



ADDIS ABABA UNIVERSITY

COLLEGE OF LAW AND GOVERNANCE

CENTER FOR FEDERALISM AND GOVERNANCE STUDIES

Local Government as a means for Ensuring Self-Rule in Gambella Peoples' National Region State: the Case of Itang Special Woreda

By

Ayalew Damtew

A thesis submitted to the school of graduate studies of Addis Ababa University in partial fulfillment of the requirements for the Master of Arts (MA) in Federalism and Governance

Advisor: Dr. Zemelak Ayitenew

Addis Ababa, Ethiopia

June, 2018

Author's declaration

I, the undersigned Ayalew Damtew declare that '**Local Government as a means for Ensuring Self-Rule in Gambella Region: The Case of *Itang Special Woreda***' is my original work and has not been submitted for any degree or examination in any other university or academic institution. All sources and materials used for this thesis are duly acknowledged and properly referenced.

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Acronyms

CSA	Central Static Agency
EPRDF	Ethiopian People Revolutionary Democracy Front
FDRE	Federal Democratic Republic of Ethiopia
GPNRS	Gambella Peoples' National Regional State
HoF	House of Federation
HoPR	House of People Representative
ISW	Itang Special Woreda
LG	Local Government
SNNP	South Nation Nationality People
SNNPRS	South Nation Nationality and Peoples Regional State
TC	Transitional Charter
TPC	Transitional Period Charter

Abstract

In the Ethiopian federal system, local governments have been established, among others, for the accommodation of diversity and administrative purpose. This study explores the value of establishing local government to accommodate intra-state minority in Gambella regional state. The region has established nationality zones and special woreda to accommodate the “indigenous” ethnic communities. Specially, Itang special woreda is the interesting case study area for three reasons: (i) It is established for both regional majority Anyuua and Nuer ethnic groups and for the regional minority of Opo ethnic community; (ii) It has been a cause for ethnic conflict in the region. (iii) The residents of the special woreda have representatives in both Anyuua and Nuer nationality zones over and above in the special woreda. Accordingly, the study assesses the significance of establishing Itang as special woreda to accommodate intra-local minority. The study has used primary sources obtained from the key informants of the study area. On the other hand, to address the objectives and to answer the questions of the study secondary sources were used. As the findings show it is difficult to conclude Itang was established based on adequate legal framework and agreement of the three “indigenous” ethnic groups. As a result the special woreda is challenged to; accommodate intra-local diversity, manage ethnic-based conflict, improve the access of public-service, and minimize political tension between the Anyuua and Nuer ethnic groups.

Chapter One

1. Introduction

1.1. Statement of the Problem

Ethiopian ethnic federal system established as a means of accommodating ethnic diversity by decentralizing power between federal and regional levels of governments. The federal system is based on the principle of one region belonging to a single ethnic community. But, in practice every region has more than one “indigenous” ethnic community.

The Constitution also “envisages” for nine regional governments and Addis Ababa City Administration to establish their own local governments. Thus, each ethnic community accommodated territorially at region and local level based on their settlement area.

In Ethiopia, local government is established as regular and ethnic-based local government. The latter is established for the purpose of accommodating intra-regional diversity.¹ However, the 1995 Ethiopian constitution did not clearly deal with the constitutional status of local governments. The status of local government is hence determined by the regional constitutions.²

Local government is a base for empowering local communities through active democratic participation. To accommodate intra-region ethnic diversity the 1995 Ethiopian constitution envisages that there will be ethnic based local government. Therefore, in Ethiopian federal system five regional states Amhara, Afar, Beneshangul-Gumuz, South Nation’ Nationality and People Regional State (SNNPRS) and Gambella have established ethnic local governments.

Ethnic local government is a unique sphere of sub-regional government that is established to address the claim of identity.³ Nationality zones and special *woreda* are established as the ethnic local government for the purpose of ensuring the issue of self-rule for minority ethnic groups.⁴ Ethnic local governments are in principle established based on one-ethnic community

¹Zemelak A. (2014) Local government in Ethiopia advancing development and accommodating ethnic minorities P. 129

² Ibid, at 2011

³ Zemelak, 2015 “Local Government and its Institutional Security with Ethiopian Federal System” in Assefa Fisseha and Asnake Kefale (Eds), *Local Government in Ethiopia*, Addis Ababa University Press, p 200-218

⁴ Zemelak A. and Yonatan T. “The constitutional Status of Local Government in Federal Systems: the case of Constitution” Access provide by University de Fribourg at 07/06/12, 12:19pm GMT

one local government. However, special *woredas* and nationality zones are often bi-ethnic or multi-ethnic, in a sense that they have more than one “indigenous” ethnic community.

Special *woreda* is a sub-division of regional governments which is established along ethnic lines.⁵ Therefore, both Amhara and Afar regional states have established special *woreda* for the *Argoba* ethnic group to ensure the existence of self-administration.

The SNNPRS also established special *woreda* for ethnic groups with smaller population number such as *Konso*, *Amaro*, *Burji*, *Dirashe* and *Yem* to have their own local government at *woreda* level.⁶ The Beneshangul-Gumuz regional state has also established one special *woreda* for both *Mao* and *Komo* ethnic groups to ensure the existence of ethnic equality and democratic political participation.

Gambella Regional State is one of the five regional governments which established ethnic local government. The region has established ethnically like other regional states in Ethiopian federation for ensuring the people to be the owner of the political power. It is organized from three nationality zones, one special *woreda* and one city administration. In the region the existence of ethnic local government is the result of EPRDF and its constitution for the sake of self-rule.

Therefore, *Itang* is a special *woreda* in Gambella region which was established for *Nuer*, *Anyuua* and *Opo* ethnic groups. It was under *Anyuua* and *Nuer* nationality zones before becoming special *woreda*. In 2006 it was established as special *woreda* by taking some *kebeles* from *Nuer* zone and some *kebeles* from *Anyuua* zone. Thus, *Itang* special *woreda* is territorially adjacent to both *Nuer* and *Anyuua* nationality zones. The three ethnic communities also have their own representation in *Nuer* and *Anyuua* nationality zones. Legally any special *woreda* can not include in nationality zone.

Specially, the *Opo* ethnic groups are minority from the regional “indigenous” ethnic groups. They have their own local government at *kebele* level in *Itang* special *woreda*. However, legally they are members of both special *woreda* and *Nuer* nationality zone in their representation.

⁵ Ibid

⁶ Zemelak Ayele, 2008 at 8

In *Gambella* region, the existing of ethnic based conflict is common for many years, as *Itang* is ethnic local government a means to raise ethnic based conflict or addressing the issue of diversity and ensuring the existence of self-rule.

1.2. Objectives of the Study

1.2.1. General Objective

The objective of this study is to assess the role of special *woreda* with more than one indigenous group allow the local communities to exercise self-rule

1.2.2. Specific Objectives

- ✓ To examine the role of the residents in establishing *Itang* special *woreda*
- ✓ To assess the reason behind establishing *Itang* for three ethnic communities
- ✓ To investigate on the reason of having double representation for the residents of *Itang* special *woreda*
- ✓ To evaluate whether *Itang* special *woreda* minimize ethnic conflict or a means to raise the conflict

1.3. Research Question

1.3.1. Principal Research Question

- How does special *woreda* with more than one “indigenous” group allow the ethnic communities exercise self-rule?

1.3.2. Subsidiary Research Questions

- ✓ What was the purpose of establishing *Itang* as special *woreda* for *Nuer*, *Anyuaa* and *Opo* ethnic groups?
- ✓ How the the local ethnic groups were participate in establishing *Itang* special *woreda*?
- ✓ How do the three ethnic groups of *Itang* represented in this special *woreda* administrative?
- ✓ Why do the residents of this special *woreda* to have representation in both *Nuer* and *Anyuaa* nationality zones?
- ✓ Is *Itang* special *woreda* a means to raise ethnic-based conflict or addressing the issue of diversity and ensuring self-rule?

1.4. Research Methodology and Design

1.4.1. Research Method

The study is conducted by qualitative research method to describe the problem deeply and obtain relevant information from the selected study area.

Sampling Technique

The study is conducted by purposive sampling technique from non- probability sampling techniques. As discussed above, the residents of this special *woreda* are categorized in to three ethnic groups. To produce well matched respondents from the total population, this method is preferable to get relevant information for the study.

From 23 *kebeles* of this *woreda* six *kebeles* were selected purposively from each ethnic group's residential area. Therefore, these *kebeles* are arranged as: three *kebeles* from *Anyuaa* ethnic group, two *kebeles* from *Nuer* ethnic group and one *kebele* from *Opo* ethnic group.

These six *kebeles* except *wanke* are selected based on their venerability for ethnic conflict than other *kebeles* in *Itang*. The sampling sizes of this study have consisted six chairmen of the selected *kebeles* and four key informants of *Itang* special *woreda* administration.

1.4.2. Source of Data

To prepare this thesis the data was collected from both primary and secondary sources. The primary source was obtaining through interview from political leaders and from each selected *kebele* administrators. Secondary sources of data gathered from written literature, regional magazine, the regional constitution and other legal documents to investigate relevant information.

1.4.3. The Instrument of Data Collection

For this study the researcher applies unstructured interview with total of six informants, from each *kebele* and four key informants from *woreda* administration.

From the perspective of research method the data is analyzed through description system. Thus, this system uses to describe the problem and the attitude of the society towards the issue.

Therefore, the study tries to analyze the data, based on the information obtained from informants' responses and written document reviews. .

1.5. Significant of the Study

The study is significant for policy makers to have awareness in establishing ethnic local government for ensuring self-rule. It also significant for researchers to use as reference for other studies related to this issue.

1.6. Argument of the Study

In Ethiopia, ethnic local government was created to answer the claim of identity. As result each regional government establish nationality zone and special *woreda* for purpose of accommodation. The argument of this study will be organized in these orders. Firstly, to assess the existence of self-rule in special *woreda* this established with more than one indigenous.

Secondly, the role of the three ethnic group residents in establishing an ethnic local government in *Itang* or in some case the ethnic local government can establish for the sake of administrative purpose. Thirdly, democratic participation and representation of the three ethnic groups in the special *woreda* administration structure and nationality zones. Fourthly, the establishment of ethnic local government as means to minimize the ethnic conflict in multi-ethnic society.

1.7. Delimitation of the Study

The study delimits in term of geographical scope, target population and variables. Therefore, in term of geography the study delimited in Gambella Regional State specifically in *Itang* special *woreda* selected *kebeles* *Badil, Pulkode, Poul, Akedo, Itang-kir* and *Wanke*. In term of target population the study delimited in *Anyuaa Nuer* and *Opo* ethnic groups who live in *Itang* special *woreda* and other groups like administrators, prominent local leaders, and *kebele* chairmen. Additionally, in term of variables the study delimited in self-rule, ethnic based conflict, the role of the residents to establish the special *woreda*, and their political representation. Besides, the study also delimited on research method, measuring instrument of data collection and sampling techniques of research which is more appropriate for the study.

1.8. Limitation of the Study

Itang is a special *woreda* which established for three “indigenous” ethnic groups. Therefore, the challenge during data collection is language barriers and lack of organized written documents about the establishment of *Itang* as special *woreda*. However, interview questions are translated to each mother tongue language to get relevant information for the finding.

1.9. Structure of the Study

The thesis is organized into five chapters. Chapter one consists the introduction part including the problem, research question, methodology, significance, argument, delimitation and limitation of the study. Chapter two deals the exercise of the right to self-determination and institutional Options to accommodate intra-state minorities.

Chapter three will discuss the study area of Gambella regional state and examines the role of establishing *Itang* special *woreda* to allow self-rule. Chapter four deals relating to the discussion point in chapter two and chapter three to evaluate the role of ethnic local government or *Itang* special *woreda* to allow self-rule in multi- indigenous ethnic groups. Chapter five of this paper contains the conclusion and recommendation part.

Chapter Two

The Exercise of the Right to Self-determination; Institutional Options

2.1. Introduction

In this chapter concepts of minority has been defined and types of minority discussed. The challenges of the federal arrangement to solve the problem of the intra-state minority also discussed in this chapter. The right of self-determination and institutional option used by the federal arrangement to accommodate intra-state ethnic minority are discussed here.

In multi-ethnic community territorial option plays a great role to accommodate territorially concentrated ethnic groups. It promotes establishing of federal system at the central government by providing ethnical lined regional autonomy and using local government to accommodate intra-state minorities to exercise the issue of self-administration. However, territorial option only cannot answer the issue to accommodate minorities in each level of governments.

