

**CONTESTED SECULARISM IN ETHIOPIA:
THE CONTENTION BETWEEN MUSLIMS AND THE
GOVERNMENT**

**BY
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A DISSERTATION Submitted to
The Center for Federal Studies, College of Law and Governance Studies
Presented in Partial Fulfillment of the Requirements for the Degree of
DOCTOR of PHILOSOPHY in Federal Studies

**Addis Ababa University
Addis Ababa, Ethiopia
May 2016**

Declaration

I, the undersigned, declare that this PhD Dissertation entitled: *Contested Secularism in Ethiopia: The Contention between Muslims and the Government* is my original work, and has not been presented for a degree in any other University or academic institution, and that all source of materials used for the Dissertation are fully acknowledged and properly referenced.

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Abstract

This study examines the nature, causes and dynamics of the conflict between the Muslim community and the Ethiopian government, particularly since 2011 over issues related to secularism and freedom of religion. By analyzing the historical trajectories of state-religion relations and the contemporary developments, the study seeks to answer why the relationship between Muslims and the government has soured – despite an auspicious beginning – leading to securitization of Islam in general and Islamic reform movements in particular. This is evident in the firm governmental control over Islamic institutions and the repression of the Muslim protest movement. Muslim grievances and complaints – channeled through their representative, social media and their weekly protests – were articulated in historical and social terms but sought remedy for religious parity within the constitutional framework of secularism and freedom of religion. Using the various complaint letters of the Muslims’ Solution Finding Committee, official speeches, government policy documents and the data obtained from the field through qualitative methods of data collection techniques, the study scrutinizes the concerns and fears of the Muslims and appraises the government’s claim of religious extremism in general and Islamic fundamentalism in particular as a national security threat. At the heart of the contestation lies the defense of secularism on both sides; each accusing the other for ‘violating the secular constitutional order’. From many of the empirical researches conducted so far, the data collected and analyzed in this study and information obtained from the narrations and deeds of the Committee members, the accusation of Muslims (what it calls Salafis/Wahhabis) by the government ‘conspiring for establishing an Islamic government and harboring religious extremism’ is found to be an overstretch and government responses to the demands of Muslims are too simplistic and inaccurate. Many of the government policies and actions towards Muslims are marked by antithetic between ‘bad and good, tolerant and intolerant, moderate and extremist’ that resonates with the western governments’ dichotomy between what Mamdani (2002) calls “good and bad Muslims”. By doing so, the option for promoting the practice of Sufism (supposed to be tolerant, apolitical and hence good) and encouraging Sufi-oriented Muslims to occupy important leadership positions in the Ethiopian Islamic Affairs Supreme Council (Mejilis) have been ‘on the table’ for countering religious extremism and political Islam in the Ethiopian government policy circles. This has resulted in the deep involvement, if not intervention, of government in religious matters, which the principles of secularism and freedom of religion did not warrant. The strategy of encouraging apolitical and tolerant religious groups for developing mutual tolerance and peaceful coexistence between religious communities by itself might not be a bad idea but it has to be done by the government without taking religious side. Secularism should also be interpreted as ‘a constitutional principle’ that requires states to treat all religions equally and their official policies being free from the dictation of religious dictums instead of interpreting it as ‘a way of life’ to be adopted by individuals to secularize students through the prohibition of religious practices in educational institutions.

Acronyms

ACHR	American Convention on Human Rights
ACHPR	African Charter on Human and Peoples' Rights
AICP	Association of Islamic Charitable Projects
AFCP	Ambassador's (US) Fund for Cultural Preservation
ANDM	Amhara National Democratic Movement
AU	African Union
CSA	Central Statistics Agency
CUD	Coalition for Unity and Democracy
EACTI	East Africa Counter-Terrorism Initiative
EBC	Ethiopian Broadcasting Corporation
ECHR	European Convention on Human Rights
EIASC	Ethiopian Islamic Affairs Supreme Council
ENSA	Ethiopian National Intelligence and Security Service
EOC	Ethiopian Orthodox Church
EPRDF	Ethiopian Peoples' Revolutionary Democratic Front
ERTA	Ethiopian Radio and Television Agency
ETV	Ethiopian Television
FDRE	Federal Democratic Republic of Ethiopia
FGD	Focus Group Discussion
HoF	House of Federation
HPR	House of People's Representatives
ICCPR	International Covenant on Civil and Political Rights
MOE	Ministry of Education
MoFA	Ministry of Federal Affairs
MP	Member of Parliament
NNP	Nations, Nationalities and Peoples
NGO	Non Governmental Organization
OLF	Oromo Liberation Front
ONLF	Ogaden National Liberation Front

OPDO	Oromo People's Democratic Organization
PAO	Public Affairs Office (US Embassy in Addis Ababa)
PDRE	Provisional Democratic Republic of Ethiopia
PMAC	Provisional Military Administrative Council
SEPDM	Southern Ethiopia People's Democratic Movement
SNNPRS	Southern Nations, Nationalities and People's Regional State
TPLF	Tigray People's Liberation Front
UDHR	Universal Declaration of Human Rights
UIC	Union of Islamic Courts
UN	United Nations

Glossary

<i>Addis Raey</i>	New Vision
<i>Akrari</i>	Fundamentalist
<i>Al-Ahbash (Ahbash)</i>	A religious movement in Lebanon connected to Ethiopia through its leader Sheikh Abdullah al-Harari
<i>Ashebari</i>	Terrorist
<i>Azan</i>	Islamic call to prayer from a mosque
<i>Bid'a</i>	Innovation (negative) associated with Allah
<i>Chat</i>	A stimulating plant with narcotic content
<i>Da'awa</i>	Calling to Islam through preaching
<i>Derg</i>	Committee which ruled Ethiopia from 1974-1991
<i>Deen</i>	Religion (Arabic term)
<i>Ewunetu Yih New</i>	This is the Truth
<i>Fard</i>	Obligation in Islam
<i>Fatwa</i>	Legal ruling on controversial issues in Islam
<i>Hadith</i>	Tradition (practice) of the Prophet
<i>Haimanot</i>	Religion (Amharic term)
<i>Hajji</i>	Pilgrimage to Mecca as one of the five pillars of Islam
<i>Halal</i>	Lawful (allowed in Islam)
<i>Haram</i>	Forbidden (prohibited in Islam)
<i>Harekat</i>	Movement
<i>Hijab</i>	A Muslim woman scarf that covers only the head and the neck
<i>Hijrah</i>	Migration of the Prophet and his companions from Mecca to Medina
<i>Imam</i>	A person who leads a prayer in a mosque
<i>Jihad</i>	Inner spiritual struggle against sin

	(greater jihad) and struggle against non-believers (lesser jihad)
<i>Jilbab</i>	Full face-veil worn by a Muslim woman that covers the whole body except her eyes
<i>Juma'a</i>	Friday
<i>Kafir</i>	Unbeliever
<i>Kebele</i>	The lowest level of government administration in Ethiopia
<i>Kidus</i>	Saint
<i>Longue duree</i>	French word for long period
<i>Mahber</i>	Association
<i>Mateb</i>	A blue or black neck cord usually worn by Orthodox Christians in Ethiopia
<i>Mechachal</i>	Mutual tolerance
<i>Mechal</i>	Forbearance
<i>Medressa</i>	Islamic (Quranic) school
<i>Mejilis</i>	Parliament or Council
<i>Metie</i>	Exotic
<i>Mewlid</i>	Birthday of Prophet Mohammed
<i>Meskel</i>	Finding of the true cross in the EOC
<i>Minda</i>	Reward
<i>Mufti</i>	A religious authority in Islam
<i>Nebar</i>	Indigenous
<i>Niqab</i>	A Muslim woman's face-veil that covers the whole body including the eyes
<i>Sahaba</i>	Followers of Prophet Mohammed while he was alive
<i>Salafism</i>	Pious ancestors (exemplary models)
<i>Salat</i>	Prayer
<i>Shari'a</i>	Islamic law based on Quran and Hadith
<i>Sheikh</i>	Religious leader versed with Islamic

	knowledge
<i>Sufism</i>	A Muslim ascetic and mystic
<i>Sunnah</i>	Tradition as practiced by the Prophet
<i>Takfir</i>	The act of excommunicating a Muslim
<i>Timket</i>	Epiphany
<i>Tsinfegna</i>	Extremist
<i>Ulema</i>	A body of Muslim scholars recognized as expert in Islamic law
<i>Ummah</i>	Community of Muslims or people
<i>Umrah</i>	Lesser pilgrimage to Mecca
<i>Wahhabism</i>	Strict adherents to orthodox Sunni Islam named after Muhammad Abdul Wahhab
<i>Waqf</i>	Endowment in the name of Islam
<i>Woreda</i>	Government administration level in Ethiopia equivalent to district
<i>Yemuslimoch Guday</i>	Muslims' Affairs
<i>Yemuslimoch Mefthie Afelalagi Komitiye</i>	Muslims' Solution Finding Committee elected and constituted by Muslim protesters at Awolia Islamic College in 2012
<i>Zakat</i>	Obligatory payment made annually under Islamic law used for charity
<i>Zemene Mesafint</i>	Era of the Princes in Ethiopia (1769-1855)

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Acknowledgments

Doing a doctoral research, particularly on a sensitive topic such as this Dissertation, undoubtedly requires an extensive investigation and the intellectual and moral support of a wide-range of individuals, colleagues and institutions. There are so many people to whom I am indebted and immensely benefited from their moral, material and intellectual support. Nonetheless, I will only mention a few and know others will understand the limitation of space. First and foremost, my principal supervisor, Dr. Dereje Feyissa (Assoc. Professor) provided me the invaluable intellectual guidance and support from the inception of the topic to its completion. While it is customary for a student to thank his supervisor, Dereje has truly been a very special and remarkable supervisor as well as a good friend, with whom I have surmounted several challenges. He never ceased to be a source of encouragement and inspiration. He read my drafts several times and inserted the much needed intellectual energy on them. If this work is good and readable, it is due to his relentless effort and brotherly advises. I would like to thank him. Not less important is the intellectual advice I received from my external supervisor Dr. Terje Ostebo (Professor). With a rich knowledge of Ethiopian religious history and the state-religion relations, his support for this work to take its present shape is indescribable. I thank him from the bottom of my heart.

The Center for Federal Studies of Addis Ababa University has given me the material resources (including the scholarship opportunity and modest funds) and the stimulating environment (relieving me from teaching workloads and routine activities) for this research to take place. On top of his administrative capability for the smooth operation of my defense, the support I got from Dr. Assefa Fiseha (Chairman of the Center) in the form of comments and suggestions on my draft dissertation was innumerable. He is extremely cooperative and friendly in which case working with him is a privilege. Special thanks also go to my friend and colleague Professor V.K. Padmanabhan for his intellectual, financial and moral support for the fulfillment of this dissertation. It would not be fair enough not to mention the moral support and encouragement I received from my best friend Dr. Seyoum Mesfin during my difficult times. In addition, all my

colleagues at the Center are cooperative and supportive more than what I would express in words. I thank all of them.

I would like to express my deepest appreciation and heartfelt gratitude to my examiners Prof. Dr. Georg Klute, Prof. Paul Gifford, Dr. Getachew Assefa and Dr. Assefa Tolera for their constructive comments, critical questions and suggestions that helped me a lot to improve the final version of my dissertation. All of them were open enough in both appreciating and criticizing my work basing on academic merit and substance. I really learnt much from them.

Let me use this opportunity to thank my mother Alem Adera and my father Dejen Assen for their unfailing material and moral support they invested in me. Both of them with no record of formal education but kin supporter of my studies deserve special gratitude. I want to extend my appreciation to my wife W/o Toiba Shikur, my son Nebil and my daughter Elham not only for their moral and material support they invested but their patience in carrying the household management throughout my doctoral study. My wife's painful effort to deal family issues by herself relieving me from such duty was really printed forever in my mind. To be frank, this doctoral thesis would not have been realized had it not been her unreserved support and motivation. My kids always remain my source of inspiration and strength. The moral and material support that was obtained from my aunt W/o Worke Kebede deserves special mention here. It would not be an exaggeration to say that she is my tutor at home.

I owe a debt to all my informants for sharing information and their knowledge about the historical and contemporary problems of the Muslim community in Ethiopia. Taking the sensitivity and politicized nature of the problems under investigation, some of my informants deserve special tribute that even volunteered their names to be mentioned in my work. This is really great courage! Nonetheless, for all the views included, any fallacy or fault you may find in this dissertation, I am solely responsible. None of these people is liable for errors or misinterpretations in my writing.

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CHAPTER ONE

INTRODUCTION

1.1 Background

Ethiopia, situated in East Africa – otherwise called Horn of Africa, with a population of close to 100 million, is a land of multiple diversities: ethnic (more than 85 – both officially recognized as distinct ethnic group and those awaiting for recognition)¹, religious (Judaism, Christianity, Islam and indigenous beliefs), linguistic (not less than 87) and cultural communities (wide varieties) (CSA, 2007) best captured in the words of an Italian-Ethiopianist writer Carlo Conti Rossini (1937) as ‘*un museo di popoli*’ – ‘a museum of peoples’² (Trimingham, 1952: 5). Despite these apparent diversities, its successive leaders tried and aggressively employed different methods to assimilate these groups into the dominant language and religion (Amharic and Orthodox Christianity) and portray the country as if it were mono-ethnic, mono-religious, mono-lingual and mono-cultural state. They used rigorous methods of marginalization and exclusion of those groups who resisted the ‘official policies and practices’ of assimilation and homogenization from the publicly-funded social services.

The present religious landscape of the country is reminiscent of Ethiopia as home for the three major monotheistic religions – Judaism, Christianity and Islam, and other indigenous beliefs. Christianity (of all denominations) and Islam are the dominant religions and together make-up roughly 97% of the total population. Among these; Orthodox Christianity³ accounts 43.5%, Protestantism⁴ 18.6%, Catholicism 0.7%, Islam

¹ Of all ethnic groups, Oromo constitutes the largest share (34.5 percent) followed by Amhara (26.9 percent). Ten ethnic groups (Oromo, Amhara, Somali, Tigray, Sidama, Gurage, Wolaita, Hadya, Afar and Gamo) together account roughly 90 percent of the total Ethiopian population. The remaining 10 percent is shared by more than 70 ethnic groups (CSA, 2007: 16).

² Some other foreign but Ethiopianist writers do not agree on the use of phrases such as ‘museum of peoples’ to depict the Ethiopian ethnic composition as it misleads readers that ‘Ethiopia is nothing but a collection of different ethnic groups living independent of one another’. See for example Donald N. Levine (1974: 21) *Greater Ethiopia: The Evolution of a Multiethnic Society*. He argues that; “To see Ethiopia as a mosaic of distinct peoples is to overlook the many features they have in common, [...] how they interact and the nature of Ethiopian society as a whole”.

³ Orthodox Christianity includes the ‘*Tewahdo, Kibat and Tsega*’ doctrines. Their differences mainly relates to the nature of Jesus Christ.

33.9%, indigenous beliefs 2.6% and others⁵ 0.6% (CSA, 2007: 109). In one way or another, the major world religions have entered into the country from outside (the Middle East) either through official reception by the rulers or through missionary activities. Though the majority of the Ethiopian population are adherents of either of the two major world religions, it would not be wrong or naïve to argue that these religions – for pragmatic reasons – are indigenized into the local culture through centuries of interaction by incorporating many indigenous creeds and practices (Markakis, 1974; Trimmingham, 1952; Data, 2005: 6-7). In other words, in existence for more than millennia, both Islam and Christianity are amalgamated with various cultural practices and well established to be taken as indigenous social and cultural phenomenon instead of understanding them purely in religious creeds imported from outside.

Ethiopia's religious past is characterized by both consensual and conflictual relationships (Hussein, 2006). People to people relationship between Christians and Muslims was generally one of cordial but the State's attitude – at least up to 1974 – towards all religions other than Orthodox Christianity was unfavorable and negative. All the imperial regimes favored the Orthodox Church as national church and Orthodox Christianity as state religion at the total exclusion of others. This policy of favoring one religion has been significantly altered following the overthrow of the last imperial regime in 1974. The military dictatorship popularly called *Derg*, which came to power after ousting the 'theocratic government' of Emperor Haile Selassie through a popular revolution, declared the separation of state and religion thereby proclaiming a secular socialist state of Ethiopia. In principle, secularism dictates states/governments to remain neutral from religious affiliations or be in equidistance from all religions and respect the freedom of believers to worship, teach, observe or practice their religious dictums. It also requires governments, in their governmental capacity, to refrain from promoting or demoting a certain religious group and involve in reforming or interpreting a certain religious dogma (Khalidi, 2008). It prohibits governments from interfering in religious affairs and vice versa. However, far from being implementing these ideals, the *Derg* regime tried to

⁴ Protestantism includes the Seven Day Adventist, Pentecostal, Lutheran, Baptist, Anglican, Presbyterian, *Meserete Kirstos*, *Mulu Wongel*, and *Kale Hiwot*.

⁵ Under the 'Other' category, Jehovah, Behais, Jews, Hindus, etc. are included (CSA, 2007: 71)

eliminate religion through state-sponsored persecution and the promotion of an ‘official policy of atheism’. While the 1987 Constitution (art 46) guaranteed religious freedom and the secular identity of the Ethiopian state, in practice, there were open and systemic violations of these provisions.

The EPRDF-led government, which came to power in 1991 by toppling down the last centralist and oppressive *Derg* regime, recognized the equality of all religions and anchored the principle of secularism as one of the five fundamental principles of the 1995 FDRE Constitution⁶. In addition to securing religious freedom for the faithful and religious institutions, the Constitution guarantees the separation of state and religion (art 11), on the basis of which, one should not interfere in the internal matters of the other and there shall be no religion called as state religion. No religion to be favored or disfavored by the state for whatsoever reasons. Except for justifiable reasons, state intervention or restriction of religious practice is prohibited (art 27). In recent years, however, religious communities and the government are in contention over issues of crossing the boundary of one’s jurisdiction to encroach the authority of the other. The Muslim community in particular, are accusing of the government for ‘violating the constitutional principle of secularism’ in the form of promoting a certain religious group called Ahbash, controlling Islamic institutions and unjustifiably denying congregational worship and displaying religious symbols in public spaces. The government, on the other hand, charges certain religious groups, especially of the Salafis, for conspiring to overthrow the government to establish an Islamic government in which their act is not only unconstitutional but also in violation of the same principle of secularism. This study, therefore, examines the state-religion relations in Ethiopia both in historical and contemporary situations and scrutinizes the Muslims’ complaints and the government’s counter-accusation from legal and practical point of view.

⁶ The other four fundamental principles of the Constitution are: sovereignty of the people that resides in the Nations, Nationalities and People’s of Ethiopia (art 8), supremacy of the Constitution that subordinates other laws or decision of government organs (art 9), respect for human and democratic rights (art 10), and transparency and accountability of government conduct (art 12).

1.2 A Brief Account of State-Religion Relations in Ethiopia

Orthodox Christianity

Orthodox Christianity was first introduced during the period of the Axumite Kingdom in the 4th c AD⁷ (Trimingham 1952: 39). It is believed that, King Ezana was the first Ethiopian king to convert in 340 AD. In spite of its early entrance, it remained a religion only in the close circles of the royal family for more than 150 years before its dissemination to ordinary citizens (ibid). It remained an official religion of the state until the overthrow of the last imperial regime in 1974 (Mohammed, 2011: 77). Put simply, it maintained its dominant status as state religion for more than a millennium (340-1974). During this period, the Ethiopian Orthodox Church (hereafter, EOC) and the Ethiopian State were intertwined (Dereje, n.d: 5) and concluded “inexorable politico-religious marriage” (Ford, 2008: 52). By and large, it was difficult to talk about ‘Ethiopian nationhood and identity’ distinct from EOC (Markakis, 1974). It remained the core identifying component for the cultural, social, and political life of the dominant ethnic groups. Due to its strong attachment and blessing from the government, the EOC enjoyed privilege over other religions. This was expressed in the form of obtaining tax-free land (roughly a third of the country’s total land), being an established state religion with no requirement to be registered to acquire legal personality, celebrating its holidays such as *Timket* (Epiphany) and *Meskel* (commemoration of the finding of the True Cross with bonfires) in open public places (*Jan Meda* and *Meskel* Square respectively) with the presence of public officials.

Protestantism

Protestantism entered into the country at the middle of the 19th c by missionaries such as Samuel Gobat and Christian Kuglar (Belay, 2003: 147). Their missionary activities were confined by the imperial regime only to proselytizing the non-Christian population of Ethiopia. It was possible as a result of Emperor Haile Selassie’s relative leniency, if not encouragement, of converting the pagans and non-Christians into Christianity for his

⁷ The EOC categorically rejects this assertion of historians. Instead, it provides its own narration for the introduction or rather acceptance of Christianity by Ethiopia in 34 E.C (42 G.C) through Janderebaw directly from God. It happened just one year after the resurrection of Jesus Christ and before the Angels left Jerusalem. For more information, see Addis Admas private newspaper (Addis Admas, 2013: 3).

ultimate goal of uniting the country under the umbrella of Christianity (Gilchrist, 2003: 1). His policy of allowing evangelization in the so-called 'open areas' (predominantly inhabited by Muslims and non-Christians) encouraged the Protestants to conduct their missionary activities intensely. As I shall discuss in the proceeding parts, the Ethiopian emperors alienated most non-Amharic-speakers and non-Orthodox Christians who refused to be assimilated into the dominant culture and religion. They were out of the domain of Ethiopian nationhood. And, hence, areas inhabited by these groups were considered as 'open' for missionaries.

Protestantism is one of the fastest growing religions in Ethiopia. From the mere margin of 1% at the beginning of the 1960s, it reached to 19% in the 2007 population census. According to the 1994 census, it was about 11% but increased by 8% taking new converts mainly from the EOC. The Orthodox Christians, who were about 51% in the 1994 census, reduced to 44% in 2007. The loss of believers in the EOC is roughly equal to the gain of the Protestant Church. The EOC considers Protestants as 'exotics' and are strong rivals in the religious field. Though Orthodox Christianity and Protestantism have some common doctrines such as the belief in "the Trinity, the incarnation of Christ, His second coming and resurrection" (Belay, 2003: 143), they also differ in other important aspects. For example, while the Orthodox Christians "worship and adore Mary, saints and angels as mediators" between man and God, the Protestants believe that "the work of Jesus Christ on the cross has provided all the reconciliation human beings need with God" (Belay, 2003: 143). Put simply, the Protestants strongly oppose the mediatory functions of Mary and saints while Orthodox Christians place special emphasis on them. Hence, antagonistic relations are prevalent between Orthodox Christians and Protestants (Abbink, 2011). Orthodox Christians consider the Protestants as new competitors and negative attitude is observed to the extent of labeling them as *menafiqan* – 'non-Christians or non-believers'. The Protestants even geared their effort towards (re)converting Orthodox Christians into Protestantism. The attitudes of the state and Ethiopian governments towards Protestants until 1991 were generally unfavorable. Emperor Haile Selassie had negative attitudes towards all missionaries in Ethiopia. He believes in the assertion of Ethiopia as a 'Christian Island' with no need of Christian

evangelization. The 1944 Decree later showed leniency for Christian evangelization in 'open areas' while prohibiting proselytization in 'closed areas' (predominantly settled by Orthodox Christians). *Derg* was even harsher in his policies and practices towards Protestants suspecting them of being 'agents of Western imperialism' (Belay, 2003). The 1991 regime change relatively eased the state-control over religion and facilitated the expansion of Protestantism in the country. Their remarkable exponential growth is recorded during the last twenty years of the EPRDF regime.

Islam

Islam, numerically the second largest religion in the country, was introduced in the 7th c AD. It first entered into the country following the emigration of the companions of the Prophet Mohammed or *sahabas*⁸ during his life time. The new converts came to Ethiopia in order to escape from the Quraysh Arab persecution in Arabia (Mohammed, 2011: 74) that makes the country as the first of "the African matrix for interfaith encounters" (Klein, 2012: 76). The coming into Ethiopia of the Prophet's disciples came to be known in history as the First *Hijrah* (Ford, 2008: 55). They played their own roles for the propagation of Islam in the country⁹. Later on, Muslim religious clerics and long-distance traders played a major role for its expansion (Hussien, 2002). Although Islam encompassed large areas and obtained large number of followers, Muslims remained aloof from the Ethiopian body politic for centuries and still far from playing active role in governmental institutions owing mainly to the previous regimes' policy of marginalization. Muslims were relegated to the status of second-class citizenship until the 1974 revolution (Abbink, 1998: 113; Mohammed, 2011: 77; Ford, 2008: 58) and in some instances considered as 'foreigners residing in the territory of Ethiopia'. All Ethiopian governments, with few exceptions¹⁰, encouraged cultural and religious assimilation in order to forge unity and homogeneity in which case Muslims were the prime targets.

⁸ The *sahabas* were those disciples of the Prophet Mohammed while he was alive

⁹ Some writers and Muslim activists argue that an Ethiopian (Axumite) King called As'hama who welcomed these immigrants was later converted to Islam and named Nejashi (Ibrahim, 2009; Ahmedin, 2012). However, non-Muslim origin writers reject this assertion as 'Muslim legend and unreliable' (Trimingham, 1952; Haggai Erlich, 1994).

¹⁰ One exception being the reign of Lij Iyasu (1913-1916), where he followed a policy of integration of Muslims with the predominantly Christian-dominated political, social and economic sphere of Ethiopia instead of assimilation.

The efforts of the previous governments for forging a single national identity through linguistic and religious uniformity however proved to be a futile exercise where discontents and open protests arose from the Muslims, the peasant masses, urban dwellers and the Ethiopian students in the 1960s and even earlier in favor of Ethiopia's *de facto* multiculturalism and religious diversity. Muslims, in particular, opposed the privileged status of the EOC as a state religion and claimed for religious parity (Wudu, 2006: 283). The Muslims' cause for religious equality attracted not only Muslims but also 'progressive Christians' who rallied together with their Muslim brothers and sisters in Addis Ababa demanding for the realization of religious freedom and equality. Around 100,000 Muslims and Christian sympathizers rose up in protest "chanting for religious equality, separation of church and state, and the national observance of Muslim holidays" (ibid: 285). One of the banners of the demonstrators clearly shows the so-called 'maxim of Emperor Haile Selassie' – "religion is private; country is common (for all)" and demanded 'this maxim of the Emperor' to be implemented in practice to the benefit of Muslims in the country. The demonstrators also condemned the representation of Ethiopia as a 'Christian Island surrounded by an Islamic sea'. It reads; "Ethiopia is not a Christian Island; we [Muslims] too are Ethiopians". They also demanded for the incorporation of Islamic holidays as national holidays.

Figure 1: Photo showing Muslim Demonstrators in Addis Ababa (1974)



Source: Badr Magazine Annual Edition (2008) (www.biemf.org)

In the dying minutes of Emperor Haile Selassie's reign (r. 1930-1974), a new Constitutional Commission was formed in 1974 to draft a new constitution. The drafters proposed the separation of church and state and religious equality although it was vehemently opposed by some conservative EOC members (Hussein, 2006; Wudu, 2006). Despite the Emperor's desperate efforts to calm down the opposition, it was too late to test the new policy for containing the already rising discontent and the physical challenge directed against the system from all sectors of the society. The opposition finally culminated in the February 1974 Revolution that resulted in the ultimate demise of the imperial regime and its replacement with the military rule called *Derg* – an Amharic term for Committee.

The *Derg* regime then came up with the Marxist-Leninist ideology and in a breakthrough from the past legacies of the country; it officially declared the equality of all religions that heralded the complete divorce between the EOC and the Ethiopian state (PDRE Constitution, 1987). Notwithstanding the official rhetoric, taking into account of the socialist and atheist policies of the *Derg*, it was barely possible to talk about religious equality and freedom. The regime regarded religion as 'the opium of the masses and upshot of ignorance' that should be "systematically weakened and eliminated" through time (Abbink, 1998: 117). Its policy was seen within the broader framework of socialist/communist ideology where there was no room for religion (Al-Qardawi, 2003). Affiliated itself to Communist ideology, *Derg's* ultimate objective was constructing religious-free socialist Ethiopia in which its top party officials were instructed to work hard for that effect (Wudu, 2006; Belay, 2003). However, for tactical and pragmatic reasons, religious practices were tolerated for the time being.

Derg was also even-handed towards all religions in the sense that all indiscriminately faced 'existential threat' by the pressures from government policies and actions directed against religious activities in the country (Wudu, 2006). *Derg* officials removed the Patriarch of the EOC and later killed and replaced him with a patriarch who was supposed to promote the ideology of socialism (Belay, 2003: 81). In one of its 'top secret' documents, *Derg* proclaimed that "the Patriarch was the government's cadre who

promoted socialism as a cause of Jesus Christ” (ibid). Even more, the regime was very hostile towards Protestantism, branded them as collaborators with Western imperialism and strong opponent of the Revolution. Contrary to its initial positive gesture for religious equality and tolerance, the regime slowly started to show its ‘awful faces’ directed against Protestants. It ordered the closing of Protestant Churches and forced the youth to attend governmental meetings on Sunday, the day in which they usually perform congregational pray. Many Protestant Churches were closed and their properties were taken by kebeles and their pastors either imprisoned or killed (Belay, 2003). This anti-Protestant stand and measures brought the regime into collision with the Western governments where it received strong criticism from their media, human rights organizations and powerful political leaders. Hence, it devised a mechanism to show that ‘the regime is not against religion’ but to be spoken through the religious groups themselves. Orthodox, Protestant, Catholic and Muslim religious leaders were forced to come together and proclaim that ‘there is no religious persecution in Ethiopia’ (ibid). Despite the official rhetoric through the state media for the respect of religious freedom, the regime ordered its cadres and police to take ‘Free Action’ against any group or individual involving in anti-socialist gatherings. ‘Free action’ was to mean to arrest or kill anybody suspected of anti-revolutionary and hence ‘enemy of the country’ (ibid).

Partly due to his ‘ideological friendship’ with Muslim countries, particularly with Ali Abdallah Saleh of Yemen and Muhammad Qaddafi of Libya and partly because of the pressures from the Western governments, Mengistu Haile Mariam (the head of *Derg*) was lenient towards Muslims and was hesitant to take early measures against them. It made its plans crystal clear that:

A campaign to destroy religions in Ethiopia is unquestionable. And yet, now as we are being challenged by imperialist powers and their allies, a push that we take on Muslims can endanger our revolution. Thus, propaganda for destroying Islam can wait for a while. However, our cadres can use the basic historical differences that exist between Muslims and Christians to raise plots and lead them into destructing/destroying each other (Ministry of Information ca. 1982; quoted in Belay, 2003: 81).

Derg was even harsher in its measures against Islam for fearing that Muslims of Ethiopia would collaborate with neighboring Muslim countries in reversing ‘the fruits of the 1974 Revolution’. *Africa Contemporary Record* (1954-1985: 223, cited in Seifuddin Adem Hussein, 1997: 135) summarized the unfavorable views of the regime towards Ethiopian Muslims in the following quote: “The Islamic allies of imperialism are using these dollars [from the new oil wealth of the Arab states] to support their Ethiopian lackeys who will stop nowhere in their attempt to undermine the Revolution”.

By its successive decrees, proclamations and official orders, the military government made its objectives crystal clear in a form of warning: “all Ethiopians [should] avoid religious differences and work for the unity of the country” (Wudu, 2006: 293). It explicitly cautioned religious institutions and their followers that “there is no place for religious fanaticism or prejudice in socialist Ethiopia” and declared religion to be a private matter with no more roles in politics (ibid). Nonetheless, for easing the grievances of the Muslim community, arising mainly from the discriminatory practices of the previous imperial regimes, *Derg* made some concessions for religious equality in the country. As one manifestation of religious equality, three Muslim holidays – *Eid al-Adha*, *Eid al-Fatir* and *Mewlid* (birthday of Prophet Mohammed) were declared national holidays in 1974. Their celebrations took place in public places for the first time in the country’s history (Wudu, 2006: 292). Nonetheless, religious freedom and equality were granted not in their own rights but respected so far as they served the regime’s policies of advancing the ideology of socialism and political interests.

It was the 1991 regime change that brought a fully-fledged religious equality and freedom of expression of religion entrenched in the country’s legal system – though with some gaps in implementation. The 1995 FDRE Constitution unequivocally guarantees freedom of religion (art 27) and anchors secularism (separation of state and religion) as a basic constitutional principle (art 11). Various provisions are included that make reference to religious equality, freedom of belief and secularism. Art 3(2) illustrates about the emblem of the national flag. It says; the emblem is nothing but the reflection of “the hope of Nations, Nationalities and Peoples (NNP) as well as *religious communities* of

Ethiopia to live together in equality and unity”¹¹. Art 27(1) guarantees freedom of thought, conscience and religion for everyone that includes the freedom to hold, to adopt a religion or belief of one’s choice, and the freedom either individually or in community with others, and in public or private to manifest one’s religion or belief in worship, observance, practice and teaching. Believers are also entitled to establish institutions of religious education and administration in order to propagate and organize their religion (sub art 2). Any form of coercion to adopt a certain religious thought, which would restrict or prevent them from holding or adopting a belief of their choice is explicitly prohibited (sub art 3). Unless there are compelling circumstances to do so, these freedoms could not be limited by the government. Only the external aspect of the freedom, that is, manifestation of one’s religious belief (as shall be discussed later) may be subject to restriction. The possible justifiable grounds are exhaustively listed as; “protecting public safety, peace, health, education, public morality or the fundamental rights and freedoms of others and to ensure the independence of the state from religion” (sub art 5). Art 29 confirms freedom of thought, opinion and expression without any form of interference from the state. This right includes the freedom to seek, receive and impart information and ideas of all kinds (including religion), regardless of frontiers, either orally, in writing or in print, in the form of art, or through any media of one’s choice. This has created ample opportunities for believers to propagate their religion freely and receive information related to their religious beliefs. Art 25 guarantees the equal treatment of all citizens irrespective of, among others, religious differences. The principle of the right to equality obliges the government to be impartial towards all religions and believers. In addition, freedom of movement guaranteed in the Constitution under art 32 enabled religious groups to move freely from place to place (domestic and abroad) for missionary activities and disseminate their religious doctrines, import and export different religious literatures, audio and video recordings etc. Taking advantage of the religious freedoms guaranteed in the Constitution, different religions spread across the country mainly through proselytization and propagation.

¹¹ This provision is in sharp contrast to the explanations of the imperial regime of Emperor Menelik II that deliberately attached the three colors with the Holy Trinity of Christianity where ‘the red symbolized God the Father, the yellow God the Son and the green the Holy Spirit’ (Ahmedin, 2012: 23). This was done in line with the emperor’s policy to tag on Ethiopian nationhood with Orthodox Christianity in order to exclude other religious communities, particularly the Muslims, from the ambit of ‘Ethiopianness’.

Moreover, the ethnic-based federalism that came into being *de facto* in 1991 and *de jure* in 1995 re-turned Ethiopia into ‘a museum of nations, nationalities and peoples’ instead of a mono-national state as was portrayed in the past¹². In addition to guaranteeing ethnic equality, the new federal system affirms the equality of all religions by introducing a secular state of Ethiopia (art 11). It guarantees the non-interference of the state in purely religious matters and vice versa. This situation has created a fertile ground for various religious groups for missionary activities in the country to disseminate their doctrines without undue government interference. Despite all the improvements in this regard, the implementation of the constitutional promises are far from being unchallenged from different religious communities, particularly from the Muslim community.

1.3 Prologue to the Problem

Following the Muslim protest since 2011 against what they call ‘government interference in their religious affairs’, ‘religious extremism and political Islam’¹³ as a national security threat has been emphasized in government policy documents and parliamentary debates. The April 2012 parliamentary discussion focuses, *inter alia*, on the threats of terrorism and religious fundamentalism (posed by Salafi/Wahhabi Muslims) in which their ultimate goal was interpreted and understood as nothing less than ‘establishing an Islamic government in Ethiopia’. “Some (not all) Salafis in Ethiopia propagate that ‘the majority of the Ethiopian population are Muslims’ [... and hence], there must be an Islamic government in Ethiopia” (Meles Zenawi, 17 April 2012). Though number does not automatically qualify a certain religious community to establish a religious government in the constitutionally secular state of Ethiopia, the allegation was publicly aired through the state media about the plan and the propaganda of ‘extremist elements of Muslims’. According to the EPRDF-led government, some ‘extremist groups’ from all religions are

¹² Art 39 of the Constitution generously granted every nation, nationality and people in Ethiopia the right to self-determination including secession. Ethnic groups have the right to establish their own states delimited mainly on the basis of linguistic and other identity markers (art 46). Practically, nine regional states, taking ethnicity as one factor, have been in place for the major ethnic groups (Tigray, Amahara, Oromo, Afar, Somali and Harari). Other ethnic groups are granted with zonal, woreda or kebele administration statuses.

¹³ Political Islam in this research is denoted to mean the use of the religion of Islam to attain political power. The political power may be attained through the use of violence or through a normal democratic process contesting in political election. The ultimate objective is to use the Quran and Hadith (traditions of the Prophet Mohammed’s life) as guiding principles to govern the society.

tempting to misuse their constitutional rights and are working for a ‘theocratic state’ by ousting the secular government through unconstitutional means (*Yehaimanot*, 2011)¹⁴. As the government says, the act is in contradiction with the constitutional principles that guarantee religious equality and the secular identity of the state. Threats of religious fundamentalism for disrupting the basics of the constitutional principles (among others, religious freedom and equality, and the separation of state and religion) were reflected during the question and answer time of the parliamentary session in April 2012. On 17 April, the late Prime Minister Meles Zenawi¹⁵ responded to different questions raised by various MPs. One of the questions was directly related to religious fundamentalism and its immediate threat to the principle of secularism. MP Mohammed Abdosh said;

While religious freedom and equality is anchored in the Constitution, all religions are freely practicing their religious rites (worship), why is religious fundamentalism and extremism observed in some parts of the country? Why this happened? What are the sources of fundamentalism? (17 April 2012 Parliamentary Session, Author’s own translation from Amharic).

Without specifying what elements or signs ‘religious fundamentalism’ constitute and what kind of challenges it posed to the secular state order and the peace and stability of the society, he further elaborated his questions in a form of general appeal and state of warning stating that;

Unless ‘these signs of religious fundamentalism and extremism’ are dealt and protected at their early stages, there is fear among the general public that they could be transformed into terrorism with severe consequences. There are different ‘internal and external anti-peace forces’ who are taking shelter in religion [for their own political goals]. In this regard, while the government is working in cooperation with religious leaders and institutions to ensure peace and order, some religious groups are accusing of it for involving in religious affairs in violation of the principle of separation of state and religion [secularism] enshrined in the Constitution. How is the government undertaking its functions of protecting peace

¹⁴ *Yehaimanot Akarinetinina Yegosa Gichitochin Yeminfetabet Agerawi Eqid Meneshawechina Aqitachawech* – A National Plan, Bases and Directions to Solve Religious Extremism and Ethnic Conflicts (2011).

¹⁵ Meles Zenawi, one of the prominent political figures in the EPRDF’s reign has served as a President during the Transitional Period (1991-1994). He then became Prime Minister of the FDRE following the 1995 national election and served as a prime minister for four consecutive terms (a total of more than 20 years) until ‘his sudden and unexpected’ natural death in August 2012.

and order in conformity with freedom of religion and secularism guaranteed in the Constitution? (ibid).

In his response, the late Prime Minister of Ethiopia stressed the threat of religious fundamentalism in the country referring to ‘few extremist elements’ from Orthodox Christianity and Islam. While the major issue in the Prime Minister’s speech was obviously ‘Islamic fundamentalism and extremism and the threats it posed against the secular state of Ethiopia’, he followed a ‘policy of even-handedness’ by providing a passing remark on some ‘extremist groups’ in the EOC. He mentioned the *Mahbere Kidusan* (Association of Saints), a reform movement within the EOC claiming for the restoration of the Church’s privileged status of the imperial era, as one showcase. He said;

One of the slogans in the recent *Timket* (Epiphany) in Addis Ababa, which declared ‘one country-one religion’, was unconstitutional. We don’t have a constitution that says ‘one country-one religion.’ The Constitution says, one country but unlimited [whatever] number of religions. Those who carried this slogan were few. Although their number is few, this event has shown us that, there are individuals/groups who want to erode the constitutional principle [of secularism] and establish a Christian government in Ethiopia (extracted from Prime Minister Meles Zenawi’s speech to the FDRE Parliament, 17 April 2012 – Author’s translation).

Based on his speech, there are quite few individuals from the Orthodox Christian community who are misusing their constitutional rights of religious freedom to ‘restore the hegemonic Christian rule by establishing a Christian government in the country’. However, as stated by the Prime Minister, these groups of people are acting in this way for ‘lack of awareness’ about their constitutional rights and duties. Hence, they can be straightened through education and awareness creation about the Constitution by the government and religious leaders.

There are Muslim counterparts, as he said, “even more dangerous and bigger in number than those who carried and chanted the slogan of one country-one religion”. They are similar in intent with *Mahbere Kidusan* for demanding a theocratic state but only an Islamic state. Unlike the Christians, however, he categorized the Muslims as ‘*nebar* (indigenous) and *metie* (exotic)’. He stated that;

There is *nebar* (indigenous) Islam in Ethiopia called Sufi which stayed for centuries. In all Ethiopian regional states, hundred percent of the Muslims were Sufis. There is no Shi'a. The so-called Salafi (Wahhabi)¹⁶ also came into the country in the last 20 or 30 years. The Sufi Muslims coexisted peacefully with the Christians for thousands of years better than any other part of the world, notwithstanding the discriminatory policies of the previous regimes [against Muslims] (ibid).

In his explanation about the nature of Christian-Muslim peaceful coexistence in Ethiopia, the Prime Minister put the Muslim community in an extreme bipolar dichotomy with the 'Manichaean mental map' – of bad and good Muslims (Mamdani, 2002): indigenous Islam as tolerant and moderate whereas the exotics as intolerant and fundamentalist¹⁷. According to him, the former are represented by Sufi Islam while Salafis/Wahhabis represent the latter. He tried to illustrate the peaceful coexistence of Sufi Muslims and Christians with empirical examples from the village of Wollo where the Muslims cooperated with the Christians for the administration of a Church in time of famine and poverty in the village. As he said, it was the Muslims who opposed the dislocation of the Church from the village because of famine considering the Church as part and parcel of the village and their property, not only for the Christians. This might be an extreme example of 'Sufi' Muslim-Christian peaceful coexistence and cooperation in the world but it was true (ibid). What makes it unique is not because it was such exemplary model of cooperation and coexistence but happened in an atmosphere of discrimination and marginalization of Muslims by the state official policies. In spite of these positive legacies, he added, the coming into the stage of the so-called Salafi/Wahhabi¹⁸ Muslims – though not all – with a different ideology and thinking with regard to Muslim-Christian coexistence and the secular principle of the state, this relation is now strained and the constitutional principles are under constant threat. He even accused some members of

¹⁶ He said that, 'some used to call Salafis as Wahhabis but this (name) may not be appropriate to use'. Therefore, in his speech, he preferred to call them Salafis instead of Wahhabis. However, the possibility of using them interchangeably was already spelled out.

¹⁷ This dichotomization exactly fits into what Mahmood Mamdani (2002) termed as 'bad and good Muslims' in the aftermath of September 11 attack where Western politicians and some writers focused on moderate Muslims as 'good' where as extremists as 'bad'.

¹⁸ The term Wahhabi is derived from its founder Muhammad Abdul Wahhab (1703-1792) with a mission of 'religious obligation to spread the call (*da'awa*) [for people] for the restoration of pure monotheistic worship [profess in Allah's Unity]' (Commins, 2006: xi). Despite the labeling of this group with wahhabism, the faithful prefer to call themselves '*salafi*' – one who follows the ways of the first Muslim ancestors (*salaf*)" (ibid).

this group affiliated with the international terrorist group of al-Qaeda. It is understandable from his speech that the Sufi-oriented Islam is favored vis-à-vis the Salafis by the government. In other words, his government showed inclination towards ‘endorsing Sufi-Islam as tolerant and acceptable in contrast to the Salafis whom he considers as intolerant and unacceptable’. It is also explicitly said that, the Ahbash (officially known as the Association of Islamic Charitable Projects – AICP)¹⁹ religious teaching, which is considered as one of the causes for the 2011 Muslim protests, is part and parcel of ‘*nebaru islimna*’ (indigenous Islam, i.e., Sufi) in Ethiopia. He stated that, “Ahbash is not as such a foreign religion but propagated originally in Ethiopia by an Ethiopian religious leader named Sheikh Abdullah al-Harari”. For him, “it is surprising when the allegation that the government brought Ahbash from outside is coming from the Salafis. Aren’t they themselves newcomers?” He also charged the Salafis with terrorism, propagators of a theocratic state and anti-peaceful coexistence between Muslims and Christians taking the geopolitical situations in context when he said;

It is common knowledge that most of the members of al-Qaeda terrorist group [at the global level] are Salafis. In fact, this does not mean that ‘all Salafis are al-Qaeda.’ Saying this is wrong and it is also a crime. But all al-Qaedas are Salafis. For the first time, an al-Qaeda cell is discovered in Ethiopia – mainly in Bale and Arsi [Oromia National Regional State]. All the members of this cell were Salafis. This [again] does not mean that all Salafis in Ethiopia are al-Qaedas; most of them are not. [They claim that], ‘the majority of the Ethiopian people are Muslim; the religious figure presented by the Central Statistics Agency (CSA) is false. ‘Since the majority of the Ethiopian people are Muslim’, these extremist groups are propagating for establishing an Islamic government in the country. Some Salafis are even condemning the peaceful coexistence between the Muslims and Christians. We have witnessed some signs [in other countries] what the Salafi extremists would do, [if they got the opportunity to hold power] (ibid).

In his speech, the Prime Minister spotlighted that, “unless the government takes timely and appropriate measure over these extremist groups, the danger is clear and imminent from what they are doing in Yemen, Libya, Syria and Tunisia.” Some of these extremist groups are creating trouble in such countries and are trying to bring ‘the Arab Spring’

¹⁹ As shall be discussed later, al-Ahbash (Ahbash) was one source of controversy between the Muslim community and the government where the former accused of the government for importing religious leaders affiliated with Ahbash from Lebanon to propagate its doctrines.

home in collaboration with ‘domestic bankrupt politicians’. As the Prime Minister warned, the government has to take an appropriate measure against this ‘dangerous group’ at its early stage in order Ethiopia not to be Libya, Egypt, Syria, Yemen or Tunisia. Though not supported with empirical evidences what actually they did, he mentioned the al-Nur Party in Egypt (organized and led by the Salafis), saying that “we know what this party is doing in Egypt.”

He, representing the government, believes that the Salafi group in Ethiopia is recruiting young Muslim followers who are unaware of their rights and duties enshrined in the Constitution and its extremist ideology. If the majority of Muslims joined this group are properly addressed – by teaching their constitutional rights and duties and inform them the principle of separation of government and religion, they can be easily returned to the ‘right path’. But, if the government fails to do this, the disaster to the country’s peace and stability will be so immense. He stressed that, the government has not only the right but the duty to teach citizens about the Constitution in every opportunity available, including in the religious trainings organized by religious institutions. What the government did so far, as the Prime Minister said, is teaching about the Constitution for ordinary citizens and religious leaders alike.

Since July 2011, there were growing tensions and open conflicts between the government and some members of the Muslim community on issues related to secularism in the form of allegation and counter-allegation for interference in each other’s internal affairs. The government identifies the ‘radical’ Salafis/Wahhabis, the Saudi-inspired transnational Islamic reform movement, and accuses them of promoting ‘political Islam and establishing an Islamic state based on *shari’a* rule’²⁰ as their ultimate goal. On their part, members of the Muslim community, which includes a wide variety of Islamic orientations, accuses the government for violating the constitutionally enshrined principle of secularism (art 11). In a more generic term, they presented three grand showcases for corroborating their claims, which can be broadly categorized as ‘institutional and spiritual

²⁰ *Shari’a* is an Islamic law based on the Quran and Hadith (the teachings of Prophet Mohammed) covering all spectrum of life (religious, political, economic, social, legal, etc.) prescribing what is prohibited (*haram*) and lawful (*halal*).

interference'. *Yemuslimoch Meftihie Afelalagi Komitiye* – an Amharic term literally means, Muslims' Solution Finding Committee, elected and organized by the Muslim protesters through 'direct democracy'²¹ (see Appendix D), identified and presented several points that attest government's undue interference in purely religious matters. The interference involves both institutional and spiritual aspects. Under the first category, they cite the influence exerted by government security forces over the Ethiopian Islamic Affairs Supreme Council (EIASC – hereafter, Mejlis) leaders and making them mere 'puppets of government' than elected representatives of the Muslim community. As they claim, several government 'security forces and political cadres' inside the Mejlis campus firmly control and monitor the activities of this organ. These so-called security forces even participate in the decision-making process of Mejlis and act as watchdogs for the government, even too powerful for Mejlis to push them back from the stage. Moreover, the government 'tolerates' the corrupt practices of the Mejlis leadership and supports their efforts of mass indoctrination of Muslims with the teachings of Ahbash, whom many Muslim authorities²² consider as heresy and deviant of the true teachings of Islam (Ubah, 2012). Under the second category (spiritual interference), Mejlis leadership, in collaboration with the Ministry of Federal Affairs (hereafter, MoFA), invited 15 'Islamic scholars' including the administrative vice president of Ahbash Dr. Samir al-Qadi in 2011 from Lebanon to 'indoctrinate' Ethiopian *imams*, *ulemas* and religious leaders with Ahbash ideology. One of the top officials from MoFA stressed the need to inculcate Ahbash's religious ideology in the hearts and minds of Ethiopian Muslims. The chief minister of MoFA, Dr. Shiferaw Teklemariam delivered a closing speech appreciating the teachings of Dr. Samir at the conference held in Ghion Hotel. He even went to the extent

²¹ Interview made by the researcher with one of the students of the Awolia Missionary College on 19 May 2014. He was one of the fourth year students in the Arabic Language Department of the College but expelled by Mejlis at the final year of his graduation. According to him, the large crowd of Muslims of Addis Ababa and those who came from its surroundings elected the members for the Muslims' Solution Finding Committee through direct democracy where all the participants submitted a piece of paper with their questions to be presented for the concerned government bodies and Mejlis leadership writing their names and putting their signatures to the organizers of the protest. Accordingly, 20 committee members were elected that day but later reduced to 17 because of personal problems of the elected ones.

²² For detail information, see for example (Kabha and Haggai Erlich, 2012: 527-528). "In July 1986, Saudi Arabia's chief Islamic jurist, Shaykh Abd al-Aziz bin Abdalla bin Baz (d. 1999), issued a fatwa declaring that: "The association of al-Ahbash is a misguided group which is outside ahl al-sunna wa-l-jama'a ... No one should rely on their fatwas because they are deviators and their word contradicts the Qur'an and the Sunna. No one should trust them and all should beware of them and of any group identified with them".

of suggesting for the continuation of this kind of training for Ethiopian Muslims in the future. “This is just the beginning. We [speaking in governmental capacity] will organize and proceed with similar trainings in different parts of the regional states in the future”.²³ On top of this, audio evidences and pronouncements²⁴ by the Minister suggest that MoFA officially invited and arranged accommodation for Ahbash leaders to come and stay in Ethiopia though the government categorically denied it as an unfounded accusation (Addis Raey Magazine, 2012: 21). The Ministry, together with Mejlis, organized country-wide special training called ‘religious tolerance training’ for the *ulemas* and *imams*. The training was arranged and justified to ‘create awareness for believers about religious tolerance and the constitutional rights and duties’. However, participation in the training was involuntary and often accompanied with official sanctions in the form of sacking from one’s job or position²⁵. In a way that confirms government’s direct involvement in the invitation of Ahbash scholars from Lebanon, Dr. Samir al-Qadi – a second man to Ahbash – delivered a speech at Ghion Hotel saying that;

When I was invited by Dr. Shiferaw, I took sometime to check the situation in Ethiopia before meeting with you [addressing to the participants of the conference]²⁶. I believe that, the Ethiopian government – Prime Minister Meles Zenawi, Dr. Shiferaw – the Minister of Ministry of Federal Affairs – and other ministers understand the issues very well and they are taking the proper and wise step [in inviting us] to preserve the peace and stability of the country; I thank all of them for their practical measures and hospitality.²⁷

According to the Muslims’ Solution Finding Committee, the Addis Ababa City Government Justice and Security Bureau Head – Tsegaye Haile Mariam delivered a speech in the special training held at Ethio-China Technical and Vocational College for Muslim religious leaders and *imams*. He addresses about the impossibility of reconciling

²³ <http://www.youtube.com/watch?v=-aSvQFmMuc>, Conspiracy of Ethiopian Government and the Ahbash Cult

²⁴ <http://www.youtube.com/watch?v=-aSvQFmMuc>, Conspiracy of Ethiopian Government and the Ahbash Cult

²⁵ See, for example, Yuunus (2013: 36-37) “Ahbashism, Government and Ethiopian Muslim Protests”, in *the Civil Rights Movement of Ethiopian Muslims: Context, Defining Features and Implications* (Selected Articles), LEBMA vzw, Belgium. “Those who refused to participate in the trainings would be removed from the leadership of the district and zonal Mejlis and from being *imams* of the mosque”.

²⁶ The participants of the conference includes representatives from other faiths including the Orthodox, Catholic and Protestant Churches

²⁷ <http://www.youtube.com/watch?v=-aSvQFmMuc>, Conspiracy of Ethiopian Government and the Ahbash Cult

differences between Wahhabi and Ahbasha (Sufi) teachings referring to the irreconcilability of differences between EPRDF government and the opposition party – Coalition for Unity and Democracy (CUD)²⁸ as an example (ibid). He exclaimed that, “Wahhabis do not [believe in Muslim-Christian peaceful coexistence], recognize the principle of religious equality and freedom. They are working for destabilizing the country by disrupting the secular constitutional order” (ibid).

Muslim activists openly opposed and presented their complaints to various levels of government offices stating that, ‘the government does not have the right and authority to invite a religious group from abroad or home to teach its doctrine in the country and this act is a clear violation of the Constitution’ (*Ewunetu Yih New*, 2012). It is purely a religious matter, they said. The Committee pointed out that, “the government is out of step to fill the Mejlis leadership with individuals from Ahbasha sect” (ibid). In their perspective, this act not only violates the constitutional rights of the Muslims to elect their own spiritual leaders but also denies them the right to have their own independent institution. They claim that, the training arranged and financed by MoFA for Muslim clerics in the country under the pretext of ‘awareness creation’ is nothing more than mass indoctrination of Ethiopian Muslims with Ahbasha sect and government interference in religious affairs promoting one religious sect over the other. The Muslims’ allegation of the government for meddling in their religious affairs is not without buttress from international religious freedom reports and research works. The U.S. Commission on International Religious Freedom Report cited in Alemayehu (2013: 3), for example, states that;

Since July 2011, the Ethiopian government has sought to impose the al-Ahbasha Islamic sect on the country’s Muslim community, a community that traditionally has practiced the Sufi form of Islam. The government has also manipulated the election of the new leaders of the Ethiopian Islamic Affairs Supreme Council (EIASC). Previously viewed as an independent body, EIASC is now viewed as a government-controlled institution. [The actions of the government] signif[ies] a

²⁸ The CUD was one of the strongest opposition political party established in November 2004 and won all of the parliamentary seats for Addis Ababa City Administration (23 seats) and large number of seats across different regions in the 2005 election but boycotted the seats following the controversy in the post election period (Arriola, 2008: 6). Most of its leaders were later imprisoned with charges of treason, terrorism and planning for taking political power through unconstitutional means.

troubling escalation in [its] attempt to control Ethiopia's Muslim community and provide further evidence of a decline in religious freedom in Ethiopia.

The government, on the other hand, not only emphatically rejects all the accusations but underlined the undue influence of 'the Salafi extremists' over the government to suppress the constitutional rights of the Ahabash group to peacefully propagate and disseminate their religion. As the late Prime Minister Meles Zenawi noted,

This fundamentalist group [the Salafi/Wahhabi group] is asking the government to ban Ahabash as a religious organization and doctrine and prevent its members from exercising their religious rights of proselytization. But the government could not do that since the Ahabash members are enjoying their constitutional rights and acting within the constitutional bounds. Their [Salafis'] demand is unconstitutional and totally unacceptable (Meles Zenawi's speech to FDRE Parliament, 17 April 2012 – Author's translation).

With regard to the training provided for Muslim religious leaders, *ulemas* and *imams*, the government stated that, the major role of the government was "creating awareness about constitutional rights and duties for the Muslim community". It has nothing to do with religious doctrines but only constitutional matters. This is one of the constitutional obligations of the government and nothing is wrong in doing so²⁹. The sources of the problem, according to the government, all come from the Salafi Muslim extremists.

The blame-game continued for months, even years. Both parties never come to consensus on the nature and causes of the problem and the way out. Hence, the controversy continued that culminated in July 2012 with the government's measure of cracking down of the demonstrations that took place at Awolia and the Grand Anwar Mosque in Addis Ababa and imprisoning the top leaders of the movement charging them with acts of terrorism and conspiracy to establish an Islamic government.

²⁹ Art 9 sub art 2 of the Constitution mandates state organs not only to be loyal to the Constitution but also duty bound to follow-up or ensure its observance by other non-state actors and individual citizens.

Figure 2: Muslim Demonstrators at the Grand Anwar Mosque (2012)



Source: Photo taken from: http://muslimvillage.com/?attachment_id=50944

Figure 3: Muslim Protesters at Awolia College (March 2012)



Source: Photo taken from: http://muslimvillage.com/?attachment_id=50944

Against the backdrop of the rising tensions and open conflicts between the government and the Muslim community, this study investigates Ethiopia's secular order and its lived realities. It assesses the levels of government intervention, if any, in religious affairs and religious communities' normative and practical commitment to secularism in reference to the principles of secularism and freedom of religion enshrined in the 1995 FDRE Constitution.

2. Problem Statement

The continuing stalemate between the Muslim community and the Ethiopian government on the problems related to Mejlis leadership and alleged government interference in religious affairs deserves serious attention for academic research. The Muslims' allegation of the government for promoting the 'Ahbash sect' at the expense of others and the counter-accusation of the government of some religious groups (particularly of the Salafi/Wahhabi) involving in unconstitutional acts for establishing an Islamic state, stems mainly from a mutual distrust about the way the concepts of secularism, constitutionalism and religious freedom are (mis)understood by both actors. While the government justifies its actions for defending the Constitution in general and its provisions for secularism and freedom of religion in particular, Muslim activists invoke the same principle in which they are struggling for the respect of their religious freedom enshrined in the Constitution in conformity with the secular identity of the state. Put differently, "the reconciliation of constitutionalism and religion through secularism is becoming increasingly difficult and, at times, harshly contested" (Alicino, 2012: 305). To be more specific, while the Muslims, through their representatives – the Muslims' Solution Finding Committee, framed their demands purely in religious and social but not political terms³⁰, the government insistently alleges them of 'playing politics in religious cards' with an ultimate goal of establishing an Islamic government.

The 1995 FDRE Constitution boldly proclaims strict, if not absolute, separation between state and religion (art 11). It declares, "state and religion are separate (sub art 1); there shall be no state religion (sub art 2) and state shall not interfere in religious matters and religion shall not interfere in state affairs" (sub art 3). By doing so, it envisions absolute separation between state and religion, where the demarcation is crystal clear – one should not interfere in the exclusive jurisdiction of the other. Moreover, by declaring the absence of state religion, it ensues that government should abstain from promoting or demoting a certain religion or religious sect and its practices. Freedom of religion and belief

³⁰ Politics in this dissertation is used to mean 'occupying state power'. All other demands of the Muslims' Solution Finding Committee, such as demanding institutional freedom and the right to association obviously falls within the boundaries of politics but are part and parcel of the rules of the game in the constitutional freedom of religion and should not be included in the 'subversive role of religion in politics'.

inscribed under art 27 are also the most salient provisions of the Constitution that strengthen the secular identity of the Ethiopian state. It guaranteed the freedom to hold or adopt a religion of one's choice and manifest it either individually or in community in worship, observance, practice and teaching without coercion from the government over citizens to adopt or hold a certain religion. It further ensures believers the freedom to establish institutions of religious education and administration in order to propagate and organize their religion. All these freedoms are conferred with fewer restrictions from the government for certain legitimate purposes of the state.

Despite the above mentioned clear and plain provisions for the institutional/functional separation of state and religion, and freedom of religion, there are complaints from both parties that one is crossing the borderline of the other and the promises set in the Constitution are not properly respected and implemented. The accusation from the government is channeled through the state media and various policy and strategy documents. The Muslim communities, on the other hand, express their claims and complaints through their representatives, social media and persistent weekly peaceful protest after the *juma'a salat* (Friday prayer), mainly mosque-based, in Addis Ababa and other major cities.

Muslim activists (both the Salafi and Sufi-oriented Muslims)³¹ claim that, the government is nearer to total control of the Ethiopian Islamic Affairs Supreme Council (Mejlis) and 'openly' promoting the Ahbash religious group, at the exclusion or even demonization of the so-called Salafi Muslims. As they claim, the government is doing this in complete disregard to the basic principles of the Constitution and the ideals of secularism that dictates the government to refrain from intervening in the internal affairs of religious institutions and the freedom of believers to hold or adopt their own religion or beliefs (art 11 and 27). As a strong partner in the fight against the so-called global war on terrorism, the government is also exerting pressure on some religious organizations, particularly on

³¹ In fact, as shall be seen later, there are some divergence between these two groups on the means to be used for the realization of the religious freedoms enshrined in the constitution. While the former mostly rely on protest and pressing the government for more concession, the latter insists on dialogue and diplomacy than protest.

the Muslims, through the terror narratives in the state media and other social network outlets accusing them of involving in terrorist activities and working for a theocratic government. Plenty of alarmist documentary films revolving around Islamic extremists have been aired so far. The government reduced almost all religious-related tensions and conflicts to the unconstitutional activities of the Salafi/Wahhabi extremists in the Muslim community. Accordingly, it has nothing to do with government's policies and strategies. The government always claims that, it generally respected freedom of religion and fully complied with the ideals of secularism both in law and practice.

Accusation and counter-accusation of one another invoking the same principle: "working for the respect of the basic ideals of secularism and freedom of religion as enshrined in the Constitution" is the everyday language of both actors. Put simply, the claims and counter-claims of both actors are framed within the framework of the same Constitution and the same principle of secularism. This study, therefore, examines the nature, causes and dynamics of these contestations in line with the basic principle of secularism as enshrined in the Constitution based on the analysis of the actors' perspectives, and taking the geopolitical situations and the global war on terrorism into context. The study also takes into consideration of Ethiopia's power positions in the fight against terrorism and its strategic importance in which it is regarded as an anchor state in the troubled region of the Horn of Africa, and the growing religious revivalism both in the form of politics and religious piety.

Generally, this study seeks to answer the following major questions:

- How is secularism understood and what are the terms of contestation between the two parties; all framed in the name of defending the constitutionally enshrined secularism?
- What are the socio-political contexts within which the three outstanding questions raised by Muslims (the Mejlis leadership issue, the prohibition of religious symbols and congregational prayer, and the invitation and promotion of Ahabash religious sect) are situated? How far have the historically conditioned structures of inequality in Christian-Muslim relations acted out in the debate?

- Is there religious fundamentalism in Ethiopia? If so, what are the evidences for that? Where does the government's own religious policy and its implementation fit into the process of radicalization?
- Do the global war on terrorism and the geopolitical situations impacted on the contestations between Muslims and the government? If so, in what regards?

3. Objectives of the Study

3.1 General Objective

The overall objective of this study is to assess the nature, causes and dynamics of contemporary Muslim contests over issues related to secularism and freedom of religion against perceived government interference in religious matters as it acts out in various domains of social life. The issue is examined in relation to the normative principle of secularism and the guarantee to religious freedom as enshrined in the 1995 FDRE Constitution.

3.2 Specific Objectives

The study addresses the following specific objectives:

- It assesses aspects of religious (in)equality in Ethiopia both past and present as claimed by Muslim activists and presented by various scholars
- It examines the autonomy of Mejlis leadership vis-à-vis government control
- It investigates the status of religious freedom in reference to the public manifestation of religion
- It examines the plausibility of activists' claims, demands of Muslim protesters and government responses
- It investigates the causes of the contestation from the actors' perspectives
- It assesses the level of government intervention in religious affairs and vice versa, if any
- It assesses the role of the government over the Ahbash issue and the plausibility of activists' allegation of government for installing this sect in Ethiopia

4. Significance of the Study

Islam in Ethiopia is understudied (Abbink, 1998) and some studies also misrepresented the general reality and there are hot debates in academia, political, religious and popular realms about Ethiopia's religious policy of the past and the present. Bruce B. Lawrence (n.d: 29) rightly pointed out that, "local-based knowledge about indigenous Ethiopian Muslims of their recent history is minimal." Surprisingly, 'it is foreign scholars' such as "Spencer Trimingham, Donald Levine, and Haggai Erlich who are most often quoted in illustrating the nature of Ethiopian [Muslims'] collective experience" (ibid). "Knowledge that indigenous Ethiopian Muslims have produced about their own past, distant and present, is minimal" (ibid) that urges Ethiopian scholars to engage with the issue assertively.

Investigating the recent mobilization of Muslims in Ethiopia against perceived government interference in religious affairs and the reconstruction of their past history on a more balanced manner necessitates timely intervention for domestic scholars. Doing this will encourage other scholars, both domestic and foreign, to delve into the issue in detail in the future. Without understating the numerically few but seminal scholarly works on Islam and Ethiopian Muslims, such as the works of the late Professor Hussein Ahmed, Dereje Feyissa, Terje Ostebo and Jon Abbink, this research serves as an eye-opening for further exploration of the subject. Moreover, until most recent years – particularly after the 2008 Directive of MOE that bans niqab and congregational pray in educational institutions and the 2011 Muslim mobilizations – the issue of secularism was less concern for academic research in Ethiopia. Almost all previous works' focus was either on the history of religions or their relationships instead of investigating state-religion relations. Hence, in this regard, this study hopefully fills this gap.

Apart from its relevance for filling the knowledge gap on state-religion relations in Ethiopia, it tries to connect the 'Ethiopian issue' with the regional and global contexts. In more recent years, the threat of 'religious extremism manifested in political terms' is high on the global agenda and state policies. The 9/11 attack over the US interests by Al-Qaeda added the impetus for the fight against terrorism where Ethiopia is a forefront

partner in the ‘alliance of the willing nations’. This has an implication for homegrown protests of religious rights movements and government responses for such demands. Having prior understanding about religious movements and the global trends will help the government in dealing with the problems on evidence-based knowledge. In this aspect also, the study will forward the ways out to religious extremism after thoroughly analyzing the causes of the problem.

5. Methodology

In this study, I am interested in the public debates and contests over issues of religious freedom and secularism. For doing this, I used a form of discourse analysis³² to examine a wide range of government policy documents, laws, regulations, directives, political debates, media documents, activist letters, internet sources and the views and opinions of different actors in the conflict. I primarily selected qualitative methods of data collection and analysis as it provides not only the opportunity to include the views and understandings of various actors but allows for the inculcation of the voices of the marginalized. It is not about the voices of the majority or the average as the quantitative research methodology usually employ but concerns on all perspectives including the “marginalized, those ignored by the society, those in the periphery and so on” (Yitayew and Wondemagegn, 2013: 116-117). In doing so, multi-method data collection techniques are employed. Both primary (data collected during the field work from 2012 to 2015) and secondary sources are consulted. In other words, it used both a top-down approach in the form of textual analysis of different sources and a bottom-up method by inculcating the views of various actors in the conflict. For the former, government documents such as the constitution, proclamations, regulations, directives, policy guidelines, strategic documents, incumbent party magazines, international laws ratified by the state and other scholarly literatures are analyzed. For the latter, various letters of the Muslim activists, interviews and discussions with both the framers of the demands of the Muslim community and ordinary citizens are included.

³² This is a form of analysis which focuses on discourses in the political or social forum that includes debates, speeches, hearings etc. For more information on this issue, see for example, Johnson, David W. and Johnson Roger (2000) Civil Political Discourse in a Democracy: The Contribution of Psychology. *Peace and Conflict: Journal of Peace Psychology*, 6(4), 291-317.

The study also extensively consulted and analyzed various documents produced by the actors from both sides. There are a number of activist documents and letters on which this study draws heavily on the discussion of the grievances and claims of the Muslim community. Among others, *Ewunetu Yih New* – literally means – *This is the Truth* (2012) and *Yemuslimoch Guday* (Muslims’ Affairs) (2012) are the major ones referred and cited extensively throughout the study. The first document – *Ewunetu Yih New* – is mainly a collection of the different letters prepared by the Muslims’ Solution Finding Committee and submitted to various levels of government offices starting from 2011 to 2012. This document not only compiled the letters but also tries to show the ups and downs of the Committee members went through in delivering the demands of the Muslim community to the concerned authorities. It also incorporates the historical positions of Muslims vis-à-vis the Christian community and the manner and interaction with the Ethiopian state. Hence, I found it a very useful document that highlights the questions of the Muslim community and the responses of the government to be used in exhaustion. The second document – *Yemuslimoch Guday* (Muslims’ Affairs) – is also a collection of works of various Muslim activists that shows the political, economic, social and spiritual affairs of Ethiopian Muslims both in historical and contemporary contexts. It extensively discusses about the problems within the Mejlis leadership and the manner in which the Muslim community are being treated by the Council and reveals some of its corrupt practices. It also includes the historical alienations of Muslims from the Ethiopian education system and its implications on the current controversies over the prohibition of Islamic symbols and practices (such as niqab and congregational worship) between members of the Muslim community and the government. The Ahabash issue is also part of the collection and I found necessary to use this document to understand the views of the Muslim activists on the contemporary grievances and claims.

From the government side, various policy documents, regulations, directives and the incumbent government party magazines are incorporated. Apart from the 1995 FDRE Constitution and the 2008 Directive of Ministry of Education (MOE), the numerous

volumes of *Addis Raey Magazine* (New Vision Magazine)³³ are extensively cited and referred. The parliamentary debates and discussions related to the problems of religious fundamentalism in general and the Muslims' demands in particular are also used now and then. The April 2012 parliamentary speech of the late Prime Minister Meles Zenawi on the Salafi Muslims' and their 'unconstitutional demands' – and the discussions on the Ahbash case has been used in detail and interpreted in line with the claims of Muslims. On top of this, *Yehaimanot Akrarinetinina Yegosa Gichitochin Yeminfetabet Agerawi Eqid Meneshawechina Aqitachawech* – literally, A National Plan, Bases and Directions to Solve Religious Extremism and Ethnic Conflicts (2011), prepared by the Federal Government has been used extensively. This document shows the level of the threats of religious fundamentalism to the national security and peaceful religious coexistence in the country. The document shades light on religious fundamentalism in Ethiopia by showing the kinds of signs of extremism within the two major religions (Islam and Christianity). After explaining the realities of religious extremism on the ground, it incorporates government strategies and mechanisms to tackle the problem. Hence, I found it useful to extensively refer and to be included in my discussion to have a clear understanding of the government's perspective towards the grievances and claims of members of the Muslim community.

In addition, different audio and video recordings that points out some of the activities of the government in relation to the 'Ahabash issue' are used in this dissertation. Conspiracy of the Ethiopian Government and the Ahbash Cult against Ethiopian Muslims (Part I and II, available at: http://www.youtube.com/watch?v=-_aSvQFmMuc) prepared and compiled by Ethiopian Muslim Diaspora has been consulted. It incorporates the trainings provided by the Ahbash group in different parts of the country; from Oromia to Gambella, Harari to Amhara, and Dire Dawa to Addis Ababa. It includes the speeches of

³³ Addis Raey Magazine is the ruling party (EPRDF) magazine which used to be published in Amharic language every two months focusing on economic, political, social, international and organizational affairs of the ruling party. It deals with different aspects of the country's concerns including religious matters and shows the government's perspectives on dealing with religious extremism and the global realities of the threats of terrorism. In doing so, it informs readers about the incumbent government strategies in dealing with such problems. The controversies related to the Muslim demands and the government strategies are extensively covered in its various volumes and hence the author used these documents in this dissertation to show the government's positions and understandings of the problem.

different government officials in the trainings particularly of those officials from the Ministry of Federal Affairs and Addis Ababa City Administration. The speeches from Dr. Samir al-Qadi, the vice president of Ahabash from Lebanon and Dr. Shiferaw Teklemariam (Minister of MoFA) have been extensively covered in the video. The speech of Dr. Shiferaw is particularly important in that it covers both the conviction of the government for respecting the constitutional provision of separation of state and religion, and at the same time working for the promotion of religious tolerance in Ethiopia through moderate religious groups such as Ahabash. Dr. Samir's speech is also important as it hints the role of the government in inviting his organization from Lebanon and arranging suitable conditions for the 'religious moderation training' across the country. I found these video and audio recordings extremely useful to be consulted in my work taking the different perspectives into account. The sites are now blocked in Ethiopia but the full versions of all such trainings are available in the hands of the researcher.

Other 'neutral sources' such as releases of WIKILEAKS about the role of the US Embassy in Addis Ababa for countering the influence of Wahhabism in Ethiopia are also consulted in this work. It indicates that the US Embassy (government) is in close follow-up of the negative influence of Wahhabism over Ethiopian traditional Sufi Muslims and working in close cooperation with Mejlis and the Ethiopian government to curb religious extremism. The three confidential cables (https://wikileaks.org/plusd/cables/09ADDISABABA1672_a.html, https://wikileaks.org/plusd/cables/09ADDISABABA1674_a.html & https://wikileaks.org/plusd/cables/09ADDISABABA1675_a.html) deal extensively about the threats of Wahhabism and shows the US Government's strategy to counter its influence in East Africa in general and in Ethiopia in particular. These documents are of useful to be included in my study as they reveal the role of the different actors in the promotion of Ahabash and demotion of Wahhabism in the region.

From the field, the techniques of data collection include; interviews, focus group discussions (FGD) and personal observations. Interviews of both semi-structured and unstructured were employed selecting key informants from religious leaders, *ulemas*, mosque *imams*, Mejlis leaders, academicians, politicians and government officials, and ordinary citizens who have direct or indirect knowledge with the issue at hand. The key informants were selected not for their representative purpose but for their knowledge of

the issue. Nonetheless, I tried to make the informants inclusive of all sectors of the society (elders, the youth, females, religious sects, etc.). Before conducting the actual process of interviewing, I informed them about the purpose of the interview and its voluntary nature in which case they can terminate it at any stage. I also tried to crosscheck the information provided by one informant by taking the same issue for others and asking the same question differently. Notes and transcripts of interviews constitute the major primary source of this research. About 105 people were formally interviewed. Formal interviews were frequently supplemented by informal and unrecorded conversations to give freedom for the interviewees to deal on issues that surrounded the major debates. Interviews were recorded by note-taking with hand followed by transcribing. In some vague instances, transcripts were returned back to interviewees to be verified. In view of the political sensitivity of many of the issues under discussion, willingness to be recorded and named was the major problem during the fieldwork. In tackling the problem, I adopted a policy of not naming those interviewees who won't be volunteers to be named. For this reason, most of the names and identifying information that could suggest one's identity such as the location of interviews, position, educational background, job status of informants, etc. have been removed.

What actually I encountered in my field research was building mutual trust for conducting an interview. In both instances, i.e., interviewing activists and government bodies, they consider me as having my own 'political or religious agenda' to manipulate the interview and I faced 'restricted openness' among the informants. Most of them were unhappy of my note-taking and be recorded using electronic devices such as tape-recorder. It took me plenty of time in developing trust with my informants. I was mostly forced to retreat back from my policy of recording the information to properly capture their beliefs and opinions. I was also obliged to go with my friends who are also the friends of my informants at least to develop confidence on the part of my informants that the research is purely for academic purpose with no political or other agenda that could expose my informants to any harm. I always swear to the informants that their names could not be mentioned in the research work without their informed consent for that effect. Among the many encounters I faced, it is better to mention one as an illustration

where some of my informants were very cautious of the harms they could sustain if their names are revealed and the way they could be compensated or wrongs to be rectified, if done. One informant requested me to have a written contract not to reveal his name and the purpose in which the information is intended to achieve. To be more formal, he demanded me not only the terms of agreement but also the possible sanctions together with the methods of rectifications in case when the contract is breached. He mentioned the experiences of other academic institutions outside of Ethiopia but later we agreed to consent orally knowing that this is not a common practice in Ethiopia (Addis Ababa University). However, I emphasized that respecting the ethical principles of research is preferred to revealing the informants identity that could endanger his/her interests for the sake of enhancing the validity and reliability of my study.

The good thing for my study is that, it was conducted in an atmosphere of live happenings where Muslims protest almost every week after *juma'a salat* (Friday prayer) until the imprisonment of the members of the Muslims Solution Finding Committee in July 2012 and the court cases of the imprisoned Muslim protest leaders were entertained. I attended most of these cases and interviewed many young Muslim supporters who were happy of the interview and be part of the discussion. When I was attending such court cases at Kality Federal Court, I personally observed how young Muslim supporters wait for long hours usually males in two long rows and females in one row until the coming of the defendants to the court. People usually come early in the morning at 7 am for the 9 am or some times 10 am court trial and wait keeping their rows standing in the cold air in the morning and sunny weather during the afternoon session with patience. The interesting thing is that, they are served with bottled water, cakes, *kollo*, cookies and bread. Every person who came to attend the public trial of the accused criminals would be served with such services without distinction to religion or any other form of differences. These products are given by volunteer wealthy merchants of the city and are distributed for free. More importantly, most of the individuals who participate in serving the crowd were Christians as their religion was clearly observed from their wearing of *mateb* with cross around their neck. The Muslim-Christian solidarity was clearly observable. More than this, since the place of the trial is found at the outskirts of Addis

Ababa city, those attendants have to wait taxis and other public transport to return back their home. The time of their return coincides with the time where most civil servants accomplish their daily work for returning home. Therefore, inevitably, shortage of transport is expected. In most of the circumstances I observed, private cars were picking-up those court-attendants and within a short period of time, they managed to reach home. This was confirmed by most informants during our meetings in the next day. Most people are aware of the Muslims attending the trial and those drivers coming through the Kality road were volunteers in helping those needy individuals for transport service.

After long stay outside, the observers of the trial were to be allowed to enter into the hall after their entire body is searched exhaustively by the police at the main gate. Men and women police were usually assigned at the gate for searching the bodies of males and females respectively. Any personal property including piece of paper, pen, camera, mobile phone, or any other material was prohibited to enter into the hall. A private house nearby the court was serving to keep the properties of individuals who came to attend the trial without any fee or charge. It was usually expected of the government to serve this purpose but I didn't see any place assigned by the government. Based on the instruction from a police officer, the crowd were expected to watch the trial in a silent mood. He warns them for taking punitive measures if caught disturbing. In spite of this, the crowd always waves their hands while the Muslim Solution Finding Committee arrives at the courtroom and when they leave the stage at the end of the trial.

Apart from attending the trial ceremony, I engaged in interviews with different individuals after the trial. They were mostly of volunteers in providing information except their hesitation that their names be exposed fearing reprisal from government forces. Considering the practical reality and for acquiring clear information, interviews were conducted in Amharic and translated into English afterwards. Some of my informants told me that 'they have visited the imprisoned Committee members' in the detention centers, which are found few kilo meters away from the court where their charge is entertained. Based on their information, the Committee members are found in good conditions – both physically and morally. According to them, this is not because

they were free from government forces' 'torture and inhuman treatment' but because of their 'just cause' where they believe that it is an act of bravery to defend the rights of Muslims in this world and also the way to inherit the world of hereafter since it is part of fulfilling their religious duty for the 'cause of Islam.' As my informants³⁴ said, the Committee members categorically rejected the charge as false allegation and determined to sacrifice their precious lives for the freedom of Muslims. In addition to face-to-face interviews, focus group discussions and personal observations were other major methods of data collection during the fieldwork. In this case, I focused on variations and internal debates between and among different actors over the issues.

6. Review of Related Literatures

6.1 The Concept of Secularism

It is argued that, some terms are better explained than to be defined (Schubert, 1996). This argument is mainly emanated from the problems associated with providing precise and consensual definitions for certain terms. Secularism certainly falls in these categories of terms as it appears in varieties of forms across time and space. Its meaning is more illusive and hence more explained than defined.

Before articulating its definition, it is better to forward some of the contestations among scholars on the term and its purposes. Having these debates on the issue will help readers to grasp the fact that there is no one single definition of the term to the satisfaction of all and uniform application across the world. It rather depends on the prevailing social, cultural and religious conditions of a given society and time variables. Put differently, secularism is a "terrain of contestation rather than a fixed ideological or behavioral understanding across time and space" (Yavuz, 2003: 267 quoted in Hurd, 2008: 99). Hurd also argues that, secularism is a "contingent and contested social construction". It could be socially constructed to solve a particular problem in a given period but not a fixed ideology across time applicable similarly across the board. Cinar (2005: 173, quoted in

³⁴ Interview with Muslim attendants of the Court case held on 10 June 2014 by the researcher in Addis Ababa

Hurd, 2008: 99), on the other hand argues that, “secularism is neither natural nor a fact of public life, but indeed another forged and partial principle that is quite negotiable and contestable.” In short, there is no hard and fast rule to establish a certain universal principle of secularism but largely depends on certain prevailing circumstances and is possible to observe a variety of its species in the world. The fact that some varieties of secularism emerged in the West (Christianity) does not imply the West have a monopoly on the field. There are other varieties of secularism in the Muslim world (example, Kemalism of Turkey as shall be discussed later), which incorporates Islamic values and Indian secularism which tries to accommodate religious interests than expelling it from public places.

In today’s modern democratic world, the principle of secularism is introduced to achieve any of these three purposes: controlling religion from public spaces (freedom for the state/government), protecting religion from government interference (freedom for/of religion), or managing religious diversity (religious and non- or anti-religious views) democratically. In the first case, the purpose is to define the ‘proper place of religion’ and limit its manifestation from public places where ‘scientific and philosophical thinking’ prevails as opposed to ‘superstitious beliefs of religion’. As far as the religious actors understand their ‘right place’, there is no need of repression or tension between religion and the state actors. However, in practice, the two actors may cross their borders and came in conflict (Kuru, 2007). This in turn leads one group to dominate the other and in most cases the state with its coercive powers introduces laws and policies that restrict or expel religion from public spaces altogether. For achieving the second purpose of secularism as mentioned above, similar to the first, certain restrictions will be imposed on religious actors for the protection of the freedoms of the non-or anti-religious groups and vice versa. However, religion is not the major focus as the first did. It is only for the sake of undertaking smooth relations between the religious and anti-religious views rather than controlling religion from public spaces.

Although controlling religion from public spaces as the prime purpose of secularism is espoused in some western and non-western countries, secularism as a means of managing

religious diversity is also applied in modern democracies. Sometimes, secularism is wrongly understood to mean ‘non-religiosity’ of the society or antireligious stance of states. Secularism, however, involves religion in the sense that it guarantees religious manifestations in its proper places. In other words, the purpose of secularism is not to eliminate religion at all but to define its ‘proper place’ by guaranteeing state neutrality in religious matters (Esposito, 2010; Smith, 2008).

