distinct possibility.

Indeed the rule of percentages says that 2 out of 3 ain't a bad deal; pointing towards the possibility of a 3 out of 3 settlement. While this may come to pass, the chances of that happening are to say the least surrounded with complexity. One of the factors solidifying this complexity is the difficult fact of simple extrapolation or projection from opposition and ruling party agreement on the two. The third factor, the question of who won the federal election, or rephrasing the question for all times, how a fair election could be conducted for a peaceful transfer of power, is a sticky one to say the least.

Although Ato Meles Zenawi, prime minister of the EPRDF government and chairman of the ruling party has hinted that he might not seek yet another term, doubtful as that might sound, has however clearly indicated that he wants his party to rule for decades and decades to come. And he has thrown around the formula for that in the operational concept of "the developmental state" akin to something like the Asian Tigers, such as Singapore's. There, Lee Kuan Yew, the strongman who ruled for over 30 years since the country got its independence, has anointed his son as the prime minister and he himself calls the shots behind the curtain as the "minister advisor".

Now back to tackling the questions:

1. Lessons learned: What was fair, and what was not:

The fact that the May 2005 election was a marked improvement over the 1992, 1995 and 2000 elections gives hope that things are moving in the right direction in Ethiopia. Indeed, whatever the motivation of the ruling party (donor pressure is cited as the main one), the ruling party should be praised for facilitating a largely conducive condition to conduct the elections. However, one has to hasten to ask whether Ethiopia is a better country today than it was before May 2005. The mass killings, the terrorization, incarceration, disappearing and brutality, especially against our young generation following the May election has left a dark indelible patch on our history. There is a genuine concern among citizens whether or not this brutal act might for a long time dissuade our youth from active civic life just like the aftermath of the Red Terror did to a preceding generation. International journalists interviewing Meles are repeatedly asking him if he is concerned about the reluctance of citizens to say anything political on record. Fear today permeates the Ethiopian political atmosphere.

The budding independent press that has mushroomed despite the ruling party's uninterrupted harassment has today completely disappeared thanks to the jailing and exile of its members. Even foreign-based Ethiopian mass media have not completely escaped the long-reaching arms of the EPRDF. Rather than constructively engaging the Ethiopian Diaspora, the ruling party is scheming methods of espionage, disinformation, and attempts to compromise citizens with cheap offers of Ethiopian land and business opportunities. In the post May 2005 Ethiopia, there is no meaningful political opposition: the CUDP has been emasculated, the UEDF divided, and the Ethiopian government has redefined and reduced political opposition to mean decorous protest in parliament that does not amount to affect/impact policy and to be paraded into the palace as opposition show case to visiting dignitaries.

If the credit given to EPRDF for facilitation of the 2005 elections is to be a full credit, and if EPRDF had opened the electoral gates in May 2005 out of genuine concern to accelerate the democratization of the country, then the ruling party has to reverse all these negative developments. However, the fact that the ruling party has not even contemplated the release of the unjustly jailed political leaders, journalists, and civic leaders despite requests from its friends and foes does not give one hope for the political future of our country. If Meles indeed wants history as he says to remember him as one who started the democratization process in Ethiopia, he has ways to go to show in action the a,b,c,s of those steps of democratization. Unlike the ruling party's Western mentors, history cannot be fooled, or feign ignorance.

2. Is Parliamentary Democracy Working in Ethiopia?

At times government officials, but mostly the government's foreign supporters try to explain away and justify the lack of competitive politics in Ethiopia as a baby step of democratization, and as that which will bear fruit with time. This temporal explanation would have made sense had a mechanism for gradual progression been in place. However, as we saw above, the promise of May 2005 was rudely and violently thwarted by none other than the government in power. Actually, the promise of May 2005 is the exception to the modus operandi of the EPRDF. Since coming to power almost two decades ago, the ruling party has abhorred independent and popular political parties. Some like the Ethiopian Peoples Revolutionary Party (EPRP), and later the Oromo Liberation Front (OLF) have been banned from the political process. Instead, the ruling party has relied on creating and encouraging the creation of loyal, mostly ethnic-named parties, eliciting a new word in Ethiopian political lexicon to be coined for it: *teletafi*, meaning an unnatural appendage.

It is very doubtful if the ruling party accepts the concept of partnership between various civic groups and the government in power, such as the independent media, opposition parties, and civic society. These are the prerequisites of the foundation of a democratic society. High officials of the government talk about opposition parties in the most disparaging language. The independent media have rarely been invited to cover government press releases, instead were hounded out of business.

For parliamentary democracy to properly function in our country, first and foremost the government has to show good faith efforts to accept opposition parties and others as partners in the political and socio-economic development of the country. The political parties henceforth banned must be un-banned and legally operate in the country, the jailed leaders must be unconditionally released and allowed to start to rebuild their political parties, and a genuine preparation has to commence to prepare in earnest for contesting the 2010 elections. The opposition parties on their part need to diligently exercise responsible politics, and play the role of loyal opposition. They should diminish the employment of hateful and vitriolic politics. The concept of loyal opposition does not mean a quiescent and compliant opposition. Far from it. It means an opposition that has a clear oppositional platform and that campaigns for that legally and responsibly. When

these conditions are met, Ethiopia will boast of a government and opposition plus civil society that can rally around the country's core issues despite their political differences.