Thus, non-territorial options also a means to exercise the right of self- determination through recognized bill of right and cultural autonomy for the dispersed ethnic community. In this institutional option, dispersed intra-state minorities can get considerable recognition for their language and to promote their culture in their residential area by establishing their own LGs.

Finally, in this chapter issue what happen when there is still diversity at the local level is the main point? Therefore, the possibilities of intra-local diversity accommodation mechanism have been discussed.

2.2. Definition and Types of Minority

2.2.1. Concepts of Minority

It is difficult to have a single or generally accepted definition of the word minority. Therefore, different scholars define it in various ways. Thus, it is mandatory to see the concepts of a minority before discussing the issue related to intra-state ethnic minority.

The word minority is derived from the middle French word “*Minorite*” or it is directly taken from Medieval Latin word “*minorities*” (*normative minorities*) and from Latin “*minor*” (small).⁷ Therefore the meaning of minority is “*a group of people separated from the rest of community by race, religion, language etc*”.⁸

*“Minority is a group of people that differ in some way from the majority of the population or any part of a whole that is smaller than others”.*⁹

Yonatan (2008) argues that according to American sociologists the term ethnic groups and minority group are similar, because these words indicate for discriminated community based on their language, culture, color, religion etc.¹⁰

It is part of a community when the state determines their fate to consider as a minority. Actually, in a democratic system the government uses mostly the majority rule; this minimizes the possibility of the minority on political participation and enforces them to stay as a minority by ignoring them from the political arena.¹¹ To define minority the objective markers and subjective characteristics of the community are considered.¹²

Tracing this, the minority can be defined based on their “objective markers” such as in race, language and religion which make them different from others. On the other way, minority can determine based on their “subjective characteristics” which are related to their belief and common culture.¹³ They are ethnic groups these have a small number of population than the other ethnic community in a concerned residential area.¹⁴

Minorities are suffering from discrimination in social relation, political, economic, linguistic and religious issues. In addition, they face problems to vote, running for political office and getting

⁷ online etymology dictionary 2010 Douglas Harper visited on December 4, 2017 at 10:30pm

⁸ Ibid

⁹ www.yourdictionary.com/minority/ visited on December 5 2017 at 4am

¹⁰ Yonatan Tesfaye, June 2008, Institutional Recognition and Accommodation of Ethnic Diversity: Federalism in South Africa and Ethiopia, p.18

¹¹ Philip Vuciri Ramaga, Relativity of the Minority Concept, Human Rights Quarterly, the Johns Hopkins University Press Vol. 14, No. 1 (Feb., 1992), p 105 Stable URL: <http://www.jstor.org/stable/762554>

¹² Beza Desalegn, December 2016, Ethnic federalism and the right to political participation of regional minorities in Ethiopia p.28

¹³ Ibid

¹⁴ Ibid at 32

jobs, which can create the overall domination to implement, apply effectively and definitely to use the language of majorities rather than promote their own.¹⁵

There is also an issue to identify the minority ethnic groups at sub-state level based on referring the population of the concerned sub-state unit depending on the total population of the state.¹⁶ Because, identifying minority in each level of government plays a vital role to accommodate diversity. The socio-economic factor also a means to identify the intra-state minorities because; most of the time “indigenous” ethnic groups’ culture depends on the economic status of the community.¹⁷

Generally, as discussed above, there is no common definition which is accepted as the exact definition of minority, because a minority can define in a different way relating to the concept that given by the concerned body.

2.2.2. Types of Minority

Intra-sate minority is found in any regional state in a country ruled by the federal system.¹⁸ Accordingly, there are two types of minority ethnic groups in the multi-ethnic country: these are national majority but a minority in some state and double minority.

Communities that have smaller population size in some residential area due to migration, settlement and other purpose consider as a minority but they are the majority in their own “mother-state”.¹⁹

Zemelak states that “*some members of an ethnic community, which is dominant either nationally or in a particular region or province of a country, may find themselves in a minority in another*

¹⁵ James A. Piazza, 1012, Types of minority, discrimination and terrorism, the Pennsylvania state University, vol. 29(5) p. 527

<http://www.sagepub.co.uk/journalsPermissions.nav>

¹⁶ Kristin Henrard, the Interrelationship between Individual Human Rights, Minority Rights and the Right to Self-Determination and Its Importance for the Adequate Protection of Linguistic Minorities, the Global Review of Ethno politics Vol. 1, no. 1, September 2001, p.42

¹⁷ Ramaga, 1992 at 110

¹⁸ Yonatan Tesfaye, Federalism, the sub national constitutional framework and local government: Accommodating minority within minority, Perspectives on Federalism, Vol. 4, issue 2, 2012, E 79

¹⁹ Ramaga, 1992 at 107

*region, state, or province of the country where another minority ethnic community is dominant”.*²⁰

Therefore, in this sense these ethnic groups are majority at the national level but they are a minority in their settlement area.

However, the numerical criteria only cannot determine the fate of minority it needs the “qualitative factor” such as cultures and languages.²¹ Due to lack of political power and resource ethnic community with high population size also became a minority; therefore only numerical factor is not a characteristic to say a minority.²²

Double minorities are ethnic groups having of small population number at national and regional level. Double minorities are stigmatized and discriminated by the majority group in both levels of governments.²³ To recognize community as minority their population size and the jurisdictional area can be considered in both national and regional government units.²⁴

Mostly, regional minorities within minorities face challenges of political participation and discrimination by regional government’s authorities rather than central government.²⁵ In multi-ethnic community identifying minority at state level play a particular role to recognize minorities as a part of that state through protecting their right.²⁶

2.3. Establishing Federal System as Means to Accommodate Intra-State Minority

Since the establishment of the transitional charter (TC), Ethiopia is experimenting ethnic based federal system to recognize the equality of each ethnic group by addressing the challenge of ethnic diversity through accommodation mechanism.²⁷ Thus, Ethiopian federal system is given

²⁰Zemelak Ayitenew, June 2012, Decentralization, development and accommodation of ethnic minorities: The case of Ethiopia, p 78

²¹ Ibid at 108

²²<https://courses.lumenlearning.com/sociology/.../racial-ethnic-and-minority-groups/> visited on December 6 2017 at 10pm

²³ Zemelak June 2012 at 79

²⁴ Ramaga, 1992 at 108

²⁵ Yonatan T, 2012, at E 79

²⁶ Simon Gillespie, 1997, minorities, states and the international system p.142
Available online <http://www.academicjournals.org/JASD>

gmore attention for self-rule.²⁸ Thus, the 1995 constitution of Ethiopia clearly acknowledged the existence of a diversified ethnic community in the country.

Leulseged states that the coming of EPRDF to power led to the new movement of political order with the principle of political, economic and social equality to accommodate ethnic diversity through creating ethnically based regional states.²⁹ Hence, the constitution clearly discuss the equality of ethnic groups and declare the right of self - determination to establish their own autonomous government system at the regional and other level of government.³⁰

Based on the recognition of the ethnic and linguistic character of the community, federalism can be as national federalism and ethnic federalism.³¹ Many scholars state that Ethiopian federal system is ethnic federalism to accommodate diversity at national, regional and local level. Regarding this regions are created ethnically for the dominant ethnic community based on their population size, language, and culture.³² However, respecting the interest and rights of internal minorities are the distinct responsibilities of the multi-ethnic federal system.³³

In fact for multi-ethnic community, federalism is the only choice to promote the issue of equality by allowing two and more ethnic groups to develop and live together in a single state without discriminating each other.³⁴ Nevertheless, for different reasons the federal system still challenged to solve the problem of intra-state minority ethnic groups. The establishment of ethnic federalism in the diversified ethnic community also faces challenges to accommodate minority groups by creating new-minority in constitute units.

²⁷ Ibid 174

²⁸ Bekalu Atnafu , The Practice of Ethnic Federalism in Ethiopia, Imperial Journal of Interdisciplinary Research (IJIR) Vol-2, Issue-11, 2016 ISSN: 2454-1362
<http://www.onlinejournal.in>

²⁹ Leulseged Tadese, can diversity accommodated : the case of Ethiopia, p.5

³⁰ Ibid at 6

³¹ Seyoum Mesfin, 2015, Federalism at the Margins of the Ethiopian State: The Lived Experience of the Majang People p.52

³² Beza Desalegn, Comments on ethnic minority rights under the Ethiopian federal system mizan law review vol.6 no.2 December 2012 p.334

³³ Ibid at 3

³⁴ Yonatan Tesfaye,(---) Federalism and the challenges of accommodating ethnic diversity constitutional building workshop in Sudan, *Research Fellow, Community Law Centre, University of the Western Cape*

2.4. Challenges of Ethnic Federalism to Accommodate Intra-State Minority

The establishment of ethnic-based regional states highly strengthens the issue of regionalism with minimizing the feeling of living together as a nationality of one state. Ethnic-based federalism also means of fragmentation through the increment of ethnic-based political parties and the establishment of the ethnic-based socio-economic institution.³⁵

Relating to the challenges of Ethiopian ethnic based federal system to accommodate Intra-state minority, Siraw Migbaru states that:

“In spite of the rationality of the federal administration in managing the complex ethnolinguistic diversity of the country and reducing conflicts; ethnic competition and conflicts are still critical challenges in the country. According to the 2013 global peace index report measuring countries’ peacefulness, Ethiopia is ranked 38th and 146th in Sub-Saharan Africa countries and worldwide respectively with a 2.63 overall score on a 1-5 scale.”³⁶

Ethiopian ethnic-based conflict is issue of self-determination, politics and power sharing, fair representation, identity and regional bordering demarcation.³⁷ However, to descalate the issue of ethnic inequality and to save the state from fragmentation, federal government establishes its institutional option in order to accommodate the intra-state minorities and follow up the implementation of these institutions based on the design of the government.

2.5. What are the Institutional Options for the Accommodation of Intra-State Minority?

In multi-ethnic country the institutional framework which is done by federal government play a great role to bring a solution for the fear of regional minorities by the overall domination of regional majority.³⁸ The government has the duty for the protection of minority ethnic groups to

³⁵ Yonatan Tesfaye, 2012, Federalism, Territorial Autonomy and the Management of Ethnic Diversity in Africa: Reading the Balance Sheet

³⁶ Siraw Megibaru, 2015, Weaknesses of Ethnic Federalism in Ethiopia, International Journal of Humanities and Social Science Invention ,volume 4 Issue 11, at 51

³⁷ Ibid

³⁸ Yonatan 2012 at 80

acknowledge their equality at national and state level.³⁹ Giving recognition for the existence of diversity to ensure the equality of each ethnic group is not enough, it needs the establishment of the institutional option to bring tangible practice for accommodation.⁴⁰

To minimize political tension of minority, institutional option which is design by the government is a solution for the purpose of accommodation. Therefore, in the diversified ethnic community both territorial and non-territorial institutional options are preferable to accommodate intra-state diversity.

2.5.1. Territorial Institutional Option

Yonatan (2008) states that in multi-ethnic countries territorial autonomy has established on the basis of two major approaches in the multi-ethnic federation; these are “territorial or administrative federalism” and “ethnic model federalism”.⁴¹ Regarding this territorial federalism is an approach which has established based on geographical setup for administrative purpose.⁴² On the other hand, ethnic model federalism is the second approach in which sub-national governments created based on the settlement area of ethnic community.⁴³

Regarding to accommodation of intra-state minority in multi-ethnic community territorial institution option is a means to respond to the challenges of the intra-state minority. Though, the government uses territorial option as an institutional mechanism to ensure the existence of self-administration of the minority in their residential area.

It is an institutional option in which certain political powers of the central government transfer to territorially established levels of governments.⁴⁴ The main target of establishing territorial autonomy institutional option is to recognize the exercising of self-rule for minority ethnic groups.⁴⁵

³⁹ Ramaga,2012 at 117

⁴⁰Yonatan no date

⁴¹ Yonatan 2008 at 110

⁴² Ibid at 111

⁴³ Ibid at 112

⁴⁴ Zemelak June2012, at 88

⁴⁵ Zemelak,2012 at 110

Therefore, LG that has established with autonomous legislative and executive political power for territorially concentrated ethnic community considered as means to accommodate ethnic diversity.⁴⁶ This option assumes that intra-state minorities are concentrated in the same geographical territory.⁴⁷

Thus, in a multi-ethnic state where different minority ethnic groups settled in the territorially concentrated area, the institutional option should be established by both self-rule and shared-rule components of federal arrangement.⁴⁸

The territorial institutional option also needs constitutional recognition and institutional arrangement to realize the existence of self-rule and shared-rule principle.⁴⁹ As result issue of accommodation and right of self-determination in Ethiopia was announced by the Transitional Period Charter (TPC) in 1991. It was constitutionally recognized by the 1995 FDRE constitution for the purpose of ensuring equality of discriminated minority groups.⁵⁰

As discussed above, establishing territorially recognized level of government for intra-state minority is a solution to solve the political, economic, social dominance by the majority. It encourages the minority ethnic groups to assume that as they are the owner of political power in their country through their directly or indirectly elected representatives.