6.2 Secularism Defined and the Debates Appraised

Etymologically, the word secularism derives its roots from a Latin word ‘*saeculum*’, – that means “[...] both this age and this world, and combines a spatial sense and temporal sense” (Kosmin, n.d: 2). The meaning of the term, however, varies across time. Its definition during the Medieval Ages was different from its denotation in the Reformation period in the European history. During the Middle Age, secularism was denoted to mean “priests who worked out in the world of local parishes, as opposed to priests who took vows of poverty and secluded themselves in monastic communities” (ibid). During the Reformation period it took a different meaning. It was denoted to mean the takeover of the “Catholic ecclesiastical properties” for non-religious purposes. In both instances, nonetheless, secularism implies distancing from religion. Depending on different historical contexts and the ideologies of states, it later developed into varieties of forms, ranging from strict separation to cooperation.

To provide a very simplistic definition but having no clear picture of it is the western denotation of the term. The Western conception of the term denotes to mean “the separation of church and state” (Smith, 2008). Some scholars contend that, “the dominant self-understanding of western secularism is that it is a universal doctrine requiring the strict separation (exclusion) of church/religion and state for the sake of individualistically conceived moral or ethical values” (Bhargava, 2011: 3). However, as Hashemi (2010) argues, it does not make sense to define secularism simply to mean the separation of religion and state/politics, which symbolizes as if there were no any connection at all between the two institutions. This simplistic definition of separation begs a question to be assessed thoroughly. Does separation of state and religion (secularism) entail absence of

any possible connection between the two? Normatively, it implies keeping these two institutions at a distance by creating an “impermeable wall of separation” but practically it is unattainable and even undesirable. The order of the day in today’s multicultural world dictates actors to separate cultural identity (religion being taken as one component of culture) from dominating the public sphere in general and politics in particular (ibid). While some state actors prefer the accommodation of these identities in public places and allow their limited roles in politics, some others are fierce towards expelling religion not only from political arena but also from public affairs at all. These two extreme stands of states are termed in the words of Modood (2010: 4) as moderate and radical secularists respectively. Others such as Kuru (2007) and (Kosmin, n.d) call these state policies as passive and assertive, and soft and hard secularism respectively. However, watertight separation between the two as the radical, assertive and hard secularists claim is both impossible and undesirable. It is impossible because almost all the modern democratic principles – such as respect for human dignity, human rights, ethical codes etc., derive their roots from religion and hence political and social policies are inevitably informed by religion. It is undesirable because as it is observed from historical experiences by Modood (2010: 6), “[... an] organized religion is treated as a potential *public good or national resource* (not just a private benefit), which the state can in some circumstances assist to realize.” Curtailing religion at home or at the private level, as the proponents of ‘strict separation’ propose, is tantamount to loosing the benefits that it could provide for the society and the country at large. Modood (2010: 6) provides that, an organized religion with ‘limited and proper place’ at the public sphere could be helpful in different spheres of the state’s activities; it could be an input in the legislative forum, on moral and welfare issues, as a partner for the state in the provision of public services such as education, healthcare, and other social services and even share the burden of the state by conducting wedding and funeral activities at the least. Arguably, religious people may be less likely to commit crime, involve in corruption, have a marriage breakdown and hence may be preferred by states to lessen social problems through alms giving despite with some unwanted practices which the state tries to control. In these circumstances, the state may choose to have close relationship with religious organizations. However, the interaction could also entail regulations or laws to prohibit unwanted practices of

religious followers and their institutions. Put differently, the interaction could entail both negative and positive approaches towards religion.

After all, the public sphere could not be culturally, religiously or ethnically blind as it is organized and developed on the bases of the folk cultures of the society. There is interdependence between religion, which is supposed to be confined at the private level, and the public sphere that is supposed to be exclusively left for political actors and policy-makers. Modood (n.d: 16) argues that “politics and law depend to some degree on shared ethical assumptions and inevitably reflect the norms and values of the society they are part of.” The saying goes like this; ‘law is the mirror of the society’ that reflects or formalizes their cultural values, norms and interests through the actions of the legislature. No government could stand neutral of ethnicity, culture or nationality. While religious communities request for state recognition and the inclusion of their identities, the state in turn looks for the inculcation of virtues on the society. There is a kind of symbiotic relationship between the two institutions. In this aspect, Modood (n.d: 16-17) contends that; “there is a real [...] possibility that the elaboration of a strict public-private distinction may simply act to buttress the privileged position of the historically integrated folk cultures at the expense of the historically subordinated or newly migrated folk.” According to him, the strict separation between the public and private sphere undermines multiculturalism by suppressing the public visibility of minority identities, which were already marginalized. The minorities always demand for the public software (space) to recognize, read and accept their multiple identities avoiding the ‘unreadable or unwanted disc (identity) syndrome inserted in the computer (public space).

Based on Tariq Modood’s (2010: 4) argument, separation should not be interpreted to mean absence of state-religion connection, though of course, that could be a possible interpretation of it. Supplementing Modood’s argument, (Wolharb-Sahr and Marian Burchardt, 2012: 882) contend that, “[...] the religious-secular divide, the entanglements of religion and politics must be viewed as sites in which the boundaries between religion and secular spheres are negotiated, challenged and redrawn.” Separation of state and religion does not necessarily imply – “religious principles and values can have no role in

politics and public life [...]” (Kosmin, n.d: 5); but entails only institutional/functional separation between the two.

What I came to understand from the various definitions of secularism forwarded by different scholars in the field is the difficulty one encounters to provide a precise meaning of the term arising mainly from the different political, historical and social contexts where it emerges and develops. Historically, it was quite normal to find in all civilizations that rulers supposedly derive their legitimacy from divine power and the nexus between God, man and politics or society was a fact of life. However, this relationship or intimacy gradually diminished and some countries adopted secularism earlier than others. Citing Charles Taylor, ‘*A Secular Age*,’ Hashemi (2010: 331), provides that four factors are mainly attributable for the implementation of the principle of secularism in politics in western states earlier than other states: “(1) the rise of modern capitalism; (2) the rise of modern nation-states and nationalism; (3) the Scientific Revolution; and most importantly, (4) the Protestant Reformation and the wars of religion during the 16th and 17th centuries”. The latter factor especially takes the lion’s share in pushing states to think and adopt political secularism as one mechanism of arranging religious tolerance in an atmosphere of war and religious intolerance between Protestants and Catholics and within the different denominations of Protestantism. In other words, “the origin point of modern Western secularism was the Wars of Religion; or rather, the search in battle-fatigue and horror for a way out of them” (Hashemi, 2010: 332 cited from Charles Taylor).

Admitting the difficulty of providing a universally agreed definition of secularism, that could be applicable in all places and times, Hashemi (2010: 326) adds his own contribution for conceptual clarity stating that, if it enhances little clarity for the concept, secularism could be seen from three perspectives: philosophical, sociological and political. According to him, philosophically, the term secularism denotes “[...] the rejection of the transcendental and the metaphysical with a focus on the existential and empirical.” It relates with discarding spiritual influence over the empirical and physical worldly affairs where superstitious practices lose their credibility in time of modernity

and materialism. It has a close connection with the assumption of the modernization (secularization) theory, which advances the argument that the importance of religion diminishes and ultimately disappears as the world people scores progress and development in technology and economy (Ronald Inglehart, 1997 cited in Kuru, 2007: 572). This assumption is exactly reflected in the work of Harvey Cox, *'The Secular City'* (1966) when he discussed secularism as "the liberation of man from religious and metaphysical tutelage, the turning of his attention away from other worlds and toward this one" (cited in Hashemi, 2010: 327). Sociologically, as Hashemi presented it, "secularism correlates with modernization in terms of gradual process that leads to the declining influence of religion in social institutions, communal life and human relationships" (ibid). The assumption is that, certain human organizations could escape from the influence of religion through modernization. Politically, Hashemi puts, "secularism entails a separation of the public and private spheres and, more broadly, a form of separation, which can vary, between the institutions of the state and the forces of religion" (ibid).

Interestingly, in all the three perspectives stated above, the assumption is the inevitable diminishing role of religion in all aspects of human life (social, economic, political etc.) owing to modernization. However, the three perspectives are not mutually exclusive in a sense that one can be philosophically and sociologically non-secular where most moral references and guidelines are derived from religion and one may spend most of his life in social institutions which are closely tied with religion. But s/he could be politically secular where s/he supports the separation of state and religion.

What is important in relation to my work in this dissertation is the political aspect of secularism focusing on the institutional/functional differentiation of the two institutions and hence the subsequent discussions focus on this aspect. Unavoidably, the modes of separation between the two institutions could have an impact on freedom of religion and the way multiculturalism is entertained in countries such as Ethiopia where diversity is the norm and freedom of religion is guaranteed in recent years. It is therefore imperative for the discussion to focus not only in political terms but also with regard to freedom of

religion as enshrined in the 1995 FDRE Constitution and other international laws ratified by Ethiopia. There are different modes of separation between state and religion that are applied in the world today. Though with different names such as passive vs. assertive, moderate vs. radical, Judeo-Christian (Anglo-American) vs. laicist, soft vs. hard secularism etc. basically they converge in some aspects where the former are religious-friendly separation while the latter are religious-hostile ones.

6.3 A Typology of Secularism

As forwarded by Hashemi (2010: 328), considering the Western tradition alone, we can find two models of secularism: the Anglo-American model of secularism or the Judeo-Christian secularism (Hurd, 2008) which is regarded as religion-friendly model or passive, soft or moderate secularism as named by various scholars and the French *laicite* model of secularism characterized by hostility towards religion or labeled as assertive, hard or radical secularism.

The history and social impact of secularism is also different in Protestant- and Catholic-majority countries of the West. Hashemi contends that, the expression/application of secularism exhibits slight and major differences in two Protestant or two Catholic-majority countries. Put simply, there is no hard and fast rule to apply the same sort of secularism in two different countries with different historical and religious backgrounds. Some may have an established religion at early time but others may not. Both the USA and England for example are Protestant-majority countries but there is an established Anglican Church in the latter but not in the former. Still both regard themselves as secular states. There are still varieties of forms of secularism in the Orthodox Christian-majority countries of Europe and the Marxist-Leninist tradition, which is also originated in the Western context. We could also observe considerable varieties of manifestation of political secularism in non-Western societies in both Muslim and non-Muslim countries.

Many modern countries of the world have reached a consensus on the use of secularism in organizing their governments. The problem, however, is which type of secularism to follow appropriate to their peculiar social, cultural, political and other contexts.

Depending on the modes of separation of religion from the secular practice and their resultant relationships, we can find the following typologies of secularism: Hard and soft forms of secularism (Kosmin, n.d), separatist and corporatist secularism (Koenig, 2011), assertive and passive secularism (Kuru, 2007), radical and accommodative secularism (Modood: 2010), secularism for the sake of individual liberty, secularism for the sake of pacifying religious diversity, secularism for the sake of societal integration and development, and secularism for the sake of the independent development of functional domains (Wohlrab-Sahr and Marian Burchardt, 2012). In one way or the other, the real configurations of state-religion relations across the world manifest either one of the above mentioned forms of secularism or combine them for pragmatic considerations.

6.3.1 Laicism vs. Judeo-Christian Secularism

At this juncture, I want to discuss the two forms of secularism (*laicism* and Judeo-Christian) as mentioned by Elizabeth Shakman Hurd (2008) whereas assertive and passive secularism - being part of my conceptual framework will be discussed later.

***Laicite* Secularism**

The *laicist* trajectory, which understands religion as an obstacle for the development of modern politics, advocates for its elimination altogether from the public space in general and the political game in particular. *Laicism*, as one variety of secularism was the result of the Enlightenment critique of religion and was an attempt to emancipate the state or politics from the influence of religion. Its major aim was to free politics from the domination of Church/religion. By restricting religion in private spheres, laicism tries to put a red-line between religion and politics where the boundary between the two is uncrossable. It is intended “to contain ecclesiastical intrusions in public life” (Hurd, 2008: 23) with a grand aim of creating an ‘independent ethic’ which governs all irrespective of their religious faith or belief. The major assumption behind laicism is that, allowing religion to prevail in public life means limiting the power of reason in thriving for knowledge and development of science for public utility. This in turn is derived from the assumption that “the public sphere is the domain of reason, objectivity, deliberation and justice; and the private the domain of subjectivity, transcendence, effeminacy, and affect”

(ibid: 121). Religion by its nature promotes the predetermined social, economic and political fate of a society or an individual by God and discourages scientific innovation and material enrichment. More than this, allowing religion to dominate public life is dangerous and encourages sectarianism in the society. Talal Asad (2003: 191; quoted in Hurd, 2008: 30) argues that, “laicism seeks to confine religious belief and practice ‘to a space where they cannot threaten political stability or the liberties of free thinking citizens.’” It focuses on disestablishing an existing church/or any other religious institution and considered as more of a transition from theocracy to atheism since it targets not only secularizing public institutions but also secularizing individuals working in these institutions. Laicism is more prevalent in the modern states of France, Turkey and China (Hurd, 2008).

Judeo-Christian Secularism

The Judeo-Christian trajectory, on the other hand, sees religion as a “source of unity and identity that generates conflict in [...] politics” (Hurd, 2008: 23) but advocates for its ‘proper management’ in the public space instead of expulsion. This version of secularism traces its roots from Euro-American thinking of the concept and stresses on the ‘unique Western achievement’ of modern politics separated from religion (Hurd, 2008). Today, it is prevalent in the United States of America. Its major aim is not to expel religion from politics but advocates for the state to be even-handed for all religions (guaranteeing freedom of all religions). The Judeo-Christian understanding of secularism accepts the importance of religious ethics for the development of democratic norms in a society. After all, most democratic norms and principles have religious roots. It acknowledges that, accommodating religious values and symbols ultimately enables for the development of democracy. The sole purpose of separation of state and religion (secularism) is to guarantee the free exercise of religion and to avoid the partiality of government towards one or the other religion. It follows a policy of non-establishment instead of disestablishment where all religious institutions in the country enjoy equal privileges. However, one limitation of the Judeo-Christian secularism is that it is an exclusivist in its approach since it is deep-rooted in Jewish and Christian traditions where its inclusiveness towards other religions is arguable (Hurd, 2008).

By and large, both laicism and Judeo-Christian secularism promotes the principle of separation of state and religion. The difference lies only in the degree of the distance of religion from politics or state institutions and the purpose of distancing. While laicism proposes for the elimination of religion from public spheres altogether to guarantee the freedom of state from religious influence, the latter advocates for the public visibility of religion but with emphasis on “universal rational religion” (Hurd, 2008: 27) - that is, the Judeo-Christian religion and its purpose is to free religion from state influence. Hurd argues that, it is the “negative representation of Islam” that led to the “consolidation of French national identity as democratic and laic, and American national identity as democratic and Judeo-Christian secular” (ibid 52).

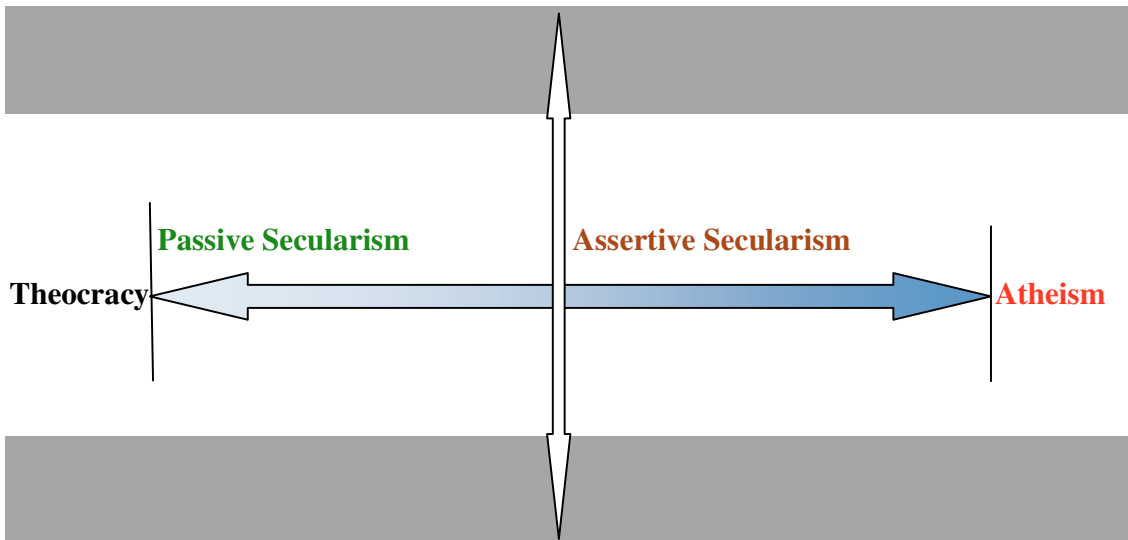
6.3.2 Assertive vs. Passive Secularism

Based on their ideological convictions, the secularism principle which secular states follow are grouped into either of the two species; passive or assertive secularism. As presented by Kuru (2007: 571), “[while] passive secularism is a pragmatic political principle that tries to maintain state neutrality toward various religions [...], assertive secularism is a ‘comprehensive doctrine’ that aims to eliminate religion from the public sphere.” Passive secularism allows the public visibility of religious symbols and the government plays only ‘passive’ roles in restricting freedom of religious expressions. In assertive secularism, on the contrary, states play active role in suppressing the public display of religious symbols and try to introduce ‘social or civic ethics’ to govern their ideal republics at the total exclusion of religion. The assertive secularists, in their perspective, advocate for the restriction of religious faiths at the private level while designating the public sphere for ‘science and reason’ to prevail. In other words, assertive secularism advocates for the complete divorce of state and religion and proposes total expulsion of religion from all public places and affairs. It aims at confining religion at home and at the level of individual’s conscience leaving no room for its public role.

If we take the two ideals of secularism mentioned above as a continuum for our analysis, we may find varieties of arrangements in real life configuration along the continuum. In fact, there may be configurations out of the continuum, where we find theocratic and

antireligious states on the two extremes as shown below in the graphic representation/continuum.

Figure 4: A Continuum that shows State-Religion Relations



Source: Adapted from Kuru (2006)

These two are ideals of secularism in which the real configuration of the separation of state and religion may markedly differ from one country to another or within one country across space and time. However, these ideal models could help us to examine or used as a normative and analytical framework to investigate the degree of convergence or divergence of the Ethiopian policies and practices. It serves as a guideline for interpreting my empirical data focusing on the Ethiopian experience with special emphasis on the Muslims' allegation of government interference on their religious affairs and the government's counter-accusation of some extremist Muslims of the Salafi sect working in secret to establish an Islamic state in violation of the constitutional provision of secularism.

Previously conducted empirical research works on country-specific cases indicate that, while some real configuration of countries' policies and practices are closer to either of the two ideals, others are far from it or still others exhibit none of them (particularly

theocratic and antireligious states) (Wohlrab-Sahr and Marian Burchardt, 2012). That is why, scholars prefer to call the French model predominantly exhibits the character of assertive secularism while the US resembles more of passive secularism instead of exclusively associating it to the one or the other type (Kuru, 2007). Worth mentioning at this juncture is the fact that, there is no one and static model of secularism applied all over the world. It largely depends on the context of each country (social, political, economical or religious) or historical factors and the actors' ideological convictions.

6.4 Importance of Secularism

In the current context of religious diversity (for both ideological and pragmatic reasons), the idea of a secular state is becoming attractive to advance the equality of all religions as well as the freedoms of believers and non-believers. It helps to avoid the domination of formerly established state religions over other 'newcomers.' Put differently, having an established state religion is a 'threat for minority religions' (Bhargava, 2011: 2-3). For example, a Hindu state could be a challenge for Muslims, Christians or followers of other religions. Similarly, a Christian state of Ethiopia is a threat to the Muslims and other religious minorities and vice versa.

It has to be noted that, the principle of separation of state and religion does not only protect the state from the unnecessary influence of religion but it also guarantees religion from being interfered by government. It also protects religion from being made trite and extraneous for a simple reason of associating itself with the state where in most cases the worldly material affairs are entertained and given sole priority often at the expense of the spiritual affairs. More than this, the separation clause could be considered as an anti-privilege clause in a sense that it prohibits providing special privilege for certain religious doctrines, beliefs, practices or believers by denying the same to others. In Ethiopia, where one religious doctrine was privileged in its social, economic and political aspects, the constitutional provision of 'no state religion' and the 'no way' to interfere in religious affairs by the state and vice versa is an absolute guarantee for those long minoritized religions in the country. It is also important to stress the fact that, Ethiopia is one of the countries in the world where ethnic and religious diversities are deeper and wider than

needs great care to maintain the delicate balance between unity and diversity. For obvious reasons, mixing religion with politics creates social problems and conflicts since it divides people along ardent lines, often making negotiation for common terms difficult. To be fair enough, the only viable option for multi-religious society to maintain solidarity and tolerance among different religious communities is organizing state institutions along the principle of secularism.

6.5 Cursory Reflections on the Ethiopian Secularism

As part of the world, Ethiopia is now facing contestation and in some instances public protests in relation to secularism and its application from all religions. The contestation even predates the 1995 FDRE Constitution. During the constitution-making process, the specific variety of secularism to be adopted in Ethiopia (the separation clause) was contested. Professor Andreas Eshete, one of the key figures in the constitution-making process, for instance, challenged the idea of strict separation and its (ir)relevance to the Ethiopian situation on two grounds. On a positive note, religious communities could play an important role in enriching democratic politics in their capacity as civil societies, more so because they enjoy massive grass-root support. On the negative side, excluding the religious communities from government affairs would lead to play politics by other means, providing an alternative forum that serve as ‘counter-public.’³⁵

The principle of separation of state and religion in Ethiopia seems to be informed by the American model of mutual-exclusion of state and religion where both entities could not interfere in the jurisdiction of the other (Dereje, 2011: 22). As per the Constitution, there is no possibility for the interference of one institution over the exclusive jurisdiction of the other. Pursuant to art 11 of the Constitution, the government of Ethiopia favors no one and abstains from interference in religious affairs. All religions are absolutely restricted from interfering in state affairs but there is only a possibility of government intervention to keep the independence of the state from religion (arts 27 sub 5 and 90 sub 2). In practice, however, the Ethiopian system is influenced by the French model of

³⁵ Information provided by Dr. Dereje Feyissa from the discussion he had with Professor Andreas Eshete, May 13, 2012, Addis Ababa.

prohibiting displaying religion in public institutions on the one hand and establishing close ties with religious institutions on the other. The controversial directive introduced by the Ministry of Education that forbids veiling and other religious practices in educational institutions is one showcase in which the government is trying to follow the 'assertive French model' (ibid). Although not fully implemented at the national level consistently, the issuance of that directive implies that the government has the intention to prohibit displaying religion in public institutions in the future.

Instead of directly confronting with religious institutions and Muslims' claims, however, the government is now advocating religious equality and tolerance through state media and government-sponsored trainings for religious leaders and believers to recruit 'moderate' religious imams, ulemas, religious leaders and believers. The recent move of religious tolerance narration by the government through the state media and other social media outlets is considered as a policy of actively 'forgetting the past injustice and continue for the future' (ibid) which directly undermines the constitutional provision that stands for rectifying previous injustices for a better future. The Preamble of the 1995 FDRE Constitution explicitly stipulates that, the common destiny of the Nations, Nationalities and Peoples of Ethiopia (NNP) can be best served by 'rectifying historically unjust relationship and by further promoting [their shared interests].' As one manifestation, art 89(4) puts obligation on all levels of government to provide special assistance for least advantaged NNP in economic and social development. Varieties of policies and laws in education and civil service are in place to implement the provision of supporting least advantaged regions and ethnic communities. However, this provision by extension does not work for 'least advantaged religions' owing to past injustice and discrimination. In prospect, the government only designs conditions for religious equality and tolerance forgetting the past inequalities and discriminations. The government is trying to redress the religious inequalities perpetuated in the country through affirming equality in the future without rectifying the past injustices done on certain religious communities. Nonetheless, there are claims from some previously disadvantaged religious groups to extend the policies that guarantee 'special assistance' for ethnic communities to them. There are also debates about the religious (in)tolerance of

Ethiopia's past history. People to people relations among the Muslims and Christians, for most periods were smooth. They used to cohabit side-by-side by sharing various ways of social life (example, wedding ceremonies, funeral practices, working together, and through traditional saving institutions like equb and welfare associations such as edir etc.). However, as shall be discussed later, all Ethiopian rulers until the overthrow of Emperor Haile Selassie were discriminatory against Muslims with a varying degree of intensity (Hussein, 2006).

While ethno-politics in Ethiopia still refers to Emperor Menelik's (1889-1913) misdeeds for suppression of nationality groups in Ethiopia, the EPRDF government never raised the ruthless suppression of Ethiopian Muslims particularly in Wollo by Emperor Yohannes IV (1872-1889) (Dereje, n.d: 16; Ford, 2008: 58) to extend the benefits of the Constitution for the Muslims. This deliberate but arbitrary selection of emperor Menelik's period as a period of modern 'Ethiopian nation' – as if suppression of minority identities were started at this particular moment – seems nothing but 'selective memory' which helps the government to advance its 'reductionist approach' to rally minority groups along its side (ibid). The problem with this 'selective memory' or 'religious tolerance narration of the past', as my informants³⁶ argued is that, while the government has accepted the '*national oppression thesis*' where various ethnic groups were oppressed by the politically and socially dominant Amhara ethnic group for long that could justify rectification, the EPRDF government failed to fully recognize or deliberately bypassed the '*religious oppression thesis*' to undertake appropriate measures for redressing the injustice committed against Ethiopian Muslims. In fact, the government admits the existence of some form of religious discrimination and oppression but never ready to rectify it. This, according to my informants, "has nothing to do with the fear of the threat of having an organized and strong Muslim community to be potential collaborators against the country's enemies, as many perceive, but simply inherent hatred towards Islam as before" (ibid). Advancing the religious tolerance narration of the past as an 'exemplary model' for other nations of the world undeniably undermines the legitimacy

³⁶ Information obtained from FGD conducted at Addis Ababa on 14 December 2013, inside the house of the Researcher with Muslim activists – some of them are historians in their educational background.

of the demands and protests of the new generation – in an era of religious equality and constitutional guarantee for freedom of religion – as a ‘rejuvenation of religious fundamentalism and extremism in the country’.

Worth mentioning here is the fact that, the religious tolerance of the past in Ethiopia is subject to different and perhaps contradictory interpretation by different groups. For some, it was *mechachal* (mutual tolerance), for others it was accommodation and still for others it was *mechal* (forbearance) (Ahmedin, 2012; Dereje, 2011: 3-9). The EOC usually narrates Ethiopia’s religious past in terms of accommodation where the Church is praised for its ‘generosity’ in accommodating Muslims and other Christian denominations. Basically, the incumbent government of Ethiopia explains Muslim-Christian relations in terms of mutual tolerance where its narration coincides with the Church’s narration of accommodation. For many Muslims, it was the forbearance of Muslims to the political, social, economic and cultural domination of Christians that explains better Ethiopia’s religious past than accommodation and mutual tolerance. For the Muslim activists, therefore, the government’s narration of the past as a ‘model of religious tolerance’ is interpreted as ‘pressing them to accept the status quo – meaning the religious inequality and their second-class status and undermining the legitimate demands of Ethiopian Muslims’ (ibid: 20). Concerning this issue, one of my informants³⁷ described the relationship between Muslims and Christians or otherwise the state in three ways; submissiveness, fatigue or exhaustion and tolerance. For him, it is the first and to some extent the second scenario that better explains Ethiopia’s religious past where the Muslims were submissive of the Christian domination and accepted the order of the day with no or minimal challenge. As far as Muslims remained subordinate to the Christian-dominated state and accept it without contest, the system or the state tolerates them for the economic advantage they could provide (example, by involving in trade which was despised at the time, providing cheap labor for the land owners etc) (Hussein, 2006). The fatigue or exhaustion, my informant expressed, is related to the exhaustion of the two communities to dominate one another where their number is equivalent in some parts of

³⁷ Interview with former top Mejlis leadership at Addis Ababa University on 14 June 2014 by the researcher

the country. He mentioned Wollo as an example where the two communities *de facto* come to terms to live in peace with neighborhood realizing that it could be disastrous to go into conflict. The third scenario, i.e., tolerance – for him means a mutual understanding of the differences and respect for one another’s identity. As he said, this had never happened in Ethiopia putting aside the official rhetoric advanced by the government and the EOC.

Government’s interpretation of the demands and protests of Muslims for the respect of their rights is further complicated if situated within the new geopolitics, particularly after the 9/11 attack by the so-called ‘Islamic fundamentalists’ against the US establishments at home and elsewhere in the world. The so-called Global War on Terror spearheaded by the US government seems to have influenced the Ethiopian government to be more alert on the growth of religious radicalization at a global scale in general and in the Horn of Africa and Ethiopia in particular. In the cloud of the threats of religious extremism, terrorism and political Islam at the global scale, the Ethiopian government envisaged its own way of combating the problem ‘through its affiliated religious institutions and working with democratic and open-minded religious leaders’ (*Yehaimanot, 2011*) with an objective of promoting their teachings across the country. This policy of the government however tried to be implemented not without opposition. A large crowd of Muslims in Addis Ababa and other big cities have opposed it where their questions framed within the principle of secularism and freedom of religion as enshrined in the 1995 FDRE Constitution, which shall be discussed throughout this study.

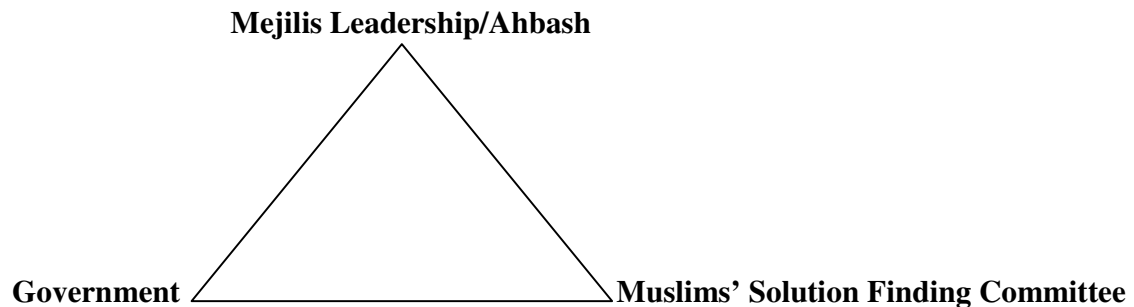
7. Approaches

In this study, I used what is generally termed as actors’ theory – who the major actors are? What are their respective interests, power positions and bases of legitimacy in the contestation? are all identified and investigated. For instance, though not mutually exclusive, three categories of actors were identified in the process;

- Those who relate to the Mejlis leadership and Ahabash
- The Ethiopian government (and some foreign actors); and

- Those who actively engaged and mobilized against the Mejlis leadership/Ahbash and the government

Figure 5: The Relationship of Actors in the Conflict



Although depicted in a *triangular relationship* of the actors in the conflict as displayed in the figure above, it could be reduced into a *bipolar relationship* on the ground since the Mejlis leadership including the Ahbash group act in collaboration with the government against the Muslims' Solution Finding Committee. In other words, there are two adversaries in the conflict; the Ethiopian government, Mejlis leadership and the Ahbash group on the one hand and the Muslims' Solution Finding Committee (claiming to represent the Muslim community) on the other. In order to fully understand the nature, causes and dynamics of the contestation, there is a need to go beyond the legal provisions and policies of the country and analyze the perceptions of the actors. As perception matters in social action I thoroughly engaged how each set of actor defines the situation on the basis of which it acts. For instance; the government perceives that the trouble comes from 'few' Muslims who promote a hidden political agenda, possibly linked with transnational Islamic fundamentalism and domestic bankrupt politicians. Muslims, on the other hand, perceive that the source of the trouble is the government's violation of its own constitution and its visible interference in religious affairs. I also employed context analysis – the international dimension of the controversy and the geopolitical context where protests in some neighboring and nearby countries may influence the situation in Ethiopia.

8. Delimitation of the Study

Addis Ababa is selected as my main research site for this study because it is not only the center of the activist movement and the beginning place of the contest, including the Awolia Islamic Mission College and the Mejlis situated, but also the Muslims' Solution Finding Committee was incepted and undertaking its activities. It was in Awolia that the Committee members have been elected by the protesters with around 60,000 signatures but later 500,000 signatures were collected from all parts of the country to enhance its legitimacy (Ewunetu Yih New, 2012). This is, therefore, an ideal place where more information about the issue could be obtained and the day-to-day event is to be entertained, including the trial of the Committee members. With all its shortcomings, Addis Ababa is also a place where almost all Muslims of the country from all corners and all ethnic groups come and reside permanently. In this case, the demands of the Muslims here in the capital, to some extent, reflect the interests of many more Muslims across the country. However, as Ethiopia is a huge state having large number of Muslims with diverse Islamic orientations, I do not claim that this study has fully incorporated the views and understandings of each and every Ethiopian Muslim about the policies and practices of the government with regard to the implementation of the principle of secularism. Rather, what I have done is investigating and examining the current tensions between Muslims and the government from the perspectives of Muslims taking Addis Ababa as a focal point.

9. Limitations of the Study

The major limitation of this study, I believe, is not lack but inflation of information and the emotionality of the actors and informants from both sides of the contending parties that hindered for grasping value-free data to be analyzed. Due to the super-sensitivity of the issue, it was extremely difficult for the researcher to develop mutual trust with the informants and recording of information was practically impossible. Hence, most of the information was obtained through informal discussion than formal interviews and focus group discussions.

10. Organization of Chapters

The chapters in this study are organized as follows. It is divided into eight chapters. Chapter one provides the background information for this study. By doing so, it highlights the religious landscape of the country and the state's attitude towards religion both in historical and contemporary context. This part also consists of the problem statement, main research questions, objectives, significance, methodology and limitations that the researcher encountered. Some literatures that deal with secularism and the debates surrounding its meanings across time and space are dealt within this chapter.

Chapter two scrutinizes the legal system of the country in relation to provisions that are devoted to secularism and religious freedom. As part of signatories for different international conventions and declarations, such documents are discussed thoroughly in relation to the Ethiopian Constitution and other laws and policies. The legal frameworks are finally used to examine the legality of the practices on the ground undertaken by both actors (government and Muslim activists).

Chapter three illuminates the historical context of state-religion relations in Ethiopia by focusing on the status of Muslims. By discussing the political, economic and social status of Muslims, it tries to show how the historically conditioned unequal relationship of Muslims and Christians on the one hand and Muslims and the state on the other impacted on the contemporary grievances and claims of the Muslim community. This part is not only limited on historical aspects of state-religion relations but touches upon the current arrangements and practices.

Chapter four explores the practice of secularism in relation to guaranteeing the autonomy of religious institutions. Hence, it illustrates the autonomy of Mejlis and its legitimacy in the eyes of the Muslim community. It also tries to show the link between the Ethiopian Muslim ummah with their 'umbrella organization' and the manner in which election to be conducted for its leadership.

Chapter five examines the implementation of the constitutional provisions for freedom of religious expressions in the form of worship and display of religious symbols in public places. The focus is mainly on the 2008 Directive of Ministry of Education that bans niqab and congregation pray in educational institutions. It closely examines the compatibility of this directive with the supreme law of the land that recognizes and celebrates diversity and the multicultural notion of the federal system.

Chapter six is mainly devoted to the ‘Ahbash Controversy’ that came at the forefront in the conflict between Muslims and the government after 2011. In dealing with the controversy, the origins and the connection of Ahbash with Ethiopia is deeply investigated. The actors involved in the promotion of Ahbash are also included and their interests examined. It is tried to answer the questions – why Ethiopian Muslims opposed Ahbash and why is Mejlis (and Ethiopian government) interested in Ahbash? It is examined in line with the geopolitical contexts and threats of religious fundamentalism in Ethiopia vis-à-vis the concerns of the Ethiopian government to contain extremism.

Chapter seven focuses on the analysis of the problems taking into consideration of the claims of the two contending parties and the empirical evidences obtained from the field work. This chapter presents many of the letters of the Muslims’ Solution Finding Committee submitted to the various levels of government offices and incorporates the responses from concerned government authorities. Finally, chapter eight synthesizes all the chapters and provides the major findings and forwards some recommendations.

CHAPTER TWO

INSTITUTIONAL FRAMEWORK FOR FREEDOM OF RELIGION AND SECULARISM

Introduction

The new constitutional design and the swift social, political and economic transformations that accompanied the 1991 regime change brought a glimpse of hope for freedom and equality for all sectors of the society in Ethiopia, including religious communities. Like in the political sphere³⁸, religious activities boosted in the country in the form of constructing large number of worshiping houses, proselytization, preaching, practice, procession, religious pilgrimage and even in physical appearance through dressing. Yet, after two decades, there is fierce contestation between the government and some members of religious communities over discrepancies between the constitutional principles and the practice that calls attention worth of academic research. The government is now being accused of disregarding the principles and the major tenets of 'its own Constitution' with respect to freedom of religion and the separation of state and religion. Religious activists allege the government for using the Constitution as an instrument to dismantle dissenting views charging them as 'unconstitutional' while itself failed to be governed by the rules of the game.

There are plenty of provisions that guarantee religious communities and individuals from undue government influence in their internal affairs, the freedom to hold or adopt a religion of their choice and organize religious institutions to propagate their religions (arts 11 and 27). In spite of that, religious communities, particularly the Muslims, claim that the government disregards its own laws and involve in their religious affairs by intervening in the internal activities of Mejlis and its leadership, the promotion of a

³⁸ Prior to 1991 regime change, Ethiopia knows only single party system where multiparty politics was either unknown in the country's history or legally prohibited. During the imperial regimes, the rulers generally claim their powers from the divine source and there was no way for others to claim the political power. During the Derg regime, the Workers Party of Ethiopia was proclaimed as the only single party in the country. After 1991, multiparty politics is constitutionally guaranteed (arts 31 and 38) and opposition political parties are now proliferated close to a hundred.

certain religious groups at the expense of others and prohibiting the display of religious symbols and worship in public institutions. The counter-accusation from the government over the actions of religious fundamentalists for ‘establishing an Islamic government and inciting violence’ is also framed around the constitutional principle of secularism. Since the contestation between the Muslim community and the government is mainly framed along the constitutional principle of secularism and its incongruity in practice, it is imperative to sharpen the focus of this study within the legal framework of the country and its compatibility with the practice. In other words, the study employs the legal framework of the state (with regard to religious freedom and secularism) and secularism as a normative and analytical framework to describe, examine and analyze the data collected from the field about the ongoing conflict between the two parties. In doing so, I will discuss some selected international and regional legal instruments for religious freedom and secularism in line with the 1995 FDRE Constitution vis-à-vis the claims of Muslim activists and government responses. This chapter is organized in two major parts – Part I discusses few selected international and regional laws with regard to religious freedom and secularism. For this, the UDHR, ICCPR, ECHR, ACPHR, ACHR are dealt with. Part II is exclusively devoted to the Ethiopian legal system by focusing on the constitutional provisions for managing state-religion relations and the limits to freedom of religion. As the basic document of the state that governs not only government-citizens relationships but also government-religion relationships and the concomitant freedoms granted for religious communities, the 1995 FDRE Constitution deserves thorough discussion and investigation that has been invoked now and then by the two actors in the conflict.

Part I

2.1 Freedom of Religion under International, Regional and National Laws

This part of the study presents the contents, scope and limits of freedom of religion under international, regional and national laws with reference to art 27 of the 1995 FDRE Constitution vis-à-vis the principle of secularism (art 11). Since religion is intrinsic to human nature and one of the fundamentals of human rights, the United Nations invested a lot in the incorporation of this right in different legal instruments that were codified at various stages of its careers. Some of these instruments are legally binding on member states having contained enforceable principles while others are morally or politically binding or with persuasive values on contracting parties. Apart from such international legal instruments, the constitutional provisions of many countries guarantee the exercise of religious freedom either individually or in community and to manifest it in public or private save some limitations prescribed by law and when necessary. Inevitably, the guarantee to freedom of religion is to be found in all ‘liberal democratic constitutions’ at the national level³⁹. However, maintaining the delicate balance between the principle of secularism and implementing religious freedoms are the major challenges that contemporary states are facing. Moreover, the claim of religious activists for more public roles and playing grounds in all spheres of societal life, including politics, also posed a serious challenge for secular states to accommodate these varied interests.

2.1.1 Freedom of Religion under Some Selected International Laws

UDHR

The 1948 Universal Declaration of Human Rights (UDHR) under art 18 provides that; *“everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.”* As it is clearly seen from this provision, freedom of religion encompasses two components (the internal and external), which

³⁹ In a research conducted by the Pew Forum for Religion and Public Life (2009: 8) on 198 countries, “76% of countries and territories [...] call for freedom of religion in their constitutions or basic laws and an additional 20% protect some religious practices”.

might not be equally protected by law. While the internal aspect of the freedom is absolute (unassailable and unlimited), the external components are subject to certain limitations provided that the restrictions are prescribed by law, necessary to achieve legitimate objectives of a state (e.g. protecting public order, health, morality and the fundamental rights and freedoms of others) and applied in a non-discriminatory manner (Parker, 2006). The internal aspect of the freedom in the instrument is provided ‘for an individual alone to hold or adopt a religion of his choice including the right to change his religion’. The external aspect of freedom of religion is guaranteed under the provision that “the freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.” In this regard, freedom of religion in the first part is seen as an individual right but essentially exercised in association with others or in community.

The limitation clause for freedom of religious manifestation is subsumed in the general limitation clause of the declaration and no specific grounds of restrictions are provided. It says; “in the exercise of his rights and freedoms, everyone subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society” (art 29 of UDHR, 1948). Like other cultural rights, the right to freedom of religion might also be negative or positive rights (Taylor, 2005). On the positive aspect of the right, it imposes the duty on government or state actors to provide protection for believers to express their beliefs not only at the private realm but also in public spheres. It requires the state to bestow believers with “the material possibility of having institutions where they can put their particular values into action, and help to fund religious institutions; places of worship, educational systems, charitable and social organizations, media etc.” (Helly, 2012: 11). The notion of negative right associated with freedom of religion, on the other hand, obliges states to refrain from unjustifiably interfering in religious matters. It rejects the notion of ‘positive interference’ of states and no one should be coerced to adopt or not to adopt a certain religion or belief contrary to his/her choice (Taylor, 2005).

The problem associated with the freedom of religion in the UDHR is related mainly to its (lack of) enforceability in the jurisdiction of member states. It is a declaration that only shows the commitment of contracting states to be governed by the agreement but has no any legal binding effect on failing states except the moral obligation imposed upon them. The UDHR is not a treaty, covenant or law that imposes legal duty on member states to enforce the rights enshrined by domestic courts. Nonetheless, the declaration has been politically binding on member states and some countries like Ethiopia even made it as an integral part of the domestic law through adoption by its legislature to acquire a legal effect. Art 13(2) of the FDRE Constitution, for example, provides that “the fundamental rights and freedoms specified in this Chapter [Chapter Three - arts from 14 to 44 in which freedom of thought, conscience and religion are part] shall be interpreted in a manner conforming to the principle of the Universal Declarations of Human Rights, International Covenants on Human Rights and International instruments adopted by Ethiopia”. It is also true that, states are obliged to be bound by international and regional human rights instruments if they have signed and ratified them ‘voluntarily’. The UDHR being adopted by the Ethiopian legal system, therefore, has a binding effect and applicability in the domestic courts and the rights of individuals enshrined in the declaration and the obligations imposed on state parties have binding effects. Put simply, Ethiopia entered into a contract of obligation by its moral commitment to be bound by international laws and declarations and by its own will through ratifying them by its legislatures.

ICCPR

Essentially, a similar but a more detailed version of the right to freedom of religion is provided under the International Covenant on Civil and Political Rights (ICCPR) of 1976. It provides not only the rights to be respected by the contracting parties but also the concomitant restrictions imposed on the free exercise of these rights. Based on art 18 of the Covenant, the right to exercise or manifest religious belief is subject to restrictions to achieve legitimate objectives in a ‘democratic society’⁴⁰. In this regard, the right to freedom of religion, particularly the external aspect, is not an absolute right. The

⁴⁰ Legitimate objectives for the Contracting Parties to limit religious freedom in a ‘democratic society’, as mentioned under sub art 3 of the Covenant, include; protect public safety, order, health, or morals, or the fundamental rights and freedoms of other.

Covenant, however, excluded the ‘freedom to change one’s religion or beliefs’ (Murdoch, 2012: 9) provided in the UDHR, probably to win support from Arab/Islamic states⁴¹ who opposed this particular provision during the ratification process (the most sustained opposition being from the delegates of Saudi Arabia) (Taylor, 2005: 2 and 29).

The Covenant lists and explains the right in four sub arts, which are provided below:

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of one’s choice, and freedom, either individually or in community with others and in public or private, to manifest one’s religion or belief in worship, observance, practice and teaching. 2) It further qualifies the right by guaranteeing individual’s freedom from being coerced to hold or adopt a religion of not their choice. Sub art 2 of art 18 provides that “no one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice. 3) It also provides the mechanisms or grounds whereby such rights are limited or restricted. It stipulates the rationales to restrict freedom of religious manifestation to achieve a more important goal than the right itself. As per sub art 3 “freedom to manifest one’s religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals or the fundamental rights and freedoms of others.” Based on this provision, restricting freedom of religious expression for contracting parties of the covenant are legitimate provided that such limitations are ‘prescribed under their domestic laws’ and are ‘necessary’ to achieve a more grand objective compared with the benefits to be obtained by guaranteeing the absolute right. Put differently, there is a cost-benefit analysis in this aspect where the goals to be achieved by restricting the right should be more important than the right itself. The ‘necessary clause’ also entails the proportionality of the measure’s to be taken by the state. It specifically stipulates five grounds that could justify restriction of public manifestation of religion or belief for individuals exercising the right

⁴¹ See for example Taylor M. Paul (2005). Many Middle Eastern Countries strongly opposed the inclusion of the ‘freedom to change religion’ under art 18 during the drafting process of UDHR in 1948. However, they were unsuccessful in preventing the inclusion of this particular right until the adoption of ICCPR in 1976. This time, they became successful in preventing the inclusion of provisions such as this (the right to change religion) in the ICCPR rather focusing on the right to ‘maintain a religion’. It, instead, included the right to change one’s religion in a different, perhaps less provocative wording stating that ‘this right shall include the freedom to have or to *adopt* a religion or belief of his choice’ (Taylor, 2005: 28; italics mine).

either alone or in association with others. Accordingly, protecting public safety, order, health or morals or the fundamental rights and freedoms of others are the only reasons prescribed by law. As provided in the Covenant, contracting parties should use only these specific grounds to restrict freedom of manifestation of religion or beliefs, thereby making other grounds as unjustified at best or illegal/violation of the present Covenant at worst. Based on this provision, education and the principle of secularism are not specifically listed as legitimate grounds for restriction while the Ethiopian law incorporates it for limiting freedom of manifestation of religion, which will be discussed later. 4) The Covenant also guarantees the rights of parents or legal guardians to ensure the religious and moral education of their children in conformity with their own convictions. As a covenant, the ICCPR has a binding effect on the contracting parties. Many countries, including Ethiopia joined the Covenant. Ethiopia's accession to the Covenant came into being in 1993⁴² following the 'liberalization path of the country' after the downfall of the socialist Derg regime where it suspected the Covenant as western-oriented provisions that incurs burden on the government.

2.1.2 Freedom of Religion under Some Selected Regional Laws

At the regional level, the American Convention on Human Rights (ACHR), the African Charter on Human and Peoples' Rights (ACHPR) and the European Convention on Human Rights (ECHR) guaranteed freedom of religion with its concomitant restrictions imposed upon its manifestations.

ACHR

Based on art 12(1) of the American Convention on Human Rights (ACHR), freedom of religion includes "the freedom to maintain or to change one's religion or beliefs, and freedom to profess or disseminate one's religion or beliefs, either individually or together with others, in public and private". Unlike the ICCPR but similar to UDHR, the ACHR comprises the 'freedom to change one's religion or beliefs' as an integral part of the right to freedom of conscience and religion. It further provides the right to propagation of

⁴² See for example, <https://www1.umn.edu/humanrts/research/ratification-ethiopia.html>. Ethiopia acceded to ICCPR and ICESCR on 11 June 1993.

one's religion either individually or together with others, which could be exercised in public or in private. Simply put, it encompasses the freedom for proselytization of others for the purpose of converting them towards one's religion. The document guarantees the unassailability nature of the internal component of the right where restrictions that 'impair the freedom to maintain or change one's religion or belief' are prohibited (art 12 sub art 2). However, it lists certain founded causes to restrict the freedom to 'manifest' one's religion and belief as 'protecting public safety, order, health, or morals, or the rights or freedoms of others (sub art 3).

ACHPR

The African Charter on Human and Peoples' Rights (ACHPR) under art 8 guarantees the freedom of conscience and the free exercise of religion subject to certain restrictions prescribed by law. In contrast to other regional and international laws, the Charter includes the phrase "peoples' rights" implying that group rights are provided due emphasis in addition to individual human rights. The Charter provides the possibilities to restrict the free exercise of religion without specifically stating the grounds that could justify the restriction. It states that, "no one may, subject to law and order, be submitted to measures restricting the exercise of these freedoms [freedom of conscience, the profession and free practice of religion]." Unlike the ICCPR, ACHR and ECHR, the ACHPR entails the restriction not only of the external manifestation but also of the internal aspect of religion, example freedom to conscience in accordance with the law, which is not specifically provided in the Charter. The phrase 'subject to law and order' may imply the protection of public peace and stability but it is vague and subject to different interpretation to use or misuse it by contracting parties to the Charter.

ECHR

A more elaborate version of the freedom of thought, conscience and belief is found in the European Convention on Human Rights (ECHR) and its different protocols signed by member states. Art 9(1) provides; "*Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest*

his religion or belief, in worship, teaching, practice and observance”. It also provides the mechanisms and justifiable grounds to limit the freedom to manifest one’s religion. It states; *“freedom to manifest one’s religion or belief shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others”* (sub art 2 of art 9).

According to Murdoch (2012: 10) “the key guarantees providing protection for freedom of thought, conscience and religion or beliefs [in European Convention on Human Rights] are found in two provisions.” The first is in art 9 of the Convention itself and the second one in art 2 of Protocol No.1 of the Convention. The Protocol (sub art 2) mainly focuses on the respect of the right of parents to ensure the exercise of education and teaching in conformity with their own religious and philosophical convictions. Art 9 of ECHR, on the other hand, provides all the components of the freedom with their limitations to manifest. The phrasing of art 9 of ECHR is exactly the same as that of art 18 of the UDHR, which comprises the internal and external aspect of the freedom. Everyone has the right to manifest his/her religion in observance or practice or worship (e.g. congregational pray with others or wearing headscarves in public). However, the external aspect of the right, i.e., freedom to manifest one’s religion, is not without restrictions. It imposed certain limitations for the free exercise, worship and observance of religion by law for realizing the ‘ideals of a democratic society.’ Sub art 2 of art 9 provides to that effect. The phrase ‘necessary in a democratic society’ is vague and subject to different interpretation by different countries as shall be discussed below. For example, veil is interpreted as a sign of backwardness and women’s oppression, which could not be tolerated in ‘a democratic country/society like France.’ The 2009 speech of Nicholas Sarkozy, the president of France, stressed the incompatibility of any form of veil in public schools and *niqab* or *burqa* in all public places with French republican ideals (Teitelbaum, 2011: 94). Hence, France introduced laws banning wearing any conspicuous religious symbols in schools in 2004 and *burqa* or *niqab* in all public places in 2011. The President made a speech supporting the ban on *burqa* in public places saying that, “the *burqa* is not welcome in France, because it is contrary to our values and

contrary to the ideals we have of a women's dignity" (Black, n.d: 12). The ideal of the French values, therefore, does not encompass wearing Islamic veils that contradict the governing principles of 'a democratic society'. It does not consider the context (religious or cultural) of the Muslims for veiling and the religious piety that Muslims attach to the symbol. The veil ban in France obviously is in contradiction with the Framework Convention for the Protection of National Minorities that guarantees the expression, preservation and promotion of minorities' identities. As presented by Murdoch (2012: 11), the Protocol acknowledges diversity and its protection/preservation by law when it states that;

A pluralist and genuinely democratic society should not only respect the ethnic, cultural, linguistic and religious identity of each person belonging to a national minority, but also create appropriate conditions enabling them to express, preserve and develop this identity.

Based on this provision, the state has the duty not only of respecting diversity but also of promoting it by ensuring legal guarantee to flourish. Nonetheless, diversity was and is seen as a threat for French identity that focused on assimilation of the national minorities into the mainstream culture. While the European law sees diversity as an asset to be maintained and promoted, the French law-makers and enforcers regard it as a 'threat' to be fought for the creation of homogenous national identity (ibid). Contrary to the French and some European countries' veil bans, the Protocol underscores that, "pluralism and tolerance are the hallmark of a democratic society in Europe" (Murdoch, 2012: 11). Art 2 of Protocol No.1 of the Convention also provides for freedom of religion in relation to the right to education. It states that;

No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions (Murdoch, 2012: 10).

Based on this provision, parents of children have the right to get assurance that the education and teaching provided by the state should not contradict with their religious and philosophical convictions. This issue will be seen later in the context of Ethiopian

government's ban on wearing *niqab* in all educational institutions and its (in)compatibility not only with the 1995 FDRE Constitution and other human rights provisions that the country ratified but also with the religious and philosophical conviction of parents of their children's education. Muslims regard wearing veil as personal religious conviction and mandatory to wear everywhere, including educational institutions. However, they are prohibited pursuing education unless unveiled. Parents also consider the act of forced unveiling in contradiction with their religious belief that in turn violates the constitutional provision that guarantees freedom of religion.

Part II

2.1.3 Freedom of Religion and Secularism under the 1995 FDRE Constitution

2.1.3.1 Freedom of Religion under the FDRE Constitution

By any standard of a constitution⁴³, Ethiopia has introduced the most modern and progressive constitution that explicitly guarantees both individual and group rights. It almost left nothing uncovered. Similar to most modern liberal constitutions, it consists of provisions related to the right to life, security of a person, liberty, separation of state and religion, prohibition against inhuman treatment, the right to persons arrested and persons accused, the right to equality, the right to privacy, freedom of religion, belief and opinion, freedom of speech and expression, the right to assembly, demonstration and petition, the freedom to association, freedom of movement, rights for women and children, right of access to justice, the right to elect and be elected, the right to property etc. (arts 11-44). Unlike most liberal constitutions, it also dedicated due attention to group rights. Based on the intent of the Constitution, nations, nationalities and peoples (NNP) of Ethiopia are its owners where all sovereign power resides on them through their representatives (art 8). Moreover, they are generously granted 'unconditional right to self-determination, including the right to secession'. Except the constitution of the two islands of St. Kitts

⁴³ The Constitution provides for the protection of individual and group rights, the mechanism by which political power is to be transferred, check and balance system, division of power, the independence of the judiciary etc.

and Nevis⁴⁴ that provides for the right to secession, the Ethiopian constitution is with no parallel⁴⁵ in the planet of our generation in this aspect (Watts, 2008).

With regard to freedom of religion, art 27 is the key in the FDRE Constitution that guarantees freedom of thought, conscience and religion and govern the contents, scope and limits of its application (particularly in relation to its manifestation) in line with other provisions of the constitution that could be taken as neighboring guarantees to this right (the preamble, arts 3, 13, 25, 29, 30, 31, 32 and 39) and the principle of secularism (art 11)⁴⁶. It provides that: *1) Everyone has the right to freedom of thought, conscience and religion. This right shall include the freedom to hold or to adopt a religion or belief of his choice, and the freedom, either individually or in community with others, and in public or private, to manifest his religion or belief in worship, observance, practice and teaching. 2) Without prejudice to the provisions of sub-Article 2 of Article 90 [i.e. education shall be provided in a manner that is free from any religious influence ...], believers may establish institutions of religious education and administration in order to propagate and organize their religion. 3) No one shall be subject to coercion or other means which would restrict or prevent his freedom to hold a belief of his choice. 4) Parents and legal guardians have the right to bring up their children ensuring their religious and moral education in conformity with their own convictions. 5) Freedom to express or manifest one's religion or belief may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, peace, health, education, public morality or the fundamental rights and freedoms of others, and to ensure the independence of the state from religion (emphasis added).*

⁴⁴ St. Kitts and Nevis, located in the Eastern Caribbean region with a population of 55,000 (2015), is the smallest sovereign federal state in the region. Unique to other world national constitutions (but similar to the 1995 Ethiopian Constitution), the 1983 Constitution of the Federation provides for unilateral secession for the island of Nevis. Section 113 (1) of the Constitution states that “the Nevis Island Legislature may provide that the island of Nevis shall cease to be federated with the island of Saint Christopher [also known as Saint Kitts] and accordingly that this Constitution shall no longer have effect in the island of Nevis” (Griffiths, 2005: 285) provided that certain procedures are fulfilled.

⁴⁵ In historical context, the 1918 Constitution of the Soviet Union comprises the right to self-determination including secession.

⁴⁶ Art 11 of the Constitution affirms the non-establishment stance of the government thereby guaranteeing the equal status of all religions in the country and state neutrality and impartiality in treating all religions. It proclaims the separation of state and religion, and the principle of non-interference in the internal affairs of one another.

The provisions generally are indicative of the special place accorded to freedom of religion in Federal Ethiopia and respect for diversity. The long-held view of ‘one religion, one country, one culture and one language policy’ is discarded, at least constitutionally, and tolerance of religious diversity has received more attention. To have a clear picture about the content, scope and the sanctions imposed on freedom of religion and its manifestation, one has to read the provisions in conjunction with the overall objectives of the FDRE Constitution and the conviction of the EPRDF government for the respect of diversity and group identity. Unlike most world democratic constitutions which spell as “We, the people of ...”, the FDRE Constitution begins with a phrasing – “*We, the Nations, Nationalities and Peoples of Ethiopia*” emphasizing group identity or ethnic identity than focusing on single Ethiopian identity. In short, it does not start with the wording, “*We, the People of Ethiopia*”. The intention is clear; guaranteeing group identity was at the forefront not only during the fight against the brutal and oppressive military *Derg* regime (before 1991) but also during the constitutional-making process (1991-1994) after victory. This was later reflected in the body of the Constitution when it provides that, “all sovereign power resides in the Nations, Nationalities and Peoples of Ethiopia” (art 8 sub art 1) instead of vesting this power in the hands of the Ethiopian people lumping together as one single entity. It stresses the diverse interest of the different ethnic groups and their particular interests in addition to their interests to pursue as an Ethiopian identity.

On top of this, art 39 remains the hallmark of the FDRE Constitution to its commitment for the guarantee of group rights. Theoretically, every ethnic group in Ethiopia is entitled to the unconditional full rights of self-determination to the extent of secession, if they wish to do so for whatsoever reason(s) (sub art 1). Short of secession, it also guarantees ethnic groups to exercise their right of self-administration by establishing their own self-government, equitable representation in the state machinery (sub art 2), and preserving their identities (language, religion, tradition/culture and history) (sub art 3). Although the practice might be far from the theory, it tells us how identity was given due emphasis in federal Ethiopia compared with the deliberate policies and actions of the previous

regimes, as shall be discussed later, to forge unity (rather homogeneity) through forceful assimilation.

In line with these overall objectives of the 1995 FDRE Constitution, the introduction of subordinate laws and school regulations that ban symbols of religions or certain identity markers of a religious community are at odds as shall be discussed later. An Ethiopia of much diversity and many faiths calls for special concern for the protection of varieties of identities including the free exercise of religion. The FDRE Constitution is the product of the EPRDF's conviction to reverse the age-old policies of assimilation and injustice directed against ethnic and religious minorities persistently oppressed and marginalized in the Ethiopian polity. It can be seen as the benchmark for devising policies and strategies that deal with group and individual rights. Freedom of expression of religion as enshrined in the constitution should be interpreted and applied in conformity with these overall objectives. Any departure from the grand purpose – be it by the legislature, executive, judiciary or any other non-state actor for an unjustified cause/reason is tantamount to violation of the Constitution (unconstitutional act) and could precipitate protest and violence that endangers the federal system in particular and the constitutional order in general.

2.1.3.1.1 Contents of the Freedom

Freedom of religion as provided in the Constitution generally covers the internal and external aspects; freedom to hold or adopt a religion of one's choice and manifest it in worship, observance, teaching and practice individually or with others and either in private or public respectively. The major components of this right as are clearly illustrated in the constitution (art 27 sub arts 1-4) include;

1. A) *Freedom to hold or adopt a religion of one's choice* – this right as provided under art 27 sub art 1 entails the freedom to choose a religion or belief of one's choice. It includes not only the right to choose a religion of one's choice but also individuals have the right to preserve the existing belief or replace it with another religion or atheist view as the individual wishes. As it is the internal component of the right, no limitation is to be

imposed on it as the limitations are mainly related to the external components. It also entails the freedom of an individual not to be compelled to reveal his thoughts or beliefs in certain religion unless doing it is necessary for the state authorities mainly for the benefit of the right bearer, example, if there is an affirmative action for minority religious believers and if it is necessary to ascertain it (Murdoch, 2012). B) *Freedom to manifest religion in worship, observance, practice and teaching* – as the name ‘manifest’ implies, this right encompasses the external aspect and involves freedom of religious expression or manifestation for individuals alone or in community with others, either in private or in public through worship, observance, practice or teaching. According to the Human Rights Committee General Comment of No. 22, manifestation of one’s religion in worship, observance, practice and teaching comprises a wide variety of the right which includes, but is not limited to, the following: to assemble in common with others to worship or for any other religious-related activities (e.g. in congregational pray). Observance and practice of one’s religion mainly deals with but not limited to the following; observance of rites or customs of a religion, dietary regulations, days of rest, celebration of religious holidays, display of religious symbols such as headscarves, shortening trousers, growing beards etc. Freedom of manifestation of religion through teaching includes the right to write, publish and disseminate relevant publications related to the religion, teach or propagate one’s religion in appropriate places, establish and maintain communications with individuals or communities in matters of religion at national or international level, import articles or other audio or video materials from abroad etc. (Taylor, 2005). As these rights belong to the external components of the freedom, they are subject to restrictions as prescribed by law and if doing it becomes inevitable for states.

2. *Freedom to establish institutions of education and administration* – this right entails the freedom to establish and maintain, including buildings of worship places and administrative offices, religious schools to propagate one’s religion, NGOs mainly for religious purposes but also for charitable or humanitarian reasons, access to places for these purposes etc. (Human Rights Committee General Comment No. 22). This right mainly deals with the external aspect and subject to limitations by law to achieve certain legitimate aims specified by the law.

3. *Freedom from coercion or other means which restrict or prevent from holding one's religion* – this deals with the freedom from threat of physical force, penal sanction on believers to adopt a certain religion or convert their religion, denying access to public services such as health, education or employment to exert pressure on believers with the intention of forcing them to adopt a certain religious sect or creed etc. (Human Rights Committee General Comment No. 22 Paragraph 5). This right is part of the internal aspect of the freedom and not subject to limitation/restriction. It mainly imposes negative obligation on governments to abstain from coercing individuals to join or not to join a certain religious belief or a particular religious community or change their religious beliefs. This prohibition is absolute.

4. *Freedom of parents and legal guardians to bring up their children with their religious and moral education* – this right mainly deals with the rights of parents and legal guardians rather than the freedom of the right holders (children). They have the right to ensure the bringing up of their children inculcated with their moral and philosophical convictions. This right may be limited to protect the interest of the child. For example, parents may refuse to send their children to schools on Friday, Saturday or Sunday for their religious convictions which time they may be forced to send for the interest of the child or they could not object public school instruction in subjects such as the general history of religions and ethics provided that it is given in a neutral and objective way (Human Rights Committee General Comment No. 22 paragraph 6). When conflict of interest arises between the religious conviction of the parent and the interest of the child, the child's interest takes the precedence or the best interest of the child being the guiding principle under international and national laws⁴⁷.

⁴⁷ Art 36(2) of the 1995 FDRE Constitution states that “in all actions concerning children undertaken by public and private welfare institutions, courts of law, administrative authorities or legislative bodies, the primary consideration shall be the best interest of the child”.

2.1.3.1.2 Limits and Scope of the Freedom

As it is clearly observed from sub art 5 of art 27 of the FDRE Constitution, the guarantee to freedom of religion, particularly the external part, is not absolute. While the first four sub arts generally proclaim for the respect of freedom of religion for individuals⁴⁸ and groups⁴⁹, the last sub art in the constitution provides for the restrictions upon freedom of religious expression based on justified causes to do so by the state organ. To some extent, sub art 2 of art 27 also provides for some limitations when it states that; “without prejudice to the provisions of sub art 2 of art 90, believers may establish institutions of religious education and administration in order to propagate and organize their religion.” Art 90 (2) intends to free the provision of education from religious influence, political partisanship and cultural prejudice. Hence, for the sake of achieving this purpose, this right might be subject to restriction. An elaborated version of the restriction is, however, found in sub art 5 of art 27. As shall be discussed later in this section, it specifically illustrates the justified causes to restrict religious manifestation on three grounds: protecting public safety, peace, health, education, public morality (*the interest of the public*), protecting the fundamental freedoms and rights of others (*the interest of individuals*), and to ensure the independence of the state from religion (*the interest of the state*). Not only it provides for the limitation clause but also requires the state actors to show demonstrable facts necessary to do the same for achieving legitimate purposes and the measures to be taken should be proportionate to the goals to be achieved.

As to the scope of this right, art 27 of the FDRE Constitution encompasses a wider scope of freedom of thought, conscience and religion. It guarantees freedom of religion for both individuals and groups. As an individual, citizens have the right to hold or adopt a religion of their choice free of coercion from other individuals or the state organ. In this respect, art 27 includes the neighboring guarantees provided under art 11 that recognizes the non-interference of state organs in religious matters. Collectively, art 27 recognizes

⁴⁸ Example, the right to hold or adopt a religion of one’s choice, manifest one’s religion in worship, observance, practice and teaching either individually or in community with others in private or public, the freedom from coercion that restricts one’s right to hold or adopt a religion of one’s choice etc.

⁴⁹ Such as, the freedom to establish religious institutions and administration in order to propagate and organize their religion, parents and legal guardians to inculcate their religious and moral education over their children.

the rights of manifestation of religion in private or public spheres. It also comprises the internal and external aspect of freedom of religion. Any restrictions related to religious freedom on individuals or groups, either its internal or external aspect, therefore falls under this art.

Arguably, religious freedom is a matter of individual conscience, thought and belief. Nonetheless, this conscience or personal conviction to a particular belief might be manifested in words or deeds. These words or deeds, in most cases, might be manifested individually or in community with others whom they share the same religious faith either in private or public as enshrined in art 27. In this regard, manifestation of one's religious conviction is an integral part of the internal aspect of the freedom guaranteed. Seen from the perspective of a collective right, freedom of religion especially its manifestation part requires to be performed in association with others either in private or public spheres. Considering its collective nature, the right to the free exercise of religion enshrined in art 27 should be interpreted in line with other provisions of the constitution that deals with the protection of group identity for ethnic and religious groups. Congregational pray (worshipping with others), wearing religious attires and celebration of religious ceremony are the most obvious forms of manifestation of one's religious belief or conviction mostly of in public places. Restrictions of such rights obviously fall under the provision of art 27. Considering the collective nature of manifestation of religious beliefs, Murdoch (2012: 23) argues that, "the right of believers to freedom of religion, which includes the right to manifest one's religion in community with others, encompasses the expectation that believers will be allowed to associate freely without arbitrary State intervention." Moreover, as Murdoch (2012: 18) puts it, the major purpose of guaranteeing religious freedom is "[...] to prevent state indoctrination of individuals by permitting the holding, development, and refinement and ultimately change of personal thought, conscience and religion." Not only individuals alone or groups in community that should be guaranteed their religion to manifest but also religious organization as a legal entity should be "[...] protected in its rights to manifest its religion, to organize and carryout worship, teaching, practice and observance, and it is free to act out and enforce uniformity in these matters

[individual and collective manifestation of religious beliefs]” (ibid, 24). As (Murdoch, 2012: 27) contends,

Sanctions imposed upon individuals for proselytism or for wearing items of religious clothing will involve ‘interference’, as will curtailing access to places of worship and restricting the ability of adherents to take part in religious observance or the refusal to grant any necessary official recognition to a church.

However, unlike violation of rights, in case of interference in religious affairs by the state, there are two circumstances: justified and unjustified causes. This is to say that, states can restrict or interfere – short of violation – in the freedom to manifest one’s religion for justified reasons as predetermined in their laws.

At this juncture, it would be imperative to discuss, albeit in short, the Ethiopian law with regard to possible justifiable grounds for the government to ‘interfere in religious affairs’. In other words, what possible legitimate goals are sought to be achieved by limiting manifestation of religious belief? As discussed above, art 27 of the FDRE Constitution guarantees freedom of thought, conscience and religion for individuals or groups provided that they do not violate certain mandatory prescriptions stated under the law. The implication is that, the right to freedom of religion is subject to certain restrictions for justified causes. It also stated above that, interference of the state authority could be justified for good cause or otherwise it might be unduly intrusion in the internal affairs of religion. Once interference is established, it is up to the state to justify its actions. Individuals or groups might institute complaint against state interference in which case the state has to defend its actions through just causes to ascertain that ‘it is compelled to interference’. Put simply, the government is expected to show whether the actions taken are “prescribed by law and necessary” as are provided under sub art 5 of art 27. The term ‘prescribed by law’ imposes a duty on government to abstain from arbitrary interference. It “[...] expresses the value of legal certainty which might be defined broadly as the ability to act within a settled framework without fear of arbitrary or unforeseeable state interference” (Murdoch, 2012: 37). The importance of the phrase ‘prescribed by law’ is that, limitations are not allowed on grounds other than the specified ones and prohibits sanctions by analogy for the restriction of other rights. Prescription by the law for ‘good

causes' to interfere in religious affairs alone are not enough. In addition, the state has to prove that its actions are 'necessary' to achieve common goals for the good of the society and the country as a whole. The government is required to establish facts that one or more of the prescribed interests of the state are at stake and necessitates state intervention.

Coming back, pursuant to art 27, sub art 5 of the Constitution of Ethiopia, "protecting public safety, peace, health, education, public morality or the fundamental rights and freedoms of others and to ensure the independence of the state from religion" are the specified interests of the state to use as grounds for restricting freedom of religious expression in public places. Nonetheless, some of the grounds for justifying state intervention in curtailing religious expressions as 'prescribed by law' are broad and vague that creates a leeway for state actors to intrude into the free enjoyment of these rights. To see just few, 'protection of public morality' as a ground for limiting religious freedom, for instance, is subject to debate provided the varied nature of the values, norms and customs of a society in a particular country – particularly in countries having different religions, customs and norms such as Ethiopia. The fact that certain proportion of the population objected for a certain act does not make it immoral or wrong that could justify state intervention in the form of prohibiting it from happening (Taylor, 2005). Worth mentioning here is the European Court of Human Rights decisions against state intervention. In many occasions of its decisions, the Court reiterated that, "the right to freedom of expression includes forms of expression that offend, shock or disturb the state or any section of the population"⁵⁰.

For instance, bigamy or even polygamy and marriage in collateral lines of consanguinity may pose debates and challenges for a state to guarantee religious freedom on the one hand and protecting public morality by limiting certain religious practices on the other. Certain religious scriptures allow the practice of bigamy or polygamy save some procedural requirements are fulfilled and permits marriage between persons related with blood after a third line (e.g., a man could marry the daughter of his uncle or aunt and a

⁵⁰ <http://www.amnestymena.org/en/Magazine/Issue16/Hijab.aspx?articleID=1021>

woman with the son of her uncle or aunt) while some religions (traditions) are stricter in these regards. Inevitably, these differences could pose a challenge for state actors to strictly enforce the secular law over religious prescriptions and the challenge is even to be much felt by a state which commits itself for the protection and promotion of multiculturalism and respect for diversity of all sorts. The Ethiopian Criminal Code in this regard seems stretched with fulfilling two seemingly contradictory objectives – respecting different religious practices and maintaining public morality – when it makes polygamy illegal/crime punishable by law and simultaneously allowing it in certain exceptional circumstances considering the custom or religion of a particular nationality group. The 2004 Criminal Code of FDRE labels bigamy as an offence committed against the family and crimes against the institution of marriage and imposes sanction on its practice. Accordingly, it states that;

Whoever, being tied by the bond of a valid marriage, intentionally contracts another marriage before the first union has been dissolved or annulled is punishable with simple imprisonment, or, in grave cases, and especially where the criminal has knowingly misled his partner in the second union as to his true state, with rigorous imprisonment not exceeding five years” (Art 650 sub art 1).

Interestingly, by way of maintaining diversity and respecting the overall objectives of the FDRE Constitution of valuing, maintaining and even promoting diversity, the Criminal Code under art 651 permits bigamy for certain exceptional cases. It provides the ‘exception’ for the general rule when it states that, “the preceding article [the article that criminalizes bigamy] shall not apply when bigamy is committed in conformity with religious or traditional practices recognized by law”. Provided the wide practice of bigamy under various traditional societies and religious communities of Ethiopia, the Ethiopian legal system has become more lenient towards these practices. By way of tacit acceptance, in a way that guarantees the rights of Muslims, the Revised Family Code (2000) also permits concluding marriage ties in the collateral line after the third line when it provides; “in the collateral line, a man cannot conclude marriage with his sister or aunt; and similarly, a woman cannot conclude marriage with her brother or uncle” (art 8 sub art 2). It does not explicitly prohibit marriage with the party’s uncle’s sons or daughters.

Based on the principle of the law which dictates; “an act which is not explicitly prohibited could be taken as permitted”, the Ethiopian law allows it.

The other justifiable ground – protecting public security or peace, more than the above discussed ground, i.e., protecting public morality, becomes even more complicated when it comes to balancing the protection of national security or peace on the one hand and maintaining the freedom of religious manifestations on the other. In an environment of the utterance of ‘global terrorism’ as the ‘mother-tongue’ of every country – mainly in connection with religiously-motivated terrorism – states are becoming stringent both in law as in the form of anti-terrorism laws and in practice by imposing physical barriers for the full implementation of religious freedoms as enshrined in their supreme laws. Under the disguise of protecting public order and national security, the protection of freedom of expression is highly curtailed in recent years and even worse after the 9/11 terrorist attacks (Esposito, 2010). It is to be noted here that, protecting public peace and national security is one of the major responsibilities of governments. However, the 9/11 terrorist attack and the counter-terrorism strategy that followed gave states wider leverage to use it as an ‘excuse’ to restrict freedom of religion. The UN Commission on Human Rights Resolution 2005/38 that deals on the right to freedom of opinion and expression, for example, stipulates in a form of warning for nations to “refrain from using counter-terrorism as a pretext to restrict the right to freedom of opinion and expression in ways which are contrary to their obligations under international law.” A similar warning was forwarded by the African Union at its 37th ordinary meeting session held in 2005 under the Resolution on the Protection of Human Rights and the Rule of Law in the Fight against Terrorism. In the name of protecting the ‘threats of religious extremism’, states are restricting certain religious practices having little or no connection at all with the national security issues.

Protecting public security is also used as an excuse by the Ethiopian government to introduce the 2008 Directive of Ministry of Education to ban ‘conspicuous religious symbols’ (particularly *niqab*) and congregational worship in all educational institutions (private and public). One of the legitimate purposes sought to be achieved using this

directive was ‘to make educational institutions as centers where the peaceful teaching-learning process take place’ without – of course – showing the connection between wearing such clothes and practice with stability or instability of educational institutions, as shall be discussed later.

2.1.3.2 The Principle of Secularism under the FDRE Constitution

As I have discussed in Chapter One, secularism is a normative term that dictates the separation of state and religion. It requires states to be neutral in their treatment of different religions and religion should not be a base for devising public policies (Smith, 2008). The principle of secularism and freedom of religion are highly intertwined that urges governments to strike a balance in upholding the two important aims of the state to be achieved. In most cases, states desire to protect the principle of secularism by limiting certain forms of manifestations of religion from public spheres. In such circumstances, it is inevitable that the two values come into conflict. Particularly, when states made secularism as a constitutional principle and a fundamental principle where societal values are founded, the protection of it from any ‘threat’ becomes paramount to protect public order or the normal functioning of the society (Kuru, 2007). In this regard, maintaining the principle of secularism could be invoked as a justifiable ground to restrict freedom of religious expression. As the case law of the European Court of Human Rights (Strasbourg Court) indicates, “[...] the protection of the principle of secularism has been an accepted ground for interfering and limiting the freedom to manifest religion or belief” (Hussein, 2013: 2). As shall be discussed below, the Ethiopian Constitution (art 27 sub art 5) also uses the principle of secularism as ‘a good cause’ to precipitate state/government intervention in cases where it becomes under threat from religious or any other organized groups or individuals. Three provisions (arts 11, 27 and 90) under the 1995 FDRE Constitution are mainly devoted to the protection of the principle of secularism. Art 11(1-3) entitled *Separation of State and Religion* is more explicit in this regard. It states: “state and religion are separate, there shall be no state religion, and the state shall not interfere in religious matters and religion shall not interfere in state affairs”. As per the Constitution, the state could not adopt any religion as a state religion and the two institutions are separate in their functional spheres. Hence, there shall be no religion in

which the state favors or disfavors, promotes or hinders based on its religious doctrines or any other reasons. Religions are also required to reciprocate by abstaining from interfering in state affairs. Art 27 also guarantees believers to establish institutions of religious education and administration in order to propagate and organize their religion. This provision underscores the fact that, it is the constitutional right of the faithful to organize their religious institutions and elect their religious leaders without government interference. It is up to the believers to elect religious leaders whom they think could promote their spiritual development. Any government interference in this right, without justified causes, would not be accepted since organizing one's religious institution and electing its leaders is a religious matter. In fact, as part of the external right of freedom of religion, the government could have legitimate reasons to limit or interfere in the implementation of this right 'if there is no other option to avail the problem'.

The cumulative reading of sub art 1 and sub art 3 of art 27 assures believers not to be coerced to adopt or not to adopt a certain religion. The freedom to hold or adopt a religion of one's choice plus no one shall be subject to coercion, which would restrict or impair his freedom to hold a belief of his choice is an absolute guarantee for individuals and the believers from government interference in their religious affairs. In this aspect of the right, for whatever reasons, government interference could not be justified. Since these rights are internal rights, they have no any connection with the grounds stated in the Constitution for limiting freedom of religious 'manifestation'. If the government involves in restricting the internal aspects of freedom of religion and interferes in the freedom of individuals in the form of coercion or promotion to adopt or not to adopt a certain religion or sect, it will normally fall under 'illegal interference in purely religious affairs' that could not be legally justified.

The limitation clauses are provided under arts 27(5) and 90(2). In this regard, only the external aspects are subject to government restrictive measures. I have already discussed above these grounds. However, for the purpose of maintaining the principle of secularism, I will see two of such grounds at this juncture. The freedom to 'manifest' one's religion *may be* subject to limitations *to ensure the independence of the state from*

religion and to provide education in a manner that is free from any religious influence. For these two reasons, the government may interfere in religious affairs as far as it can ascertain that ‘a certain religious activity violated such constitutional provisions and no other way to deal with the issue without restricting such rights’. It is quite natural for a secular government to ensure the independence of state institutions, including the provision of education, to be free from the influence of religious doctrines or dogmas. Therefore, if the government interferes for the above stated grounds, it is only expected to justify the reasons and the legitimate causes that forced it for intervention. However, Parker (2006: 93) analyzing on the “Necessity Clauses of the ICCPR and the ECHR” for restricting freedom of religious manifestation argues that “the principle of secularism as it is being defined and applied, particularly in EC jurisprudence, is not a sufficient justification for restrictions on religious freedom”. Moreover, as I have seen above, it is also within the power of the government to restrict freedom of religious manifestation, not only for maintaining the constitutional principle of secularism but for protecting public security (peace), safety, morality, health and the fundamental rights and freedoms of others, if and only if necessary. Undoubtedly the freedom to religious manifestation through worship, observance, practice or teaching “[...] has the potential to interfere with the rights of others or to pose a danger to society [...]” (Parker, 2006: 94) and hence not absolute right. The government is duty bound to protect the freedom of individuals and the society from such dangers. Therefore, when the freedom to public manifestation of religion contradicts with the freedom of others, public security and morality, it is within the legal authority of the government to restrict such rights. The qualifications are however stated in various commentaries on different legal instruments such as the ICCPR, UDHR, ECHR, etc. Accordingly, the limitations “have to be strictly interpreted such that only the listed restrictions are allowed, must be directly related and proportionate to the specific need on which they are predicated, and should not be imposed for discriminatory purposes or applied in a discriminatory manner” (Parker, 2006: 95).

Some scholars (McConnell, 1992; Durham, 2003) also argue that, in restricting religious freedom, governments should take into account of maintaining pluralism and religious

diversity instead of purely focusing on the protection of secularism. In his analysis of the US religious liberty jurisprudence, Michael McConnell (1992: 59) argues in favor of “animating [the] principle [of] pluralism and diversity over the maintenance of a scrupulous secularism in all aspects of public life touched by government” (quoted in Parker, 2006: 97). For him, the purpose of religious freedom clauses, from the US perspective, is to protect religion from government intrusion in religious affairs than creating a secular public sphere (ibid). Some others such as Cole Durham (2003: 43) argue that, the principle of pluralism is “a fundamental axiom of international human rights” in which case all states are required to strictly uphold this principle not to be violated while restricting religious freedom (quoted in Parker, 2006: 96). In a genuinely pluralist state, the prerogative of the government to restrict religious freedom, therefore, is highly limited. In other words, government restriction of freedom of religious manifestation in the name of protecting the society from the ‘threats of religion’ “[...] bears the burden of showing that a true, identifiable necessity exists to justify the restriction” (Parker, 2006: 99).

In light of the above assertions of different scholars, an Ethiopia of much diversity plus the ‘commitment’ of its government for maintaining all sorts of diversities bears more burden for showing strictly necessity reasons to curtail any form of religious manifestation in public places or disfavoring or favoring a certain religion for the sake of promoting tolerance or protecting the society from the threats of religion. It would be stating the obvious to say that, after 9/11, states of the world became much stricter (in law and practice) in the restriction of religious freedoms. Due to the increasing number of terrorist attacks in the name of religion across the world, several governments (in)effectively put religion under their custody, thereby heralding the precedence of responding to national security concerns than protecting the freedom (Esposito, 2010). In other words, protecting public order and security are used now and then by governments to justify their policies and actions of religious restriction. As Silvio Ferrari (2004) presented, there are three broad types of government interference in religious affairs in the aftermath of the 9/11 attack: 1) government creation of laws restricting a variety of fundamental rights that indirectly affects religious liberty, 2) government scrutiny of

religious organizations, including the examination of internal operations of religious organizations to ascertain whether the organization might be a front for terrorist activity; and 3) government intrusion into a religious beliefs, such as the investigation of subversive doctrine that is “tainted with intolerance, and opposes the democratic fundamentals of civil society” (Parker, 2006: 105; cited from Ferrari, 2004: 357).

These types of government intrusions are observable facts in recent histories of Ethiopia as shall be investigated in the proceeding parts of this dissertation on the bases of the practice vis-à-vis the constitutional promise. Obviously, Ethiopia is part and parcel of the world where it is not immune from religiously-motivated terrorism and religious fundamentalism that in turn makes it to raise national security and public order alerts to its ‘highest level’. The complaints from different religious communities over government intrusion in their religious affairs are now running high more than ever before. The counter-accusation or, better to say, fear of government of certain fundamentalist religious groups for subverting the secular state order also attracts great attention in the public media and other government documents. In an atmosphere of the ‘cloud of fear’ on both sides, it would be high time to deal on the issues of controversies and come up, if possible, with some sort of solutions to balance the legitimate interests of the state and the genuine claims of religious communities. This research is in order having these objectives in mind.