Parliamentary democracy can also benefit from the vigorous debates in parliament where the opposition may feel it has power to affect and change policy if so demanded and warranted by its constituents. So, today because we do not have these necessary conditions for a functional parliament, we witness a parliament that is packed with the supporters of the ruling party, and that does not even allow critical remarks by the scant opposition to reach the floor.

3. Is Effective Parliamentary Power Sharing Possible?

Ethiopia is not certainly stranger to the institution of parliament. The first constitution of 1931 institutionalized a bi-cameral parliament in Ethiopia. Then, the 1955 constitution updated the functions. The Derg had also instituted a parliamentary body called *Shengo*. Again today, we have a bi-cameral parliament.

The common thread connecting all these parliaments under three separate regimes is the fact that the legislative body has never been considered as an independent body to serve as a check and balance to the power of the executive. Under Haileselassie, his rule was absolute monarchy, and the parliament rubberstamped the autocracy's edicts. Similarly, under the Derg, the *Shengo* played a subservient role to the whims of Mengistu Hailemariam. Today, we sadly see At Meles Zenawi, or the EPRDF, unable to extricate itself from this history, and using the institution once again as a rubberstamp.

Although there is a palpable difference in today's parliamentarians to level criticisms at the executive branch, the fact remains that the purpose of the institution as a counterbalance to the executive body remains unrealized. As long as the executive body contributes to regard all institutions as extensions of the government and instruments of control, no effective power-sharing is conceivable. As long as the EPRDF is going to claim that it has the mandate of the people to rule alone, no matter how far-fetched that claim might be, it is going to cheat in elections to bolster its false claim that it has the mandate of the people, and it is going to find itself and throw the country in a circular argument.

Effective power-sharing presupposes an innate belief by both the ruling party and its opposition that they are both toiling for the good of the country, and that their efforts should complement each other and contribute to the stability of the country. In the absence of this, the ruling party will continue to see the opposition as its mortal enemy, and the opposition will continue operating from a hardened position.

The fact that in today's parliament one finds a few members of the opposition party does not indicate at all a functioning power-sharing. What power are they particularly sharing? Their roles are reduced as stated earlier to making generic comments on issues that are more a nuisance than anything else. A genuine power-sharing requires a change of heart, political culture, and a new partnership by both the ruling party and the opposition. There

was a time when Ato Meles Zenawi told a journalist that he is desirous of a strong opposition party to strengthen democracy in the country. When the moment of truth presented him with an opportunity in May 2005, many believe he came short to honor and respect the vote results earned by a worthy opposition.

4. Key Areas for Change and Assistance

As one can easily see from this paper the gap in the positions of the opposition and the government is yawning. This is not accidental. It is largely the result of the centuries of feudal and violence-prone culture. Compromise is a rarely accepted item in the tool box of Ethiopian politics. The ruling party and the opposition have tried their hands at reconciliation just before the election and after the election, to resolve the impasse. Although significant issues were discussed during both periods, no meaningful progress was made. As a result of this failure, the political climate of the country has changed to the worse, and the relations between the ruling party and the disenfranchised opposition are frosty. It is very unlikely that the opposition and the government will move towards starting negotiations of their own accord. The help of a third party is essential.

Because the country has regressed in its record of human and democratic rights, active intervention by third parties is essential to induce it to come back on track. This is particularly behooving upon those donors and other Western governments who have business and political relations with the EPRDF regime.

The key areas of change include the following:

- The unconditional release of long suffering political prisoners from all jails.
- The legalization of banned political parties to start legally operating in their country
- The re-institutionalization of the Ethiopian Free Press, and the protection of the rights of its members to exercise their freedom of speech and writing.
- Stop the harassment of civic groups, such as the Ethiopian Teachers Association so that they can function in peace in advancing the interests of their profession, and help in the democratization of their country.
- The immediate convening of a National Reconciliation Conference of all major political parties, and civic groups to deliberate on all outstanding issues.
- To have an agreed upon plan by all major actors on the modalities of the 2010 election.

Areas of need for assistance include the following:

- Third parties should facilitate the release of prisoners and the unbanning of banned political organizations.
- Third parties can play a role in facilitating the convention of a National Reconciliation Conference.
- Third parties can facilitate bilateral and multi-lateral talks between the ruling party and opposition groups. There were precedents for this: in the mid-90s,

- Congressman Harry Johnston and former President Carter separately facilitated ruling party and opposition parties' discussions.
- Third parties can commence in the preparation of the 2010 election to make sure that it is all inclusive (including banned parties), and by sending or soliciting others to plan to send adequate number of election monitors.
 - Finally, third parties can help Ethiopian civic groups to play positive role in the democratization of the country, such help as financial, meeting training needs, and networking will go a long way towards helping them meet their goals.

The late Dr. Eshetu Chole said Ethiopia is at the cross-roads; he said a decade and half ago. Ethiopia is still standing at the cross roads; lately and sadly refusing to move on one of the forked roads, but looking back to its old, feudal and repressive ways. Friends in such times play a crucial role to nudge Ethiopia to move forward.