On the other hand, arrangement of territorial institutional option has its disadvantage in the multi-ethnic community in a country which has no national majority. Zemelak states that most of the sub-Sahara African countries are a home of the deeply diversified ethnic community; however most of them have not well recognized ethnic community as the national majority.⁵¹ For instance in Ethiopia there is no ethnic majority which has more than 50% of the population size from the total population of the country.⁵²

⁴⁶ Ibid at 92

⁴⁷ Yonatan 2012 at 84

⁴⁸ Yonatan, 2008 at 12

⁴⁹ Zemelak Ayitenew, 2014 Local government in Ethiopia Advancing development and accommodating ethnic minorities, p.247

⁵⁰ Ibid

⁵¹ Zemelak June 2012, p. 97

⁵² Siraw Megibaru, 2015, P.49

The second form of federalism provides more advantages for majority ethnic communities in the constitute units with granting high political position.⁵³ The domination of regional majority over minority can create ethnic conflict and bordering conflict.

2.5.1.1. Establishing LG for Self-Rule

Local Government is the grass roots and the lowest sphere of government in a federal system.⁵⁴ Its quality and quantity of authority is determined by State governments.⁵⁵ It is the nearest level of government to promote good governance and service delivery to the community.⁵⁶

Providing service delivery in the LG depends on both the expenditure needs and the financial resources of the local community.⁵⁷ It is an “agent for the higher level of governments for the implementation of their policies and for providing services to the communities”.⁵⁸

Local government is a means of transferring political authority for local people through their elected local representatives.⁵⁹ For the existence of development and community participation the government shall be make sure to share power at *woreda* level adequately.⁶⁰ Local government is important to develop democratic structure, service delivery, poverty reduction and

ISSN (Online): 2319 – 7722, ISSN (Print): 2319 – 7714, www.ijhssi.org //Volume 4 Issue 11 // November. 2015 // PP.49-54

⁵³ Ibid

⁵⁴ Samihah Khalil & Salihu, Abdulwaheed Adelabu, Mohamad Solikin 2011 ,Central Government Supervision Strategy to Local Government: Case of Delay In the Determination of the Local Government Budget in Kediri Regency In East Java Indonesia, University of Brawijaya, Malang, Indonesia,

⁵⁵Chakunda Vincent,2015, Central-local Government Relations: Implications on the Autonomy and Discretion of Zimbabwe’s Local Government

⁵⁶ Samuel, Chukwudi Agunyai Samuel Iheanacho Ebirim, Temitayo Isaac Odeyemi, 2013 , Local Government Autonomy: A Veritable Tool for Redressing Usurpation of Powers of Local Governments by the State Governments in Nigeria, Department of Political Science, Obafemi Awolowo University Ile-Ife, Osun State, Public Policy and Administration Research ,ISSN 2224-5731(Paper) ISSN 2225-0972(Online),Vol.3, No.10

⁵⁷ Bernard Dafflon and Peter Mischler, Expenditure needs equalization at the local level, Copenhagen Workshop September 13-14,2007

⁵⁸ Jephias Mapuva ,2014,Local Governance Democratization and constitutionalism in Zimbabwe, International Journal of Politics and Good Governance Volume 5, No. 5.4 Quarter IV 2014 ISSN: 0976 – 1195

⁵⁹World Bank, June 2009 Local Government Discretion and Accountability: Application of a Local Governance Framework, Social Development Department, Report No. 49059-GLB

⁶⁰, Meskerem S. (2007) “Status of Local Governance at *Woreda*/District Level in Ethiopia”, *International Conference on African Development Archives*

facilitating development in federal systems.⁶¹ It also plays a key role in the promotion of social development at the local level.⁶²

In line with the above discussion, federal system recognized the existence of ethnic diversity in a concerned state. The establishment of autonomous LG as a level of government is institutional option to accommodate intra-state diversity by ensuring self-rule.⁶³

Self-rule is a constitutionally guaranteed division of political power between the federal and state government.⁶⁴ Thus, the institutional option of self-rule plays vital role to accommodate ethnic diversity through granting autonomous territory, political autonomy, administrative autonomy and economic autonomy for minorities in their administrative level of government.⁶⁵

Article 88(1) of the FDRE constitution states that “*government shall promote and support the people’s self-rule at all level*”. Nevertheless, the constitution lacks clear provision about the autonomy of local government relating to self-rule.⁶⁶ In a multinational federation, local government refers to measure the existence of self-rule which is bounded by the autonomy of the Subnational unit.⁶⁷

Ethiopian federal system to address ethnic division uses ethnic-based territorial autonomy.⁶⁸ To enhance political participation for multi-ethnic society in a federal system of government strongly needs commitment.

Therefore, the commitment promotes the existence of self-rule by decentralizing the power to local governments with enough guaranty and autonomy. Tracing this multi-ethnic group should

⁶¹ Tilahun Meshesha Fenta, 2014, Local Government in Ethiopia: Practices and Challenges, Vol. 2 Iss. 4, PP. 71-79

⁶² Bornwell C. Chikulo, 2011 Local Governance and Service Delivery in South Africa: Achievements and Challenges, Presented at the 34th AFSAAP Conference Flinders University,

⁶³ Ibid no year

⁶⁴ Yonatan, 2008

⁶⁵ Ibid at 13

⁶⁶ The FDRE Constitution, Article 88(1)

⁶⁷ Yonatan Tesfaye, 2012

⁶⁸ Ibid

be granted to establish their own LG with its own structure in the geographical area where they inhabit.⁶⁹

Ayenuw states that LG is “a tool for accommodating ethnic claim”.⁷⁰ It grants decentralized powers and resources fairly from the center to other government units in order to accommodate ethnic diversity.⁷¹ Due to this intra-state minority with their own LGs can enhance their political participation, representation and develop their language and culture.

2.5.1.2. Shared – Rule

In federal countries institutional principle of shared rule is a common feature to create a strong joint rule for some common purpose of accommodation of intra-state diversity.⁷² This form of accommodation mechanism encourages each ethnic community to have a common institution which holds the federal system together.⁷³ Therefore, the existence of shared rule in diversified ethnic community promotes to deal with the cultural issue as a common aspect of the community.

According to Zemelak shared-rule is essential for three reasons such as protecting the autonomy of autonomous unit or level of government, to allow the representation of minority ethnic groups at national and sub-national governments and it helps to integrate the local governments with sub-national and national governments.⁷⁴

The representation of intra-state minority at regional government is not enough to realize the issue of accommodation. Therefore, institutional mechanism of shared rule minority ethnic groups should get representation at federal government organs, such as Houses of Federation (HoF), House of People Representatives (HoPR) and in different executive and administrative

⁶⁹ Zemelak Ayele, 2008, Local government in Ethiopia: Adequately Empowered?

⁷⁰ Ayenuw Birhanu, 2016, the Politics of Local Government Creation And Boundary Demarcation With In Ethiopian

⁷¹ Assefa Fiseha, 2007, Constitutional Adjudication in Ethiopia: Exploring the Experience of the House of Federation (HoF), Mizan Law Review Vol. 1 No.1

⁷² Yonatan Tesfaye, 2008, 13

⁷³ Ibid

⁷⁴ Zemelak June 2012 at 110

organs.⁷⁵ Thus, in the Ethiopian federal structure 74 ethnic communities recognized and have their own representation in the upper house of federation.⁷⁶

2.5.2. Non-Territorial Institutional Option

It is the other institutional mechanism in the multi-ethnic federal system to accommodate minority ethnic groups in their residential area. As discussed early territorial autonomy can accommodate ethnic minority these have inhabited in the same territorial area. In this institutional option intra-state minorities can get recognized political representation and became part of decision making.⁷⁷

However, for intra-state minorities which have not territorially concentrated and even for minorities with small population size in the concentrated territory, non-territorial institutional option is a mechanism for the accommodation of diversity.⁷⁸ Thus, this institutional option is established to recognize the minority ethnic group to have recognition on power-sharing, cultural autonomy and to get special representation in their local council.⁷⁹

In Ethiopian ethnic federalism there are minority ethnic groups exist without having their local government to administer themselves at local level. Specially, ethnic groups those considered as migrants or non-indigenous are challenged to have political representation in their residential area. However, some regional states established nationality zones, special *woredas* and *kebeles* as ethnic-based LGs to accommodate intra-state minorities.⁸⁰

Hence, to accommodate dispersed ethnic community in ethnic federal countries non-territorial autonomy is preferable to give recognition to intra-state minorities. It encourages the minorities to have equal participation in term of political, economic and social in their regional state and also at the national level through their elected representatives. In addition, this accommodation

⁷⁵ Ibid at 450

⁷⁶ Jon Abbink (2011) Ethnic-based federalism and ethnicity in Ethiopia: reassessing the experiment after 20 years, *Journal of Eastern African Studies*, 5:4, 596-618, DOI: 10.1080/17531055.2011.642516

To link to this article: <http://dx.doi.org/10.1080/17531055.2011.642516>

⁷⁷ Yonatan, 2008 at 149

⁷⁸ Zemelak June 2012 at 502

⁷⁹ Ibid

⁸⁰ Ibid at 504

mechanism can recognize the rights of dispersed minorities in two regional states during the border demarcation of regional states.

2.5.2.1. Bill of Right towards Accommodation of Intra-State Minority

In federal countries it is legally advisable to have recognized bill of right to accommodate ethnic minorities at sub-national constitute units. Bill of rights gives strong guarantee for internal minorities to use their language, exercise their own culture and preserve their history.⁸¹

Therefore, bill of right protect the minority by recognizing their rights directly or indirectly for the sake of accommodation of diversity.⁸² Getachew states that true federalism can distinguish from the others based on the principles and implementation to ensure the existence of constitutionalism, individual and group rights and democracy to accommodate the intra-state minorities.⁸³ Thus, constitutionally recognized bill of right provides a full right for regional minorities to have representation and to participate in managing their local administrative units.⁸⁴

2.6. The Possibility of Intra-Local Ethnic Minority

In line with the mechanism of accommodation of intra-state minority in ethnic federalism both national and regional governments have the responsibilities to promote the rights of minority; hence minorities exist at local level. Therefore, what happens when there is still diversity at local level?

Ramaga states that in federal countries states can determine the internal bordering mechanism based on the linguistic, religious and cultural aspects of the community to create strong relation of the social context of the community.⁸⁵ Though, in this form of internal demarcation intra-local ethnic diversity face challenges to get a solution for their problem.

The establishment of local governments needs critical consideration to accommodate all ethnicity in it. If LG has bi-ethnic community, it needs to establish *kebeleas* lowest level of government for the minorities to administer themselves at local level.

⁸¹ Yonatan, 2012 at E 77

⁸² Ibid

⁸³ Getachew Assefa, 2011 federalism and legal pluralism in Ethiopia: Preliminary observations on their Impacts on the protection of human right, p.174

⁸⁴ Yonatan, June 2008, at 148

⁸⁵ Ramaga,1012

This mechanism of accommodation encourages the possibility intra-local minorities to have their own local administration with recognized powers and function for ensuring the existence of self-rule. It also protects intra-local ethnic minorities from political, economic and social discrimination and domination by the majority ethnic groups.

2.7. Conclusion

Historically before 1991 Ethiopian political system was not recognized the issue of ethnic equality. After the coming of EPRDF to the power thorough ethnic-line organized political parties, it established various mechanisms to accommodate ethnic diversity. Therefore, as stated previously, Ethiopian federal system is ethnic federalism that established the regional governments based on ethnic majority for the sake of accommodation.

Thus, Ethiopian federal system and its constitution mainly recognize that as Ethiopia is a home of multi-ethnic community. However, the regional government arrangement also creates the existence of intra-state minority and intra-local diversity in the country.

Minorities are may be migrants from their mother-state to other regions and also indigenous ethnic communities considered as minorities in their mother state based on different factors. In fact still there are intra-state minorities these have not get solution for their ethnic claims to considered as residents of the concerned constitute unit of the federation.

The federal and regional governments have responsibilities to formulate institutional mechanism and constitutionally recognized democratic right for intra-state minority to have the right of self-administration.

Actually, in Ethiopia five regional governments such as Amhara, SNNP, Afar, Beneshangul-Gumuz and Gambella have established ethnic-based local governments to accommodate intra-state diversity. But, it is not sufficient to address the challenges of regional minorities and regional migrants. In the other way, the rest regional governments have not give acknowledgment for intra-state minorities as part of the regional state and to establish their own ethnic local government.