Concluding Remarks

It would not be too far from the reality to argue that, the principle of secularism and the right to freedom of religion are becoming ‘peremptory norms’ under international and national laws. Religion plays an important role in human life (social, cultural and political). However, many states in the world are now trying to limit its role and hold its appearance at the private level. For obvious reasons, religious believers want to make their religion as ‘official religion and source of law’ to govern society. State secularism is now implemented in many countries’ legal systems as a way for promoting religious pluralism, protecting minority religious communities from domination and guaranteeing state neutrality in religious affairs. Despite the constitutional guarantee for state neutrality

in religious affairs, many governments are dragging more and more into the religious field as religions are becoming assertive and claiming to control or at least demanding the 'fair share' from the public sphere – supposed to be 'religious-free zone'. Moreover, several governments failed to uphold their own laws and abandoned their neutrality to intervene in religious affairs in favor of certain religious sects or restricting religious practices.

Ethiopia subscribed itself to the rules of the game by adopting its constitution in 1995 that provides for the strict separation of state and religion. Art 11 proclaims for the absence of state religion and prohibition on the government to promote or demote a certain religion and for religions to abstain from involving in state affairs. More or less, the government is trying to uphold such constitutional principles in practice. After 2011 in particular, the confrontation between the government and the Muslim community is running high over issues of religious freedom and secularism. Muslims demanded the respect of their religious freedom on the basis of the secular state model. Their claims revolve around the freedom to establish and run autonomous religious institutions without state interference and the respect of the constitutional provision that dictates for 'no compulsion in religion'. The government, in its part, claims that certain groups organized along religious lines are tempting to cross the secular boundary to mix religion and politics. The friction between them is so visible which is to be investigated in this research taking into account of the constitutional framework and the practice.

CHAPTER THREE

REGIMES OF SECULARISM IN ETHIOPIA: HISTORICAL OVERVIEW

Introduction

To comprehend state-religion relations in Federal Ethiopia – both in institutional design and practice, it is important to look into the issue in the *longue duree* and the changing trends of this relationship across time. The ongoing contestation between members of the Muslim community and the government could not be properly explained without looking into the historical positions of Muslims and the attitudes and behaviors of the previous governments towards Islam. Broadly speaking, all the previous regimes – pre-1991 period – placed Islam as a threat to the Ethiopian state unity and highly securitized its presence at home and from abroad. For a long time, if not millennium, Muslims were seen as ‘internal others, fifth columns and potential collaborators with enemies of the country’⁵¹.

In this research, it is difficult if not impossible, to see all religious past of Ethiopia to explore the state-religion relations and the status of Muslims. One could go back even further in history to study Islam and its relation with the Ethiopian state as it begins some 1400 years ago when Islam first entered into Ethiopia. But Emperor Tewodros’s time (mid-1850s) is a good start as that era marked the beginning of important changes. Among others, the period was marked by its unprecedented scope of nation-state formation and espousing ‘one country-one religion policy’ that impacted much on Muslims’ lots. What makes this period even more important is the changes that occurred at that time are still relevant today leaving their own footprints on the collective memory of the Muslim community and largely influenced the subsequent policies of Ethiopian governments towards their ‘own’ Muslim subjects. In discussing regimes of secularism in Ethiopia, therefore, I divided the long periods of the country’s history into three parts

⁵¹ See Haggai Erlich (1994: 31) for more information. He argues that, “Ethiopian fear of Islamic unity focuses on the idea that local Islam always contains the potential of being supported by, indeed, even allied with, the mighty Middle East”.

mainly for two major reasons – 1) for the sake of simplicity, and 2) on the basis of which these three periods (regimes) exhibited marked differences in their religious policies. Accordingly, I presented Imperial Theocracy (1855-1974), Socialist Secularism (1974-1991) and Liberal Secularism (1991-2015) in their order.

Although mostly mythography, the imperial rule of Ethiopia and the history of the Ethiopian state traces its roots to 3000 years to the time of King Solomon of Israel. The imperial rule claims ‘blood ties’ with the King in that by implication it claims for ‘divine mandate’ to rule the Ethiopian people forever. It survived for more than three millennia stretching its fabulous roots to Menelik I⁵² of the son of Queen of Sheba of Ethiopia and King Solomon of Jerusalem. However, in reality, the present-day shape of the country with its religious and ethnic make-up came into being at the end of the 19th and the turn of the 20th century as the result of the expansionist policies of the Abyssinian emperors (Bahru, 2002). Emperor Menelik II⁵³ (r. 1889-1913) takes the lion’s share from the nation-building project by conquering most of the territories of the south, southwest and southeast hinterlands (ibid). The project was aggressively started by Emperor Tewodros II⁵⁴ (r. 1855-1868) but limited only in northern part of the country. He tried to govern some parts of Shewa, Begemidir (Gondar), Gojjam, Wollo and Tigray under his central

⁵² According to Ethiopian legend, Menelik I is the son of Queen of Sheba of Ethiopia and King Solomon of Israel and the founder of the Solomonic Dynasty that lasted up to 1974 (the last days of Emperor Haile Selassie I). For detailed information, see Markakis, 2006. As some sources reveal, the major purpose of the legend was not to ‘share the divine dynasty’ but “[...]it] is the desire of the royal house of Ethiopia to assert their divine right to the throne. By tracing their descent to Solomon, by making him anoint the first king of their line with the holy oil of kingship, and by attributing to him the Salic law of Ethiopia, the kings of Ethiopia invested themselves with an aura of divinity. Revolt against them was sacrilege, for were they not the cousins of Christ?” (Arnold H. and Elizabeth Monroe, 1935: 18; quoted in Belay G. Olam, 2003: 78)

⁵³ In fact or reality, there was no an Ethiopian king called Menelik I who ruled the country before Menelik II. But according to myth or legend which is also intentionally inscribed in *Kibre Negest* (Glory of the Kings) written or translated from Arabic in the 14th c and served as unwritten constitution, ‘comprised the fabulous story of King Solomon and the Queen of Sheba’ (Markakis, 2006: 45). Based on this legend, Queen of Sheba of Abyssinia (as Ethiopia was called at that time) went to Jerusalem to visit the court of King Solomon the Wise. At that moment, she made sexual intercourse with him and upon return; she gave birth to Menelik I. Hence, he became the founder of the Ethiopian state and the Ethiopian rulers deliberately attached their lineage with this legend and forbade any claim of the throne out of this genealogy. The 3000 years of Ethiopian history is emanated from this legend than a reality.

⁵⁴ As most of Ethiopian history is built on myth, there was no a Christian king by the name Tewodros I who ruled the country before Tewodros II. But there is biblical message that mentions the name Tewodros who would liberate the Christian Holy land (Jerusalem) from Turks (Islam) (Erlich, 1994: 49). Tewodros II adopted this name in order to win support from the public and also obtain legitimacy about his self-claimed lineage along Solomonic line.

administration. Emperor Yohannes IV (r. 1872-1889) inherited the nation-building mission but slightly different from his predecessor. While Emperor Tewodros envisaged a centralized unitary state of Ethiopia, Emperor Yohannes followed a policy of 'regionalism' where the provincial kings were tolerated to administer their own local affairs as far as his over-lordship remained uncontested (Bahru, 2002). In spite of this difference, both were similar in their religious policy where they officially declared the Orthodox Church as an established state Church and Orthodox *Tewahdo*⁵⁵ Christianity as the only religious doctrine available in the religious market for all Ethiopians (Markakis, 1974; Erlich, 1994).

Evaluating from the core values of the nation-building project of Ethiopian emperors, Menelik's reign was not an exception to the forceful homogenization efforts of the previous regimes but he rigorously used 'incentives and rewards' for assimilation. Those religious communities who voluntarily converted to the state religion and those ethnic groups who submitted peacefully to his political supremacy were saved from military devastation and were allowed to administer their own affairs. Defining his policy of nation formation in religious terms, he never conducted a 'war of crusade' against the 'infidels' so far as they do not challenge his emperorship and pose a threat to the established national church. His reign was regarded as a period of 'limited toleration' for Muslims as long as they remained impotent in political and administrative affairs of the state (Erlich, 2010). However, no major change was recorded during his reign with regard to religious, cultural and linguistic homogenization as an ultimate goal of the state. It was his grandson and successor, Lij Iyasu⁵⁶ (r. 1913-1916) who tried to integrate Muslims instead of forcing them to abandon their forefathers' religion or assimilate to the so-

⁵⁵ *Tewahdo* means 'united' or 'unionite' which is related with the nature of Christ where it maintains that Christ had only one nature in that the Human and Divine nature of Him are completely united which could not be divided or separated.

⁵⁶ Contrary to most Ethiopian emperors before him, Lij Iyasu claimed his descent from the Prophet Mohammed instead of Solomon and Christ as used by the Christian rulers to advance their claim of the 'Chosen people' agenda and the legitimacy to rule the country. As it shall be discussed below, genealogically, Iyasu was the son of Mohammed Ali of Wollo who was a Muslim Oromo converted to Christianity persuaded, rather forced, by the combined forces of king Menelik of Shewa and emperor Yohannes IV at the close of the 19th c. Because of his Muslim lineage, inevitably he showed enthusiastic support towards Muslims and Islam. See, for example, Markakis 2006 and Seifuddin Adem Hussien (1997: 130).

called core Christian culture of Ethiopia. His reign, however, was short-lived because of allegation of apostasy and deposed from the throne by a coup d'état, which he never officially enthroned, with the combined efforts of the nobility and the Orthodox Church clergy (Craig, 2010; Markakis, 1974).

Emperor Haile Selassie I (r. 1930-1974) was more systematic in creating a centralized unitary state of Ethiopia without losing the mindset of homogeneity of culture, language and religion as a base for unity. He granted, by His Will, various laws to his subjects in order to 'legitimize his eternal kingship received from God'. His period – his reign was unusually very long who stayed in power well over half a century – was marked by the proliferation of the codification of several laws unprecedented in the country's history. Among others, unasked but granted to the Ethiopian people (Markakis, 1974) the following: the first written Constitution (1931), the Revised Constitution (1955), the Penal Code (1957), the Civil Code (1960), the Commercial Code (1960), the Maritime Code (1960), the Criminal Procedure Code (1961), the Civil Procedure Code (1965) and many more other bylaws. In all of these legal documents, his sacred descent (as the descendant of 'the Lion of Judah') and personality was pronounced where all declare him as 'Elect of God'. In one or the other form, these laws proclaimed the EOC as the national church and Orthodox Christianity as the religion of the Ethiopian people. The 1955 Revised Constitution officially required the Emperor to be a member of the EOC and declared Orthodox Tewahdo Christianity as the only official state religion (art 126). The 1957 Penal Code provides lists of compulsory religious and national holidays, "[...] all of which were Orthodox festivals" (Bandyopadhyay and Elliot Green, 2008: 7). Failure to observe such mandatory public holidays was made punishable by law (art 772). No reference to Islamic or any other religious festivals were made by the state. The 1960 Civil Code had created a clear distinction between the legal status of the EOC and other religious institutions or groupings. The former was recognized as a legal person by law, whereas the latter need to apply for registration based on the laws of association or other special laws enacted by the state and hold a certified license to lawfully operate in the country (articles 398 and 407).

With this brief introduction, as stated above, I keep on discussing and examining the state-religion relations vis-à-vis the Muslims in three major categories: Imperial Theocracy – covers the period from Emperor Tewodros II up to the last days of Emperor Haile Selassie I with going further back only when necessary to comprehend the present; Socialist Secularism – covers the 17 years of *Derg* rule (1974-1991); and the last part covers the EPRDF period (1991-2015) where it explicitly recognizes the separation of state and religion in the country's supreme law.

3.1 Theocracy and the Status of Muslims during the Imperial Regimes

Multi-ethnic countries like Ethiopia often face difficulties to deal with issues of how best to bring about national unity. In broad but simplistic terms, they might have two options; 1) to follow a policy of assimilation to the mainstream (dominant) culture, language and religion or 2) to recognize diversity for establishing a nation under the notion of multiculturalism and multinational federal arrangement (Norman, 2006: 39). In the former category, countries often use certain litmus tests to check whether the targeted groups to be assimilated or otherwise integrated are ready for that effect. Among others; language, culture, religion, etc. were employed to screen out 'fit and unfit candidates'. Historically, nation-building was used to mean religious and linguistic homogenization to the extent where a nation-state was understood to mean a country inhabited by communities with one language and religion (Bandyopadhyay and Elliot Green, 2008: 6, citing Laitin, 2007).

The litmus test for being included in the Ethiopian nationhood during the imperial periods was subscribing to the three homogenizing elements; Amharic language, Orthodox Christianity and the Amhara/Tigre culture (Markakis, 1974; Vaughan, 2003; Gilchrist, 2003: 1). This test was widely used despite the presence of more than 85 languages (CSA, 2007), varieties of cultures and religions in the country. As some scholars noted it, among all African leaders; Emperor Haile Selassie's of Ethiopia was the most aggressive in forging linguistic and religious homogeneity by declaring Amharic as the sole language of the country and the Orthodox Church as the only national church, discouraging and/or banning all other 'pagan' languages and religions (Bandyopadhyay

and Elliot Green, 2008: 6-7). Languages and religions other than the specified core identities were seen as antithesis to the Ethiopian-nation. Islam, in particular, was placed in contradistinction to the Ethiopian state and thereby proclaiming ‘the two could not co-exist’. This conviction was emanated from the ‘wrong belief’ of the emperors that ‘Ethiopia is an Island of Christianity surrounded by an Islamic sea’ (Markakis, 1974). Similarly, all forms of hyphenated identities (e.g. Oromo-Ethiopian, Gurage-Ethiopian, Tigre-Ethiopian, Sidama-Ethiopian, Somali-Ethiopian etc.) were associated with subversion and disloyalty to the nation-state agenda. Hence, they were ruthlessly suppressed (Clapham, 2013: 24). This was the dominant view of the time and continued unabated right up to the 1974 revolution. Except some concessions for the recognition of multi-religious and multinational Ethiopia, *Derg*’s policy towards the accommodation of diversity was more or less similar to the imperial regime. It promoted Amharic and the indivisible Ethiopian identity at the expense of other languages and ethnic identities.

The policy of assimilation seems reversed following the adoption of a federal system of governance since *de facto* in 1991 and *de jure* in 1995. The new system with its constitutional federal state structure not only recognizes but also uses ethnicity and language as the bases for state formation. The previously core identities (Amharic language, Orthodox Christianity and Amhara/Tigre culture) became just one components of ‘multi-linguistic, multicultural, multi-religious and multinational Ethiopia’ under the umbrella of ethnic-based federalism⁵⁷. Having said this, the subsequent part of this chapter presents and examines the political, economic and social status of Muslims in the Ethiopian state. As hinted above, this will help us in comprehending and explaining the contemporary claims and grievances of Muslims against perceived government interference in their religious affairs. As the saying goes: “history is always with us” with vigor of connecting “the present with the past” (Markakis, 2006: Preface).

⁵⁷ The Ethiopian variant of federalism is sometimes termed as ethnic-federalism as it uses, among others, ethnicity as the basis establishing constituent units of the federation.

3.1.1 Emperor Tewodros II (r. 1855-1868)

The acrimony between the Ethiopian state and the Muslim community reached to its peak⁵⁸ during Emperor Tewodros II (r. 1855-1868) when he tried to ‘restore’ the unity of the country under the umbrella of two but inseparable homogenizing elements: Orthodox Christianity and the Amharic language (Abbink, 1998: 115). Emperor Tewodros came to realize that, the ethnic, religious and provincial wars fought before his ascendance to power (known as the *zeme mesafint* – era of the princes, 1769-1855) was a threat for the country’s survival and unity. For this reason, “[... he] sought to promote unity among the various groups” (Markakis, 1974: 89). For achieving his goal, he envisaged forging religious uniformity and linguistic homogeneity by whatever available means, including war and forced mass conversion. For him, religious and ethnic diversities were thought to be negatively correlated with national unity. More diversity in terms of religion, ethnicity and language mean less unity. Uniformity of religion and the need to have an officially established religion was often seen as a prerequisite to forge a nation-state.

As a Christian Emperor and a logical consequence of his conviction, he devised a mechanism of imposing Christianity over the ‘pagans’ and Muslim population of the country. He explicitly declared a ‘war of crusade’ against the Muslims of northern Ethiopia (Erlich, 1994). As a first step, he made his intention clear by “declaring his aim to have for the Amhara and the Oromo eat at the same table” (Markakis (1974: 89). His declaration signifies one basic thing. He was quite sure that the Amharas were all Christians and the Oromos Muslims. Based on Ethiopian tradition, Muslims and Christians could not eat meat slaughtered by a person of the other faith (Erlich, 1994). In this sense, his declaration was meant to force the Muslims (Oromos) to convert to Christianity in order to eat together with the Amharas (Christians). He officially declared the mass conversion of Wollo Muslims (Oromos) to Christianity. However, his order of mass conversion of the Wollo Oromos faced stiff resistance from the local Muslim community and achieved little success. “Meeting with little success”, as Markakis (1974:

⁵⁸ This was apart from the 16th c civil war between the Muslim community led by Ahmed ibn Ibrahim al-Gazi (popularly called Gragn) and the Christian Kingdom under the emperorship of Libne Dingle.

89) spelled out, “he issued a decree in 1864 outlawing Islam and declaring that all Muslims who resisted conversion would be treated as rebels”.

Worth mentioning here is, before Tewodros’s self-coronation as king of kings of Ethiopia in 1855, the country was ruled by various warlords that came to be in Ethiopian history as *Zemene Mesafint* (1769-1855) (Bahru, 2002). During this period, the Christian palace of Gondar was predominantly occupied by rulers from the Wollo Oromo called *Warra Sheikh* Family (Hussein, 2006). Although nominally Christian, the rulers tacitly endorsed the spread of Islam in their territory. Ras Ali I, Ras Ali II, Ras Yimam, all were officially Christian but favored, either openly or in secret, the propagation of Islam and appointed their co-religionists in top government posts (Trimingham, 1952: 110-112). Many of these hereditary Oromo rulers belong to the national Church only for political reasons. At this time, there were numerous converts to Islam and as Trimingham contends; the Orthodox Church was at its ‘lowest ebb’. There were discontents among the Christian community against the allegedly Muslim rulers in the Christian Kingdom.

Kassa Hailu (as was known before his coronation) then decided to unite the country under the banner of one language (Amharic) and one religion (Orthodox Christianity). He severely punished his rivals (including Ras Ali II in 1853 at the battle of Ayshal): political and religious. Hoping to bring religious homogeneity, he formally proscribed the propagation and practice of Islam in ‘his territory and ordered forced mass conversion’ (ibid. 115). The conviction that religious and linguistic homogeneity brings peace and stability was at the forefront during his reign. However, the irony was that, he fought successive wars against Goshu of Gojjam, Bezabih of Shewa, Ras Ali II of Begemdir (Bahru, 2002) and possibly with other weak regional lords during the Era of the Princes in which all were Orthodox Christians and Amharic speakers that refutes his conviction of religious and linguistic homogeneity as a precondition for national unity and stability. After all, it was Kassa Mircha (the future Emperor Yohannes IV) of Tigray and a ‘devout’ Orthodox Christian who assisted the British invading forces towards Maqdela (capital city of Tewodros) in 1868. The invaders who came to Ethiopia to dethrone Emperor Tewodros II for getting released British prisoners in Ethiopia. With the strong

support of Kassa Mircha, the British expeditionary forces safely marched towards Meqdela and forced the Emperor to commit suicide as a fugitive over the tip of the mountain (Marcus, 1994). The British forces were further supported by another Orthodox Christian collaborator, Wagshum Gobeze Gebre Medhin of Lasta (the future Emperor Tekle Giorgis II 1868-1872) towards the base place of Tewodros II. Wagshum Gobeze was then rewarded with Emperorship immediately following the death of Tewodros II (ibid). Despite these bare facts that religious homogeneity was not a precondition for national loyalty; Tewodros regarded Islam as a major threat for national unity and sign of disloyalty to being Ethiopian. In his view, the Christian rebels in his kingdom were regarded as ‘lesser evils’ compared with Wollo Muslims (Oromos) whom he considers as “[...] proxies for foreign Islamic powers intending to destroy a Christian nation” (Mekuria, 2005: 13). The name Tewodros, his throne name, itself was derived from an early Solomonic legend to mean “a messianic king and savior of Ethiopia who would unite the country and would destroy Islam on his way to redeem Jerusalem” (Erlich, 1994: 49).

While he was unsuccessful in most of his efforts to unite the country as he wished and in securing support from ‘Christian Europe’ against the common enemy (Islam), “he became merciless against his opponents, loosing all sense of proportion” (ibid). Tewodros took severe punitive measures such as cutting of hands and legs in northern part of Ethiopia, particularly in Wollo, where politically active and numerically strong Muslims were found. He excluded Muslims from possessing land for cultivation, holding government offices, and to take part in the military⁵⁹ and often relegated them to ‘second-class’ status in the country. In spite of all the measures, his effort remained unsuccessful and religious homogeneity never achieved (Erlich, 1994: 49; Markakis, 1974: 89; Trimmingham, 1952: 118). Nonetheless, the ‘assimilation project’ started by the emperor for mass Christianization had far reaching implications for the struggle of the Muslims for their rights and freedoms and for the stringent religious policies of the subsequent emperors towards Islam. It served as a precedent for others to follow. This process of

⁵⁹ Tewodros was often remembered in Ethiopian historiography as the first Ethiopian emperor to establish a national standing army (Bahru, 2002).

unification, which some also call ‘internal colonialism,’⁶⁰ had created a scenario of Christians being rulers and Muslims being subjects; the latter always to avoid involving in political activities and confine themselves only in the so-called despised activities such as trading (mostly as retailers), weaving and craftsmen. As Trimingham (1952: 118), argues, it was not only Emperor Tewodros but his predecessors and successors alike, until the last days of Emperor Haile Selassie, all tried to achieve religious homogeneity by ‘compulsion alone’ through converting Muslims and pagans.

3.1.2 Emperor Yohannes IV (r. 1872-1889)

Well known historiographers of Ethiopia such as Bahru Zewde (2002) and John Markakis (1974) regard Emperor Yohannes IV (r. 1872-1889) as ‘politically liberal but religiously conservative’. In ruling the country, he allowed different regional lords to administer their own local affairs (with the title of king) so far as they accepted his suzerainty or his exclusive title of ‘king of kings of Ethiopia’ (Markakis, 1974: 37; Bahru, 2002). In other words, he used to follow a ‘federal-like’ state structure where power was shared among various regional warlords (kings) and the emperor (king of kings) at the center⁶¹. In sharp contrast to his ‘accommodative administrative policy’, he opted for religious uniformity to accomplish the nation-building project inherited from his predecessors. He declared ‘the *Tewahdo* doctrine of Orthodox Christianity as the only available religious doctrine for the entire population of his kingdom’ and officially banned all other doctrines and religions. Some scholars argue that, Yohannes was even harsher than his predecessors in religious issues (Bahru, 2002; Erlich, 1994; Markakis, 1974). As pointed out by Haggai Erlich (1994: 62), “his [religious] policy was marked by a strong anti-Islamic element”. After declaring Orthodox Tewahdo Christianity as the only official state religion, he granted a limited chance for other religious adherents ‘to convert to the stated official religion or leave his dominion or face persecution’. His intended goal was converting all Ethiopians into Orthodox Christianity. Scholars of Ethiopian History, such as Hussein

⁶⁰ See Mohammed Hassen (1996), “The Development of Oromo Nationalism”, in Baxter (ed.) *Being and Becoming Oromo*. Uppsala: Nordiska Afrikainstitutet.

⁶¹ Some (e.g. Merera, 2003: 88 and Lovise, 2007: 71), however, consider Yohannes’s policy of ‘regionalism’ as a tactic of ‘divide and rule’ policy of minority groups to hold power at the center rather than a genuine power-sharing mechanism for accommodating the interests of varied ethnic and linguistic communities.

Ahmed (2002) contend that, during his reign, being Islam was a crime punishable ‘by law’. Other scholars like Mekuria Bulcha (2005: 14) regard him as “[...] a Christian fundamentalist and [...] fanatically intolerant of Islam [... where] Muslims could be killed without any remorse”.

In the 1878 Religious Council (Conference) of Boru Meda (Wollo), Orthodox Christianity of the *Tewahdo* sect was declared as the official doctrine of the Church. *Tsega*, *Kibat* and *Sost Lidet*⁶² doctrines entertained in the Church for long were banned and “dissenters were threatened their tongues to be cut off” (Craig, 2010: 9 cited from Bahru 2001). After the Conference, Yohannes unequivocally sent an ultimatum to the Muslims of Wollo in particular, to convert to Orthodox Christianity or to leave his dominion or face persecution (Mekuria, 2005). At the Council of Boru Meda, Emperor Yohannes and King Menelik of Shewa coordinated their efforts and explicitly told the Muslims of Wollo to ‘revert’ to Christianity:

We are your apostles. All this [Wollo and the central highland area] were used to be Christian land until Gagn ruined and misled it. Now let all, whether Muslim or [...] pagan] believe in the name of Jesus Christ! Be baptized! If you wish to live in peace preserving your belongings, become Christians. [...] Thereby, you will govern in this land and inherit in this world the one to come (Erlich, 1994: 62).

Although Emperor Yohannes and King Menelik claimed that all the people in the region called Wollo and some northern highlands were Christians before the war of Ahmed Gagn, Islam had a foothold in these areas long before this war (Abbink, 2013; Markakis, 1974). Jon Abbink (2013: 3), for example, states that “Muslim communities appeared within the Christian state long before Gagn’s invasion in the sixteenth century” despite the number of Muslims swelled during the brief period of Gagn’s conquest and rule (1529-1543). There were always Muslim minorities in the traditionally Christian territories of Gondar, Tigray, Shewa and Gojjam implicating the strong attachment of

⁶² *Tsega* (Grace) doctrine believes that Jesus Christ became Divine by adoption when God the Father proclaimed him “MY SON” through grace, at the baptism. The *Kibat* doctrine (Unctionists), on the other, believes that Christ has received his Divinity from his unction or anointing by the Holy Spirit at his Baptism. *Sost Lidet* or three births doctrine maintains the belief that Jesus Christ (God the Son) had three births, the first from God the Father at the Creation, the second from the Holy Virgin at the Nativity, and the third from the Holy Spirit at the Baptism.

Muslims in all Ethiopian histories (ibid). It is arguable that, the justifications for the order of conversion of Wollo Muslims was not the re-conversion of the previously Christians into Christianity as Yohannes and Menelik claimed but the conversion of Ethiopian Muslims into Christianity.

Yohannes further issued another decree following the Council of Boru Meda, which forced “[...] all non-Christian office-holders to convert or resign their posts [...] and Muslims were ordered to build churches in their districts and to pay tribute to the Christian clergy” (Markakis, 1974: 90). He aggressively employed a ‘religious test’ for public office and his litmus paper screens out Muslims as unwanted to hold public offices. The measure of Yohannes was so severe particularly to Muslim Oromos of Wollo who already hold strong governmental positions and aspire for political power in the country. Some converted to Christianity. Among the notables of Oromo chiefs was Imam Mohammed Ali who later granted the title *Ras* by Yohannes and re-named *Ras* Michael following his conversion to Christianity in 1878 and acted as an agent for the conversion of other Muslims in Wollo. Around half a million Muslims were converted to Christianity (Erich, 1994: 62). However, as some studies indicate, many of these conversions were superficial and Muslims remained faithful to their religion. For example, Trimmingham (1952: 24) spells out that, “The Wollo [...Oromo] of the plateau were forcibly converted from Islam by the Emperor John [Yohannes], but many of them in fact remain Muslim.” This was observed in later days when ‘relative tolerance’ was seen during the reign of Emperor Menelik II (1889-1913) that the new ‘converts’ rejected their new religion and reverted to Islam⁶³ (Markakis, 1974).

Scholars such as Craig (2010: 9) and Markakis (1974: 90), provide the ‘moderate version’ of Emperor Yohannes IV’s religious policy. According to these sources, he arranged ‘a conversion timetable’ for those who wished to escape persecution. Accordingly, two years for Christian heretics⁶⁴, three for Muslims and five for

⁶³ Emperor Menelik’s period showed some sort of tolerance but not wholehearted toleration rather superficial in as far as Muslims remained politically impotent which will be discussed in the next part.

⁶⁴ The Christian heretics, for Yohannes, were the Protestants, Catholics, and followers of other denominations of Christianity other than the Orthodox Tewahdo religion and he thought that it could be

practitioners of traditional local faiths or pagans were granted as ‘grace periods’. This was intended to provide ‘sufficient time’ for these religious communities to adjust themselves for final conversion into Orthodox Tewahdo Christianity. As stated above, Emperor Yohannes focused on the Muslims of Wollo, the same province, which was the victim of Tewodros’s repressive policy. It was emanated from the fear of having a strong and politically active Muslim community in the heartland of ‘his empire’. Some argue in favor of Yohannes’s policy. Zewde Gebre-Selassie (1975: 96 as cited in Mekuria, 2005: 16) argue that, it would be impossible to allow Muslim leaders with the title of *Imam* to preside over Muslim population, “for they constituted practically a foreign state in the midst of a Christian heartland”.

Yohannes warned all the Muslims in his kingdom to convert to Christianity or face persecution and expulsion from the empire. The Muslims of Wollo responded to the ultimatum in three different ways: conversion (pseudo and genuine), fighting (resistance) and fleeing from or leaving their homeland (Bahru, 2002). In the first category, a few number of Muslims converted to Christianity. Due to the imminence of death and fearing severe punishment for refusing conversion, a small minority of Muslims (Mekuria, 2005) abandoned their religion and accepted the order of mass Christianization. The conversion was of two types: genuine and pseudo (tactical). Emperor Yohannes IV appointed soldiers for each village to check/monitor the genuine conversion of Muslims. There is a story in Wollo which reads; “when Muslims were asked about their ‘genuine’ conversion to Christianity, most of them used to have been responded in Islamic swearing”. A Muslim guy is said to have been asked by Yohannes’s soldier – “are you a Christian”? He replied affirmatively. The soldier then tries to ascertain what he has just heard – “are you sure”? He replied – *Wellahi Kristiyan negn* – literally means - *in the name of Allah, I am a Christian*. Put differently, he affirmed his being ‘true Christian’ through Islamic avow in the name of Allah/God. During that critical time, some Muslims developed a unique strategy of ‘dissimulation’ for escaping from severe punishment without completely erasing their forefathers’ religion, what Scott (2009) calls ‘everyday forms of resistance’,

easier for them to embrace the officially declared religion within shorter period of time compared with the Muslims and pagans (traditional believers) (Craig, 2010).

'the hidden transcript' or 'weapon of the weak'. They would go to church at daytime and pray for the Christian God and at the same time pray for, and remain loyal to the Muslim Allah at night (Bahru, 2002). It was a tactic of worshiping the religion of their political masters in public and their own Allah in private. Put simply, they were Muslims in heart but Christians in name and external behavior. Scholars expressed this juxtaposition in Wollo as "Christian by day, Muslim by night" (Hussein, n.d. 26; Markakis, 1974: 90; Bahru, 2002). As Hussein mentioned, this was a tactic based on the Islamic concept of *taqiya* (dissimulation)⁶⁵. It could also be argued that, the state sanction and regulation espoused by the Emperor had resulted in the restriction of an open practice of Islam but it did not eliminate the belief system of the people. This situation has happened in Ethiopia during the imperial periods which some termed it that "religious belief, [...], is more resistant than practice" (Harris, n.d: 14). For fear of persecution from government security forces, social prejudice, discrimination and harassment, minority religious groups often prefer to limit their beliefs at their heart rather than overtly displaying their religious commitment through practices. However, the repressive measures of the government could not regulate the beliefs of the society which is less vulnerable to external forces since it requires adherents less physical expression (ibid). Similarly, the Muslims of Wollo took their religious beliefs and practices underground until the repressive measures of the state eased in later days. One thing to be worth mentioning is also the fact that the government's measure of repression did not end religious practices but forced it to be performed at night. This juxtaposition in Wollo finally developed/evolved into a unique nature of the relationship between Muslims and Christians in its later days. It is observable in the area to assign a Christian name for the father and a Muslim name to the child or possible reciprocally. It was normal for Muslims to go to Church while Christians celebrate their holidays and vice versa even

⁶⁵ The Islamic concept of *taqiya*, which could be literally translated as dissimulation, is used to conceal one's belief (Islam in this case) to protect one's life from severe and imminent dangers in which case the believer is free from punishment in the hereafter world. The act is blameless only in situations where the believer is Muslim in his heart but resembles the enemies in his words (using tongue) and also physically (acting something in contrary to one's belief) as the Quran Sura 16:106 says: "whoso disbelieveth in Allah after his belief-save him he is forced thereto and whose heart is still content with the faith-but whose findeth ease in disbelief: on them is wrath from Allah. Theirs will be an awful doom". Others prefer to translate *taqiya* to mean 'diplomacy' instead of 'dissimulation' since "it encompasses a comprehensive spectrum of behaviors that serve to further the vested interests of all parties involved" (see for example, <http://www.al-islam.org/shiite-encyclopedia-ahlul-bayt-dilp-team/al-taqiyya-dissimulation-part-1>).

when toleration was developed. Until very recently (up to 1991 regime change where one's uniqueness and particularistic identity is highly propagated by the state – ethnic or religion), conversion and re-conversion from Islam to Christianity or vice versa was seen as a 'common practice'. Marriage between Muslims and Christians was also conducted in normal circumstances without condemnation from the families of one another. However, this practice has faced serious condemnation and rejection following the revival of religion, as some call, the growing influence of Salafism (Wahhabism) (Abbink, n.d. 24) after the 1991 regime change.

In the second category (resistance), the numbers of Muslims were large and they organized themselves under the leadership of different personalities, among others, a known Sheikh Talha B. Jafar (Hussein, n.d; Bahru, 2002) to resist religious compulsion and the government's decree of mass Christianization. They fought hard against the soldiers of the Emperor but lost many of the battles. The Emperor then took very severe measures against the war captives to set a precedent and have a deterrent effect on others who planned to continue the resistance. After the battle of Boru Meda (1878), many Muslims of Wollo were severely punished, as some say, burnt alive to send a message for others to submit peacefully (Ewunetu Yih New, 2012). In the third category, some Muslims of Wollo fled to nearby and far places (both inside and outside Ethiopia). Those who escaped from the war fled to Mettema, Harar, Arsi, Gurage, and Jimma areas of south, southeast and southwest of Ethiopia (Mekuria, 2005). For example, Hussein (2010: 114) states that, "[...] some of the victims would certainly have fled to, and settled in the Muslim stronghold of Harar and its environs in order to practice their faith in peace." Some others even went to the neighboring state of Sudan and in such far places of Egypt and Yemen. In spite of Yohannes's efforts for mass Christianization, the majority of the Muslims of Wollo and northern Ethiopia remained Muslims. Hence, the policy of religious homogenization envisioned by Yohannes, for all practical purposes, failed as the case was true for his predecessor. Islam persisted as a religion of the majority of Wollo people. However, his policy of eliminating Islam left its legacies behind for other successive imperial rulers of Ethiopia to do the same or at least follow a comparable religious policy in subsequent periods.

3.1.3 Emperor Menelik II (r. 1889-1913)

Before his coronation as king of kings Emperor Menelik II in 1889, he incorporated large areas in south, southeastern and southwestern parts of the country. He managed to succeed in victory after victory mainly owing to his military superiority (Mekuria, 2005: 18) over the local peoples and partly due to his political and religious ‘tolerance’ strategies as far as the conquered accepted his emperorship and remain no threat for his throne. Those who submitted peacefully to his military conquest were encouraged to hold their position of administering their local affairs and maintain their religion. Those who resisted were ruthlessly suppressed (ibid). The tolerance and intolerance faces of Menelik towards local communities and religious groups were largely dependent up on the reactions of these communities and groups. Clapham (2013: 20), for instance, contends that,

In the most striking case, the Moslem Oromo sultanate of Jimma, Sultan Aba Jiffar was able to reach an agreement with Menelik under which he not only remained on his throne, but was able to prevent the imposition of such symbols of conquest as the erection of Christian churches [in his kingdom].

On the other hand, “it was very different in Harar, which resisted, and in which a large Orthodox Church was erected with brutal symbolism in the center of the old Muslim city” (ibid). It is commonly believed that, some of the Churches in the city of Harar and its surroundings were built over the ruins of mosques and one of the yearly visited churches, St. Qulbi Gebriel Church was built after a mosque was demolished by the soldiers of Menelik II.⁶⁶ By and large, while the policies of Tewodros and Yohannes were one of repressions manifested in ‘religious communities cleansing’, Menelik’s was quite systematic and multifaceted. While he employed exclusion and marginalization including forceful suppression in one strand, in other instances he allowed for the existence of minority ethnic communities and religious groups without meaningful social, economic or political participation in the wider society at large. In contrast to his predecessors, he did not conduct a ‘war of crusade’ against the local ethnic communities and Muslim population so far as they peacefully submitted to his conquest. The assumption was that,

⁶⁶ Interview with a person from Harari ethnic group, 15 June 2013

as far as political and military supremacy of Christianity is in place, time matters for the absolute absorption and assimilation of pagans and Muslims into the 'melting pot' Christian kingdom (though things were not to his expectations) (Markakis, 1974). The other related factor, which obliged Emperor Menelik to follow a pragmatic religious tolerance policy, was the fact that very large numbers of non-Christians were incorporated into the kingdom unprecedented in the country's history. He conquered large Muslim areas of Arsi, Hararge (Harar), Bale, Jimma and other areas in the south, southeast and southwest of the territory (Vaughan, 2003). Unlike his predecessors, who mainly faced the 'threat' of Muslim presence in the heartland of Christian kingdom of Wollo and to some extent Gondar, Menelik had to face resistance from large areas and much bigger population (Markakis, 1974). Developing a strategy of religious intolerance towards the predominantly non-Christian communities of these territories probably could endanger his central authority and the hard-won victory. He, instead, resorted to a policy of inducement and rewarding with gifts including maintaining their traditional positions for 'voluntary' converts towards Christianity. Put simply, he was contented with the conversion of the ruling elites from the vanquished communities instead of converting the Muslims *en masse* as his predecessors tried to do. This so-called religious tolerance policy of Menelik, as some scholars rightly pointed out, was for the sole reason of minimizing resistance from the local Muslim and pagan population (Markakis, 1974: 34).

Though the reason for the adoption of religious tolerance policy by Menelik was not emanated from his belief in justice and the equality of religions, he was not as fanatical as his predecessors were. He rather followed a kind of 'pseudo-tolerant policy' towards the Muslims and employed more of "persuasion and incentives" (Markakis, 1974: 90) to win support from the local community or legitimize his conquest in the eyes of the conquered. He used to provide offices, titles and land for those local chiefs who themselves converted and encourage their peoples to convert to Christianity. By doing so, the state actively took over the roles of the church in a more systematic manner of 'proselytizing' the people, not by missionary work in its technical sense of the term but through providing incentives (material and psychological/moral) for the new converts and in other times by force using the coercive arms of the state/government. It is to be noted that,

during most of the imperial eras, it was the government who worked most of the church's proselytization activities (ibid). From the start, the EOC played a very insignificant role for an organized proselytization works leaving this task for the state and the government. After Menelik's incorporation of large areas in the south and southwest of Ethiopia, the EOC faced stiff resistance from a relatively an organized Muslim principalities like Jimma under the leadership of Jimma Abba Jifar whom Menelik allowed to administer their own affairs and maintain their religion owing to their peaceful submission and the negotiations that followed (Clapham, 2013). Nonetheless, having an organized Muslim community and other religious groups was not a challenge for the Orthodox Church since the Church 'did not participate in the evangelical processes by its own.' After the expansion of the state towards the south, Markakis (1974: 91) provides that, "the Church continued as before to rely on the political advantage of Christianity and the activities of the state to promote the expansion of the faith among the Muslim and pagan peoples of the south." King Menelik took the task of the Church and encouraged mass conversion not by compulsion alone as his predecessors did but by combining 'carrot and stick' methods. He used both methods, separately or in combination as necessary, to encourage or force local Muslim community and traditional religious believers to embrace the state religion. In sum, gained plenty of experiences from his predecessors' unsuccessful attempts of uniting the country under the banner of 'one religion and one country', Emperor Menelik II (1889-1913) took a more pragmatic approach towards his 'Muslim subjects' in favor of 'accommodation'. He did not employ an all-out forced conversion and mass Christianization. However, Menelik, like his predecessors, was assimilationist in goal but incentive and reward in methodology. The overall difference lies in the methods they employed for assimilation rather than the end goal.

3.1.4 Lij Iyasu (r. 1913-1916)

In the absence of a living male child to inherit his throne, Emperor Menelik II appointed his grandson Lij Iyasu⁶⁷, as his successor (Markakis, 1974: 237; Amede, 2011: 98). Although he was chosen as the successor of Menelik, Iyasu “refused the consecration of the EOC [as it was usual before him] and never held a coronation ceremony” (Craig, 2010: 28). In spite of Iyasu’s being too young (only 13 when he assumed power) to articulate well-defined political policies, he was noted for his liberal ethnic and religious policies in the country’s history. He tried to integrate the Muslim communities into the wider Christian population of the country (Abbink, 1998: 116). He undertook several visits to the peripheral Muslim areas of Afar, Somali, and Harar for winning trust from the Muslim community to the Ethiopian state and the Christian-dominated throne. He allowed the construction of mosques parallel to the building of churches in different parts of Ethiopia. Ethiopian Muslims saw positive attitude and practical measures for the first time in the country’s history from the central authority (the Ethiopian state). However, the act of Lij Iyasu was seen in suspicion by the Shewan Christian nobility and allegedly accused him of being converted to Islam. They started to manipulate his regular visit to Muslim areas and the construction of mosques – in addition to his Muslim background as the son of former Wollo Oromo *Imam* Mohammed Ali (*Negus* Michael) – as evidences for his conversion. Moreover, all his actions were ‘misinterpreted’ as measures taken against the established Ethiopian Orthodox Christianity (Hussein, 2006: 8).

In fact, some scholars exclaim that, Iyasu actually adopted Islam as his religion (Trimingham, 1952: 130-131). Trimingham mentioned the following facts about Iyasu’s actions in favor of Islam but none of them exclusively prove his conversion. Lij Iyasu used to stay for long periods in the Muslim-majority areas of southeastern Ethiopia, built mosques in Dire Dawa and Jigjiga, married to Muslim women of Afar and Somali leaving aside his Christian wife Romanwerq, sent an Abyssinian flag to “the Turkish consul-general [...] embroidered with a crescent and the Islamic formula of faith, adopted Muslim dress and customs” (ibid: 130-131) and took other measures unfavorable for the

⁶⁷ Lij Iyasu was the son of the Wollo Oromo Imam Mohammed Ali (later named Michael after his conversion to Christianity by the combined pressures of Emperor Yohannes IV and king Menelik) and Menelik’s daughter, Shewarega (Amede, 2011: 98).

Christian Shewan nobility. But in all circumstances, Lij Iyasu never officially declared his conversion to Islam and no practical evidences presented against him that prove his conversion.

As a reaction to his measures, the nobility around the palace staged a coup while he was in a visit to Harar in 1916. Due to his strong sympathy to the Muslim cause, Craig (2010: 28) states that, Lij Iyasu was “excommunicated, overthrown and imprisoned.” It was nothing but the “charge of alleged apostasy” intensified the downfall of Lij Iyasu and his execution immediately before the Italian occupation (Markakis, 1974: 52). Emperor Haile Selassie in his book entitled: *Hiwotie ena Ye-etyopiya Ermija* – literally – “My Life and the Progress of Ethiopia” using his royal person ‘We’ stated that;

Since We afraid that Lij Iyasu will make Ethiopia an Islamic country by converting himself to Islam, first [We] kept him in prison. But when We decided to go abroad [in 1936]⁶⁸ to friendly countries to get support in order to liberate our country from Fascist Italian occupation, fearing that the Italians might release and enthrone him as emperor of Ethiopia, We took action against him [killed him] while in prison (Hajji Beshir, 2010: 40-41).

As it is clear from the above quotation, being Islam excludes one from the political position and holding the throne. As shall be discussed below, Emperor Haile Selassie’s dictum of “religion is private, country is for all” became a simple lip service with no substantial value to promote religious diversity and equality.

3.1.5 Emperor Haile Selassie I (r. 1930-1974)

Teferi Mekonnen, an heir to the throne which was nominally run by Empress Zewditu (r. 1916-1930), crowned as Emperor Haile Selassie I in 1930 (Markakis, 1974) following the sudden death of Zewditu, which Teferi was implicated. He ruled the country for more than half a century starting from his regency. And, he continued his forefathers’ assignment of ‘uniting Ethiopia’ under the banner of ‘one religion, one language and one

⁶⁸ It is to be remembered that, while the Italian colonial forces advanced towards Addis Ababa, Emperor Haile Selassie fled to Britain in May 1936. He stayed in London for five years and came back home with the forces of British army through Sudan in 1941 following the defeat of the Fascist army in the Second World War.

culture.’ As usual, religious and linguistic diversities were seen as ‘antithesis’ for national unity and he systematically and openly tried to impose the religion and language of the ruling class (Orthodox Christianity and Amharic) over the predominantly non-Christian and non-Amharic speaking peoples. His conviction of linguistic and religious homogenization project was explicitly translated into a reality in the 1955 Revised Constitution where he anchored Amharic as national language at the exclusion of others and Orthodox Christianity as state religion (arts 125 and 126).

Once described by historians such as Conti Rossini (1937) as ‘the museum of peoples’, Ethiopia had to face the heavy-handed centralization and homogenization policies of Emperor Haile Selassie I. The centralization and homogenization effort of the Emperor was multifaceted – political, religious, economic and cultural. In fact, he owed much of the works in these fields from his predecessors. However, the homogenization efforts of the previous emperors were practically superficial and lack institutional frameworks. Emperor Haile Selassie embarked on a more systematic and aggressive way of centralization and homogenization of the country’s diverse societies where the unity of the country was believed to be possible on the graveyards of such diversities. This conviction of the Emperor was seen from the following quotation extracted from Sara Vaughan (2003: 125, quoted from Bahru, 2002: 140) when he proclaims that;

The strength of a country lies in its unity, and unity is borne of [common] language, customs, and religion. Thus, to safeguard the ancient sovereignty of Ethiopia and to reinforce its unity, our language and our religion should be proclaimed over the whole of Ethiopia. Otherwise, unity will never be attained [...]. Amharic and Geez should be decreed official languages for secular as well as religious affairs and all pagan languages should be banned.

In his philosophical outlook, Ethiopian culture was the Amhara culture, Ethiopian religion was Orthodox Christianity and Ethiopian language was Amharic. Despite apparent diversities, the Emperor tried to construct the Ethiopian nationhood based on the narrow but supposedly ‘core ethnic identity (Amhara), core religion (Orthodox Christianity) and core language (Amharic)’. Wudu Tafete (2006: 241-242) quoting

Abebe Fisseha (2000: 165) illustrates the Emperor's policy of homogenization under the above mentioned 'pillars of unity' when he writes;

[Haile Selassie] began pursuing the goal of transforming the heterogeneous empire into a homogenous state based on three concepts, which were translated into the notion of 'one nation, one people'. These concepts were [*ye haimanot andinet* (religious homogeneity), *ye kuankua andinet* (linguistic uniformity) and *ye zer medebalek* (ethnic intermixing)].

There was no room for non-Orthodox and non-Amharic-speaking peoples unless assimilated in Haile Selassie's Ethiopia. Like his predecessors, Emperor Haile Selassie believed that 'Amharization and Christianization of the periphery' would be the prerequisite for national unity⁶⁹. Despite his many legal and practical measures to impede the flourishing of diversity, Haile Selassie was very 'ingenious' leader where he never displayed the policy of ethnic and religious assimilation as a public concern (Amede, 2011). Instead, he tried to show these differences as irrelevant for devising public policies. What matters more, in his word of mouth, was the holistic conception of '*Etyopiyawinet*' – literally means '*Ethiopianness*' rather than being the particularistic conception of Muslim or Christian, Oromo, Tigre, or Amhara (ibid). He and his groupings who were in power, meaning who take the lion's share of the benefit of bigger Ethiopia (the national cake), prefer to be called Ethiopian rather than Amhara or Oromo, Christian or Muslim because the hardware is already built in order to read or be compatible with their own software (e.g. Amhara culture, Amharic language, Orthodox Christianity). For example, Emperor Haile Selassie's multiple identities (Amhara – though genealogically speaking he is not, Orthodox Christianity, Amharic language, his Amhara culture) could be read from Ethiopia without resorting to the particularistic conception of his 'Amhara' identity. The same might not be true for others since the holistic conception of Ethiopian hardware does not read their identity. In a country where Amharic is declared the only official language of the country and Orthodox Christianity as the single official religion of the state, it is a normal discourse for others to emphasis

⁶⁹ For almost all Ethiopian emperors consecrated under the blessing of the Church, unity and uniformity were seen as one and the same as if unity of the country were impossible without homogeneity of the diverse society in terms of language, religion, culture and political outlooks.

on or resort to their particularistic identity to defend their existence or preserve their identities.

As discussed in the previous part of this work, Ethiopian nationhood was deliberately built on the narrow basis of theological conception where Orthodox Christianity and Ethiopianness were used interchangeably (Craig, 2010; Markakis, 1974). This identification of Ethiopian nationhood with one particular religion inevitably forces the other group to resort to their being Islam or any other religion of their own as a form of resistance to the assimilationist policy of the state. It is justifiable for them to struggle the bigger forum under the umbrella of their particular identity for getting the holistic identity to encompass theirs too. Their actions might be interpreted as equivalent to narrow-mindedness but actually not. They used it as an instrument to struggle against the oppressive system that excludes their identity but not against Ethiopianness. In reality, the holistic conception of Ethiopianness was deliberately coined by the Emperor as an instrument for subsuming minorities' identities to the dominant groups' ethnic and religious identities.

With regard to religion, Haile Selassie is often quoted as 'religiously liberal' where his maxim reads: "religion is personal (private), country is for all (common)" (Abbink, 2011: 259). The dictum was 'officially' reiterated while the Ethiopian state and the imperial throne were defined exclusively in terms of Christianity. This statement of the Emperor was invoked as indications for his strong belief in religious freedom and his progressive mindset. The problem was, his speech was declared in a country where Orthodox Christianity was proclaimed as official religion of the state (1955 Revised Constitution) and in situations where the Church was supported by public funds including granting of 1/3 of the country's land (Craig, 2010; Wudu, 2006). The government was fully convinced that, the Ethiopian Church could withstand its competitors at best or eliminate its enemies at worst with its political, social and economic leverages accorded by the state. The emperor exempted the Church's properties from taxation and even the state machinery served as tax collectors for the Church. The government used to pay salaries for Church officials (Markakis, 1974: 404). The two institutions (church and state)

conjoined as a unified force. The EOC had an undisputed prerogative in the coronation of every emperor where it consecrates the emperor by praying and ‘anointing his head with holy oil’ (Craig, 2010: 27). The Emperor, with semi-divine status and ‘elect of God’ also act as the symbolic head of the Church and the Church’s support was indispensable for the legitimacy of his authority. The throne and the Church were intrinsic elements of one another where both benefit mutually from the activities of one another. The two institutions had an intimate relationship, each depending on the other to legitimize its authority. The involvement of the Church in political matters was very active still unchallenged during his reign. One example suffices to explain. Lij Iyasu was often presented as sympathetic to the Muslim cause and his actions were associated with apostasy to Islam. As a young boy with liberal religious mindset, Lij Iyasu refused the official consecration process of the Orthodox Church when he inherits the throne from his grandfather, Emperor Menelik II (Craig, 2010: 28). He was portrayed as a Muslim and photographed with a Muslim cloth in Harar in which the Shewan nobility manipulated it as an evidence for his conversion (Bahru, 2002; Craig, 2010). In a country where only Christians (Orthodox version) could be emperors, Lij Iyasu’s fate was decided by his own actions in violation of the ‘rules of the game.’ The Church then transcended her religious capital with political purposes and the Patriarch excommunicated Lij Iyasu and overthrown from the throne (ibid). Knowing this fact, Emperor Haile Selassie was very wise in establishing and maintaining the close alliance of the state and the Church. He lived up to his promise where he proclaimed his government as the arm of the Church whereas the Church was the sword (Craig, 2010).

Wudu (2006: 7) vividly explains how the close attachment of any emperor in imperial Ethiopia with the Church was important for their success or failure when he states that, “the successes and failures of Ethiopian kings had to a degree depended on the relationship they maintained with the Orthodox Church.” According to him, the Church served as an ideological arm for the Solomonic kings and preached loyalty of the people to them. In these circumstances, the saying of the Emperor had more of a lip service than practical values to ease the sufferings of Ethiopian Muslims and lift up their status from ‘designated’ second-class citizenship to co-equals. His sayings brought no changes in the

land holding rights of Muslims, possessing high political/administrative offices, full citizenship rights, freedom and equality of religions etc. (Abbink, 2011; Markakis, 1974). This word of mouth of the Emperor was often quoted as if he were the ‘progressive leader’ of Ethiopia who guaranteed religious equality and freedom. However, in law and practice, he was even more hostile than his predecessors towards all religions except the EOC. To show the intimate solidarity between the Ethiopian state and the EOC, Haile Selassie often quoted proclaiming; “the Church is like a sword, and the government is like an arm, therefore, the sword can not cut by itself without use of the arm” (Craig, 2010: 38). Moreover, the 1931 Constitution (Preamble), the 1955 Revised Constitution (art 126) and the 1960 Civil Code (articles 398, 399 and 407) of the Emperor declared Orthodox Christianity as the official state religion. The first written constitution of 1931, though its major purpose was to legally entrench the absolute power of the Emperor⁷⁰ and guarantee the eternal power possession of his descent⁷¹, signifies Ethiopia as being a ‘Christian Island surrounded by the sea of Islam’⁷². It accorded no recognition for the presence of Muslims in the country. At the same time, as an elect of God, Emperor Haile Selassie was ordained with the power of fulfilling the realization of his forefather’s divine mission and hence implementing the religious commandments of Christianity over

⁷⁰ Art 5 of the 1931 Constitution states that “by virtue of his imperial blood, as well as by the anointing which he has received (from God), the person of the Emperor is sacred, his dignity is inviolable and his power indisputable. He is consequently entitled to all the honors due to him in accordance with tradition and the present Constitution. The law decrees that anyone who seeks to injure his dignity shall be punished”.

⁷¹ Article 3 provides that ‘the law determines that the imperial power shall remain perpetually attached to the line of His Majesty Haile Selassie I, descendant of King Sahle Selassie whose line descends without interruption from the dynasty of Menelik I, son of King Solomon of Jerusalem and Queen of Sheba (Saba) of Ethiopia.’

⁷² It clearly stipulates the anti-Islamic stand of Emperor Haile Selassie. It states that, ‘Ethiopia is surrounded with pagans and Islam’ as if there were no indigenous Ethiopians who profess Islam within its sovereignty. Since it was surrounded by pagans and *eslams* (Muslims), the preamble provides, the country wasted much of its time in defending itself from the floods of pagans and Islam rather than working for its development through diplomatic ties with the civilized Christian states of Europe. The preamble further expresses the danger posed against Ethiopia being surrounded by pagans, Muslims and Felashas (*Bete Israelis*). It stresses that, the country entered into religious struggles against the pagans and Muslims until the time of Emperor Tewodros II. Fortunately, as the preamble states, it got Tewodros to eliminate its enemy, Islam. Ethiopia always remains loyal to its Orthodox Christian faith and resisted the floods of Islam though once invaded by the Muslim leader of Ahmed ibn Ibrahim al-Ghazi (Gragh). Moreover, in part two of the constitution, it is stated that, “since the beginning of knowledge is to respect God, We [Emperor Haile Selassie] enacted this law for the continuation of our forefather’s religion - Orthodox Tewahdo Christianity and the teachings (book) of our Orthodox Church” (translation from Amharic by the author). Based on the constitution, pagans and Muslims were considered as ‘enemies of Ethiopia’ which had to be fought from afar or eliminated from home, if any (1931 Constitution, Preamble).

his subjects. As an elect of God, he was only responsible to his divine order where his power remains absolute and unquestionable. The Constitution was also signed by religious leaders from the EOC and the nobility and some government officials. Among the 22 persons signed the 'covenant', four of them were from top EOC leaders including Patriarch Abune Petros, with an absolute exclusion of other religions. The 1955 Revised Constitution, after affirming the absolute power of the Emperor and the eternal continuity of the throne to his line, explicitly declares Orthodox Tewahdo Christianity as the state religion. Art 126 provides that, "the Ethiopian Orthodox Tewahdo Church shall be the national Church". On top of this, it requires the Emperor's religion always to be Orthodox Tewahdo Christianity. All other religions received no state recognition. If it is to be mentioned, only art 40 of the constitution provides for the freedom to practice one's own religion in the Imperial Territory as far as the practice is not contrary to public morality, security of the state or interfere in political matters. This could be taken as an example of religious freedom during the imperial period save other practical measures of the Emperor that twisted the freedom from being implemented. The 1960 Civil Code explicitly creates the distinction between the status of the EOC and other religions in their relations with the state and the way in which they can acquire legal personality. It states that, "Churches, religions [and] associations other than the Ethiopian Orthodox Church shall be subject to the special laws concerning them" (art 407). Art 398, on the other hand, recognizes the legal personality of the EOC by law without being registered and obtaining a license.

Practically, the state facilitates the economic, social and political dominance of the Orthodox Church over other religions. The Emperor personally encouraged the Orthodox Church to construct churches in different parts of the country and attend religious festivities and encouraged the state radio to give religious teachings and lectures (Markakis, 1974: 405). Emperor Haile Selassie also openly and systematically excluded Muslims from education. To portray himself as even-handed towards all religions, the Emperor declared that "there should be no state support for all religious institutions' educational systems" (Markakis, 1974). The Muslims, however, complained that, it was by no means an even-handedness to restrict all religious institutions for state support in a

country where the Church possessed one-third of the total land of the state whereas mosques or Muslims possessed nothing. It was believed that, the Church possessed approximately one-third of the best cultivable land of the country (Craig, 2010: 34; Wudu, 2006: 294). Land was the major source of income at the time and the Church generates its income from the land it was granted by the state to undertake its own educational and other religious activities. Moreover, the property of the Church was exempted from tax⁷³ while many of the *gabbars* (tenants) of the Church, mostly Muslims, were mandated to pay tax for the government (Markakis, 1974: 193).

The other area where the Emperor used to alienate Muslims from modern education was the prohibition of teaching in Arabic in government schools (Markakis, 1974). For Muslims, knowing Arabic is a prerequisite for understanding their religion because of the simple fact that the Quran and other religious texts are in Arabic. The government perceives that providing Arabic in schools encourages Muslims to be strong in their faith that in turn weakens the ultimate goal of homogenizing the country under the umbrella of one language and religion. Schools were regarded as best places to forge homogeneity on the basis of Amharic language and Orthodox Christianity. The Emperor tried to ‘Ethiopianize’ those Muslims and non-Amharic-speakers by imposing the two homogenizing elements. This was because schools were the first places that the young generation encounter in their social lives and regarded as best strategic areas for assimilation⁷⁴. In fact, as Markakis pointed out, teaching Arabic was not officially prohibited by the Emperor. Rather, the official memorandum on the educational policy of 1944 provided for the possibilities of teaching Arabic and other local languages at least for the initial stages of primary education. However, this was not originated from the real intention of the Emperor but the influence from the British advisers who took the lead in this aspect following the expulsion of the invading forces of Fascist Italy in 1941. Practically, the Emperor took different measures that twisted the teachings of Arabic and all indigenous languages other than Amharic in government schools. It prohibited the

⁷³ As presented by Craig (2010: 35), “according to Land Tax Proclamation of 1944, the Church retained all the imperially granted land, their tax-free status, and continued to collect revenue from tributes.”

⁷⁴ As shall be discussed later, there are many Muslim activists in the veil controversy between the EPRDF government and Ethiopian Muslims (following the veil ban in 2008 in educational institution by the MOE) who regard the move as one manifestation of homogenization already started by the previous regimes.

supply of teachers trained in Arabic and other local languages, which in effect means prohibiting education in these languages. Many Muslims, being afraid of alienating their children from their religions, refused to send their children to government schools. They started to focus only on *medressas* (Islamic religious schools) and other Quranic schools run by private individuals and mosques. The Muslims, in general, were suspicious towards state-led education and see it as a vehicle for Christianization. The Muslim suspicion was arisen from different factors. According to Markakis (1974: 195), the major ones were; “[the practical] ban on [teaching in] Arabic, the obligation to attend school on Friday, the widespread use of Christian *dabtaras* who teach religion disguised as moral education and the predominance of Christian teachers and administrators”.

As a result, “Muslim participation [in education] until recently was practically nil” (ibid). The other most important factor that discouraged Muslims from attending education was the lack of opportunity to be employed in the government administration sectors (civil service) after graduation. During that time, the government was the major or practically the single source of employment for the educated groups. Muslims were prohibited from serving government institutions. That was a situation for Muslims in which Markakis metaphorically expressed as: “it was easier for a camel to pass through the eye of a needle than for a non-Amharic speaking Muslim to gain access to state positions and privileges” (Markakis, 1974; cited in Vaughan and Kjetil Tronvoll, 2002: 63; Markakis, 1990: 274; cited in Seifuddin, 1997: 136). The alienation had an implication on Muslim families to assume that education and employment opportunity was reserved only for Christians. There was no possibility for Muslims to consider education as a means for the improvement of their future life while Christians aspire for that. This had great implications for the underrepresentation of Muslims in the education sector and less number of civil servants and politicians to date. Some literatures indicate that, “if the labor market rewards education of different groups differentially, [... it] will affect the perceived economic benefits of education among different groups” (Subrahmanian, 2002: 35; cited from Kingdon, 1998: 40). The labor market of Ethiopia during the imperial regime was not identity-blind to absorb competent job-seekers. It was in favor of certain religious and ethnic communities with the exclusion of others. Muslim parents were well

aware that the labor market discrimination reduces the chances of getting job for their children after education and were forced to focus on low level income-generating activities as retailers and prefer to keep their children at home as shopkeepers (Markakis, 1974).

After all, the Ethiopian education system at the time was strongly intertwined with Church education. Church deacons were entrusted to deliver religious education in secular schools under the cover of teaching morality/ethics for young students in Amharic classes. Muslims strongly opposed the teachings of Amharic language by Christian clergymen in Islamic schools (Wudu, 2006: 247). The clergymen used to transmit the Christian ethic and morality in Islamic schools under the pretext of teaching Amharic language in all educational institutions of the country (both secular and religious). One illustration was, students irrespective of their religious background, were expected to chant Orthodox *mezmur* (religious song) before each class begins (*Yemuslimoch Guday*, 2012: 40). In a similar fashion like today's national anthem, they were required to chant loudly the thirty days of a month in Christian holydays as *twelve is for Michael, twenty-first for St. Mary* etc. (emphasis added)⁷⁵ etc. Due to these and other types of informal pressures exerted on Muslims, parents were not happy to send their children to schools or invest on educating their children (ibid). Constraining the participation of Muslims in education was seen as an effective tool to maintain the dominant position of the dominant groups (Christians) in the economic, cultural, social and political areas.

On the positive note for Muslims, Emperor Haile Selassie managed the Quran translated into Amharic (Abbink, 2013). As it is stated earlier, the Emperor portrays himself neutral from religious affiliations and act as “the father of all religions”. His saying of “religion is personal, country is for all (common)” coupled with his imperial order of translating the Quran often seen as his ‘progressive’ actions in Ethiopia’s religious history. Moreover, he used to call certain Sheikhs to his palace during Muslim holidays (*Mewlid*,

⁷⁵ Information obtained through an informal discussion with a Professor of Addis Ababa University, who was a student and Orthodox Christian by religion during the time of Emperor Haile Selassie. This was, in his current understanding of the then actions of the government, deliberately used to discourage or exert psychological pressure on Muslim students.

Ed al-Fatir and Ed al-Adha) and wishes happy holiday for Ethiopian Muslims (Amede, 2011). When the Emperor decided the Quran to be translated, there were oppositions from some Muslim leaders for fear of misinterpreting it in the hands of a Christian emperor. Knowing this fact, the Emperor called some Sheikhs who later participated in the translation, such as Sheikh Seid Mohammed Sadiq, Sheikh Mohammed Sani Habib, Hajji Beshir Dawud, among others and informed, rather, warned them to abstain from their acts of opposition. He told them;

In order to better understand and spread their religion, (We) translated the Bible from Geez to Amharic language for (Our) Christian population. Now, (We) ordered the Quran to be translated for (Our) Muslim population. This, (We) believe, is important to spread Islam in Ethiopia. If there is to be any opposition, it should be from the Ethiopian Orthodox Church but not from the Muslims. (We) have taken all the financial responsibilities for the translation and printing, and Muslims should restrain from opposing it (Hajji Beshir, 2011: 143-144).

Perhaps, the translation was seen as one way of promoting Amharic for the ultimate project of nation-building through Amharization. Some scholars portray him as ‘political manipulator’ to his power advantage rather than doing things for their own ends (Peter Schwab, 1940; Assefa Jalata, 1993; Mekuria Bulcha, 1994; cited in Gilchrist, 2003). Peter Schwab (1940) quoted in Gilchrist (2003: 10), for example, argues that, “[... Haile] Selassie never willingly took his political reforms to their logical conclusion, including the creation of a tolerant multicultural system [...]”. In his later days, due to the influence of modernization, Emperor Haile Selassie started to focus on building a common culture based on Amharic language rather than purely focusing on religious homogenization (Craig, 2010: 62). “All missionary churches were instructed to carry out their evangelical activities in Amharic” (Wudu, 2006: 241). This policy of Amharic as a requirement to conduct missionary activities was seen as one vehicle for linguistic homogenization and repressing other languages. Whatever its purposes might be, the Quran was finally translated into Amharic and published in [1969] (Abbink, 2013) and 200 copies were printed by the special order of the Emperor (Hajji Bashir, 2011). Some copies were sent to ‘friendly Muslim countries’ including the al-Azhar University of Egypt but never distributed for the masses (Ethiopian Muslims).

3.1.6 Italian Occupation (1936-1941)

Fascist Italy invaded Ethiopia in 1936. Emperor Haile Selassie fled to London seeking human support from the British to defend his 'Godly-given power'. The invading forces applied their infamous 'divide and rule' tactics favoring Muslims against Christians to weaken the public resistance. They "[...] tried to exploit the religious, ethnic and regional differences among the various peoples of Ethiopia to their own advantage [though] it did not work well for [them as] planned" (Bahru, 1991, quoted in Merera, n.d: 5). The Italian invading forces considered the Amharas and Christians more resistant to their rule and tried to recruit loyalists from Muslims and non-Amhara ethnic groups, who were discriminated and marginalized by the imperial rules. The invaders, aware of the long marginalization of Muslims, tried to buy loyalty from Muslims using religious propaganda. According to Wudu (2006: 89) "the Italians posed as liberators to Muslims from religious and ethnic oppression and gained support among some of the Muslim population. This was a typical colonial tactic to pit ethnic and religious groups against each other." He further states that, despite the Italian colonial tactic of divide and rule along religious and ethnic lines "[...] some Muslims transcended this and fought for Ethiopian independence" (ibid).

The policy of favoring Muslims – both in propaganda and tangible measures – was intended to neutralize the country's Muslim population in the fight against the colonizers. Though succeeded in some respect, it was largely unsuccessful as many Ethiopian Muslims resisted the invaders. As forwarded by some scholars, the Italian invading forces took concrete measures to ease the oppression of Muslims by Christian Ethiopian elites and secure their support. At the practical level,

[The Italians allowed for] the construction of 50 new mosques (including the Grand Anwar Mosque) in Addis Ababa and the restoration of 16 old mosques, the financing of the pilgrimage to Mecca and Medina and allowed the teachings of Arabic in Islamic schools (Hussein, 2006: 9).

However, contrary to the long-held view of scholars and public perceptions, for Muslims collaborated with the enemies of Ethiopia, many opposed and resisted Italian invasion. In fact, few Muslims considered the Italian rule as 'liberating Ethiopian Muslims' from the

oppressive Christian rulers and were justified for Muslims to collaborate with the invading forces of fascist Italy. Erlich (2006: 71) contends that, “the breaking of the Christian hegemony with its all discrimination against and humiliation of Muslims was accepted as a blessing that also had a taste of historical revenge.” The speech of one Sheikh called Ibrahim Abd al-Rahman in Harar was a case in point where he stated that, “[...] let the history of the world [...] record the great praise due to Italy for releasing us from the unbearable yoke which was around the necks of Muslims in the time of the brutal Negus [king]” (ibid). Others, perhaps the majority of Ethiopian Muslims, saw the support from Italy in suspicion knowing what they were doing against the Muslims of Libya and Somaliland. Hussein Ahmed (2006), for example, mentioned Sheikh Seid Mohammed Sadiq (who participated in the translation of the Quran to Amharic) “who questioned the sincerity of the Italian claim of sympathy for Islam”. He later faced imprisonment in the hands of the colonial governors for mobilizing the Muslim community against the invaders.

In spite of their terrorist tactics and indiscriminate killings of the Muslims and Christians alike, the head of the Fascist army from Rome made a speech in Tripoli, Libya in 1937 explicitly endorsing the policy of supporting Islam and Muslims. He declared that,

Fascist Italy intends to guarantee the Muslim peoples of Libya and Ethiopia peace, justice, prosperity, respect for the laws of the Prophet, and wishes moreover to manifest its sympathy with Islam and the Muslims of the entire world (Wudu, 2006: 89, cited from Trimingham, 1952: 20).

Furthermore, the Italians promised the Muslims of Ethiopia to respect the internal freedom in their religious affairs, paradoxically, while intervention in the religious affairs of the Orthodox Church was their day-to-day activities (Wudu, 2006). Their abstention from interfering in the Muslims’ religious affairs was not based on ideological conviction but for the simple reason of buying loyalty from the Muslim community. They promised for the proliferation of Islamic teaching centers, the construction of mosques, Muslim pilgrimages and Arabic teaching in schools mainly to weaken the power base of the Orthodox Church. Knowing their policies of ‘divide and rule’ and their disregard to

Muslim holy places, including mosques in the country, Muslims resisted the Italians not less than their Christian fellows and achieved independence in 1941.

3.1.7 Post-Independence to the Revolution (1941-1974)

The restoration of the imperial monarchy in 1941 brought harsher measures against Ethiopian Muslims. After returning home from five years of exile in London, Haile Selassie viewed and treated Ethiopian Muslims as ‘traitors and fifth columns’ who collaborated with the Italian colonial forces. He then amplified ‘the blanket claim of disloyalty of Muslim subjects’ to the country and the historical animosities between the Muslim principalities and the Christian kingdom. He used it to justify the ‘rightness’ of the perception of the Christians that ‘Muslims are threats’ for the national unity of the country. He “[...] not only turned the clock back by restoring discriminating practices against Muslim Ethiopians, but he also took punitive actions against them for having sided with the enemy” (Finessi, 2011: 19). As revenge, the Emperor “confiscated much of the Muslim-owned land in the south and redistributed it to Christian nobility and Orthodox clergy” (Craig, 2010: 41). Craig provides that, in a way that shows the collaborative efforts of the throne (government) and the Church against their common enemy, “[...] the EOC reproduced the structures of the modern state, [and] Haile Selassie maintained religious capital by mobilizing against common heresies – practitioners of traditional religion and Islam” (ibid, 40). He strictly applied his promise of making the government as an ‘arm’ to supply power to the ‘sword’ (ibid). Muslims who received state favor during the five years of Italian occupation were the prime targets of the collaborative attack of the two institutions.

Partly due to the Italian support and partly due to the historical loathing between the Muslims and the Christian government, the Emperor and the Church branded Ethiopian Muslims as ‘traitors and collaborators’ with the enemies of Ethiopia, and took severe measures against the slightest autonomy they ever received. After independence, the Orthodox Church even demanded the complete suppression of all non-Orthodox faiths (Craig, 2010: 49). The oppression became more severe than the case was before the Emperor’s exile to Britain. In 1944, the Emperor introduced a decree for the compulsion

of indigenous peoples in the south to convert to Christianity (Craig, 2010: 46). He saw the periphery, with a different language and religion from the center, more susceptible for manipulation and prone to foreign invasion and hence threat to national unity. The decree of the Emperor coincided with the proclamation of education for the society, which was seen as one vehicle for modernization and an instrument for unity.

Due to the tactical pro-Muslim policy of the Italian colonial governors in Ethiopia, Islam expanded its base and got 'privileged' status during the colonial rule compared to its imperial existence. Despite the Italians policy of anti-Protestantism, the Protestants also managed to expand their home-base especially in the western part of Ethiopia. They were very active in missionary activities in the previously 'closed areas'. During the first term of Emperor Haile Selassie's rule (1930-1936), he allowed the Protestant and other Christian missionaries to undertake their mission of evangelization to the so-called 'open areas' – places where no Orthodox Christians were found. This policy was intended partly to check the 'floods of Islam' and partly for the educational, health and resource benefit that accompanied the Western missionaries, which could help his ultimate goal of homogenizing the people under the umbrella of Christianity and Amharic language (Craig, 2010). Some, of course, praise the Emperor for his innovative religious policy of "[...] allowing missionaries to preach to Ethiopia's un-Christianized people" (Gilchrist, 2003: 10; quoted from Harold Fuller, 1967).

Due to the expansion of Islam and Protestantism in the area, the imperial government of Haile Selassie and the Orthodox Church developed a sense of 'siege mentality' being taken away by the floods of Islamic and non-Orthodox Christian missionaries. They were equally felt 'existential threat', particularly in areas where there was no strong Orthodox Christian presence. There were growing tensions between the Church and the government on the one hand and Islam and other Christian missionaries on the other hand. Emperor Haile Selassie was in a dilemma to expel or allow Catholic and Protestant missionaries from the country partly for the sake of the modernizing resources they afford (education, health care, transportation and other facilities) to the local people and partly for fear of potential reprisal from the West where these missionaries originate and receive financial

support. The Emperor was badly in need of the expansion of education and health centers in post-Italian period. The EOC, on the other hand, was worried about the activities of the missionaries and pushed the government to clearly define the activities of these missionaries. As a result, the government introduced a Decree in 1944 to limit the activities of the missionaries only in ‘open areas’ and restrain from evangelizing in ‘closed areas’ or to abstain from ‘evangelizing the evangelized’ as some scholars used to call it (Tadesse, 1972). The Decree under its first principle provides that, evangelization should be conducted only in un-Christian areas (Gilchrist, 2013). The second principle of the Decree further strengthens the Emperor’s conviction of prohibiting missionary activities by Protestants in the already established Orthodox areas. It stresses that;

Whereas, it [is] the desire of this government that Missions should not direct their activities towards converting Ethiopian nationals from their own form of Christianity which had existed from the beginning of the Christian era, but rather that they should concentrate on non-Christian element of the population (Gilchrist, 2013: 58).

Based on the Decree, while areas inhabited predominantly by Muslims and traditional religious believers were considered as open, those inhabited by Orthodox Christians were closed for missionaries. The evangelists, therefore, had to conduct their activities of evangelism in open areas but extend their welfare activities, including opening schools and health centers, to closed areas (Craig, 2010; Wudu, 2006). It declares that, “[...] Missions may not be established in an Ethiopian Church Area for the purpose of proselytizing, although they may be permitted to establish hospitals or non-denominational schools [...] and] missionaries had to provide social services” (Gilchrist, 2003: 58). The Decree did not intend to diminish the power of the Orthodox Church but geared towards obtaining social services and educational facilities in his Orthodox empire which his government otherwise could not afford. Ironically, the Decree, while mandating missionaries to open medical and other welfare centers in Orthodox Christian areas, it never explicitly required them to do the same in ‘open areas’. In addition to the Decree, the activities of the missionaries were subject to close supervision and control from the Ministry of Education, including issuing or declining to give permission and closing down of their schools if found violating the laws of the Ministry (Gilchrist, 2003).

Their teachings in closed areas were limited to their followers rather than evangelization and only teaching on common principles of Christianity than denominational differences (Wudu, 2006: 251). The Emperor faced the paradox of checking the expansion of Islam in the south and southwestern Ethiopia while at the same time discouraging the activities of Protestant and Catholic missionaries. The Decree sought to control the expansion of Islam by allowing Christian evangelization but faced opposition from the Orthodox Church. The Church opposed it mainly on grounds that “the Church was not included in the supervisory committee organized under the Ministry of Education to check the activities of missionaries” (Wudu, 2006). The Church alleged the missionaries for evangelizing in closed areas. The missionaries gained large number of converts not only from open areas but also from Orthodox Christians in closed areas (Gilchrist, 2003). The missionaries use local languages to preach in local settings while the Orthodox Church sticks to Amharic – whom the local people could not understand and those who understand saw it as the language of ‘colonizers’ (Gilchrist, 2003). The EOC attached the blame for the conversion of Orthodox Christians with the Decree that favored the evangelists (Wudu, 2006). They complained that ‘while the EOC baptizes⁷⁶, the evangelists take away’ (ibid).

Apart from the dilemma the Emperor faced, most other religious groups became more assertive for their religious freedom in the post-liberation period and started to challenge the hegemonic status of the Orthodox Church. They began to oppose the special support given and the state recognition of Orthodox faith as official religion (Wudu, 2006). The government, instead of openly attacking other religions and their institutions, tried to strengthen the ‘missionary activities of the Orthodox Church’. This was done through introducing new laws and guidelines, and assigning new tasks for the church in collaboration with the secular institutions of the state. It created numerous new offices mainly responsible for homogenizing the people through religious conversion and language imposition. Among others, the emperor established the following offices: the Administrative Board of the Church authorized ‘to advise the secular administration of

⁷⁶ The EOC often regard mass baptism as evangelism without preaching the gospel of the Bible while the Protestants missionaries involve in active evangelism.

the Church', the Ministry of National Community Development – with a specific task of 'assimilating Muslims and non-Christians through religious and linguistic homogenization', and the Department of Religious Affairs in the Emperor's Private Cabinet (Wudu, 2006: 222-223). In addition, the government included the Church in the Board of Education to play its role for the expansion of education in the country. "The government allocated part of the educational tax to the Church for its religious schools" (ibid, 223). The Church was allowed to collect taxes from its lands⁷⁷. On top of that, the Church was to be granted budget from the Ministry of Education for the purpose of "[...] countering Islamic and missionary education, [and for] the expansion of [Church] education" (Wudu, 2006: 260).

The Emperor further established the Department of Religious Affairs in his own Private Cabinet. Having tried many projects and proved unsuccessful, he organized the task around his close circles. Having departments for the Orthodox Church, Christians of other denominations and other religions (may be Islam), it was entrusted with the task of "[...] close follow-up of all religious groups, transmitting the Emperor's orders to religious leaders, answering and solving the problems of the Orthodox Church [... and] creating rapprochement between the government and various religious groups" (Wudu, 2006: 275). Paradoxically, the institution was strongly opposed by the Orthodox Church for fear of usurping its powers by the Emperor.

Amidst of internal strives, the Emperor was worried about the influence of neighboring Muslim countries over the Muslim community of his Empire. In the 1960s, especially when the Emperor was busy in building his positive image by establishing African Union with Addis Ababa as a headquarter, he faced strong accusation of the violation of the rights of his Muslim subjects from Somalia, Libya and Egypt (Hajji Beshir, 2011). According to Hajji Beshir, the then prime minister of Somalia, Abdirashid Ali Shermarke (1960-64) – opposed the recommendation of Addis Ababa as being the seat for OAU on allegation that, "Ethiopia is the enemy of Islam and involve in oppressing its Muslim

⁷⁷ However, in the absence of trained manpower to accomplish this task, the government in 1968 mandated the Ministry of Finance to collect the tax on behalf of the church and submit it to the church (Wudu, 2006).

population” (ibid). However, the then Prime Minister of Ethiopia, Aklilu Habte Wold, aggressively reacted to the accusation stating that, “Ethiopia received the companions of the Prophet Mohammed while they were persecuted in Arabia and hosted them to live peacefully. Islam is spreading in Ethiopia without any obstacle from the government” (ibid). Finally, victory became in the hands of the Ethiopian Emperor when member states decided OAU’s seat to be in Addis Ababa. The other major challenge posed against the Emperor came from president Gamal Abdel Nasser of Egypt. He was a very powerful leader in the Muslim world and ‘propagator of the liberation of Ethiopian Muslims from Christian oppression’ (Wudu, 2006). He was one of the chronic headaches for the rule of the Emperor. Many Muslims regarded Nasser as ‘their potential liberator’ and many admired his speeches. When he came to Addis Ababa in 1963 for the founding conference of OAU, he enjoyed warm welcome from Ethiopian Muslims, which angered the Ethiopian Emperor (Amede, 2011: 134-135; Wudu, 2006: 249). When the Muslims of Mercato⁷⁸, as pointed out by Amede Lema, received Nasser with loud clapping and enthusiasm, he ignored those Ethiopian officials who went to receive him and turned his face towards the people. This event has created indignation among Ethiopian officials against their Muslim population.

The external influence coupled with internal pressures from the Muslim community for more freedom and religious parity forced the government to tighten its control over Muslims and re-affirm its intimacy with the EOC. To tackle the problems of religious and linguistic diversities once and for all, “the government sought to strengthen its Christian identity with religious and linguistic homogeneity” (Wudu, 2006: 250). The government and the church once again re-defined their alliance and proclaimed Islam as their worst common enemy. Stressing the dangers of Nasser’s policy in the Middle East and the blending of political and religious goals by Ethiopian Muslims, the Prime Minister of Ethiopia, Aklilu Habte Wold, talked to the Director General of the Foreign Ministry of Israel in 1968. As Wudu (2006: 250) presents, he said, “Ethiopia is a Christian island in a Muslim sea, and the Muslims make [know] no distinction between religious and political

⁷⁸ Mercato is one of the largest open market in Africa found at the center of Addis Ababa where large numbers of Muslim merchants are concentrated.

goals. Their aim is to destroy Ethiopia.” Wudu argues that, “Christian Ethiopia had developed a strong siege mentality when dealing with political Islam” – especially after the trauma of the 16th c war of Ahmed Gragn against the Christian Kingdom. For this reason, the Emperor himself played a major role in the establishment of the Department of Mission and Evangelism in 1963 (Craig, 2010: 40, cited from Tibebe Eshete, 2009). Its major purpose was to strengthen the Church’s impact on the Muslim-majority periphery and encourage mass baptism (ibid). In spite of the support from the government, “[... the Church] failed to exploit the homogenizing program that the state has devised to its advantage” (Wudu, 2006: 21). The government further encouraged the submission of peripheral communities by rewarding incentives like education opportunity, jobs, titles etc. to those who were ready to be converted to Christianity. However, the grand agenda of mass baptism of Muslims and traditional believers and their land grab had little impact on conversion to Christianity (Craig, 2010). Generally, in the post-liberation era, the Emperor was busy for the restoration of the privileged status of the EOC, which it lost during the Italian occupation (1936-41). The Church involved in aggressive ‘missionary activities’ in different parts of the country and baptized many new converts. Islam, once again, continued as a marginalized religion and Ethiopian Muslims as second-class subjects until the 1974 Revolution that completely wiped out the last oppressive imperial regime once and for all.