Generally, in multi-ethnic community granting constitutional bill of right, territorial and non-territorial institutional mechanisms are advisable to accommodate ethnic diversity. These

institution mechanisms can enhance the existence of self-rule and shared-rule through protects the federal system and the regional states from fragmentation. Non-territorial autonomy is the most accommodation mechanism for dispersed minority ethnic groups during the creation of ethnic line regional governments.

Chapter Three

Overview of Gambella Regional State and Establishment of *Itang* Special *Woreda*

3.1. Introduction

On the previous chapter the concepts of minority, the institutional options by the federal government to accommodate intra-state minorities and the possibilities of intra-local minority was discussed.

In this chapter the overview of Gambella regional state, *Itang* special *woreda* and the value of establishing this special *woreda* to accommodate intra-local diversity have been discussed. The overall establishment of special *woreda* in Gambella region including constitutional recognition, criterion of border demarcation, and the role of establishing *Itang* special *woreda* to promote the existence of peace and security within multi-ethnic community is discussed here.

3.2. Introduction to Gambella Region and the Peoples

The Gambella regional state is one of the nine regions of the Ethiopian federation. The region is located in western part of the country along the boundary with Southern Sudan from the west.⁸⁶ Internally it shares borders with the Oromia regional state in the east, in north part with Benishangul- Gumuz region and SNNPRS from the south-east.⁸⁷

The region covers around 34,063 square kilometers of area with average temperature of 37⁰ Celsius and which is found at an altitude of 500 meters above sea level.⁸⁸

⁸⁶ Dereje Feyissa, 2006, Decentralization as Ethnic Closure, with Special Reference to a Declining Negotiated Access to Natural Resources in Western Ethiopia, *Africa Development*, Vol. XXXI, No. 2, pp. 243–260, Council for the Development of Social Science Research in Africa, 2006

(ISSN 0850-3907)

⁸⁷Ojot M. 2013, Large –Scale and Acquisition and Minorities/Indigenous Peoples’ Rights Under Ethnic Federalism in Ethiopia

⁸⁸ Dereje Feyissa, 2011, Playing Different Games: The Paradox of *Anyuaa* and *Nuer* Identification Strategies in the Gambella Region, Ethiopia

According to 2007 CSA the region has total population of 306,916.⁸⁹ Based on the total population size Gambella is the second smallest region next to Harar.⁹⁰ The region is a home for *Nuer, Anyuua, Mejang, Opo* and *Komo* “indigenous” ethnic groups.

There are also none indigenous communities in the *woreda* who moved from other parts of the country and settled in Gambella region. The *Nuer* ethnic group is the largest population with 143189 (46.65%) followed by *Anyuua* with 64,959 population (21.17 %), *Mejang* with 12,277 (4 %), *Opo* with 990 (0.32 %) and *Komo* with population of only 224 (0.07 %).⁹¹ These “indigenous” ethnic groups are the Nilo-Saharan linguistic origin and they do have heterogeneous culture and language based on their ethnic groups.⁹²

Mostly, “indigenous” people of Gambella region make their livelihood depend out on the natural resource through cultivation, grazing land and fishing.⁹³ Thus, the *Anyuua* ethnic groups are mostly agrarian. Beekeeping is very common practices among the *Anyuua* ethnic groups.⁹⁴ The *Nuer* ethnic groups are well known in animal rearing which contribute a great role for marriage ties, self-respect and cultural development. The *Nuer* ethnic groups are expanding themselves through “assimilations” in order to control the resource and to enhance their political competition in both regional and national governments.⁹⁵

The “indigenous” *Mejang* ethnic groups in *Godere* and *Mengesh woredas* are mainly producing honey.⁹⁶ The *Opo* and *Komo* ethnic groups are minority in number than the rest of ethnic groups, they are agrarian and fishermen. In the reality the business sector of the regional economy mostly controlled by the highlanders, the “indigenous” greatly dependent on government jobs.⁹⁷ In view of “indigenous” People, highlanders are the people who came from different part of the country

⁸⁹ CSA, 2007

⁹⁰Ojot M. 2013

⁹¹ Abebe Zewdu , 2011, Dimension and Determinant of Poverty among Rural Households: The case of *Itang* Special District in Gambella, Ethiopia

⁹² Endalkachew Girma, 2016, Assessing the Impact of South Sudanese Refuges on the Host Communities of *Itang Woreda* : A Case Study of *Tierkidi* Refugee Camp in Gambella Regional State

⁹³ Endalkachew, 2016

⁹⁴Ojot M. 2013

⁹⁵Dereje Feyissa, 2011

⁹⁶Ojot M. 2013

⁹⁷ Endalkachew, 2016

and these are not a member of five “indigenous” ethnic groups. In the region, majority of highlanders came in 1980s during the *Derg* regime due to the program of resettlement from *Amhara, Tigrina* and *SNNPR*.⁹⁸

3.2.1. Inter-Ethnic Conflict in Gambella Region

The “indigenous” ethnic groups of Gambella region have their own social and cultural interaction. In fact they have somehow related social and cultural aspect when compare with the highlanders these settled in the region. Historically from the five “indigenous” ethnic groups the majority *Anyuaa* and *Nuer* have strong competition to develop their own socio-cultural aspect over one another

According to Endalikachew, due to the expansion of *Nuer* ethnic groups to eastern part of Gambella region in 19th c, the *Anyuaa* and *Nuer* ethnic groups have become “traditional enemies”.⁹⁹ The areas where the *Anyuaa* ethnic settled are full of natural resource, comfortable for agriculture and rearing animals.¹⁰⁰

In the 20th c through systematic and peaceful way of *Nuer* expansion to different part of *Anyuaa* area was to strengthen their socio-cultural relationship through marriage relation with *Anyuaa* community.¹⁰¹ Due to this, attempt for peaceful relation the *Nuer* get the chance to change the *Anyuaa* to *Nuer* socio-culture aspect.¹⁰² This territorial expansion was seriously not accepted by the *Anyuaa* ethnic groups. Because, the *Nuer* has high motivation to control the resource, cultivation and pasture land which is found around the tributaries of *Baro River*.¹⁰³

The *Nuer* ethnic group’s expansion and needing marriage relation helps to control the resource and the territory of *Anyuaa* ethnic groups. The conflict that exists for long between the two ethnic groups is the result of resource competition and territorial expansion.¹⁰⁴ However, now the conflict of these ethnic groups also shifted to political tension. In the region there is also a conflict between *Anyuaa* and *Mejang* ethnic group which also similar with the *Nuer* to take

⁹⁸Dereje Feyissa, 2009, A National Perspective on the Conflict in Gambella In: *Proceedings of the 16th International Conference of Ethiopian Studies*, ed. by Svein Ege, Harald Aspen, Birhanu Teferra and Shiferaw Bekele, Trondheim

⁹⁹ Endalkachew,2016

¹⁰⁰Dereje , 2009

¹⁰¹ Endalkachew,2016

¹⁰²Dereje, 2009

¹⁰³ Ibid

¹⁰⁴ MedhaneTadesse,2007,Gambella the impact of local conflict on regional security

resource and expansion of their territory. Likewise, there is also conflict which rise between the *Anyuaa* and highlanders and *Mejang* and highlanders relating to the natural resource.

3.2.2. Administrative Structure of Gambella Regional State

The contemporary Gambella region passed in various political structures beginning from the imperial regime to the current political system. After the overthrow of the *Derg* regime the EPRDF took the power to recognize the equality of ethnic group to establish ethnic-based regional governments. Regarding this, Gambella regional state becomes one of autonomous region in Ethiopian federation. The regions was administratively divided in three administrative zones such as zone one, zone two and zone three. Currently, the region is formed three nationality zones, one special *woreda* and one city administration.

Currently, the region is administratively divided into three ethnic-based nationality zones: - *Nuer* nationality zone, *Anyuaa* nationality zone and *Mejang* nationality zone.¹⁰⁵ Thus, in the administrative structure of the regional government, the boundary demarcation of the nationality zone mainly constructed based on their language, culture, political attitude and their economic situation.¹⁰⁶ As stated above, the three zones are established as nationality ethnic local governments for accommodating and exercise the right of self-rule for intra-state diversity.

Itang special *woreda* and others nationality zones are not ethnically homogenous. However, they have a single dominant ethnic community. Therefore, *Mejang* nationality zone consists of the *Mejang* ethnic groups, *Nuer* zone consist *Nuer* and *Opo* ethnic groups and *Anyuaa* zone consists *Anyuaa*, and *Komo*.

Itang special *woreda* is one among the thirteen *woredas* of Gambella regional state administration. *Itang* special *woreda* is not within any nationality zone, it is established as autonomous administrative unit of the region for self-administration.¹⁰⁷

¹⁰⁵ Endalkachew,2016

¹⁰⁶Ojot M. 2013

¹⁰⁷ Mesay Girma, Julay, 2015, the Socio-Economic and Environmental Impacts of Large Scale Land Transfer on Local Livelihood: A Case Study from *Itang Woreda* of Gambella Region, Southwest Ethiopia, Addis Ababa Univesity

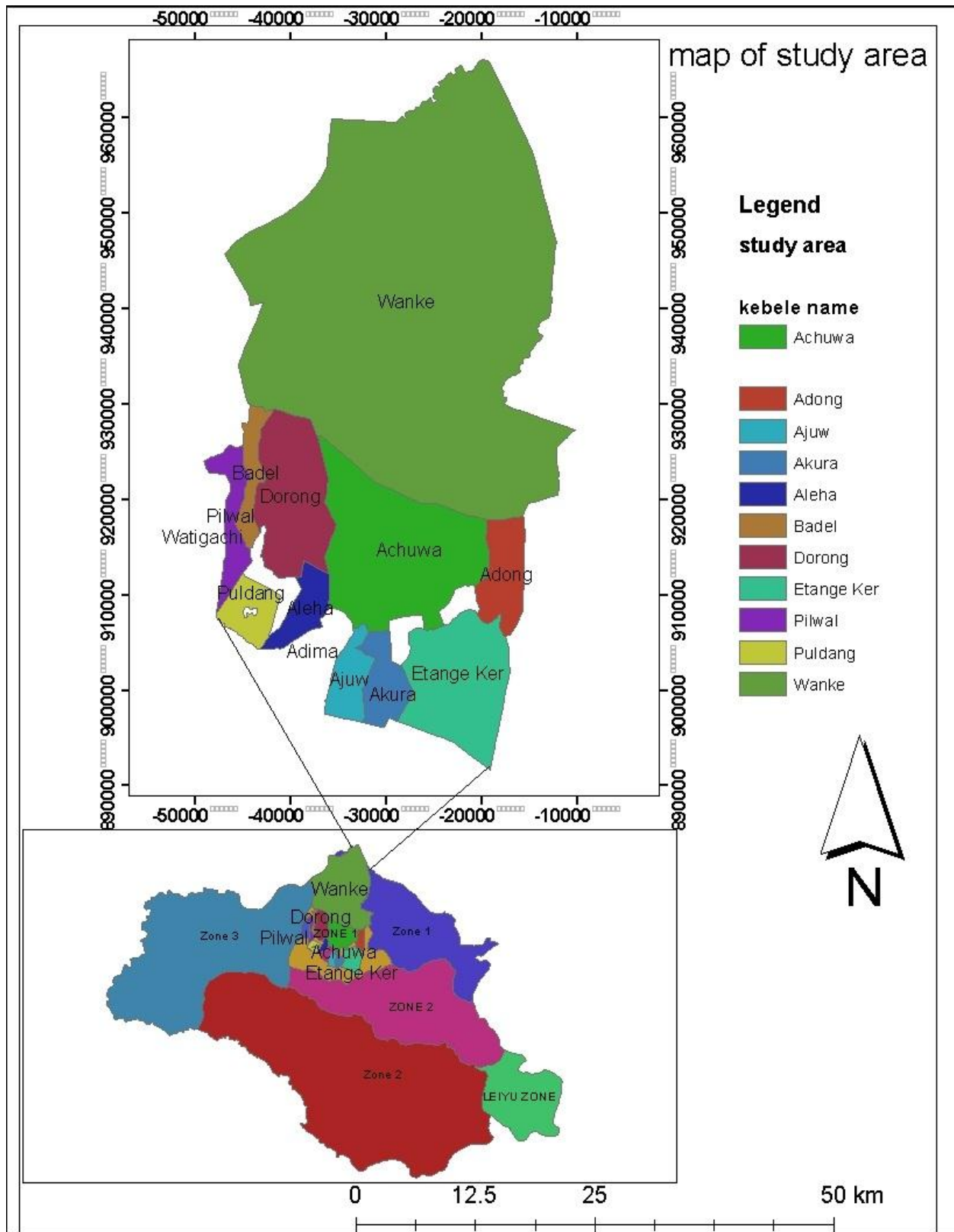
It shares borders in south and south-east with *Anyuua* nationality zone in south again with *Nuer* nationality zone. In the North West it is bordered with South Sudan and in the north part by the Oromia regional state.¹⁰⁸

According to the CSA of 2007 report the total population of this special *woreda* was 35,686.¹⁰⁹ It has established for *Nuer*, *Anyuua* and *Opo* ethnic groups. The population sizes of those ethnic groups are: - *Nuer* (63.96%), *Anyuua* (25.17%), *Opo* (2.4%) and also foreigners from South Sudan (4.62%), *Shita* (2.66%), and all other ethnic groups 3.59% are live in this *woreda*.¹¹⁰ It is around 48 km away from Gambella city administration

¹⁰⁸ Ibid

¹⁰⁹ CSA, 2007

¹¹⁰ Mesay, 2015



Source: Derived from Ethio-GIS Shape File

3.3. Constitutional Framework for Establishing Special *Woreda* in Gambella Regional State

The 2002 revised constitution article 87 of G/P/N/R/S states about the establishments of *woreda* administration as administrative units of Gambella Regional State.¹¹¹

Thus, the constitution also states powers and functions that allowed to *woreda* administration on article 88.¹¹² The regional constitution also clearly discusses the structure of nationality zone administration on article 77.¹¹³ However, the regional constitution lack clarity on the establishment of special *woreda* and why need to establish *Itang* for three ethnic groups.

Regarding this, *Itang* special *woreda* has established based on these provisions more discusses about regular local government. However, this *woreda* is established to accommodate ethnic diversity and to promote the existence of self-administration. Actually, it is very difficult to get written document which is clearly deal about establishing *Itang* as special ethnic local government in the region.

On the regional constitution article 88 states about the power and functions of the *woreda* administration. In the regional constitution article 88(2) stated as:

*“Without prejudice to the right and powers of each woreda to self-determination to develop its woreda and determine its internal affairs it shall be subordinate to zonal administration”.*¹¹⁴

Structurally special *woreda* has the status of nationality zone it cannot subordinate to zonal administration. Zonal administration in Gambella region is based on ethnicity of the majority ethnic groups, so for which zonal administration *Itang* special *woreda* administration can be subordinate. This article is completely discusses about the regular *woredas* these established under the nationality zones. Though, the regional constitution better to give enough recognition for special *woreda*.

¹¹¹ The revised constitution,2002 of the G/P/N/R/S Art.87

¹¹² Ibid, Art.88

¹¹³ Ibid ,Art.77

¹¹⁴ Ibid,Art.88(2)

The regional constitution must put precondition for powers and functions of special *woreda* administration and to which level of governments to be subordinate. In Ethiopian federal system local governments have not the same status of constitutional recognition in each regional state constitution.¹¹⁵

On the other hand, Gambella regional constitution article 90(1) states about the powers and function of *woreda* council as:

*“The woreda council is the highest authority within the woreda of its establishment. Accordingly, its accountability shall be to the Nationality Zone or to the Regional Council, as case may appropriate.”*¹¹⁶

Accordingly, regional constitution stated precondition on powers and functions of *woreda* Council and to whom it will be accountable. This implies regular *woreda* council is accountable to nationality zone council. Special *woredas* council is accountable directly to regional government council.

3.4. Establishing *Itang* Special *Woreda*

Administratively the nationality zone and special *woredas* have equal status in the administrative structure of the regional government. Accordingly, *Itang* special *woreda* is established for three ethnic groups as means of accommodation mechanism. Therefore, it is difficult to include *Itang* special *woreda* with one of the nationality zone.

Consequently, starting from the *Derg* regime to the current ruling political system *Itang* special *woreda* variously changed in political administration and territory arrangement. Before the establishment of three ethnic nationality zones the regions was administratively divided in three administrative zones such as zone one, zone two and zone three. Therefore, *Itang* town served as capital town of zone two administrations in 1991. As result, after the fragmentation of zone two, *Itang* town became single *kebele* under *Alwero-Openo woreda* in 2002.¹¹⁷ Finally, *Itang* town and surrounding *kebeles* established as special district to ensure accommodation of diversity and to recognize the existence intra- local minority.

¹¹⁵ Ayenew, 2016

¹¹⁶ The revised constitution, 2002 of the G/P/N/R/S, Art.90(1)

¹¹⁷ Abebe, May 2011

3.5. Criteria and Boundary Demarcation of *Itang* Special *Woreda*

Itang has established as a special *woreda* for three ethnic groups in geographical area of *Itang*. The *Anyuaa* and *Nuer* ethnic groups of this *woreda* actually have their nationality zone bordering to their settlement areas. Beside their nationality zone *Itang* is a home for both ethnic groups. So, the regional government established *Itang* as special *woreda* to accommodate multi-ethnic groups in a single *woreda*.

The establishment of *Itang* as special *woreda* in Gambella regional state is not the same with others regional state. Except *Opo* ethnic group both *Nuer* and *Anyuaa* ethnic groups have their own ethnic-based LGs within their nationality zone. Therefore, the criterion to establish this *woreda* is not the issue of geographical set-up or ethnic problem. It is simply established for administrative purpose as part of the regional government.¹¹⁸ The regional government needs to establish *Itang* as special *woreda* to minimize ethnic conflict which is between the *Anyuaa* and *Nuer* rather than merging *Itangin Anyuaa* and *Nuer* nationality zones.¹¹⁹

The existences of three ethnic groups considered as criteria for re-establishment of *Itang* special *woreda*. The three “indigenous” ethnic groups have their own language, culture and settlement area. These differences are taken as criteria for establishing *Itang* as special LG to ensure existence of self-administration.¹²⁰

3.6. Administrative Units of *Itang* Special *Woreda*

Administratively *Itang* special *woreda* contains 23 *kebeles* as sub administration units. *Kebele* is legally recognized LG in Gambella region. In the current political system *kebeles* are the lowest administrative units of LGs.¹²¹

Therefore, *kebeles* are also established territorially for the residents as sub administration units of the *woreda*.¹²² Regarding this, *Itang* special *woreda* established with two sub-administrative units. These are urban and rural *kebeles*.

¹¹⁸ Interview 1, January 15/ 2018, it is an interview with previous chief administrator of *Itang* special *woreda*

¹¹⁹ *Ibid*

¹²⁰ Interview 6, Jan.22/ 2018, It is an interview with previous house speakers of *Itang* Special *woreda*

¹²¹ Ayenew,2016, 153

¹²² Zemelak, 2014

3.6.1. Urban Kebele of Itang Special Woreda

From the whole 23 *kebeles* of *Itang* special *woreda* only 1 *kebele* is found in *Itang* town which is established for the residents' of *woreda* town. Thus, the communities live in this *kebele* are from the three ethnic groups and the highlanders who came for trading. Actually, the majority of the inhabitants of this *kebele* are both *Anyuaa* and *Nuer* ethnic groups.

Therefore, to accommodate both the *Nuer* and *Anyuaa* ethnic groups, the chairman is from the *Anyuaa* and vice-chairman is from the *Nuer* ethnic group. This, urban *kebele* is established as the lowest level of administrative unit to accommodate intra-local minority at *kebele* level.

3.6.2. Rural Kebeles of Itang Special Woreda

In *Itang* special *woreda* from the 23 *kebeles* 22 of them are established in rural areas based on the number of ethnic groups. Regarding to the establishment of *kebeles* in *Itang* 11 of them are to *Anyuaa*, 9 *kebeles* to *Nuer* and 2 *kebeles* belong to *Opo* as rural administration unit for each ethnic group. The *Opo* ethnic groups are found in this *woreda* only, so they are minority in their number than *Nuer* and *Anyuaa*.

As Tsegahun cited in Abebe, 2011, argued 85 % of the population of this *woreda* is located in rural and the livelihoods system of the community mostly related to farming, fishing and herding animal.¹²³ Each ethnic group in this *woreda* has their own living style, in essence the *Nuer* ethnic groups are mostly pastoralist, *Anyuaa* and *Opo* ethnic groups are *agrarians* and also fishermen.

3.7. Ethnic-Based Conflict in Itang Special Woreda

The regional government established *Itang* as special LG is to manage ethnic conflict between create “indigenous” ethnic communities through recognized and fair political representation. Therefore, the establishment of *Itang* special *woreda* helps for the three ethnic groups to have representation in the *woreda* administration system based on their settlement areas and their population size. However, the accommodation mechanism in *Itang* still challenged and can't minimize ethnic-based conflict in both majorities of *Anyuaa* and *Nuer* ethnic groups.

In *Itang* special *woreda* ethnic-based conflict is common for many years. There are various reasons behind these ethnic conflicts. Mostly the ethnic conflict in *Itang* special *woreda* is

¹²³ Abebe Zewdu , 2011

between the two majority ethnic groups of *Anyuua* and *Nuer*. The *Opo* ethnics have no raised any disagreement or conflict with others ethnic groups. The most reasons of this conflict are natural resources and somehow also the existence of political tension between *Anyuua* and *Nuer* ethnic groups.

The political administrative power is divided equally according to the majority and higher number of *kebeles* under the *woreda*. Concerned to the political tension in local community, of course there is political tension between local majority ethnic groups¹²⁴.

Thus, the ethnic conflict in *Itang* also related to political competition between the *Anyuua* and *Nuers*. In *Itang* from the beginning up to the current time the chief administrator is from the *Anyuua* ethnic groups. But, it is not constitutionally stated, the reason is that *Anyuua* ethnic groups have the largest number of *kebeles*, *Nuer* and *Opo* are the second and the third in the number of their settlement *kebeles*.

The conflict between *Anyuua* and *Nuer* ethnic groups are also related to fertile farming land which is found near to *Baro* River and geographically the settlement area of *Anyuua* ethnic groups.¹²⁵ The conflict has a great impact on the residents of *Itang* special *woreda* to have good governance.¹²⁶ Due to the conflict and lack of peace and security the issue of infrastructure, public service and development are forgotten.

As discussed above, the *Anyuua* and *Nuer* ethnic-based conflict in *Itang* is the result of two main factors: the first is natural resources or farming land around the *Baro* River is occupied by the *Anyuua*.¹²⁷ Therefore, the *Nuer* needs a farm land, but some disagreement happen with two single persons between the two ethnic groups immediately it changed to ethnic based conflict.

In *Itang woreda* it is common political leadership position from the establishment up to the current time. Thus *Anyuua* ethnics are the owners of chief-administrator; the *Nuer* ethnics are vice-administrator and *Opo* ethnics are spoken person of the *woreda*. In addition, most of the *Anyuua* assume that as *Itang* is *Anyuua's* area. The political tension that exist in both ethnic

¹²⁴ Interview 1, Jan.15/ 2018

¹²⁵ Interview 4, Jan.18/2018 it is an interview with chairman of *Itang-kir kebele* in *Itang special Woreda*

¹²⁶ Interview 6, Jan.22/ 2018

¹²⁷ Interview 5, Jan.19/2018, it is an interview with chairman of *Poul kebele* in *Itang special woreda*

groups are now a day the issue of majority and minority which is aggravating ethnic based conflict in *Itang*.

This refers that in the side of the *Anyuua*, *Itang* must rule by the *Anyuua* due to two reasons: *Itang* is a home to *Anyuua* and the majority of the *kebeles* also belongs to the *Anyuua* ethnic groups. On the other hand, *Nuer* ethnic groups claiming that ruling *Itang* is not depend on the number of *kebeles* it must be depend on the majority number of ethnic population size in this *woreda*. Therefore, *Nuers* are claiming that we are the majority so we need to get the position of chief-administration in *Itang* special *woreda*. This unhealthy political competition between the two majority ethnic groups creates political tension that elevates the existence of ethnic-based conflict in *Itang* special *woreda*.

To solve ethnic conflict in *Itang* special *woreda* various mechanisms have used by the local community in cultural method and by the regional government through legal processes.

Conflicts before 2016 in *Itang* were mostly resolved by cultural conflict resolution method. When there is conflict between these ethnic groups the local communities select elders from their ethnic groups and these elders came together to discuss on the issue. After deep discussion and negotiation, the elders decide to get compensation to the venerable ethnic groups during the conflict.¹²⁸

However, ethnic conflict which occurred in 2016 was very difficult for local elders to solve by cultural method. Tracing this, regional government interferes in the process to solve the issue. Therefore, the regional government through a peace conference with political leaders and the local community discuss on the issues that raise the conflict.¹²⁹

The ethnic conflict between *Anyuua* and *Nuer* always rise in *Itang* occasionally.¹³⁰ Even it resolved for the time, it has high probability about the re-occurrence of conflict again. The current conflict is the result of the previous disagreement and conflict of the two ethnic groups.