3.2 Socialist Secularism during the *Derg* Regime (1974-1991)

It was widely assumed among the Ethiopian populace that, as ‘*Siyume Egziabher, Niguse Negest ze Etiyopiya*’, literally means ‘Elect of God, Emperor of Ethiopia’, no one had ever imagined for removing Emperor Haile Selassie from power by a humanly force. The ‘title’ seems deliberately coined to inform the public that ‘he is out of the reach of human capability to be enthroned to or dethroned from power by human beings’. After all, how could ordinary and at the same time religiously devout Ethiopian people imagine dethroning the Emperor while the Supreme God ordained him for holding the office? Despite his claim for divine right, in his final days, he couldn’t transcend his human nature as he became insane and physically incapacitated due to of age to effectively control his power. Contrary to the general perception, the theoretically God-given power

was practically overthrown by the military junta in 1974 Popular Revolution and he was deposed at the age of eighty-three.

Following the Revolution, the new military regime (popularly called *Derg*) declared the separation of state and church. It recognized religious equality. The regime, at least officially, dropped one homogenizing element – Orthodox Christianity – from the nation-building project but continued Amharic language as a unifying tool for its ultimate goal of establishing a ‘united socialist Ethiopia’. Like their predecessors, *Derg* officials promoted the use of Amharic at the exclusion of others despite nominal recognition of the equality of all languages of the nationalities.⁷⁹ The regime amplified the 3000 years of uninterrupted Ethiopian history (PDRE Constitution, 1987: Preamble) in a way that signifies the connection of the Ethiopian people to King Solomon of Israel, whom the imperial rulers used to legitimize their absolute authority. *Derg*, nonetheless, introduced a more direct and pragmatic response to the questions of nationalities under the Declaration of the National Democratic Revolution of 1976. It declared the equality of all nationalities. It reads; “No nationality will dominate another one since the history, culture, language and religion of each nationality will have equal recognition in accordance with the spirit of socialism” (Merera, 2003: 82). In spite of these legal recognitions, some claim that, the regime was “[...] interested in Ethiopia’s national composition, for reasons dictated by Marxist-Leninist theory and politics” rather than being the true savior of the real interests of various nationalities (Marcus, 1994: xiii).

To formalize and institutionalize the promises that *Derg* made at its initial stages, the regime took more than a decade to enact a new constitution. The constitution was drafted in 1986 and ratified through referendum in 1987 to ‘institutionalize’ linguistic, ethnic, cultural and religious equalities. In a breakthrough from the past legacies, the 1987

⁷⁹ Under the *Derg* regime, there was little effective change in language policy. Some attention was given to vernacular languages in the form of adults’ literacy campaign. For example, there was an attempt to reverse the trend of considering Amharic as a mandatory in school exams for joining higher education in schools of non-Amharic speakers. Radio broadcast was allowed in major local languages other than Amharic. Although this was the case, Amharic remained the official national language, a symbol of national unity and the medium of primary education. It remained the language of government and anyone who aspired to a national role had to learn to speak and write Amharic (Wondwosen and Bloor, 1996: 327).

Constitution of the People's Democratic Republic of Ethiopia (PDRE) proclaimed the right to self-determination and the equality of all languages in the country (art 2). The official declaration of the equality of languages, cultures and religions of Ethiopian nationalities, at least on paper, paved the way for Ethiopian Muslims to raise more radical questions. Muslim demonstrators in Addis Ababa, which started before the Revolution, demanded the institutionalization of the separation of religion from politics and denounced the long-held view of Ethiopia as a 'Christian island surrounded by the sea of Islam.' Muslims, through their representatives, submitted a petition to the newly established military government demanding, among others, "the official declaration of the three Islamic festivals as public holidays, financial support for the construction of mosques and permission to establish a national Islamic council" (Hussein, 2006: 10). Although their demands were supported by some 'progressive' Christian brothers and sisters,⁸⁰

Representatives from Addis Ababa churches [...] submitted a [counter] petition against the Muslim demonstrators who shouted slogans, which in their view, not only 'undermined the historical position of Christianity and threatened the unity of the country', but also tested their restraint and patience (Hussein, 2006: 11).

The counter-demonstration from the Church received no response from *Derg* officials. At this moment, the Patriarch of the Church – Abune Tewoflos, expressed his anger stating that, "the Church has relegated to a powerless position as a spectator in public affairs" (Wudu, 2006: 286). It was clear that, the historically dominant position of the EOC could be shaken by Muslim demands for equality and separation of the intimacy of the state and the Church, a privilege, which only the EOC enjoyed for long but their allegation for threatening national unity was far-fetched. This was because there was no any form of collaboration with or instigation from the outside Muslim world for the Muslim demonstration (Hussein, 2006). The demands were purely for religious equality (separation of state and religion), recognition (the inclusion of *Mewlid*, *Ed al-Fatir*, *Ed al-Adha* as national holidays) and establishing Islamic institutions (e.g. the establishment

⁸⁰ For more information see Wudu (2006: 285). Wudu Tafete Kassu (2006) "The Ethiopian Orthodox Church, the Ethiopian State and the Alexandrian See: Indigenizing the Episcopacy and Forging National Identity, 1926-1991", PhD Dissertation, University of Illinois.

of Ethiopian Islamic Affairs Supreme Council to govern their religious affairs), and internally-motivated that could not pose danger for the country's unity as perceived by the representatives of the Orthodox Church. Scholars of Islam and Ethiopian History like Hussein argue that, in all the resistance movements conducted by Muslims against the oppression of the Christian elites, Muslims acted within the context of Ethiopian polity. They never collaborated with any foreign power, e.g. with Egypt or Sudan in the 19th c fight against the Christian king of Ethiopia (Yohannes IV) for the mere reason of sharing a common faith with the invaders. Ethiopian Muslims always remained loyal to the Ethiopian state even in conditions of unjust oppression imposed by their fellow Christians, which could even justify for collaboration (Hussein, 2002: 26). Ironically, it was the Afars, entirely Muslim, who resisted the invading Egyptian army of Khedive Ismail Pasha with a grand plan of conquering Ethiopia (the source of Nile) and even killed one of its Generals, Werner Munzinger in November 1875 (Marcus, 1994: 75).

Coming back to the new policies of the *Derg*, art 35 of the 1987 PDRE Constitution provides for “the equality of all citizens before the law irrespective of differences in nationality, sex, religion, occupation, and other social statuses”. Art 46(1-3) specifically devoted for religious equality and the separation of state and religion. It states that; “the right to freedom of religion and conscience is guaranteed. State and religion are separate. The legal personality of religious organizations/institutions shall be determined by law”. The implication of the last provision in particular was that, the 1960 Civil Code that assures legal personality by law only for the EOC, while denying for others, was repealed. Religious freedom in socialist Ethiopia was not free of restrictions. It provides that, “the exercise of religious freedom should not be contrary to the country's national security, the Revolution, public morality or the fundamental rights and freedoms of others”. While keeping public morality, protecting the country's security and the rights and freedoms of others are ‘universal principles’⁸¹ for restricting the expression of religious freedom, ‘defending the Revolution’ was deliberately included by the military regime to be able to control the exercise of the freedom to its own political advantage.

⁸¹ At least these grounds for restricting the exercise of religious freedom are provided in all international legal documents and declarations such as the UDHR and the ICCPR, and other regional instruments such as the ACHPR, the ECHR and the ACHR.

Normally, it could be subject to manipulation and mostly used to be a ‘ready-made weapon’ to attack those religious leaders or adherents who were not loyal to the regime or allegedly labeled as anti-Revolutionary forces. Although the relationship between the state and all religions in the country deteriorated later due to the anti-religious (atheist) policy of the Marxist-Leninist regime, the military government responded positively to the questions of Muslims and took concrete measures in favor of them. It declared the separation of the state and the church, and incorporated the three Muslim holidays as national holidays. The Provisional Military Administrative Council (PMAC) announced public religious holidays for Muslims and Christians on 23 December 1974 and thereby for the first time in the country’s history, three Muslim holidays (*Ed al-Fatir*, *Ed al-Adha* and *Mewlid*) were recognized as the country’s national holidays (Wudu, 2006: 292). Derg was in a hurry to announce these Muslim holidays as *Ed al-Adha* was to be celebrated on 24 December 1974 (ibid). Obviously, the prompt recognition of Muslim holidays was calculated to win the support of the Muslim community for the Revolution. It also recognized five Christian public religious holidays (Meskel, Christmas, Epiphany, Good Friday and Easter). The military government later (1975) decided that, the Muslim and Christian holidays to be always celebrated in the presence of the Mayor of Addis Ababa in open public places (ibid).

In spite of its positive measures, particularly to the Muslims and its rhetoric for religious equality and freedom, the official position of *Derg* was not clear at its early days. It, however, made its positions unambiguous through time. The first pronouncement of the government on religious issues came into open in March 1975, when Atnafu Abate, the vice chairman of PMAC, warned all Ethiopians to avoid religious differences and work for the unity of the country (Wudu, 2006). This was an early signal that *Derg* was not interested in religious diversity or freedom but unity based on the principle of socialism. It separated church and state not to be bound by the rules of the principle of secularism but to dislodge the Church from being an obstacle for the realization of the Revolution. Unequivocally, the vice president warned all religions stating that, “in socialist Ethiopia, there is no place for religious bigotry or fanaticism” (Wudu, 2006: 293). He specifically targeted the Orthodox Church “[...] to revitalize its evangelizing mission in line with the

aims of Ethiopian Socialism” (ibid). He further made clear about the government’s stand that, religion is a private matter, if not the remnants of ignorance as the Communists claim (Al-Qaradawi, 2003: 53) and there should be no place for religion. Put simply, the dictatorial regime not only distanced itself from religion but also persecuted the expression of religions applying the same or similar degree of state-led hatred against all religions. Derg was often heard of blaming religions as ‘obstacles for the realization of socialism and reactionaries to the Revolution’. It reiterated the sayings of Karl Marx; ‘religion is nothing but the fabrication of man to institutionalize the exploitation of the poor and should not be tolerated under the essence of communism’ (Quoted in Al-Qardawi, 2003: 54). The very philosophy of socialism is in contradiction with religion where it denies the existence of God and the recognition of religious equality. Kosmin (n.d: 9) argues that;

The Marxist-Leninist ideology was based on the conviction that science was superior to religion from an epistemological perspective and that the progress of science would inevitably lead to the elimination of religious consciousness. The ensuing secularization at the social and political levels was designed to assault and eradicate religion using the state apparatus, often in the most brutal ways, in order to bring about a thorough and consistently hard secular society.

The pseudo-strategy of the government to respect freedom of religion was used for the sole purpose of winning the hearts and minds of the (marginalized) Ethiopian people, particularly the Muslims. Similar to other socialist countries’ policies towards religion (think of USSR, China, Cuba and North Korea), the *Derg* of Ethiopia shallowly immersed with the idea of Marxist-Leninist ideology, what some call ‘totalitarian secularism’, to attack and cleanse religions from public spaces altogether (Modood, 2010: 7). In spite of the *Derg*’s relentless efforts to eliminate all religions for their final replacement with socialism and atheism, the people of Ethiopia expressed their grievances in different forms and rose up for the respect of their rights.

One of the most important questions raised by Muslims, in addition to government recognition for Islamic holidays as discussed above, was a demand to establish their own Islamic council in the country. The military regime accepted their demand and the

Ethiopian Islamic Affairs Supreme Council was *de facto* established in 1976 at the Grand al-Anwar Mosque in the presence of government officials (*Yemuslimoch Guday*, 2012). The Council was led by Hajji Mohammed Sani Habib (a member of the Quran translating team during Emperor Haile Selassie). Despite its establishment with the blessing of *Derg* officials, the Council remained *de facto* throughout the *Derg* regime. In most cases, it was dependent upon the personal qualities of its leaders than institutional design (*Yemuslimoch Guday*, 2012). Nonetheless, it was great success for the Ethiopian Muslims' struggle for their religious equality and organizational expression though the institution was unable to play its roles as expected due to internal and external problems as shall be discussed in detail in chapter four. The efforts made by Muslims to secure legal personality for the Council failed due to different reasons. But the major ones being; "the traditional hostility against, and suspicion of, Islam as a potential ally of anti-Ethiopian forces, and [...] the ineptitude, corruption (financial, administrative and electoral) and rivalry within the leadership of the Council" (Hussein (2006; 12). Although the government officially recognized its leaders as 'the legitimate representatives of Ethiopian Muslims' and the Council as co-equals with the Ethiopian Orthodox Church Synod, the very fact of having no legal basis undermined its credibility and legitimacy in the eyes of the Muslims to date.

3.3 Liberal Secularism under the EPRDF Regime (1991 - 2015)

The downfall of the military regime (as discussed above, an anti-religious government) in 1991 paved the way for Ethiopian Muslims to enjoy their religious rights and freedoms equally with all other religions in the country. It boosted religious activities by Muslims in such areas as constructing large numbers of mosques, participating in *da'wa* (Islamic teaching or calling towards Islam), travelling to Saudi Arabia for pilgrimage, propagating Islam through electronic and print media, establishing Islamic institutions etc. Indeed, the government "[... lifted] restrictions on hajj (Islamic pilgrimage to Mecca) and on import of religious literature, allowed the construction of mosques and enabled the creation of Islamic organizations, newspapers and magazines" (Ostebo, 2007: 3 cited from Hussein Ahmed 1994: 791). However, some of these freedoms turned down following the 1995

incident⁸² at al-Anwar Mosque between the faithful and government forces (Ostebo, 2010: 8; Abbink, 2011: 263). Most Islamic newspapers, electronic media, and youth Islamic institutions⁸³ were all closed down with few exceptions shortly afterwards being accused of hate speech and false propaganda against the government and the public at large (ibid). This event even marked as the starting point for the government to strictly control the Ethiopian Islamic Affairs Supreme Council (Mejilis). It left its legacies for the conclusion of political alliance between the regime and Mejilis leadership with an implication on the autonomous status of the latter and its legitimacy in the eyes of the Muslim community.

Despite all the ups and downs, unprecedented in the country's history, religious equality and the secularity of the state was anchored in the country's supreme law. Many Muslims are aware of this fact and are grateful to the system in general and the EPRDF-led government in particular (Ewunetu Yih New, 2012). No doubt that, the inclusion of several provisions in the 1995 FDRE Constitution in reference to the rights and freedoms of religious groups in the country and the lifting up of the ban on the importation of religious literatures and quota restrictions on *hajji* (pilgrimage) enhanced the awareness of Ethiopian Muslims about their religion and facilitated the reconnection with the global *ummah* (Muslim population). They are coming in close contact with the outside world and able to disseminate and receive ideas about the religious and political developments in the world using different social media networks such as facebook, twiter, youtube, etc. The freedom of citizens to seek, receive and impart information and ideas of all kinds (including religious information), regardless of frontiers, in writing or in print, in the form of art, or through any media of one's choice without censorship as enshrined in the FDRE Constitution (art 29) promoted the free flow of information in the country.

⁸² The 1995 incident resulted in nine dead and imprisoning hundreds as a consequence of the clashes between government forces and believers at al-Anwar Mosque (Jorg Haustein and Terje Ostebo, 762). More than anything else, the incident was used by the government as a pretext to dismantle different Islamic associations and institutions for instigating tensions and conflicts in the country and left its fingerprints for the subsequent strict controlling policies over Mejilis.

⁸³ The Ethiopian Muslim Youth Association, the Ethiopian Muslim Democratic Movement, the Ethiopian Muslim Unity Association, Islamic Da'wa and Knowledge Association, etc were closed shortly after the 1995 conflict at al-Anwar Mosque. For detailed information, you can refer to Terje Ostebo (2007).

It is important to mention that, Ethiopian Muslims were historically forced to lead an isolated life. The emperors of Ethiopia not only secluded Muslims from participating in the country's social, economic and political lives but effectively isolated them from the world *ummah* (Markakis, 1974). They were forced to live only their own isolated lives and were not allowed to come together for celebrating religious festivals (except the emperor's nominal welcoming of certain Muslim Sheikhs to his palace during Islamic holidays as mentioned earlier) and prohibited to form any association till the overthrow of the last imperial regime in 1974 (Markakis, 1974). Hajji (pilgrimage)⁸⁴ to Islamic holy lands of Mecca and Medina was either totally prohibited or highly restrictive only for a small group of peoples, according to some estimation up to 57 annually during the last dates of Emperor Haile Selassie (Erlich, 2007: 73, quoted in Terje Ostebo, 2009: 467). This was even the lowest number compared with the Italian occupation period, which ranges from 1,600 to 1,900 persons every year (ibid). Moreover, Islam had no any institutional expression until the overthrow of Emperor Haile Selassie to bring Muslims together for a common agenda, both in spiritual and material terms (Markakis, 1974: 92). There was unfounded fear from the rulers that, 'having an umbrella organization recognized by the state could easily mobilize the Muslim community for political power and religious parity, which inevitably pose an 'existential threat' for the imperial regime that defined itself and the nation in terms of Christianity' (ibid). As we have seen earlier, the conditions for Ethiopian Muslims started to improve during the initial periods of the military *Derg* regime (e.g. in accessing land for livelihood and constructing mosques, non-discrimination for holding government posts – including the military, enhanced educational opportunities, travelling abroad for pilgrimage but with limited quota, celebrating Muslim holidays publicly with state recognition and establishing at least a nominal Islamic institution or Mejlis etc).

⁸⁴ The then Finance Minister of Ethiopia, Mekonnen Habte Wold was responsible to manage the hajji travel for Muslims during Emperor Haile Selassie's reign. He is quoted saying that, "while there are holy places in Ethiopia like the grave of the Great Nur Hussein, why are you Ethiopian *islams* (Muslims) wasting Ethiopian money and exposing the secrets of the country by travelling to Mecca? The reason for your going there is not clear for us; but we are not saying, don't go there" (Hajji Beshir, 2010: 171). There were fears on the part of the government that Muslims travelling for hajji to Saudi Arabia will expose the suppressive nature of the system against its people in general and the Muslim community in particular to the world community. As a result, the government was very restrictive in issuing a passport for Muslims to travel abroad.

The coming to power of the EPRDF has taken the improvements a step further than any previous regimes. It allowed for the establishment of Islamic religious institutions including mosques, propagation of religion freely and to form an organization or association for any lawful purpose. Celebrating Muslim religious holidays such as *Ed al-Fatir* and *Ed al-Adha* in open public places became common phenomena. Every year, large numbers of Muslim gatherings, usually in hundreds of thousands, if not in millions, are observable in and around Addis Ababa Stadium. Muslims could freely conduct local pilgrimages in groups to local sacred places like al-Nejashi Mosque in Tigray, Dire Sheikh Hussein shrine in Oromia and other places. The contact with the outside world also widely opened, which further facilitated by the great improvements in communication technologies. Muslims became aware of their religious rights and duties enshrined in the country's constitution and other laws and became assertive of what is left uncovered by these laws and the discrepancies observed in the implementation. Satellite televisions that conduct televangelism like the Peace TV, African TV and many more Islamic religious channels are common to see in the country. Muslims of Ethiopia learn from these global media not only about religion but also international politics as in the case of the struggle of the Palestinian people against Israelis occupation, the so-called war on terror in Iraq, Afghanistan and the unavoidable results of the sufferings of innocent Muslims under the disguise of fighting terrorism and Islamic extremism. The improvements in communication technology and the legal provisions started to influence Muslims to evaluate their positions, statuses or relations vis-à-vis the state and other religious institutions and communities in the country. By allowing many Muslims to have information about Islam, politics and the way Islam is practiced, these media influenced Muslims "[...] to question, reassess and even change their own practices" (Oyatek and Soares, 2007: 13). Muslim activists started to stand for the full implementation of their communities' religious rights enshrined in the constitution and other national and international laws. However, in the opinions and narratives of the activists,⁸⁵ Ethiopian

⁸⁵ In many of the complaint letters of Muslim activists, it is unequivocally stated that Muslims are demanding only for the full realization of the rights for religious freedom as provided in the constitution affirming that Muslims are beneficiaries from the secular principle since it avoided the privileged status of some religions. For example, Ustaz Abubeker Ahmed (2014), in his defense of the government's charge of the Committee 'of working for the establishment of an Islamic government' provided that "the ultimate goal of our questions is freedom of religion but not an Islamic government ruled by *shari'a* law." For the

Muslims are far from demanding an ‘Islamic state of Ethiopia’ as some⁸⁶ warn the growing of Salafism/Wahhabism with strong zeal for political power and dominance working for the ultimate goal of political victory for Muslims. For ideological and practical reasons, establishing an Islamic state in Ethiopia is opposed by the majority of Muslims including Muslim activists. One informant fiercely argues that, “unless it is the conspiracy of the EPRDF government against Ethiopian Muslims, how a disorganized or poorly organized group such as this could establish an Islamic government in the country?”⁸⁷ In the long history of Ethiopia, Islam was never used as an ideology for mobilizing the community for political purpose – though some Sultanates were formed (Hussein, 2006). In retrospect, despite repression and religious persecutions directed against Ethiopian Muslims during the entire imperial eras, Muslims never mobilized along religious lines to hold political power with the exception of a very brief period (e.g. from 1529-1543 where Muslims under the leadership of Imam Ahmed ibn Ibrahim al-Ghazi took control of political power in the country). For practical reasons, Ethiopia is a land of diverse societies with numerous cultures, religions and languages where theocratic government formula could not encompass or accommodate varied interests. Scholarly works also support the suitability of political secularism to diverse societies like Ethiopia. Rajev Bhargava (2010: 8), from Indian perspective argues that, “of all available alternatives, secularism remains our best bet to help us deal with ever deepening religious diversity and the problems endemic to it”. Hassen Taju, one of the leading Islamic scholars of Ethiopia in one of his interviews said that, “an Islamic government based on *shari’a* law is not feasible and appropriate in the Ethiopian context where religious diversity is the norm and 66 percent of the people are non-Muslim” (Cross, 2009: 4). He underscores that, “a secular state is equally important for Muslims as it is good for the Christians” (ibid).

same reason, Kamil Shemsu, also presented his defense stating that “the constitutional provisions that proclaim the separation of government and religion, guarantee the non-interference of government in religious matters, and absence of governmental religion are all ‘golden principles’ that rectify ours (Muslims’) grievances of the previous laws and there is no way to oppose such provisions”.

⁸⁶ See for example Haggai Erlich (2010) who claims that the fundamentalist and political militant brand of Salafism/Wahhabism imported from the Middle East particularly from Saudi Arabia opposes the Christian-led Ethiopia and struggle to win Ethiopia for Islam (cited in Karbo, 2013: 48).

⁸⁷ Interview by the Researcher with a Muslim activist and scholar at Addis Ababa University, 14 May 2012

The EPRDF government seems to have rightly understood the endemic problems of nation-building in Ethiopia envisioned through ‘one language and one religion formula’ that dragged the country into a devastating civil war and backwardness for many years. In sharp contrast, it brought a new formula called ‘unity in diversity’, where a language, religion or culture of some groups should not die for a nation to live. The regime, instead, allowed the flourishing of all languages, religions and cultures (art 39) while simultaneously maintaining the national unity (Preamble, 1995 FDRE Constitution). However, the constitutional settings of the equality of all languages, religions and cultures faced difficulties in practical implementations, which the government always admits in its *gimgema* (performance evaluation) at the party level (Vaughan and Kjetil Tronvoll, 2002). Notwithstanding the rights enshrined in the 1995 FDRE Constitution and the freedoms enjoyed after 1991, Ethiopian Muslims started to contest the practical implementation of the principle of secularism. They alleged the government for interfering in purely religious affairs by supporting some religious sects and denying the Muslims to elect their own religious leaders. As shall be discussed in the coming parts of this dissertation, the subsequent laws introduced in the country such as the 2008 Directive of MOE that bans signs of conspicuous religious symbols from educational institutions; the failure to repeal some previous laws that institutionalize religious inequality such as the Civil Code of 1960; the practical involvement of government organs such as MoFA in promoting certain sects of religion at the exclusion of others undermines and contradicts the constitutional provisions that guarantees religious freedom, equality and state neutrality in religious affairs.

Concluding Remarks

This chapter has examined state-religion relations in both historical and contemporary contexts of Ethiopia. It showed that, at the state level, Ethiopia remained a 'Christian country' for more than a millennium (340-1974) where Orthodox Christianity was accorded the status of state religion at the exclusion of others. The status of Muslims during this period was secondary at best or 'alien' at worst where they were denied their religious freedom and other social, political and economic rights. Their status has been improved during the Derg regime when it declared the separation of state and religion in its 1987 Constitution. Public visibility of Islam through the celebration of Islamic holidays and their representation under the Ethiopian Islamic Affairs Supreme Council enhanced. The landholding status of Muslims was also improved as Derg proclaimed the distribution of land to the poor. However, the regime was generally anti-religious and the gain for religious freedom was not real.

The coming to power of the EPRDF regime with its policy of multiculturalism and multireligionism greatly improved the status of Muslims. It brought a lot of practical changes for them. Islam scored institutional rehabilitation and revival. Muslims' presence in all public places increased. Many Islamic organizations and publications flourished (though many of them closed in subsequent years alleged of inciting violence), pilgrimage to Islamic holy lands uplifted, large number of mosques constructed across the country, *da'awa* movement improved and display of Islamic symbols in the form of dressing (such as hijab and worship) in public places became the norm. Despite lots of improvements, the assertiveness of Muslims and the increased visibility of Islamic identity aroused reactions from the government and leads to its co-optation with the EIASC for 'preventing religious extremism'. The display of such religious symbols and the demand for the performance of ritual prayers in some higher educational institutions were seen as signs of extremism and the government tried to narrow down the spaces available that later led to conflicts and antagonistic relations. Many Muslims in turn started to challenge the actions of the government in line with the constitutional principle of secularism.

CHAPTER FOUR

CONTESTED SECULARISM: THE QUEST FOR THE AUTONOMY OF MEJILIS

Introduction

Some scholars⁸⁸ and the faithful from both Islam and Christianity believe that, the EPRDF government tightly controls religious institutions to the extent where the latter become mere agents for the former in implementing its policy of controlling political power at the total exclusion of dissidents. The government closely watches and controls the activities of the Patriarchate of the EOC and the Ethiopian Islamic Affairs Supreme Council (EIASC – popularly called Mejlis) (Haustein and Terje Ostebo, 2011). If one carefully examines Ethiopian political history, it would not be difficult to understand how religion played a vital role in the Ethiopian body politic as a driving and unifying force for societal mobilization both for and against governments. Those emperors who deserted the religious institutions and the faithful had paid immense sacrifices both in losing political power and their lives.⁸⁹ For Ethiopian rulers, therefore, the need to control and regulate religion and religious activities became a priority agenda for centuries. The imperial regime of Emperor Haile Selassie I, for example, in addition to ‘legalizing’ the religious myth of Solomonic descent through the 1931 and 1955 constitutions, established close ties with religious institutions in ‘a symbiosis’ relationship like ‘an arm and a sword’ where the former supplies the ‘necessary’ power for the latter.⁹⁰ The Derg regime, with its Marxist-Leninist ideology of eradicating religion as its ultimate goal,

⁸⁸ John Abbink (2013: 6) argues that, the EPRDF-led government, though instituted religious freedom in Ethiopia more than previous regimes; strictly controlled all religious institutions including the Ethiopian Islamic Affairs Supreme Council (Mejlis) and the Orthodox Church Synod. Terje Ostebo (2010: 40) also argues that, the close link between the EIASC and the government enabled the latter to monitor and control the activities of Muslims.

⁸⁹ Emperor Za Dingel and Susenyos during the 16th century had lost their power and even life in the case of the former for their brief but costly experiment of Catholicizing the Ethiopian State at the expense of Orthodox Christianity. Though not solely religious grievances, religion had played a major role for the devastation of Emperor Tewodros II’s regime. Aware of the importance of controlling religious institutions, Emperor Haile Selassie I was very wise in establishing close relations with religious institutions, particularly with the Ethiopian Orthodox Church.

⁹⁰ For example, to express the strong solidarity between the Ethiopian state and the EOC, Haile Selassie often proclaims that, “the Church is like a sword, and the government is like an arm, therefore, the sword can not cut by itself without use of the arm” (Craig, 2010: 38).

maintained close but tactical cooperation with religious institutions during its initial periods. Nowadays, it became almost an ‘established policy’ of the Ethiopian government to control and supervise religious institutions.⁹¹ The controlling and surveillance mechanisms employed by the EPRDF regime on Islamic institutions are more systematic and sophisticated. It is systematic and sophisticated in that the regime uses the co-opted Islamic Council to control any Islamic activities. The EIASC is given *de facto* executive power to veto the registration and licensing of religious organizations that undertake religion-related activities (Ostebo, 2014: 19). The role of the Ministry of Federal Affairs – Directorate of Religious and Faith Affairs – is particularly important. It is omnipresent in virtually all meetings and activities conducted by religious institutions related to religion disguising transmitting messages about the constitutional rights and duties of believers and religious institutions.⁹² It not only acts as ‘independent observer’ but also involves in important decision-making processes. It is almost unthinkable for religious institutions to pass important decisions and implement thereof in the absence and approval of officials from the Ministry. Religious institutions are becoming nothing more than subservient instruments of implementing religious policies set by the regime.

In his observation over the controlling system of the EPRDF government on religious institutions, a Muslim activist from the Diaspora contends that “the EPRDF government

⁹¹ For more information on this issue, see the government document entitled: *Yehaimanot Akrrarinetnina Yegosa Gichitochin Yeminfetabet Agerawi Eqid Meneshawechina Aqitachawech* – literally, A National Plan for Controlling Religious Extremism and Ethnic Conflicts: Background and Directions (2011). Based on the document, to solve problems related to ethnic conflict and religious extremism, the government must do the following: 1) to work in cooperation with democratic-minded religious institutions and leaders, 2) encourage those groups or institutions who promote religious tolerance and equality, 3) create and promote youth organizations to bring about religious tolerance and equality, and 4) prepare legal mechanisms such as religious institutions’ registration system, worshiping, dressing and dietary codes in government institutions, allotment of land for religious institutions, mechanisms of appointment of proselytizers and their accountability (pp. 20-24).

⁹² The government always argues that, its presence in any training arranged by religious institutions is nothing but providing security for the participants or for maintaining peace and order and to transmit messages related to constitutional rights and duties for the faithful. For example, in one of the trainings organized by Mejlis for the mosque *imams, ulemals* and religious leaders, the Ministry of Federal Affairs’ presence was defended for only using the opportunity to educate about the constitution. In addition, the role of the government was limited in the following areas; 1) arranging suitable places for the training, 2) provide security for the trainers, and 3) deliver speeches at the beginning of the training on issues related to the constitutional rights and duties of religious institutions (Addis Raey Magazine, May-June 2012: 21-23).

made Islamic institutions including Mejlis as agents of the state”⁹³. This in turn undermined the credibility and legitimacy of the institution in the eyes of the Muslim community and created a loophole for the emergence of alternative but ‘underground Islamic organizations’. The consequence and the irony is that, it becomes difficult for the government to manage and control such organizations.

Jon Abbink (2013) argues that religious freedom is guaranteed under the EPRDF regime. However, government’s control over religious institutions was so strong which hinders the full implementation of the freedom envisioned in the constitution. Its control over EOC is just equal to the age of the regime. The former Patriarch of the EOC was replaced with a ‘regime-friendly patriarch – Abune Paulos’ in 1992 under the government pressure. The most restrictive approach towards Islamic institutions came later during the mid-1990s. Arguably, the EPRDF regime almost replaced its initial ‘liberal religious policy’ with strict control where its influence remained strong on the Muslims and their institutions (Ostebo, 2014: 5). As a result of its measure of closures of Islamic organizations during the early 1990s, it left only the highly co-opted Ethiopian Islamic Affairs Supreme Council (EIASC) not only to represent the Muslim community but also to control them and other ‘government-unfriendly’ Islamic organizations and reform movements.

In principle, the legal provision of the country guarantees the separation of state apparatus and religious institutions (art 11). It means that, both freedom of religion and freedom from religion are guaranteed in the Constitution. There is no way for religious institutions to use state machineries to their own advantages and the state is also obliged not to interfere in the internal affairs of such institutions. The state is only expected to provide an appropriate legal forum for religious organizations to legally function and to be registered, if necessary, based on the formal criteria set under the law. In practice, however, government offices and officials systematically involve in the internal affairs of religious institutions by selecting, appointing or removing religious leaders. Most top

⁹³ For more information, see Jawar Mohammed (2013: 9) “Growing Muslim Activism and the Ethiopian State: Accommodation or Repression?” in *the Civil Rights Movement of Ethiopian Muslims*.

leadership of Mejlis are selected and appointed by government officials under the cover of periodic election⁹⁴. After the recent controversy between the Muslims and the government over the legitimacy of the Mejlis leadership in 2011, the government arranged an election but the elected leaders⁹⁵ served only two years when they were deposed under the pretext of involving in ‘un-mandated activities’. During the main study period of this thesis alone (2012-2015), the leadership has been changed three times. In all of them, except one⁹⁶, there was no public participation either for the election or removal. It was simply announced through public media.

4.1 The Legal Framework for the Separation of State and Religion

Separation of State and Religion (art 11) is one of the five major fundamental principles of the 1995 FDRE Constitution⁹⁷. In the (con)text of the Constitution, the term separation can be defined in three ways. One is related to the fact that, the state should not institutionally attach to any religion and there should be no religion, which is institutionally attached to the state (*state and religion are separate* – sub art 1). The second principle obliges the state not to affiliate itself with a certain religion (*there shall be no state religion* – sub art 2). The third principle requires the state not to interfere in the internal affairs of religion and vice versa (*state shall not interfere in religious matters and religion shall not interfere in state affairs* – sub art 3). When these provisions are combined with freedom of religion for believers to practice their religion either individually or in group, it becomes clear that, the boundary is so ‘thick’ for the one to cross and intrude in the exclusive jurisdiction of the other. The separation clause of state and religion (art 11) and the freedom of religion, belief and opinion (art 27) guarantee the autonomy of religious institutions from unwarranted state control and domination. More

⁹⁴ http://www.wikileaks.org/plusd/cables/09ADDISABABA1672_a.html

⁹⁵ Those who were elected on 7 October 2012 but removed in 2014 were: Sheikh Kiyar Mohammed Aman (from Oromia) as President, Sheikh Khedir Mahmud Aman (from Tigray) as Vice President, Sheikh Mohammed Kemal Adem (from Amhara), Sheikh Abas Yasin (SNNPRS), Hajji Mohammed Adem Worsema (from Somali), Sheikh Mohammed Deressa Musa (from Afar), Abdulhamid Abubeker (from Harari), Yishaq Adem (from Gambella), Abdulmejid Khalifa (from Benishangul/Gumuz), Mohammed Ali (from Addis Ababa), and Sheikh Abdulaziz Sheikh Abdul Ali (from Dire Dawa).

⁹⁶ Following the 2011 protest of the Muslim community, an election was conducted on 7 October 2012. However, both the process and the result were contested and many Muslims rejected the outcome.

⁹⁷ The other four major pillars of the Constitution include; sovereignty of the people (art 8), supremacy of the constitution (art 9), human and democratic rights (art 10), and transparency and accountability of government (art 12).

specifically, the non-interference clause in religious matters provided under art 11 sub art 3 and the freedom of believers to establish institutions of religious education and administration to propagate and organize their religion (art 27 sub art 2) entails the autonomy of religious institutions from the unjustifiable interference of the state. Based on the intent of the constitution, the state is required not only to respect the autonomy of religious institutions but also should not interfere in the internal working procedures of such organs. In other words, the institutional and functional independence of religious organizations is guaranteed. They do have an ultimate decision-making power in their internal affairs being free from undue external influence or interference.

The law also provides believers to elect their spiritual leaders on the basis of free, fair and democratic election as set by the respective religious institutions. Since the government organ is mandated to grant permission and license for a certain religious organization, it is the responsibility of that authority whether the registered organization is doing its activities as stated in its memorandum and its internal regulation. If it is not implemented as provided, the authority has the power to revoke the permission. It is also the mandate of the association to report its activities for that government organ for its license renewed. The 2012 amended regulation of Mejlis affirms that, “election shall be conducted every five years”. However, except the 2000 election of Mejlis leadership, which in itself was contested by many stakeholders, including the faithful for its irregularities and undemocratic nature, there was no any election conducted in its history (*Ewunetu Yih New*, 2012). In such circumstances, it is the responsibility of the government to follow up whether it has implemented its regulation or not. If Mejlis fails to implement the election provisions either to extend its stay in power or come through other means than provided under its regulation, then the authority can step in only to push that institution to enforce its regulation. It even becomes legitimate and justified for the government when the people complained about the irregularities and failure to implement its own internal rules. It can question the association on the basis of failing to implement its memorandum to the extent of revoking its license. This does not have any impact on respecting the internal autonomy of such associations.

In addition to respecting their internal autonomy, if registration is a requirement, the law should be impartial in treating all religious institutions and avoid discriminatory criteria. The registration criteria should go in line with the guarantee of religious equality incorporated in the constitution (art 3 sub art 2, art 25 and art 27 sub art 2). Despite the legal provisions for the autonomy of religious institutions, many Muslims allege that the government interferes in the internal affairs of Mejlis. It also applies a different legal regime for Mejlis's registration as opposed to its counter-part, the Orthodox Church Synod. They doubt about the autonomy of Mejlis and believe that it is 'the mouthpiece of the state and the government', especially for the latter's purpose of curbing the 'threats of so-called Salafi/Wahhabi religious extremism'⁹⁸. As shall be discussed later, the government intervention is manifested in two ways (Jemal, 2012: 100); institutional interference over the Mejlis leadership and its functional independence, and spiritual intervention in the form of favoring the Ahbash group (so-called *nebaru islimina* – indigenous/homegrown Islam) against the Salafi/Wahhsabi teachings (*metie* – exotic).

The legal framework for registering certain religious institutions, while *de facto* exempting others, gave the government the leverage to control their activities, closely monitor and supervise their actions and even deny their existence when their activities are presumed to be 'unlawful or threat to national security' or even for failing to fulfill formal requirements⁹⁹. In this regard, the power of the government is not only registering religious institutions but also includes the power to revoke their licenses. The legal framework coupled with the bureaucratic bottlenecks for applying and securing a license not only reduces the autonomy of such institutions to undertake their activities freely but also undermines the constitutional provisions for religious equality. Constitutionally, all religions and believers are protected from differential treatment and discrimination but the differential treatment in registration erodes the constitutional provision¹⁰⁰. The legal

⁹⁸ Information obtained from FGD held at Addis Ababa on 20 June 2014

⁹⁹ Information obtained from FGD held at Addis Ababa on 20 June 2014

¹⁰⁰ All religious institutions are required to be registered in the Ministry of Federal Affairs with the *de facto* exception of the EOC. When a proposed law to register all religious institution was aired by the Ministry of Federal Affairs in 2013, a strong criticism came out from the members of the Church. Deacon Daniel Kibret (2013), for example, opposed the new law as it is equal to 'eroding the sovereignty of the Church' as the new law attempts to recognize the Church after 2000 years of existence in the country. He further stated

procedures coupled with the internal weaknesses of the Mejlis leadership pushed the Muslim activists and the faithful to protest against its leadership. This in turn has resulted in counter-accusation from the government and Mejlis about the involvement of few extremists in unconstitutional activities to establish an Islamic state of Ethiopia¹⁰¹. Having this in mind, this chapter explores the controversies surrounding Mejlis in terms of its legal personality and institutional independence and/or weaknesses vis-à-vis government interventions, if any, in its internal workings. For better understanding of the contemporary problems, historical analysis is made and the views of the actors are incorporated.

4.2 Preludes to Mejlis

A cursory reading of Ethiopian religious history reveals that the first Islamic religious institution was established during the time of Emperor Haile Selassie's rule (1941-1974). In the 1940s, Muslim courts were allowed to function based on *shari'a* law but only limited to personal and family matters such as marriage, divorce, inheritance and endowments (Hussein, 2006: 9). This event was marked as the beginning and the first positive measure of the imperial regime for the institutional manifestation of Islam in Ethiopia though it was opposed by some members of the Imperial Parliament. The quest for the establishment of bigger umbrella Islamic institutions like Mejlis was strongly opposed by the then Imperial Parliament since doing it 'undermines the Christian character of Ethiopia and the dignity of the Imperial Majesty' (Hajji Beshir, 2011: 169). In spite of the positive measures that the Emperor took, during the codification process of the 1960 Civil Code of Ethiopia, he deliberately ordered for the exclusion of provisions related to Muslims (Hussein, 2006: 9-10). In the codification process, Muslims were not allowed to participate while Orthodox Christians and men of traditional learning were part of it. In the process, there were provisions related to Muslims proposed by 'others' but never included in the final version of the Code (Markakis, 1974: 406-407).

that, the proposal deals very sensitive issues and all the concerned bodies in the Church should take great care in the discussion over the proposed law.

¹⁰¹ For more information, see Jihadawi Harekat Documentary Film transmitted through the Ethiopian Radio and Television Agency (ERTA) later called Ethiopian Broadcasting Corporation (EBC), (<http://www.youtube.com/watch?v=upddMM7sNQs>).

The struggle of Muslims for equality and the quest for an umbrella institution to represent Muslims finally bore fruit during the military *Derg* regime (1974-1991). It allowed Muslims to organize themselves along their religion and the Ethiopia Islamic Affairs Supreme Council (Mejilis) came into being in 1976. Getting a blessing from *Derg* officials, the Council was established to achieve the following major objectives: 1) organize Ethiopian Muslims along spiritual issues, 2) disseminate religious educations, 3) establish and organize religious educational institutions, 4) translate religious texts into Amharic language, 5) control and administer Islamic *waqf* (endowments), 6) design and implement strategies to acquire new properties, and 7) cooperate and participate in development and nation-building projects of the country (Jemal, 2012: 24; *Yemuslimoch Guday*, 2012: 161). Taking into account of the legal and practical challenges that Muslims endured for centuries, this was the first of its kind and direct response for the questions of Muslims to have an umbrella organization through which their political, social and economic participation in the country could be articulated and realized. In spite of this, it remained *de facto* throughout the military regime without acquiring legal personality. Put simply, its establishment and survival, to a large extent, was dependent up on the ‘political will’ of *Derg* officials without legal backing.

Repeated attempts for securing legal personality for Mejilis failed for two major reasons. First, “the traditional hostility against, and suspicion of, Islam as a potential ally of anti-Ethiopian forces” (Hussein, 2006: 12) propagated by the imperial regimes for centuries had never been removed from the policy circles of the *Derg* regime. The presence of Muslim-majority neighboring countries and sometimes, their irredentist claims of territories from Ethiopia as the case in Somalia, made Ethiopian governments to look after its own Muslim population as ‘potential allies’ with these groups because of commonality in faith¹⁰². The regime feared that, having a strong and viable organization could easily mobilize the Muslim community for political power and destabilize the country or undermine the religious equilibrium. As a result, the *Derg* officials devised a mechanism – though *de facto* allowed the Council’s existence – to curtail its legal

¹⁰² The *Derg* regime had ruthlessly suppressed the Muslims of Eastern Ethiopia accused of them collaborating with the invading forces of Somalia in the Ogaden war (Haustein and Terje Ostebo, 2011: 756).

personality in order to politically control and monitor its activities. However, some scholars like Endris Mohammed (2011: 7) argue that, the threat of disorganized group is far more dangerous and difficult to control than an organized institution. The fear that an organized Muslim community under the umbrella of one institution (Mejilis) 'is a threat for Ethiopia's unity and territorial sovereignty' is far-fetched (ibid). The other factor that hindered Mejilis from obtaining legal personality was related to its internal problems. Mejilis was alleged being corrupt and inaptitude in its organizational setup and there were always internal rivalries and divisions within its leadership (Husseini, 2006: 12) on both doctrinal lines and the lust for power to date as shall be discussed below. Francois Craig (2013: 46), for example, contends that, "the government-controlled, but the independent-on-paper Muslim organization, the Ethiopian Islamic Affairs Supreme Council, had already become notorious for its corrupt, inefficient and, obviously undemocratic actions". The internal problems of Mejilis coupled with external influence from the government undermined its credibility and its claim to represent the Ethiopian Muslim population, and its autonomous existence. With all its weaknesses, the Council however came to 'represent' Ethiopian Muslims and was seen as a sign of religious equality during the military regime – at least symbolically. In a nutshell, although the military regime was credited with the establishment of Mejilis and responded positively to some other questions related to religious parity (example, making the three Islamic holidays as national holidays, granting land for the construction of mosques, allowing pilgrimage to the Islamic holy places of Mecca and Medina with restricted quotas, opening up for Muslims to hold higher public offices etc. as discussed in the previous chapters), it never recognized Mejilis as a legal person.

In all the years where *Derg* stayed in power (1974-1991), Mejilis secured only unflinching support from the Muslim population but received less emphasis and in most cases hostile faces from the government. In spite of its failure to fulfill the constitutional promises for religious equality and freedom and its brutality in suppressing oppositions, as pointed out in the *Yemuslimoch Guday* (2012: 161), "as a regime, that laid the ground for the institutional foundation of Mejilis, *Derg* deserves the tribute". It is only the EPRDF-led government that recognized the *de jure* existence of Mejilis but still with its precarious

legal existence as opposed to its counterpart. The EOC is established by law while its 'equivalent', Mejlis, is subject to registration and licensing in the Ministry of Justice before 2011 and in the Directorate of Religion and Faith Affairs of the Ministry of Federal Affairs since 2011. The 1960 Civil Code of Imperial Ethiopia provides a clear distinction between the EOC and other religions concerning their legal personality and hence their rights and duties, which still is in force. While the EOC's personality emanates from the law (art 398 sub art 1) like any other state organs (arts 394, 395 and 396) and public administrative authorities and establishments (art 397), other religions can acquire it only after fulfilling the rigorous criteria for establishing associations (arts 404, 407 and 408). This provision is the major source of difference and inequality between these two religions that persisted to date where some Muslims see in suspicion of actual religious equality in Ethiopia. This is also one source of controversy between the Muslim activists and the EPRDF government where the Mejlis leadership failed to achieve (*Ewunetu Yih New*, 2012).

Why is the EPRDF-led government failed to annul such provisions while it repealed several other chapters and provisions from the Code? is a basic question that needs to be addressed. Is there any intention from the government of maintaining the status quo of the EOC? It is true that, both from the intention of the 1995 FDRE Constitution (Preamble) and the practice of the EPRDF government, there is no interest in perpetuating the unequal relationship of religious communities and various nationalities. The 'makers and owners of the Constitution' – Nations, Nationalities and Peoples of Ethiopia (NNP) – are fully convinced that "their common destiny can best be served by rectifying historically unjust relationships and by further promoting their shared interests" (Preamble, 1995 FDRE Constitution). The government is taking tangible measures to rectify historical discrimination and unjust relationships through affirmative action for women and least advantaged nations, nationalities and peoples of Ethiopia in economic, political and social conditions. The EPRDF government is also convinced that, the previous regimes suppressed religious diversity and discriminated certain religious groups, which should be reversed or rectified to re-construct 'the new Ethiopia' based on religious equality. It believes that, the previous laws institutionalized religious inequality.

Hence, the government is determined to erase such laws in order to implement the constitutional provisions that guarantee equality of all sorts in practice, including religion (Addis Raey Magazine, May-June 2012: 6-10). However, the government admits that, as a beginner of a democratic culture, the practical application falls short of fulfilling the promises of the constitution that needs improvement and development in the future (ibid).

Worth noting is, the demand of Muslims is not about contesting the legal status of the EOC but elevating the legal personality of Mejlis to the level of its counterpart, which is absolutely legal and legitimate. Doing this has a tremendous implication for Muslims who were considered for long as secondary citizens. Although Mejlis secured its legal personality through registration based on the laws of the country, its status of being an ordinary association in sharp contrast against its counterpart is an unacceptable fact. In other words, if the EOC is to achieve its legal personality by law without the requirement of registration, then the Ethiopian Islamic Affairs Supreme Council (Mejlis) must achieve the same status by the principle of equality of religions and non-discrimination enshrined in the 1995 FDRE Constitution (arts 11 and 25). The other branch of Christianity i.e. Protestantism, which is the third largest religion in Ethiopia with 18.6% of the population, similar to Mejlis is also subject to registration and renewal of its license from the concerned government authority. The Protestants even complain that they are strictly – but unfairly – required to be registered and renew their licenses every three years while the EOC and Mejlis are *de facto* exempted (International Religious Freedom Report, 2007; Yehaimanot, 2011). The Ethiopian Human Rights Council expressed its concern that this differential treatment shows the lack of progress from the government over religions that are considered ‘exotic’ – specifically towards Protestant Churches (ibid). One of my informants¹⁰³ argues that,

The basic reasons for their protest and struggle are solely to achieve religious equality and respect for their religious freedom. *It has nothing to do with radicalism and extremism directed against the status of other religions or the government.* They believe that, this act is healthy and even desirable for the promotion of democratic principles in the country (emphasis added).

¹⁰³ An interview with a Muslim activist conducted at a private house around Bethel (Addis Ababa) on 15 December 2012.

In other words, Ethiopian Muslims want to move away from being the status of ‘younger brother or exotics to be tolerated’ and achieve their equality by law. This issue will be discussed in the proceeding parts in detail.

4.2.1 Contemporary Status of Mejlis

4.2.1.1 The Structure of Mejlis: Federal in Form Unitary in Essence

Following the adoption of a federal state structure in post-1991, Mejlis followed suit to organize itself along the state structure. All the nine regional states and two city administrations have established their own respective supreme Islamic councils (Mejilises). In addition, a federal supreme Mejlis was put in place that represents the nation-wide Muslim population (Jemal, 2012: 61; citing the official website of Mejlis). Stating differently, each regional state has its own Mejlis responsible to organize the Muslim community in their spiritual affairs and improve the social and economic well-being of Muslims by arranging enabling environment to participate in the developmental activities of the country. The Mejlis of each regional state is empowered to organize zonal, woreda and kebele Mejlis on the bases of the state organization in order to mobilize the Muslim community for the realization of government developmental policies and to ensure the social and economic benefits of Muslims as guaranteed by the new federal arrangement and also mobilize Muslims for the propagation and spread of their religion as guaranteed under the 1995 FDRE Constitution (art 27).

The Federal Mejlis is organized by the representatives of all regional states and the two city administrations. As mentioned by Jemal (2012: 61), it is represented by 13 executive bodies from each regional state. Owing to their large Muslim population, Addis Ababa city administration and Oromia National Regional State are to be represented with two persons. However, in the new Council, one of my informants said that, “each regional state, including the two city administrations, is represented only by one representative”¹⁰⁴. Accordingly, the Federal Mejlis has eleven chief executive members and forty-four general assembly members where each regional state and the two cities are

¹⁰⁴ Interview with Mohammed Ali, one of the executive members of Mejlis who was elected from Addis Ababa in the October 2012 election

represented with three members (ibid). It follows a symmetric power division among all the constituent units irrespective of the Muslim population size of each region and they are accorded with equal power status based on the principle of ‘one man one vote.’

However, unlike the federal state structure, which guarantees the coordinate status of the Federal Government and Regional States¹⁰⁵, the federal Mejlis affirms its upper status over regional Mejlis. The federal Mejlis considers regional Mejlis as branch institutions with the power to enact their own regulations but only in conformity with the federal Mejlis. If their regulations contradict with the law of the Federal Mejlis, they have no effect (Jemal, 2012: 62). Regional Mejlises are also required to submit reports to the Federal Mejlis every six months (ibid). In sum, although its structure resembles the federal state setup, at least in form, in practice and also based on the regulation of the federal Mejlis, it exhibits more of unitary structure in which ultimate power resides at the center.

4.2.2 Legal Personality of Mejlis

As it is discussed earlier, Mejlis survived throughout the *Derg* regime as a *de facto* organization without legal backing. It simply secured the blessing (will) of *Derg* officials to ‘represent the Muslim community’. The implication was that, the Council could survive only if the government wishes and its leadership remained an easy prey for the political motives and manipulation of the government. The government could easily dismantle the organization at any time without legal procedures to follow.

After 1991, the EPRDF-led government launched a new wave of group rights, which recognized the injustices committed by the previous regimes and the marginalization of minority groups (ethnic and religious). As acknowledging facts on the ground is the starting point of any action, it arranged the level ground for the ratification of a new constitution in order to rectify the past misdeeds and build the Ethiopian state on the basis of equality of all languages, cultures, history and religions. The Muslim community

¹⁰⁵ Art 50 sub art 1 of the 1995 FDRE Constitution provides that ‘the Federal Democratic Republic of Ethiopia comprises the Federal Government and the State Members’. Both are independent in their own affairs. Both are also expected to respect the power of one another (sub art 8).

started to use these opportunities and organized themselves to demand parity with other religions and more freedom in their religious affairs. Notwithstanding the positive measures that the EPRDF-led government took to implement religious freedom and equality, there are some legal and practical obstacles for the Muslims to realize their religious equality and freedom. The most controversial of all is related with the institutional weakness of Mejlis and its precarious legal personality. The 1960 Civil Code of Imperial Ethiopia grouped religious organizations into two categories: those recognized as legal persons by law and those to be registered for official recognition. While the EOC falls under the first category with special privileges and status, all other religious institutions mandatorily required for strict registration. It requires all religious groupings or associations other than the EOC to be registered under the special laws that are to be enacted concerning them (art 407 sub art 1). Failing such special laws, these groupings shall be deemed to be ordinary associations and be governed by the provisions provided there (sub art 2). An association, as defined in the Code, is a grouping formed between two or more persons with a view to obtaining a result other than the securing or sharing of profits (art 404). As per the provision, for a grouping to be considered as an association, it is required to be a non-profit organization and has at least a minimum of two members. Based on the Code, an association consists of its founders and of the members who have joined the association (art 415) and whose legal effect is limited only on members, but not on third parties (art 25). To implement the Code, Proclamation No. 321/1967 was in place for the registration of associations and religious groupings other than the state religion. Based on art 9 of the Proclamation, the Ethiopian Islamic Affairs Supreme Council (Mejlis) has to be registered by responsible government organ to acquire its legal personality. Although the 1995 FDRE Constitution guaranteed religious equality and abolished discrimination among religious institutions, the 1967 Proclamation of Imperial Ethiopia that institutionalized inequality among religious groups is still not repealed and used to register religious institutions other than the EOC.

In fact, the government introduced the Charities and Societies Proclamation No. 621/2009 to realize citizens' right to association enshrined in the FDRE Constitution that repeals the 1967 Imperial Proclamation. The new proclamation defines religious

organization to mean “an institution established by believers to organize and propagate their religion” (art 2 sub art 16). However, art 3, which explains the scope of the proclamation, clearly states that, “this proclamation shall not be applicable to religious organizations”. In the absence of other laws that govern the registration of religious organizations or that repeals the previous laws, therefore, the only law that is applicable to govern the same in Federal Ethiopia is Proclamation No. 321/1967 of Imperial Ethiopia.

Usually, in countries where there is no established religion, the normal practice is that, state authorities including the law-makers provide an enabling environment (example, enacting laws for registration to provide legal personality for religious groupings) to perform certain legal activities related to their religion such as propagation, provide religious education and organize administration (Murdoch, 2012). Art 27(2) of the 1995 FDRE Constitution protects the rights of believers to organize themselves for furthering collective action in the areas of common interests. It provides that, “without prejudice to the provisions of Sub-Article 2 of Article 90¹⁰⁶, believers may establish institutions of religious education and administration in order to propagate and organize their religion.” Moreover, art 31 guarantees freedom of association where the right is guaranteed for ‘every person’ to form or join an association “for any cause or purpose” provided that the association is not established “in violation of appropriate laws, or to illegally subvert the constitutional order, or which promote such activities...” As it is said earlier, though the right to religious freedom is basically an individual right, its exercise or practice is often a collective one performed in association with others. In this regard, forming religious organization or association is an integral part of the right to freedom of religion. Murdoch (2012: 55) contends that, “since religious communities traditionally exist in the form of organized structures, [... legal provisions that protect this right should be interpreted in a way that guarantee] associative life against unjustified State interference [...]”. According to Murdoch, the right to freedom of religion encompasses both the right “to manifest one’s religion in community with others” and the right for believers “to

¹⁰⁶ Article 90 sub art 2 of the 1995 FDRE Constitution provides that, “education shall be provided in a manner that is free from any religious influence, political partisanship or cultural prejudices.”

associate freely without arbitrary State intervention.” He argues further that, “the autonomous existence of religious communities is indispensable for pluralism in a democratic society...” (ibid: 55-56).

The cumulative reading of art 27 that guarantees the free expression of religious beliefs and art 31 that protects the right to association for any cause or purpose in line with the legal provisions of the country require the state authority to give official recognition of religious organizations and guarantee their autonomous existence free of unwarranted interference. The EPRDF-led government, however, requires all religious organizations other than the EOC to register and secure license to obtain legal personality and acquire rights and duties sustained before the law. Unless there is an established church/religion, the state should treat all religious groupings without discrimination in acquiring legal personality through registration. Discrimination on the requirements for registration entails state interference and absence of state neutrality in the internal affairs of religious organizations (Murdoch, 2012).

In the Ethiopian case, constitutionally speaking, there is no an established religion and it follows a policy of non-establishment. Art 11 of the Constitution provides for that effect. After acknowledging the principle of separation of state and religion, it proclaims that, “there shall be no state religion”. No special privilege is accorded to any religion in terms of registration or the legal rights they enjoy and the duties they encumber. By requiring registration for all religions other than the EOC, however, the government accorded or maintained special privilege for the EOC and acknowledged its status of an established church. These requirements may be used unduly to restrict the activities of faiths outside of the EOC. In other words, the *de facto* preference of the EOC over other religious organizations is now becoming official.

4.2.2.1 The 1960 Civil Code: Heading towards the Controversy

Is Mejlis really an association? If so, who are its members? Is there any registered person to Mejlis membership in Ethiopia? Or is Mejlis an NGO? Many Muslim activists equate Mejlis with NGO or any other ordinary association to secure its license and renew

accordingly to legally operate in the country. Ahmedin Jebel – one of the prominent Muslim activist and member of the Muslims’ Solution Finding Committee – once quoted saying that “Mejilis is equivalent to an ordinary association that could be established by five [two] or more persons. Based on the Ethiopian law, any association or NGO formed by five or more individuals have the same status with Mejilis” (Press Release, 2012). However, some executive members of Mejilis do not agree with this assertion¹⁰⁷. For a question – why is Mejilis to be governed by the laws of registration while the EOC is established by law? The response of Sheikh al-Muhammad Siraji, the chief Secretary of Mejilis, was not straightforward and lacks clarity. What he said was, “the laws promulgated by Emperor Haile Selassie were repealed by *Derg* and similarly the laws of *Derg* have been cancelled by the EPRDF regime. Now, the constitution says ‘all religions are equal’ and does not say ‘one religion is established by law while others are required to be registered’”. However, in contradiction to this response, he said that, “if our question is to demand the government to allow the establishment of Mejilis by law, we agree on that but using only peaceful means”. He added that, “We, the leadership of Mejilis, are also struggling for that” (ibid). The implication is that, Mejilis leaders are also aware of the fact that ‘Mejilis is equivalent to an ordinary association’ but are reluctant to reveal this fact as it undermines their status vis-à-vis other religious institutions.

It is important to note that, religious freedom is highly related with freedom of association. In principle, religion can be taken as an individual right to follow or worship a religion of one’s choice but practically speaking it is a group right where followers of the same religion come together and worship their God as prescribed in their respective religious scriptures. By their nature, all major religions (Judaism, Christianity and Islam) require their followers to construct common worshiping houses and pray together partly in order to strengthen brotherhood and sisterhood and partly as mandatory commandment of their religious texts. Therefore, it can be argued that, religious freedom could not be

¹⁰⁷ When the chief secretary of Mejilis Sheikh Al-Muhammad Siraj was asked from Hijrah Private Newspaper in June 2011 whether Mejilis is really governed by the laws governing NGOs, he replied that, “This question must be raised by those who do not understand the difference between religious institutions and NGOs. NGOs must hand over ten percent of their total income to the government but religious institutions are not required to do the same. Hence, Mejilis is completely different from NGO” (Jemal, 2012: 38).

guaranteed by only guaranteeing individual freedom of adopting or holding a religion of one's choice. The right of citizens to organize themselves in religious associations is as important as the right to religious freedom for individuals (Murdoch, 2012). Notwithstanding the legal provisions for freedom to make a religious association, making distinctions among different religious groupings how to organize and acquire legal personality also tantamount to discrimination and religious inequality. And also, puts the secularity principle of the state under doubt. This is because a secular state could and should not enact or enforce a law that creates or perpetuates inequality among different religious communities in the country. Although Ethiopian Muslims secured the right and freedom to propagate and manifest their religion freely 'either individually or in community with others and in public or private' in post-1991 period, the government's stand on the Mejlis' legal personality remained unchanged or scored little improvement. As some researches indicate (Jemal 2012, *Ewunetu Yih New*, 2012), the government continues using the 1960 Civil Code of Imperial Ethiopia to register and license Mejlis as an association working on the spiritual affairs of Ethiopian Muslims. It brought only change of the place and licensing authority¹⁰⁸.

Ethiopian legal scholars argue that, many of the laws promulgated during the imperial period were annulled by the subsequent new proclamations and decrees of the *Derg* regime and later by the EPRDF. In spite of this, the applicability of some laws persisted to date. For example, one top Muslim EPRDF official during the Transitional Period (1991-1994) opposed the requirements for Mejlis to be registered as an ordinary association on the basis of art 407 (1) of the 1960 Civil Code (Ewunetu Yih New, 2012). This provision creates status distinction between the EOC and other religions that operate in the country. It was enacted during the time where Orthodox Christianity was the state religion and was not a surprise or it was not by accident to include such special privilege. It was the deliberate intent of the then emperor. An insistence by the EPRDF government, that all other religious associations or groupings should fulfill the registration and licensing formalities to acquire legal personality, while exempting the EOC, is however discriminatory and a breach of arts 11 and 27 of the FDRE Constitution. What seems

¹⁰⁸ Interview with a lawyer in Addis Ababa on 14 June 2014

anomalous in this case is that, the FDRE government recognized religious equality and a policy of non-establishment. It however is a paradox to require certain religious associations for formal registration while exempting some others.

Although the EPRDF government explicitly repealed some of the provisions in the Code that are considered unfit to the political, economic and social conditions of the time, it maintained the applicability of others. For example, the Chapter of the Code that deals with Family issues is totally repealed by the new Revised Family Code of Proclamation No. 213/2000. For amending it, one of the major reasons cited is “making the existing Ethiopian Family Law in accordance with the socio-economic development of the society and, above all, with the Constitution of the country”. If we unpack the major purposes of amending the existing laws of the country, it indicates that the existing family law (the Imperial Family Law in the 1960 Civil Code) does not go hand-in-hand with the present socio-economic development of the society and some of its provisions even contradict the provisions of the 1995 FDRE Constitution. Provisions related to the conclusion of contract of betrothal and its related legal effects, for example, could not be expected in the 21st century generation. Therefore, it became irrelevant to give legal effect for betrothal. It also creates discrepancies on marriageable age for men and women as eighteen and fifteen respectively that contradicts the constitution and undermines the equality of men and women. The Constitution under art 9(1) provides that “any law, customary practice or a decision of an organ of state or a public official which contravenes this Constitution shall be of no effect.” To add another example, the 1957 Imperial Penal Code is replaced by the 2004 Penal Code of Federal Ethiopia. Among the many reasons that necessitated for enacting the 2004 Criminal Code, *its incompatibility with the existing political, economic and social changes* is boldly stated. It says;

It is nearly half a century since the 1957 Penal Code entered into operation. During this period, radical political, economic and social changes have taken place in Ethiopia. Among the major changes are; the recognition by the [1995] Constitution and international agreements ratified by Ethiopia of the equality between religions, nations, nationalities and peoples... [Therefore] it would be inappropriate to allow the continuance of the enforcement of the Penal Code (Preamble, 2004 Criminal Code of FDRE).

The provisions in the 1960 Civil Code, which is as old as that of the 1957 Penal Code and where radical political, economic and social changes has been recorded including the constitutional provision for religious equality, in relation to religious organizations in the country are all in favor of one religion at the exclusion of others. This in itself makes the Code inappropriate for the continuance of its enforcement in secular and democratic state of federal Ethiopia. Art 11 of the FDRE Constitution guarantees the separation of state and religion and the non-interference of one another and the equality of all religions. In a country where religious equality and separation of state and religion is guaranteed, it is unusual to see a law that blesses the superiority of one religion over the other. Moreover, the imperial laws were introduced with the mindset of mono-religionism and mono-culturalism where diversities were seen as a curse. The previous laws were tailored in the creeds of Orthodox Christianity where others received no attention. In effect, these laws were codified incorporating the values and traditions of Orthodox Christianity secluding the values of other religions. The EPRDF government, as a proponent of religious pluralism and diversity, is expected of deconstructing the rhetoric of religious uniformity/homogeneity by introducing new laws that accommodate the interests of different religious groups or by emphasizing the neutrality of the state in treating all religions. In this regard, it is quite logical for the government, which respects and promotes diversity, to update the laws of the country or more appropriately to repeal the laws of the previous regimes to meet the needs and demands of today's multicultural communities.

The expectation of many Muslims was that, 'the government will introduce laws that abolish/repeal previous governments' laws that institutionalized religious inequality' (*Ewunetu Yih New*, 2012). In sharp contrast, however, the government is enforcing some of these laws and hence perpetuating inequality. In effect, the government incorporates the privileged status of the Orthodox Church by recognizing its legal personality not by registration but by law (*ibid*). This legal privileged status of the Orthodox Church has come under fire from the Muslims, Protestants and other religious activists. They fiercely oppose it and/or demand the extension of the same legal recognition and status for their organizations though their actions are interpreted as signs of religious fundamentalism

and extremism by the government.¹⁰⁹ This seems unjust in today's Ethiopia where religious pluralism and equality is highly pronounced. On the one hand, the government declares religious equality and separation of state and religion in the constitution but on the other it blesses the upper hand of the Orthodox Church by maintaining previous laws that guaranteed its superiority. This has an impact in the subsequent Muslim protests and many Muslims always invoke these provisions that institutionalize inequality (Jemal, 2012). The government, through MoFA, however states that, 'this is not as such an important sign of inequality or does not show any distinction between religious institutions.' It is only the false propaganda of 'few extremists, rent-seekers and bankrupt politicians playing politics under the disguise of religion' that accuse the government for instituting discrimination among religious institutions'. Dr. Shiferaw Teklemariam, Minister of MoFA stressed that,

While the Constitution is the supreme law of all laws in the country that guarantees religious equality, few extremist religious groups are complaining that the government favors Christianity, particularly the Orthodox Church by exempting from registration, whereas requiring [Mejilis and Protestant Churches] to be registered. Whether a religious organization is to be registered or not, it does not make a difference as far as the constitution says, 'all laws should conform to the provisions of the constitution'. [Based on the Constitution], all religions [and] beliefs are equal and all freedoms are guaranteed. Although there could be minor problems [here and there], we are working together to correct them (Author's translation from Amharic)¹¹⁰.

In his same speech, Minister Dr. Shiferaw nonetheless admitted the presence of inequality among religious institutions, particularly in acquiring legal personality when he states that, "it needs only minor correction which we are doing for that" (ibid). To the surprise of many, even some government officials¹¹¹ consider the requirement of registration of religious organizations as irrelevant and has nothing to do with religious

¹⁰⁹ <http://www.youtube.com/watch?v=-aSvQFmMuc>, Conspiracy of Ethiopian Government and the Ahabash Cult.

¹¹⁰ <http://www.youtube.com/watch?v=-aSvQFmMuc>, Conspiracy of Ethiopian Government and the Ahabash Cult.

¹¹¹ Dealing with the failure of the EPRDF government to accord the status of legal personality for the Oromo religion of *Waaqeffannaa* until 2013, Bedassa Gebissa (2014: 51) provides that, officials from the Oromia National Regional State Culture and Tourism Bureau argues that, "the lack of legal personality did not affect its adherents from exercising their religious freedom guaranteed by the Ethiopian Constitution and other relevant human rights instruments ratified by Ethiopia."

freedom and equality, invoking the EOC as ‘a not registered religious organization’ (Bedassa, 2014: 51) ignoring or not knowing so to say, its previous status of legal personality by the administrative law, where it needs no registration. The implication is that, these government officials are either unaware of the legal personality of the EOC, which is accorded based on the 1960 Civil Code or underestimate this difference as irrelevant, but actually not. Those religious associations or organizations whose license is to be given and renewed by a certain government authority are subject to report their activities yearly and the authority is entitled to follow-up their activities and revokes their license if involved in activities beyond their legal mandates or involve in any activity believed to be illegal. The same is not true for those established by law. Their legal personality could only be removed by the law-makers and also not subject to report their activities to government organs. Moreover, the unequal distribution of non-material benefits like status or legal personality by law creates a sense of religious monopoly or superiority on the part of the exempted while it creates sense of inferiority on the part of others.

With all its shortcomings, the EPRDF government recognizes Mejlis as the supreme organ on Islamic affairs in the country and ‘legitimate representative of the Muslim community’. Mejlis continues acting as a ‘sole representative’ of the Muslim community for more than two decades but with its precarious legal existence. It remained an ordinary association that has to secure its existence by applying to the Directorate of Religious and Faith Affairs in the Ministry of Federal Affairs every three years. Now, Mejlis is working under a license/certificate, by implication, it is restricted to act only on its registered members but not on all Muslims of Ethiopia. Its certificate certifies that, ‘it is an association established based on art 407 and 482 of the 1960 Civil Code and the 1967 proclamation enacted for implementing the Code and associations’ registration regulation.’ As it is stated earlier, the government requires all religions to obtain license, which is subject to renewal every three years from the Ministry of Justice¹¹² with the

¹¹² All religious institutions in the country except the Ethiopian Orthodox Tewahdo Church are required to register and renew their licenses every three years previously in the Ministry of Justice. However, this power was transferred from the Justice Ministry to the Ministry of Federal Affairs, Directorate of Religion and Faith Affairs, which is established in 2008/09. Pursuant to Proclamation No. 691/2010 art 14 sub art 2,

exception of the EOC. The EOC never registered in the Ministry of Justice or later in the Ministry of Federal Affairs.¹¹³ As some sources indicate, “as of August 2009, 749 local religious institutions have been enrolled in the Ministry of Justice” (Berhane, 2009: 77), the majority of which are Protestants. Mejlis, as one Islamic religious institution, is required to secure a work license from the Ministry, which could be subject to renewal though practically exempted from registration. It has been registered once in 2006 but never re-registered since then (ibid).

Is acquiring legal personality for an association a matter of formality as some perceive or with other related effects? Some commentators argue that, having legal personality in this legalistic and bureaucratic world is crucial for any organization, association or undertakings to pursue legal issues before court and undertake any business, religious, political or economic ventures in its own name (Jemal, 2012; Berhane, 2009). According to Berhane (2009: 78), obtaining legal personality is not mere formality for associations including religious entities since “[...] leasing space [land], renting buildings, collecting contributions, conducting business with others, producing or distributing materials, owning property to use for religious services, proselytizing and participating in legal proceedings [...]” require legal personality as mandatory. In effect, it is a prerequisite for religious institutions to acquire legal personality from the concerned authorized government organ to undertake their activities legally. Moreover, those religious institutions, which are subject to registration and licensing are required to report for the licensing agency about their undertakings. The government organ is entitled not only to follow-up, monitor, supervise and control the activities of these institutions but also with prerogatives to revoke their licenses.

The Charities and Societies Proclamation No. 621/2009 states that, when Charities or Societies organizations cease to exist, their properties will be handed over to the

“the powers and duties given to the Ministry of Justice, with respect to matters relating to charities and societies, by the provisions of other laws, currently in force, are hereby given to the Ministry of Federal Affairs.”

¹¹³ Based on art 14 sub art 1 paragraph (h) of Proclamation No. 691/2010, which is in place to ‘redefine the organization, powers and duties of the executive organs of the FDRE, the Ministry of Federal Affairs has been given the powers and duties “... to register religious organizations and associations”, which was the responsibility of the Ministry of Justice before the transfer of these powers and duties.

government or any other associations with a similar function and purpose. Associations' property will be taken by government at the time of their liquidation while those organizations established by law are not. For organizations established through registration, the government has the authority and power to know their sources of income and any gift or property obtained through donation has to be reported to the government authorities. On the other hand, for those organizations whose personality emanates from the law – they can perform any business venture compatible with their purposes of establishment and generate their own income without necessarily reporting to the government organ. They can generate their sources either through their own activities or receiving donation with no need of asking permission from government authorities.

4.2.3 Rectifying Past Injustices: The Basic Tenet of the Constitution

The 1995 FDRE Constitution under its preamble begins with an impressive wording acknowledging past misdeeds and the need to redress it for better future; “*We, the Nations, Nationalities and Peoples of Ethiopia: [...] fully cognizant that our common destiny can best be served by rectifying historically unjust relationships and by further promoting our shared interests*”. Among others, national (ethnic) and religious discriminations were the major ones where unjust was done on minority ethnic and religious groups. People were discriminated because of their ethnic and religious identity. The system institutionalized master-subordinate relationships among ethnic and religious groups. I have seen earlier how the imperial governments were aggressive enough for religious homogenization through forced mass conversion of Muslims to Orthodox Christianity. Since Islam and ethnic/linguistic diversities were seen as ‘national security threats and antithesis for unity’, Orthodox Christianity and Amharic language were proclaimed over non-Christian (pagan) and non-Amharic-speaking peoples of the country (Vaughan, 2003: 125). The 1995 FDRE Constitution tries to rectify past injustices by introducing new provisions like the equality of nations, nationalities and peoples and religious groups. Even taking into consideration of the past injustices and discriminations on certain ethnic groups, the constitution provides the mechanisms of affirmative action (applies one of the controversial measure of positive discrimination). Under its economic objectives of art 89 (4), the Constitution stresses that, “government shall provide special

assistance to nations, nationalities and peoples least advantaged in economic and social developments” owing mainly to past unjust and discriminatory policies and practices. In this respect, the government seems firm in rectifying the unjust historical relationship of ethnic groups and to bring up these disadvantaged groups to the level where other relatively better off groups are found.

In religious issues, no doubt that there were discrimination and marginalization of people because of their religious beliefs. Communities of certain religions are lagging behind in political, economic, social and cultural spheres of life due to these discriminatory practices. We have seen, for example, that Muslims were not allowed to acquire land to be competent with other fellow citizens to cultivate and feed themselves and contribute for the country’s development. The education system was discriminatory where most Muslims left illiterate. They were prohibited from serving in the military and government civil services (Markakis, 1974). In general, they were relegated to second-class status and destined to be inferior both in law and practice (Abbink, 1998: 113; Mohammed, 2011: 77; Ford, 2008: 58). For rectifying these unjust laws and practices, the FDRE constitution introduced provisions that deal with religious equality and the impartiality of the government in treating religious groups in the country. Guaranteeing religious equality starts with the preamble which states that ‘the nations, nationalities and peoples of Ethiopia are fully convinced for the full respect of individual and people’s fundamental freedoms and rights, to live together on the basis of equality and without any sexual, religious or cultural discrimination.’ It then goes on affirming the separation of state and religion and non-interference of government in religious affairs and vice versa under art 11. This in turn shows the government’s strong commitment for religious equality in the country. The paradox remains still there, however. The 1960 Civil Code of Imperial Ethiopia that explicitly provides for religious inequality is still applicable in Federal Ethiopia let alone to take compensatory measures for previous religious injustices. The cumulative readings of articles 398, 399 and 407, obviously contradict the provisions of FDRE Constitution that deal with the separation of state and religion and religious equality in the country. Why the government then maintained these provisions intact? It is quite natural, in a deeply religious society like Ethiopia and where political

administration was deep-rooted within religion for centuries or even millennia, it would be difficult for a government to disestablish religious institutions. But it is natural to think of and expect in a religiously plural society like Ethiopia to follow a policy of non-establishment. All religions must be out of the umbrella of the unfair favor or disfavor of government policies or laws and practices. Compared with the provisions dealing with family law in the 1960 Civil Code, the provisions that deal with religious organizations' legal personalities have great discrepancies and contradictions with the 1995 FDRE Constitution. As a result, most of the provisions in the Civil Code that deals with family matters are included in the newly Revised Federal Family Code of 2000 with little or no modification at all¹¹⁴. The irony is that, it is the former, which is amended and repealed not the latter. Why? The EPRDF government that privileges ethnic and religious equality in the country required some religious institutions to follow up a somewhat strict observance of registration and licensing for securing legal personality while exempting some others. Paradoxically, while the government claims for strict secularism and neutrality in religious affairs, it promotes some religious groups at the expense of others. Klein provides that,

The Ethiopian government requires religious institutions to be registered in order to enjoy legal and recognized status. The Ethiopian Orthodox Tewahdo Church (EOTC) was awarded legal personality without having to be registered, and other faith groups are subject to special laws (Klein, 2012: 78-79).

In one of the collection complaint letters submitted to the government by *the* Muslims' Solution Finding Committee, it is stated that "in a country where religious freedom and equality has secured constitutional-backing and where there is a democratic government, it is unusual to have two religious institutions; one is established by proclamation and the other governed by the laws of ordinary association's establishment and registration" (*Ewunetu Yih New*, 2012: 29). As it is stated in the letter, considering the Ethiopian Islamic Affairs Supreme Council as an ordinary association, which can be established by two or more members as stated under art 404 has created suspicion among the Muslim

¹¹⁴ For detailed information, you can see and compare the 1960 Civil Code that deals with family and succession (pp. 93-137) and the 2000 Revised Family Code of federal Ethiopia. It can be easily observed that, there are only little modifications or some left out provisions from the previous Code.

community about the ‘impartiality’ of government on religions. It shows that, the demands of Muslims to be treated in parity with other religions not only have no responsible body to deal with but also lack of concern from the government. The assumption of many Muslims was that, the EPRDF government might be busy in establishing democratic institutions and protecting law and order during the first few years of power to effectively deal with religious matters. However, the question of guaranteeing the legal personality of Mejlis remained equal to an ordinary association even after two decades of EPRDF rule and this created frustration among some members of the community (ibid). It in turn pushed the Muslims to critically question whether Mejlis is really their legitimate representative and the government as guardian of equality of religions. Hence, they started to protest against these government policies and practices.

Some of my informants¹¹⁵ described Mejlis as the Ethiopian government ‘puppet’ where its leaders secure their authority and job tenure from the government instead of obtaining legitimacy from the public through fair, free and democratic election. For more than a decade, no election was conducted for Mejlis leadership despite the provisions in the regulation of the Council to that effect in every five years (1996 and 2004 Regulation of Mejlis). The leadership is not only ‘illegitimate’ in the eyes of many Muslims but also implicated with corruption, inefficiency in administration, lack of accountability and transparency, lack of commitment to create awareness about the spiritual development of the people (*Ewunetu Yih New*, 2012) and more recently, in its ‘infamous policy’ of cooperating with some government offices to ‘import the deviant and heretic Al-Ahbash dogma’ (Ubah, 2012).

¹¹⁵ Information obtained from FGD held in Addis Ababa on 14 June 2014

4.2.4 Internal Problems of Mejlis

4.2.4.1 Corruption

As *Yemuslimoch Guday* (2012) indicates, the leadership of the Council is alleged for involving in corruption and maladministration. Following the lifting up of quota restriction on the pilgrimage to Mecca and Medina by the EPRDF government, large numbers of Muslims are traveling to Saudi Arabia every year under the control and supervision of Mejlis. In other words, Mejlis is entitled to deal with screening the ability (financial and religious) of travelers to conduct it. It undertakes its activities in cooperation with the Ethiopian Immigration Authority, Ethiopian Airlines and the Saudi Arabian government (ibid).

In 2010, for example, about five thousand Ethiopian Muslims traveled to Saudi Arabia. As it is indicated in the research, more than a million birr was illegally usurped by few executive officials and top leaders of the Council. Every *hajjaj* (traveler) was required to pay twelve thousand five hundred sixty two birr for airfare, fifteen thousand nine hundred forty three for house rent, two hundred fifty for insurance, five thousand one hundred eighty for check payment and so on. Overall, each traveler has to pay a total of thirty six thousand two hundred birr. As it is indicated in the research work, the total payment in Saudi Arabia for an individual traveler for a house rent was around two thousand two hundred Saudi riyals; even some make it up to one thousand six hundred riyals. Based on the exchange rate of that particular year (2010), it becomes twelve thousand one hundred fifty Ethiopian birr, which is lower by three thousand seven hundred ninety three birr that Mejlis is collecting. Therefore, if three thousand seven hundred ninety three birr is improperly taken from one individual then the total sum taken from five thousand travelers will be eighteen million nine hundred sixty five thousand birr. If it is calculated even with the lower price of the house rent of one thousand six hundred, the money taken illegally becomes forty three million seven hundred fifteen birr (*Yemuslimoch Guday*, 2012: 166-167).

The problem in the Mejlis leadership is not only corruption but also leaders are implicated with lack of religious knowledge and modern skill of leadership to lead the

Muslim community. Almost all the leaders are short of secular academic and religious knowledge (Hassen, 2015). Their ethical behavior and discipline is also questionable to be competent leaders. Let alone to help the Muslim community to thrive in their spiritual and material prosperity, they are implicated for damaging the peaceful coexistence of the community through their strategy of dividing them along doctrinal lines. Abubeker Ahmed – the chairperson of the Muslims’ Solution Finding Committee – was once quoted saying that;

We told for government politicians that, ‘Mejilis has created so many problems on the Muslim community. Mejilis is not useful for us at all. So far, we have benefitted little from it only during our forefather’s time under the leadership of Hajji Mohammed Sani. But now, its damaging effect is becoming greater than its benefit. If it is for *hajji* and *umra* purposes, we can use Travel Agencies instead of Mejilis. The Muslim community can administer their mosques without Mejilis. Therefore, we don’t need Mejilis at all. However, the politicians replied, ‘we [the government] need Mejilis’. We [the Committee] replied; ‘if you [the government] want Mejilis you can use it but please make it ‘harmless’ for the Muslim community’,¹¹⁶.

The above speech of the leader of the Committee was really ironic in a sense that the Committee presented their demands as if Mejilis ‘as an institution were unwanted by the Muslim community’. The reality was that, ‘the importance of Mejilis as an umbrella organization for Muslims is unquestionable’. However, Muslims began to dislike Mejilis because of its negative roles that adversely affect the unity of Muslims. Their demand was not straightforward. It was not aimed at closing down the Council altogether by the government but to make it ‘useful’ for the Muslim *ummah*.

4.2.4.2 The Link between Mejilis Leadership and the Muslim *Ummah*

Many Muslims rarely know the existence and role of Mejilis. It seems established for the sake of establishment only without any meaningful role in the spiritual and worldly affairs of Ethiopian Muslims. Some Muslim scholars indicate that, “the Muslim *ummah* [Ethiopian Muslims] have no direct spiritual communication with Mejilis and no surprise for the Muslims to forget its existence” (Endris, 2011: 7). They do not support it

¹¹⁶ <http://www.ethiotube.net/video/34781/must-watch-leaked-video-of-the-recent-ethiopian-islamic-affairs-supreme-council-conference-in-hawassa>

financially and the Council does not provide religious education and teaching to inculcate religious and moral values, and hence no meaningful leadership from it. The Council played no role to encourage Muslims to participate in implementing the national development goals of the country except writing and re-writing letters of accusation of some Muslim groups and Islamic organizations involving in terrorist activities to the Ethiopian government and Western embassies especially to the US Embassy in Addis Ababa (Jemal, 2012). In spite of this, the Ethiopian government, after closing almost all other Islamic institutions, left Mejlis “[...] to emerge as the sole actor claiming to represent the Muslim population as a whole” (Ostebo, 40).