¹²⁸ Interview 4, Jan.18/2018

¹²⁹ Interview2, Jan.16/2018, It is an interview with previous vice -chief administrator of *Itang* special *woreda*

¹³⁰ Interview 8, Jan.24/2018, it is an interview with chairman of *Wanke kebele* in *Itang* special *woreda*

3.8. Conclusion

As stated above, Gambella Regional State is one among the nine regional states which is established to ensure the right of self-rule for intra-state ethnic diversity. Therefore, the region has established based on the settlement area of the “indigenous” ethnic community. Thus, the region has established three nationality zone and one special *woreda* as ethnic local government for the purpose of accommodation mechanism.

Itang special *woreda* is ethnic LG which established for three ethnic communities to accommodate intra-local diversity. *Nuer* and *Anyuaa* have the majority population size in *Itang* special *woreda*. The *Opo* ethnic groups are minority in their population number at both regional and *woreda* levels of governments.

Itang woreda has established urban and rural level *kebeles* as administrative units to exercises self-rule for local indigenous. Those *kebeles* has established based on the settlement area of each “indigenous” community taken as criteria for purpose of self-administration. However, the establishment of *Itang* as special *woreda* still faces challenges to accommodate intra-local diversity.

Chapter Four

Organizational Set-Up and Political Representation of *Itang* Special *Woreda*

4.1. Introduction

In previous chapter the overview of Gambella regional state, the specific study area of *Itang* special *woreda* and the value of establishing this special *woreda* to accommodate intra-local diversity have been discussed. In addition, ethnic-based conflicts and their resolution methods also discussed.

Therefore, in this part organizational set-up of *Itang* special *woreda*, the role of local community in establishing *Itang* as special *woreda* and political representation of the three-ethnic groups could discuss.

In line with this the reason behind having dual representation of *Itang* special *woreda* residents in the special *woreda* and in both *Anyuaa* and *Nuer* nationality zones and the lack of sustainable peace and security towards the permanent existence of *Itang* special *woreda* discussed here.

4.2. Appointment and Terms of Chief Administrator in ISW

The chief administrator of this *woreda* is nominated by the winner political party of the *woreda* and submits to the *woreda* council to approve the appointment. The working term of the chief administrator is equal with the office of *woreda* council.¹³¹ In fact relating to the appointment of the chief-administrator of *Itang* special *woreda*, it is not approval of *woreda* council only it has the interference of the regional government.¹³²

4.3. The Organizational Set-Up of *Itang* Special *Woreda* Administration

The Gambella regional constitution does not discuss clearly on the organizational set-up of *Itang* special *woreda*. However, indirectly *Itang* special *woreda* has the organizational set-up of regular *woredas* in the regional state. Therefore, administrative organization of *Itang* special *woreda* is composed of three major organs of government: these are *woreda* council, *woreda* administrative council and *woreda* first instance Court.¹³³

¹³¹The 2002 constitution Art 94 of GPNRS

¹³²Interview 2

¹³³The 2002 constitution Art 87 of GPNRS

As stated above, regional constitution clearly stated the powers and functions of *woreda* council and *woreda* administrative council of the regular *woredas*. However, it keeps silent on the powers and functions of the special *woreda*. Informally, *Itang* special *woreda* implement powers and functions which are constitutionally allowed for regular *woreda*.

4.4. *Itang* Special Woreda Council

The *woreda* council is the highest political organ that consist directly elected representatives from the residents of the three ethnic groups. Therefore, members the *woreda* council is directly accountable to the electorate.¹³⁴

4.4.1. Powers and Functions of *Itang* Special Woreda Council

As stated before the *woreda* council is the highest authority within the *woreda* of its establishment and it is accountable to the nationality zone or to regional council.¹³⁵ Thus, *Itang* special *woreda* council is accountable to the regional council. Accordingly the regional constitution, the council has the powers to examine and approves draft economic development program, social service based on the administrative working plan, determining the division of budget to each *kebele*.¹³⁶ Follow up the agricultural development activities, conservation and care of natural resource also the mandate of the council.¹³⁷

The *woreda* council also constitutionally granted to create conducive environment for the community to engage in development issue.¹³⁸ The council appoints speaker, deputy speaker and the chief- administrator from the members of the council.¹³⁹ It also approve the appointment proposal of the deputy administrator and others *woreda* administration council members submitted by the chief- administrator.¹⁴⁰

4.4.2. Meeting Time and Term of Office of Woreda Council

The meeting time of *woreda* council is once every three months with more than half members of the council and the decision is by the majority vote of members of the council present at a

¹³⁴The 2002 constitution Art 89(2)of GPNRS

¹³⁵The 2002 constitution Art 90(1)of GPNRS

¹³⁶The 2002 constitution Art 90(2)(a) of GPNRS

¹³⁷ The 2002 constitution Art 90(2)(b) of GPNRS

¹³⁸The 2002 constitution Art 90(2)(c) of GPNRS

¹³⁹The 2002 constitution Art 90(2)(d) of GPNRS

¹⁴⁰Ibid

meeting.¹⁴¹ The speaker if there is needed can call the member of council for meeting at any time without the schedule.¹⁴² The working term for office of *woreda* council is five years; the new election takes place before one month of the expiry of previous council.¹⁴³

4.4.3. *Itang* Special *Woreda* Executive Council

The *woreda* administrative council is the second organ of the government in this *woreda*. It is the highest executive body and accountable to the chief administrator and *woreda* council.¹⁴⁴ The administrative council is organized with members of chief administrator, deputy administrator and head of sector offices of the *woreda*.¹⁴⁵

4.4.3.1. Powers and Functions of *Itang* Special *Woreda* Executive Council

As it is the executive organ of the *woreda* government, it has its own specific powers and functions which are allowed from the regional constitution.

Thus, *woreda* administrative council has the powers and functions: to ensure the implementations of policies, laws, regulations, directives, plans and programs those formulated by the federal and regional states.¹⁴⁶ It has also a power to coordinate the executives and follow up their activities whether they are run the agenda of the council or not.¹⁴⁷

According to regional constitution, the council can collect rural land user fee, agricultural income tax and other revenues. It submits for the approval to the *woreda* council at the end of preparing the annual budget and their implementation according to the approval.¹⁴⁸ It prepares socio-economic and administrative plans of *woreda* and follow up their implementation.¹⁴⁹

The *woreda* administrative council has the mandate to give protection to the residents and ensure peace and security of the area through a full power to direct, the police and security forces of a

¹⁴¹The 2002 constitution Art 93(1,2) of GPNRS

¹⁴²The 2002 constitution Art 93(4) of GPNRS

¹⁴³The 2002 constitution Art 93(3) of GPNRS

¹⁴⁴ The 2002 constitution Art 94 of GPNRS

¹⁴⁵ Ibid

¹⁴⁶The 2002 constitution Art 95(1)(a) of GPNRS

¹⁴⁷ The 2002 constitution Art 95(1)(b) of GPNRS

¹⁴⁸The 2002 constitution Art 95(1)(d) of GPNRS

¹⁴⁹ The 2002 constitution Art 95(1)(f) of GPNRS

woreda by supervising and managing their activities.¹⁵⁰ It follows up the legacy of heritage, to give necessary care and protection in the *woreda*.¹⁵¹

4.5. The Role of ISW Residents to Ensuring Self –Rule

There are various local governments those established for different purpose. Therefore, Gambella regional state has established *Itang* special *woreda* as a means to ensure the existence of self-rule. Tracing this, examining the role of residents to establish *Itang* as special *woreda* is taken under consideration in the study. Regarding to the establishment of *Itang* there are different arguments gathered from the residents and *Itang* special *woreda* administration.

Itang special *woreda* is a unique *woreda* from the whole thirteen *woredas* in Gambella region. It was established based on the settlement area of the three ethnic groups for the purpose of self-administration. In fact, the regional government did not enforce the residents to establish *Itang* as special *woreda* for administration purpose.¹⁵²

The local community was not consulted on the establishment of *Itang* as a special local government by the regional government to know the interest of the community.¹⁵³ Therefore, the local community especially the *Anyuua* ethnic groups could not accept the establishment of *Itang* as special *woreda*.¹⁵⁴ They are still claiming and need to include the special *woreda* to their nationality zone.¹⁵⁵

The main reason which came from the residents were after 2002 when *Itang* became fragmented to both *Nuer* and *Anyuua* zones due to the conflict that created between the *Anyuua* and *Nuer* ethnic groups.¹⁵⁶ Therefore, the fragmentation of *Itang* affects the local communities to get enough infrastructures and access to public services. So, to solve this challenge the residents ask

¹⁵⁰The 2002 constitution Art 95(1)(e) of GPNRS

¹⁵¹The 2002 constitution Art 95(1)(h) of GPNRS

¹⁵²Interview 2

¹⁵³Interview 1, January 15/ 2018

¹⁵⁴ Ibid

¹⁵⁵ Ibid

¹⁵⁶Interview 9, Jan.25/ 2018

to return back *Itang* as *woreda* level.¹⁵⁷ Thus, the regional government decides to establish *Itang* as special *woreda* to ensure the existence of self-rule for three ethnic groups.¹⁵⁸

The re-establishment of *Itang* special *woreda* is based on the consciences of the local ethnic groups.¹⁵⁹ However, the critical issue for establishing this *woreda* is how it will be established and who take the overall ruling system.¹⁶⁰ After the discussion the establishment of *Itang* as special *woreda* which is administered by each ethnic group to ensure the role of local governments to accommodate intra-local diversity.¹⁶¹ Tracing this *Itang* became directly accountable to the regional government without interference of any nationality zone.¹⁶²

Itang was historical place which stay for long years as *woreda* and zone. But, through the conflict of *Anyuua* and *Nuer*, it split in to *Anyuua* and *Nuer* nationality zones and *Itang* town become a single *kebele*. As result some *kebeles* of *Anyuua* ethnic groups included in *Anyuua* nationality zone and the rest *kebeles* of *Nuer* and *Opo* ethnic groups are included in *Nuer* nationality zone.

The *Anyuua* ethnic group wants the establishment of *Itang* as one of the administrative part of the *Anyuua* nationality zone.¹⁶³ However, the decision that came from the regional government was not as expected by the *Anyuua* ethnic group. Because the regional government, decide to establish *Itang* as a special ethnic local government.¹⁶⁴ Though *Anyuua* ethnic group wants to establish *Itang* as one of the regular *woreda* in *Anyuua* zone and ruled by the *Anyuua* ethnic groups.¹⁶⁵

After dismantle of *Itang woreda* to both the *Anyuua* and *Nuer* nationality zone the *Anyuua* ethnic groups faced different problems. In 2002 the *Anyuua* community was included in *Alwero-Openo woreda* which is very far from the residents of *Anyuua* ethnic groups in *Itang* town and surrounding rural *kebeles*. Due to this the *Anyuua* ethnic groups have asked the re-establishment

¹⁵⁷ Interview 9, Jan.25/2018

¹⁵⁸ Interview 2, Jan.16/2018,

¹⁵⁹ Interview 9, Jan.25/2018

¹⁶⁰ Interview 9, Jan.25, 2018

¹⁶¹ Interview6, Jan.22/ 2018

¹⁶² Ibid

¹⁶³ Interview3, Jan.17/2018, it is an interview with chairman of *Akedokebele* in *Itang* special *woreda*

¹⁶⁴ Ibid

¹⁶⁵ Ibid

of *Itang* as regular *woreda* in their nationality zone. Regarding this, still the *Anyuua* ethnic groups are claiming the establishment of *Itang* as special *woreda*.¹⁶⁶

On the other hand, establishment of *Itang* as special *woreda* is strongly the interest of *Nuer* ethnic groups. Their fear was on the decision of regional government on the administration system and political representation.¹⁶⁷ So, *Nuer* request to establish *Itang* as special *woreda* to reduce socio-cultural, resource and political dominance of *Anyuua* ethnic group.¹⁶⁸ Though, it creates new political participation and owner of resources for *Nuer* ethnic groups in *Itang* special *woreda*.¹⁶⁹

In the process of establishing *Itang* special *woreda* the *Nuer* ethnic also has its own role as the residents of other ethnic groups. However, the *Nuer* ethnic group gives its own core point on the establishment to get the administrator position to ensure the existence of self-rule and decrease the political domination of *Anyuua* in the previous ruling system of *Itang woreda* administration.¹⁷⁰

The *Opo* ethnic groups are minority in their population size from the rest two ethnic groups of *Itang* special *woreda*. Due to ethnic conflict between the *Anyuua* and *Nuer*, *Itang* became fragmented and *Opo* ethnic group forced to include in *Nuer* nationality zone *Lare woreda*. This political disorder challenged *Opo* ethnic groups to ensure and promote their self-rule in their local government. It results the overall political, socio-cultural and resource domination by *Nuer* ethnic group.

The re-establishment of *Itang* special *woreda* brings a new political and administrative structure for *Opo* ethnic group. Therefore, the *Opo* ethnic groups highly request on the establishment of *Itang* as special *woreda* to ensure the protection of the rights for minority ethnic groups.¹⁷¹ Thus,

¹⁶⁶ Interview 5, Jan.19/2018, it is an interview with chairman of *poul kebele* in *Itang* special *woreda*

¹⁶⁷ Interview 10, Jan.26/2018, it is an interview with chairman of *Pulkod kebele* in *Itang* special *woreda*.

¹⁶⁸ Ibid

¹⁶⁹ Ibid

¹⁷⁰ Interview 7, Jan.23/2018, it is an interview with chairman of *Badel kebele* in *Itang* special *woreda*.

¹⁷¹ Interview 8, Jan.24/2018, it is an interview with chairman of *Wanke kebele* in *Itang* special *Woreda*

the establishment of this ethnic-based local government gives the chance for *Opo* ethnic groups to get administration position and to promote their political participation.¹⁷²

As stated before, *Itang* special *woreda* was established to accommodate intra-local diversity for three “indigenous” ethnic communities. In fact the three ethnic groups have not the same commitment on the establishment of *Itang* special *woreda*. But, they need the re-establishment of *Itang* as LG to protect their interest. However, the regional government decides the establishment of *Itang* as special *woreda* to control ethnic-based conflict and to ensure the existence of ethnic accommodation in a single ethnic LG.

Based on the arguments which are collected from the interview, it is difficult to conclude the establishment of *Itang* special *woreda* is based on the consensus of the three ethnic groups. The reality on the ground is that *Nuer* and *Opo* ethnic groups strongly need the establishment of *Itang* as special *woreda*. On the other side, *Anyuaa* ethnic groups due to the overall domination of the *Nuer* ethnic groups still feeling threat on the establishment of *Itang* as special *woreda*.

Generally, the regional government takes as a solution to establish *Itang* as a special ethnic local government for deescalate ethnic-based conflict that exist for long years between the *Anyuaa* and *Nuer*. Therefore, the regional government decides on *Itang* to be free from any nationality zone and directly accountable to the regional government.

4.6. Political Representation of Local ethnic group

LG which established for accommodation of multi-ethnic society in given territory is a mandatory to have fair political representation to residents of each ethnic group. Therefore, on political representation of “indigenous” ethnic groups in *Itang* special *woreda*, the respondents of the study give their argument as follow:

The political participation and representation of *Itang* special *woreda* is by using “quota” representation system. It is preferable to reduce political disagreement, claim and tension in each endogenous ethnic group in the district. Furthermore, it plays a great role to minimize inter-ethnic-based conflict.¹⁷³

¹⁷² Ibid

¹⁷³ Interview 1, January 15/ 2018

The establishment of *Itang* as special *woreda* enhances the political participation and representation of the *Opo* ethnic community. Due to the establishment of *Itang* as ethnic LG, *Opo* ethnic community has the chance to use their language as instructional media in primary school.¹⁷⁴

Regarding to political participation, representation and getting position on the administration system the *Anyuaa* ethnic have fair and balanced representation in both the *woreda* council and *woreda* executive council in *Itang* special *woreda*. This ethnic group has the majority urban *kebeles* in the special *woreda*. Therefore, the political representation of this ethnic community is based on their settlement rural *kebeles* to make the representation fair and balance.¹⁷⁵ As result *Anyuaa* from the beginning up to the current time chief-administrator is from this ethnic group and other positions also given for *Anyuaa* fairly in *Itang* special *woreda* administration.¹⁷⁶

However, the fear of *Anyuaa* ethnic group is for the future that is why the population size of the *Nuer* is increasing and new *kebeles* also included through re-demarcation process. Therefore, this creates dominance of *Nuer* in the future and also they can to claim to take the position chief-administration of *Itang*.¹⁷⁷

As *Itang* is a special *woreda* the three ethnic groups have proportional representation based on the population size and settlement area like others ethnic groups in *Itang*.¹⁷⁸

As stated below, on the ethnic composition of *Itang* special *woreda* administration, *Nuer* ethnic communities have balanced and fair representation through a quota system. This system is preferable for multi-ethnic groups to have active political participation and to manage claim of political representation.¹⁷⁹

The residents of the minority *Opo* ethnic group in *Itang* special *woreda* ensured their self-rule after they became the member of this *woreda*. Thus regarding to political representation and

¹⁷⁴ Interview 9, Jan.25, 2018

¹⁷⁵ Interview 4, Jan.18/2018

¹⁷⁶ Ibid

¹⁷⁷ Interview7, Jan.23/2018

¹⁷⁸ Ibid

¹⁷⁹ Interview2, Jan.16/2018

leadership position they have not complain.¹⁸⁰ It is fair and more participatory like the rest two majority ethnic groups in *Itang*.¹⁸¹

Itang special *woreda* dealing with *Opo* minority ethnic groups, there is no more challenge on the *Opo* ethnic that the *woreda* government keeps their rights like the two majorities of *Anyuua* and *Nuer*. The relationship of the *Opo* community can be considered as a model to other “indigenous” community in *Itang woreda*. This refer that *Opo* communities have a good relationship in this *woreda* there is no any challenged conflict raise by *Opo* community.

Therefore, regarding to the fragmentation of this *woreda*, the existences of the *Opo* ethnic groups in *Itang* are a means to conflict resolution as a third body they can negotiate and try to solve conflict between *Anyuua* and *Nuer*.¹⁸²

The political representation, participation and leadership position to the three ethnic groups is based on the quota system in order to enhance the role of self- rule for multi ethnic community in single LG. Therefore, regarding to political representation there is no complicated claim which rises from the three ethnic groups. The representation and division of leadership position is balanced and fair based on the population size of each ethnic group.

However, for the future there is apolitical tension and strong political competition will create between the two majority ethnic groups of this *woreda*. As discussed before, the political representation is based on the sizes of population and the size of *kebeles* for each ethnic group. The increment of *Nuer* population with creating new *kebeles* will challenge the political representation and leadership position which is more than what existed now.

4.6.1. Composition of the Three “indigenous” ethnic groups

Itang special *woreda* was established for the sake of accommodation of ethnic diversity and to minimize ethnic conflict in regional government. Though, members of *woreda* council are composed from three “indigenous” ethnic groups of the residents. Therefore, to realize the existence of proportional representation in the council each ethnic group has representatives these elected directly by the local people from each *kebele*.

¹⁸⁰ Interview 8, Jan.24/2018

¹⁸¹ Ibid

¹⁸² Interview 1, January 15/ 2018

Regarding this the representatives of *Itang* Special *woreda* council members are based on the population size and the number of residential *kebeles* of the “indigenous” ethnic groups.

Table 1: Ethnic composition in *Itang* special *woreda* council

Ethnic groups	Number of seats
<i>Anyuua</i>	56
<i>Nuer</i>	48
<i>Opo</i>	3
Highlander	1
Total	108

Source:*Itang* special *woreda* council data organization office graph/chart of 2016

As indicated in the residents of *Itang* special *woreda* have proportional representation in the *woreda* council. Thus, from the total 108 seats the *Anyuua* ethnic groups have 56 seats, *Nuer* ethnic groups have 48 seats, *Opo* and highlanders have 3 and 1 seats respectively.

In this *woreda*, members of administrative council are organized from the three local communities to present their issues through their representatives. Therefore, each ethnic group share fair and balance representation to reduce political tension in the administrative council.

Table 2: Ethnic composition in ISW administrative council

Ethnic groups	Number of seats
<i>Anyuua</i>	6
<i>Nuer</i>	8
<i>Opo</i>	3
Total	17

Source:*Itang* special *woreda* administrative council data organization office graph/chart of 2016

The table shows the political representation of the three “indigenous” ethnic groups of *Itang* special *woreda* residents. Therefore, to encourage the existence of self-administration and

accommodation of intra-local diversity from the total 17 seats of the executive council *Anyuua* ethnic groups have 6 seats *Nuer* and *Opo* ethnic groups have 8 and 3 seats respectively.

4.7. Why Need the Political Representation of the Three Ethnic Groups in both *Anyuua* and *Nuer* Nationality Zones?

As stated before, Gambella regional state has emerged three nationality zones and one special *woreda* to accommodate intra-state diversity. Thus, the administrative structures of nationality zone and special *woreda* are equally found structurally below the regional government. Therefore, administratively nationality zones and special *woreda* are autonomous in their administrative structure. However, the regional constitution does not give enough recognition for special *woreda* like recognition that given for nationality zones in the region.

Therefore, the status and autonomous of *Itang* special *woreda* in *Gambella* region has an obstacle due to lack of enough constitutional and other legal framework recognition. The local communities of *Itang* special *woreda* are categorized in both *Nuer* and *Anyuua* nationality zones. In this part, the study tries to discuss the reason behind why the residents to have representatives in both nationality zones.

If there is any conference or meeting related to ethnic group the *Nuer* and *Opo* ethnic groups participate on the meeting in *Nuer* zone and the *Anyuua* ethnic group participate in *Anyuua* zone through their representatives.

Both the *Nuer* and *Opo* ethnic groups in *Itang* special *woreda* have representatives in *Nuer* nationality zone and *Anyuua* ethnic groups have representatives in *Anyuua* nationality zone. However, the three ethnic groups are territorially demarcated under *Itang* special *woreda*.

Actually, there are no residents of *Opo* ethnic community in *Nuer* nationality zone they are settled in *Itang* special *woreda* only. Therefore, having political representation for residents of *Itang* special *woreda* in *Anyuua* and *Nuer* nationality zones did not contribute any role to fulfill infrastructure and public service for the local community.¹⁸³

These ethnic local governments are, autonomous and directly accountable to the regional government. However, if there is peace conference in *Itang* special *woreda* representatives of the

¹⁸³ Interview 9, Jan.25, 2018

three ethnic groups from the two nationality zones participate in the conference and discuss together with *Itang* special *woreda* administration to solve ethnic conflict.¹⁸⁴

Regarding to double representation of the three ethnic groups, there is no any legal framework that states about the inter-relation of the special *woreda* and nationality zones. In political structure national zone and special *woreda* are autonomous.¹⁸⁵ Hence, there is no any relation which exists between this *woreda* and nationality zone to do together at an issue for the residents of *Itang*. However, *Itang* special *woreda* and regional government take the mandate to give solution for the needs and quest of the local communities.¹⁸⁶

The main objective of the regional government to establish *Itang* special *woreda* is to accommodate ethnic diversity at local level. However, indirectly the residents of the special *woreda* are part of nationality zones. Factually, the two majority ethnic groups in this *woreda* have their own ethnic groups bordering to *Itang* special *woreda* and they became a member of their nationality zone.

The *Opo* ethnic community is found only in *Itang* special *woreda*. Furthermore, they have also representation in *Nuer* nationality zone without recognized legality and lack of any role from the representation.¹⁸⁷

The establishment of *Nuer* nationality zone was before establishing *Itang* as special *woreda*. Therefore, *Opo* ethnic groups are included in *Nuer* nationality zone with their own territorially demarked *kebeles*.¹⁸⁸ However, after *Itang* special *woreda* was established residents of *Opo* ethnic groups totally became included under *Itang* *woreda*. Thus, currently the *Opo* communities are claiming their representation in *Nuer* nationality zone.¹⁸⁹

Therefore, if local community has representation in both nationality zones, it needs to have legal recognition from the regional government. On the other hand, if there is ethnic representation in nationality zones, the establishment of *Itang* as special *woreda* is not mandatory. This means that

¹⁸⁴ Ibid

¹⁸⁵ Interview 2, Jan.16/2018

¹⁸⁶ Ibid

¹⁸⁷ Interview 6, Jan.22/ 2018

¹⁸⁸ Ibid

¹⁸⁹ Ibid

each ethnic group can included in both nationality zones. This political representation also has its own negative effect on autonomous of *Itang* special *woreda* to consider as ethnic local government.