Mejlis could not act as a bridge between the Muslim community and the government as is normally expected. It even failed to act as an interconnecting organ between believers themselves, between Muslims and other religious followers in the country (Ewunetu Yih New, 2012). The people do not take part in electing its religious leaders and hence lack of accountability is prevalent among its leadership. It is only in two circumstances that the Muslim community came into contact with the Mejlis leadership: one in government media particularly during religious holydays when its leaders make a televised speech to the faithful and the second during *hajji* and *umra* travel to Mecca and Medina (Endris, 2012). The Mejlis, being a ‘representative’ of the Muslim community, is mandated to manage the process of pilgrimage to Mecca and Medina (Muslim holy lands). The government ‘awarded’ the discretion to Mejlis for issuing travel documents and even tickets for travelers to Mecca, though the Council is implicated with corruption by requesting an exorbitant amount of money. Many Muslims are always complaining about the bureaucratic bottlenecks and corruption (Yemuslimoch Guday, 2012). The Mejlis is also provided with a regulatory power over those Islamic institutions and NGOs that seek to acquire legal personality and legally operate within the Ethiopian territory. While Mejlis itself is subject to registration and licensing from government ministries (though *de facto* exempted from this requirement), it is at odds to act as a regulatory body for other similar institutions. The Minister of Ministry of Federal Affairs, during the training

for Muslim clerics and religious leaders in Haramaya University in 2011¹¹⁷, made clear that,

There should be no *medressas* (Quranic schools), mosques or any other Islamic religious institutions to operate in Ethiopian soil without registration and permission to do so. It is prohibited to conduct *da'wa* (Islamic teaching), preaching and any other religious activities without securing prior permission. The inviolable and exclusive power for this purpose is vested in Mejlis¹¹⁸.

Muslims suspect that, Mejlis is responsible for the closure of various Islamic institutions and NGOs in the country by accusing of such institutions with acts of terrorism and propagating religious intolerance. Muslims lost confidence on their institution. In a letter written on 30 July 1993 to the Interior Ministry, the top Mejlis leader of the time expressed 'the objective of the Council' as follows:

After occupying the leadership of EIASC, I became successful in demolishing the Council. I also successfully eliminated all extremist Muslim organizations that operate in the country. What is left now challenging us is the administrative body of mosques, particularly of the Anwar Mosque Administration. Since this Administration has relations with extremist Muslim organizations and Arab countries, I request government support to change it with another Administration and eliminate all extremist organizations in the country (Jemal, 2012: 92-93 – Author's translation).

Other similar letters were written at various times stressing the need for Federal Mejlis to control all activities to be undertaken by Regional Mejlis and any other Islamic institutions. Letters written on March 8, 1999, July 5, 2001 and June 10, 2002 to the Ministry of Justice reveal the need to prohibit any *da'awa* (calling for Islam) activities or establishing Islamic institutions without the knowledge of Mejlis (ibid). It also wrote a letter to the government expressing its support for the 2008 Directive of MOE that addresses worshipping, dietary and dressing codes for students and requesting the

¹¹⁷ Muslim activists' claim that, under the pretext of fighting religious extremism and terrorism, the government organized training to indoctrinate Muslim religious leaders and *imams* with the infamous Ahabash teaching of Islam. The first round of the conference was held in Haramaya University (Harar Campus) involving about 800 people in July 2011.

¹¹⁸ <http://www.youtube.com/watch?v=-aSvQFmMuc>, Conspiracy of Ethiopian Government and the Ahabash cult against Muslims, Part II,

government to take measures on those ‘Muslim extremists’ who oppose the new law. Mejlis also instructed regional, zonal and woreda Mejlis to identify ‘any group who has a different Islamic approach (interpretation of Islam) other than the ‘indigenous’ Islam and report to EIASC’ (ibid). The appeal for fighting religious extremism by Mejlis leadership was not limited to the Ethiopian government. Other international actors were within the interest of Mejlis to win financial and material support. Their strategy was so clear – excluding the Salafi groups from holding power in the Council. The leadership was aware of the fact that Salafis are the ‘targets’ of the Ethiopian and American governments as ‘they are labeled agents of extremism’ that needs to be eliminated from Ethiopia and the Horn. The former Mejlis Vice President Elias Redman in 2008, for example, wrote a letter to the American Embassy in Ethiopia expressing its gratitude for the Embassy’s support so far and its future contribution for fighting Wahhabi extremism and the maintenance of Sufi religious shrines like Dire Sheikh Hussein and other sacred religious places¹¹⁹. It also stressed its commitment to fight any form of religious extremism in the country. This letter reiterates the government’s fear of the danger of Salafi/Wahhabi extremism in spoiling the peaceful coexistence between Muslims and Christians and the religious tolerance that prevailed in the country for centuries. The EPRDF government recognizes Ethiopia’s religious past in terms of religious tolerance and the late Prime Minister Meles Zenawi spoke of religious tolerance as “the special trademark of Ethiopia”.¹²⁰ The religious intolerance observed in some parts of the country, including the capital, is mostly implicated with the Wahhabi extremists and religious fundamentalists (ibid).

It was not by accident that Mejlis obtained such excessive discretions but because of the symbiotic relationship it has with the government where “[...] it provides control over major mosques, charities and the ‘Muslim voice’” (Awol and Abadir, 2013: 118). These prerogative powers of Mejlis, not based on the written law of the country but based on the blessing of the government, are partly attributed to the ‘precarious type of secularism practiced in the country’ (ibid). It is mainly emanated from the interest of the government

¹¹⁹ Letter written by the Ethiopian Islamic Affairs Supreme Council and signed by Elias Redman, 2008

¹²⁰ See Prime Minister Meles Zenawi’s speech to the FDRE Parliament, 17 April 2012.

to control religious institutions and believers for its hegemonic control and stay in power. Ostebo (2010: 40) argues that,

The Council's close links with the regime and its vast apparatus has effectively enabled the government to monitor and control developments within the Muslim community, and the Council has in its side proved to be a loyal instrument in curbing unwanted movements - in particular the Salafi movement.

The Council proved to be 'a 24-hour loyalist' to the government that enabled the latter to monitor and control movements, which are labeled as extremists and threats of the regime. It strongly commits in excluding the so-called extremist Salafis/Wahhabis from holding power in the Council and tries to fill its ranks and files with government-friendly individuals. By doing so, the Mejlis leadership tries to cover-up its weaknesses of both spiritual and leadership problems. This strong 'commitment' of Mejlis in removing all the Salafis from power was observed in the 2004 'election' for the executive members of the Council. With an active involvement of representatives from the Ministry of Foreign Affairs, the Council replaced all the executive members with 'staunch anti-Salafis' (ibid)¹²¹. In consequence, many Muslims perceive that Mejlis is 'not their representative' but created by the government to accomplish some other tasks other than serving the interest of the people. Some works show that, the role of Mejlis resembles an executive arm of the state instead of a religious institution working for the benefit of the Muslim population. Awol Kassim and Abadir Ibrahim (2013: 117) argues that, "established as a non-profit and non-political body corporate, the Mejlis now functions more like an administrative-executive arm of the state that not only professes to represent but also regulate the Muslim community and its faith". This in turn created indignation among the Muslim community to rise in protest.

Others however (example, Abbink, 2007: 74) argue that, the causes of an organized Muslim protest are 'the stiff competition between the reformist (Salafis) and the mainstream adherents of Islam (Sufis) for power in the Mejlis leadership.' He argues

¹²¹ For further information, see Terje Ostebo (2010) "Islamism in the Horn of Africa: Assessing, Ideology, Actors, and Objectives". He provides that, the former members of the Council were accused of corruption and illegally 'investing' four million Saudi Riyals to ensure that all members are Salafis.

that, the reformists are getting support from Saudi Arabia and are working in all possible means including “bribing voters” to overrun their competitors. In 2004, as he stated, the competing candidates received about four million riyals from Saudi Arabia. The accusation of the Salafis for bribing votes was however used as a pretext to expel them from holding office in the Council (Ostebo, 2010: 40). They were dismissed from the executive membership because of charges of corruption and investing the four million Saudi Riyals for buying loyalty among the voters.

The tight control of the regime over Islamic organizations coupled with the internal and leadership problems of Mejlis hindered the development of well-functioning and legitimate Islamic institutions in the country. Mejlis remained a formidable obstacle for the registration and establishment of Islamic NGOs in the country. It strongly ‘advises’ some government organs including the Ministry of Justice and Ministry of Federal Affairs to prohibit licensing of Islamic NGOs whom the Mejlis suspects ‘for involving in religious fundamentalism and extremism’. A case in point is the *Ahl al-Sunnah* Islamic Association, which requested for a license from the Ministry of Justice (Jemal, 2012). Before its request for an independent existence, it was under the Council working as Bahir Dar Muslims Youth Association in the 1990s. Later, because of differences in outlook with the Mejlis leadership – it opposed pilgrimage to shrines and saint veneration as un-Islamic – it requested the relevant authorities of the state for an independent existence. It, on the other hand, supported growing of beard, shortening trousers and wearing *niqab* as mandatory prescriptions of the Quran. It then applied to regional and federal government responsible organs to be registered as an independent association. The members demanded the Ministry of Justice, the then federal responsible body, for registration and licensing. The Ministry, considering it as an Islamic association, requested Mejlis for ‘an advice’ before issuing a license for the applicant. Mejlis replied with a negative note on the specified applicant and the Ministry declined from issuing a license. The applicant took the issue to the court and the federal court in its final verdict provided that “the Ministry’s quest for an advice from an association – Mejlis – which is equivalent in status with the applicant is not appropriate” (Jemal, 2012: 42). In its decision, delivered on 28 April 2006 under file no. 14596, the Federal First

Instance Court said that, “the Ministry may take its decisions, in cooperation with concerned sector government administrations, should not be interpreted to mean an advice from Mejlis which is equivalent in its legal status with the applicant” (ibid). This act of the Council led Islamic NGOs to go underground and function anonymously even making their control more difficult for the government (Ostebo, 2010). Knowing the unreserved loyalty of the Mejlis, the Ethiopian government after 2009 even mandated the Council to approve or decline from endorsing all Islamic religious activities before their commencement.

4.2.4.3 The Culture of Election in Mejlis

Before the 2012 election, Mejlis has conducted a ‘nominal election’ in 2000. This election was nominal in a sense that “there was no an electoral board responsible to undertake election in all regional states, no election ethics and criteria, and no universal and equal suffrage for all Muslims of Ethiopia” (Hassen, 2015: 96). What has been done was, the former executive members themselves went to their respective regions acting both as electorates, electoral board agents and candidates to be elected. Finally, all of them came back to the Federal Mejlis as being ‘new elects’ (ibid). The only exception was the election for Addis Ababa City Administration Mejlis. The election resulted in the removal of all former Mejlis members, including Abdurazak Mohammed – secretary of Federal Mejlis. The new elects of the woreda Mejlis in Addis Ababa were later accused of being members of Wahhabism and prohibited from occupying their positions (ibid).

Based on the regulation of Mejlis, the next election was expected to be conducted in 2004 after four years of term completion. However, the executive decided to elongate their rule for the next four years justifying that “conducting election every four years is costly” (Hassen, 2015: 98). Even before the election, they amended the Regulation to conduct election every five years instead of four years. While the four year term was extended to five years, the next election which was expected to be in 2005 overlaps with the Ethiopian national election of political parties. The executive body of Mejlis then used it as an excuse to postpone the election (Press Release, January 2012 – Ahmedin

Jebel). Hence, no election for Mejlis until 2012 which the Muslim protests pushed them to undertake an election. What is really introduced in Mejlis leadership as a result of Muslim protest after 2011 is the culture of election – no matter how flaws and irregularities in its procedures and results. Hassen Taju (2013: 3) argues that, it is not the result that matters more but the process, which is more useful. The culture of electing Mejlis leaders is introduced as a result of the Muslims’ movement.

It is to be noted that, the 2004 Regulation of Mejlis regulation states that, “there shall be an election every five years”. However, in its more than two decades of life span, it has undertaken two elections, one in 1992 and the other in 2012. Religious activists alleged that, Mejlis leaders are hand-picked by the government rather than elected by Muslims through fair, free and democratic elections. One of the major causes of Muslim protests started at the end of 2011 was related with the problems of Mejlis leadership. As a response to the question, the government together with Mejlis organized an election to be conducted in Kebeles for June 2012 but it faced stiff opposition from the Muslim community. The Muslim community, through their representatives – Muslims’ Solution Finding Committee, opposed the election to be conducted in kebeles stating that ‘it is only cadres, not religious leaders that are elected in kebeles’. They insist on the election to take place in mosques with an Amharic slogan of *‘mirchachin bemesjidachin* (our election to be in our mosques). The government in its part, for security and other related reasons insist on the election to be in kebeles than in mosques. In this respect, some writers criticize the debate over the place of election (kebele or mosque) as a philosophical problem between contenders. The problem mainly emanates from lack of mutual trust between the government – who are responsible to undertake practical measures for the smooth undertakings of the election – and the protesters – who demanded the reconstitution of new Mejlis leadership through competitive, free, fair and democratic election (Endris, 2012). The representatives of the movement feared government interference and manipulation if the election is going to take place in kebeles and proposed mosques as appropriate places for preventing government interference. The government, on the other hand, proposed and worked for kebeles as proper places for the election justifying that police and other security bodies can undertake their mandates of

protecting peace and order better in kebeles than mosques (ETV, 2012). The police commissioner once in his speech through government media made government's stand clear that "police could not enter into mosques with their shoes where Muslims regard as desecration of their sacred places" (ibid). However, in kebeles police could do it easily. In this regard, the two parties, the Muslim representatives and government, agree the necessity of conducting election but the disagreement is on its implementation. Endris (2011: 31) argues that, "as far as the two parties agreed to conduct election, the refusal of Muslim representatives for the election to take place in kebeles is unreasonable". This is because, if they fear government interference in kebeles, what will prevent it from doing the same in mosques?

Finally, election was conducted in kebeles and the new Mejlis leaders were instituted in October 2012. However, the protest still continues and Muslims alleged that the Mejlis leaders were 'selected' rather than elected at the kebele implying government interference in their religious affairs. Hassen's argument on this controversial issue is that, no matter how who is elected, the culture of election in Mejlis came into being for the first time after the 2000 'nominal election'. Despite the new election in 2012, it was replaced with another leadership in 2014 serving only two years. Sheikh Kiyar Mohammed Aman was replaced by Sheikh Mohammed Amin Jemal for 'unknown reason and unclear procedure'. Leaked video of the Mejlis leadership conference held at Hawassa (capital city of SNNPRS) hints how the new leadership came into being. As it is stated by the new President of the Council, the role of government officials and security personnel in different regional states were crucial in selecting 'appropriate' persons for the federal Mejlis. In his response for the question raised by the Afar Regional State Mejlis representative as to 'why the person selected by the State's Mejlis was rejected by Federal Mejlis', the President (Sheikh Mohammed Amin Jemal) replied;

You all know that how we have gone through ups and downs to form the new Mejlis leadership. We were not alone in doing this. There were different government bodies that supported us. *Wellahi* (in the name of Allah) – Don't forget that the government and security personnel paid immense sacrifice to bring us here. While many of us remained silent at that time, raising this issue now is unnecessarily wasting our time and turning the conference into turmoil. You should

have been opposed the issue [the selection process] at that time, but not now. The government officials and security personnel who are now protecting us [outside the conference room] and waiting to invite lunch and dinner will be ashamed on us. We have already submitted the list of the new executive members of the Council and announced through media on 22 February 2015. It will be shame on us to return the clock back¹²².

Other representatives opposed the question of the Afar representative as it is out of the agenda and bringing a new agenda is inappropriate. Moreover, they ridicule his question as leading into trivial discussions and waste of time instead of focusing on core issues and problems that concern the larger Muslim community. From the emotionality of the debate and the responses, one can deduce that, the role of the government in selecting the new leadership was crucial. Many of the participants almost considered the question as ‘taboo’ and undermined it to be an issue at all. Lack of publicizing the removal of the former Mejlis leadership (which was elected in October 2012) through government media also shows the secret behind and the ‘invisible hands’ of the government stretched deep into the Council’s internal working procedures.

Concluding Remarks

Control and/or cooperation between state and religion are not a new phenomenon in Ethiopian history. One can trace the relationship (positive or negative) back more than a thousand years. When Christianity first entered in the 4th c, it was king Ezana of the Axumite Kingdom who welcomed the new religion and sponsored to flourish and expand in his territory. From that time onwards, religion and state work together with varied levels of interaction and control depending on historical circumstances and the conviction of the leaders in power towards religion. Islam, though out of state support for long, was also subject to state control and surveillance. During the war of Ahmed Gragn (1629-1543), Islam served as a source of inspiration for power and supplied legitimacy for the rulers.

¹²² <http://www.ethiotube.net/video/34781/must-watch-leaked-video-of-the-recent-ethiopian-islamic-affairs-supreme-council-conference-in-hawassa>

The modern era of the country (particularly after mid-19th c) exhibited different mechanisms of state control over religion. In most of the imperial periods (1855-1974), it was one of cooperation between the Emperors and the EOC for mutual benefit but generally exclusionary towards Islam and other religions. The cooperation and control mechanisms developed by Emperor Haile Selassie I (r. 1930-1974) was relatively complex and employed legal and political measures. The registration requirements set under the 1960 Civil Code were one of such methods to ensure state control over the activities of religions and their institutions. The law favored the EOC which exempted from being a registered religion but required all other religions to be registered as associations. With regard to the EOC, while the spiritual affairs of the church were to be governed by religious peoples, the Emperor was entitled to be the head of the secular affairs of the church (Wudu, 2006). There were no religious institutions in Ethiopia legally registered or accorded legal personality by law except the EOC. The *Derg* regime scored no major changes from the previous regimes' policies but declared the separation of state and religion immediately following the 1974 revolution. It anchored this separation clause in the 1987 PDRE Constitution. It declared the legal personalities of religious organizations to be determined by law but never implemented in practice. The Ethiopian Islamic Affairs Supreme Council (Mejilis), though established *de facto* in 1976, it remained with that status throughout the Derg regime. This enabled the government to control and politically manipulate the Council to its advantage. The Council had no legal ground to claim anything as of right but depended largely on the will of the government.

The controlling and surveillance mechanisms of the EPRDF regime have become more sophisticated and systematic. With regard to the legal personality of religious institutions, it mandates Mejilis and religions (including Protestant churches) other than the EOC to be registered in the Ministry of Federal Affairs. Moreover, Mejilis is provided with a *de facto* executive power for 'licensing all Islamic NGOs and other religious-related activities' in Ethiopia.

CHAPTER FIVE

CONTESTED SECULARISM: THE FREEDOM TO PUBLIC MANIFESTATION OF RELIGION

Introduction

The freedom to public manifestation of religion in worship, observance, practice and teaching has been guaranteed under the 1995 FDRE Constitution (art 27). Despite the constitutional guarantee for publicly expressing one's religious beliefs, there are contestations and rising tensions between the government and members of the Muslim community as the government is initiating bylaws to restrict these rights in public places. Limitations over the display of religious symbols and worship have been implemented in educational institutions since 2008 where the Ministry of Education (hereafter, MOE) introduced a Directive (hereafter, Directive) that bans wearing *niqab* and congregational pray.

Like all other freedoms, religious freedom is not an absolute right. In particular, the external aspect of the right may be subject to limitation by law where restriction is “necessary to protect public safety, peace, health, *education*, public morality or the fundamental rights and freedoms of others, and *to ensure the independence of the state from religion*” as prescribed by the law (art 27 sub art 5, emphasis added). As per this provision, the freedom to express one's religion or belief in the form of worship (example, praying, preaching or any other ritual activity related to religious belief), observance (wearing of religious clothes, prayer, procession etc.), teaching (imparting the substance of a religion, prepare and distribute religious texts and publications) and practice (choosing religious leaders, teachers, establishing religious schools and organizations) (Parker, 2006: 94-95) should not contradict the wider views of public morality (though subject to debate), affect the peace and stability of the country, health and education of the society and violate the rights of others. Moreover, the functional independence of the state should be ensured from religious influence. The restriction on

religious freedom ‘to ensure the independence of the state’ affirms the secularity¹²³ principle proclaimed in the constitution. However, this ground of restriction is ‘distinct’ to Ethiopia, which might be subject to manipulation. It has never been mentioned in other regional and international legal instruments such as UDHR, ICCPR, ECHR¹²⁴, ACHPR¹²⁵, etc. UDHR under art 29(2) allows the maintenance of ‘the general welfare in a democratic society’ as a justifiable ground to limit freedom of religion. ICCPR under art 18 (3), on the other hand, specifies the limitation only on the manifestation part of freedom of religion ‘to protect public safety, order, health, morals or the fundamental rights and freedoms of others.’ The Ethiopian law is ‘distinct’ in that, it adds ‘*the principle of secularism and education*’ as justifiable grounds for limiting the freedom to public manifestation of faith. Apart from the expressly provided ones, there are no other grounds to restrict the right to freedom of religious expression. In other words, the lists provided under art 27(5) are exhaustive as it says – “freedom to express or manifest one’s religion or belief may be subject *only* to such limitations ...”

In spite of plenty of provisions in the constitution that guarantee the free expression of one’s religious beliefs, there are apparent signs of government moves towards restricting them. Nowadays, the government is trying to limit conspicuous forms of religious manifestations and symbols at the private sphere (at home and inside religious institutions). Though there are debates about the demarcations of the boundaries between private and public spaces¹²⁶, most countries of the world try to limit religious expressions in its ‘proper place’ – private space. France, which follows the most radical form of secularism called *laicism*, considers religion as ‘an adversary and impediment’ to the

¹²³ Note that, being secular means being free from the influence or dictation of religion over government activities and has nothing to do with the religiosity or non-religiosity of students in educational institutions.

¹²⁴ The European Charter on Human Rights under art 9(2) provides that, “freedom to manifest one’s religion or belief shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others”.

¹²⁵ The African Charter on Human and Peoples’ Rights under art 20(2) guaranteed that, “no one may, subject to law and order, be submitted to measures restricting the exercise of these [freedom of conscience, the profession and free practice of religion] freedoms”.

¹²⁶ Though these two spheres seem to be mutually exclusive, they are mutually dependent. Based on Habermas’s theory of the public sphere, for example, ‘the public sphere may be conceived above all as the sphere of private people come together as a public’ (Susen, 2011: 43). It is therefore at odd to expect these private individuals to drop their identity while acting collectively in the public sphere since that sphere itself is the result of their aggregation.

normal functioning of politics and expelled religion altogether from public spheres (Hurd, 2008: 23). USA, adhering to what is generally labeled as separationism, regards religion as ‘a source of unity and identity’ and favors the accommodation of religion in public places (ibid). Turkey adapted the French model of laicism but, unlike the French, it focuses on state control of religion and religious institutions (ibid: 66). India adopts a form of secularism that ranges from strict separation to state interference particularly on Hinduism when ‘a need’ arises (Barghava, 2006: 23). Still many more ‘democratic states’ across the globe subscribe to various forms of secularism, in most cases, expelling religion from public spaces (Kuru, 2007). The Ethiopian government also adopts its own variant of secularism that has taken into consideration of the overall objective of the government’s policy of respecting diversity (at least in its early years of establishment). The shift in the government’s policy for restricting religious manifestations in public places in recent years (particularly after 2008) however refutes this early positive start. This policy is now entertaining resistance from religious communities challenging it on grounds of secularism, constitutionality and its compatibility with the notion of a multinational/multicultural Ethiopian state.

This chapter explores the contestation between the Muslim community and the government over issues of public manifestation of religious belief. It mainly focuses on two aspects of this right – veiling and congregational pray in educational institutions. It examines about the constitutionality of the 2008 Directive of the MOE and its compatibility with the principle of secularism and the tenets of the Ethiopian multinational federal system. Before directly delving into the substances of the controversy in Ethiopia, I found better to deal with the role and status of veil and congregational pray in the religion of Islam and discuss the perspectives of Muslims and non-Muslims on these issues. While the veil issue is dealt separately, the requirement of congregational pray has been discussed together with the prohibition clauses under the Directive of the MOE.

5.1 Veil in Islamic Scriptures

There are some references about the style of clothing for believers in the Quran. *Surah al-Mu'minun* 23:5 (the Chapter on Believers) prescribes what is expected of the believers with regard to clothing. It provides that, "believers are those who guard their modesty and are those who guard their chastity (i.e., private parts from illegal sexual acts)". *Surah al-Nur* 24:31 (the Light) is more explicit in mandating women to cover their body with veil. It states;

Tell the believing women to lower their gaze and be modest, and to display of their adornment only that which is apparent, and to draw their veils over their bosoms, and not to reveal their adornment save to their own husbands, fathers, husband's fathers, their sons, their husband's sons, their brothers, their brothers' sons, their sisters' sons, old male servants who lack vigor, small children who have no sense of feminine sex.

Women are ordered by the Quran to lower their look against forbidden things, protect their private parts from illegal sexual acts and not to show off their adornment except only that which is apparent (example, eyes to see or hands for work) (ibid) and to their nearest relatives and husbands. Stating differently, women are not allowed to be bareheaded or naked in front of those male persons whom, in principle or based on the commandments of the Quran, they can marry with. They are required to cover up their body while in public or with somebody else whom he has the ability to marry them. On the other hand, women are free to be bareheaded or not to cover their faces and hairs with headscarves in front of their husbands, fathers, brothers, uncles, grandfathers, younger boys, slaves and other individuals with no sexual ability.

The obligation to lower one's gaze is not only limited to women. Many people usually consider wearing 'hijab' as an obligation only for women (Zakir, n.d: 10). But lowering the gaze of believers is first mandated on males. *Surah al-Nur* 24:30 requires believing Muslim men to lower their gaze and be modest in their look though it might not be necessarily translated into veiling as women are expected of. It says, "tell the believing men that they should lower their gaze and guard their modesty: that will make for greater purity for them". In fact, the obligation and the extent of cover on women are stricter than

men. While body covering from ‘navel to knees’ is enough for men, complete body covering except the ‘face and the hands up to wrist’ required of women (Zakir, n.d: 11). “If they wish to, they can cover even these parts of the body” (ibid). Moreover, the Quran requires believers that “the clothes worn should not resemble that of the unbelievers, the opposite sex, and should not be transparent, so glamorous as to attract the opposite sex and reveal the figure” (ibid). The Quran under *Surah al-Nur* 24:60 lightens the burden of older women for lowering their gaze and the requirement of modesty compared with young girls and women but still recommends modesty for them. It provides that, “as for women past child-bearing, who have no hope of marriage, it is no sin for them if they discard their [outer] clothing in such a way as not to show adornment. But to refrain is better for them.” Even for them, it should not be for displaying their adornment or beauty but for any other factor related to old age (e.g. health problem). The reason behind lowering one’s gaze is to avoid sexual molestation by the strange opposite sex and to be modest in one’s conduct. Some Muslim scholars (Zakir Naik, n.d: 11) argue that, hijab is not a simple wrapping of body – of course that is one requirement for a Muslim – but includes “conduct and behavior – hijab of the eyes, hijab of the heart, hijab of thought and hijab of intention”.

Some scholars (Laman Tasch, 2012: 17; Scott, 2007: 14; Hoodfar, n.d.: 6, quoted from Nashat, 1988; Keddie and Beck, 1978; Jelodar, n.d: 66), however consider the veil more of customary than religious. They argue that, it is a custom imposed upon Muslim women by men. Black (n.d: 15) argues on the imprecise nature of the Quran in prescribing the veil as mandatory requirement of a Muslim woman. But he did not hide its significance in Islam owing to the continuing practice for centuries. He states that, “[... the] long-standing veiling traditions in Islamic civilizations surely indicate that the veil plays a role in the Islamic faith.”

5.2 Beyond the Quran: Historical Roots to Veil

At this juncture, it is important to see the historical roots of the veil and its political, cultural and religious significance for Muslims. In doing this, I have included the views of different actors – particularly, the Muslims and non-Muslims, and the works of

scholars. According to some scholars, the Quranic requirement of veiling for Muslim women is subject to debate. Scott (2007: 14) contends about the prevalence of great contest among scholars “[...] whether the [...] Quran] even required women to cover their heads”. Piatti-Crocker and Laman Tasch (2012: 17) provide that, “some Muslim theologians argue that the Qur’an requires women to be modest and not to provoke men by their appearance, [...] but they argue that] modesty does not always translate into covering one’s head, full body and face”. Others, however, translate the verses of the Quran that prescribes ‘modesty’ for Muslim women to cover their entire body in order not to instigate men for sexual violence or assault. This later translation is criticized for both theological and non-theological reasons. Dressing from head to toe may not necessarily imply modesty and as far as men are not self-restrained for their sexual lust, the dress might not prohibit them to be sexually violent. It is only a superficial protection that might provide for women and unconvincing to present the veil as a guard from sexual abuse (Coger, 2011: 3). This group is in favor of education and self-constrained behavior of individuals that deters from sexual assault than the clothing style of women.

Those who made research on Muslim women veiling argue that, veiling is more of cultural than a reflection of religious piety. It predates Islam. Two of the major purposes sought to be achieved by veiling in ancient societies, as presented by Coger (2011: 9), “[...] were providing protection [hide the townswoman from the gaze of strangers] and conveying identity [distinguishes the townswoman from rural woman ...]”. In this sense, veiling was mostly used by urban women who were more exposed to strangers than rural women who usually live in small communities knowing one another in their day-to-day life and lives in an environment of close blood affiliation. Homa Hoodfar (n.d: 6; citing Mernissi, 1991) - a Canadian citizen and a non-veiled Muslim and Iranian by birth and a Muslim feminist, provides that, nowhere in the Quran is explicitly mentioned and discussed about the mandatory nature of veiling for Muslim woman. She tried to see the origins of veil. In her study, Hoodfar came to understand that “veiling and seclusion of women” dates back in the pre-Islamic era and “originates in non-Arab Middle Eastern and Mediterranean societies” (ibid; quoted from Nashat, 1988; Keddie and Beck, 1978; Jelodar, n.d: 66). The first reference to veiling, as she said, was found in the Assyrian

legal texts in the 13th c B.C. The practice of veiling women in ancient Assyrians did not include respectable women and prostitutes (ibid). She states that, in some other ancient peoples of the world, for example, Greco-Roman, pre-Islamic Iran and Byzantine, veiling was seen as a sign of status and only elites practiced it. It was later on that the Muslims adopted veiling from the conquered peoples and made part of the religious duty of women. Originally, it had a non-religious root since it was practiced long years before Islam.

Another scholar named Viviane Teitelbaun complements Hoodfar's assertions about the non-Islamic roots of veil. She contends that, veiling of women existed long before Islam. She provides that, the Assyrian kings first introduced veiling for "women of the harem" where prostitutes and slaves were not mandated to wear it (Teitelbaun, 2011: 91). It was a sign of differentiation for 'reputable and disreputable' woman as argued by Leila Ahmed (1992) cited in Jelodar (n.d: 66). Women of high reputable class were not allowed to talk of any man without a veil and even married woman were prohibited to see their nearest male relatives, including their fathers and brothers. Hiding the face of a woman also developed in ancient Greece, in the Byzantine Christian world and for the upper-caste Rajput women of India (ibid). As Teitelbaun (2011: 91) exclaims, *jilbab* was used by Muslims of North Africa in the seventh century as a religious obligation interpreting the command of the Quran (24:31) that states for women to "draw their veils over their bosoms". Gradually, veil became common among the Muslims and was used as a sign of privileged status. In the tenth century, veil became a common customary practice in well-to-do urban Muslims and even a "tenet to be followed" but never used in rural nomadic areas (ibid). Tamara Coger (2011: 9) argues that, veiling became common among Muslim women not because of its requirement for religious reasons but "[...] because in the regions of Islam's development veiling was already a tradition [...]". She exclaims that, the Quran does not specifically mandate women to veil but stresses modesty for them. Some writers like Qasim Amin (cited in Hoodfar, n.d. 8), also argue that "veiling has little to do with Islam but more to do with corrupt practices in the name of Islam designed to prevent women's advancement".

With varied intensity of interest towards veil, it survived to this date. Despite the different laws and policies by many countries for curtailing its appearance in public places, ironically, the veil became more visible and an icon of resistance at the end of the 20th and beginning of 21st centuries¹²⁷. This attack mainly emanates from the meaning and status accorded to it by various governments or actors as shall be discussed below.

5.3 Multiple Meanings of the Veil

Silvio Ferrari (2013: 13) correctly said that, “symbols are inherently polysemic”. This is to mean that a single symbol may have (or assigned with) different meanings depending on “[...] the person who displays the symbol and the person who views it” (ibid). If we take a Muslim woman’s veil, for example, some may understand it in terms of religious piety with purely religious symbol representing the religion of Islam. This however may not be always true. Others may see it as a symbol of subjugation of women to men or symbol of oppression of women imposed by men. Others may interpret it as a symbol of ornament or fashion for women. Still others may consider it as cultural clothing. The wearers may use it as a ‘sign of piety, identity marker for being Muslim, dressing preference’ etc.

In recent years, it would not be an overstatement to say that, the Muslim women’s veil has received ‘an irresistible attack’ from different politicians and governments all over the world. To the surprise of many, some countries and governments such as the Taliban of Afghanistan and Saudi Arabia institutionalized ‘forced veiling’, while some western states such as France and to some extent Belgium ‘imposed’ a law for ‘forced unveiling’ of women (Black, n.d: 15). It became a powerful symbol controversial across the world being ‘assigned’ multiple meanings and representations in terms of religion, politics, cultural values and gender roles. For many non-Muslims (particularly for the

¹²⁷ In protest against the 2011 French law that banned wearing niqab in all public places, one Muslim woman called Kenza Drider stood outside Notre Dame with her full face-veil leaving only her eyes. “In front of this symbol of Paris, Black (n.d: 1) states that, she became a symbol of defiance in defense of what she referred to as her ‘civil liberties as a French citizen’”. Nazma Khan, a Bangladeshi-American young girl founded the World Hijab Day in February 2014 in defense of wearing hijab and as a symbol of resistance to the laws that bans wearing veil in public places and educational institutions (Berman, 2014). Ethiopian Muslim university students protested against the 2008 Directive of MOE that banned niqab and ‘other religious symbols’ and congregational pray (Dereje, 2011: 20).

Westerners), the veil represents patriarchal domination over women or “an example of subjugation of women under Islamic law” (Zakir, n.d: 9). For Many Muslims, on the other hand, it signifies a symbol of religiosity and modesty in one’s conduct and behavior (ibid). From the legal point of view, the perception of both the viewers and the wearers matters. This is to say that, if it is viewed as a religious symbol and piety, then it follows the need for protection by law as part of the right to manifestation of religion. If it is perceived as sign of subjugation and oppression, then the logical consequence would be its condemnation and outlawing (Ferrari, 2013: 14).

In line with these differing but contradictory representations of veil, I found imperative to highlight the views of Muslims and non-Muslims to understand the meaning and importance of veiling in Islam. This in turn helps us to examine the Ethiopian case and the burdens that the Ethiopian law encumbers on Muslim women.

5.3.1 Muslim Views of the Veil

Although the veil might or might not have religious roots, the religious and social significance of it must be understood from the Muslims’ perspectives. “For many Muslims, the veil represents piety and devotion, modesty and dignity, pride, feminism, identity, solidarity or self-expression” (Coger, 2011: 53). Tamara Coger (2011: 6) strongly argues that, veiling protects and enforces the three fundamental ideals of Islam; “sanctity, reservedness and respect”. She forwards that, “it safeguards the sanctity of womanhood, a woman’s role and a woman’s privacy” while at the same time signifying “respect and reservation”; which are all Islamic (ibid). One anonymous writer quoted in Coger (2011: 17) explained “why she is veiling herself” stating that - “it is not about politics, or tradition for that matter: It is about religion. I veil to show my commitment to God’s law. It is the Quran and the Sunnah, plain and simple.” Shohana Khan, Women’s Media Representative of *Hizb ut Tahrir* in Britain, once wrote to the Central Media Office of *Hizb ut Tahrir* explaining the religious obligation of veiling for Muslim women. She strongly argues that, “if asked why we cover – yes we wear the hijab because,

contrary to popular [perception], we submit to our Almighty and All Encompassing Creator and obey him in his command ...”¹²⁸

An Ethiopian Muslim girl named Seada and interviewed on 14 January 2013 by the researcher at Addis Ababa University unequivocally expressed her feeling and reason for wearing hijab/niqab stating that ‘it is nothing but her obligation to do so as commanded by Allah’. In her own words, she said that,

I wear my Hijab/Niqab for Allah; not for my father; not for my brother; not for my husband; not for anybody else but for Him. No one subjects me but Allah. My modesty is for Allah, commanded in Quran – for Him and no one else, seeking His reward and moving closer towards Him¹²⁹.

Among scholars, Adrien Katherine Wing and Monica Nigh Smith (2006: 759) argue that, there are varied reasons for Muslim women for favoring wearing of veil in public places. The authors incorporated the views of Muslim women and came up, among others, with the following major reasons;

Personal religious conviction, [exercising] freedom of religion, acceptance as a good Muslim female, compliance with family values, neutralization of sexuality and protection from harassment from Muslim males, and individual choice and religious/cultural identity (ibid).

Put simply, Muslim women wear hijab or niqab for one or the other or combined reasons of the above mentioned.

5.3.2 Non-Muslim Views of the Veil

With the risk of generalization, many non-Muslims or Westerners view veil in non-religious terms – usually as a symbol of oppression of women and more recently in light of religious extremism (Coger, 2011: 8; Zakir, n.d: 9). “For many Americans and French, the veil represents religious extremism, oppression of women, terrorism, repression or a threat to secular, individualist, democratic and republican values” (Coger, 2011: 53). The

¹²⁸ <http://www.khilafah.com/index.php/the-khilafah/social-system/18025-perspective-on-world-hijab-day>.

¹²⁹ Interview with Seada by the researcher on 14 January 2014 in Addis Ababa

'natural' consequence of these views is that, they employed different policies and strategies to abolish it. President Nicholas Sarkozy's speech of 2009 to the French Parliament in favor of the ban on veiling was a case in point. He stressed that, "it will not be welcome to French soil, women imprisoned behind the mesh, cut off from society, deprived of all identity. That is not the French republic's ideal of women's dignity" (Berhane, 2009: 46; Teitelbaum, 2011: 94). In his perspective, veiling is nothing but a sign of oppression and patriarchal domination imposed upon Muslim women. For him, veiling is an institution secluding women from public affairs and signifies women's subjugation entrenched in Islam (Coger, 2011). To make matters worse, after the 9/11 terrorist attack on the US and other Western interests, many politicians and ordinary citizens associated veil with 'political Islam' and [religious] fundamentalism" (Teitelbaum, 2011: 89; Coger, 2011: 7-8).

Ironically, the role of veil as a symbol of Islamic identity (religious piety) on the one hand and a symbol of Islamic fundamentalism (religious extremism) on the other grew in magnitude after these 'legal political' attacks. It even signified the clash between the West and Islam (Coger, 2011). As a result, the wave of de-Islamization occurred across the West through forced unveiling. Despite the 'legal and political offenses' directed against veil, many Muslim women put on their hijabs and niqabs more than ever as means of political defiance against "the Western media and war propaganda and the Western demonization of Islam" (ibid, 15). Wing and Monica Nigh Smith quoted the sayings of one non-veiling Muslim woman but who decided to wear the veil in the aftermath of the 'global war on terror' as one sign of resistance against the 'western attack of Islamic identity.' She is quoted saying that,

I will soon turn 20 years old and recently I decided to wear the headscarf. That has changed a lot of things in my life and above all, the way I view religion. Personally, I feel more feminine and freer than before, despite what some people may think. I am happy like this and I want to say never be ashamed to want to live your beliefs (ibid, 759-760).

These authors further come up with information that refutes the 'women oppression thesis imposed by men' held by the western media and politicians, stating that, "while

younger girls feel family pressure for headscarf, those Muslim girls in the ages between eighteen and twenty-two often adopt veiling by their personal choice for fulfilling their religious duties” (ibid). Some mistakenly believe that, Muslim women are forced to wear *hijab* by their male partners or parents. Though there could be some pressures on them, as some Muslim women made it clear, it is their free choice and especially when it is practiced in the western world. For example, Nazma Khan¹³⁰ explicitly states that it was her personal choice to wear hijab where no one told her to do so. And she finally realized that wearing *hijab* is not simple wrapping of one’s head with a piece of cloth but a way of life and submission to the order of God (Berman, 2014).

In all of the interviews I made for this research, no veiled Muslim woman admitted for external pressure to wear niqab or any other form of veil except their personal interests to fulfill their religious duty. However, many of them did not deny the ‘influences’ of different authorities of Islam preaching through public media such as Dr. Zakir Naik, internet and their veiled Muslim friends in university campuses. One niqab-wearing student of Addis Ababa University¹³¹ named Ekram said, “I have started wearing niqab very recently influenced by my niqab-wearing dormitory friend. Before that, I used to wear hijab but when I became close friends to ‘my sister’, I decided to wear like her believing that ‘making it’ will bring me even closer to Allah”. In sharp contrast to the general perception, one of our informants¹³² said, “My families [especially my father] opposed me when I decided to don niqab not on religious ground but the pragmatic problems I could face because of covering my whole body”. However, our respondent

¹³⁰ Nazma Khan is a Bangladeshi-American woman and the founder of the World Hijab Day. The 1st World Hijab Day was celebrated in many countries of the world on 1 February 2013 in which February 1 was chosen to be the day of celebration every year where the day was designated for Muslims and non-Muslims to experience the taste of veiling and share the sorrows of hijabi Muslim women who are discriminated or prohibited wearing hijab in public places. It is also designed for non-Muslims and non-veiling Muslim women to wear hijab just for a day to support the personal freedom of wearers of hijabi to wear of their choice. It is also intended to foster religious tolerance and understanding by experiencing hijab for one day across the globe in an atmosphere where the hijab is associated chiefly with women’s oppression and religious fundamentalism.

¹³¹ Note that wearing niqab was not practically prohibited in Addis Ababa University until November 2015 through the circulation of the University’s regulation for regulating dressing codes for students. Even after that, I personally saw some Muslim girls wearing niqab.

¹³² Information obtained through FGD held on 20 June 2013 in Addis Ababa by the researcher

attached the causes of the resistance of her father ‘with the less spirituality of him instead of other factors’.

Now, let’s pose one major question which is related to veil controversy in the world today – if veiling is the personal choice of Muslim women and a religious requirement, then, why states and governments are involving in actions of unveiling? Could it be justified? Though there might be similarities with the policies and practices of many countries, the answer for these questions could be obtained through a case-by-case analysis. What is envisioned in France is different from Ethiopia, Turkey or India. Some states exclusively depend on the principle of secularism while others may add other factors to prohibit the display of religious symbols from public places.

5.4 Why to Unveil

The French notion of the ban on veiling seems introduced under the pretext of ‘liberating women’ from patriarchal oppression instituted in Islam and preserving laicism (Piatti-Crocker and Laman Tasch, 2012). In this context, unveiling of Muslim women in public places is interpreted synonymously with ‘liberating them from oppression’ and fighting religious fundamentalism. But are they really liberating them in the true sense of the term or liberating Muslim women from their religion and culture? Obviously, forced unveiling has a negative message for Muslims where the Western cultures are regarded as superior compared to Islamic veiling and the West is using these justifications to promote their values and actions (Coger, 2011: 10). Coger argues that, “during the Enlightenment in the 18th c, Europe became fully convinced of its superiority over the rest of the world and the Muslim woman was projected as the counter image for the ideal Western female” (ibid). This has the connotation that Muslim women need to be enlightened by the Western values by throwing away their cultural and religious values. The French law was formulated in this context.

The Turkish notion of prohibiting the display of religious symbols, like France, in addition to preserving secularism, entails the ‘mission of civilizing women’ and as a way forward from backwardness. Its secularism is regarded as a “*project of civilization by*

which the local patterns and the traditional values are dismissed and devolarized [...]” (Cemrek, 2004: 53; emphasis original). In this sense, “[...] Islam was demoted not to challenge the state-centric secular national identity” (ibid). For achieving their mission of modernization, the Kemalists discouraged the display of Islamic veil in public places. What is also common for these two states to abolish veil is the association of the symbol with ‘political Islam’. France regarded veil as symbol of religious extremism and made clear that ‘it would not be tolerated in French soil’ (Black, n.d). In Turkey, the secularists consider veil as ‘political symbol’ rather than religious piety (Cemerk, 2004). Hence, both countries remained consistent in being intolerant to the symbol – though some sort of renegotiating in place under the current AKP Party in Turkey for softening the hard secularism.

The Ethiopian law, though similar in many aspects, obviously does not entail the ‘mission of civilizing Muslim women through unveiling’. If we see the official statement, the purposes of unveiling (prohibition of niqab) are spelled out as; promoting religious equality, implement the educational policy that dictates for the provision of secular education, protect education from the influence of religion, protect the peace and stability of educational centers and protect discrimination on the basis of religion (MOE Directive, 2008). Among all, it is obvious that, secularism and security issues are emphasized than any other factors.

Whatever the justifications may be, the undeniable fact is that ‘all such laws affect the rights of women in practicing their religion at public places and obtaining their rights – especially public services from the state’. In some cases, it also ended up in oppressing women instead of liberating them. For example, though the French Parliament declared itself as ‘liberator of Muslim women from oppression’, concerning human rights violations, the extreme stand of the French law banning Muslim women from veiling and the Taliban-Afghan law of forcing Muslim women to veil has no major difference. As argued by Hirschmann cited in Black (n.d: 13) “banning the veil may itself be oppressive because an authority – the French state – uses the veil to dictate women’s conduct”. Black further states that, “while mandated veiling might be oppressive, so too is banned

veiling” (Black, n.d: 15). What these two apparently different laws have in common is that both are violating the rights of Muslims to decide on their dressing styles and clear interference with the fundamental human rights of women. The difference lies only in its introduction; one is promulgated in the name of democracy (from the French state and public) while the other by authoritarian method (from a patriarchal system). The law that is intended to free women from oppression and male domination might end up with the unintended effect of oppressing them and exposing them even for more male domination. Those who attend schools with veiling could abandon going to schools and became more dependent on male for their livelihood. The previously independent women who work in public institutions may turn down their jobs for preferring wearing veil and staying home. This in turn gives a high degree of control for men over the lives of women that they never possessed before. Moreover, those devout Muslim women consider the abolition of veil with immorality and un-Islamic character rather than a sign of civilization. Some of them prefer to stay home to going to schools or work places unveiled.

Ironically, while the feminists of both western and non-western origin oppose forced veiling since it violates the rights of women, they remained silent or in some cases supported forced unveiling which equally affects women’s freedom. Feminist writers and activists for women’s rights like Piatti-Crocker and Laman Tasch (2012), Teitelbaum (2011) and others strongly condemn forced veiling as it is against the free-choice of women but said nothing about forced unveiling that is underway in France, Turkey and other Western and non-Western countries. Some even criticize the America’s commitment to protect the rights of women to veil in public places on grounds that it undermines the US values of freedom and secularism and tantamount to accepting ‘gender apartheid’ in the form of veiling (Phyllis Chesler, 2010; cited in Coger, 2011: 36-37). Nonetheless, the veil ban and restrictions on public manifestation of religious beliefs have been challenged across the world in the form of protests and court cases by many Muslims as the act is breaching their human rights and freedom of religious expression. It is actually an upset to observe Muslim women forced to veil, in some cases, acids were thrown on their faces because of refusal to cover. It is equally unpleasant to see the veil

being attacked by law-makers and law-enforcers in the modern European countries of France and Turkey and Muslim women are victims of forced unveiling.

Having discussed about the controversies surrounding the veil in public places, its cultural and religious significance for the wearers and its religious roots, the subsequent part of the dissertation deals with the Ethiopian situation and the reaction it entertained. It assesses the Ethiopian experience both in law and practice following the introduction of the ban on public display of conspicuous religious symbols and congregational pray in 2008.

5.5 The 2008 Directive and the Veil Controversy in Ethiopia

Does the ban on veil infringe the rights to freedom of religious expression or could it be legally justified on grounds of secularism? Freedom of religion is guaranteed in almost all international and regional human rights instruments such as the UDHR, ICCPR, ECHR, ACHPR and national legal instruments. At the same time, these legal instruments leave the room for states to restrict freedom of religion under certain circumstances and based on ‘necessity’ for justifiable causes. The restrictions are mainly related with public manifestation of faith that has a bearing on public safety, national security, public morals or the fundamental rights and freedoms of others. The General Comments provided on art 18 of ICCPR by the Human Rights Committee stresses the need for narrow interpretation of the provisions of the law to limit these rights. That is to mean, only the listed restrictions under the law are allowed (Parker, 2006: 95). Moreover, it is stated that, “limitations must be directly related and proportionate to the specific need on which they are predicated and may not be imposed for discriminatory purposes or applied in a discriminatory manner” (ibid).

Though the scope of freedom of religion is wide that encompasses two aspects; the internal (*forum internum*) and external (*forum externum*) (Parker, 2006: 94), my focus here is on the latter where restriction of the freedom might be justified. The inviolability of the internal aspect of the religious freedom is already expressly provided under such legal instruments and there is no way for states to limit these rights. I, specifically,

present and examine the 2008 Directive of the Ministry of Education (MOE) that bans some sort of religious manifestations such as congregational pray and conspicuous signs of religious symbols in educational institutions. In doing so, I scrutinize it from a historical, constitutional, religious and human rights perspectives. Accordingly, it seeks to answer how the Ethiopian policy of secularism in educational institutions and the bans on religious clothes and congregational pray limits the religious rights of Muslims and how it perpetuates the historical marginalization of Muslims in education.

To start with, over the last two and more decades (post-1991), wearing veil became a commonplace in the country. It is partly related to the ‘liberal’ religious policy of EPRDF that encouraged the expression of one’s identity in all public places and partly to the revival of Islam at the global level where the ban on veil became a controversial issue and used as a symbol of defiance to the discriminatory policies and practices (Wing and Monica Nigh Smith, 2006). Freedom of religion and formal equality of all religions is guaranteed in the 1995 FDRE Constitution (arts 27, 11 and 3). The EPRDF government, recognizing the past injustices committed against ‘minority’ religious groups, affirmed religious equality and its public manifestations save some restrictions as prescribed by law for legitimate and justified causes. Free religious propagation and worship either in private or public, individually or in group is allowed by the constitution. This has created wider opportunity for all religious groups to flourish. Public manifestation of religion became a norm, if not a rule, than exception. Often, the government promotes public display of all diversities including religion through the media. Christian, Muslim and other indigenous beliefs’ religious holidays have been celebrated in public places with wider media coverage. The Orthodox Christian Epiphany, *Meskel* (Founding of the True Cross), Christmas and Easter are to be celebrated every year in public places with the attendance of top-level government representatives. In all cases, the celebrations are to be transmitted live through mass media (radio and television). Likewise, the three Islamic holidays, *Eid al-Fatir*, *Eid al-Adha* and *Mewlid* have been celebrated in public places with the same magnitude and media coverage despite some complaints from the

Muslims, including Mejlis, about the inconvenience of the celebrating areas for Muslim holidays¹³³.

The opening up of all public spaces for religious expression has given religious institutions an incentive to flourish and people are becoming more religious (at least in appearance) than ever before. Public display of one's identity is becoming a norm and even desirable. It is not difficult to find people with religious clothing and symbols on streets, government buildings, schools, universities, offices and even in the parliament. Due to the more visible nature of Islamic identity, Muslim women wearing veil is common to observe. After all, wearing veil among Ethiopian Muslim women and girls not only become an accepted style of clothing but also a prominent expression of Muslim identity.¹³⁴ During the last two decades, Ethiopian Muslims came into close contact with the outside world and the 'scriptural' teachings of Islam. An apparent change has observed in the shift from a generation of traditional practice to text-based practice in recent years. The 'liberal' religious policy of the EPRDF government in lifting up the quota restriction for pilgrimage to Mecca and Medina (Muslim holy lands) and the importation of religious books, audio or video records and improvements in satellite technology helped them a lot in communicating with the Muslim *ummah* (Haustein and Terje Ostebo, 2011: 761). As a result, they start to depend more on scriptural teachings of Islam than the cultural practices of the society. The new generation seems more committed to Islamic principles and prescriptions than traditional practices of their forefathers. As some Muslims claim¹³⁵, the new generation is more concerned with Islamic doctrines and principles than ritual or cultural activities of the previous generation. Moreover, they believe that, the ritual activities (the blending of Islamic principles and customs of the society and other un-Islamic practices) were the result of the suppression of Islamic practices during the previous regimes and have no any religious justifications to be continued.

¹³³ Muslims are celebrating their holidays at the Addis Ababa Stadium (with its low capacity to accommodate the city's larger Muslim population) while Orthodox Christians used to celebrate their Epiphany and Mesqel in the Addis Ababa's two largest open areas, Jan Meda and Meskel Square.

¹³⁴ Interview with a Muslim student of Addis Ababa University, 15 November 2014

¹³⁵ Interview with Muslim activists in Addis Ababa, 15 November 2013

Wearing niqab as an expression of Islamic identity and religious piety, though still small and insignificant to necessitate law for its regulation, shows slow but steady growth in magnitude in all public places including universities. It is almost becoming difficult to find a single Muslim girl without the one or the other form of veil. They valued their veil not only for their personal conviction of submission to the commands of Almighty God but also as one manifestation of Muslim identity.¹³⁶ Perhaps, what is lacking from the government and some members of the Christian population¹³⁷ is to view the Muslim activists' demands for the accommodation of their identity in the secular multicultural institutions and the veil issue in terms of identity politics instead of signs of growing religious fundamentalism.¹³⁸

5.5.1 Scope and Objectives of the Directive

As hinted above, the MOE introduced a directive in 2008 for regulating worshipping, dressing and dietary codes of conduct of students, teachers and administrative workers of educational institutions. Entitled “*Betmhirt Teku’amat Ye Amlko Sireatin Bemimeleket Yeweta Memeria* – literally – A Directive for Regulating Worshipping Codes of Conduct in Educational Institutions (2008)”, provides for some form of restrictions on manifestations of religious symbols, regulates diets for students and puts a guideline for worship in educational institutions.

5.5.1.1 Scope of the Directive

For easier applicability, it begins by defining ‘educational institution(s)’ as the law is intended to be applied on such institutions and their staffs. It is to mean, all kindergartens,

¹³⁶ Information obtained through an interview by the researcher with a niqab-wearing student of Addis Ababa University, 15 March 2014.

¹³⁷ For detailed information on this issue, see Terje Ostebo, 2007. He provides that, the developments in the Muslim community as is visible in increasing number of mosques and holding governmental positions are interpreted as signs of ‘politicized Islam in Ethiopia. Muslim activists are being accused of aspiring for political power (p. 3) and establishing an Islamic government in the country, which in turn created unwarranted fear among the general Christian population.

¹³⁸ See for example a government policy document entitled “*Yehaimanot Akrrinetnina Yegosa Gichitochin Yeminfetabet Agerawi Eqid Meneshawechina Aqitachawech*- literally, A National Plan for Controlling Religious Extremism and Ethnic Conflicts: Background and Directions (2011).” It provides that, one manifestation of Islamic fundamentalism in Ethiopia is, “the request of Muslim extremists places of worship for congregational pray and Islamic dressing in educational institutions” (Yehaimanot, 2011: 12).

primary and high schools, colleges and universities owned and run by the government, public or private individuals, NGOs, and missionaries not established for religious purpose. The scope of the application of the regulation covers both government and private educational institutions and from KG all the way to universities. It is also to be applied in all the nine regional states¹³⁹, including Addis Ababa and Dire Dawa, notwithstanding that regional states' education bureaus have the right to adopt implementing strategies depending on their particular circumstances that should not contravene 'the present directive' (sub art 10.4). In addition to students, the applicability of the law extends over teachers and administrative workers of all educational institutions in the country (sub art 10.2). Notwithstanding the possibility of criminal charges based on the criminal code of the state, the Directive provides the discretion for each educational institution to take disciplinary measures they think is appropriate on the violators of the provisions (sub arts 10.5 and 10.6).

5.5.1.2 Objectives of the Directive

The major objectives of the Directive as forwarded in the preamble are to;

- Enforce art 25 of the FDRE Constitution that guarantees the equal protection of all persons without discrimination – *inter alia* – on grounds of religion,
- Implement the religious freedom enshrined under art 27 in educational institutions,
- Realize art 90 (2) that provide for the provision of education to citizens in a manner that is 'free from any religious influence, political partisanship or cultural prejudices', and
- Implement the 1994 Education and Training Policy of the country that declares 'education to be secular'¹⁴⁰.

¹³⁹ Based on art 47 (1) of the 1995 FDRE Constitution, the regional states of the Ethiopian Federation are: the State of Tigray, Afar, Amhara, Oromia, Somali, Benishangul/Gumuz, the Southern Nations, Nationalities and Peoples, the Gambella Peoples and the Harari People.

¹⁴⁰ One of the specific objectives of the 1994 Transitional Government of Ethiopia (TGE) Education and Training Policy was 'to provide secular education' (art 2 sub art 2.2.7). It does not specify whether it is related to the students' religious outlook/behavior or the curricula of the education system. However, as it is understandable from the intention of the constitution, which was introduced later, freedom of religion is respected. And hence, there is no way to secularize students except secularization of the school administration and the curriculum.

However, as shall be discussed later, the Directive is in contradiction with these constitutional provisions and the tenets of the 1994 Education and Training Policy, which the law is supposed to enforce. For better examination, let me put this way; does the Directive actually enforce or violate art 25 that guarantees non-discrimination on grounds of religion, art 27 that guarantees freedom of religious manifestation and art 90 (2) that protects the influence of religion on education? One can also raise a normative question for additional assessment; is it really within the mandate of a government to introduce laws for ‘regulating worshipping codes of conduct for students or believers?’ Put simply, is it not the mandate of religious leaders and the dictums of religious scriptures how to behave and worship? Does it not contradict the general principle of non-interference in the affairs of religion guaranteed under sub art 3 of art 11 of FDRE Constitution? Normatively, how to worship and follow the prescriptions of a certain religion should be left to the faithful and each religious institution. Arguably, it is up to the adherents of a particular religion or faith to decide whether some actions, example, wearing headscarves, skullcaps, turbans, crosses, congregational pray etc, are required by religious belief or not (Murdoch, 2012: 22). The principle of the right to freedom of religion “[...] excludes any assessment by the State of the legitimacy of religious beliefs or the means of their expression” (ECHR, 2013: 15). The government is only responsible to keep peace and order in a society instead of describing what, where and how believers conduct their religious beliefs. It means that, when the practice/observance or teachings of a certain religion affects the peace and stability of the state or the rights and freedoms of others, it could be justified for the government to act in proportion to the threats posed. The Ethiopian constitution has already specifically provided the grounds for restricting religious freedom. Using other grounds other than listed in the constitution or that contravenes the provisions of the constitution is invalid or null and void (art 9 sub art 1).

Specifically, art 25 of the FDRE Constitution under ‘the right to equality’ provides to all persons – “equal and effective protection without discrimination [among others] on grounds of [...] *religion*” (emphasis mine). The provision guarantees the right to equal protection of the law without any criterion of religious, linguistic, social or political status. Contrary to this, the Directive denies niqab-wearing female Muslim students from

attending school education both in public and private educational institutions for nothing but a religious cloth. This is to say, religion is used as a ground for discrimination from accessing basic social services. Similarly, freedom of religion of students in educational institutions is restricted under the pretext of ‘freeing education from the influence of religion’ (art 90(2)). Wearing niqab or any other items of religious clothing by no means disrupt or affect the free provision of education from religious doctrines. Secularizing educational institutions does not entail a duty on government organs to secularize students (ECHR, 2013). It involves and only relates to avoiding the incorporation of religious doctrines/dogmas in the school curricula and content of school subjects. Pierre Tevanian (2004: 8; quoted in Assad, 2006: 105), one of the critic of the 2004 French Law that bans ‘conspicuous’ religious symbols from public institutions, argues that, “secularism [...] applies to the premises, the school curricula, and the teachers, but not to the pupils”.

Under the specific objectives of the 1994 Education and Training Policy of the Transitional Government of Ethiopia (art 2 sub art 2.2.7), it is underscored that, ‘*providing secular education for students*’ is the major target of the government. It implies that, the provision of education should be free from the influence of religion. However, it does not imply regulating dressing and worshiping codes of conduct of students that leads to the secularization of students’ behaviors. This was explicitly reflected in the ‘overall strategy’ of the Policy, particularly in the preparation of curriculum. It states that, “the preparation of curriculum will be based on the stated objectives of education [... in which ‘providing secular education’ is one objective]” (sub art 3.1.1). This fact was also clearly observed in the definition given by members of the Constituent Assembly on art 27 during the constitution-making process. They stressed on “avoiding religious canons or dictums in the school curriculum” to make education free of religious influence (Constituent Assembly Minute, No. 1-25). Nothing is said ‘how students should look like, how they behave and worship in educational institutions’. With these overall objectives and designed applicability, the Directive is intended to govern three major issues in educational institutions; dressing, worshiping and dietary codes of conduct of students as shall be discussed below.

5.5.2 Dressing, Worshiping and Dietary Codes

5.5.2.1 Dressing Codes

Art 6 sub arts 6.1 – 6.6 are supposed to govern ‘the dressing styles’ of students. It begins by stating that, “every student should come up with his uniform set by the respective schools”. It simply says; “school uniform should be based on the standard clothing of a student” without specifically mentioning ‘the standard’ or citing any model clothing for a student. A student ‘without the standard uniform of a school’ should not be allowed to enter into the school campus and attend class. It is to be noted that, most schools of both private and public (KG, primary and secondary schools) in Ethiopia mandates their students to wear a school uniform. Therefore, the enforceability of the Directive in this regard could not be difficult for school administrators.

The Directive also provides dressing codes for students of higher education institutions where wearing uniform is not mandatory. Accordingly, sub art 6.2 of art 6 stipulates that, “based on the nature of their education, students can wear clothes for workshop, laboratory or medical education purposes that should not adversely affect the religion of other students”. Wearing one’s own religious cloth may not necessarily impinge the rights of other religious followers or non-believers. In this sense, therefore, the law does not explicitly ban religious clothing for higher educational institutions save that such clothes should not undermine other faiths. Sub art 6.4, however, explicitly enlists those individuals who are entitled to wear religious clothes in such educational institutions. It allows those individuals having ‘a good reason’ to wear religious clothes in all public places because of their special roles in that particular religion. Accordingly, it is only the “clergymen or priests from Christianity and sheikhs from Islam” that could wear religious clothes inside educational institutions. Others are prohibited from wearing the same. This provision is difficult to enforce because of the difficulty to differentiate the clergymen or the sheikh from the laymen and women. Who is going to decide whether an individual is a clergy, a sheikh or a layman/woman to allow him/her for wearing religious clothes in educational institutions? Obviously, school administration or any other government organ should not have that power as this duty is under the exclusive jurisdiction of the respective religious institutions and the believers. The 1995 FDRE Constitution (art 11

sub art 3 and art 27 sub art 2) forbids state organs to interfere in the internal affairs of religion in the form of deciding the religious status of a certain individual as sheikh, clergyman etc. for entitling or denying him/her to wear religious clothes in educational institutions.

In addition to the clergymen and sheikhs, the Directive provides possibilities for ordinary students to wear religious clothes. It states that, notwithstanding the provisions that prohibit wearing religious clothes, educational administrators may allow wearing such clothes for special occasions of celebrating holidays. The administrations of the institutions are also authorized to permit the clothing of cap/hat, scarf, *netela*, *gabi*¹⁴¹ etc. for illness or grief, implying that, wearing such clothes in normal circumstances and without the permission of the school authority could result in disciplinary measures and punishment.

As per art 6 sub art 6.3 of the Directive, Muslim female students may wear *hijab*¹⁴² which is similar in color with their school uniform. However, it prohibits wearing *niqab*¹⁴³ that covers the whole body of a student from head to toe including the face. Put simply, while it allows face veiling, it bans covering the whole body (eye to toe). The Ethiopian law in this regard is less restrictive compared with the French law that bans face veiling in all educational institutions and niqab from all public places (Black, n.d). By allowing hijab but prohibiting niqab, the Ethiopian law seems following the middle path and an intermediary solution between total ban and permission. Though it is less restrictive, it highly affects niqab-wearing female students since it denies them from entering to the school campus and attending classes. Based on this law, niqab-wearing students could not receive modern education, both public and private, if they refuse to remove their *niqab*.

¹⁴¹ *Gabi and netela* are traditional or cultural clothes, widely practiced by the Amhara and Tigray ethnic groups in the northern part of the country (both Muslims and Christians alike). Though Christians may use these clothes during religious ceremonies, they are mostly used by older peoples as any other clothing without specifically for religious purposes.

¹⁴² Hijab is a head covering that usually covers the women's hair and neck. It is derived from the Arabic word *hajaba*-meaning to conceal or to prevent from being seen.

¹⁴³ Niqab is different from hijab in that it covers a woman's face with the exception of the eyes. Wearing of niqab is not a common practice in Ethiopia compared with the hijab. Even in higher institutions, niqab-wearing female students are quite few. There is also veiling called as 'burqa' where it covers the entire body of a Muslim woman including the eyes with a translucent layer of cloth.

In other words, they are obliged to choose either of the two options; to take off their *niqab* and attend class (education) or abstain from going to school preferring ‘respecting their religious duties’. In this regard, conspicuous religious symbols such as *niqab* and the law of the government came into collision where seeking secular knowledge by citizens is attached with putting off their ‘religious obligations’.

As I have discussed above, the Quran mandates believers to lower their gaze by covering their body with the one or the other form of veil. In fact, there are internal and ongoing debates about the requirement of *niqab* for Muslim women as mandatory or not. The Salafi-oriented Muslims, for example, in addition to fulfilling the five pillars of Islam, emphasize on Muslim appearances through modest clothing. They argue that, wearing *niqab* is part of the religious duty for Muslim women (Jep, 2014: 67). The Sufi-oriented influential *ulemas* in Ethiopia have a ‘modest stand’ on the mandatory nature of wearing *niqab* for female students in educational institutions. Hassen Taju, a Muslim activist and preacher, for example, believes that ‘*niqab* could be compromised in educational institutions while *hijab* is mandatory’. Hajji Umer Idris, the most influential *ulema* in Ethiopia and the leading Sufi-propagator on the other hand, even went to saying that ‘*hijab* could be compromised’ (Discussion with Hassen Taju, n.d). However, his suggestion came out of fear for provoking the government and Christians to conflict rather than theological grounds¹⁴⁴. Despite this, many of our informants are convinced that wearing *niqab* is mandatory which is non-negotiable at all. Some of them directly refer to the Quran and Sunnah (Haddith) while others refer to authoritative Islamic preachers such as Dr. Zakir Naik of Peace TV and Ahmed Dedat and other local preachers to justify their wearing of *niqab* as mandatory requirement in Islam. Dr. Zakir Naik (n.d), for example stresses the importance of being modest for Muslims in both ‘heart and appearance’. Modesty is a requirement for both Muslim women and men. With regard to women, he said, covering female’s body is mandatory but the extent of cover differs according to the interpretation of Quranic verses by different scholars. If a woman covers all her body, including her eyes, she will get *mindā* (additional reward). One of

¹⁴⁴ Discussion with Hassen Taju

our informants¹⁴⁵ argues in favor of niqab when she says that, “covering one’s adornment is mandatory for a Muslim woman. I believe that a woman’s eye is the most beautiful part of a human body – though all are important. Therefore, there is no way for a woman to leave this part uncovered. It is mandatory to do that”. In our interview, she never cited any relevant verse from the Quran to strengthen her claim but simply expressed what she feels about niqab. She further said, “Imagine, wearing veil is mandated on women to protect themselves from the gaze of a stranger. So, how would it work if her eye is uncovered? For me, that would be a paradox” (ibid). Interestingly enough, she does not regard failing to wear niqab as a sin as far as Muslims are modest in their clothing (ibid).

Leaving the debate whether niqab is mandatory or not aside, prohibiting niqab-wearing students for attending education is a breach of the constitutional rights of such individuals. Added to that, many of these individuals are convinced that ‘wearing niqab’ is their religious obligation under the guidance of Quran and Hadith. The law of the government, therefore, requires the faithful to sacrifice the Quranic obligation (Surah 24 verse 31) of veiling in public places or in front of strange men. The Directive offers a tough choice for Muslim female students and parents - (religion or secular education). Acquiring knowledge, as important as fulfilling one’s religious duty, is mandatory for believers in the Quran. “A Muslim is required to seek knowledge from the cradle of the grave [...]” (Al-Qaradawi, 2003: 153). Hassen Taju argues against the law when he states that; “in addition to putting a tough choice for niqab-wearing female students, the Directive further marginalizes the already marginalized Muslim community in the Ethiopian educational system”. Hassen argues that;

Muslims need equal opportunity in education and other governmental institutions. [However], equality does not make sense with a differential start. Ethiopian Muslims need affirmative action because of the historically rooted marginality and imbalance. But what is happening instead is further marginalization because of [... the Directive of the MOE] (Hassen, n.d: 1).

¹⁴⁵ Interview with a niqab wearing Muslim woman in Addis Ababa by the researcher on 12 January 2014

It is stated elsewhere in this work that, unlike the system of redressing ethnic inequality (art 89 sub art 4)¹⁴⁶, the 1995 FDRE Constitution institutionalizes a system of ‘formal equality’ among all religions without taking into consideration of the disparities that existed on the ground. To be noted in this regard is, formal equality does not guarantee equal outcome (Xiaoping, 2013: 63). Particularly, in conditions where some groups suffered historical discrimination and marginalization, it may even aggravate unequal outcomes unless supported with affirmative action. The purpose of affirmative action is to bring about equal outcome or what is usually called as ‘substantial equality’ among different groups (Xiaoping, 2013: 63).

In my previous discussion (Chapter 3), I have seen how Ethiopian Muslims were systematically discriminated and marginalized from modern education during the reign of Emperor Haile Selassie (1930-1974). Muslims were and still are underrepresented in all governmental institutions including the education sector owing mainly to the exclusionary policies of the previous regimes. In higher education – particularly at the postgraduate level, Muslim participation is well below 10 percent (Cross, 2009; Discussion with Hassen Taju; Ahmedin, 2011; citing EEC 2009: 1920). They constitute around 14, 2, and 1 percent at the undergraduate, Masters and Doctorate levels respectively (Ahmedin, 2011: 4-5; citing Ahmed Hussein, *Vision 2020 in Ethiopia: Islam and Development in Ethiopia*, 2007). Hassen also provides that, Muslim participation in the education sector of higher level is very minimal (6-8 percent) though optimistic at the lower level (estimated from 20 to 30 percent) (Cross, 2009). Their share from the civil service is even insignificant (not more than 1 percent) (ibid). Their participation in political parties is not more than 3 percent (Ahmedin, 2011: 4). Normally, Muslim participation should be at least 34 percent in all sectors based on the official figure of their share from the Ethiopian population.

Many Muslim activists critically watch the actions being taken by the EPRDF government in the mirrors of history. Historical alienations, grievances and

¹⁴⁶ Art 89(4) Of the 1995 FDRE Constitution provides the possibilities for redressing past injustices and inequalities sustained by some ethnic groups. It says that, “government shall provide special assistance to Nations, Nationalities and Peoples least advantaged in economic and social development”.

discriminations against Ethiopian Muslims feed into the contemporary dissatisfaction of Muslims with the policies and practices of the government. Historian Joan Wallach (2006), argues in favor of analyzing the historical contexts to better understand the contemporary grievances or problems of a certain community instead of exclusively depending on the existing or real controversies at the spot. She argues that, “without history we aren’t able to grasp the implications of the ideas being advanced; we don’t hear the resonances of words; we don’t see all the symbols contained, for example, in a piece of cloth that serves as a veil” (Keegan, n.d; as cited from Scott, 2006: 8).

The Directive is also in violation of the basic constitutional and human rights of niqab-wearing students dictating them to unveil to receive their basic rights. Education is regarded as basic human rights for every citizen. As per art 41(3) of the FDRE Constitution, “every Ethiopian national has the right to equal access to publicly funded social services regardless of their political or religious conviction”. The African Charter on Human and Peoples’ Rights (1986), in which Ethiopia is a signatory, confirms that, “every individual shall have the right to education” (art 17 sub art 1). It further provides that, in their education system, states are duty bound to promote and protect the morals and traditional values of the community (sub art 3). In this regard, the Directive could be challenged on the basis of women’s rights for manifesting their religion in educational institutions. The 1995 FDRE Constitution provides for “freedom [of religion], either individually, or in community with others, and in public or private, to manifest one’s religion or belief in worship, observance, practice or teaching” (art 27 sub art 1). Based on the law, niqab-wearing students have the right to express their religious identity through dress and to freely practice their belief. After all, it is the right of a woman to decide what to wear and not to wear as far as it is not in conflict with ‘public morality and the interest of the state.’ On top of this, forcing a woman or a schoolgirl to unveil sends a negative message to the Muslim public at large that “your identity is incompatible with the modern secular state and should be banned”. Asat (2011: 11) convincingly argues that;

Asking a niqab-wearing woman to unveil may be a simple request, but this simple request sends a larger message to Muslim community; it says that if these Muslim women want to participate in the [... education] system, they need to make personal concession. If these women fail to make concession, they will be [...] excluded from *our [... educational] system*” (emphasis mine).

To be noted here is that, parents and legal guardians have the right to bring up their children ensuring their religious and moral education in conformity with their own convictions (art 27 sub art 4 of 1995 FDRE Constitution, art 18 sub art 4 of ICCPR). In this regard, it is the collective right of the community to inculcate their religious and moral values in the minds of the new generation. In fact, as we have discussed in chapter two, freedom of religious expression is not an absolute right. It is subject to limitation for justified causes. These grounds of restrictions in the Ethiopian context are set under art 27(5) of the Constitution and are exhaustive lists. However, some of the justifiable grounds for limiting public manifestation of religion are very broad and leaves a leeway for the government to construe broadly to deny citizens of the right to freedom of expression. The two grounds of restriction, public morality and security of the state, for example, are open to different interpretation. With regard to state security, some Muslims are outspoken that there is nothing to be feared in hijab/veil that endangers state security and terrorism. It is just one form of submission to the command of God by God-fearing Muslim women/girls that has nothing to do with religious extremism and terrorism. There is no single case of acts of crime or terrorism recorded in Ethiopian soil under the disguise of *niqab*.

5.5.2.2 Worshipping Codes

With regard to worship, the Directive (under art 7 sub arts 7.1 – 7.9) bans any form of congregational worship (pray) inside educational institutions. It prohibits the celebration of religious ceremony unless authorized by the concerned authority and bans group worship in buildings or requesting the administration to establish common worshipping places inside the campus. It also prohibits any form of preaching, religious singing in group and *salat*. Nonetheless, the law provides that “these rights are not prohibited for those who want to pray individually without infringing the rights of others in loud voice”. This is to mean, as far as an individual performs his/her religious duty in a silent mood

without adversely affecting the rights of others, it is permitted. Normally, individual worship may not raise any difficult problem for the state administration. However, the problem in this regard is many of the world's religions either encourage or mandate believers to perform worship in group that could encumber burdens on states in the protection of public order and peace.

Worth mentioning here is that, from among the five compulsory *salat* (prayers) expected from Muslims, *megrib* (early in the night), *isha* (late in the night) and *subhi* (early in the morning) *salats* require believers to pray loudly, when performed either individually or in group¹⁴⁷. Moreover, an individual pray should not be a substitute for congregational pray. Congregational pray in itself is mandatory¹⁴⁸. It is a must, not an option. Let alone in time of peace, the Quran made congregational pray mandatory in time of war where performance is practically near to impossible. Surah 4 verse 102 says:

When you (Mohammed) are among them and lead them in *salat* (the prayer), let one party of them stand up with you taking their arms with them; when they finish their prostrations, let them take their positions in the rear and let the other party come up which have not yet prayed, and let them pray with you taking all the precautions and bearing arms.

Therefore, the Ethiopian law (art 27 sub art 1) that guarantees freedom of religion - "either individually or in community with others and in public or private to manifest [one's] religion or belief" does not give the leverage for the government but only for the believers to choose their preferences. In other words, though the law provides 'alternative' form, the government could and should not decide how believers worship, practice or observe their religion. It is up to the faithful to choose. The law, in this regard, disregards the mandatory prescriptions of Islam to pray with loud voice and in group, thus implying denial of the rights of believers to perform their religious duty. It totally

¹⁴⁷ Information obtained from Ahmed Ayalew, an informal discussion with the researcher at the researcher's home in Addis Ababa on 18 July 2014

¹⁴⁸ Quran under chapter 62 (*Sura al-Juma'a* or Friday) verses 9 and 10 mandates believers to perform their pray in congregation. Verse no. 9 says, "You who believe (Muslims), when the call is proclaimed for the *salat* (prayer) on Friday come to the remembrance of Allah [...] and *salat* leave of business and every other thing". It is only after the end of the prayer that Muslims are allowed to disperse in order to engage in their worldly affairs (verse 10).

bans any form of congregational pray in any place of the educational institutions (dormitory, football fields, in the corridor of a building etc.) (art 7 sub art 7.7).

As some Muslim informants¹⁴⁹ strongly believe, the ban on congregational pray disproportionately affects Muslims than other religions for at least two major reasons. First, the Quran strictly mandates believers to pray in congregation especially on Friday. The Quran under *Sura al-Jum'a* (the Congregation or Friday) 62:9 provides that, “O ye who believe! When the call is heard for the prayer of the day of the congregation, haste unto remembrance of Allah and leave your trading.” The phrase ‘leave your trading’ when you hear *azan* (caller) implies the importance of congregational pray over any other worldly affairs including education. It further explains that, “when the prayer is ended, disperse in the land and seek of Allah’s bounty, and remember Allah much, that ye may be successful” (ibid). Based on these two verses, it is after praying in congregation that every Muslim has to return to his normal business or day-to-day activities in order to be successful in worldly life. Doing this adds, in the words of Amartya Sen (cited in Morris, 2010: 40), an ‘ethical dimension and moral philosophy (or justice)’ to their business instead of purely maximizing material profits in this world. Some Muslim scholars of Ethiopia also stress on the mandatory nature of group *salat* (pray) for Ethiopian Muslims who follow the teachings of Hanbali School (Hassen, n.d: 1). Based on this School, the Prophet’s statement or Hadith is more emphasized where it states; “even a blind man should attend a *salat*. Had it not been for the children and the women I would like to finish off those who do not attend the *salat*” (Hassen, n.d: 1 quoting Hadith). Hassen argues that, there might be some practices such as dietary issues and wearing niqab in university and school campuses, which could be compromised but not *hijab* and *salat*. Second, due to the discriminatory nature of land allotment for the construction of religious institutions by the previous regimes, mosques are fewer in number¹⁵⁰ and far

¹⁴⁹ Information obtained from FGD held on 20 June 2014 in Addis Ababa with Muslims organized and led by the researcher

¹⁵⁰ The estimated number of mosques in Addis Ababa, according to a study by Abu Sumeya (2004) “*History of Addis Ababa Mosques from Menelik II – EPRDF*” before 2004 was about 158. However, some of them are waiting permission or denied license by the government – only fifty-six secured a license. Moreover, most of them are very small with their low capacity to accommodate large number of Muslim prayers (Jep, 2014: 117). Of the 158 mosques, 107 were built in the post-1991 period (ibid). Of the 107

from educational institutions often located in inaccessible places for students. As the practice of Imperial Ethiopia reveals, almost all the emperors' palaces were to be accompanied with the building of churches and educational institutions (Markakis, 1974). Therefore, Christian students, particularly Orthodox Christianity, are by far in a better position than the Muslims to attend congregational pray in the nearby churches. Put simply, there is a wide disparity in the availability of worshiping places for different religious communities, Muslims often disfavored. One Muslim informant¹⁵¹ of Addis Ababa University¹⁵² for example said that,

While Orthodox Christians can perform their religious duty just inside the Sidist Kilo campus at St. Mark Church, Muslim students are forced to go to a mosque found around the Embassy of France – far from the university. Whenever there is a class for a student immediately in the afternoon, it would be difficult for Muslim students to attend. For this reason alone, I missed several classes.

Another informant¹⁵³ and former student of the University remembers the biases that some teachers showed him when they usually teach for an extended hour – especially on Friday. He narrates; “once my teacher – who was Protestant – called my name – ‘Mohammed! Do you want to go for *salat*?’ I agreed but in revenge he records students’ attendance and punished me in grade as an absentee”. For our informants, therefore, demanding separate prayer places¹⁵⁴ inside university campuses is neither a luxury nor a sign of religious extremism but necessity.

mosques built during the EPRDF era, only forty of them received plot of land from the government, others used a land granted from Muslim volunteers through *waqf*.

¹⁵¹ Interview with Habib Ibrahim by the researcher on 14 December 2014 at Addis Ababa University Sidist Kilo campus

¹⁵² It is important to mention here that, a mosque is now under construction very close to Addis Ababa University in an area popularly called *Afincho Ber*. Now (January 2015), the mosque is close to completion but still underway.

¹⁵³ An informal discussion between the researcher and Mohammed Arega – former Accounting student of Addis Ababa University on 15 December 2015 at the researcher’s own house in Addis Ababa

¹⁵⁴ As mentioned above, the Administration of Addis Ababa University once gave a separate prayer place for Muslims. But it was largely on the goodwill of the President Professor Andreas Eshete and the Vice President Dr. Samuel Assefa. Hence, it was short-lived and completely abandoned following their replacement with another Administration.

5.5.2.3 Dietary Codes

Concerning dietary codes, the Directive (under art 8 sub arts 8.1 – 8.4) provides that, “there shall be no special eating rooms (halls) for different religious groups though individual students have the right to choose their own foodstuffs” (sub art 8.1). Different types of foodstuffs could be prepared either for fasting or ordinary days, or for Muslims and Christians (when it is meat). It is to be noted here the fact that, Ethiopian Muslims and Christians could not eat meat together slaughtered by a person of the other religious faith. Muslims eat only meat slaughtered by Muslims whereas Christians eat meat slaughtered by Christians with strict observance of the custom¹⁵⁵ by Orthodox Christians. Therefore, based on this custom of the society, the law provides for the preparation of two types of food (sub art 8.2) – one for Christians and the other for Muslims. In this regard, the law is accommodative enough for students of different religious followers.

To be noted here is that, social boundaries could be constructed by different societies on different grounds – ethnicity, gender, class or religion (Desplat, 2005: 482). These boundaries emerge as a result of interaction between different groups (ibid). Religion is one of the most important factors in the construction of boundaries between different religious communities. These boundaries could be based on dressing codes, dogmas, practices or foodstuffs. In the Ethiopian religious context, in addition to the above mentioned factors, foodstuff – particularly when it is meat – creates a ‘thick boundary’ between Muslims and Christians. Normally, eating meat together by Muslims and Christians is a ‘taboo’. In some areas, example in Wollo, when two individuals of the same religion quarrel, it is common to say that ‘me and you are Islam and Amhara (Christian)’ to show how serious their disagreement is. This is to say that ‘they

¹⁵⁵ The Quran under *Surah* 5 verse 3 forbids Muslims from eating meat slaughtered by a non-Muslim. It says; “forbidden to you (for food) are: *Al-Maitah* (the dead animals – cattle – beast not slaughtered), blood, the flesh of swine, and that on which Allah’s Name has not been mentioned while slaughtering (that which has been slaughtered as a sacrifice for others than Allah or has been slaughtered for idols)”. However, it also provides exceptions for those who are “forced by severe hunger; with no inclination to sin (such can eat these above mentioned meats)”. Allah forgives them. It further provides to eat only “*halal* foods (foods which Allah has made lawful)” (Verse 4). Interestingly, verse number 5 of the same *Surah* made meat slaughtered by “people of the Scripture (Jews and Christians)” as lawful (*halal*) for Muslims and vice versa.