4.8. Lack of Sustainable Peace and Security towards the Permanent Existence of *Itang* Special *Woreda*

As discussed before, due to ethnic-based conflict the existence sustainable peace and security in *Itang* is still challenged. Therefore, it is difficult to sure on the permanent existence of *Itang* special *woreda* for long years. In addition, the three ethnic communities have not the same feeling on the establishment of *Itang* as special *woreda*.¹⁹⁰ Moreover, the establishments of this *woreda* still an issue to raise ethnic-based conflict between the *Anyuaa* and *Nuer*. Lack of good governance and recognized power and function for *Itang* special *woreda* also an obstacle for its permanent existence. Therefore, these problems considered as a threat for the fragmentation of *Itang* to both nationality zones as previous.¹⁹¹

Itang special *woreda* variously territorially demarcated after established as special *woreda*. Due to this recently *Pulkod* (*Mekod*) and *Larr* (*Puldieng*) *kebeles* was included in *Itang* special *woreda* from *Nuer* nationality zone.¹⁹² Thus, this results the increments of *Nuer* population size and their representation in *woreda* council. Therefore, this is the other issue to create conflict between the two ethnic groups and also it became reason to dismantle *Itang* special *woreda*.¹⁹³ The re-demarcation and adding additional *Nuers* residential *kebeles* in to *Itang* *woreda* is mostly claiming by *Anyuaa* ethnic group.

Therefore, to bring sustainable peace and security in *Itang* *woreda* the regional government should better to avoid or discuss with local community on the territorial re-demarcation of this *woreda*.

¹⁹⁰ Interview 1, January 15/ 2018

¹⁹¹ *Ibid*

¹⁹² *Ibid*

¹⁹³ *Ibid*

4.9. Conclusion

The structural organization of *Itang* special *woreda* is not constitutionally recognized as sphere of local government. However, *Itang* special *woreda* has three main organs of governments which are implements indirectly from the regional constitution which is stated about the regular *woredas*. The powers and functions of these three organs of governments also not specifically granted for the special *woreda*, they are used for both special *woreda* and regular *woredas*.

The local community participation in establishing *Itang* as special *woreda* is not clearly put in any written document. In addition, the communities also have not clear awareness on the establishment. That means as seen in this chapter the *Anyuua* ethnic groups are wants *Itang* to be as regular *woreda* in *Anyuua* nationality zone. This is way the *Anyuua* ethnic groups have threat on political, social and economic domination of *Nuer* ethnic groups. However, the *Nuer* and *Opo* ethnic groups are not claiming the establishment of *Itang* as special *woreda*.

The establishment of *Itang* special *woreda* is to accommodate inter-local minorities and to ensure the existence self-rule. However, the representation of the three ethnic groups in both nationality zones has not legality and any advantage for the residents of *Itang* special *woreda*. As *Itang* is autonomous ethnic local government it has equal administrative structure like nationality zone. Therefore, there is no need of having double representation of the three ethnic communities in special *woreda* and nationality zones.

Regarding to the permanent existence of *Itang* as special *woreda* it is difficult to say *Itang* will stay for long years in this complicated and lack of constitutional status. The re-occurrences of ethnic conflict and re-demarcation of the territory of the *woreda* is also threat for fragmentation of *Itang* to both nationality zones as previous.

Chapter Five

Conclusion and Recommendation

5.1. Introduction

In the second chapter the right to exercise self-rule and institutional options to accommodate intra-sub state minorities was discussed. In line with this the meaning of minority, types of minority, territorial institutional option, non-territorial institutional option and the possibilities of intra-local minorities was discussed.

Furthermore, in chapter three the establishment of ethnic local government in Gambella region especially the value of establishing *Itang* special *woreda* to accommodate intra-local minorities has been discussed. Against the backdrop of chapter three in chapter four the organizational set-up and the political representation of the three ethnic groups in *Itang* special *woreda* was discussed.

Therefore, in this chapter, types of minorities and institutional option to accommodate intra-sub-state minorities and intra-local-minorities, ethnic local government to accommodate minorities and the confusion of having double representation of *Itang* special residents are assessed. In addition the conclusion and recommendation of the study are forwarded.

5.2. Assessing Types of Minorities and Institutional Option for Accommodation

In the beginning chapter it is briefly discussed the establishment of Ethiopian federal system to accommodate ethnic diversity. Thus, the federal system arranged based on the principle of one region for single ethnic community. However, the arrangement cannot address issue of equality and accommodation mechanism of intra-state minorities. Therefore, most of the regional states in the federation established for multi-ethnic communities.

Furthermore, the 1995 constitution envisage regional government to establish their own local government for the sake of administration and accommodation mechanism of the minorities. As stated in chapter two there are two types of minorities. The first is majority in their regional state but minorities in some part of other region. The second is double minorities; this means that

when one ethnic group is minority at national level and regional level is considered as double minority.¹⁹⁴

Regarding to the existence of minorities there are two institutional options taken as means of accommodation of intra-state minorities. Territorial institution option is the first accommodation mechanism for ethnic communities these have settled in the same area to get their own local government in their residential area with recognized power and function to ensure the existence of self-administration. This institutional option plays a great role for self-rule and shared rule principle through its constitutional recognized institutional arrangements.¹⁹⁵

Likewise non-territorial institutional option is also accommodation mechanism for territorially dispersed ethnic community in ethnic based federal system to promote democratization and ensure the right of self-administration. In accordance, it recognizes the existence of bill of rights for diversified community as benchmark to accommodate regional minorities. It creates a chance of self-administration for intra sub-state minorities to use their language to promote their culture and exercise the right of self-rule.

5.3. Ethnic Local Government to Accommodate Intra-State Minorities

The establishment of ethnic local government is a cornerstone to ensure the equality of intra-state minorities in a federal system. Thus, Ethiopian ethnic federal system allowed the establishment of ethnic local government for accommodation of minority. Tracing this, five regional states Amhara, SNNP, Afar, Beneshangul-Gumuz and Gambella regional states have established nationality zone and special *woreda* for ensuring existence of the right to self-rule.

However, the establishment of special *woreda* in Gambella region is differs from others four regional states. Special *woreda* in above four regions except Gambella was established for the minority ethnic groups in the regional state to administer themselves at local level. But, establishment of special *woreda* in Gambella region is not for regional minority ethnic groups only. It established for both regional minority of *Opo* ethnic groups and regional majorities of *Anyuaa* and *Nuer* ethnic groups those have their own nationality zones.

¹⁹⁴ See chapter 2

¹⁹⁵ see chapter 2

The 2002 revised constitution of Gambella region has not clear constitutional provision about the powers and functions of the special *woreda* administration system. However, the constitution clearly discussed about the nationality zone as administrative unit of the regional government. This lack of clarity on the establishment of special *woreda* make *Itang* special *woreda* to have less acceptance by the local ethnic community and to be means of ethnic conflict in the region. Therefore, giving enough constitutional recognition for ethnic local government, play a great role for LGs to be competent, autonomous and to have permanent existence.

5.4.Challenges of *Itang* Special *Woreda* to Accommodate Intra-Local Diversity

The establishment of nationality zone in Gambella region as sphere of government is constitutionally recognized with its adequately empowered powers and functions. As result, three nationality zones has established by the name of regional majority ethnic groups of *Nuer*, *Anyuua* and *Mejang*. Furthermore, in the nationality zone regional minorities of *Opo* and *komo* also included in *Nuer* and *Anyuua* nationality zones respectively. The existence of nationality zones helps to promote democratization, development and political participation of each ethnic group to exercise the right of self-administration.

The establishment of *Itang* special *woreda* and powers and functions that allowed for it has not clearly stated in the regional constitution or other legal documents. As stated previously, *Itang* special *woreda* established for three ethnic groups of *Nuer* *Anyuua* and *Opo* to accommodate intra-local minorities. In addition, the establishment of *Itang* special *woreda* is to minimize ethnic-based conflict between the *Anyuua* and *Nuer* ethnic community.

In the reality what is on the ground establishment of *Itang* as special *woreda* for multi-ethnic community still cannot minimize the conflict. Furthermore, the existence of political tension and competition of fertile farming land in *Itang* became a cause for ethnic conflict of *Anyuua* and *Nuer* in the region. Therefore, this implies that establishment of *Itang* special *woreda* is fail to answer the existence sustainable peace, security, and good governance in the region.

In addition, the establishment of *Itang* is not mandatory to the *Anyuua* and *Nuer* ethnic groups. This means that, if they have nationality zone bordering to their settlement areas and if the residents of both ethnic groups have representation in their nationality zone, no need of

establishing *Itang* as special *woreda* for both ethnic groups. In fact, the establishment of *Itang* special *woreda* provides new political participation for the *Opo* ethnic groups to promote their culture and to use their language as instructional media in primary school.

Actually, like others regional governments those established special *woreda* in Ethiopia. The establishment of *Itang* as special *woreda* is directly concerned to *Opo* ethnic groups as they are regional minority.

According to the information obtained from the interview the roles of local communities have not the same interest for the establishment of *Itang* as special *woreda*. Accordingly, *Nuer* and *Opo* ethnic groups have the consensuses to establish *Itang* as special *woreda*. On the other hand, the *Anyuua* ethnic groups are not asked the establishment of *Itang* as special *woreda*. This is way from the beginning *Anyuua* assume that as *Itang* is their own local government. Therefore, due to fearing of political and resource control of *Nuer* ethnic communities the *Anyuua* are still claiming the establishment of *Itang* as special *woreda*.

Actually, the *woreda* political leaders argued that the establishment of *Itang* is based on the quest of the three ethnic groups of the *woreda*. However, there is no written material that expresses how the local community asked the establishment of *Itang* as special *woreda*.

5.5. Recommendation

Based on the above assessments the following recommendations are put as feedback.

- The establishment of special *woreda* needs the recognition of state constitution. Therefore, the constitution of Gambella or other legal framework should be responsible to discuss clearly about the powers, functions and the competence of *Itang* special *woreda* like recognition that given for nationality zones.
- The political leader of *Itang* special *woreda* must serve in commitment for their electorate in managing diversity and ensuring equality of the three ethnic groups. Thus, they are responsible to see each ethnic group equally.
- There should be not needed the informal interference of the regional executive council or the regional president on the appointment of the special *woreda* chief-administrator. This affect the *woreda* council to became weak and dependent on the regional government.
- In multi-ethnic local government using quota representation system is preferable to accommodate intra-local minorities. However, assigning each political position based on the ethnic groups may a cause for ethnic conflict. Therefore, in *Itang* the chief-administrator, vice-chief-administrator and spoken person are ethnically assigned from the beginning of establishing the special *woreda* still now for *Anyuaa*, *Nuer* and *Opo* respectively. Thus, it is better to give the political position for the person who can fit the position.
- There should be taken critical consideration for the consultation and having the agreement of all ethnic groups before establishing special *woreda* as ethnic local government. Unless, establishment of ethnic local government itself became reason for ethnic conflict.
- Special *woreda* and nationality zones have equal status on the hierarchical structure of Gambella regional state. Therefore, no need of having double representation for the residents of indigenous ethnic groups of *Itang* in both *Anyuaa* and *Nuer* nationality zones. If the representation is needed establishment of *Itang* special *woreda* is not mandatory to accommodate intra-local minority or to minimize ethnic conflict.
- To minimize ethnic conflict in *Itang* special *woreda* the regional government should better to stop border re-demarcation of the special *woreda*. Besides, if the demarcation is necessary the regional government should responsible to consult the local community.

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List of Interviewee

Interview 1 (January 15/ 2018) it is an interview with Okello Obong previous chief administrator of *Itang special woreda*

Interview 2 (Jan.16/2018) it is an interview with Khoat Tielieng previous vice -chief administrator of *Itang special woreda*

Interview 3 (Jan.17/2018) it is an interview with Obang Cham chairman of *Akedokebele* in *Itang special woreda*

Interview 4 (Jan.18/2018) it is an interview with Omod Abula chairman of *Itang-kir kebele* in *Itang special woreda*

Interview 5 (Jan.19/2018) it is an interview with Uwar Opiew chairman of *poul kebele* in *Itang special woreda*

Interview 6 (Jan.22/ 2018) It is an interview with Opel Luk previous spokes person of *Itang Special woreda*

Interview 7 (Jan.23/2018) it is an interview with Tarjat Lam chairman of *Badel kebele* in *Itang special woreda*

Interview 8 (Jan.24/2018) it is an interview with Akakero Noch chairman of *Wanke kebele* in *Itang special woreda*

Interview 9 (Jan.25/2018) it is an interview with Simon Pal current vice -chief administrator of *Itang special woreda*

Interview 10 (Jan.26/2018) it is an interview with Kulum Gniel chairman of *Pulkod kebele* in *Itang special woreda*.