(previously friends) will never eat from the same table again'¹⁵⁶. This was a practice in many parts of Ethiopia (Erlich, 1994: In Gondar, for example, “[...] when two Christians quarreled, they were said to have ‘become like Christian and Muslim’” to show the impossibility of eating together (Erlich, 1994: 42). Despite the day-to-day cooperation and peaceful coexistence between Muslims and Christians, the meat issue is an ‘impenetrable boundary’ between the two religious communities in Ethiopia. In this context, therefore, it is non-negotiable for Muslims and Christians to be served with two types of foodstuffs in higher educational institutions where students of different religions normally come together.

5.6 The Veil Ban vis-à-vis the Constitution and the Multicultural State

With regard to religion, the socio-political changes that took place in the aftermath of the fall of the *Derg* regime encouraged the revival of religious practices and their public manifestations. It resulted in boosting for religious activities for the Muslims. Muslims became more assertive in demanding for more rights and public visibility of religious symbols increased more than ever (Ostebo, 2007: 1; Hussein, 2006: 16). In the context of Muslim awakening, the EPRDF government seems worried about religious revivalism fearing the ultimate turn out of these groups into religious fundamentalism and the disruption of the secular state order.¹⁵⁷ It started to reconsider the wider opening up of the spaces for religious manifestations. The government, in addition to closing down many of Islamic newspapers and magazines that started to flourish during the initial periods of the regime (Ostebo, 2003), initiated some laws and guidelines about the way religious symbols are to be displayed and religious rituals to be practiced in public places. Ironically, all forms of diversities were respected and even promoted at the beginning. Gradually, the door is starting to slowly swing in and out against them narrowing the spaces to freely move by themselves in a direction they want (integration or diversity). It even became the grounds for discrimination.¹⁵⁸ These measures arouse an atmosphere of

¹⁵⁶ This is what the researcher himself witnessed from his experience in parts of Wollo (Amhara National Regional State)

¹⁵⁷ The government says that, the ultimate objective of these groups (Muslim activists) is ‘establishing an Islamic government in Ethiopia’ (Meles Zenawi’s speech to the Parliament, 17 April 2012)

¹⁵⁸ See the 2008 MOE Directive. It explicitly prohibits wearing niqab in educational institutions.

fear among the Muslim population that ‘the creators of the system (system of accommodation for diversity) are becoming its destructors’ through time.¹⁵⁹

The Ministry of Education¹⁶⁰ emerged at the forefront and initiated taking steps for unveiling and prohibiting group worship in educational institutions. Broadly speaking, the law is introduced to limit some form of religious manifestations of all religions in public and private educational institutions. It says; “students of all religions should not perform worship in group” (art 7), and “all students should wear school uniform”. But when we examine it thoroughly, the law seems directed against Muslims or at least disproportionately affects them. It specifically states that, “Muslim female students should not wear niqab” (art 6 sub art 6.3) without mentioning what is prohibited for other religious groups.

Is the Directive compatible with the 1995 FDRE Constitution and the Multicultural notion of the Ethiopian state? It goes without saying that, the 1995 FDRE Constitution comes first among all other laws in the country. In other words, in the hierarchy of laws, the Constitution occupies the upper echelon¹⁶¹. All other laws derive their force and authenticity from the constitution. All laws such as proclamations, regulations, decrees, directives and government policies and strategies need to conform to the provisions of the Constitution to have legal effect (art 9). The government could and should not enforce a law or policy that contradict the Constitution and any law or policy should be understood in light of the constitution. In short, the Constitution is the reference point for the legislative or the executive organs of the government to promulgate laws or regulations that govern the behavior of citizens. In fact, the Constitution only lays down the general principles and guidelines instead of dealing with minor and detailed issues, which the law-makers, the executives and the judiciary are expected to handle through their powers of law-making, enforcement and interpretation.

¹⁵⁹ Interview with a Muslim activist in Addis Ababa, 15 November 2013

¹⁶⁰ Note that, considering the collective decision-making nature of the EPRDF party and its motto of ‘democratic centralism’ (freedom of discussion [within the party] but unity of action) (Nahusenay, n.d: 4), the MOE could not act independently to introduce a Directive that governs dressing, worshiping and dietary codes for students of educational institutions.

¹⁶¹ Article 9(1) affirms the supremacy of the Constitution and any law, customary practice or a decision of an organ of state or public official that contravenes this Constitution shall be of no effect.

In this regard, the Council of Ministers (the executive) is vested with the power to enact regulations pursuant to powers assigned to it by the House of Peoples' Representatives (art 77 sub art 13). Each Ministry can initiate policies and laws and upon approval by the HPR implement the same (Proclamation No. 471/2005 art 10 sub art 1 paragraph A). In line with this proclamation and the powers given under the constitution (art 77 sub art 13) for the Council of Ministers collectively, the MOE is entitled to initiate policies and laws in its spheres of influence. However, as it is stated under art 9 of the Constitution, every government organ is duty bound to enact laws that should not contradict the specific provisions or the overall objectives and intent of the Constitution. When the laws enacted or the decisions passed by a state organ or public official found to be in contravention with the Constitution, they have no effect in restricting or granting the rights for citizens.

As discussed above, the 2008 Directive limits the rights and freedoms of religious groups, which the principle of secularism and the FDRE Constitution are supposed to protect. As a result, it has significant adverse implications on the infringement of the principle of secularism itself and the full implementation of the FDRE Constitution. The reason to prohibit niqab or any other religious symbols for preserving the principle of secularism by its nature is incompatible with secularism unless the wearers involve in other activities that adversely affect the teaching-learning process and the rights and freedoms of others; such as – engaging in active proselytization while in schools, disturbing the peace and stability of schools or breach their obligations of attending and participating in classes or participate in political activities and protest etc. The very manifestation of one's religious belief in public places is already guaranteed in art 27 (1) of the FDRE Constitution and the grounds for limiting these rights are already prescribed by law as only 'protecting public safety, peace, health, education, public morality or the fundamental rights and freedoms of others, and to ensure the independence of the state from religion' and to be applied only when 'necessary' (sub art 5).

Generally, the Directive could not escape critic and challenge at least on three major grounds: self-defeating, undemocratic and morally incorrect. It is self-defeating because the guarantee for group rights enshrined in the country's supreme law is at stake because

of this law. The Constitution stresses group rights to the extent of entertaining allegation of the incumbent party from the opposition to its 'commitment' to the 'neo-Stalinist rights of nationalities (autonomy "up to and including secession")' (Tobias Hagman and Jon Abbink, 2011: 583). It is the official dictum of the government that 'Ethiopia opens her eyes and stretches her hands unto the beauty of diversity' and the 'new Ethiopia is under construction' on the basis of multiculturalism. Some argue that, "central to the notion of [... multiculturalism] is full participation [of citizens] in public life without being required to leave a religious motivations or beliefs in private" (Parker, 2006: 121). The Constitution privileges group rights over individual rights (as some critics goes) or at least tries to strike a balance between these two types of rights. The 'radical, aggressive and assertive secularism' that the government is pursuing on public manifestation of faith, I strongly argue, is incompatible with the general tenets of the Constitution that advocates for pluralism and multiculturalism - '*unity in diversity*'. The diversities envisaged in the FDRE Constitution are normative than descriptive in a sense that the government is not only required to respect these diversities but to allow them to flourish in the country.

The law is also self-defeating because it marginalizes the already marginalized group of the society. It 'signifies a new stigmatization of a group' already suffering from the effects of past discrimination. As I have discussed in chapter three, Muslims were long excluded from the educational sector due to the discriminatory policies of the previous regimes. The new Constitution emphasized for the rectification of such injustices through, for example, affirmative action as is stated under art 89(4). The makers and owners of the Constitution (NNP) explicitly expressed their full conviction and agreement for the need to rectify the historically unjust relationships. The historical legacy of inequality and discrimination sustained by Ethiopian Muslims even deserve affirmative measures in order to remedy this legacy. Any subsequent law or policy to be promulgated should take into account of the intent of the Constitution and those laws or policies that contradict the Constitution should not be given effect. On top of maintaining and promoting genuine multiculturalism, the Constitution advocates for liberating oppressed nationalities and marginalized groups (ethnic or religious) (Preamble of the

1995 Constitution). In this regard, ‘emancipation cannot be achieved through prohibition’ as the ban puts a choice between ‘religion and education’. Hence, the ban on religious manifestation in educational institutions, instead of liberating them has the effect of further alienating Muslim students where they were already marginalized owing to the past discriminatory policies.

The law could not also pass the test of the principle of non-discrimination. It is severe against Muslims than any other religions because, for example, prohibiting wearing *gabi*¹⁶² for a Christian student and prohibiting niqab for a Muslim woman has by no means the same effect. For a Muslim woman, wearing niqab is religiously mandatory whereas *gabi* or *netela* is not. By prohibiting signs of religious symbols of all religions, the law-makers felt the need to appear even-handed, but actually not. In this regard, the law that restricts wearing niqab fails to fulfill the criteria of non-discrimination as is provided by the Human Rights Committee General Comments No. 22.

The law is undemocratic because it prohibits the free exercise of religion in public spaces in which the Constitution guarantees. It is worth noting the fact that, educational institutions are the center stages for the development of values of democracy and freedom. The 1994 TGE Education and Training Policy strengthen this assertion. It says; “Education [...] plays a role in the promotion of respect for human rights and democratic values, creating the condition for equality and mutual understanding and cooperation among people” (pp. 1-2). Further it provides that, the objective of the policy is “to provide education that can produce citizens who stand for democratic unity, liberty, equality, dignity and justice, and who are endowed with moral values” (p. 10). An anonymous internet post by a certain girl, opposing the French ban on veiling on grounds of religious freedom, reads as; “in front of each educational institution there is written Liberty, Equality [and] Fraternity, so where is the liberty to exercise our religion?” (Wing and Monica Nigh Smith, 2006: 760). In addition to fulfilling one’s religious duty, wearing niqab, for some Muslims, is viewed as exercising the right to freedom of

¹⁶² *Gabi* is a traditional or cultural cloth, widely practiced by the Amhara and Tigray ethnic group in the northern part of the country. Though Christians may use it during religious ceremonies, it is mostly used by older peoples as any other clothing.

religion. The principle of democracy allows freedom of religion and its concomitant right of manifestation in public places either individually or in group. Prohibiting this right tantamount to violation of democratic values and is an expression of authoritarian government. Banning religious expression is therefore incompatible with democratic secularism (ibid). The matter is not about defending the veil or the piece of cloth; it is about the rights of women to manifest their religion in public places and to dress as they wish. One Ethiopian Muslim girl from Addis Ketema High School in Addis Ababa said “I will not take off my veil worn because of the law of God for the sake of worldly laws and directives”¹⁶³. Another informant named Seada¹⁶⁴ from the same high school was asked whether she was forced by somebody else to wear niqab. She replied;

It is true that I am forced to wear it. It is Allah who obliged and forced me to do that to inherit the hereafter world. I feel more comfort and proud than those who do not wear. Hence, I believe that Muslim women should wear it anywhere including educational institutions. The prohibition of wearing niqab in Ethiopian universities made me feel that the constitutional rights of Muslims are denied and breached by the government.

The Directive is also morally unacceptable because it violates freedom of a person what to wear or not to wear in public places. In a democratic state, veiling or unveiling is the individual choice rather than the decision of the government or the state. One woman in her twenties expressed her worry about the involvement of governments in choosing clothing styles for Muslim girls in schools. As stated by Wing and Monica Nigh Smith (2006: 766), she said that, “[...] she was bothered that a younger sister could be told what she can and can not wear in school, and how she can and she can not express her religion”. In a similar fashion, one Ethiopian woman said,

I don’t want somebody else to tell me what to wear and not to wear. I am competent enough to decide for myself from both personal choice and religious perspective. Veiling is mandatory for me – it is all about religion. I can’t live, learn and work without my hijab – (she prefers to call hijab instead of niqab). Forcing me to put off is forcing me not to live, not to work and not to learn. That is all¹⁶⁵.

¹⁶³ Interviewed by the Researcher on 25 January 2013 in Addis Ababa

¹⁶⁴ Interviewed by the Researcher on 25 January 2013 in Addis Ababa

¹⁶⁵ Interview with a niqab-wearing student of Addis Ababa University on June 14 2013 at Addis Ababa University campus by the Researcher

Another woman expressed it in terms of democracy and denying niqab to wear is a paradox for her. She said,

We have been heard and are hearing about the prevalence of democracy in Ethiopia during the last twenty and more years. So now, where is that democracy? Does democracy prohibit citizens to exercise their religious rights in public places? Is this democracy that obliges me to wear or not to wear my religious cloth? While students are allowed to be naked (for example, during the celebration of crazy day), why are Muslims denied to wear cloth? This is really a paradox!¹⁶⁶

Not all respondents are against the prohibition of niqab-wearing in educational institutions. Some are supporters of the ban on grounds of secularism and also practical problems that the cloth poses. One of my informants said this;

Look! It is niqab that is prohibited but not hijab or any other form of Islamic dressing. So, why are we worrying about it which is not obligatory at all? I think this is going beyond the limits of our rights while we are at work and education. We have to be reasonable in demanding our rights. How can a student pursue her education while covering all her body including her eyes? It is very difficult for communication between students themselves and with their teachers. Hence, I don't have an objection on the prohibition of such kinds of clothes in schools¹⁶⁷.

Another informant gave her opinion about the un-necessity of wearing niqab in Christian-dominated countries like Ethiopia when she says;

I believe, wearing niqab in all public places will be intimidating Christians and other non-Muslims. For me, hijab is the most proper and modest way of dressing. Beyond that, it is provocative and unnecessary. Don't forget our historical past too. We Muslims were denied to be equal citizens let alone to practice our religion freely. This niqab is a recent phenomenon which I think is connected with the influence of Wahhabism and the Somali refugees in Ethiopia. So far, I never experienced hardship because of my hijab either from university's security personnel, its administration or any other individuals in the campus. Alhamdulillah [thanks to Allah]! I appreciate the freedom we are granted by the current Ethiopian government compared with other countries that Muslims are facing, including Muslim-majority countries¹⁶⁸.

¹⁶⁶ Interview with Mehbuba, a University student on 20 June 2013

¹⁶⁷ Interview with a hijab-wearing Addis Ababa University student on 20 June 2013

¹⁶⁸ Interview with Addis Ababa University Muslim student on 20 June 2013

Another informant strengthened the above informant's frustration as niqab is not only provocative but also a barrier in the smooth operation of the teaching-learning process and security issues. She presented her feelings like this –

If a student covers her body from eye to toe, how a security guard at the gate of the campus can identify her? Somebody else may enter into the campus disguising a student. How can the identity of a student be identified for a librarian, for the invigilator and for the teachers? Is it really possible to communicate with somebody else without identifying who he/she is? I don't think so. Therefore, I generally agree with the prohibition of niqab. I don't think that it is religiously compulsory to wrap up oneself with niqab¹⁶⁹.

In spite of some support for the prohibition, since my interview mainly focused on niqab-wearing Muslim female students and the problems it posed, almost virtually all opposed it and said 'it is against their constitutional rights of practicing their religion in all places'. There are various forms of symbolic expressions of Islamic identity that became almost an intrinsic element for practicing Muslims, without which they could not be identified as Muslims. Prohibiting such symbolic expressions in public spaces is tantamount to forcing them to forget or drop their identity. This further could result in what some call 'spirit injury' (Wing and Monica Nigh Smith (2006: 775) whose effect might not be limited to the Muslims alone but other sectors of the society as well. When Muslim girls are prohibited from attending schools for nothing but wearing niqab "whom they believe as morally right, religiously required, a sign of respect, dignity, reservedness, modesty etc.", they could resort to staying home with its concomitant effects of psychological and physical depression (ibid). Devout Muslim girls and women consider unveiling as an assault against their religion and prefer to remain at home leaving their education and jobs, whose economic implication is not limited to a certain sector of the society. Surely, discrimination based on religion in educational institutions entail negative psychological, spiritual and cultural effects. As Wing and Monica Nigh Smith (2006: 779) rightly pointed out, "the effects of spirit injury are as devastating, as costly, and as psychically obliterating as robbery or assault." School girls whose niqabs are taken off by school administrators or by 'law' feel some of the symptoms of spirit injury such as "defilement,

¹⁶⁹ Interview with a Muslim female student of Addis Ababa University on 20 June 2013

silence, denial, shame, guilt, fear, blaming the victim, self-destructive behaviors, acute despair/emotional death ...” (ibid).

In line with the above argument, it is worth stating here the response of one female university student at Dire Dawa University of Ethiopia for the University’s Discipline Committee who demanded her to put off her niqab. The Committee warned her to take off her niqab at the beginning of the semester (September) to pursue her university education informing her that “wearing niqab is prohibited as per the regulation of the university”. She replied; “it is difficult to take off my niqab all of a sudden which I am accustomed for long and I believe that it is one of the many ways to fulfill my religious duty – but I will think off for the next semester”. However, she continued wearing niqab for the second semester and the Committee again wrote a letter, at this time, a short warning. It reiterates her previous promise to put off her niqab for the second semester but came up again with the same style of dressing and gave her thirty days to take off the niqab once and for all. Though we don’t have the final decision of the University’s disciplinary committee, it is understandable from her reply that the ‘spirit injury’ suffered from the tough choice – education or religion – is so clear. Obviously, she might prefer either to go to the university bareheaded or stay home (since the University’s regulation forced her to choose one but not both), in both cases sustaining psychological and mental obliterating effects.

As Jelodar and et al (n.d: 68) puts it, “many [Muslim] women had become so habituated to wear the veil that this piece of cloth became a ‘second skin’ to them”. In an interview with former Debre Birhan University Administrator (Mr. Haileyesus Taye on 09 December 2014), I came to understand how niqab or veiling is so important for Muslims. While he was patrolling the campus, he saw two Muslim women students fully covered with niqab. He called and warned them not to wear such kinds of clothes again in the University; they informally agreed but continued wearing. Their case was brought to the University’s Discipline Committee. The University’s discipline committee gave them an oral warning to avoid wearing niqab though they desperately tried to defend their actions. In their reply, the two students said; “we have accustomed it from our childhood and

already became our second skin and hence difficult for us to attend class without our skin”, implying that, it would be difficult for them to take off. Finally, they were suspended. In reaction, some Muslim students went out of the University in protest against the measures taken and take refuge in the nearest mosque in Debre Birhan town. The Muslims of the city cooperated with the students in delivering food and cloth for a while. The University administration then negotiated with the students and they returned back but the decision of expelling the two students upheld. In this dissertation, I strongly believe that, the meaning accorded by the wearers should carry greater weight than the perception of others towards the symbol to deal accordingly by policy-makers and implementers. The intention of a person (wearer) matters more and the intention can not be ascertained by anybody else except the person herself. In the above case, for example, the intention of the students for wearing niqab from their own perspective is fulfilling their religious duty and also their strong attachment with such kinds of clothing from their early childhood which makes difficult to separate without a damaging effect on their moral, mental and physical conditions.

In line with this argument, it has to be remembered that, educational institutions in pre-1991 Ethiopia were not user-friendly, particularly for Muslims. Muslims were openly and systematically alienated from the educational system (Markakis, 1974). It was the EPRDF period that was more favorable for Muslims to attend education in public institutions in parity with other religious followers. It is something normal for the Muslims to require the government that promotes multiculturalism to acknowledge and respect their particularities (example, wearing niqab in public places). It is also expected from a democratic government to accommodate the interests of various groups with varied interests. The generous constitutional promise for religious freedom, respect for diversity and group rights should not be endangered by subsequent laws and policies that, in some ways, drifted away from the principles of the constitution and the general tenets of a multicultural and multinational Ethiopia.

5.7 Muslim Students Reaction: A Case from Addis Ababa University

Addis Ababa University Muslim students gathered inside the University’s Main Campus (popularly called Sidist Kilo Campus) in front of the office of the President on 8 December 2008 chanting “*Allahu Akbar* – Allah is Great” carrying different banners protesting against the laws of the MOE and the measures of Mekelle University¹⁷⁰ which expelled Muslim students found performing group *salat* (pray).

Figure 6: Muslim Students Protest at Addis Ababa University (2008)



Source: Badr Magazine Annual Edition (2008) (<http://www.biemf.org>)

Many of the slogans they carried show their opposition to Mekelle University’s disciplinary measures of expelling Muslim students caught up praying in group and even ‘advise’ it to follow other public universities as an example. One of which says, “It is better for Mekelle University to take Addis Ababa University as a model”. Addis Ababa University’s Administration at that time was very ‘generous’ in allowing Muslim students to freely practice their religion inside the campus. This was just immediately before the introduction of the 2008 Directive of MOE. Muslim students of the University

¹⁷⁰ Mekelle University is found in the National Regional of Tigray around 700 km from the capital Addis Ababa. Mekelle is the capital city of Tigray.

were granted separate places in its different campuses to perform group *salat* and Muslim female students freely wear religious clothes including niqab. The Vice President of the University Dr. Samuel Assefa was even nicknamed by Muslim students as Abu Talib¹⁷¹. In fact, some Muslims like Abiye Yasin – a Muslim activist from the Diaspora – argue that ‘what the University’s Vice President did was what he is normally and legally (constitutionally) expected of but not favor for Muslim students’. For him, equating the Vice President with Abu Talib and as supporters of Muslims is incorrect since what he has done was his responsibility. He said;

I would not describe his action based on ‘favoritism’. I believe that he has done his job – a job any other person with a forward looking and impartial mentality or one who upholds the duty he shouldered as representative of the country and stands for the promotion of religious equality and pluralism would do. I know others would describe it as such but I don’t (Abiye, 2011; comment on Dereje, 2011: 21).

An announcement was posted on 20 November 2008 from the Office of the Dean of Students of Mekelle University that clearly warns all the students of the university not to involve in any religious-related activities either individually or in group. It says;

Since the University is free from the influence of religion and politics, the students’ social, economic and political interests are not its concerns. [...] hence, it is prohibited to organize along religious lines in any of the University’s campuses [...] and] we assure that we will take legal and administrative measures on those who involve in such illegal activities¹⁷².

Following this general warning, a written warning was given by the Students’ Dean Office for some Muslim students caught up leading group prayer and participating in group pray in an area which they customarily used for long on that similar day. Entitled “*Last Written Warning*” and reiterating some of the contents of the previous ‘general warning’ partially read as;

¹⁷¹ Abu Talib was the uncle of the Prophet Mohammed who never converted to Islam but was known for helping Islam and Muslims when they faced persecution by the non-Muslim Quraysh Arabs during the 7th c.

¹⁷² The letter is signed by Yemane Zeray, the Dean of Students of Mekelle University and bore the official stamp of the University

Student _____, whose name is mentioned above, involved in ‘illegal activities of group pray’ knowing that group pray is prohibited in all places of the campus including inside buildings and corridors. Hence, the University is obliged to write this last written warning for you to refrain from such illegal activities in the future – which will be attached to your personal file¹⁷³.

On 2 December 2008 some Muslim students were expelled from the University after temporary arrest by the University’s security guard caught up performing Friday group pray inside the campus. When the President of Mekelle University, Dr. Mitiku Haile, was asked about the reasons for expelling these students from the University, he replied; “he had tried to turn a blind eye and let the students do as they pleased even though he knew it was illegal under the school guidelines”¹⁷⁴ (Badr Magazine Annual Edition, 2008: 37). He emphasized that “his administration has been struggling with the *salat* (prayer) issue for several years” and now reached to its ‘intolerable stage’. The President further said that “he was under pressure from other religious groups [... demanding] to exercise their religious rights as the Muslims did”. Hence, it becomes beyond his capacity to manage all these demands and decided better to prohibit all, including Muslims who were tolerated for sometime. Interestingly enough, the Mejlis of Tigray National Regional State – where the University is situated – was not ready to react towards the expulsion of students and no sign of efforts to negotiate with the University’s Administration. The only thing it did was, it inclined towards ‘endorsing’ the decision of the University associating the problem solely with the behaviors and acts of the students (ibid). Muslim students of Addis Ababa University stood in protest first to show their solidarity with the Muslim students of Mekelle University and second to express their opposition against the Directive of MOE that ‘their basic and fundamental constitutional rights such as freedom of worship and wearing veil are non-negotiable rights’. They demanded the government to fully respect their religious rights. While Ethiopia was celebrating its 2nd millennium in

¹⁷³ A total of 12 Muslim students were warned on 20 November 2008 through the letter written from the Office of the Dean of Students of Mekelle University

¹⁷⁴ As some Muslim informants said, what is called as ‘school guidelines’ – probably for managing religious-related activities of students – had never been familiarized before with the students. In particular, “the Muslim students were not even told about the law that could possibly affect their lives until they gathered to make *salat*” (Badr Magazine Annual Edition, 2008: 39). We have realized that, some of the provisions of such guidelines as published and later distributed by the Office of Dean of Students contain elements of prohibition to ‘group pray inside the campus and dressing codes’ mainly related to headscarf or veil and making them illegal – if caught for complete dismissal.

2008, Muslim university students saw the MOE Directive as a ‘surprise’ that they never expected. Some of their banners vividly depict the ‘shocking news’ and their strong opposition to the directive as it undermines their religious freedom.

Is this should be the gift of the Ethiopian Millennium [for Ethiopian Muslims]? We, Muslim students of Addis Ababa University oppose the Directive of MOE and the disciplinary measures taken by Mekelle University! Nothing is more important for a Muslim than a *salat* (pray)! *Salat* is non-negotiable for Muslims! We stand with Mekelle University students! Our right to education can not be compromised! Ethiopia is for all, Muslims and non-Muslims!

And, the protesters emphasized that ‘not going to school is non-negotiable too’. Both are equally important for a Muslim. They presented their petition to the Office of Addis Ababa University President. The Administration, rather than directly answering to their questions, invited officials from the Federal and Addis Ababa Mejlis to respond for the students’ demands. Ato Elias Redman from the Federal Mejlis and Hajji Umer Idris from Addis Ababa Mejlis arrived soon. However, the two officials faced strong opposition and criticism. The students even demanded these two officials to immediately return back chanting that “*lezih yabekan Mejlis new, Mejlis aywokilenim, yiwutulin*” – literally means “it is Mejlis which is responsible for all these problems, Mejlis does not represent us and expel them out”¹⁷⁵.

The students’ resistance to discuss their problems with Mejlis representatives emanates from the loss of confidence over the Council and some consider it as ‘government agent’ which is behind all the problems that the Muslims are facing. Mejlis is alleged to be supportive of the 2008 law that prohibits niqab as wearing this religious attire is associated with Wahhabism. Elias Redman, as the Vice President of Mejlis at the time, reported to the US Embassy in Addis Ababa about the prevalence of niqab-wearing in Wollo and other parts of the country (including the capital) because of the spread of Wahhabi teaching which the Embassy officials call ‘Arab Cultural Imperialism’. The first of the three cables released by WIKLEAKS on “*Countering the Influence of Wahhabism*

¹⁷⁵ <http://www.blogethiopianmuslims.net/negashi/?m=200711>

in Ethiopia”¹⁷⁶ reveals that, the Embassy’s team (called Public Affairs Office – PAO) ascertained by its visit to Wollo from 3-5 June 2008 that, ‘due to the influence of Wahhabism’, “Wahhabi-style veils increasingly common throughout the countryside” (ibid). The PAO further ascertained that, “Muslim community in the area is under growing cultural and religious pressure to adopt Wahhabi ways” (ibid). The report says; “many women were seen throughout the villages wearing the traditional Wahhabi-style face veil that was not seen in Ethiopia until recent years” (ibid). It also estimates the number of Wahhabis in that particular area to be around 40 percent as told by the representatives of the Federal Mejlis that accompanied the PAO. These ‘Wahhabi-style of dresses and Wahhabi-ways’ were obviously seen in the context of cultural imperialism instead of religious piety. Mejlis was afraid of the growing influence of Wahhabism as it threatens its power-base at the center. Hence, it not only tried to purge Mejlis leadership from Wahhabis, as shall be seen in the next chapter, but also naturally works to abolish Wahhabi influence in all aspects of the religious life. Its effort to rehabilitate Sufi-shrines in different parts of the country such as Dire Sheikh Hussein of Bale, Jamma Negus of Wollo and Nejashi of Tigray all fall within its efforts of weakening the influence of Wahhabism.

As the document reveals, Mejlis told to the Embassy officials that Wahhabism is a threat not only for Mejlis but also for the Ethiopian and American governments and the regional instability as a whole. The Vice President (Elias Redman) stressed that, the Wahhabis involve in ‘money laundering through Islamic (Arab) Wahhabi NGOs from Ethiopian household workers in Arab countries to use that money for spreading its ‘extremist ideology’. As he said, this financial flow comes to Ethiopia without the knowledge of the Ethiopian government as ‘these NGOs leave no financial trail’ that can be tracked through the financial system (ibid). The Mejlis official also told the PAO that, religious conflicts between Christians and Muslims increased in several Ethiopian universities due to Wahhabi activism and influence. The representative of Mejlis tried to show how conflict is sown in Universities by Wahhabis. He said that, “[...] Wahhabi

¹⁷⁶ https://wikileaks.org/plusd/cables/09ADDISABABA1672_a.html

activists seek to establish first prayer rooms and then mosques [inside university] campuses”¹⁷⁷.

It is also to the conviction of the US government that religious conflicts within the Muslim community themselves and between Muslims and Christians to a large extent is attributed to the spread of Wahhabi teachings. The PAO said; the delicate balance of religious peaceful coexistence in Ethiopia is upset as “[...] Wahhabis seek to assert themselves on college campuses and in smaller towns outside the capital”. Normally, this comes to one’s surprise to hear such kind of accusation from the representative of the Muslim community to a foreign country. Obviously, from the speech of the Mejlis representative to PAO, Mejlis is no more in support of having ‘prayer rooms’ for Muslims in educational institutions or has no any alternative suggestion for Muslim university students. It was once the Prime Minister of Ethiopia Meles Zenawi spoke about the illegality of demanding to ‘establish mosques inside Mekelle University campus’ probably ‘misinformed by Mejlis officials that Mekelle University Muslim students are demanding to build mosque in the University’¹⁷⁸. Overall, Mejlis has no good reputation among Ethiopian Muslims – particularly from those activists and educated elites including university students.

The resistance of Addis Ababa University Muslim students to discuss their ‘religious’ concerns with Mejlis officials, therefore, should not come to one’s surprise considering ‘its previous roles in managing these problems in collaboration with the US and Ethiopian governments’. The response of Mejlis officials comes to no surprise for the Muslims as it was reiteration of the government’s stand what they heard from University officials; “the law is for all – Muslims and Christians alike – no special treatment for or discrimination against Muslims”¹⁷⁹.

¹⁷⁷ https://wikileaks.org/plusd/cables/09ADDISABABA1672_a.html

¹⁷⁸ Badr Magazine Annual Edition, 2008: 40. International Ethiopian Muslims Federation

¹⁷⁹ Interview with Mohammed Arega - former student of Addis Ababa University on 15 December 2015

Concluding Remarks

The 1995 FDRE Constitution accorded a significant protection to public manifestation of religion. It provides limited restrictions as ‘prescribed by law’ and only when necessary for the ‘protection of public safety, peace, health, education, public morality, or the fundamental rights and freedoms of others and to ensure the independence of the state from religion’. However, the 2008 Directive of the Ministry of Education and other subsequent regulations of educational institutions pose threats to this constitutional protection. This is because, for one thing, the restrictions go beyond the grounds of restriction as ‘prescribed’ in the constitution and for the other, they allow the restriction of religious worship and symbols where ‘necessity’ does not actually exist. All the grounds mentioned in the Directive that necessitated for its promulgation, for example, are either not listed in the constitution or are not directly related to the purposes intended to be achieved. Enforcing arts 25, 27 and 90(2) of the constitution and art 2.2.7 of the 1994 Education and Training Policy of the TGE are all irrelevant for this case in a sense that the Directive either contradicts them or not directly related to the intents of these provisions. Generally, the government could not justify its measures on grounds of public safety, peace, health, education, public morality or protecting the fundamental rights and freedoms of others as stated in the constitution as such religious observances (wearing niqab and congregational pray) have nothing to do with such issues.

The only ground, subject to justifiable reasons, left for the government to defend its measures is ‘the principle of secularism’. Even in this case, these practices of religious beliefs in educational institutions did not involve ‘undue religious influence’ on government’s provision of secular education stated under art 90(2) of the Constitution and the 1994 TGE Education and Training Policy. The principle of secularism does not sufficiently provide a legitimate ground for the government to expel religious symbols and worship from public places. Secularism is a constitutional regime for the state rather than a way of life for individuals. Secularizing government institutions and secularizing the people are two different things. Wearing religious symbols in public places could not violate the principle of secularism. The religiosity of students in schools does not mean

the non-secularity of education. The secularity of education is rather related with the school curricula being free from the influence of religious dogma.

Moreover, the principle of secularism, as it is stated in the Constitution and defined by the constituent-assembly minute, is not a sufficient justification for restricting religious freedom in educational institutions. In circumstances where the law disproportionately affects some religious groups more than others, it would also be difficult for the government to defend that “the law is non-discriminatory and applied in a non-discriminatory manner”. Though, it claims to be neutral and applied on all religious communities, the target is Muslim women’s niqab and congregational pray. Hence, it is better for the government to discard laws that formalize ‘wholesale ban’ against public manifestation of faith that affect Muslims disproportionately. Even worse, a top-down approach of secularism imposed by the government is nothing but a reflection of government intervention in religious affairs and violation of human rights. In line with the multinational and multicultural concept of federalism, the government needs to adopt and practice a more tolerant version of secularism respecting the values of various religious communities in the country.

CHAPTER SIX

CONTESTED SECULARISM: THE AHBASH CONTROVERSY

Introduction

Before Mejlis's official invitation of the Association of Islamic Charitable Projects (popularly called Ahbash)¹⁸⁰ in 2011 from Lebanon as a counter-balance to 'the threats of Salafi/Wahhabi'¹⁸¹, the government was generally restrained in its own affairs and abstained from interfering in the freedom of believers to hold or adopt a religion of their choice. The government, instead, co-opted for recruiting 'regime-friendly' leaders for key posts in religious institutions (Abbink, 2007; Ostebo, 2010). As much as possible, it worked for making religious leaders pro-government in their views and actions but never engaged for the change of the practice of a certain religious community towards what is termed as 'moderate version' as the case was seen in the Ahbash controversy. However, this 'neutrality' of the state policy in purely religious affairs has changed with the attempt of Mejlis to 'sponsor Ahbashism'¹⁸² and disseminate its religious philosophy over Ethiopian Muslims (Ewunetu Yih New, 2012). This move heralds the shift of the 'government policy' from what is generally termed as 'containment of Islam' to a policy of forging its own version of 'governmental Islam' (Ostebo, n.d: 1).

The Mejlis leadership and the Ethiopian government were of the opinion that the 'moderate religious teachings of Ahbash, its policy of non-involvement in political

¹⁸⁰ What need to be cautioned for my readers at this juncture is that, though Ahbash is generally seen within the broader context of Sufi-Salafi conflict and debate, Ethiopian Muslims dismiss Ahbash as part of the Sufi order and instead call it as 'heresy and deviant' (Ubah, 2012; Jemal, 2012; Ahmedin, 2012).

¹⁸¹ At the risk of oversimplification of their differences, from now on I will use them interchangeably as the Salafis are locally (in Ethiopia) called Wahhabis. Readers need to note that, while all Wahhabis are necessarily Salafis the reverse might not be true. The Salafis advocate for the return of practicing pure Islam as was practiced during the time of the Prophet Mohammed or their pious ancestors. They differ only in degree towards a certain interpretation of the Quran, otherwise similar in most cases. For example, both oppose to impious rulers, support for the establishment of a caliphate, advocate for the enforcement of *shar'a* rule by the state, favor Quranic literalism, interpret jihad as a holy war and personal piety, and distaste for Sufism (Furnish, 2013).

¹⁸² Ahbashism is a name given by Ethiopian Muslim activists for the officially sanctioned campaign in the name of 'religious tolerance training' supposedly organized by Mejlis all over the country but practically masterminded and sponsored by the Ethiopian government (see for example Yunnus Hajji Mul'ataa, 2013).

matters and advocacy for peaceful coexistence between Muslims and non-Muslims¹⁸³ could help them in winning their common battle against so-called Salafi/Wahhabi extremists (Yehaimanot, 2011). Ahabash, as a religious group operating in Lebanon and other parts of the world, loudly expresses its motto of ‘Resounding Voice of Moderation’ in which it avows for its firm implementation¹⁸⁴. It speaks and writes against those extremist groups who favor religious violence, terrorism, and fundamentalism to achieve their religious and political goals. It, instead, supports peaceful coexistence among different religious groups. It expresses its firm belief in the importance of a secular government and opposes involvement in political affairs (ibid) as opposed to Salafis/Wahhabis who know no distinction between these two institutions (Kabha and Haggai Erlich, 2012: 534). The Ahabash declare that, “they do not oppose lawful, established governments, and it is not their business to intervene in politics, surely not to change rulers through assassination” (ibid: 526).

Partly considering its background as Ethiopian led by Abdullah al-Harari of Ethiopian descent in Lebanon and partly convinced with its teachings of ‘religious moderation and secularism’, the EPRDF government seems attracted by the ideologies of Ahabash. Its leader Abdullah al-Harari came to Ethiopia several times before and after the coming to power of the EPRDF government in 1969, 1995 and 2003 but without official invitation from the Ethiopian side¹⁸⁵. He has received strong welcome from Ethiopian Muslims, particularly in his home town of Harar (Kabha and Erlich, 2012). His repeated visit of Ethiopia and contact with government officials enabled the organization to establish the al-Ahabash center near the old airport in Ethiopia¹⁸⁶ even before the 2011 controversy. When asked by Mejlis for Ahabash’s invitation, the government – particularly the Ministry of Federal Affairs (hereafter, MoFA) – was less hesitant to involve in religious affairs less fearful of breaching the principles of secularism (art 11) and freedom of religion (art 27) as enshrined in the 1995 FDRE Constitution and other international laws

¹⁸³ <http://www.aicp.org>

¹⁸⁴ <http://www.aicp.org>

¹⁸⁵ Prime Minister Meles Zenawi has planned to officially invite Sheikh Abdullah al-Harari in 2008 but never materialized due to the natural death of the Sheikh in September of the same year (Ostebo, n.d; citing Erlich, 2010: 178). The reason for the Prime Minister to invite the Sheikh was “to energize his kind of Islam throughout Ethiopia” (ibid).

¹⁸⁶ Information obtained from Dereje Feyissa (2015).

and agreements. The speech of Dr. Samir al-Qadi – the vice president of Ahabash – at Ghion Hotel was one indication to the invitation of the organization by the Ethiopian government. He explicitly thanked the Ethiopian government for inviting his organization to disseminate the message of peace and tolerance¹⁸⁷. The chief Minister of MoFA, Dr. Shiferaw Teklemariam, who personally attended the religious meeting held at Ghion Hotel later spoke to the media about the importance of the training and the need to organize similar trainings by the government (Ostebo, n.d). The government also praised the ‘tolerant’ nature of Ahabash and endorsed the Sufiness of its teachings that are relevant to Ethiopia (Meles Zenawi, 17 April 2012 – Parliamentary Speech). The April 2012 parliamentary speech of the late Prime Minister of Ethiopia was one hint for the support of the government for the Ahabash religious organization. It was said that, Ahabash is no more alien to Ethiopia since its leader was an Ethiopian descent and their advocacy for the peaceful coexistence of Muslims and other religious adherents was deeply appreciated. However, the government denied its involvement. According to different government sources (Addis Raey, 2012: 21-23), it is only the Mejlis that invited Ahabash from Lebanon. The role of the government was limited in delivering speeches related to constitutional rights and duties at the beginning of the training and providing security for the trainees and trainers (ibid). Muslim activists, on the other hand, claim that the Mejlis leadership, though undeniably takes the lion’s share, MoFA played an active role in the promotion of Ahabash and the coming to Ethiopia of its scholars.

This chapter evaluates the extent to which the government involved in the promotion and dissemination of Ahabash (Sufi) religious teaching and how plausible the claims of the activists are. Since the controversy revolves around the moderate Sufis (in this case Ahabash) supposed to be tolerant and apolitical backed by the government and the radical Salafis as intolerant and politically active excluded by the government, first, I found imperative to highlight some of the differences between these two groups and appraise the fear of the Ethiopian government for religious extremism from international and geopolitical contexts. The next part exclusively deals on Ahabash, its origin and

¹⁸⁷ (<http://www.youtube.com/watch?v=-aSvQFmMuc>, Conspiracy of Ethiopian Government and the Ahabash Cult.

connection to Ethiopia. In this part, I also deal with the roles of Mejlis, the Ethiopian government and other international actors in the conflict through sponsoring Ahabash and Ethiopian Muslims reaction. Finally, I appraise the government's fears of the emergence of political Islam in the form of establishing an Islamic government and examine the practical evidences and its plausibility from the perspectives of the Muslim activists and the community.

6.1 Sufi – Salafi Distinctions: Some Reflections

For the sake of clarity, Sufism and Salafism are not separate sects within Islam but differ only in their interpretations¹⁸⁸. Both of them support the necessity of applying *shari'a* law (Islamic law) but the focus of the former is on individual devotion and direct relationship between God and man instead of the wholesale implementation of *shari'a* law on all of mankind. In most cases, Sufis reject the notion of violence to achieve their goals as opposed to the Salafis who believe that believers should be agents of social change to improve worldly affairs as well (Muedini, 2015). The Salafis¹⁸⁹ advocate that 'a polity governed by *shari'a* (*Dar ul Islam*)' is necessary to bring about justice in a society and individual believers need to work for the realization of this conviction as part of their religious commitment (Abdi, 2015). In effect, the group advocates that Salafi-dominance in all aspects of life (including politics) is a precondition to implement their convictions (ibid).

Originally, the Sufi practice started during the time of the Prophet Mohammed where his followers were drawing inspiration from his words and deeds (Engineer, 2010). They

¹⁸⁸ Islam has two major branches; Sunni (around 85 percent of the world's Muslim population) and Shia (15 percent). The division between them came just after the death of the Prophet Mohammed in 632. Some groups advocate to passing on the leadership privilege to Ali - the cousin and son-in-law of the Prophet - called in history as Shiat Ali (the Party of Ali) or Shia. The vast majority of Muslims opposed this proposal and preferred to rely on tradition to choose their next leader (caliph) from among the prestigious in the community. Those who follow this path later came to be called as Sunni implying as followers of the tradition of the Prophet or Sunna. Abubeker, a close friend of the Prophet, was chosen as the first caliph. Ali was passed over for the position three times. He was elected as a fourth caliph but later assassinated. Nonetheless, in terms of confession, both Sunni and Shia are united in their faith in Allah/God, the Quran and the Prophet Mohammed. For detailed information on this and other distinctions between the Sunnis and Shiites you can see John Esposito (2010), *The Future of Islam*.

¹⁸⁹ Sometimes Salafis are called interchangeably as Wahhabis but it is rather an externally-imposed name given to them by their detractors – usually Sufis – which they dislike to be called in this name (Al-Zekri, 2004; Rand Corporation, 2009).

closely watch his activities and lived around him imitating his practices called as *ahl al-suffa*¹⁹⁰ (ibid). These were considered as the first Sufi Muslim community in the world but later themselves divided into several schools of thought (ibid)¹⁹¹. Spiritualism is the main focus of the Sufis and perfecting their inner egos by minimizing the greed for materialism is their ultimate goal. Those who achieve the highest level of spiritualism through religious learning could be role models for the masses to be followed. Moreover, the Sufis encourage integrating the cultural norms of the society, which they are operating, into their religious teachings. In other words, they are accommodative of local cultures through Islam where it enabled them to attract large number of followers. They preach for co-existence with different cultural practices by assimilating them into Islam that enhances their appeal to the masses. They are generally more of inclusivist rather than exclusionist of cultural practices of the community. Their practice has been received with great enthusiasm and support from multicultural societies across the world (Engineer, 2010).

With regard to politics, the Sufis preach non-involvement in political affairs by gearing their whole efforts towards spiritualism. They engage in appealing for love instead of power or authority. Hanieh (2011: 181) for example, provides that, “in its creed, Sufism does not advocate any form of direct political engagement or association with political activities”. Sufism generally preaches to remain peaceful and apolitical. For example, some Sufi orders in Jordan advocate for abstinence from involving in politics. The most known Sufi Sheikh who was regarded as the founding father of Sufism in Jordan, Sheikh Mohammad Said al-Kurdi never engaged in politics and focused on purifying the self through spiritualism. The position held by Sheikh al-Kurdi was further endorsed by Sheikh Husni al-Sharif when he says “we have no business in politics, at any level. We only work on reforming the individual; if the individual is reformed then society is reformed. Indeed, our creed is ‘We seek refuge in God from the devil and from politics’” (Hanieh, 2011: 183). The Nur Movement founded by Said Nursi (1876-1960) in Turkey, affiliated with Sufi teaching, emphasized ascetic position and avoided involvement in

¹⁹⁰ Ahl al-suffas are those people ‘who sat on a place outside the Prophet’s house and used to practice very simple life’ (Engineer, 2010).

¹⁹¹ The four schools of thought in Islam are the Shafi, Hanafi, Maliki and Hanbali.

politics (Kuru, 2006). The Movement mainly focuses on religious teachings by avoiding politics and issues related to secularism leaving it to politicians. Its founder Said Nur is quoted saying that “Ninety-nine percent of Islam is about ethics, worship and the hereafter, and virtue. Only one percent is about politics; leave that to the rulers” (Kuru, 2006: 6). The Gulen Movement organized and initiated by Fethullah Gulen was another religious movement in Turkey which focuses on education and religious teaching instead of involving in politics. It opened more than four hundred schools in fifty countries across the world (Kuru, 2006: 7), including the Ethio-Turkish School in Ethiopia (Dereje and Bruce Lawrence, 2014).

This, however, does not mean that all Sufis have the same stand on the role of religion in politics as some advocate for active involvement depending on the circumstances of time and space. In some instances, the Sufis may be even more violent and politically active to defend their interests and justify violence to fight against authorities in power. Their fierce resistance against the colonial regime was seen both in Africa and the Middle East. The Sufi-oriented Mahdist Movement of Sudan and Somalia directed against the British colonial power were good examples (Dereje and Bruce Lawrence, 2014). The Mahdist Movement of Sudan, led by a Sufi leader Mohammed Ahmad, who proclaimed himself as Mahdi (one who is guided by Allah), expressed its social, political and religious grievances against the British (Egyptian) colonial rule at the end of the 19th c (Erlich, 1994: 65). Interestingly enough, after independence, the Mahdists established an Islamic State of Sudan modeled on the seventh century Islamic State of the Prophet (ibid). Mohammed Abdille Hassan (died in 1920) nicknamed by his detractors as ‘Mad Mullah’ from the Sufi community of Somalia was very famous in fighting against the British colonizers (Furnish, 2013: 10) through an Islamic jihad (Erlich, 1994). One of the renowned Sufi Center in Ethiopia, Jamma Nigus in Wollo, had witnessed the most violent conflict between the Sufi-oriented Muslims and the Christian King of Ethiopia. Its leader Sheikh Mohammed Shafi – who rejected the legitimacy of the Christian King to administer his Muslim population – declared *jihad* against the King and resulted in devastation of the area by the two forces (Dereje and Bruce Lawrence, 2014).

The Salafi groups on the other hand emerged as ‘opponents’ to the practice of Sufism. The Salafis perceive the Sufis as ‘corrupt and spoiler of the true Islamic teaching’. The word Salafi comes from *al-salaf* which means ‘pious predecessors’ signifying the return to ‘pure Islam’ (Moussalli, 2009: 11). The beliefs of the Salafis entails that some of the practices of the Sufis such as visiting tombs, saint veneration and the conflation of Islam with cultural practices spoils the religion and tries to purify from such practices. They consider such practices as *shirk* (associating partners with Allah), which is one of the greatest sins in Islam (Engineer, 2010). By doing so, the Salafis are more of exclusionist where people who practice such activities are rejected from the Muslim *ummah* labeled as *kufar* (non-believers). They instead advocate for the return of the Muslim *ummah* to pure Islam based on the teachings of Quran and Hadith. For this reason, they are sometimes called as *Ahl al-Sunna* (Engineer, 2010; Moussalli, 2009)). They are also inappropriately labeled as Wahhabis following the teachings of ‘pure Islam’ by Muhammad ibn Abdul Wahhab (1703-1792). Abdul Wahhab saw the widespread practice of Sufism as *shirk* and tried to entrench what he believes ‘the teachings of pure Islam’. In his fight against the Sufis, he combined political power by aligning himself with the Saudi royal family (Engineer, 2010). He and his close circles regarded the practices of Sufis as against the principle of *tawhid* (oneness of Allah) and accused of all the Sufis as non-believers (Moussalli, 2009). The Sufis however reject the definition of *kufar* as propagated by the Wahhabis and argue that ‘intercession (intermediary role of saints between man and Allah) does not elevate a human person to the level of Allah and should not be interpreted as *shirk* or does not justify for labeling a person who practice this act as non-believer (Engineer, 2010; Moussalli, 2009).

It is obvious that ‘an ideology of purity’ leads to extremism where others supposed to be non-pure face denunciation and attack (both verbal and physical). The Salafis, in most cases, consider other groups as non-pure and by implication *kufar*. They are anti-pluralist by their orientation and religiously intolerant to other believers (Esposito, 2010). They instead work to promote and impose their own version of Islam on others. The strategy of imposing their religion as a mandate for fulfilling the commands of God obviously entails violence and extremism (ibid: 77). For this reason, the appeal of Sufism for spirituality,

tolerance, peaceful coexistence with other religions and cultures, and their little zeal for worldly affairs attracts many policy-makers and politicians across the world to encourage and promote their practices and teachings often at the exclusion of Salafism. The multicultural nature of many of the world states today even made Sufism as an 'ideal candidate' for states to work with and promote its ideologies and teachings.

6.2 Promoting Sufism for Countering Religious Extremism and Political Islam

The 9/11 terrorist attack on the World Trade Center and Pentagon in the United States just ushered an era of global terrorism and its logical consequence of employing methods of counter-terrorism strategies by state and non-state actors. As the victim of this attack, the US took the lead in countering terrorism through forming what is termed as 'an alliance of the willing' (Esposito, 2010). To avoid the flavor of the war as West (Christian) vs. Muslim, the US policy-makers developed a strategy of recruiting Muslim partners (at state and individual level) who are believed to be 'moderate, tolerant and friendly with Western governments and western way of life' (ibid). Many have come up with an idea that countering terrorism by military might alone could not be a solution unless some sort of cooperation is made with moderate Muslims against hard-line extremists (Muedini, 2015). Hence, they started to sponsor 'friendly and tolerant Muslims' for their ideology to prevail over extremists. In this regard, Sufism became the preferred candidate for them as an 'ideological weapon' to attack the Salafi extremists.

Following the July 7, 2005 London bombings by terrorist groups, the British government, in addition to its military measures against the suspected terrorists, officially declared the creation of the Sufi Muslim Council for countering the ideology of extremism (Muedini, 2010). Some British politicians were open enough in supporting Sufism as one strategy for fighting terrorism. As presented by Fait Muedini (2010: 2), Ruth Kelly, the Secretary of State for Communities, said that "Organizations such as the Sufi Muslim Council are an important part of that work. [...] I welcome the Council's core principles condemning terrorism in all its forms and its partnership approach to taking forward joint initiatives and activities". Another British politician called Maqsood Ahmed was also quoted in

2009 saying that, “Until two years ago there was no voice, a voice of love and peace reaching us in the government”. Despite the government’s effort for developing the message of peace and tolerance through Sufi organizations, the result was contrary to what was supposed to be achieved. It created tensions instead of peace as the organization was seen as ‘government puppet and power grabber’ (Muedini, 2010). Many British Muslims opposed the act as it signals the interference of government in ‘purely religious affairs’ contrary to the principle of separation of state and religion. Supporting a Sufi order of Islam at the exclusion of others would amount to unwarranted state intervention in religious matters. It was just lately that the British government dropped its policy of favoring Sufism recognizing its backlash effects in fomenting tensions between different religious communities and against the government.

In the aftermath of 9/11, many US policy-makers and analysts came across that ‘sponsoring Sufism could be one possible strategy for fighting (Islamic) terrorism’. The 2003 discussions among intellectuals and policy analysts resulted in the production of the 2004 report entitled “*Understanding Sufism and Its Potential Role in US Policy*” (Muedini, 2010: 3). The discussions mostly revolve around the need for promoting Sufism in US foreign policy. It also included suggestions for “rebuilding Sufi shrines and creating financial funding for Sufi education centers [... and] protect historical Islamic documents that focused on religious inclusivity” across the world (Muedini, 2010: 3). The President of World Organization for Resource Development and Education, Hedieh Mirahmadi ‘advised the US officials’ to use “US aid to restore Sufi shrines overseas, to preserve and translate its classic manuscripts, and to push governments to encourage a Sufi renaissance in their own countries” (ibid). The US policy of encouraging the practices of Sufism was mainly emanated from the policy-makers’ belief that Sufis are more tolerant than the Salafis or Wahhabis. When a Sufi mosque was built in downtown Manhattan, there was strong opposition and public outcry. In response to the public outrage, the New York State Governor David Paterson was quoted saying that, “this group who has put this mosque together, they are known as the Sufi Muslims. This is not like the Shiites [...]. They are almost like a hybrid, almost westernized. They are not really what I would say the sort of [... mainstream] Muslim practice” (Muedini, 2010: 4).

From the Governor's response, it is understandable that his government is encouraging Sufis (rather syncretic, mystical or hybrid Muslims) as they are different from mainstream Islam and hence tolerant. The tendency was to encourage those westernized and modern Muslims against the 'uncivilized radical Muslims'. The policy of dichotomization of Muslims as 'good and bad guys' (Mamdani, 2002) was so visible in his speech where Sufis are acceptable as good as opposed to the bad guys of Shiites and other politically active non-Sufi Muslims. The Head of Islamic Supreme Council of America blatantly said that "if the United States wants to succeed in this battle [counter-terrorism], it is very simple: [it ...] must reach out to non-Wahhabi Muslims. It is a no-lose proposition" (Furnish, 2013: 21). Another individual complimented that, "Sufism is [...] an indispensable element in any real solution to confrontation between Islam and the West" (ibid).

Taking into account of the leading political and economic role of the United States, it should come as no surprise that its policy of promoting Sufism has influenced other states' policies in handling their Muslim communities and countering religious extremism. Many countries in the world, if not all, followed suit.

6.2.1 Countering Religious Extremism and Political Islam in East Africa

In more recent years, Sufism has gained state-backing for disseminating its ideology and teachings. East African countries (Djibouti, Somalia, Sudan, Eritrea, Kenya and Ethiopia) initiated policies and strategies for supporting the activities of Sufis in their fight against terrorism and in their bid to secure US aid 'invested for rehabilitating Sufi shrines and teachings across the world'. The US government believes that, the weak state structures of East Africa, in some instances failed states, have created opportunities for the international terrorist organization of al-Qaeda and the infiltration of other regional terrorist organizations that would threaten its interests in the region (Rand Corporation Report, 2009). Due to its geographic proximity with the Middle East, where most 'radical Muslims' – what they call Wahhabis – are engulfed, and the porous nature of state boundaries, East African region creates a safe haven for terrorist organizations to reside and operate freely. It is convinced that, Wahhabism/Salafism has gained support from

educated elites and its radical 'Islamist' ideology is entering into the ranks and files of the local community that eventually would threaten the peace and stability of the region. Despite the fear, they are also optimistic in some regard where the practice of Sufism and mystical Islam are still predominant in the region to counter the extremist ideology of the radicals (Rand Corporation Report, 2009: xi-xii). One of the counter-terrorism strategies of the US government in this region is to "identify mainstream and Sufi Muslim sectors and helping them propagate moderate interpretations of Islam and delegitimize terrorism" (ibid: xii). In addition, the US Government encourages many of East African countries to support and sponsor Sufi practices (Furnish, 2013).

Hence, sponsoring Sufism became a government 'choice and agenda' in Djibouti, Somalia, Kenya and Ethiopia (Abdi, 2015). They invested their best in promoting Sufi education, securing Islamic organizations to be filled by Sufi leaders and encouraging Sufi shrines to flourish through state-sponsored rehabilitation program and visiting such sites. The governments of Djibouti and Somalia (Somaliland), for example, have governmental religious agencies to register and monitor religious activities (Rand Corporation, 2009: 30). Both authorities discourage the activities of Wahhabis and have strategies for subsidizing mosques and paying salaries for *imams* who are supposed to be moderate and Sufi (ibid). The government of Kenya organized and hosted several regional and international Sufi conferences in its jurisdictions. For instance, a three-day conference was held in the city of Mackinnon in August 2015 by Sufi clerics from Kenya, Somalia, Tanzania, Uganda, Ethiopia and Democratic Republic of Congo named as "*The International Sufi Conference for East Africa*" (Abdi, 2015: 2). The conference was organized with the purpose of countering religious extremism and finding alternatives to the radical stands of the Salafi groups in the region. About 300 delegates from Sufi orders took part from these countries. The Ethiopian Grand Mufti Abdullahi Sherif Ali and a Sufi scholar from Kenya Abdulkadir al-Ahdi were among the keynote speakers in the conference (Abdi, 2015: 1). Among other things, the participants reached an agreement about the encouragement and promotion of Sufism in the region to undermine the activities of the radicals and countering religious extremism. With this aim in mind, they unanimously agreed that, support from regional states was imperative and

agreed to push their own respective governments to support their efforts in the rehabilitation of Sufi practices. The Kenyan government, which was a victim of terrorist attacks in Nairobi and Garissa University, was at the forefront in the promotion of the Sufi order as an alternative to the Salafi ‘exclusivist, puritan and intolerant groups’ (Abdi, 2015: 2).

Encouraging Sufism, which might be tolerant than the Puritan and exclusivist Salafis, might not be bad in itself. But it has been done in sharp contradiction with the principle of state impartiality in the treatment of different religions as it heralds state favoritism of a certain religion at the expense of the other. Sufism, which is sometimes called as ‘popular Islam’ with large number of followers across the world has been discredited recently due to ‘government support’ in many countries. By the very day when the state intervened to sponsor Sufism, it ceases to be ‘the religion of the people – popular Islam’ rather becomes ‘the religion of the government – governmental Islam’. Put simply, the states’ policies have a damaging effect – not only on Salafism – but also on Sufism. The act of governments either promoting or demoting a certain religious activity – though its target might be fighting violence and terrorism – sends a negative message to the society that ‘the government is involving in religious matters in favor of one excluding the other’. This in turn fuels tension between those perceived to receive government support and those excluded. By doing so, the governments’ policies eventually might end up in fomenting conflicts and violence. Even more, the strategies of governments are exclusionist in themselves where all the Salafis (both non-violent and violent groups) are excluded and often face wholesale denunciation as extremist and intolerant. Nowadays, Sufis are becoming more intolerant towards the Salafis labeling them as *kufar* (non-believers) (Ramadan, 2004: 29). In Somalia, for example, it becomes an accepted discourse to denounce the Salafis as apostates (Abdi, 2015). The Sufi representative and secretary of the *Ahl al-Sunnah wal-Jama’ah* of Kenya Omar Said Omar expressed his personal endeavor and his religious organization’s commitment to eradicate the Wahhabi extremists from the Kenyan soil in particular and the Horn of Africa in general. One of the strategies devised was to demolish school teaching materials prepared by the Wahhabis as they preach extremism and the persecution of non-Muslims. “Collecting all

the materials and CDs prepared by Wahhabis and burning them is a better solution”, he said (Weekly Citizen, October 2015). He even call for all Sufi Muslims in East Africa to come together in this campaign and improve the schools syllabus to inculcate the idea of peace and tolerance (ibid). His organization’s stand is obviously clear and is anti-Wahhabism with no exception. In Ethiopia, the Mejlis leadership and the government publicly allege the Salafis as fundamentalist and extremist (Meles Zenawi, 17 April 2012, Parliamentary speech). Participants of the ‘Haramaya Religious Tolerance Training’ organized by Mejlis and MoFA held at Haramaya University Campus in September 2011, at their conclusion, condemned the Wahhabis as ‘anti-Muslim and anti-peace force’ and recommended for Mejlis to take ‘appropriate measures’ against the group (Yemuslimoch Guday, 2012: 283). Wholesale condemnations of the Salafi groups, who are accused of ‘extremist and intolerant behavior’, further radicalize this group which makes countering terrorism even more difficult. In a nutshell, the strategy of promoting Sufism as an instrument to counter religious extremism would have a negative impact on the peace and stability and public support for the government. It would not be a long-term solution as states are now deeply involving in religious affairs often encouraging sectarianism among religious groups. Inclusivist strategy and keeping state impartiality in the treatment of different religious groups should be the better way for dealing with religious extremism and fighting terrorism.

As stated above, the coming to the scene of Ahbash in competition in the religious field in Ethiopia became controversial and caused public protest. Ahbash is often portrayed as part of the broader Sufi-order and praised as tolerant and moderate. Its coming to Ethiopia – in particular from Lebanon – and the promotion of its teachings are part of the broader context of sponsoring Sufism in the world as part of counter-terrorism strategy. Sufis in Ethiopia, through the Mejlis leadership, has so far received plenty of financial aids and moral support from the US Embassy in Addis Ababa. Different government offices of the Ethiopian government (Federal and Regional) involved in the process where some received such supports on behalf of the (Sufi) Muslim community¹⁹². Many Sufi centers in Ethiopia such as Jamma Nigus and Dire Sheikh Hussein shrines were

¹⁹² http://wikileaks.org/plusd/cables/09ADDISABABA1672_a.html

visited by the former US Ambassador to Ethiopia Donald Yamamoto as ‘sites for potential Ambassador’s Fund for Cultural Preservation Grant’ and some received a handsome amount of money. Mejlis is also appealing now and then for the US Embassy that ‘it will be part of the alliance to fight Wahhabism if the Embassy continues its financial and moral support’¹⁹³. The invitation and promotion of Ahabash is part of its job to subscribe itself in the US payroll and enhancing its ‘legitimacy’. The Ethiopian government, as part of the ‘alliance’ – naturally could not be out of the US strategy for fighting terrorism through the promotion of moderate and tolerant religious groups in East Africa. After all, Ethiopia is praised as ‘a reliable partner’ for the US Government in its fight against terrorism in the Horn and beyond (American Foreign Policy Council, 2010: 8). The United States of America, through its East Africa Counter-Terrorism Initiative (EACTI), has also provided counter-terrorism trainings for several countries in the Horn of Africa, including Ethiopia, Djibouti and Kenya (Rand Corporation, 2009: 72).

The Ethiopian government has shown clear inclination towards the promotion of Ahabash teaching in Ethiopia being Mejlis used as a surrogate. However, the alliance of Mejlis and the government for supporting Ahabash has attracted widespread opposition and condemnation from the Muslim public with a backlash effect on the peace and stability of the country. The program of promoting Ahabash through training and allowing it to penetrate the leadership of Mejlis as can be seen below was far from being smooth and success.

¹⁹³ See for example a letter written by the former Mejlis Vice President Elias Redman to the US Embassy in 2008. Addressed to the US Embassy in Addis Ababa and entitled ‘*Acknowledging Your Support*’ with reference number S/C/1883/60/2008 reveals the Council’s close attachment with the Embassy in fighting Wahhabism in Ethiopia. It requests the Embassy to continue their financial and moral support to eradicate Wahhabism from the Ethiopian soil.

6.3 Ahabash and the Ethiopian Muslim Protest

6.3.1 Ahabash: Origin and Development

Ahabash is believed to be established in Lebanon in 1930 under the leadership of Sheikh Ahmad al-Ajuz as a small philanthropic project and spiritualist movement officially named the Association of Islamic Charitable Projects (AICP) or *Jamiyyat al-Mashari al-Khayriyya al-Islamiyya* (Hamzeh, 1996: 3). The association was later overtaken by the followers of an Ethiopian Sheikh named Abdullah al-Harari also called as al-Habashi – to signify his origin – in 1983 and popularly became Ahabash. He presided over the association starting from 1983 following the death of Sheikh al-Ajuz in the same year. Its name al-Ahabash or Ahabash¹⁹⁴ is derived from its leader Abdullah al-Harari to refer to his Ethiopian origin. Abdullah al-Harari was born around 1910 in the city of Harar, where many Muslims consider as the fourth holy Islamic city¹⁹⁵ (Desplat, 2005: 488). As “one of the leading *alim* (Islamic scholar), pious worshiper and exemplary *ulema* in the religion of Islam”, al-Harari is believed to be the preacher of the correct belief of *Ahl al-Sunnah wal-Jama’h*¹⁹⁶. Ahabash claimed full commitment for the continuation of Sufi practices in Islam and defending them against its ardent foe – the Salafis. Unlike the mainstream Sufi order, the Ahabash however are aggressive against their opponents and are also very active in political, social and religious activism. They are very offensive against their Salafi/Wahhabi opponents (Hamzeh, 1996: 5).

According to Mustafa Kabha and Haggai Erlich (2012), the contemporary rivalry between the al-Ahabash and Wahhabi groups of Ethiopian Islam rooted in the ancient Islamic city of Harar. Harar was incorporated to the Christian-dominated Empire of Ethiopia in 1887 following the defeat of its leader Emir Abdullahi at the battle of Chelenqo by the expanding forces of the future Emperor Menelik II (r.1889-1913) (Bahru, 2002). The incorporation of Harar into Ethiopia had a far-reaching implication on

¹⁹⁴ The term al-Ahabash is denoted in Arabic to indicate the country of origin of the leader of the organization.

¹⁹⁵ Patrick Desplat (2005: 488) however stresses the fact that this claim of Harar as the fourth holiest city in Islam ‘involves the reinvention of a weak local tradition by today’s tourism sector [Harari Regional State tourism sector]’. Nonetheless, it is undeniable that the city of Harar remained the center of religious learning and attracted students from different parts of the Horn of Africa.

¹⁹⁶ <http://www.aicp.org>

Harar, especially on its Islamic teachings and character. As the Christian-dominated administration, the rulers from the Center (Addis Ababa) obviously were not happy to see a strong Islamic teaching center in their kingdom. They rather interested to weaken Islamic influence in all parts of Ethiopia (Clapham, 2013). Emperor Menelik – though generally ‘accommodatolist’ of religious differences – was famous for his policy of inducement of Muslim elites through incentive and persuasion (Markakis, 1974). Those moderate Muslims who accepted his suzerainty were rewarded with titles and maintaining their leadership provided that they accept the Christian-dominated administration as legitimate (Clapham, 2013). He, however, was harsher in the administration of Harar because of the stiff resistance from the local Muslim population and was aggressive to weaken the Islamic identity of Harar (ibid). Emperor Haile Selassie (r.1930-1974), like his predecessor Menelik, did his level best to divide the city’s Muslim population along doctrinal lines to weaken their political leverages. It was in this atmosphere that the two rival Islamic teachings emerged under the manipulation of the central imperial government (*Yemuslimoch Guday*, 2012). The two rival groups were played in the hands of the Emperor and served the interests of the Empire to weaken the unity of Muslims. Their divisions were further aggravated by the Italian occupation of Ethiopia (1936-1941) with the involvement of external actors, including Saudi Arabia.

The brief invasion of the country by the Italian fascist forces had encouraged many Muslims, including the Hararis, to undertake religious pilgrimage to Saudi Arabia. For its infamous divide and rule policy, the Italian fascist forces encouraged Muslims to undertake their religious activities knowing that Muslims were long marginalized by the Christian emperors (Hussein, 2006). As a result of their exposure to the outside world, especially to Saudi Arabia, many Harari Muslims came under the influence of Salafi/Wahhabi teachings that focuses mainly on Islamic scriptures and the literal interpretation of the Quran rejecting ‘culture-oriented and un-Islamic Sufi-practices’. As a consequence, they started Islamic revivalism in the city of Harar by purging Islam from such practices as saint veneration, mawlid celebration, intercession and tomb visiting (Kabha and Haggai Erlich, 2006: 522). Al-Ahbash’s saintly leader, Abdullah al-Harari believes that, “A deep knowledge of the faith comes not simply from reading the Holy

Scriptures but also through the teachings of ‘a trustworthy *alim*.’ Superficial understanding of the texts can lead [only] to ignorance of Islam and [... religious] extremism” (Hamzeh and Hrair Dekmejian, 1996: 7).

The two groups began to struggle for Islamic revivalism and independence in Harar (Ethiopia) from Christian domination in their own understanding of ‘Islamic independence’. One of such groups (Sufi/Ahbash) was led by Abdullah al-Harari, and the other (Salafi/Wahhabi) by Sheikh Yusuf Abdulrahman al-Harari. Based on Mustafa Kabha and Haggai Erlich (2012), Sheikh Yusuf was a Saudi-educated Wahhabi advocator who often involved in the verbal war against Ahbash. In some other sources, however, the Sheikh is presented as “a liberator of Islam and Harar from moral depreciation and some repugnant practices” following its occupation by Italy. As stated by *Yemuslimoch Guday* (2012), Sheikh Yusuf went to Saudi Arabia during the Italian occupation but returned back in 1939. Upon arrival, he realized that, Harar was completely changed. Her Islamic character was replaced with practices which are supposed to be ‘repugnant’ to public (Islamic) morality. Drinking alcohol, prostitution, worshiping shrines and chewing *chat* became almost accepted norms in the city. To come out of such problems, he established a national Islamic association called *al-Jami’a Wetenil Islamiya*. Its major purpose was to alleviate the problem of moral laxity of the people of Harar and to return back its former Islamic reputation. He then goes to establishing other religious and academic schools and institutions by collecting money from local Muslim residents (ibid). However, the association faced strong resistance from Sheikh Abdullah al-Harari who had strong backing from the imperial regime of Emperor Haile Selassie I¹⁹⁷ (*Yemuslimoch Guday*, 2012: 273).

Abdullah al-Harari was on the side of Emperor Haile Selassie in the fight against the so-called Wahhabi groups. Some sources indicate that, he was an active collaborator with the Christian-dominated imperial regime to suppress the Muslims of Harar. He was accused of constantly spying the Muslim community and supplying information for the

¹⁹⁷ Haile Selassie himself was back in power after five years of exile in London following the Italian occupation of 1936-41

Christian emperor about the activities of various Islamic institutions and schools operating in the city of Harar as if they were plotting against the existing regime (Yemuslimoch Guday, 2012). Nonetheless, he and his followers denied the accusation and in turn they accused of Sheikh Yusuf and his supporters as being instrumental to the Haile Selassie government in suppressing Muslims (Kabha and Haggai Erlich, 2006: 522). The accusation of Sheikh Yusuf Abdulrahman by Sheikh Abdullah al-Harari as a collaborator with the emperor and instigator of religious violence had been clearly seen from the readings of a leaflet distributed in Addis Ababa in 1995. It reads;

Beware of a man called Sheikh Yusuf Abd al-Rahman who left Ethiopia for Medina a long time ago and learned the principles of the Wahhabiyya from his uncle who lives among the Wahhabis. They gave him money and returned to Harar to spread their word. He then became close to Haile Selassie and helped him translating the Koran [he was appointed to supervise the translation of the Quran]. The emperor gave him land in reward. When Mengistu [Haile Mariam – Ethiopian socialist military leader after Emperor Haile Selassie] came to power he fled back to the Wahhabis. They again gave him money and returned to Ethiopia [during the EPRDF regime] to spread their false belief. Beware of this man and warn everyone of him, warn the people of Harar and all the people of Ethiopia (Kabha and Haggai Erlich, 2006: 522- 523).

Yemuslimoch Guday (2012), on the other hand, provides the polar opposite of the above narration. It was Abdullah al-Harari who was alleged for collaboration with Emperor Haile Selassie in fighting against and oppressing Muslims in Harar. He was accused of informing the emperor that, ‘the school (which was opened by Yusuf Abdulrahman and his supporters) often involve in the defamation of the name of the emperor in Arabic newspapers’. Basing on the information supplied by Sheikh Abdullah, the Emperor then took harsh measures against the school administration and imprisoned them and closed the schools (ibid). Shortly afterwards, Sheikh Abdullah al-Harari was rewarded to be the Mufti of Harar by the Emperor (Yemuslimoch Guday, 2012: 274).

Mustafa Kabha and Haggai Erlich (2012: 522), states that Sheikh Abdullah al-Harari was a firm believer and propagator of Christian-Muslim peaceful coexistence in Ethiopia. His antagonism with his opponents called the Wahhabis was twofold. One was related to religious issue and the other on the fate of Harar – whether to continue as part of the

Christian-dominated Ethiopia or break away and join Islamic Somalia. On the first issue, Abdullah al-Harari strongly opposed the establishment of educational institutions in Harar along the ‘spirit of Wahhabi fundamentalism’ opened by his foe Sheikh Yusuf Abdulrahman (ibid). The Ethiopian authorities later closed all such institutions as stated above. On the second issue, some groups wanted Harar to continue as part of Ethiopia and opposed secession. The other group – mainly led by Sheikh Yusuf – proposed Harar to secede and join ‘Islamic Somalia’. The latter’s dream once again was aborted by the intervention of the Ethiopian Empire in which the leaders of the group were either killed or forced to exile. For all the measures taken against this group, Sheikh Abdullah al-Harari was implicated as instrumental in the service of the central government (Yemuslimoch Giday, 2012). Despite the allegation for collaboration, Sheikh Abdullah and his followers not only denied but also himself was ‘suspected by the imperial regime’ and forced to exile in 1948 (Kabha and Erlich, 2012). However, the reasons for suspicion of the Sheikh by the imperial government are not mentioned in the works of Mustafa Kabha and Haggai Erlich (2012). For one thing, he was mentioned as firm believer of Muslim-Christian peaceful coexistence which the imperial government obviously would like to see or at least tolerate as it keeps its administration relatively stable. For the other, the Sheikh was depicted as supporter of the integration of Harar with the ‘Christian Kingdom of Ethiopia’ which would also please the Emperor who still continues to claim Eritrea and Ogaden from Britain (Bahru, 2002)¹⁹⁸ let alone to see Harar seceded from Ethiopia.

Nizar Hamzeh and Hrair Dekmejian (1996: 219) tried to provide the reasons for the expulsion of Abdullah al-Harari from Ethiopia. They said that, the Sheikh was expelled from Ethiopia in 1947 “because his teachings were seen as a threat by Emperor Haile Selassie”. Again the problem here is that, Hamzeh and Hrair Dekmejian (1996) never mentioned about the teachings of the Sheikh to evaluate whether these teachings were ‘threats to the imperial government of Ethiopia’. If we take the writings of Kabha and Erlich (2012) as genuine, his teachings focus on Muslim-Christian coexistence or

¹⁹⁸ Eritrea was federated with Ethiopia in 1952 under the federal state arrangement through the mediation of the UN and Ogaden became part of Ethiopia in 1954 from the British colonial rule (Bahru, 2002).

religious moderation and Harar's integration with Ethiopia. In this regard, both his religious teaching and secular political outlook were compatible with the interests of the Emperor. Hence, their claim of 'incompatibility' of his teachings with the Emperor's interests was not convincing. Despite the absence of clear evidence on the above debate, what was known for sure was, he left Ethiopia to the Middle East during the 1940s. He went to Mecca, Jerusalem, and Damascus in late 1948 and finally crossed to Beirut in 1950 (Hamzeh, 1996: 523) where he stayed there for life and died a natural death in 2008 (Dereje and Bruce Lawrence, 2014). To reiterate, if he was really a 'firm believer and propagator of Muslim-Christian peaceful coexistence and preacher of moderate Islam', where does the allegation of incompatibility of his teachings for Emperor Haile Selassie's regime come from? Why he quarreled with the Christian emperor of Ethiopia to the extent of expelling him? Some individuals question about his presence in Israel in 1948 where it was a critical time for its establishment. Some – of course, his detractors – call him "a mysterious person of Jewish origin" (Hamzeh and Hrair Dekmejian, 1996: 219). The crucial role played by Professor Haggai Erlich, an Israeli who claimed publicly being a member of Zionist Movement, for the coming to Ethiopia of Ahabash, as shall be discussed later, strengthens their suspect¹⁹⁹.

The old-age rivalry between the Salafis and the Sufis (now represented by Ahabash) once again came into the scene in Ethiopia more vigorously after 2011. Many actors involved in this conflict but Mejlis is at the forefront. The Ethiopian government also involved in different capacities. Some Muslim activists even allege the EPRDF-led Ethiopian government as 'mere implementer' of the religious edict that calls for 'the indoctrination of Ethiopian Muslims with the ideology of Ahabash or mass baptism or Ahabashism campaign' (Yuunus, 2013) under the guidance of western governors – particularly the United States of America (Muhammed Ali Alula al-Hashimi, 2013). Despite the allegation, the Ethiopian government denied its 'direct role' for the invitation of Ahabash Islamic scholars from Lebanon (Addis Raey, 2012). Be as that may, the government has legitimate security concerns related to religious extremism and the influence of political Islam – particularly from its neighbors such as Somalia, Sudan and Eritrea.

¹⁹⁹ Interview with a former top Mejlis leader on 14 June 2014

6.4 Threats of Religious Terrorism over Ethiopia

6.4.1 Threats from Somalia

Somalia, which is labeled as a failed state and also next door to Ethiopia, is a safe haven for many international and regional terrorist organizations which would in turn be a springboard for terrorist attacks over Ethiopia's interests. Al-Qaeda is freely operating in Somalia. *Al-Itihad al-Islamiya* (though now defunct), the Union of Islamic Courts (UIC), *Al-Shabab* and other terrorist groups have stronger basis in Somalia to pose imminent security threats for Ethiopia. *Al-Itihad al-Islamiya* was a Somali fundamentalist group very active in the 1980s and 1990s with an objective of establishing an Islamic government in Somalia based on *shari'a* law by combining all Somali-speaking peoples of the Horn, including Somali-inhabited areas of Ethiopia, Djibouti and Kenya (Kidist, 2014: 20; Shinn, 2002: 4). It, influenced by the teachings of Wahhabism, used religion as a tool to control political power in mainland Somalia and Somali-speaking Ogaden region of Ethiopia (Shinn, 2002: 4). Ethiopia's encounter with the group started as early as the ascendancy of the EPRDF-led government in Addis Ababa. This terrorist group launched series of attacks in 1996, 1997 and 1999 over Ethiopian territories, including the Wabe Shebelle Hotel bombing in the capital. The Ethiopian government responded militarily where the group's fighters were either killed or dispersed not to be a serious security threat against Ethiopia (Kidist, 2014; citing Medhane, 2002).

The UIC, which was alleged to have links with the Ogaden National Liberation Front (ONLF) and the Oromo Liberation Front (OLF) – both of which are labeled as terrorist organizations under the Ethiopian law²⁰⁰ – operating from Asmara (Eritrea) for the liberation of the Somalis and Oromos from Ethiopia respectively, declared jihad on Ethiopia in 2006 (Abbink, 2014: 7; Kidist, 2014: 16). In reaction, the Ethiopian government invaded Somalia in the same year and dispelled the organization from power. In retaliation for Ethiopia's invasion of Somalia, Ayman al-Zawahiri – the second man to al-Qaeda – summoned the Muslim *ummah*, particularly the peoples of Yemen, Arabian

²⁰⁰ The following organizations are labeled as terrorists by the Ethiopian Parliament; OLF, ONLF, Ginbot 7, Al-Qaida, Al-Shabab, Shabia and its collaborators. For detailed information on this issue you can see; http://www.diretube.com/ethiopian-documentary/akeldama-part-2-video_30d42597c.html.

Peninsula, Egypt, North Africa and Sudan to participate in a war of jihad against the invading forces of Ethiopia. In an audio message in January 2007 entitled “*Set Out and Support Your Brothers in Somalia*”, he pleads the peoples of these countries to help the Somalis with fighters, money and advice to defeat Ethiopian forces whom he called them as ‘slaves of America’ (Rand Corporation, 2009: 3-4). His organization presents the Ethiopian invasion as a ‘Christian crusade’ against Muslim Somalia to justify a war of jihad against the invaders. Ethiopia’s invasion of Somalia was motivated by two factors²⁰¹. One is related with the concern that ‘a reunified Somalia under a strong government with irredentist claims could stimulate Ethiopian Somalis in the Ogaden region to join hands with Somalia with an ambition of creating ‘Greater Somalia’ (Rand Corporation, 2009: 9). The second factor is related with the fear that an Islamic government in Somalia could stimulate its own Muslim population for radicalization with an ambition of establishing an Islamic government in Ethiopia (ibid). As presented by the Rand Corporation by incorporating the views of an international organization official from Nairobi, “the UIC [posed] a genuine threat to Ethiopia” (ibid: 65).

Al-Shabab (meaning youth in Arabic), a splinter group from the UIC called all Somalis to join hands against the ‘traditional enemy and the enemy of Islam’ – Ethiopia. It even demanded the Muslims of Ethiopia “to rise against their own government” – in which – “the Ethiopian government took such threats quite seriously” (Abbink, 2014: 7). From February 2008 onwards, al-Shabab has been designated as international terrorist organization by the US State Department (ibid) – which al-Shabab leaders welcomed the designation as a ‘badge of honor’ except their regret to be number 41, not number 1 in that list (Ali, n.d: 3-4). Al-Shabab is a radical militant group with links to al-Qaeda with an ambition of establishing an Islamic State of Somalia in accordance with Wahhabi

²⁰¹ In fact, Ethiopia’s invasion of Somalia was criticized by many as unproportional to the threats posed by the UIC and al-Shabab. The UIC and al-Shabab are militarily weak and are divided internally along clan lines. Therefore, Ethiopia could defeat the group without declaring a conventional war and could defend its territory without necessarily going to Mogadishu (Kidist, 2014). It is also costly where once the Prime Minister of Ethiopia Meles Zenawi was quoted saying that “[the invasion of Somalia was] a wrong political calculation” (Rand Corporation, 2009: 66). Not only costly, the invasion also enabled al-Shabab to garner support from the Somali youths by using nationalist symbols against the invaders (Kidist, 2014: 21). It was even seen as an ‘extension of American security policy’ in the region (ibid). Some, of course, stress that “Ethiopia cannot ignore the rising threat of Islamic radicalism in Somalia” (Erllich, 2010; quoted in Kidist, 2014: 21).

interpretation of Islam (ibid: 2). Like its predecessor, Al-Itihad al-Islamiya, al-Shabab claims to re-unite all Somali-inhabited territories under the (Islamic) State of Somalia. It stated its objective in public “to reclaim Muslim territories from the Ethiopian infidels and establish an Islamic state in the Somali-inhabited regions of East Africa, to be governed by *Shari’a* and *Sunnah* as interpreted by the Salaf al-Salih [the rightful first generation]” (Ali, n.d: 15-16). From its objective, it is obvious that al-Shabab posed an imminent threat to Ethiopia’s internal security and its territorial integrity.

Ethiopia, which is perceived as a permanent ‘archenemy of Somalia’ (Rand Corporation, 2009), always follows up developments in Somalia. These terrorist organizations have both ‘Islamic agendas’ and irredentist claims over Ethiopian Somali with their strong anti-Ethiopian sentiment. Taking into account of the historical animosity of the two countries which went into an all-out war twice (1964 and 1977) (Kidist, 2014: 19) and the irredentist claims of the Somali ‘patriots’ for creating ‘Greater Somalia’ by taking Somali-inhabited areas from Ethiopia, one can arguably guess that the policy of mistrust between them would persist. At the same time, it would also be reasonable to think that one could support the opponent of the other and Somalia would remain ‘potential threat’ to Ethiopia for manipulating religious differences and inciting violence.

6.4.2 Threats from Sudan

Ethiopia and Sudan share one of the longest borders (before the secession of South Sudan in 2011) covering around 1,000 miles (Shinn, 2002: 2). With the advent of ‘Sudanese branch of Muslim Brotherhood’ – copied from Egyptian Muslim Brotherhood by Sudanese students – religious fundamentalism and state-sponsored terrorism took a foothold in the Sudan during the 1970s (Rand Corporation, 2009: 46). This group gained momentum during the presidency of Jaafar Numeiri in the 1980s and 1990s under the propagation of its spirit Sheikh Hassan al-Turabi. It was further strengthened by the current president General Omar Hassan al-Bashir (ibid). The major purpose of this movement was to Islamize Sudan and its society using state power and implement strict *shari’a* law across the whole country. As opposed to many governments in the region, the government of Sudan encouraged the education of Salafism and worked to disseminate

its ideology to other states, including its neighbors. Sudan hosted so many international conferences to establish Islamic organizations. It also hosted several regional and international terrorist organizations such as Al-Qaeda and al-Gama'a al-Islamiya (Islamic Group) of Egypt (ibid: 48). The leader of Al-Qaeda, Osama bin Laden was once sheltered in Sudan and has opened several training camps. Nowadays, al-Qaeda has left Sudan and the country is trying to normalize its relations with the United States of America and its neighbors.

With regard to its influence over Ethiopia, an assassination attempt was made over President Hosni Mubarak of Egypt in 1995 while he was en route from Bole airport to African Unity summit in Addis Ababa (Shinn, 2005). The Sudanese government was implicated with sponsoring of the assassination in coordination with *al-Gamaa al-Islamiya* which severed the diplomatic relations between Ethiopia and Sudan. Ethiopia closed all NGOs which was fully or partially run by the Sudanese government, reduced the number of Sudanese Embassy staffs in Addis Ababa, shut down Sudanese Consulate in Gambella and cut back the number of Ethiopian Embassy staffs in Khartoum (Shinn, 2002: 3). Non-visa entry for citizens of Sudan was suspended and all flights to Sudan and Ethiopia using Sudan and Ethiopian Airlines were terminated (ibid). Some of Sudanese officials also publicly declared jihad against Ethiopia in their discussion with *Al-Itihad al-Islamiya* terrorist members in Mogadishu. The Ethiopian government in turn supported the Sudan People's Liberation Army (SPLA) in their fight against the government of Khartoum. Hassan al-Turabi, the speaker of Sudan's parliament, even announced Sudan's plan to incite violence and support opposition members against Ethiopia (ibid).

The Ethiopian government is always in fear of Sudan for exporting religious fundamentalism towards its (Muslim) population. The 2002 Foreign Policy document of the FDRE clearly shows religious extremism in the Sudan as an obstacle to establish longstanding positive relationship with Sudan. It says; "Besides attempting to spread religious extremism in our country, there were various efforts aided by The Sudan that were designed to make our country a victim of terrorist attacks". Thought the two

countries have a relatively cordial relation at the moment, it would be difficult to predict that this relationship will last long.

6.4.3 Threats from Eritrea

Following its secession from Ethiopia, *de facto* in 1991 and *de jure* in 1993, Eritrean government remained a formidable enemy of Ethiopia sponsoring anti-Ethiopian forces organized either along political or religious lines. The regime involved in supporting Ethiopia's rebel forces and other organizations labeled as terrorists by the Ethiopian government. It involves in proxy wars with Ethiopia by supporting Al-Itihad al-Islamiya, al-Shabab, UIC, OLF and ONLF (Kidist, 2014). Its foreign policy towards Ethiopia is often driven by hostility and the government of Asmara is providing unfailing support to radical Islamic groups of Somalia and Ogaden region of Ethiopian Somali (Rand Corporation, 2009: 34).

Overall, surrounded with hostile and rough neighbors (Medhane, 2004; Shinn, 2005), the fear for sponsoring religious terrorism by these countries and regimes that could endanger Ethiopian interests would be a reasonable fear for Ethiopia. David Shinn (2002: 1) quoting Prime Minister Meles Zenawi's speech in the mid-1990s stated that "the most significant long-term threat to Ethiopia's security is Islamic fundamentalism". He further went to say that, the main external threat is to be from Somalia and the Sudan.

6.4.4 Internal Threats

The internal threat of Islamic fundamentalism also has not been completely ruled out. Although Ethiopia's religious past was generally praised as cordial and exemplary model of peaceful coexistence among different religious communities, there were occasional confrontations (Hussein, 2006) and religion was used as an instrument to hold political power. The recently observable inter- and intra-religious conflicts in different parts of the country in connection with the influence of Wahhabism is seen as the growing concern for the Ethiopian government to rise up the security alert to a higher level. In fact, the threat of Wahhabism in Ethiopia is always seen in connection with the influence of foreign elements – the penetration of religious fundamentalism from the Sudan and the

financial assistance from the Wahhabi-dominated Arab countries (Shinn, 2010) – instead of purely Ethiopian. The Ethiopian government is in fear of influences of these countries to radicalize its own Muslim population.

In addition to guaranteeing the right to religious equality as a policy to tackle threats of religious fundamentalism from external forces (Ministry of Information, 2002)²⁰², the Ethiopian government designed strategies to work with ‘open and democratic-minded religious organizations and groups’ that support and preach tolerance and peaceful coexistence with different religious groups. This is to say, the external and internal threats of religious extremism pushed the Ethiopian government to devise mechanisms for coping up such problems through the recruitment of ‘tolerant, apolitical and indigenous religious groups’. Ahabash was one candidate and became part of the April 2012 Parliamentary discussion in the country. The US policy of favoring and promoting Sufism coupled with the repeated appeal of Mejlis for the negative influence of Wahhabism for the peaceful Muslim-Christian coexistence and Ahabash’s appeal for these ideals (tolerance, secularism and passivity in politics) seems influenced the Ethiopian government to involve in the coming of Ahabash to Ethiopia. Just as a hint, the late Prime Minister of Ethiopia publicly declared the indigenousness of Ahabash, its Sufiness, and its tolerant behaviors towards other religions as opposed to its foes – Salafis/Wahhabis.

6.5 The Coming of Ahabash to Ethiopia and Actors Involved

Broadly speaking, there are three major actors involved in the coming and promotion of Ahabash’s religious ideology in Ethiopia. These are; the Ethiopian Islamic Affairs Supreme Council (Mejlis), the EPRDF-led Ethiopian government and the US Government.

²⁰² The 2002 Foreign Policy Document of Ethiopia states that the contribution of neighboring states to the democratization process of Ethiopia is minimal and it could even be negative “by promoting religious extremism or providing the territory for religious extremists”. It further stipulates that, had it not been the government’s efforts to realize religious equality, Ethiopia would have been victims of religious manipulation by anti-Ethiopian forces from outside.

6.5.1 The Role of Mejlis

Did Mejlis really want ‘to make business’ out of the importation and sponsoring of Ahabash? For sure, it is very difficult to provide a precise answer of ‘Yes or No’ to the above question. What makes it more difficult is – for many of the top leadership of Mejlis – the researcher posed questions ‘whether the Council has involved in sponsoring Ahabash’. Almost all categorically rejected as false accusation and replied with similar tones with that of the government. Many of them rejected the accusation and are of the opinion that “Ahabash is part of *nebaru islimina – indigenous Islam*” (Azam Yusuf, Vice President of Mejlis, 22 April, 2012). Sheikh Azam²⁰³, as the Vice President of Mejlis, said that,

It is called *Ahl al-Sunnah wal-Jama’ah*, which was part of Ethiopian Islam from the very beginning and I don’t know from where they [referring to the Committee]²⁰⁴ brought the name Ahabash. We planned the training only to counter religious extremism. When there is religious extremism, it is our [Mejlis’s] responsibility to provide training for our community about religious tolerance and educating Muslims about the basic tenets of their religion. If there is anything done contrary to the *deen* (religion) of Islam in the training, they can complain about it. But I believe nothing wrong has been done. They are simply disseminating ‘white lie’ as if a new religion called Ahabash has come to Ethiopia through Mejlis and are confusing the lay Muslims. They are mobilizing the Muslim community against the government as if the government were involving in religious affairs.

For him, religious extremism is the result of ‘lack of religious knowledge’ and hence Mejlis was interested to fill that ‘knowledge gap’ in the Muslim community through nation-wide training. The above speech of the Vice President of Mejlis is almost similar with what the Prime Minister of Ethiopia Meles Zenawi has said just five days before (17 April 2012). Some of the Prime Minister’s speeches were repeated even word-by-word by Mejlis leaders. The similarity of the explanations given by the two bodies shows the presence of an overlap of interests in promoting Ahabash and fear of Wahhabism. The

²⁰³ Interview conducted by the researcher with Sheikh Azam Yusuf, Vice President of Mejlis, in Addis Ababa on 22 April 2012

²⁰⁴ What is referred as ‘Committee’ in his speech was referring to ‘*Yemuslimoch Meftihiye Afelalagi Komitiye*’ an Amharic term to mean the Muslims’ Solution Finding Committee organized by the Muslim protesters at Awolia College on 19 January 2011 consisting of 17 members from different categories of the Muslim community (elders, *ulemas*, young Islamic scholars, Sufi- and Salafi-oriented *alims* etc.) to articulate and present the claims of the Muslim community to the government and seek solutions to the problems (Ewunetu Yih New, 2012).

Vice President further said that, “we [Mejilis] invited the government to teach about the constitutional provisions in the training since we believe that constitutional knowledge is important for the Muslim community to defend themselves and know their rights and duties”.

Notwithstanding the official response, the above question can be answered through examining the activities of Mejilis with regard to Ahbash and investigating its letters written for the American Embassy in Addis Ababa appealing for support to fight religious extremism in Ethiopia. Starting from the mid-1990s, Mejilis leaders apparently faced stiff competition for power and legitimacy from the Salafi-oriented Muslim activists for years to come. They are criticized for corrupt practices and gross incompetency in leading the Muslim *ummah* (Jemal, 2012). The Salafis criticize the current Mejilis leadership for lack of both spiritual and secular knowledge to lead the Muslim community (Jemal, 2012: 74). Most of them are far less educated in both areas compared with the young, well acquainted with religious knowledge and assertive Salafis. One Muslim commentator expresses his wonder ‘if it is possible to find a single individual from Mejilis leaders who completed grade 12 in their secular academic career and know about their religion except reading the Quran’ (Yemuslimoch Guday, 2012: 164, interview with Hassen Taju). Their low academic and religious profile obviously undermined their acceptance from the Muslim public in general and the young Muslim elites in particular. Those young educated Muslims are very active in Islamic *da’awa* and are well connected with the Muslim *ummah* through modern communication technologies (internet and televangelism) and satellite media such as Africa TV. They are very persuasive and appealing to the younger generation (Proposal Presented to Solve Current Problems, 2013: 7) compared with the old and very passive leadership. The leadership was unable to resist the pressures from Muslim protesters chanting all Fridays after *Juma’a salat* – chanting “*Allahu Akbar! Mejilis Yiwegedal, Abay Yigedebal!* – Allah is Great! Mejilis be removed, Nile be dammed!” The slogan seems deliberately coined to show their sympathy for the government’s efforts of constructing the Renaissance Dam over the River Nile on the one hand and to show that ‘Mejilis [leadership] is not the legitimate representative of Muslims and demanding its removal from power’. Being

attacked as ‘illegitimate’ from the Muslim public and the religious activists, the option on the ground for the leadership was to find support and strengthen its alliance against what it calls Wahhabi extremists²⁰⁵. Mejlis leadership repeatedly accuses its opponents with extremism and instigators of intra- and inter-religious conflicts.

One of the confidential documents of the US Embassy in Addis Ababa (2008) entitled “*Countering Wahabi Influence in Ethiopia*” released by WIKILEAKS reveals that, the Council (Mejlis) approached the Embassy officials, to get support in its fight against Wahhabism²⁰⁶. One of the strategies of the Council – as presented to the Embassy – was to work for the revival of Sufi shrines in different parts of the country and encouraging Muslims to participate in *mewlid* celebration – both of which are under pressure from the Wahhabi groups. The document narrates – “the EIASC continues to be very concerned about growing Wahabi influence in Ethiopia. The newly appointed Council is decidedly anti-Wahabi and speaks openly of their concern about Wahabi missionaries and their destabilizing influence in Ethiopia” (ibid). The Council goes on saying to the Embassy officials that, “the EIASC is now all Sufi” and hence begged the Embassy to ‘trust’ it as a reliable friend and ‘partner’ in their fight against the common enemy – Wahhabi. The Embassy in turn welcomed the decisions of Mejlis and even expressed its concern for the Ethiopian government to share the fears of Mejlis to take care in the ‘selection of future leaders to be Sufis’ (ibid). Sheikh Ahmedin Abdullahi Chello – the former President of the Council – was able to insert in the regulation of Mejlis that “anyone who was a member of an extremist group (explicitly mentioned as al-Qaeda, al-Itihad, or the Wahhabis) would be banned from becoming a member of the Council” (Ostebo, 2014: 170). In January 2004, for example, with the attendance of the representatives from the Ministry of Foreign Affairs, the EIASC replaced all its executive members with anti-Salafi individuals (Haustein and Ostebo, 2011: 762).

²⁰⁵ One of the members of the Muslims’ Solution Finding Committee, Ahmedin Jebel expressed his anger about the partiality of Mejlis towards the Sufis and the Salafis. He said that, “admissible differences are expected and normal in Islam. In this case, an umbrella organization like Mejlis is expected to be the ‘father of all’ without any distinction on the basis of minor doctrinal differences. Though acting as *bona fide* is the normal practice by Islamic institutions in other parts of the world, the Ethiopian Mejlis failed to act in that way and is discriminatory against what it calls Wahhabis” (Ethiopian Muslims’ Questions and Peaceful Struggle at Awolia, Video by Dimitsachin Yisema, January 2012).

²⁰⁶ http://www.wikileaks.org/plusd/cables/09ADDISABABA1672_a.html

Starting from 2011 however, a different approach was designed by Mejlis not only to clean the rank and files of its leadership from Wahhabis but also to inculcate moderate religious ideology on Ethiopian Muslims. Put simply, the Council has been convinced that, it could not be enough to select Sufis-only to Mejlis leadership to win its battle against religious extremism. Educating ‘religious moderation’ for the general public and guiding the Muslim *ummah* towards the ‘right path’ was calculated in its inner circles²⁰⁷. For this, it preferred Ahabash to fight against the Wahhabis (Jemal, 2012) because of its long experience in this kind of struggle outside of Ethiopia, e.g. in Lebanon and other parts of the world (Kabha and Haggai Erlich, 2012). It, therefore, became an imperative task for the Mejlis to invite the Ahabash religious leaders from Lebanon to eradicate the ‘extremist teachings of Wahhabism’ from Ethiopia. In doing this, Mejlis requested the Ethiopian government to facilitate the coming of Ahabash leaders (Jemal, 2012). This was a fact admitted by the Ethiopian government in which it only participated as a ‘facilitator’ by arranging places for training and providing security for the smooth conduct of the program (Addis Raey, May to June, 2012). As it is stated now and then, the government’s role was restricted in three major areas: arranging places for training, providing security and protection, and delivering training about constitutional rights and duties of believers at the beginning and end of the training (ibid: 21-23).

A week-long conference was organized by Mejlis under the facilitation of MoFA in Harar (the birth place of the late leader of Ahabash – Abdullah al-Harari) – around 500 km from Addis Ababa. The invited guests for the conference were all from Lebanon representing the Association of Islamic Charitable Projects (better known as al-Ahabash). Around 15 guest speakers (including the vice president of Ahabash Dr. Samir Qadi) participated in the conference. The training was involuntary in that those who refused to take part were branded with Wahhabism and removed from their posts as imams of mosques or any other positions. A mosque imam of Burayu Special Zone of Oromia Regional State, for example, was sacked from his position because of his refusal to participate in the training program (Press Release, June 2012, First Hijrah Foundation,

²⁰⁷ Interview made by the researcher with a former public relation officer of Mejlis on 15 December 2013, Addis Ababa.

Ahmedin). Some 200 individuals were imprisoned for dropping the training (Ostebo, n.d: 13). The leaders of Mejlis, however, stressed that ‘the training was voluntary and no one was forced’. The Vice President of Mejlis Sheikh Azam Yusuf as replied to the researcher on April 22, 2012, “all the participants took part with their full consent”. “In the training conducted at Adama (Oromia Region), for example, sixty individuals objected the training and dropped from it. But we [Mejlis] asked them to put their signature for refusing to participate and assure that ‘they are not forced by anybody’ to attend or not to attend”. The last sentence in his speech is very important in that those who do not want to attend were not simply allowed to go but were requested to show their disinterest through their signatures. This has undoubtedly would have an intimidating effect in a sense that it may be used against them when the worst comes (e.g. if charged). He then said; “Those who refused to participate are still working in their positions, no one forced them to give up their *imamship* or any other post” (ibid).

In one of the interviews with the *Reporter* private newspaper (17 March 2012), Minister Dr. Shiferaw Teklemariam also made clear that, “the training was voluntary and no one was forced to attend”. He said; “those who do not want to take part were their constitutional right not to attend and even after taking the training, it is up to them to discard it as irrelevant”. The conference was concluded with an agreement to continue the ‘reeducation’ of Ethiopian Muslims about religious moderation and pursue this sort of campaign in all parts of the country²⁰⁸.

In the final analysis, it is quite reasonable to argue that, Mejlis leadership was determined ‘to make both real (concrete) and intangible business in the international game of promoting Sufism’. Though its leadership is unstable, especially due to the opposition and protests from its ‘own constituencies – Muslims’, some of its leaders appeared to be ‘credible partners’ with the sponsors of the Sufi order – particularly to the US Embassy in Addis Ababa. It successfully bought the card of loyalty to the US to be recognized as important ‘non-state actor’ worth of cooperating to win its war against terrorism and religious fundamentalism – particularly in the Horn of Africa (Ethiopia,

²⁰⁸ <http://www.biemf.org>, Badr Ethiopia, n.d: 1

Somalia and Sudan) (Furnish, 2013). Ahabash, siding itself with Sufism, has affirmed 'international credibility'. For Mejlis, therefore, aligning with Ahabash is indirectly aligning itself with the US. In fact, Mejlis by its own is also chosen by the US as to be 'non-state actor' to cooperate with to protect the US interest in Ethiopia, at least with the Muslim community. In their reply to Mejlis's request for 'partnership', the Embassy wrote that, "The Embassy [...] believes [that] it is in the US national interest to [...] work with the Council"²⁰⁹. Both Ahabash and Mejlis are anti-Wahhabi in their stand. The US is worrying about the growing influence of Wahhabi teachings and its extremist ideology in Ethiopia. The amalgamation of Mejlis and Ahabash even facilitate the flow of US dollars towards Mejlis. It has received plenty of dollars – as shall be seen below – from the US Embassy and USAID 'for its developmental activities and fighting HIV/AIDS' – including the promotion of contraception, in which much of it was embezzled through corruption (Yemuslimoch Guday, 2012).

Mejlis also supposed to gain non-material benefits by aligning with Ahabash. The US and Ethiopian governments are working together with Mejlis in their fight against Wahhabism. Wahhabism has been identified as enemy for both countries and coordinated their efforts to defeat it through military means and discrediting its teachings in the Muslim populace. Ahabash, on the other hand, have been identified as 'friendly' to both governments. The implication is that, Mejlis has to coordinate with Ahabash to secure at least its external legitimacy. However, Mejlis's tactic of enhancing its external legitimacy brought into direct collision with those supposed to be source of internal legitimacy – the Ethiopian Muslim community (Ubah, 2012). Ethiopian Muslims consider Ahabash as 'heresy and deviant' that belongs to 'inadmissible deviation' from the four schools of thought of mainstream Islam (Hanbali, Shafi, Maliki and Hanafi) (Ahmedin, 2012; Ubah, 2012), though Ahabash defends itself belonging to the Shafi order²¹⁰ and hence part of mainstream Sunni Islam. Despite their claim to belong to one

²⁰⁹ https://www.wikileaks.org/plusd/cable/09ADDISABABA1762_a.html/

²¹⁰ See for example, <http://www.aicp.org>. Ahabash claims that "As for matters of creed, we are Ashariyy, that is, we follow the school of imam Abu al-Hasan al-Ashariyy, who is a Sunniyy scholar, and who compiled the creed of the companions and followers. As for issues of purification, prayers, fasting and the like, we are Shafiyy, while knowing that all Sunniyy schools of jurisdiction are on the right path and that the minor difference among them concerning some details is mercy for the nation".

of the Sunni school of jurisdictions (Shafi), Ethiopian Muslims vehemently opposed them as belonging to none or are heresy.

The protest finally pulled back Mejlis leadership – who cooperated with Ahabash – from their power. In this case, the business venture for Mejlis was loss. All the executive leaders of Mejlis, including its president Sheikh Ahmedin Abdullahi Chello, were removed from power and replaced with the new leadership following the 7th October 2012 election. In fact, the election was challenged on several grounds. Muslim activists opposed the procedures and places of election – not on substantial matters of course (Endris, 2012). The former executive members of the leadership served as ‘election board’ which Muslims opposed on grounds of impartiality. The election has taken place in kebeles while Muslim activists demanded to be inside the mosques saying that ‘*kebele kadiriye enji imam ayimeretim* (it is only cadres to be elected in kebeles) and *mirchachin bemesjidachin* (our election should be inside our mosques)’. In any way, the election took place on 7 October and the new Mejlis leadership was constituted. Sheikh Kiyar Mohammed Aman (former Head of Ambassador’s Office and Secretary of the Ethiopian Embassy in Riyadh, Saudi Arabia) was elected as President and Sheikh Kedir Mahmud Aman as Vice President of the Council. The newly elected leadership itself served not more than two years when it was replaced by members ‘selected’ from all regional states of Ethiopia – this time no election was conducted. It became, therefore, uneasy partnership between Mejlis and the Ahabash group. The religiously conscious Muslim activists are well aware of their constitutional rights and how the principle of separation of state and religion be interpreted. The leadership faced a dilemma of which side to choose. One of my informants from the top Mejlis official said, ‘one of the causes for the resignation of the recently elected leadership was related to whether to proceed with Ahabash agenda in Ethiopia or to quit its relations with the association’. As he said, ‘the President (Sheikh Kiyar Mohammed Aman) was unhappy about its continuation while the government officials pushed the Council to go forward’²¹¹.

²¹¹ Interview with former high-ranking official of Mejlis by the researcher on 20 June 2014 in Addis Ababa. The interviewee also told the researcher that ‘he himself is against the promotion and sponsorship of Ahabash through the Council’. Because of his stand, he also faced oral warning by an official from the

6.5.2 The Role of the Ethiopian Government

In the current Muslim-government controversy over the issue of Ahabash, there was no political figure in Ethiopia that defended Ahabash publicly as the late Prime Minister Meles Zenawi did. As a reaction to strong opposition from different sectors of the Muslim community from home and Diaspora²¹², in what they call “forceful indoctrination of Ethiopian Muslims with an ‘alien and heretical’ Ahabash ideology”, the Ethiopian Prime Minister – perhaps in what resembles emotional speech, said that,

The allegation [from the Salafis] that ‘the government brought Ahabash to Ethiopia’, for me, I don’t think is appropriate. Because, firstly; ‘Ahabash is not a foreign religion as such’. It was a Sufi belief taught by the Ethiopian Sheikh called Abdullah al-Harari in Lebanon (since he was unable to teach and preach in his own country Ethiopia). Secondly, Mejlis leadership brought Ahabash believing that ‘it has a similar belief system with the Ethiopian Muslim population’. [Therefore], can we (as a government) stop them? Even, if Ahabash is alien or newcomer, can we prohibit them [Mejlis] from bringing it? If we can, why don’t we prohibit the Salafis themselves since they are newcomers? [...] Then, if one asks ‘who is the source of the trouble?’ obviously, it is not government intervention in religious affairs but originates from few [extremist] Salafis connected with the emergence of extremism around our neighbors”.

The Ahabash, advertising themselves as ‘beacons’ of religious moderation, ardent opponents of extremism and violence, supporters of separation of Islam from politics and peaceful coexistence with other religious communities²¹³ appealed to many governments of the world obsessed with religious extremism, violence and terrorism. Its message is even more elegant to Ethiopia because of its ‘blood ties’ with the country. The Association’s popular name al-Ahabash – almost synonymously known with his country’s name – al-Habashi, alludes to Ethiopian origin. One of the reasons to defend Ahabash by

Ministry of Federal Affairs to be sacked from his position at the General Executive meeting of the Council held at Dire Dawa.

²¹² Badr Ethiopia leadership, based in the US, for example expressed its concern about the ‘forceful’ imposition of Ahabash ideology on Ethiopian Muslims. Badr says, “It was evident that an officially sanctioned campaign was underway by the Al-Ahabash group to dismantle the time-honored Ethiopian Muslims’ mainstream Islamic belief and practice system and replace it with a misguided doctrine and deviant creed imported from Lebanon” (Badr Ethiopia, n.d: 1) and requested the Embassy of the FDRE in Washington DC to immediately stop the action. A letter from Ethiopian Muslim Diaspora sponsored by Nejashi Justice Council (Ethio-American Muslims Ad hoc Committee) to the Prime Minister Meles Zenawi requested to stop what they call ‘forced indoctrination of Ethiopian Muslims with Ahabash ideology as Ahabash is denounced heretic and deviant worldwide’.

²¹³ <http://www.aicp.org>

the Prime Minister stated above was also directly related to its renowned leader Abdullah al-Harari being an Ethiopian descent. Other states might support Ahabash for its moderate stands and co-operational approaches. In Ethiopia, another factor comes into play – his descent, of course, in addition and because of its ‘tolerant values’. Meles said that, “Ahabash is Sufi and hence supportive of Muslim-Christian peaceful coexistence in Ethiopia”, indicating its desirability for the Ethiopian context – where religious diversity is so wide and deep.

Based on the views of many more Muslim activists, the Ethiopian government is the most powerful actor for the coming into and dissemination of Ahabash’s teachings in Ethiopia. Yuunus (2013: 35) calls it as “Ahabashism campaign” where government officials involved in the campaign on the side of Mejlis leaders. He argues that, “because of certain socially and geopolitically motivated scenarios [reasons]”, the Ethiopian government actively participated in this campaign and even came at the forefront (ibid). Ahmedin Jebel (Press Release, First Hijrah Foundation, June 2012), a member and public relation of the Muslims’ Solution Finding Committee²¹⁴, tries to elaborate signs of government intervention in promoting Ahabash. He said that,

The role of the government begins with supporting and promoting Ahabash’s ideology in its parliamentary discussion. Top government officials told us through public media – to the extent we assume that these politicians are Sheikhs – that ‘Ahabash is indigenous Islam’. The Ministry of Federal Affairs also participated in the promotion of Ahabash in the name of being invited by Mejlis.

The political passiveness of Ahabash, the pressures from the United States of America to de-radicalize Muslims through the encouragement of Sufism, and the repeated appeal of Mejlis for countering the threats of Wahhabism might have contributed for the Ethiopian government to involve in the game in different capacities – including to arranging state sanctioned campaign for ‘religious tolerance training’ across all parts of the country²¹⁵. What seems even more attractive for the EPRDF government from the teachings of

²¹⁴ This was a Committee which was organized in January 2012 with 17 members to seek solution from the government for the problems of the Muslim community related to Mejlis leadership and the Ahabash controversy.

²¹⁵ <http://www.biemf.org>, Badr Communique.

Ahbash is their rhetoric for the support of the principle of secularism and the role of religion in politics. The government of Ethiopia often criticizes the teachings of Salafis/Wahabbis as extremist and considers this doctrine as ‘a threat for the national security and stability of the country’ (Yehaimanot, 2011). The association of the al-Qaeda group – an internationally recognized terrorist group – with the teachings of Salafi/Wahhabi ideology often boosted the fear of the government to Salafism. The late Prime Minister of Ethiopia, Meles Zenawi, was once quoted saying that, “though all Salafis are not members of al-Qaeda, all al-Qaeda cells found in Ethiopia (mainly in Bale and Arsi – Oromia Region) are Salafis” (Parliamentary Speech, 2012). The logical consequence of this accusation would be undermining the teachings of Wahhabi and its presence in the Ethiopian soil. It is also quite expected for the government to securitize Salafism and work against this group either through direct confrontation or indirectly by replacing its teachings with ‘moderate’ versions of Islam. The influence of the ‘advise’ from the US Embassy could not also be underestimated for the Ethiopian government to adopt and take strong measures against the Salafi group and supporting Ahbash. The Embassy said that,

As the Ethiopian government appoints the members of the Islamic Council, it is clear that the Government of Ethiopia shares this concern [the concern of Mejlis] about growing Wahabi influence and is supporting moderate Muslim leaders in trying to counter that influence²¹⁶.

In fact, as I have discussed above, in the presence of security threats over Ethiopia mainly from neighboring states, it would be quite reasonable for the government to fear religious radicalization for destabilizing the peace and stability of the state. The assertiveness of Muslim activists at home and abroad also increased as a result of the liberalization of the religious field since 1991. Muslim-Christian conflicts are also observed in some parts of the country such as Jimma, Gondar, Wollo and Illu Ababora mainly attributed to the ‘reformist’ Salafi groups and the infringe Takfiri group (Ostebo, 2010). However, equally worrying is ‘the policy designed by the government’ for countering extremism and religious radicalization. ‘Religious moderation training’ through the involvement of

²¹⁶ http://www.wikileaks.org/plusd/cables/09ADDISABABA1672_a.html

government offices certainly challenges the constitutional principle of separation of state and religion. In whatever capacity (e.g. facilitation), whether the government was invited by a religious institution (such as Mejlis) and whatever the purposes to be achieved (fighting terrorism and preventing violence) – acting in contravention to the constitutional principles of secularism (art 11) and freedom of religion (art 27) leads to regression for the respect of these principles. It also creates a strong perception among the Muslim populace that ‘the government is creating an official Islam (Ahbash) intended to correct a form of Islam dubbed distorted (Salafism/Wahhabism)’. This in turn creates a rift between different religious doctrines and aggravates sectarian conflict to threaten peace and stability which the government is sought to curb.

The act of sponsoring Sufism does not also fall in any of the spectrums of secularism to justify government measures. It rather is neither assertive nor passive secularism. It is also not cooperative in its true sense of government impartiality in the treatment of different religions in the country. Government and religions may work together for achieving certain common purposes (e.g. delivering social services or even sharing burdens) as erecting ‘wall of separation’ is impossible and also undesirable (Hashemi, 2010). However, in time of cooperation, the government has to be in equidistance from all religions (Bhargava, 2006). This time the act is not equidistance but very close to some (Sufis-Ahbash) even at the exclusion of others (Salafis). The act not only damages the credibility and legitimacy of the government in the eyes of different religious groups but also seriously undermines their constitutional rights. Obviously, acts of government of cooperating with certain religious groups supposed to be moderate at the exclusion of others would not fall in the typology of assertive and passive secularism. Assertive secularism to a large extent advocates for the expulsion of all religious dogmas and practices from influencing public policies and actions (Kuru, 2007). The government in assertive secularism is impartial in a sense that all religions are equally pushed out from getting benefits. Passive secularism entails government abstention from favoring or disfavoring a certain religion in any ground. The state remains passive and will not engage in expelling them from playing public roles within their own spheres of influence

(Kuru, 2007). The active engagement of a government in promoting Sufism certainly contradicts these two principles of secularism.

In the promotion of Ahbash in Ethiopia, the Mejlis leadership and the government are far from being alone. International actors also stepped in and involved in different capacities. The United States of America is by far the most important international actor which participated in the ‘sponsoring of Sufism’ in the Horn of Africa in general and Ethiopia in particular.

6.5.3 The Role of the US Government

The United States of America is clearly ‘afraid of the growing influence of Wahhabism’ in the world in general and in the Horn of Africa in particular (Rand Corporation, 2009). To curb the fear, it has involved as a third party in supporting the promotion of Sufism or ‘to do business with Sufis’²¹⁷ (Furnish, 2013: 8). Timothy Furnish argues that, the presence of large number of Sufis in Africa, particularly in the Horn (Ethiopia, Somalia and Sudan) would certainly enable Western governments ‘to do business’ with them for undermining the Salafis (ibid). He, citing the Pew Forum (2012), estimates the number of Sufis in Ethiopia to 18% or about five and half million²¹⁸, which even make Ethiopia an ideal place for ‘this lucrative business’. It is believed that, al-Ahbash as a religious organization has branches in many western countries including the United States of America, Australia, Canada, Denmark, France, Sweden, Switzerland and Ukraine (Muhammed Ali Alula al Hashimi, 2013: 19). The official website of AICP (Ahbash) states that “the AICP [...] has been internationally invited as guest speakers in the USA, Canada, Europe, Australia, India and Africa”. The Association also “[...] involved in teaching inmates of correctional institutions at the state and federal penitentiaries

²¹⁷ This term was first used by the British Prime Minister Margaret Thatcher against her communist adversary Mikhail Gorbachov but Timothy Furnish (2013) contextualized and used it for the ‘exploitation’ of divisions within the Muslim community for Western states’ or governments’ advantages/profit-making.

²¹⁸ This number is in sharp contrast with the 17 April 2012 estimation of Prime Minister Meles Zenawi who puts the number of Sufis close to hundred percent. The estimation was of course for the time before the coming to Ethiopia of the Salafis within the last two or three decades.

throughout the United States”²¹⁹. It is hailed by these governments as moderate version of Islam that deserves to be promoted.

Timothy R. Furnish (2013) argues that “the Islamic world is at war”. According to him, the war is between “the fundamentalist Salafis and the tolerant Sufis”. He mentioned several countries as ‘theatres of war’. Ethiopia is in his list. And, he provides that “the US would do well to help the latter [Sufis], as the fate of truly moderate Islam hangs in the balance” (ibid). Substantiating his writings from different sources, Yuunus (2013: 34) argues that;

The growth of ‘Wahhabism’ [for western governments] is not a matter of faith; it is an issue of threat to their national interest and security. [... They] believe that, radical groups like al-Qaeda are influenced by Wahhabi ideology [and therefore ...] the ‘Ahbashism campaign’ [that is underway in Ethiopia] whose aim [is] to counter the ‘Wahhabi growth’ must be supported.

Nonetheless, he argues that, the support from western governments come in the form of indirect aid through “[...] financing the rehabilitation projects of Muslim shrines whose existence became at risk due to the expansion of the so-called Wahhabi sect” (ibid). It is worth mentioning here the letter written by the top leadership of Mejlis to the US Embassy in Addis Ababa in January 2008 acknowledging the importance of their support to fight Wahhabism and the rehabilitation of Sufi shrines in different parts of the country. The letter is signed by Sheikh Elias Redman Seid, the former vice-president of Mejlis and sealed with the official stamp of the Council. I found worth quoting this letter here that corroborates the above activist assertions. Addressed to the US Embassy in Addis Ababa and entitled ‘*Acknowledging Your Support*’ with reference number S/C/1883/60/2008 reveals the Council’s close attachment with the Embassy in fighting Wahhabism in Ethiopia. It reads;

It is to be recalled that, the sole representative organization of Muslims, the Ethiopian Islamic Affairs Supreme Council, and the Embassy are working together in order to eradicate Wahhabis from Ethiopia and strengthening the visit of Islamic shrines, which were neglected by Muslims due to the influence of Wahhabi

²¹⁹ <http://www.aicp.org>

teachings. So far, what we have done for Dire Sheikh Hussein [in Oromia] and [...] al-Nejashi mosque [in Tigray] are major witnesses for our close cooperation. Recently, we are in progress to do the same for Jamma Nigus, Qatibarie, and Albuko [mosques]. The promise of the Honorable Ambassador [Donald Yamamoto] to open Sufi Islamic colleges in Addis Ababa and Tigray are historic and always to be remembered. The historic support, both in advice and financial aid, which the Embassy is providing for me and my colleagues to enhance our acceptance [as a leader] and the legitimacy of Mejlis in the eyes of Ethiopian Muslim community, is so immense. Assuring our commitment in the fight against religious extremism once again, we request the Embassy to keep up your support in the future (Elias Redman, Vice-President of EIASC, 2008).

The Embassy had already provided \$25, 600 in 2005 for the restoration of the Bale Dire Sheikh Hussein shrine (Ostebo, 2012: 9) through the Oromia Bureau of Culture²²⁰. The US support of Mejlis was not limited in financial terms only but involved in the visit of such shrines in Bale by top Embassy officials. A four-day visit was organized for the representatives of Oromia Bureau of Culture and the US Embassy officials in Addis Ababa to evaluate the progress of the work on the Shrine and to inform the local community that the US Government is on their side for the revival of Islamic shrines and local customs²²¹. The Regional Bureau also informed the Embassy's representatives about 'the plan of the Wahhabis to destroy the site' considering it 'un-Islamic and impure' (ibid). In Oromia Region alone, the Wahhabis are accused of demolishing "more than thirty Sufi shrines in the first few years after 9/11"²²². It is also stated that, nowadays there are 'tactical' changes from the Wahhabis in a sense that they want to 'purify' the activities inside the shrine and to redesign the shrine for the use of Wahhabis instead of destroying it. This was one of the softest (moderate) plans and acts of the Wahhabis. The Embassy's initiative to support such shrines in Ethiopia reveals its commitment to undermine the teachings of Wahhabism in favor of the Sufi-oriented Ahbash ideology. In the cooperation work between the Embassy and the Mejlis leadership, we can say, the government of Ethiopia has involved actively. The rhetoric of Mejlis has been already repeated by the Oromia Region Culture Bureau officials and stressed the need for working together with the Embassy.

²²⁰ <http://hornaffairs.com/en/2011/08/30/wikileaks-growing-wahabi-influence-in-ethiopia-full-text/>

²²¹ <http://hornaffairs.com/en/2011/08/30/wikileaks-growing-wahabi-influence-in-ethiopia-full-text/>

²²² https://www.weakleaks.org/plusd/cables/09ADDISABABA1674_a.html

The Embassy also agreed to extend its support for other Sufi shrines in the country, one of which was the Jamma Nigus shrine in Wollo. After the visit by US Embassy officials in 2008, they told Mejlis leaders that “it is in the US national interest to support this project and will work with the Council [...] to submit an Ambassador’s Fund for Cultural Preservation (AFCP) grant proposal”²²³. Jamma Nigus is a known Sufi shrine in the area visited by thousands of Muslims from all over the country during *mewlid* celebration which the Embassy wanted to boost its positive image in the eyes of Muslims that ‘the US is not the enemy of Islam’. In the Amhara National Regional State – particularly in the Wollo area – the Wahhabis are alleged for agitating the local Muslim population not to participate in the Sufi practice of celebrating *mewlid* in and around the Jamma Nigus Mosque. This, according to the Embassy’s document, was done with the help of Kuwaiti Islamic NGOs. In the Harari National Regional State, the Wahhabis went great length to denounce the Sufi practices of the local Muslim community. However, it faced strong resistance from the Sufi Muslims as Harar is strong enough in its “cultural identity and religious leadership” (ibid). The US government strongly believes that, the expansion of Wahhabism in the region is a serious threat for its interests and made clear that ‘it would fight Wahhabism by all available means’ including through cooperation with the local Sufi elites and the governments of each country (Rand Corporation, 2009). When the call of cooperation comes from the ‘exclusively Sufi-ruled Mejlis’ of Ethiopia, they were more than happy to extend their financial, moral and material support. Based on the logic that dictates: “the enemy of my enemy is my friend” both parties joined hands to attack their common enemy – Wahhabis.

The Embassy stresses that, translating Sufi Islamic texts into local languages was imperative to countering the influence of Wahhabism. It planned to translate a document entitled “*The Place of Tolerance in Islam*” authored by Khalid Abou el-Fadl into Amharic and Afaan Oromo and distribute to the Muslim community with the full cooperation of the Oromia Regional State Bureau of Culture. The problem it encountered however was “no Muslim translator in Ethiopia is willing to do it” for fear of ‘Wahabi

²²³ <http://hornaffairs.com/en/2011/09/07/wikileaks-countering-wahabi-influence-cultural-imperialism/>

pressure and other factors²²⁴. In addition to fearing Wahabi pressures, those approached by the Embassy to translate the document opposed on grounds that doing that will divide the Ethiopian Muslims along doctrinal lines which they did not want to see. One anonymous Islamic scholar who was requested to translate the document explicitly replied to the Embassy saying that,

[Whatever ...] good the book is, how valid its arguments are, and how much it's needed in Ethiopia, [...] 'new schools of Muslim thought' in Ethiopia do not agree with these interpretations and 'we no longer think of ourselves as moderates and Wahabis, but only Muslims (ibid).

In addition to supporting Sufi shrines to rehabilitate and the translation of Islamic literatures and documents that encourage Sufism, the US government has been 'advised' to disseminate Ahabash teachings and religious moderation in Ethiopia. Doing this was not only intended to counter the growth of Salafism in Ethiopia but also checks the cross-border infiltration of this doctrine from neighboring states and the Kingdom of Saudi Arabia. Timothy Furnish (2013) argues that, funding Sufi orders and promoting their educational programs should be part of the strategies by Western governments to win their battles of global war on terror and undermine the activities of militant Salafism in the region. He recommended that:

Al-Ahabash should be included in Addis Ababa's calculations, because while Ethiopia might still be a majority-Christian country, it is just barely so - and that nation is flanked by Islamists in Sudan and Somalia, and within easy reach of Salafi-Wahhabi influence from the Arabian Peninsula (Furnish, 2013: 24).

Here, the active role of the US government in the promotion of Ahabash – through its generic name Sufi – was so clear.

6.6 Muslim Protests against Ahabash

It goes without saying that, religious freedom is guaranteed in the 1995 FDRE Constitution and there is no way for Ethiopian Muslims to oppose the teachings of a certain religious creed, dogma or doctrine. Accordingly, Ahabash as a religious sect or

²²⁴ <http://hornaffairs.com/en/2011/08/30/wikileaks-growing-wahabi-influence-in-ethiopia-full-text/>

doctrine²²⁵ has the constitutional right to propagate its teachings in Ethiopia. Anyone who reads the constitutional provisions of the country (art 11 together with art 27) needs no further explanation or investigation to understand that freedom of religion and secularism are the core principles of the Ethiopian state and government. The absence of state religion and the non-interference of state in religious affairs plus the freedom of religion and belief for everyone (particularly the freedom from coercion) are self-explanatory. The state has no ‘business’ in religions so far as they undertake their activities within the legal framework of the state. No legal ground to interfere in their internal workings and doctrinal or any other differences. It cannot promote or demote a certain religion. Likewise, religious institutions and believers can undertake their own religious activities within the legal framework of the state. Believers have the right to establish institutions of religious education and administration in order to propagate and organize their religion (art 27 sub art 3). These rights are also guaranteed by various international legal instruments such as UDHR and ICCPR which Ethiopia ratified them to be integral part of its legal system (art 9 sub art 4 and art 13 sub art 2). In this regard, it could not be the business of the government whether a certain religious group come or go as far as it fulfills legal requirements such as registration and upholding the laws of the country. Similarly, it should not be the business of a religious group – indigenous or newcomer – to prohibit other religious group from undertaking religious activities. It is also the freedom of individuals to choose their own religions from the available religious market (home or abroad) without being coerced to hold, adopt or leave a religion (art 27 sub art 1). Once the Prime Minister of Ethiopia said, “our constitution says - one country but unlimited or whatsoever number of religions” (Meles Zenawi, 17 April 2012 parliamentary speech).

Based on the Constitution of Ethiopia, Ahabash – as a separate religious sect – has the right to propagate and organize its belief. It can organize itself with its own financial resources, institutions and worshipping places and disseminate its religious ideology for its believers. However, during the Awolia College protest in Addis Ababa, one of the

²²⁵ Ethiopian Muslims consider Ahabash as a different ‘sect’ – not part of Islam to be considered part of the mainstream Islam with relatively a different doctrine. Doctrinal differences within Islam as Hanbali, Shafi, Maliki and Hanafi are allowed and acceptable.

slogans of Muslim protesters was ‘*Abay Yigedebal, Ahabash Yiwegedal*’ – literally means – ‘Nile be dammed, Ahabash be removed’, which sounds contradictory to the constitutional principle of freedom of religion. It was possible to interpret this slogan as ‘anti-religious freedom stand of Muslims opposing the propagation of Ahabash in Ethiopia’. As many of the members of the Muslims’ Solution Finding Committee explained in a press conference held in June 2012 organized by First Hijirah Foundation however, the slogan has nothing to do with opposing or violating the constitutional religious freedoms of others. I have presented some of them as follows: Yasin Nuru, one of the members of the Muslim Solution Finding Committee stressed that, the slogan was only related to -

removing Ahabash from our forefathers’ mosques and other religious institutions, including Mejlis. It does not mean that we are saying to expel Ahabash from Ethiopia but we shouldn’t be dispossessed our homes (mosques). Those who are dispossessed their homes by force have the right to defend themselves and Allah also promised to help them (Press Release, June 2012, Yasin Nuru, – Author’s translation).

Dr. Adem Kamil Faris said, “Ahabash can disseminate its religious teaching as the constitution guarantees for that. No one can prohibit Ahabash from doing its religious propagation”. The Committee opposes only the institutions or organs that force us to implement Ahabash’s ideology – not Ahabash. He said;

We oppose it because doing this [supporting Ahabash by government and Mejlis] is unconstitutional and also violating the constitution. Of course, we know that Ahabash ‘do not have good things’ that could help Ethiopia since we know what they are doing in Lebanon and other parts of the world. They are basically against the fundamentals of Islam. Therefore, they will not help Ethiopia for its peace, development and stability. But this does not justify us to prohibit them from teaching in Ethiopia if they are doing it independently of our institutions and the government. They should not use our educational centers, our mosques and our Mejlis to disseminate their deviant belief. They should come alone and establish their own (Press Release, June 2012, Adem Kamil, – Author’s translation).

Sultan Hajji Aman, another member of the Committee, said,

Ahbash faced stiff opposition from all Muslim *ummah*. Ahbash is completely different from the mainstream Muslims of the world. Not only Ethiopian Muslims, but also all world Muslims and *ulemas* opposed it. Al-Azhar (Egypt) *ulemas* opposed it. All Syrian known *ulemas* opposed it. But these are not the reasons for our opposition. Ahbash's age in Ethiopia is not less than 40 or 50 years. Islam entered to Ethiopia before 1,400 years ago even before Medina (Saudi Arabia). What is not acceptable for us is the imposition of Ahbash to change our Islam. We particularly oppose the influence of external forces [Mejilis and government] (Press Release, June 2012, Sultan Hajji Aman, – Author's translation).

Tahir Abdulkadir, in his turn, said,

As we have the right to teach our religion based on the constitution, Ahbash has also the same right. We can't oppose it but what we opposed is the imposition. Government officials, siding with Ahbash, forced us to accept Ahbash. We complained that 'our constitutional and human rights are violated'. Ahbash has already opened its center in Ethiopia six years before, no one opposed it. But it is impossible to impose religion since religion is to be adopted by choice (Press Release, June 2012, Tahir Abdulkadir, – Author's translation).

From the above quotations of the speeches of the members of the Muslims' Solution Finding Committee, it is understandable that Muslims could and would not demand the removal of Ahbash as a separate religious creed operating in Ethiopia since doing this is tantamount to violating the constitution of the country. Instead what they opposed was its sponsorship by Mejilis and MoFA under the pretext of fighting religious fundamentalism and promoting religious tolerance.

6.7 Threats of Political Islam in Ethiopia: Perception and Reality

Islam spread in Ethiopia through peaceful means, i.e., through long distance trade and missionary activities (Abbink, 1998; Hussein, 2006). Islam never took military might as a means to hold political power in the Ethiopian territory. It was only for a short period of time that Ahmed Gragn declared jihad and conquered the country for not more than 15 years (1529-1543). Generally speaking, the time where Islam became politically active in Ethiopia – to be regarded as political Islam as we know today – was very few (Hussein, 2006). In spite of this fact, Erlich provides that, "from that sixteenth century event [Ahmed Gragn's seizure of political power] until today the idea that Islam, once politically revitalized, could well unite to destroy their national existence, has been an

integral and central part of an Ethiopian consciousness” (Erlich, 1994: 31). If true, this consciousness inevitably clicks in the ‘minds’ of the present government about the threats posed by the Muslims if organized in political terms and be ‘sensitive’ towards the activities of its own Muslim population. In this regard, the current controversy could not be fully understood and explained without having a prior knowledge about the power relations between the Muslims and the Christian-led governments of the past. In the long history of Ethiopia, Muslims were tolerated as long as they remained passive in the Ethiopian body politic and accepted their subordinate status in their relations.

However, there are new developments especially in the 1990s and onwards not only in Ethiopia but also globally where the emergence of ‘political Islam’ seen as a challenge for secular state orders. Some writers argue that, Islam is entwined with politics in which simple appeal to the Western secularism could not bring change (Fuller, 2002: 59). Some even went to the extent of arguing that, “Islam is the blueprint of social order. It holds that a set of rules exists, eternal, divinely ordained and independent of the will of men, which defines the proper ordering of society [...]. These rules are to be implemented throughout social life” – temporal or spiritual (Ernest Gellner, 1983: 1 quoted in Kuru, 2007: 574). Hence, it contradicts the political dominance of the temporal order at the exclusion of religious laws or blurred the distinction between politics and religion. Some others such as Bernard Lewis (1990, 1991 and 2003) and Samuel Huntington (1996) further argue that, Islam is totally incompatible with the principle of secularism that advocates the separation of state and religion. Bernard Lewis strongly argues that, unlike Christianity; “Islam does not have distinct conception [...] of sacred law versus secular law” and in Islam, “secular law is superseded by divine law” (1991: 10-12, 26 cited in Kuru, 2007: 574-575). According to these authors, Islam is both religion and politics, which is manifested in the form of what is called political Islam.

The term ‘political Islam’ was first coined in the 1970s where religious movements increased in the political sphere. As defined by Guilain Denoëux (2002), political Islam denotes to mean “the rise of movements and ideologies drawing on Islamic referents – terms, symbols and events taken from the Islamic tradition – in order to articulate a

distinctly political agenda” (quoted in Hurd, 2008: 117). For Nazih Ayubi (1992), political Islam means “the doctrine and/or movement which contends that Islam possess a theory of politics and the State” (ibid). Elizabeth Hurd (2008: 117) provides that, “political Islam is interpreted by secular analysts as epiphenomenal, as a divergence and/or infringement upon neutral secular public space, as a throwback to pre-modern forms of Muslim political order [...]”.

Terje Ostebo (2010: 7) in his work entitled *Islamism in the Horn of Africa: Assessing Ideology, Actors and Objectives* came up with three different but to a certain extent interrelated concepts to express the resurgence of religion, especially of Islam, in the politics of the Horn countries. He identified terms like Political Islamism, Reformist Islamism and Jihadi Islamism. For him, Political Islamism mainly deals with the activities of Muslim activism within a defined national territory to assume political power and influence for religious parity and incorporation of Islamic values in the social order with or without the use of violence to achieve its goals. Reformist Islamism and Jihadi Islamism, on the other hand, focuses respectively on reforming the religious spheres for eradicating un-Islamic practices in order to purge Islam, and liberating the world *ummah* from the anti-Islamic practices of the West. The political agenda is less pronounced in Reformist Islamism than the other two though there could be a possibility for that (ibid: 17-18). In this regard, he acknowledges the prevalence of Islamism in the Horn of Africa but with a varying degree of politicization where the greatest influence is found in Sudan – assuming political power in 1989 and established an Islamic State whereas the lowest impact is discovered in Djibouti. In the Ethiopian case, as he argues, Islamism is represented by the Salafi movement which surfaced itself during the 1940s but grounded its base after the 1991 regime change that created an opportunity for religious revivalism in the country. Nonetheless, contrary to the widely held view of the expansion of political Islam, the research findings reveal that, the religious activism propagated by the Salafis and other sects in Ethiopia “[...] are exclusively focused on the quest of reforming the religious sphere, and have refrained from forwarding any political statements” (ibid: 8). The majority of Salafis have little zeal to politics (controlling political power) except demanding for the fair representation of Muslims in the Ethiopian body politic (Ostebo,

2010). The Movement gained strong momentum during the EPRDF's era as a result of religious freedom instituted in the 1995 constitution and expanded to different parts of the country, including the capital. The group is better known for its activities of purging Islam from 'un-Islamic' practices as is practiced by many Sufi-oriented Muslims blending the religion with the local customs. In fact, this has brought the group into conflict with the proponents of the practice and also with the Ethiopian Islamic Affairs Supreme Council (Mejilis) as discussed above.

Concerning politics, Ethiopian Salafis advocate for the maintenance of the secular arrangement as it helps to properly handle the country's religious diversity (Ostebo, 2010). For obvious reasons, there are growing number of Salafi-oriented literatures and audio and video recordings, which advocate for the strict application of the Quranic verses, often labeled as puritans but the Salafis are far from demanding an Islamic state in Ethiopia. This is what some writers call as 'radicalization in religious sphere' (Alemayehu, 2013: 52). In this regard, the Ethiopian Muslim community is posing little or no security threat manifested in political terms as the government narrates in the public media and other government policy documents. Hassen Taju, a Muslim activist and writer argues that, "whatever to be Sufis or Salafis, when they come to Ethiopia they will become Ethiopian". For example, as he stated, "Sufi is militant in Sudan and Somalia but it became peaceful in Ethiopia. Wahhabi is political elsewhere but its activities in Ethiopia is about Islamic revivalism except in few places where militancy has been tried". For him, "there is something Ethiopian which modifies all kinds of sects [to moderates]" (Discussion with Hassen Taju, n.d: 3). In fact, in another interview, Hassen did not completely underestimate the influence of Salafism in the re-awakening of Ethiopian Muslims' political participation and involvement (Cross, 2009, Interview with Hassen Taju). He explains the Salafi influence in both negative and positive terms. Positively, Salafism is more dynamic and hence attractive to many young Muslims. This in turn creates awareness among the Muslim population who were passive in Ethiopian politics for centuries. For a country with 34 percent Muslim population, passivity harms the country's development. The recent awareness and Muslim participation in all sorts of societal life helps to stimulate its developmental activities. On the negative note, in some

instances, few Salafis are involving in activities related to the formation of a Saudi-style *shari'a* rule and implementation of strict dress codes for Muslims in public places. He argues, adopting *shari'a* is feasible in Saudi Arabia because its population is entirely Muslim but in Ethiopia this is not the case. Moreover, the organizational structures of Saudi Arabia are appropriately designed for veiling and other forms of dressing codes. Again this is not appropriate in Ethiopia and even harms Ethiopian Muslims from involving in education and securing job opportunity. For him, it is better for some groups to soften their 'extreme' claims for peaceful coexistence with other religious communities as Ethiopia is a religiously mosaic state. The implication is that, the claim for political power by some groups is still on the table. Overall, however, the threat for theocracy is minimal, if not marginal.

One thing to be mentioned here is that, there are fringe group named as the *Takfir wal-Hijrah* (literally means – excommunication and pilgrimage) originated from Egypt but brought by Ethiopian students in the 1970s from Sudan (American Foreign Policy Council, 2010: 3). The group was first settled around Gondar but later moved to the outskirts of Addis Ababa in the 1990s. It was led by Sheikh Muhammad Amin. The Takfiri group successfully exploited the conflicts between the Sufi and Salafi groups in Gondar area. The Salafi-oriented young Muslims in Gondar were in constant conflict with older generations of ulemas, imams and Mejlis leaders (Hassen, 2015: 83). As a result, the younger generation of Salafi-oriented groups usually segregate themselves from mosques that created fertile ground for the new but extremist Takfiri group to recruit membership (ibid). The Takfiri group then easily flourished in the surrounding area. Their leader, an Ethiopian but who came from Sudan, immediately designates all groups or individuals who opposed his teachings as *kufar* (non-believers). The responses from the leaders of the Mejlis of Gondar and other individuals aggravated the conflict. Hence, the extremist teachings of Takfiri group gained ground though not successful enough to attract large followers in subsequent years as its practice entertained and attracted strong opposition (ibid). The movement also has footholds around the Jimma area. This group, similar to the Wahhabis labels certain Sufi practices (such as celebration of *mewlid*, intercession, saint veneration and visiting shrines) as 'un-Islamic'

and it regards all other Muslims, including the Wahhabis, as *kufar* (non-believer). Its activities are less visible to the public following the death of its leader in 2004 (ibid). Even in this case, though the group's thinking is fundamentalist, its political role in Ethiopia is non-existent. The group members refused to hold an ID card and pay tax for the government (Ostebo, 2010: 32) believing that doing this contradicts the tenets of their religion. When they publicly announce their resistance to the authorities in 2009 and fomenting religious conflicts around Jimma, the government sent forces to suppress their activities. Overall, their strategy was far from establishing an Islamic state but rather isolationist (Ostebo, 2010: 32).

Even the Muslim Intellectualists, first emerged in the 1990s by Muslim students of Addis Ababa University and other higher education institutions, who were ideologically inspired by the Muslim Brotherhood of Egypt are found in diametrically opposite political views with regard to the role of religion in politics (Ostebo, 2010: 32). While the latter advocates for the establishment of an Islamic State of Egypt as its ultimate objective, the former advocates for a secular state of Ethiopia. What the Intellectualists are demanding and advocating is only for enhanced Muslim representation in “[...] public and political life, and strive for improved parity between the country's religious groups” (ibid).

Various government documents and official speeches on their part show that “the major objective of Islamic extremism in Ethiopia is to establish an Islamic government to be governed by a *shari'a* law” (Yehaimanot, 2011: 11). For achieving their purposes, the extremist groups work together with foreign NGOs and extremist forces by focusing on the youths in higher educational institutions. “By calling themselves with different names [Salafi, Super-Salafi etc.], these groups designate the indigenous Sunni/Sufi Muslim as *kufar* (non-believers) and preach against the peaceful Muslim-Christian coexistence in the country”²²⁶. They involve in burning churches, killing Christians, displacing and forcing them to be converted to Islam by force (Yehaimanot, 2011). They agitate other

²²⁶ Interview with Sheikh Azam Yusuf, former Vice President of Mejlis, on 22 April 2012 by the researcher in Addis Ababa

fellow Muslims not to pay tax, not to be loyal to secular/government laws, not to borrow money from government banks and work hard to create tensions between citizens and government. Moreover, the government believes that, both internal and external ‘anti-peace forces’ acted out in assisting Islamic extremists in the country. For example, “the terrorist organization of OLF was believed to be behind the conflict between the Muslim and Christians in 2011 around Jimma and Illu Ababora areas” (ibid: 11). There were extremist elements in this conflict that were “trained by the Union of Islamic Courts (UIC) and the government of Eritrea” (ibid).

In fact, religious extremism in Ethiopia, as the government believes, is not limited only to Islam. There are manifestations of ‘politicization of religion’ in other religions as well. Extremism in Orthodox Christianity is mainly related to the activities of the *Mahbere Kidusan* (a branch organization in the EOC) accused of working for the ‘restoration’ of the national Church status of the EOC or create ‘new form of government dependent on the Church’ (ibid). Extremism in Protestantism is related to the complaints they forward about the discriminations by government officials in obtaining worshiping places, cemeteries and their lower status compared with the Orthodox Church in the registration requirements (Yehaimanot, 2011: 16). The accusation of the Protestant churches for extremism because of their complaints however is at odds as these are legal and within the bounds of the country’s constitutional framework. All are legitimate grievances so far as they are supported with evidences for the practice of discriminations in different localities and in the application of different legal regimes for the registration of religious groups. Notwithstanding the differences in the manifestations of religious extremism and politicized religions, the overall belief of the government is that, ‘political Islam and political Christianity’ are major threats for the secular state of Ethiopia.

However, the government’s fear was high on the agenda on the Salafis since some of them are accused of agitating for an Islamic government. According to Prime Minister Meles Zenawi, some (not all) Salafis are preaching for realizing this objective ‘justifying their claim’ that, “Since the majority of Ethiopian populations are Muslim (rejecting the data presented by the CSA as false), there must be an Islamic government in Ethiopia.

[...] They also oppose and condemn the history of Muslim-Christian peaceful coexistence” (Parliamentary Speech, 17 April 2012).

When members of the Muslims’ Solution Finding Committee were asked to respond for the accusation of the government ‘for participating in terrorist acts and working for establishing an Islamic government (*shari’a* rule) in Ethiopia’, they all were surprised and boldly rejected it as ‘false allegation’. In a Press Release in June 2012 organized by First Hijrah Foundation, Kamil Shemsu Siraj, one of the members of the Committee said that, “there is no ground to accuse the Committee working for establishing an Islamic government in Ethiopia”. He mentioned several reasons for this. One is related to the constitutional provision of art 11. Art 11 provides for the separation of state and religion. According to him, this article affirmed the separation principle, first and for most, to anchor religious equality and give guarantee for religious oppression never to come again. In retrospect, Ethiopia was once considered as a ‘Christian Island’ excluding its own Muslim population from being recognized as full citizens for nothing but their religion. Islam and Muslims also faced state-sponsored hatred during the military regime. The 1995 Constitution was introduced to rectify these historical discriminations and oppressions. With surprise, he interrogated the allegation; “How can Muslims who benefited more from this provision oppose and work against it?” Notwithstanding its relevance to all, art 11 (secularism) is even more important for the previously oppressed and discriminated religious minorities as it prohibits the establishment of a religious government in the future or avoids maintaining the status quo. This provision is one of the fundamental pillars of the constitution that protects the interests of Muslims not to be regarded as second-class citizens. Hence, all Muslims respect and work to the implementation of the constitution as it guarantees their rights and equality (ibid). As he said, the Committee members are all Ethiopian and working in the country whom all the Muslim community and the government are well aware – accusing them with ‘establishing an Islamic government’ as unreliable. More specifically, he said that,

Our day-to-day activity is not secret. We have already submitted different letters for various levels of governmental offices with clearly spelled out demands. So far, we have submitted to [Addis Ababa] *kifle ketema* (zone), Mayor Office and

Ministry of Federal Affairs a three, five, seven, seventeen and lastly twenty-two pages complaint letters. All of these letters do not show any political ambition or interest of the Muslims and the Committee. No indication to that effect to accuse us with ‘hidden political agenda and forming an Islamic government’. It is simply an accusation by somebody else when it is unable to respond to the constitutional demands of the Muslims positively. We believe that, our demands are far clearer than what we can express in words here. Today, we [Muslims] even couldn’t administer our mosques and other religious institutions. While we are unable to properly handle our religious institutions, how can we claim to administer the state through *shari’a* law? For me, this accusation must have come from outside of Ethiopia that did not know the Muslims of Ethiopia (Press Release, June 2012, Kamil – Author’s translation).

According to him, the other factor that makes the accusation simple allegation is related to the weak organizational structure of the Muslim community. Muslims are poorly organized which does not warrant that the accusation for controlling state power is really true. For him, both principle and practical obstacles deter Muslims to establish a theocratic government in Ethiopia. Pragmatically, Ethiopia is a Christian-majority country which makes the demand for Islamic government nonsense. When Hassen Taju – writer on Islam, preacher and Muslim activist – was asked, *why is theocracy inappropriate for Ethiopia?* He replied, “in Ethiopia where 66% of the people are non-Muslim adopting *shari’a* law would [...] not be feasible” (Cross, 2009: 4, Research for Dr. Bruce Lawrence). In principle also, Ethiopian Muslims are supportive of separation of state and religion (Press Release, June 2012, Kamil Shemsu) which they struggled during the imperial regime to see their dreams fulfilled – to be recognized as equal citizens. Another member of the Committee, Ahmed Mustefa Habib, explained that “knowing the source and the target of the accusation is very important than the merit of the accusation itself to understand what is really behind the issue”. For this, he said,

First, it is better to know the source of the accusation since it helps us to understand what is behind. The accusation may be raised to blacken Islam and to show the religion as being a source of threat for peace. There are many countries across the world that associates Islam with violence and terrorism. These countries may involve in accusing Islam. When we ask, why is it in Ethiopia? There is no ground for that and even difficult to get an answer. All our mosques are open for everybody. Our preaching is open for all. The CD’s and books are also openly circulating. This was not an issue among the public [including followers of other religions] so far. This accusation casts a doubt that ‘like all other states, Ethiopia is also working to show that Islam is a threat for security’. Otherwise, no any

evidence either in word or practice to support the accusation. From the very beginning, government officials affirmed for us saying that ‘your questions are legal and very clear’. We believe that, the government knows the Committee is ‘free from such associations with terrorism’ (Press Release, June 2012, Ahmed – Author’s translation).

His response for the accusation of the Committee for inciting extremism and terrorism was as follows;

Concerning extremism, we will not do it if the constitution itself allows [makes legal] because Islam is against it. If extremism is to come to Ethiopia, we afraid that no one but the propaganda of the media will be responsible. We all know that, if extremism and terrorism happen in Ethiopia, it will affect Muslims more than others. For one thing, anyone who wants to attack Islam could easily do it under this pretext. Second, people will hate Islam and it will make difficult the task of *da’awa* (calling non-Muslims to Islam) (Press Release, June 2012, Ahmed – Author’s translation).

Ahmedin Jebel also replied that, “the accusation of the Committee working for the establishment of Islamic government in Ethiopia is baseless”. He even interrogates the accusation saying that,

In which of our complaint letters we claimed for an Islamic government? In which stage of the protest (including Awolia College) we reflected that demand? Let alone to demand *shari’a* rule, we didn’t even raise claims to strengthen *shari’a* courts which are legally operating in Ethiopia. Let alone to establish Islamic government, we are not in a position to establish Islamic mosques. In fact, as an accusation, it is very serious but not real (Press Release, June 2012, Ahmedin – Author’s translation).

The Committee members collectively denied that none of their narrations, behaviors and actions favors the establishment of an Islamic government in Ethiopia nor it has a ‘hidden political agenda’ to overthrow the government through acts of violence. They argue, all the demands are religious and also constitutional with no reference to *shari’a* rule or controlling political power. From many of the empirical research findings conducted so far, from the data collected and analyzed in this research, and from the information obtained from the complaint letters of the Muslims’ Solution Finding Committee members including their narrations through various media outlets, the accusation of the government of Muslims (what it calls Salafis or Wahhabis) for establishing an Islamic

government (political Islam) is found to be an exaggeration and government's responses to the questions of Muslims are too simplistic, inaccurate and inappropriate. Many of the government policies and practices towards Muslims are marked by antithetic between 'bad and good, tolerant and intolerant, moderate and extremist'. By doing so, the option for promoting the practice of Sufism (supposed to be tolerant, apolitical and hence good) and encouraging Sufi-oriented Muslims to occupy important leadership positions in the Ethiopian Islamic Affairs Supreme Council (Mejilis) has been 'on the table' for countering religious extremism and political Islam. This has resulted in the deep involvement, not to say intervention, of government in 'purely religious matters' which the principles of secularism and freedom of religion did not warrant. The strategy of recruiting apolitical and tolerant religious groups for developing mutual tolerance and peaceful coexistence between religious communities by itself is not a bad idea but it has to be done by the government without taking religious side.

Concluding Remarks

The recruitment of friendly religious doctrines or sects within Islam is now becoming an accepted norm in the policy circles of different governments across the globe. The 9/11 terrorist attack over the World Trade Centers and Pentagon just 'supplied the justifiable grounds' for states to encourage moderate religious sects as part of their counter-terrorism strategy. As the direct victim of the attack, the US runs at the forefront in devising this policy. Salafism/Wahhabism is blamed for harboring religious intolerance and extremism while Sufism is mostly praised as tolerant and apolitical. Ethiopia followed suit. The Ahbash religious ideology has been preferred for deterring the influence of Wahhabism with their intolerant behavior and extremist ideology. The Ethiopian strategy is more of a preventive one where it was devised not as a response to the attack from Wahhabis but more of prophylactic to deter the expansion and influence of Wahhabi teachings. This has been done with the peril of contradicting the country's constitution that forbids government's preferential treatment of religions and the separation of state and religion.

CHAPTER SEVEN

CONTESTED SECULARISM: MUSLIM CLAIMS AND GOVERNMENT RESPONSES

Introduction

The cordial relationship between the Muslim community and the Ethiopian government seems started to deteriorate in the mid-1990s. Following the institutionalization of religious freedom after 17 years of religious suppression under the military socialist regime, a new wave of religious revivalism has been ensuing within the Muslim community in the post-1991 period. The freedom for furthering one's religious fields was so wide and it continued undisturbed just for few years. The competition among religious groups became high. It sometimes took a form of 'hegemonic discourse' to undermine others. It even reached to the level what some call "do as you want and further your own cause as much as you can" (Abbink, 2011: 256). However, this policy of indifference from the government never left unchecked. The government involved in limiting such activities 'when it reached to the level of challenging the secular state order and affecting the peaceful coexistence of religious groups'. In addition to inter-religious conflicts, intra-religious conflicts pushed the government not only to closely follow-up their activities but also to intervene. The 1995 Anwar Mosque incident²²⁷ was one example. It was mainly a conflict for power between two groups within Islam – one Sufi-oriented and the other Salafi-oriented. Controlling Mejlis leadership was high on the agenda. It was

²²⁷ The 1995 Anwar Mosque incident was the turning point for the subsequent weakness of Mejlis leadership and its control by the government. For more information on this issue, see Hassen Taju (2015: 101). In his view, the leadership of Mejlis remained weak after 1995 because: 1) that incident created fear on those competent individuals to involve in Mejlis-related activities or caused them to abstain from involving in the leadership, 2) since the new leadership was constituted in 1996 after the incident, those with good ethics and personal discipline abandoned their roles in the leadership and the situation in turn created opportunity for those incompetent and less disciplined individuals to come to hold office, 3) the system of Mejlis itself does not allow well disciplined and responsible individuals to hold power since it makes difficult for those who occupy office coming from different regional states returning back to their normal life or business after completing their terms. Hence, no one – competent enough to lead their independent life – would be interested to hold office in Mejlis. Obviously, only those jobless individuals or who think nothing to lose for coming from their regions will join the leadership, and 4) those who are elected from regions will come to Addis Ababa (Federal Mejlis) with their families. Their salaries is very attractive and 'additional income' through foreign visits enables them to lead a 'luxurious life' for themselves and their families that in turn makes difficult to leave office through election and returning back to their 'original life style'.

finally ‘solved’ by government intervention through force in which ten people were killed (Yemuslimoch Guday, 2012: 336). The ultimate result of the conflict and ‘government intervention to end the conflict’ was the strengthening of the positions of government loyalists to hold power in the Council (Abbink, 1998: 117).

The conflict again gained momentum after the summer of 2011. It resulted in an open protest by the Muslims in Addis Ababa and other major urban areas of the country. The causes of the conflict were attributed mainly to two factors. One is related to government interference in religious affairs and the other to the absence of competent religious institutions to organize and lead the Muslim community. Many Muslims²²⁸ perceive that, the Ethiopian government is trying to control all walks of life including religious institutions by installing its own supporters or what some call ‘turbaned cadres’ in religious institutions and intervening in the religious freedom of individuals to hold or adopt a religion of their choice under the disguise of providing training for religious leaders, *imams* and *ulemas* about their constitutional rights and duties. According to the various letters²²⁹ of the Muslims’ Solution Finding Committee, which were submitted to

²²⁸ Information gathered through FGD in Addis Ababa on 15 June 2013 organized and facilitated by the Researcher with Muslim activists and university students. The discussion was conducted just for an hour where both religious leaders and lay Muslims involved.

²²⁹ The first letter, which consist of the three major questions of the Muslim community that seeks (replacing the unelected Mejlis leadership with elected leadership, ceasing the indoctrination of Ethiopian Muslims with Ahabash philosophy by the support of Mejlis and government officials, and handing over of Awolia Islamic Missionary College to the public under an independent board of directors), was written in February 2012 and submitted – among others – to the FDRE House of Peoples’ Representatives, the House of the Federation, Prime Minister Meles Zenawi, Ministry of Federal Affairs and EPRDF Secretariat Office. The second letter, whose major objective was to create awareness for the general public and government officials about the demands of the Muslim community and the legality of the procedures that the Committee are following, was written in February 2012 and submitted to more than forty governmental offices including but not limited to the Deputy Prime Minister and Foreign Minister Haile Mariam Desalegn, Ministry of Justice, Addis Ababa City Government Mayor, the Ethiopian Human Rights Commission and Central Statistics Agency. The third letter, which focuses on the complaints on the broadcasts through public media about the questions of Muslims on 4 and 5 March 2012 by the Ministry of Federal Affairs as if the problems were resolved once and for all, was written on 8 March 2012 and submitted to the Ministry of Federal Affairs and its carbon copy to the Ethiopian Muslim *Ummah* (to whom the Committee is accountable). The fourth letter, which focuses on requesting the government for arranging an enabling environment for dialogue and discussion about the issues raised by the Muslim community, was written on 11 March 2012 for the Office of the Prime Minister and to Prime Minister Meles Zenawi and its carbon copies – *inter alia* – to Government Communication Office and Ministry of Federal Affairs. The fifth letter, which deals with complaints about the pressures on the Muslim community and the activists by some government officials because of their demands for the respect of their religious rights, was written on 20 May 2012 directly to Prime Minister Meles Zenawi. To be noted here is all letters were signed by the Muslims’ Solution Finding Committee members.

different government organs and the EIASC (Mejilis), the Mejilis leadership together with some government offices is coercing mosque *imams* and *ulemas* to attend the Ahbash training in violation of the FDRE Constitution (art 27 sub art 3) and other international laws and agreements (art 18 sub art 3 of ICCPR) that Ethiopia ratified. The two institutions; the political (state) and the religious (Mejilis), are inextricably conjoined hands for intimidating those *imams* and *ulemas* who refused to participate in the training program to leave their positions in favor of the so-called religiously moderate Ahbash *imams* (Press Release, 2012, Ahmedin).

Although Muslims accuse the government for meddling in their religious affairs, the government in its turn not only denies the accusation but also counter-accuses some Islamic extremist groups – the Salafi/Wahhabi Muslims – advocating and working for the establishment of an Islamic government in Ethiopia and actively engaging in terrorist and unconstitutional activities (Meles Zenawi, 17 April 2012). The response and strategy of the government is therefore shaped on the basis of its understanding of the nature and causes of the problem rather than dealing the problems from the complainant side. The problem even became very complex when situated in the climate of global war on terrorism and the two parties never showed interest to compromise to reach an agreement to go forward. In dealing with the nature, causes and dynamics of the conflict, I gathered and examined the various complaint letters of Muslim activists submitted to various government offices and the views of my informants in line with the responses and the strategies employed by the government to cope up with the problems. Hence, this chapter is mainly devoted to the overall Muslim complaints channeled through the Muslims' Solution Finding Committee and weekly Muslim protests and government responses substantiated with data collected from the field and scholarly works in order to have a full picture of the conflict. The data from both sides are presented in full and interpreted taking into account of legal, regional, geopolitical and international contexts. The chapter is organized in two major parts – Part I deals with Muslim claims and complaints and Part II scrutinizes government responses and strategies for handling the claims of Muslims and other religious-related issues.

Part I

7.1 Muslim Claims and Complaints

The Muslim community publicly aired their grievances and presented their complaints against ‘excessive government interference in their religious affairs’ and the incompetence of Mejlis leadership²³⁰. Their claims were twofold: Reforming Mejlis leadership on a more democratic basis through election, and requesting the cessation of forced indoctrination of Ethiopian Muslims with Ahbash religious ideology (Press Release, 2012, Abubeker). The movement first started at Awolia as a protest against the sacking of fifty Arabic language teachers and other workers through a letter written by Mejlis and signed by its peace and security branch officer Ato Jemal Mohammed Salih on 30 December 2011 (Ewunetu Yih New, 2012: 10). Awolia was considered both by the government and Mejlis as the base of Wahhabism where its extremist ideology is disseminating. Dr. Shiferaw Teklemariam in an interview with the Reporter Private Newspaper on 17 March 2012 said that;

When Wahhabis first came to Ethiopia in the last 25 and 30 years, they landed at Awolia. When this Center is expanding, especially those departments which claim to teach Arabic language gather orphans from different parts of Ethiopia and train them about Wahhabiyya ideology using textbooks directly written by Muhammad bin Abdul Wahhab locking them inside in order not to communicate with the outside community. When the trainees came out of their shell, they became [poisonous snakes] to beat everybody they thought is against Wahhabi ideology. So far, the Wahhabis trained around 200 to 300 individuals for about four years and employed in other Islamic institutions, NGOs and governmental organizations (Author’s translation from Amharic).

He further explained the causes of the protest in Awolia and other parts of the country as ‘nothing but the instigation of this group’. He added; “when Mejlis decides to stop the spread of Wahhabi extremism that is underway disguising teaching Arabic language, this group felt that ‘their last stronghold is under attack’ and staged protest against Mejlis” (ibid). The measure of Mejlis against the Arabic language department and teachers

²³⁰ In a way that shows the real weakness of Mejlis leadership, Yasin Nuru, one of the members of the Committee, said that “Ethiopian Muslims are seated in a car which has no driver, or a driver who received his license through corruption or forged license - both of which are *haram* (prohibited acts) in Islam” (Ethiopian Muslims’ Questions and Peaceful Struggle at Awolia, Video prepared by Dimitsachin Yisema, January 2012).

became more of an immediate cause for the protest where it later articulated and included other but basic demands of the Muslims, including the change of Mejlis leadership through fair, free and democratic election. The protest gradually widened in scope; both in its demand and magnitude. The size of protesters swelled up day-by-day and voiced, not only for the re-instatement of the dismissed workers and students, but also their grievance against the very legitimacy of Mejlis leadership. They requested for the removal of Mejlis leaders as they are ‘cadres and government appointees’ than elected representatives of the Muslim community²³¹. The students, teachers and administrative workers of the College began to chant; “*Abay Yigedebal, Mejlis Yiwegedal*” – literally, “Nile be dammed and Mejlis [leadership] be removed.” The repeated protest, at least during its initial period, was spontaneous where there was no any organized leadership until the protesters elected the 17-member arbitrators committee called *Yemuslimoch Meftihie Afelalagi Komitiye* – literally means, ‘Muslims Solution Finding Committee (hereafter, Committee)’ on 19 January 2012. The Committee accepted to shoulder the major responsibility of presenting the Muslims’ questions and grievances directly to the government in order to lay the ground for the election of new Mejlis leadership.

7.1.1 The Role of the 17-Member Arbitrators Committee

As stated above, the protest was initially triggered by the firing of fifty Arabic language teachers, college students of Arabic language and other workers²³² from Awolia through a letter written by Mejlis leaders. This event angered the school community to protest against, not only the illegal measures but also the procedurally wrong²³³ actions of Mejlis. They demanded the re-instatement of teachers and workers to their job and

²³¹ Interview by the Researcher with a student of Awolia College on 15 May 2012 inside the College Campus

²³² In an interview with Voice of America (VOA) on 23/03/2012, Dr. Shiferaw Tekle Mariam, chief Minister of Ministry of Federal Affairs said that, ‘in the name of teaching Arabic language at Awolia College, Wahhabist extremist ideas are gaining ground and it became the breeding ground for Wahhabi thinking’. He added that, ‘this last stronghold (fortress) of Wahhabism has to be demolished to defeat Wahhabism’. He said, the base of Wahhabism in Ethiopia is Awolia College (Reporter Private News Paper, 17 March, 2012). The government concern of rejuvenation of extremism in Awolia through Wahhabi influence was mainly attributed to Mejlis’s repeated appeal. In this regard, it is quite reasonable to think that the firing of Arabic teachers is related to weakening the influence of Wahhabism.

²³³ It was procedurally wrong because according to the labor law of Ethiopia, before a worker is sacked from his job, he has to receive oral and written warnings. Mejlis automatically fired out teachers from the College without fulfilling these legal procedural requirements.

students to their education, which later prompted the people to question the very legitimacy of Mejlis. The students vehemently opposed the decision of Mejlis. “While we were in protest inside the College campus”, one informant and a student of Arabic language said, “we were summoned to the Mejlis office and received warning by the then Mejlis Head Sheikh Ahmedin Abdullahi Chello to restrain from our opposition and protest [against their decision].” The Arabic language students, who were expelled from attending their college education, asked him “to revoke the letter of expulsion until they graduate, which they left only three months for graduation.” However, he refused and even said, “let alone three months, we will not allow you for a day” (ibid). Even added to that, he said; “before incorporating the Ahabash religious thought in the school curriculum, we would not let you go [graduate]”²³⁴.

When leaders from the Mejlis reacted negatively to the questions of the students, the protest started to encompass other but bigger questions such as Mejlis leadership removal and the Ahabash issue (Ewunetu Yih New, 2012). The movement then attracted wide sectors of the Muslim society. During the first two or three Fridays, the protest had taken place without any organized leadership. Large crowd of people gather in Awolia and express their grievances against the legitimacy of Mejlis leadership and government interference in religious matters. It was on 19 January 2012 that the protesters chose their leaders to present their questions to concerned authorities in an organized and coherent manner. At this particular time, the 17-members Committee organized from different sectors of the society (elders, *ulemas*, scholars, youngsters etc.) emerged to represent the Muslim community with the sole purpose of presenting the demands of the *ummah* to the government (Press Release, 2012, Abubeker). Their legitimate representativeness was later strengthened by around 500,000 signatures collected from the Muslim community from Addis Ababa and other parts of the country (See Appendix I). Officials from MoFA started discussion with the representatives recognizing their legitimacy but ‘advised’ the group not to be in the service of other extremist groups with their hidden political agenda (ETV, 1 Feb. 2012).

²³⁴ Interview by the researcher with an Arabic student and witness for the Muslims’ Solution Finding Committee around Kaliti area on 20 May 2014

The Committee was mandated to take the Muslims' questions to the government and seek legal solutions to the problems through a peaceful means. After consenting to represent the Muslim community, the first task of the Committee was to discuss and reach consensus on certain important issues. Among others; the Committee not only discussed on issues of the legality of the questions of the Muslims but also checked out whether the questions are really the questions of the wider sections of the Muslim community and approve to follow only peaceful means to achieve its objectives, though there might be difficulties in their future dealings with the government (*Ewunetu Yih New*, 2012). In other words, as shall be discussed later, the Committee sworn to remain in the bounds of the constitution and remained so in its narratives, behaviors and deeds, though some form of violence erupted. After securing affirmative response from all the members of the Committee on the roadmap for dealing with the government, it pursued its task of articulating and submitting the questions for various government offices. Procedurally, it has to submit and seek response from lower government organs including kebeles. Failing to get positive response from lower levels of government offices, the Committee submitted the claims and complaints to higher state organs²³⁵. Among the state organs that the Committee submitted the letters include; the HPR, HoF, the Prime Minister's Office, MoFA and Office of the EPRDF (the ruling party). In addition, copies of the letters were submitted to the Ministry of Justice, Federal and Addis Ababa Police Commissions (*Ewunetu Yih New*, 2012: 15). In the proceeding parts of this chapter, I have presented at least four official letters from the Committee and analyzed the contents and notions of some of these letters in line with the constitutional principles of secularism and freedom of religion.

7.1.2 General Overview of the Contents of the Letters

The various letters and other documents prepared by the Committee stress the marginalized status of Muslims in history. All the letters underlined the prevalence of discrimination and marginalization of Ethiopian Muslims by all previous regimes. In effect, all appreciate the religious freedom that Muslims are enjoying under the EPRDF

²³⁵ See for example the press release of the Muslims' Solution Finding Committee members in June 2012 (Part I – Compiled by First Hijira).

government. Although they appreciated the overall policies of the regime, they also expressed their reservations in some regards and complained about the incongruity between the constitutional promises and the practice. In principle, the 1995 Constitution left nothing uncovered to rectify the past injustices (ethnic, linguistic, cultural, economic, political, gender, etc.) but in practice a lot remained unimplemented. In all the letters, the Committee mentions the Mejlis leadership as main trouble-makers and at the center stage of all the problems that persist in the Muslim community. It stresses that, if the problem with Mejlis is resolved peacefully, all other problems could be easily managed, if not totally wither away. One of my informants also strengthened this claim when he says; “all other questions are only follow-up questions in that if the Mejlis issue is solved peacefully, others simply disappear”²³⁶.

As it is stated in the various letters, the Mejlis leadership, instead of working for the unity of Muslims and work in cooperation with the government and other religious groups in the country, it focuses on dividing the Muslims on the basis of minor religious doctrines and create a rift between government and Muslims and between Muslims and Christians. It provides that, the inefficiency of Mejlis leadership, coupled with government intervention in religious affairs, instigated many Muslims to rise up in protest. In addition to highlighting the activities of Mejlis and government intervention in religious affairs, the Committee also tried to show some defamation propaganda against the Muslim activists labeling them as ‘extremists and terrorists’ through state-funded public media, which will be discussed later. In the coming section, I found to be useful to present and analyze some of the letters of the Committee submitted to various government offices.

²³⁶ Interview by the Researcher with a student at Awolia College and one of the organizers of the protest, at Awolia Campus on 25 March 2012

7.1.2.1 The Content and Notion of the First Letter

The prologue of the first letter begins with the reiteration of discrimination and marginalization of Muslims by the previous regimes, in effect, appreciating the present conditions but with some frustrations by the recent ‘unfavorable developments’. It was submitted to MoFA and reads;

The Muslim community has endured different types of discriminations and oppressions for centuries because of their religion. It was the hope of many that the freedom of religion included in the constitution [1995 FDRE Constitution] will make religious oppression only history. The Muslim community has great respect for the EPRDF government for its vital role in the promulgation of this constitution. It is our firm belief that, the EPRDF regime is by far better for the protection of religious freedom not only from previous regimes but also from the existing opposition parties. However, things are not going well in recent years that in turn weaken the Muslims’ support for the government – though the major problem-creator is Mejlis (Letter by the Committee, January 2012 – Author’s translation from Amharic).

The letter was articulated in historical perspective where discrimination and marginalization of Muslims undermined their religious freedom and contemporary improvements. They went to the extent of saying that, “Muslims expect even more freedom from the EPRDF government in a way that rectifies these historical injustices”. The letter however stresses that, “the major source and cause of the Muslim grievances and protest in the country is solely attached to the weaknesses of Mejlis leadership and its illegitimacy in the eyes of the Muslim community”. It points out that;

It was the responsibility of Mejlis to work for the protection of the constitutional rights of Muslims, mobilize them for the realization of government policies for national security and development and work for establishing smooth relationship between Muslims and the government. Nonetheless, two decades lapsed without realizing such missions to the satisfaction of both the Muslims and the government. To make matters worse, in recent years, Mejlis is involving in subversive activities contrary to its objectives. It releases announcements [through various media outlets] that triggers conflict between Muslims, between Muslims and other religious communities, between government and Muslims, and is becoming trouble-makers (Letter by the Committee, January 2012 – Author’s translation).

The Committee, in its letter forwards what it thinks could be a solution for the problem. To curb the problem at its early stage, the current Mejlis leadership should be replaced

with legitimate Muslim representatives elected through free, fair and democratic election. The Committee presented its claim in a form of analogy. It says, electing one's representative is the constitutional right of citizens. The Ethiopian people are allowed to elect their political leaders through fair, free and democratic election based on the principle of universal suffrage stated under art 38 of the FDRE Constitution. In the same analogy, Muslims should be entitled to elect their spiritual leaders²³⁷. To be noted here, in spite of this right inscribed in the Mejlis statute, the first Mejlis election took place in 2000 in which more than 12 years lapsed without a second election. Muslims do not consider the existing Mejlis leadership as their representatives and the government should take the necessary measures for Mejlis election to take place. Moreover, some religious conflicts observed in various parts of the country, directly or indirectly, are implicated with the inefficiency of Mejlis and its subversive activities (ibid). Even more serious, the act of imposing Ahbash doctrine over the Muslims spearheaded by Mejlis in collaboration with MoFA is unconstitutional and the Committee, in the name of the Muslim community, requests the cessation of the act. The letter emphasizes that,

Propagating and disseminating one's religious philosophy or ideology is the constitutional right for any religious group in Ethiopia. Muslims do not and could not oppose Ahbash as one form of religious ideology/teaching. However, since it is labeled as 'deviant sect' from the mainstream Islam by Islamic ulemas across the world, it has to propagate its teachings in a separate institution other than Mejlis and Muslims' mosques, both of which are the hard-won fruits of the struggle of Ethiopian Muslims against the oppressive regimes of the country (Letter of the Committee, January 2012 - Author's translation).

The Committee underscores that, Awolia is the property of the Muslim community and Muslims request the 'illegitimate' Mejlis to put off its hands from it. In other words, they requested Awolia to be taken away from Mejlis and be administered by an independent board until genuine election takes place. With all their duties earnestly accomplished, the next step was to wait response from the concerned government authorities.

²³⁷ Ethiopian Muslims' Questions and Peaceful Struggle at Awolia, Video by Dimitsachin Yisema – 'Let Our Voice be Heard', Yasin Nuru, January 19, 2012)

7.1.2.2 Developments in the Aftermath

While awaiting response from the government (mainly from MoFA)²³⁸, the protest spread in different parts of the country. At this time, as stated in the second letter (dated February 2012), the Mejlis leaders involved in disseminating messages that undermine the activities of the Committee and belittle the questions of the Muslims. One of which was the Council's warning and readiness "to put down the illegal protest of the extremists in cooperation with government security forces" (Ewunetu Yih New, 2012).

On 1 February 2012, the Committee members conducted the first ever open discussion with the top officials of MoFA directly related to the questions of the Muslim community. The discussion however was not successful mainly because the Ministry, instead of dealing with the issues raised by the Committee members, tried to arbitrate the Committee with the sitting Mejlis leadership. The Committee opposed the arbitration role of the Ministry and demanded direct response from the government. They made clear that,

The Muslim community elected us to directly talk with the government and bring unambiguous response to the questions. It is not our agenda to negotiate with the Mejlis leadership whom the Muslims do not accept its legitimacy and who work against the causes of Muslims (Ewunetu Yih New, 2012: 24).

What was gained for the Committee at its first meeting was that the Ministry of Federal Affairs accepted their demands as 'legitimate and legal'. Officials from the Ministry appointed them for 13 February 2012 for further discussions on the questions and respond accordingly. In between, the Mejlis leadership often appears in public media and accuses the Committee members as illegal and terrorist groups. It said; "the so-called representatives of the Muslim community [the Committee] are the mouth-piece of the Saudi-inspired Wahhabi extremist group, terrorists, tax-evaders and groups who have a

²³⁸ Based on Proclamation No. 691/2010, the Ministry of Federal Affairs is empowered to deal with religious-related issues. As per art 14 of the Proclamation, the Ministry is entitled to "work in collaboration with pertinent government organs, religious institutions and other organs to ensure that peace and mutual respect will prevail among followers of different religions and beliefs, and to be able to prevent conflicts: register religious organizations and associations". The Ministry has also made clear its responsibilities with regard to religion and religious institutions as creating awareness for the public on constitutional rights and duties and solving misunderstandings between or among different religious communities.

political agenda”²³⁹. When the discussion began on 13 February 2012 between the Committee and government representatives from MoFA, the Committee complained about the subversive and defamation acts of Mejlis directed against its members and Muslim activists. Stressing on this issue, in the opening speech, the government representative expressed his deep concern stating that;

To call a group [referring to the Committee], which the government recognized as legitimate representative of the Muslim community and started direct talks, as terrorist, extremist etc. is tantamount to criminalize the government itself - legitimizing the interests of terrorists. Therefore, the government could take appropriate measures on the perpetrators of this propaganda to refrain from their acts (*Ewunetu Yih New*, 2012: 24).

The Ministry of Federal Affairs has undertaken face-to-face discussion with the Committee members in its office and was broadcasted through ETV²⁴⁰. The News Headline goes like this; “the Committee, elected by and representing the Muslim community, have discussed their questions with top government officials”. Dr. Shiferaw was quoted saying that, “the Committee should take care not to be hijacked by anti-peace forces who want to use the Muslim community for their ‘hidden political agenda’” (ibid). From his speech, it is understandable that ‘the Committee members are considered as legal and represent the interests of the Muslim community but he stressed the necessity for the Committee not to be in the service of other anti-peace forces’. However, except acknowledging the legality of the questions and the peacefulness of the presenters, there was no response to the questions and the two parties failed to reach an agreement. The Ministry gave them another appointment for 3 March 2012 to provide an *inclusive and full response* for the demands of the Muslim community. Nonetheless, at the midst, the protest continued and became country-wide that scaled up the conflict between the Muslim community and the government. This in turn made the government to be heavy-handed in its future dealings with the Committee. In parallel with these developments, the representatives from Mejlis appeared in ‘private’ media to publicly endorse “the Sufiness of Ahbash and its correct Islamic teachings” (*Ewunetu Yih New*, 2012). In

²³⁹ <https://mail.google.com/mail/?shva=1#inbox/13abe6d59f8920b0>, BBN Radio, 2012: 12; citing Fana FM Radio.

²⁴⁰ <http://www.ethiotube.net>

short, it acknowledged “the teachings of Ahbash [as] necessary for Ethiopian Muslims” (Ubah, 2012: 4). In one of the interviews with the Vice President of Mejlis by the researcher, it is said that “what the Committee call Ahbash is what Mejlis call *Ahl al-Sunnah wal-Jama’ah* and it is false propaganda of the Wahhabi extremists”²⁴¹.

Partly as a response to ‘the misrepresentation of the Muslims’ questions by Mejlis’ and partly for ‘creating awareness for the public at large (Muslims and Christians) and for government officials’, the Committee prepared another document elaborating the demands of the Muslims and submitted it to various government offices. The letter was submitted to more than 40 government offices and officials of both federal and Addis Ababa city government.

7.1.2.3 The Second Letter: Major Contents

Entitled: *A Document Prepared for Awareness Creation to Higher Government Officials on the Questions of the Muslim Community*, is divided into two parts: the first part deals with the main cause of the problem and the second discusses on the possible solutions. As usual, it begins with appreciating and supporting the contributions of EPRDF in overthrowing the last centralist and dictatorial regime of the military Derg for peace, freedom and development to prevail but re-framed its criticism in strong wording stating that;

Ethiopian Muslims began their protest against the Mejlis leadership because ‘they believe, it is not their legitimate representative and incompetent to lead them.’ In spite of this, the government remained indifferent or deliberately ignored the questions and in most cases sided with the Mejlis leadership. It is, therefore, ‘we, the Committee members as a representative of Ethiopian Muslims, once again prepared this document to elaborate the causes of the problem and to suggest possible solutions (Letter of the Committee, February 2012 – Author’s translation).

The Committee presented some of the pushing factors for the Muslim community to rise up in protest. Among others include; the precarious legal existence (personality) of Mejlis and the failure on the part of Mejlis leadership to settle the problem, undue

²⁴¹ Interview with Sheikh Azam Yusuf, the Vice President of the Ethiopian Islamic Affairs Supreme Council on 22 April 2012 in Addis Ababa

interference of government offices and officials in religious affairs, and the internal weakness of Mejlis to mobilize and lead the Muslims for their spiritual and moral development. To begin with, the so-called representatives of Ethiopian Muslims, Mejlis, in sharp contrast to its counterpart (the EOC), has ‘no proper’ legal personality ascertained by law. The Committee explicitly expresses ‘the grievances of the Muslim community’ about the laws of the country that relegates their religious institution into secondary status, which reads;

In a country where religious freedom is constitutionally guaranteed and the government is working for building a democratic culture, justice and equality, the way an institution [Mejlis], that represents tens of millions of people, is being treated [as licensed NGO or ordinary association] has created suspicion among the Muslim community. The legal personality of this institution, in contrast to its counterpart, is not recognized by proclamation [law] ratified by the parliament but governed based on the laws of an ordinary association, where two or more individuals can achieve and is subject to renewal of its license every three years. The continuation of this institution as ordinary association without achieving any fundamental change [from its *de facto* existence during the Derg regime] in its legal status for more than two decades implies not only lack of attention from the Muslims but also disregard from the government (*Ewunetu Yih New*, 2012: 29).

As it is stated earlier, the Ethiopian Orthodox Church Synod’s legal personality is granted by the 1960 Imperial Civil Code, in which some of its provisions are still in force in federal Ethiopia. The Code under art 407 provides that, “Churches, religions, [and] associations other than the EOC shall be subject to the special laws concerning them”. By doing so, the law relegated other religions and their groupings into subordinate status. This practice continued to date. One of the causes of the struggle for Ethiopian Muslims; historically and contemporarily, was to get this kind of discriminatory laws discarded and achieve genuine equality with other religions of the country.

Other factors that contributed for the Muslim protest are related to the weaknesses of Mejlis leadership (Press Release, 19 January 2012). It is alleged that, the Mejlis, “run by unelected but self-appointed individuals’, intertwined politics with religion in violation of the constitutional provisions of the country” (ibid). Moreover, though Mejlis is expected to guide the activities of Ethiopian Muslims and manage their relations with other religious followers and the government, the Committee argued, it rather involved in the

forceful indoctrination of Ethiopian Muslims with ‘the deviant’ Ahbash sect in violation of the Constitution and remained weak in every aspects (both spiritual and worldly affairs). As the document states, the government also lent its hands in the forceful imposition of Ahbash. Considering Ahbash as a ‘moderate version of Islam’, the government assumed that “it could enable to fight religious fundamentalism and manage the religious ‘intolerance’ observed in the country, often instigated by some *Salafi* groups” (Addis Raey Magazine, May to June 2012: 24-26). In spite of the claims, the government rejects the accusation for meddling with religious affairs. It says; the government fully respects the constitutional principle of the separation of state and religion for two major reasons. First, the government could not decide for citizens which religion to follow and how to manifest it. Second, if the government interferes in religious affairs, it is inevitable that all officials from the kebele to the federal levels would be the followers of one or the other religion. In this case, they might try to make their religion as superior to others. Undoubtedly, this will erode religious equality in the country. Separation of state and religion is the only guarantee to avoid government interference in religious affairs and secure religious equality (Addis Raey Magazine, July-August 2009: 22-23).

In spite of this, the Committee stated, some government organs and officials involved in ‘the efforts of Mejlis’ to impose the Ahbash sect on Ethiopian Muslims. This act, according to the letter, reminds the Muslim community that, “the government could not interfere in religion but some officials could do” (*Ewunetu Yih New*, 2012). The Committee however put the total blame on the weakness of Mejlis leadership instead of government actions. Hence, their demand from the government was to stop supporting Mejlis in imposing Ahbash religious philosophy and arrange conditions for electing a new leadership.

Among the possible solutions forwarded by the Committee, the cessation of portraying the activities of the Muslim community as ‘a national security threat and manifestation of religious fundamentalism’ was one. To be noted at this juncture, Ethiopian Muslims were seen as national security threats in all imperial regimes and the military Derg regime,

though it was not corroborated with evidence (e.g. the collaboration of Muslims with the invading forces) (Hussein, 2006). The Committee is of the opinion that the Ethiopian government is using the war on terrorism as an excuse to delegitimize the demands of Muslims and to justify its actions as a legitimate self-defense for protecting the national interest and stability of the state. They say; due to the self-motivated interests of Mejlis leaders and its persistent supply of ‘false’ information to the government about the day-to-day activities of Muslims, the “government sees the Muslims as potential threats and made them as its priority agenda for the national security concern” (*Ewunetu Yih New*, 2012).

As I have seen earlier, the 1991 regime change and the religious freedom that accompanied created ample opportunities for the Muslims to know more about their religion and be assertive in demanding more rights (Abbink, 2011; Dereje, 2011; Ostebo, 2007). The new generation aggressively espoused to practice their religion in schools, work places and in the community at large. In some cases, this tendency of becoming more religious, both in appearance and practice, is interpreted as being signs of religious fundamentalism and extremism (Yehaimanot, 2011). In the public media and other policy documents, the government portrays the acts of Muslim activists as ‘hidden political agenda under the cover of religion’ (Addis Raey Magazine, January-February 2009: 5). This assumption is repeatedly conveyed in the exclusively government-controlled public media (Ethiopian Television and the national radio). The Committee demands to stop this kind of defamation against the peaceful protest of Ethiopian Muslims requesting for the respect of their religious freedom and equality. The second and third possible solutions recommended are related with Mejlis leadership and the legal personality of the Council. It revolves around the government’s responsibility to arrange enabling environment for the election and reconsider Mejlis’s judicial status vis-à-vis the EOC. They claim, the Muslim community should be allowed to elect their representatives for the Mejlis leadership through democratic and periodic election. Based on the letter, the government is duty bound to create an enabling environment for the Muslims to make use of the democratic opportunity that prevailed in the country in order to elect their religious leaders, as in the case of electing their political representatives. The Muslim community

has accumulated plenty of experiences in electing their political leaders in the four consecutive national political elections and they have to be given of this chance to repeat in their religious institutions (Press Release, January 2012, Yasin Nuru). They stated that, it is the responsibility of the government to arrange the playing field for the election and upholding the principle of non-interference. In one of the government documents, the government underlined its strategy to fight religious fundamentalism through “encouraging free election, transparency and accountability, and modern financial and human resource management in religious institutions” (Yehaimanot, 2011: 21).

As it is stated in *Ewunetu Yih New (2012)*, the Committee and the Muslim community were awaiting March 3 in great enthusiasm and hope for getting an all-encompassing response from the government to their demands. The Committee believed that, it has worked its level best to create awareness about the legality and peacefulness of the demands for government officials and the public at large. The government from MoFA affirmed the legality of the demands and the peacefulness of the activities of the Muslims and announced in public media to give response on 3 March 2012 to the satisfaction of all involved. The Ministry summoned the Committee members to discuss on the possible answers and reach a consensus to announce it publicly through mass media. The Committee convened in the office of the Ministry for discussion. Chief Minister, Dr. Shiferaw Teklemariam and Ato Mulugeta Wuletaw from MoFA led the discussion (*Ewunetu Yih New, 2012: 46*). Though the discussion was conducted smoothly, no agreement was reached as the Committee later made it clear (Press Release, June 2012, Abubeker Ahmed). MoFA, on the other hand, believed that it has addressed all the issues and announced this in public media. It further provided that, the Committee has accepted the government’s responses to the Muslims’ questions (ETV, March 3, 2012). The Committee, rejecting the statements made by the Ministry, presented a complaint letter against the announcement of the Ministry and their clear opposition to the ‘answers’ given by the Ministry (Endris, 2012). It wrote a letter on 08 March 2012 to MoFA opposing its media broadcasts about the results of the discussion. Entitled: *Complaints about Media Reports by the Ministry of Federal Affairs concerning the Muslims’ Questions*, spelled out the points of divergence between the negotiating parties, and the

Ministry violates their final agreement. It states that, the Committee and the government representatives from the Ministry made constructive discussions about the Muslims' concerns and the Committee appreciates for the smooth process, but 'we have complaints on the media report given by MoFA as if final agreement were reached between the two parties.'

7.1.2.4 The Third Letter: Complaint against MoFA

The complaint letter begins with affirming the smooth conduct of the discussion between the two parties (the Committee and MoFA) though the final result was not to the satisfaction of the Muslim community. They expected to get a solution once and for all. However, as it is stated in the letter, it was only a smooth process but unexpected result. They complained that, their effort is not to achieve good process but good result. Therefore, they are forced to write this complaint letter against the Ministry's message transmitted through Fana Broadcasting Corporation (formerly Radio Fana) and Ethiopian Television on 3 and 4 March 2012. The letter says; "the report, as presented in the media, is completely contrary to the agreement made and we, as a representative of the Muslim community, do not accept those so-called answers to our questions and its broadcasting in the media".

The Committee forwarded some of the reasons as to why the questions are not fully addressed by the representatives of MoFA. Among others; first, although the government agreed to arrange the ground for the Muslim community to elect their religious leaders, the date of the election and the responsible body to undertake the election is not clearly addressed (Press Release, June 2012, Abubeker Ahmed). They mentioned so many broken promises by government officials and Mejlis that "election would take place starting from 2005 but without any practical measures to its realization" (ibid, Ahmedin Jebel). To make things worse, the government recognized the sitting Mejlis leadership as authoritative body to arrange conditions for the next election though the Committee opposed this arrangement. It states; "assigning Mejlis leadership with the task of 'an electoral board' for the next election is tantamount to blessing the leadership to continue its inefficient administration and opening the door wide for cheating and intimidation of

the so-called *Salafi/Wahhabi* Muslims” (ibid). The Committee, instead, requested for the establishment of ‘a caretaker board’ from the Muslim elders and *ulemas*. Second, the Muslim community requested the government to handover Awolia to the public. However, the government allowed Mejlis to control Awolia contrary to the demands of the Muslims. Third, there is no direct response for the question of ‘stopping forced indoctrination of Ethiopian Muslims with Ahbash ideology’. At the end of the discussion, the Committee made clear its stance that, “no agreement was reached and it would be difficult to get satisfactory answers in the prevailing atmosphere in the Ministry [because of the complaint against it] and will continue its questions to the next hierarchy of the government” (*Ewunetu Yih New*, 2012: 47).

The Committee then prepared the fourth letter and took its cause to the next hierarchy of government organs. This time to the Prime Minister’s Office, demanding for the arrangement of enabling grounds for an open discussion on the problems with concerned authorities. The letter was submitted on 11 March 2012 but without response. Later, the Committee prepared the fifth letter on 19 April 2012 and submitted directly to Prime Minister Meles Zenawi.

7.1.2.5 The Fifth and Final Letter: To Prime Minister Meles Zenawi

The letter dated on 19 April 2012 begins with appreciating the role of Meles Zenawi, both at individual capacity and as the leader of TPLF and EPRDF, in overthrowing the military dictatorship and building a new democratic culture in the country. As usual, it then tries to show the ‘illegal’ activities of Mejlis in imposing the Lebanese-based Ahbash sect over Ethiopian Muslims by force in violation of the constitutional provisions. Moreover, in contrary to art 11 of the FDRE Constitution, it says, some government offices and officials involved in the process of indoctrinating Ethiopian Muslims with ‘a deviant creed called Ahbash’ under the pretext of providing training for the Muslim religious leaders, *imams*, *ulemas* and believers about their constitutional rights and duties.

The Committee made clear that, “it has exhausted all the possible remedies available at the lower levels of government hierarchies but received no tangible result”. The response from MoFA, which is directly responsible to solve religious issues, is also not to the satisfaction of the Muslim community. The Committee then obliged to present its complaints to the Prime Minister’s Office (the highest administrative organ in the country) seeking justice and legal response. They emphatically complained to the Prime Minister about the portrayal of Muslims as a national security threat by the public media and the repeated voices from government officials as if new fundamentalist Islam of so-called Salafi/Wahhabi were emerging in the country. There are tendencies by some officials and other religious groups to see the ‘practicing Muslims’ as fundamentalist and extremist. They expressed their fear that; wearing niqab by Muslim women, shortening trousers and growing beards by Muslim men, asking for places of congregational pray in public universities, requesting plots of land for mosque construction in Axum, arguing that the Christian king As’hama (Nejashi) was converted to Islam, speaking or writing that previous Ethiopian emperors oppressed Islam and Muslims, opposing the 2007 population and housing census result which puts the Muslim population to 33.9 percent (*Yehaimanot*, 2011) are all seen as manifestations of Muslim fundamentalism in the country. These issues are stated in some government documents as signs of religious extremism. By no means, all are the democratic rights of Muslim citizens guaranteed by the FDRE Constitution and other national and international laws.

It is also an observable fact that, some government officials and documents used to categorize the Muslim community as ‘*metie* – newcomers’ and ‘*nebar* – indigenous (Melese Zenawi, 17 April 2012).’ The newcomers, represented by the Salafis/Wahhabis are accused of being ‘intolerant’ of the existence of different religions and sects. The ‘indigenous Muslims’, on the other hand, represented by Sufis are considered as ‘tolerant’ of multi-religionism and peaceful coexistence among different religions in the country (ibid; Addis Raey Magazine, May to June 2012: 21). The dichotomization of Muslims into ‘good and bad Muslims’, as stated in Mahmood Mamdani’s work (2002), came into play in the response of the Ethiopian government for the Muslims’ questions. This categorization of Ethiopian Muslims ‘as good and bad guys’ was explicitly observed

in the late Prime Minister Meles Zenawi's speech to the Parliament on 17 April 2012. He stated that, "some groups from the Salafi/Wahhabi sect are involving in subversive activities for establishing an Islamic state of Ethiopia in violation of the constitutional provisions that guarantee separation of state and religion". In this regard, the Sufis are promoted as one of the government's de-radicalization strategy to discourage the practices of Wahhabis. However, this de-radicalization program of government is perceived by many of my informants as 'de-Islamization strategy' where non-practicing Muslims are encouraged while those strict observant of their religious prescriptions are labeled as 'extremist and intolerant'²⁴². The strategy, in addition to dividing Muslims along doctrinal lines, entails the intention to make Muslims 'less Islamic' (ibid). In some instances, those Muslims who drink alcohol, accompany Christians during their religious festivities, eat meat together with Christians etc. are considered as tolerant and good while those who oppose such practices, not by political or any other ground but religion, are regarded as fundamentalist and in effect bad (ibid).

The Committee provides that, there could be some differences in practicing Islam in Ethiopia due to the 'divide and rule policies' of the previous regimes but that could not justify to such designations as 'newcomers and indigenous, tolerant and intolerant, moderate and extremist etc.' For that matter, there is no indigenous religion in Ethiopia except the traditional African religions. As stated in the previous chapters, all major Ethiopian religions such as Judaism, Christianity and Islam came from the Middle East at different times (Markakis, 1974; Trimingham, 1952). The Committee criticizes the government's parliamentary explanation about the different religious sects and their practices as it amounts to *fatwa* (final judgment on controversial issues in Islam by *ulemas* as 'right or wrong'). It considers this act as one manifestation of government intervention in purely religious affairs (Press Release, June 2012, Ahmedin Jebel). The Committee states that, the repeated statements of government officials about the 'tolerant' behavior of 'indigenous' Islam is tantamount to 'forcing the Muslims to accept their subordinate status of the imperial regimes' (ibid). Demanding one's religious freedom to be respected, by no means, could not be a manifestation of religious

²⁴² Interview with the a Muslim activist and scholar at Addis Ababa University, 14 June 2014

fundamentalism/extremism. It rather could be taken as one manifestation of the growing trends of democratic system and religious consciousness in the country attributed to the opening up of public spaces for political and religious dissent without fear of repression, which the EPRDF takes the credit.

‘Religious tolerance’, during the previous regimes was understood to mean accepting Christians as rulers and Muslims as second-class subjects (Ostebo, 2014: 1). Ostebo argues that, “as long as both groups accepted their statuses, peaceful coexistence could be maintained” (ibid; citing Ostebo, 2008a). As discussed elsewhere, Muslims were subjected to discrimination and marginalization during the imperial regimes. For Muslim activists (Ahmedin, 2011; Hassen, n.d), Ethiopia’s religious history – at least at the state level – was better characterized by an Amharic word *mechal* (literally means forbearance) rather than *mechachal* (tolerance) and the recent move of the government praising the past as a ‘model of religious tolerance’ forces Muslims to think that “the government is trying to return back the previous subordinate status of Muslims”²⁴³. Despite the efforts made by the Committee members to secure ‘peaceful solutions’ for the claims of the Muslim community, they were accused of involving in unconstitutional activities. Their final fate was imprisonment “charged with crimes of terrorism and establishing a theocratic government in Ethiopia”, which I will discuss later.

²⁴³ Interview with former executive member of the Ethiopian Islamic Affairs Supreme Council at Addis Ababa University on 20 June 2014

Part II

7.2 Government Strategies and Responses

7.2.1 Background

In its official statements and speeches, the government stresses that, “there are certain religious groups involving in subversive activities working for establishing a religious government in Ethiopia in violation of the constitutional principle of separation of state and religion” (Yehaimanot, 2011: 5). It specifically focused on some members of the Muslim community whom the government calls as Salafis/Wahhabis. The late Prime Minister’s speech to the Parliament on 17 April 2012 was one open official statement that attaches the causes of the problem with the activities of these ‘extremist’ groups.

The government also mentioned some members from the Orthodox Church (the *Mahibere Kidusan*) as an advocator of the re-establishment of a Christian state of Ethiopia as was the case during the imperial periods. The plausibility of the government’s claim might be strengthened by the historico-sociopolitical and material superiority of the Christians in Ethiopian body politic. As some research works indicate, there are certain extremist groups in the Church, who interpret the separation clause as a provision directed against the interest of the EOC. Woldeselassie (2012) states that, fundamentalists in the EOC preach against the EPRDF government, whom they consider it as ‘the enemy of the Church’. Others such as Endris Mohammed (2012: 4-5) argue that;

For sure; rather than fearing that Ethiopian Muslims could go for the establishment of a theocratic government in Ethiopia, the fear that the Christians could work for the re-establishment of a unitary state, with an Orthodox Christianity as state religion as in the past, has historical and political grounds. The fear is not simple. There are burning issues that are not aired publicly so far or are on the way of publicization between those groups, who believe that their absolute historical upper hand is abridged and those who struggle for equality. Unless properly managed, it is difficult to realize the efforts of the country’s struggle for achieving its ‘renaissance.’

With regard to the government’s fear of Muslim extremists for subverting the secular state, he argues;

Of course, the Arab spring and movements in some neighboring countries might be the target of strategists in Ethiopia [to mobilize Muslims against the government] but as far as the constitutional rights are respected, Ethiopian Islam is an African than part of the Middle East (ibid).

Habtamu Alebachew (2012: 22) also contends that;

There has never been any historical phenomenon where Ethiopian Muslims, one way or another, demanded an Islamic Republic. There were both localized interreligious incidences of violence since 1991 but none of them led to any prolonged or officially proclaimed state of emergency. There have been rather frequent politicized challenges by Orthodox Christian congregations that were controlled by police action.

Nonetheless, with regard to the recent tension and controversy between the Muslims and the government, he is of the view that, the Muslim protest against perceived government interference in religious affairs is far-fetched and organized by some extremist groups to realize their political missions in the name of religion. What the government did, for him, is within the limits of the law and Ethiopian Muslims are now “involving in politics in disguise of religion”. His overall argument on the conflict between the Ethiopian government and what he calls “the elite urban Muslim protests” is that, the government is respectful of different religious faiths and principle-based to avoid unjustified intervention in religious affairs. For substantiating his argument, he enumerates several incidents²⁴⁴ that threatened the secularity principle of the constitution, particularly from Orthodox Christianity and the way the government reacted positively “... not by chance but as a matter of adequate knowledge, principle, constitutionality and responsibility” (ibid). Complementing the allegations that ‘Muslim protestors are heading towards establishing an Islamic government in Ethiopia’, he concludes his argument by stating that;

²⁴⁴ He stated that, “the furious grass-roots refusal by Orthodox Christians for the demand of Muslim Ethiopians in 1996-7 to build a Mosque in the historical city of Axum nearly called the attentions of the entire Muslim community in northern and central Ethiopia” (p. 20). The challenge of ‘illegitimate preachers’ from Orthodox Christianity in “Gondar, Addis Ababa, Jimma, Dessie, Harar and Dire Dawa” during the 1990s was also a daunting task for the government. He added that, “even recently, extremist refugee oppositions tried to arouse Orthodox Christians outside and inside by propagating that the Wolkaite Sugar factory project almost destroyed the Waldiba Monastery as if it were located in America” (pp. 20-21; citing ETV, Addis Zemen Newspaper, 2012).

It [the demand of Muslim protestors] is a sectarian demand asking the government to drop its constitutional duty and responsibility and rewrite established secular policies in favor of one group [the extremist group] ... [and] in general, Ethiopian protesting Muslims are on the wrong track ... due to its extremely politicized and narrow interest base. Leave alone in multicultural Ethiopia, political Islam has never and ever succeeded anywhere in the world except the unique Iranian experience (Habtamu, 2012: 27-28).

The argument of Habtamu, of associating Ethiopian Muslims' demands with political Islam or what the government calls as 'establishing an Islamic government' is, however, in sharp contrast with the narratives of the Muslim activists for religious freedom and stoppage of government intervention in their religious affairs. As discussed above, we have seen various letters of the Muslim activists in which none of them demands an Islamic state or no of any indication to that effect from the activists' behaviors and deeds. Some activists publicly opposed any claim or demand for an Islamic state, if any, not only for pragmatic reasons of the impracticability of this ideology in a multi-religious state of Ethiopia but also as a matter of principle (Abubeker Ahmed and Kamil Shemsu, Response to the Criminal Charge presented against them, 2014, See Appendix IV).

The government, in its turn, associates the causes of the problem with administration weaknesses within religious institutions (lack of accountability and transparency, absence of modern financial and personnel management, prevalence of rent-seeking tendencies among religious leaders etc.), and the influence of religious fundamentalists - particularly the actions of Salafis/Wahhabis, lack of proper knowledge among the religious preachers and believers about the limits of religious freedom and their constitutional duties (Yehaimanot, 2011: 17). By doing so, it tries to externalize the problem and nothing to do with government's policies and strategies towards religious groups and believers. Therefore, the solution lies in controlling the activities of extremist groups, partly through legal mechanisms and partly by creating awareness for the public and working together with 'moderate' religious groups (Addis Raey Magazine, May to June 2012). Here, we believe, is necessary to evaluate government strategies used to solve religious-related problems in general and manage the Muslim protests as forwarded in the various government policy and strategic documents. One of which, entitled: *Yehaimanot*

Akrarinetinina Yegosa Gichitochin Yeminfetabet Agerawi Eqid Meneshawechina Aqitachawech – literally, *A National Plan, Bases and Directions to Solve Religious Extremism and Ethnic Conflicts*” (2011), underscores “the rejuvenation of religious extremism and fundamentalism as the greatest challenge for the secular state of Ethiopia” (Yehaimanot, 2011: 1). For curiosity at this moment, let’s say something about fundamentalism and its concomitant concepts of religious fundamentalism. The term fundamentalism is the most controversial and politically-loaded term, where its original meaning is used and misused by various actors to advance their own respective interests. The English Oxford Dictionary (Eleventh Edition) defines fundamentalism as to mean; “a form of Protestant Christianity which upholds belief in the strict and literal interpretation of the Bible [and/or] the strict maintenance of the ancient or fundamental doctrines of any religion or ideology.” In this context, an individual who strictly follows or upholds the fundamentals of the Bible or the Quran is regarded as fundamentalist but not necessarily against the secularity principle of the state or political secularism.

However, some scholars emphasize the political motivations behind fundamentalism rather than a pure act of literal interpretation and application of the texts of religious scriptures (Thompson, 2006: 20). It is also to the interest of the fundamentalists to discourage believers from communicating with outsiders. In addition to creating a closed community secluding from the evil effects of modernism, they further work “[...] to change their environment to fit their ideology [...] by taking over or otherwise altering their state’s regime through either peaceful political means or militant and violent strategies” (Anonym, n.d: 23 quoting Appleby, 2001: 86). In order to fulfill their objectives, fundamentalists usually recruit youths who are educated but unemployed and those aggrieved with the existing system and modernity. Disseminating propagandas through different communication technologies like the internet, mobile and other social media such as facebook, youtube, twiter and other means available to the people are also at the disposal of these groups.

7.2.2 Islamic Fundamentalism in Ethiopia: Government View

According to government sources (Yehaimanot, 2011: 11; Addis Raey Magazine, May to June 2012: 24), one of the major goals of Islamic fundamentalists in Ethiopia is to “establish an Islamic government and rule the country based on *shari’a* law.” For the realization of their grand mission, the fundamentalists devised both short and long term plans. In short term, they engage with the government in a way that looks like military combat. They mobilize the community under the pretext that “Islam was oppressed and marginalized in Ethiopia”. Islamic extremist groups are presenting the previous regimes’ policies of discrimination and marginalization of Muslims in a more exaggerated manner and agitate the Muslim community that “these policies are still underway in the EPRDF regime” (Woldeselassie, 2012: 145). They preach that, “the EPRDF government is in favor of Christianity at the expense of Islam and they try to justify their actions for removing the system in any possible means including war” (ibid). They also oppose the constitutional provisions that provide for the separation of state and religion as anti-Quran and against the principle of Islam (ibid). They preach as if ‘only Quran and Hadith’ were the Muslims’ constitutions and not to obey secular constitutions (Reporter, March, 2012, interview with Dr. Shiferaw Teklemariam). In higher educational institutions, fundamentalists request places for congregational pray and Islamic dressing in order to sow conflict between the Muslims and other religious believers, contrary to art 90 sub art 2 of the constitution (Addis Raey Magazine, January to February 2009: 6). They also instigate believers to quarrel with other religious believers under the pretext that “the Holy Quran is torn apart or used as toilet paper by Christians; [Christians] insulted Prophet Mohammed etc.” without any tangible evidence to corroborate their false allegation (Yehaimanot, 2011: 12). On top of that, the extremists involve in “burning churches, killing Christians, preach the people not to pay taxes to the [Christian] government, not to take credit from government banks etc” (ibid).

In the long run, they work for the training of members in secondary and higher educational institutions in cooperation with foreign aid agencies and Islamic NGOs. The extremists arrange foreign scholarships for their members in “Sudan, Egypt and other Middle East countries” (Woldeselassie, 2012: 145). The government believes that, some

Islamic extremists are focusing on the youth, state machineries or institutions and the Mejlis (Yehaimanot, 2011). They try to inculcate a sense of fundamentalism in the minds of the young generation starting from nursery school all the way to university. They encourage the construction of illegal mosques everywhere even in places where it is difficult, if not impossible, for religious preaching to take place with loudspeakers. They obtain land under the cover of private endowment through *waqf*²⁴⁵ (Yehaimanot, 2011). As stated in the document, the extremists pressurize people to handover their private property for the illegal activity of dominating the public space in order to realize their ultimate objective of establishing an Islamic government in Ethiopia. Some extremists also involve actively in government bureaucracies, including the ruling party's political positions, pretending to be supporters, but for their sole purpose of controlling government institutions for implementing their agenda of *shari'a* rule (Yehaimanot, 2011: 13). The 'newcomers' usually called the *Salafis/Wahhabis*, are challenging the long-held practices of Sufi Muslims in the country. They consider the practice of Sufism such as religious rituals, celebration of *mewlid* (celebrating the birthday of the Prophet), saint veneration etc. as *shirk* (worshiping things other than Allah) and un-Islamic and designate followers as *kafir* (idolater) (Yehaimanot, 2011: 11).

The government's reaction towards Muslim activists and protesters seems influenced by some western political actors and some research works conducted after the 9/11 terrorist attack. There are some researches on Islam in Africa (Erlich, 2010), which divides it into "African Islam and Reformist Islam". The former is related with Sufi practice and interpreted to denote as "tolerant, quiescent, and passive in politics". The latter, being influenced by the literal interpretation of Islam and radical Muslim scholars, in most cases is used interchangeably with *Salafism/Wahhabism* and fundamentalism (Otayek and Soares, 2007). *Salafism/Wahhabism* or Reformist Islam opposes the practice of Sufism, which recognizes and accepts the intermediary role of saints between ordinary Muslim and Allah (God). In the 2005 publication of the Center for Security Policy in Washington, it is stated that,

²⁴⁵ It is to be noted that, there are methods in which devout Muslims could handover their properties for the causes of Islam through waqf (Al-Qaradawi, 2003).

Wahhabi ideology and massive infusion of Saudi cash are rapidly transforming the one syncretic and peaceful Sufi-inspired sub-Saharan Islam into militant Islamism. The likely result is..., unmanageable inter-communal strife between Muslims and non-Muslims [and] a hospitable environment for terrorists with an international agenda (Otayek and Soares, 2007: 7).

Some, like the Rand Corporation report (2003), even suggest ‘for encouraging the Sufis’ at the expense of *Salafis/Wahhabis* to tackle the threats of political Islam and global terrorism. It recommends for states/governments for developing partnerships with Muslims who have democratic mindset (Sufis) in order to undermine the activities of radicals (Otayek and Soares, 2007: 7, citing the Rand Corporation Report, 2003). Likewise, the Ethiopian government’s support for the efforts of Mejlis leadership in bringing al-Ahbash Muslim scholars from Lebanon as a counter-balance to the growing challenges of reformist and/or radical Salafis is one example. The ‘loyalty-patronage formula’ has come in place where the Sufis are regarded as loyal to the political authority and the authority then supplies support for the Order either in appointment or any other privilege to be offered. Dichotomizing Islam into ‘moderate and radical or Sufi and Salafi’ are now widely diffused in the policy circles of the Ethiopian government. In this regard, the government explicitly stated that, “it would work with those Muslim scholars, both domestic and foreign, with democratic thinking and moderate stand in their religious views” (*Yehaimanot*, 2011: 20). Salafis are considered as ‘threats’ for the peaceful Muslim-Christian coexistence in the country and ardent ‘enemies’ of the FDRE Constitution that celebrates the separation of state and religion.

7.3 Government Strategies

One of the major strategies set by the government to combat religious fundamentalism and extremism is “to work in cooperation with those religious leaders who have democratic mindset and moderate in their religious views and practices” (*Yehaimanot*, 2011: 20). More specifically, the government policy document lists the activities to be undertaken with religious leaders, preachers and scholars who believe in democracy and tolerance and with religious-related NGOs as follows:

1. Encourage those religious institutions that advocate for religious tolerance and equality. This strategy entails the government to take responsibility to promote and work together with religious leaders and propagators that oppose religious extremism, and encourage those NGOs that are interested to work on the promotion of religious tolerance in the country. According to official sources;

The government would support those 'newly established religious educational institutions' in their efforts to bring foreign scholars with democratic thinking. The support includes; providing land, encourage and collaborate with their efforts to get help from foreign religious institutions, helping them in creating foreign relations and collecting 'knowledgeable' religious scholars from abroad etc. (Yehaimanot, 2011: 32).

2. Provide education for various religious institutions and believers such as Quranic schools or *medressas*, religious colleges and religious leaders about the constitutional rights and duties and religious tolerance. It works for the incorporation of the history of religious tolerance practiced in Ethiopia in civic education and other school curriculum (Yehaimanot, 2011: 22). The government believes that, although religious oppression was the norm during the previous regimes, peaceful coexistence and tolerance was the 'special trademark of Ethiopians of different religious faiths'. Muslims and Christians lived peacefully with cooperation, even in participating in the festivity of one another, practicing intermarriage etc. that could be well taken as an exemplary model for other countries (Parliamentary speech of Prime Minister Meles Zenawi, 17 April 2012).

3. Facilitate for free, fair and democratic election to be undertaken in religious institutions and support them to follow modern financial administration system and develop systems of accountability and transparency in their working procedures.

4. Devise legal mechanisms to supervise and control the activities of religious institutions and regulate the codes of conduct for believers in educational institutions. The laws of the state exclusively control the registration of religious institutions. In this regard, all religious organizations, *de facto* other than the EOC, are subject to registration and renewal of their licenses every three years. The government also promulgated laws that govern codes of conduct for students in praying, religious clothing, dietary issues and

celebrating religious ceremonies in both public and private educational institutions²⁴⁶. As it is discussed earlier, the Ministry of Education introduced a directive in 2008 that govern codes of conduct of students and workers in educational institutions but was opposed by the people and its implementation delayed for some time. The Directive explicitly prohibits wearing conspicuous religious symbols including niqab and congregational pray. Although not fully implemented at a national level, various higher educational institutions and universities implemented it unevenly, which severely restricts the right to education of niqab-wearing female Muslim students.

7.4 Government Responses

7.4.1 Denial

In its various official documents and public statements, the government made clear that, the Muslim protest is not caused by government intervention in religious affairs as few extremists claim but because of the agitation of few trouble-maker Muslims mobilizing the masses through sensationalizing the issue, as if the government intervened in Islamic affairs. Few extremist groups are working hard to remove the government to realize their goal of establishing an Islamic government in Ethiopia. To realize their mission, they collaborate with bankrupt politicians to overthrow the regime (Yehaimanot, 2011: 11). The government denied the Muslims' claims and complaints as simple allegations and fabricated 'facts'. Nonetheless, it admitted the government's involvement in delivering training about the constitutional rights and duties of religious leaders and believers during the religious training arranged by Mejilis in collaboration with foreign Islamic scholars (al-Ahbash scholars). It states that;

Recently [starting from July 2011), the Ethiopian Islamic Affairs Supreme Council (Mejilis), in collaboration with Muslim scholars from different countries (may be mainly from Lebanon), has organized training workshop for its leadership and the Muslim community in various regional states of Ethiopia about Sufi practices,

²⁴⁶ As it is discussed earlier, the Ministry of Education has introduced a Directive in 2008 that governs codes of conduct of students and workers in educational institutions but was opposed by Muslims and its implementation delayed for some time. The Directive explicitly prohibits wearing conspicuous religious symbols including niqab and congregational pray. Although not fully implemented at a national level, various higher educational institutions and universities implemented it unevenly, which severely restricts the right to education of niqab-wearing female Muslim students.

which is believed to be adhered by many ‘indigenous Muslims’ of Ethiopia. It is the mandate and responsibility of Islamic institutions such as Mejlis to decide which type of religious education and training to be given for the faithful; Sufi or other orders. Mejlis decides by itself. The government did not, could not and should not have any role in choosing and delivering training for the faithful to which Quranic verse to adhere or which sect to follow. Although this was the reality, false propaganda was widely spread by few individuals [in the society] on three issues [that urges government response] (Addis Raey Magazine, 2012: 21).

Government’s involvement in the training was restricted only in three major areas: arranging suitable places for the training, providing security and protection for the trainees, and delivering messages about constitutional rights and duties of believers and religious institutions at the beginning and closing of the training (ibid: 21-23). According to government sources, it is Mejlis that requested the government to arrange appropriate areas for the training to take place. This is the constitutional right of every religious institution that legally operates in the country and cooperation is the constitutional obligation of the government for implementing religious freedom and equality in practice. It would be unfair if the government refused to cooperate, not otherwise. But the act shows government’s commitment, not intervention as few alleges, for the full implementation of religious equality in the country (ibid). With regard to the protection of the security of the trainers and trainees, it is the duty of the government to keep peace and order in every conduct of public gatherings. This duty of government has to be given for any organization established for any lawful purpose; be it for the ruling party, opposition parties, non-governmental or religious organizations. The government would be accountable for failing to provide such services, if it failed, as it tantamount to failing to fulfill the constitutional obligation (art 9 sub art 2). This is a normal practice all over the world, including in the holy lands of Mecca and Medina in order to protect the safety of the *imams* and other religious leaders (ibid: 22). Concerning the provision of training about constitutional rights and duties, it is the government’s routine task to deliver messages for the trainees about their religious rights, duties and freedoms as enshrined in the constitution and for religious organizations about their duties and accountabilities. It was, therefore, not unique for Mejlis. Government officials could not and would not teach ‘the rightness or wrongness of different religious dogmas or sects’. It has nothing to

do with the substance of the training (religious issues) but fulfilling the constitutional duties of the government. This practice will continue in the future (ibid: 23).

The government rejects the accusation of its involvement in “the indoctrination of Muslims with the Ahabash religious ideology”. It says; there is no religious sect called Ahabash. The name Ahabash is only related to an Ethiopian Muslim religious leader Sheikh Abdullah al-Harari, to refer his country of origin. Mejlis, probably, has invited this group considering its Ethiopian background or their knowledge of the religion. This is a normal practice in all other religious organizations to invite religious scholars from abroad when they think that, “it would enhance the spiritual knowledge of their people”. For example, the EOC used to bring religious scholars from Egypt, Syria and India for undertaking religious training for its believers. This is their right. The extremist groups however used this for their destructive agenda and a pretext to mobilize opposition against the government. They used the problems in Awolia as a pretext to create mob in different parts of the country. Mejlis, as a legitimate representative of the Muslim community, took different measures on Awolia to get things in their right track and control religious extremism. The extremists disseminated propaganda sending a message for the Muslim community as if their religion were under threat by the new sect of Ahabash. Considerable number of Muslims joined the protest and started to march towards Awolia ‘in defense of their religion’ without having sufficient knowledge on the problem. But later, those who joined the movement started to abstain from the protest (ibid).

The government considers the three major questions of the Muslim community, presented by the Committee, “partly illegal and partly self-contradictory” (Addis Raey Magazine, May to June 2012: 28). Concerning the first question - *Mejlis does not represent the Muslim community... therefore, the government should remove it*²⁴⁷ – is partly true in that the Mejlis leadership stayed in power for long years without conducting meaningful periodic election (ibid). It is the legitimate concern of the Muslim community to elect

²⁴⁷ Though the government interpreted the claims of the Muslims with regard to Mejlis in this way, they never demanded the government to remove Mejlis but facilitate the level ground for election to take place for constituting a new Mejlis leadership. So far, the Muslims have participated once in the 1992 Mejlis election. The experience shows that, it was the government who arranged the first election (Ewunetu Yih New, 2012).

their religious leaders but as the government source indicates, few extremist groups hijacked the legitimate question and are inviting government intervention to remove the leadership, which contradicts not only the constitutional provisions that prohibit government interference in religious matters (art 11) but also the very question these groups raised (opposing government intervention in religious affairs) (ibid). Although the government interprets their demands as ‘a request to remove Mejlis leadership’, the Committee underscored in their letters that, “the current Mejlis leadership does not represent the Muslim community since it holds power without election and hence, requesting the government to arrange level ground for the conduct of free, fair and democratic election to take place” (Ewunetu Yih New, 2012).

With regard to the second question – *requesting the government to stop Ahbash training* - which was solely conducted by Mejlis, is self-contradictory (Addis Raey, 2012: 28). The ‘self-proclaimed representative’ of the Muslim community (Committee) asked the government to stop the training, which is absolutely against the non-interference clause of the constitution. The government could not interfere in the rights of individuals to refrain from attending the training. Their question is nothing but inviting the government for intervention in religious matters (ibid: 28-29). Concerning *Awolia*, the government firmly believes that, “Mejlis is the legitimate representative of the Muslim community and handing over *Awolia* to this Council is legal” (ibid).

7.4.2 Nationalization of Ahbash?²⁴⁸

Who is promoting ‘governmental Islam’ in Ethiopia; government or the Salafi/Wahhabi group? This is a question raised by many Muslims while we were in our field research. Many of our informants believe that, ‘there is a strong alliance between the Lebanese-based al-Ahbash movement and the government to spread its ideology in the country’,

²⁴⁸ This is a modified version of the term ‘Governmental Islam’ coined by Terje Ostebo (n.d: 10) when he tried to show the strong linkage of the coming into Ethiopia of the Ahbash sect and the role of the government. He said that, “things took a dramatic turn during the summer of 2011, when the secular regime even more actively became engaged in the internal debate of Muslims. The unfolding of some highly interesting events demonstrates how two unlikely bed partners could find each other in their quest to shape the ideological contours of Islam in Ethiopia. This entails, in particular, the increasing influence of a Lebanese organization called the al-Ahbash, and the way its introduction to Ethiopia was explicitly facilitated by the regime”.

though the government blames the Salafi extremists for establishing an Islamic government simply for diverting the attention of the Muslims from their legitimate claims²⁴⁹. Some scholars such as Terje Ostebo (n.d) ‘coined’ terms like ‘governmental Islam’ to illustrate the involvement of the government in privileging the new teachings of Ahbash at the expense of the ‘perceived’ extremist Salafi groups of Islam in the country. This could be seen in the light of the paradox that “Islam for long was marginalized in the country”. One could be surprised to read; ‘from a marginalized status for centuries, Islam assumed the status of being governmental religion’. However, this is not really the case. It rather means, the government is trying to combat the involvement of ‘extremist’ groups in politics by creating its own version of Islam through nationalization of Ahbash. It is used as a ‘means’ to fight fundamentalists and exploit the internal divisions among the believers. In other words, the government is trying to change a certain religious dogma by supporting its favorites for making religion an instrument for securing public support. The fact that Ahbash was invited through Mejlilis, which itself failed to win the hearts and minds of Ethiopian Muslims, however, undermined its success. Hence, it can be argued that, state favoritism to Ahbash (in effect Sufism) as ‘a counter-extremism strategy’ in Ethiopia is a failure with its backlash effect on the government and Mejlilis leadership. The other strategy of the government is denial through discrediting Salafi/Wahhabi strategies in the media terror narratives.

7.4.3 The Terror Narratives in the Media

It is becoming the routine task of both international and national media to report on the activities of so-called Muslim terrorists across the world, from Afghanistan to Iraq, Nigeria to Pakistan and elsewhere (Esposito, 2010). The media report is overdose with coverage of Muslim fundamentalism, often distorting the image of Islam and Muslims (ibid). The improvement of satellite communication technology with a strong power of influencing the perceptions of audiences and distorting different images for the target groups has helped media owners to advance their goals (Shahzad Ali, 2007: 5). Different media use this opportunity to make their programs ‘popular’ and enhancing their

²⁴⁹ Information obtained from a FGD held among Muslims inside the house of the researcher’s friend at Bethel (Addis Ababa) on 20 June 2014

reputation. The Ethiopian mass media is not free from the influence of this global reality and it is not uncommon to hear media reports in the country about the activities of the so-called terrorist organizations and individuals. The terror narrative of *Jihadawi Harekat* Documentary that exclusively covers the ‘terrorist activities’ of the Muslims’ Solution Finding Committee broadcasted through ETV is one showcase as shall be discussed below.

7.4.3.1 *Jihad* in Islam

Like the words terrorism and fundamentalism, *jihad* is a politically-loaded term interpreted and misinterpreted by many writers and politicians to mean ‘holy war of Muslims against idolaters or non-Muslims alike’. There is no any mention in the Quran that states “*jihad* is a holy war” in the name of Islam except ordering believers to defend Islam from unjust aggression. Dr. Zakir Naik, an Indian most influential televangelist of Islam, strongly argues against the interpretation of *jihad* as a holy war (Peace TV, January 2014). Literally, the word *jihad* is denoted to mean ‘struggle’, which in turn signifies two things; the greater *jihad* (*akbar*) and the lesser *jihad* (*asgar*) (Mamdani, 2002: 768) or the internal and external *jihad* respectively. The internal struggle (the greater *jihad*) focuses on developing good virtues by Muslims in the path of the Quran and the Prophet Mohammed. It directs Muslims to live up to the commandments of the Quran such as total submission to the order of Allah and fulfilling the five pillars of Islam.²⁵⁰ The Quran sets high moral standards and virtuous, which believers are expected to struggle against their own selfish-interests to fulfill such expectations. It requires them of avoiding such egoistic human needs in order to follow the right path of Allah. This is the greatest *jihad* in Islam although the external *jihad* is also important and pronounced in some instances, particularly when there is an aggression against Islam and the believers

²⁵⁰ The five pillars of Islam are the mandatory religious requirements for all Muslims to observe and practice. These include; believing in the oneness of Allah (God)- there is no god but Allah (God) and Mohammed is His Messenger, prayer or *salat*- Muslims are required to pray five times a day (sunrise, noon, mid-afternoon, sunset and evening), fasting during the month of Ramadan- abstaining from eating, drinking, smoking, sexual intercourse etc. from dawn to dusk as a way of physical and spiritual discipline, almsgiving (*zakat*)- this is used as a means of bringing social justice where Muslims are required to help the poor and less fortunate members of the society by giving a fixed amount from their income and pilgrimage to Mecca (*Hajji*)- travel and visit the holy city of Mecca at least once in life time if one’s economic condition permits (Esposito, 2010: 42-48).

(Esposito, 2010). The Quran in *Sura 2:190* provides to that effect, where it states; “fight in the way (cause) of Allah those who fight you, but transgress not the limits; for Allah loveth not transgressors.” Based on this verse, the Quran permits a war in self-defense but with certain limitation such as protecting women, children, old and infirm men from being attacked and make peace when the enemies come to terms (ibid). As John Esposito (2010: 48) explains; “jihad refers to the obligation incumbent on all Muslims, individuals and the community, to follow and realize God’s will: to lead a virtuous life and to extend the Islamic community through preaching, education, example, writing etc.”

Despite these facts, both critics of Islam (as a religion of violence) and few extremist Muslims (ab)used it to advance their own worldly goals. Osama bin Laden and other terrorist leaders also “use an historically inaccurate and distorted view of the Islamic concept of a just war (*jihad*) to justify their actions” (Bonney, 2004: 86). This in turn paved the way for the development of wrong perceptions towards Islam in the world, particularly in the West.

7.4.3.2 *Jihadawi Harekat* – the Government’s Media Practices

At this juncture, I want to critically assess the documentary released through the Ethiopian Television to sensibly understand the undergoing tensions and conflicts between the government and the Muslim community. On 5 February 2013, the Ethiopian government released a documentary that revolves around the ‘terrorist acts’ of members of the Muslims’ Solution Finding Committee through the state television (ETV) entitled: ‘*Jihadawi Harekat*’ and subtitled: ‘*Boko Haram Be Etiyopiya?* (Is Boko Haram in Ethiopia?)’ *Ansardin Be Etiyopiya?* (Is Ansar Din in Ethiopia?)’. This was done despite the court order from the Federal High Court of the 4th Criminal Bench not to broadcast the documentary while the case is pending²⁵¹. Immediately after news hour, the ETV screen has been populated with such words and terms: “*an evidence-based documentary*

²⁵¹ The lawyers of the accused requested the court to write a court order (injunction) for the media (ERTA) not to present the documentary as it: 1) violates the rights of the accused to be presumed innocent until proven guilty, 2) affects the freedom and impartiality of the court, 3) mislead the public to think as if the accused were ‘terrorist’ in which the moral damage to be sustained could not be compensated, 4) affects the accused to present witnesses and 5) lacks impartiality in which the accused were not asked to give their consent.

that shows the activities of few individuals accomplishing the terrorist missions of al-Shabab – al-Qaeda [in Ethiopia] under the cover of Islam”. The Ethiopian National Intelligence and Security Service (ENSA) and Federal Police Anti-Terrorism Joint Task Force, in collaboration with the Ethiopian Radio and Television Agency (ERTA), have produced the film. The film shows people killing one another and several bomb blasts, chaos, anarchies and horrors in Somalia, Nigeria and Mali as perpetrated by their respective jihadist groups – al-Shabab, Boko Haram and Ansar Din. It begins with the alarmist speeches of one of the ‘accused terrorist’²⁵² that defines *jihad* as “a war between a Muslim and non-Islamic government”, as simple as that. This seems was a deliberate action to provide ‘an operational definition of jihad’ for the very purpose they targeted ahead of time by the film producers. The makers used their own interpretation of jihad with no attempt to define the term from other perspectives. From the film, one can understand that the word jihad is equated to mean a ‘holy war’ between the believers and the infidels. What makes it even more alarming is, it claims that, Muslim activists and protest leaders in Ethiopia are caught up while involving in a similar activity as that of these terrorist groups and narrates as if Boko Haram and Ansar Din were coming home. Though *jihad* might not be automatically interpreted to mean war and violence as discussed above, it is conceptualized and reiterated in the state media to mean ‘war and terrorism.’ By taking away its religious and spiritual connotations, it portrayed *jihad* as an act of terrorism and violence. It also distorted the objectives of the actions of the activists by associating them with the politically charged words such as *tsinfegna* (extremist), *akrari* (fundamentalist) and *ashebari* (terrorist) and relating their goals with the goals of the militant terrorist groups.

The film tries to establish the connection of each and every members of the arbitrators committee with terror-related crimes. “Kamil Shemsu and Ahmed Mustefa, trained by Dr. Jasim Sultan, the leader of the former bankrupt Muslim Brotherhood of Qatar”, were accused of returning back for fulfilling their objective of establishing an Islamic state

²⁵² A leading suspect by the name Ismail Assefa or Aman Assefa (formerly called Ambelu while he was Christian but later changed into Aman Assefa when he became Muslim), who tries to define jihad, is totally unknown to the (Muslim) public and has no any connection with the members of the Muslims’ Solution Finding Committee.

through terrorist tactics. It also displayed some of the members of the Muslims' Solution Finding Committee testifying against themselves and made confession in a way that establishes their guilt mind and involving in terrorist activities. The members of the Committee were under detention by the police suspected of committing terrorist acts. The documentary mainly focuses on the fact that, "the Committee members have already admitted of committing crimes" and displayed them publicly as if they were guilty of crime of terrorism. No doubt that, the media has contributed to linking the Muslim activists with terrorism and developing negative images towards Muslims among the public. It played a great role in distorting the real picture by associating the activists with terrorist organizations. The legitimate questions of many more Muslims were surpassed by 'the threats of terrorism posed by these groups'. The media terror narration portrayed the activities of Muslim activists as threats for the peaceful coexistence of Muslims and Christians.

Although it needs thorough study to verify, the media, particularly ETV (now EBC) has less popularity and credibility among the public. There is a public saying circulating in the society at large, which goes like this; "*Etivin mamen zegto new* – to trust ETV is after shutting it down; *etivi yemitamenew se'at sinager bicha new* – ETV can only be trusted when it speaks [tells] the clock (time); *lam endet enkulal endemititil mawek yifelgalu, engidawus maksegno mishit kezena behuala be-etivi yitebikun* – do you want to know how a cow lays an egg? If so, please wait for next Tuesday after news hour through ETV²⁵³; *endemin ameshachihu dish yelechihu* – good evening those viewers who have no satellite dish [to watch other alternative foreign-based channels]." The last saying in particular implies, it is only those groups of people who have no satellite dish that could watch ETV. Those with other options could resort to watching other international media to satisfy their informational needs. Despite its low popularity, it could have an enormous influence in distorting the images of the Muslim activists in particular and the Muslim community in general by associating their demands with acts of terrorism. Shahzad Ali (2007: 7) citing a renowned US media analyst Michael Parenti (2003: 3) provides that, media can play an active role in distorting the image of a certain actor for the public. He

²⁵³ This sentence has been directly copied from an advertisement released by ETV itself ahead of presenting its documentary (*Jihadawi Harekat*) in order to suspense people to wait it eagerly.

argues that, distortion of images does not depend on the falsehood or badness of the issue at hand but largely by framing and reframing it to one's target. He contends that, "[...] by twisting the facts, or bending the truth rather than breaking it, using emphasis, and other auxiliary embellishments, media practitioner can create a desired impression without departing too far from the appearance of objectivity" (Ali, 2007: 7; quoted from Parenti, 2003: 3).

Some media outlets, with their own political or any social agenda, uses manipulative strategy to articulate or explain issues of the target groups in favor of their own or their masters' goals (Ali, 2007). In recent years, deconstructing the images of Islam and demonizing Muslims by individual film-makers and the media are used as the trademark of freedom of expression. The Danish cartoon film, the movies of the Dutch film-maker together with a Somalian lady, the movies of an Egyptian Jew of a US citizen; all directed against the person and character of the Prophet Mohammed were circulated in the name of freedom of expression but in clear violation of the international laws that prohibit hate speech/expression, propaganda for war, hatred against racial, ethnic and religious groups (art 20 of ICCPR). As some scholars indicate, the boundaries between freedom of speech and hate speech are blurred. But, when freedom of speech incites hatred and religious intolerance that feeds into violence, it could be limited (Elver, 2012). In the post-9/11 period, hate speech and anti-Islamic sentiment is mounting across the world. Anti-Islamic websites, anti-Islamic movies and anti-Islamic preaches are tolerated as if they were under the domain of freedom of expression (ibid), though by no means that "[...] should not be regarded as part of the domain of acceptable criticism that enjoys protection as freedom of speech" (Elver, 2012: 169). Ironically, while hate speeches of promoting 'fascism, racism or anti-Semitism' in Europe are prohibited by law 'hate speeches against Muslims' fall under the domain of acceptable criticism and within the scope of freedom of speech (ibid).

The Ethiopian state media, directly or indirectly, linked the demands of Muslim activism with religious extremism and terrorism. It focused on the terror narratives and the tragedies that followed as a result of the confrontations between the government forces and Muslim protestors. Due to the repeated use of such politically-loaded terms as

fundamentalist, extremist and terrorist with their associative words such as ‘Muslim and Islamic’, led into the wrong perception of intimate link between Islam and terrorism. *Behaimanot shifan dibq yepoletika agenda yemiyaramdu akrari hailoch* (those fundamentalist forces who advance their hidden political agenda under the cover of religion), *be-islamina haimanot shifan yeminqesaquesu ashebari budinoch* (those terrorist groups who work under the cover of Islam) and terms like these created fear and frustration among the Muslim community to proceed with their legitimate questions and click in the minds of the non-Muslim community about the ‘threats of Islamic terrorism in the country.’

What impressions this media usage could have in the minds of the uneducated masses, average and educated Ethiopian media consumers? is, therefore, a logical question one can raise. In fact, we don’t have any survey on the impact of the message on public perceptions towards the detainees charged of terrorist acts to provide an exclusive answer for this question. In today’s globalized world and the era of information, no one denies the importance of mass media in playing a vital role in shaping the attitudes of people. They can play a very significant role in building or distorting the image of an individual or community that shapes the public opinion towards the targeted goal(s). The concepts and pictures presented in the media which has happened somewhere out of site of the public could take shape and picture in the minds of the viewers, readers and listeners (Ali, 2007). The image that is portrayed by the media about an individual or community could in turn help the viewers or readers to judge the behaviors or acts of that individual or community (ibid). In developing the images of an individual or community, the media can tailor it as per the objectives of the propagators. In this regard, false propagandas might have lasting impressions in the minds of the people, especially when they are uneducated and have only one single source of information (ibid).

Some researches have shown that, “journalistic reporting on Muslim Affairs [in Ethiopia] has been restricted by the government since May 2012” to the extent of arresting journalists of foreign-based media invoking the 2009 anti-terrorism proclamation (Henok, 2013: 13; United States Department of State, 2013). The Voice of America (VOA)

Amharic service correspondent was temporarily arrested in 2012 while he was reporting the protests from Awolia College. Private newspapers featuring and documenting Muslim protesters were successfully blocked by government forces on grounds that ‘doing this poses threats to national security’. *Fitih* (literally means Justice) private newspaper was blocked by the Ministry of Justice from being distributed in July 2012 for putting the Muslims’ cases and the health status of Prime Minister Meles Zenawi at the front page (Henok, 2013). The chief-editor of the newspaper Temesgen Desalegn was arrested and charged for inciting and agitating violence, defaming government and destabilizing the public by disseminating false reports since December 2011 (United States Department of State, 2013: 11), which coincides with the start of Muslim protests. The chief-editor of *Yemuslimoch Guday* (Muslims’ Affairs) private newspaper Yusuf Getachew²⁵⁴ was arrested for inciting violence and reporting Muslim protests (ibid). Its columnists (e.g. Akmel Negash and Isaq Eshetu) were also forced to flee the country for fear of arrest which caused the newspaper – *de facto* – to cease publication. The government also – though occasionally – jams foreign-based broadcasts that cover dissenting views (United States Department of State, 2013: 11).

Since July 2012, only the Ethiopian Television, the national radio and the ruling party’s affiliated Fana Radio were authorized – though *de facto* – to follow-up and report about the behaviors and activities of Ethiopian Muslim protesters (Henok, 2013; United States Department of State, 2013). An alarmist film such as this – by banning all other media alternatives – would have dangerous consequences and inciting hatred and distrust towards Muslims by the general public at large and from the Christian community in particular. The deliberately coined associations between the demands of Muslim activists in Ethiopia and the fundamentalist and in most cases the militant terrorist activities of al-Shabab, Boko Haram and Ansar Din of Somalia, Nigeria and Mali and al-Qaida ensures that the average non-Muslim viewers of the media come to see Islam with militancy, violence, fundamentalism and terrorism. In the absence of a strong independent source of information, at least in local languages, it would be very difficult for ordinary citizens to

²⁵⁴ He has been sentenced to seven years of imprisonment for involving in acts of terrorism on 3 August 2015 while some of the members of the Muslims’ Solution Finding Committee members were sentenced up to 22 years (ETV, 3 August 2015)

distinguish the reality from simple propaganda. Moreover, in the absence of powerful private media, the likelihood of the state/government to deceive its people is very high for its own political consumptions (Faysal, 2013). There are many people²⁵⁵, for example, who express their suspicion of the truthfulness of the messages transmitted by the state media, both electronic and print, but unfortunately no other private local sources to ascertain facts.

Sometimes, the media propagates false stories or exaggerates simple incidents in order to lay the groundwork for military attacks or government crackdown against the so-called Islamic extremists or supply information for subsequent court decisions. In most cases, the crackdown of opposition groups so far was preceded with media propaganda associating the activities of these groups with the acts of terrorism followed by demonization and character assassination (see for example, *Akeldama* and *Addis Abeban ende Bagdad* Documentary Films)²⁵⁶. In this regard, the media heavily worked on the defamation of Muslim activists as terrorists and laid the ground for the justifiability of subsequent government actions. In most cases, their legitimate claims received less coverage and their causes were downplayed. If covered, it was presented with distortion of framing their questions.²⁵⁷ The words ‘extremists, fundamentalists and terrorists’ with their twin terms of ‘Islamic or Muslims’ have the privilege in appearing so frequently, often as headlines. In many occasions, it demonized Muslim activists and the protest leaders as “Islamist in goal and terrorist in methodology” (Faysal, 2013: 85).

On top of this, the Jihadawi Harekat documentary, broadcasted through ETV, not only demonized Muslim activists but also violates “an outstanding court injunction [the right of accused persons to be presumed innocent until proved guilty by the court of law]” (Awol, 2013: 91). The dissemination of the information regarding Muslim activist leaders

²⁵⁵ Information obtained through FGD organized by the researcher on 15 March 2013 in Addis Ababa. Almost all of my informants said that, the documentary is a drama/film written/produced by the government and played by government security personnel with the creativity and sound system of modern technology. It is a kind of cut and paste strategy brought from different pieces and organized together sometimes the speech and the scene mismatches. Further some of them said; they know the Committee members who could not be part of such activities and the documentary is odd for them.

²⁵⁶ http://www.diretube.com/ethiopian-documentary/akeldama-part-1-video_25cf45af1.html

²⁵⁷ Information obtained through FGD organized by the researcher on 15 March 2013 in Addis Ababa

while they were under police custody violates the legal procedures provided under Ethiopian Constitution. Save the rights of citizens to be informed of any planned terrorist attacks and the actions taken by responsible government organs to curb the danger, disseminating the information before the final decision of the court damages both the interests and dignities of victims, adversely affects the ongoing investigation process and also obscures the rendering of justice by the ‘competent judicial organ’²⁵⁸. The broadcasting of criminal charges, in a way presented as in *Jihadawi Harekat*, inevitably would result in distortion of fair trial and negatively affects the impartiality of the judges towards the case. The media influence on the testimonies and the presentation of other subsequent evidences from the accused will be under severe restriction. To one’s surprise, while the trial of the charge was closed for the public, the transmission of the involvement of the Committee members in terrorist acts through public media shows the interest of the government to incriminate the accused before the final judgement. The appearance of the late Prime Minister’s speech to the Parliament now and then about the threats of Salafi extremism in the documentary would have the effect of discouraging witnesses to stand on the side of the accused and also sends a message, if not warning, to the presiding judges ‘to look the charge through his lens’ that inevitably twists the final judgment.

As it is clear from the film, the major purpose is to show how al-Qaeda and al-Shabab terrorist groups posed a serious threat to Ethiopian national security and connect the activities of the members of the Committee with such terrorist organizations. These two organizations are notorious for their inhuman atrocities committed in different parts of the world and are under the ‘blacklist’ of the US Government. Obviously, it would not be difficult to understand the association of the causes of the Committee with these groups would mean. By implication, the Committee as an organization could be proscribed as terrorist organization based on the 2009 Anti-Terrorism Proclamation²⁵⁹. Consequently, all the members are automatically terrorists.

²⁵⁸ Interview with the lawyer of the Committee, 20 July 2014

²⁵⁹ The government defends that, Ethiopia introduced the anti-terrorism law not because others did it but because terrorism is an imminent danger for the security of the country and individual citizens (http://www.diretube.com/ethiopian-documentary/akeldama-part-2-video_30d42597c.html).

Concluding Remarks

In this chapter, I have discussed the claims and complaints of the Muslim community as channeled through the Muslims' Solution Finding Committee and their weekly – mostly sits-in mosque-based – protests. The Committee members articulated the demands of Muslims in three general terms: reforming Mejlis leadership through election, ceasing Ahabashism campaign and handing over Awolia to an independent board established by Muslims. The claims were submitted to various levels of government offices ranging from kebele to the Prime Minister's Office. The government responded positively for the arrangement of election schedule to constitute new Mejlis leadership though it was rejected by the Committee on procedural issues. The government's response on Ahabash issue was not direct as it denies not only the involvement of the government in the promotion of Ahabash but also the very existence of Ahabash as a separate religious sect operating in Ethiopia. The conflict later gained momentum and the government then became heavy-handed where it resulted in the imprisonment of some of the members of the Committee. It declared any movement related to the Awolia and Mejlis issue as illegal. The Ethiopian National Intelligence and Security Service and the Federal Police Anti-Terrorism Joint Task Force in collaboration with the Ethiopian Radio and Television Agency released a documentary – *Jihadawi Harekat* – on 5 February 2013 that tries to show the involvement of some of the Committee members in acts of terrorism and working for the establishment of an Islamic government in Ethiopia. The Federal High Court Summit Bench finally decided against 18 individuals as criminals of terrorism on 3 August 2015 and sentenced them for imprisonment ranging from a minimum of 7 to a maximum of 22 years (EBC News, 3 August 2015). The influential leaders of the Committee; Abubaker Ahmed (chairperson), Ahmedin Jebel (head of public affairs), Yasin Nuru (member – but later released through government pardon) and Kamil Shemsu (member) received the maximum sentence of 22 years imprisonment and exclusion from any civil rights for the subsequent five years after accomplishing their prison terms.

The protest now ceased and the situation seems calm but many still aggrieved with the decision of the court (government) and the new Mejlis leadership. Some of my

informants²⁶⁰ consider the court trial and the verdict against the Committee members ‘more of political than juridical’ aimed to silencing Muslim voices and delegitimizing their legitimate claims. Though my informants reject the decision as politically-motivated, the government has delivered several ‘evidences against the defendants that prove their guilt’. It brought audio and video recordings, speeches of the defendants, recorded documents, witness testimonies and other materials obtained through police surveillances²⁶¹. In fact, perception matters as many Muslims regard it political decision rather than impartial judicial verdict. Many of my informants²⁶² even create a connection between the *Jihadawi Harekat* documentary and the decision of the court saying that ‘the final decision of the court is nothing but the endorsement of the government’s political decision provided long before in that documentary’.

²⁶⁰ Information obtained from FGD held on 25 October 2015 in Addis Ababa

²⁶¹ The researcher has gained access to see some of these documents after the final decision of the court has been rendered

²⁶² Information obtained from FGD held on 25 October 2015 in Addis Ababa

CHAPTER EIGHT

SUMMARY, FINDINGS AND RECOMMENDATIONS

8.1 Summary

Historically, Muslims were effectively excluded from the Ethiopian body politic both in law and practice. As it has been discussed in chapter three, the imperial regimes and the military dictatorship alienated Muslims from the economic, political and social arena. While the former employed systemic and legal mechanisms to exclude Muslims by favoring one state religion, the latter used authoritarian methods to dislodge them from the public space. Emperors Tewodros II (r.1855-1868), Yohannes IV (r.1872-1889) and Menelik II (r.1889-1913) employed more or less a similar strategy of mass Christianization of the Ethiopian population by fiat. Emperor Haile Selassie I (r.1930-1974), inheriting the agenda of nation-building project under the banner of one culture, language and religion, followed a similar path of homogenizing the diverse society into the ‘melting pot’ state of Ethiopia. Unlike his predecessors, he tried to entrench these agendas into his own legal system. Hence, by his own will, he introduced various legal documents to legitimize his ‘divine rule’ and establish his own version of Ethiopia. The 1955 Revised Constitution and the 1960 Civil Code were important in this regard where both declared Amharic language and Orthodox Christianity as the only official language and religion of Ethiopia. Though he orally declared religious equality under the dictum: ‘religion is personal, country is common’, both legally and practically, Muslims and followers of other religions were effectively excluded from the political, economic and social apparatus of the state. State and Church were intricately joined hands to alienate other religious followers until their forced separation in 1974.

The *Derg* regime that took power following the 1974 Revolution came up with its Marxist-Leninist ideology marked by hostility towards religion. Its immediate task was to expel religion from politics thereby declaring the separation of state and church. The millennium old-age marriage relationship of the Ethiopian state and the EOC was concluded with forced divorce. For a moment, the regime eased the oppression of Muslims and declared religious equality. Muslims started to possess land (both for

livelihood and constructing worshiping houses), any form of discrimination to hold public office and other state apparatus were ceased. Islamic religious holidays were declared as national holidays (Hussein, 2006; Wudu, 2006). The separation of state and religion were proclaimed constitutional following the enactment of the 1987 PDRE Constitution. However, the very essence of socialism that denies the existence of God did not take *Derg* too long to respect religious freedom and equality in the country. *Derg* was often heard of blaming religions as ‘obstacles for the realization of socialism and reactionaries to the Revolution’. Hence, religion as a whole and Islam in particular once again remained fugitive in Ethiopia during the *Derg* regime. The ensuing secularization policy of the regime, both at the social and political level, was nothing but to assault and eradicate religion rather than assuring freedom to and from religion. The regime remained so brutal and religious institutions were not exceptions to escape its authoritarian control.

Derg was overthrown in 1991 and replaced with an ethno-nationalist coalition force called the Ethiopian Peoples’ Revolutionary Democratic Front (EPRDF). The new regime restructured the state into a federal system and constituent units of the federation are organized along various identity markers (e.g. language and ethnicity). Religion, however, was excluded from being used as one criterion to establish constituent units. It affirmed the secular identity of the state. Art 11 is audacious in this regard. Despite some incongruence between the legal promises and the practice, secularism remained the hallmark of the Ethiopian state and government. Muslims in particular benefited from the religious freedom and equality introduced by the EPRDF-led government. Their visibility and roles in all aspects of life (political, social and economic) largely improved. The system allowed them for establishing religious institutions and to freely propagate their religion. They could freely move from place to place for pilgrimage and religious learning or teaching. They came into close contact with the outside world. These have created lots of opportunities for Muslims to be aware of their religious freedoms and rights. Hence, they became more assertive and conscious to demand more freedoms and be active in all activities of the country. In more recent years (after 2011), members of the Muslim community and the government started to clash on issues related to secularism

where the former accuses of the government for involving in religious affairs in contradiction to the constitutional principle of separation of the two institutions – though the latter denies. The claims of Muslims over government interference are coined broadly along two lines; institutional and spiritual. Institutionally, Muslim activists presented the control of the Ethiopian Islamic Affairs Supreme Council (Mejilis) by the government as one indication of government involvement in religious affairs. Spiritually, they claim that, the government actively engaged in favor of the propagation of the Ahbash sect in the country and involved in purely religious affairs by introducing stringent laws to limit the manifestation of religious symbols and worship in public places. These issues have been exhaustively discussed in my empirical chapters that run from chapter four to chapter seven.

Chapter four was mainly devoted to discussions related to the autonomy of Mejilis control and its legitimacy in the eyes of the Muslim community in line with the legal provisions of the country. It discussed the historical accounts of the Council and the struggle of Muslims for the coming into being of it – *de facto* in 1976 and *de jure* in 1991. As it is discussed, the imperial regime of Emperor Haile Selassie was very hostile for any form of Islamic organizations and was not ready to grant the right for Muslims to form their religious institutions. It was in suspicion of organizations established by minority groups for fear of mobilizing their communities for parity and freedom. An attempt was made in 1967 by Muslim students of Addis Ababa University to establish the first organization called *Selamawi Mahber* for the Muslims along religious lines. It was unsuccessful where the regime prohibited forming organizations in educational institutions on the basis of religion (Markakis, 2006). The overthrow of the imperial regime in 1974 paved the way for Muslims to push the government further to allow them establish Islamic institutions in the country. Hence, *Derg* let them to establish Islamic religious institutions and Mejilis came into being, though *de facto*, in 1976 (Hussein, 2006). Repeated attempts by Muslims to acquire legal personality for their religious institution failed mainly due to internal and external factors. Internally, the institution was too weak, divided and corrupt to be granted legal status. Externally, the regime was severely hostile to religion as a whole and to Islam in particular where Islam was

considered as a ‘fifth column and potential collaborator’ with enemies of Ethiopia (Hussein, 2006). Hence, the institution was designed to remain weak forever and legal status was denied to effectively control it. The EPRDF regime later recognized its legal personality by law but still remained precarious. The 1960 Imperial Civil Code of Ethiopia requires all religious groupings to be registered to function legally while exempting the Orthodox Church for registration. In other words, the 1960 Code created inequality between or among religions. This was quite natural in a government where it declares one religion as a state religion. The problem, however, is that the law is still applicable in Federal Ethiopia where all religions except the EOC are mandated to be registered in the Ministry of Federal Affairs. Muslim activists opposed this practice as it violates the constitutional principle of equality of religions. Moreover, Mejlis is now becoming an institution that co-opted with the government to control the Muslim community instead of representing the Muslims in spiritual affairs. As a result of the closure of many of Islamic institutions in the 1990s by the regime, Mejlis remained the only institution to represent Muslims. However, it not only represents but also acts as semi-executive organ to control and deny the registration of other Islamic institutions in the country (Ostebo, 2014). Hence, Mejlis leadership made itself nothing more than the mouthpiece of the government and in effect, remained illegitimate to represent Muslims. The leadership is also implicated with corruption, inefficiency in administration, lack of accountability and transparency, lack of commitment to create awareness about the spiritual development of the people (*Ewunetu Yih New*, 2012), And, more recently, due to its ‘policy’ of cooperating with some government offices to ‘import the deviant and heretic Al-Ahbash dogma’ (Ubah, 2012), throw itself from bad to worse.

In chapter five, I have discussed the issue of public manifestation of religion vis-à-vis the 2008 Directive of the Ministry of Education that prohibited conspicuous religious symbols and congregational worship in educational institutions. There are various legal provisions in the 1995 FDRE Constitution for the right to freedom of religious expression. With few limitations, art 27(5) of the Constitution recognizes the freedom to express one’s religion in the form of worship, observance, teaching and practice in public or private. The limitation grounds are explicitly provided which includes protecting

public safety, morality, health, education, the rights and freedoms of others and ensure the independence of the state from the influence of religion (secularism).

In line with these provisions, the Ministry of Education introduced a directive in 2008 that prohibits niqab and group worship in all educational institutions in the country. The policy entertained both support and criticism from various sectors of the society. Muslim activists in particular opposed the law as it mainly targets Muslim students. Group pray and religious clothing are mandatory in the Quran which ‘devout Muslims’ are required to implement at all times and places (*Surah al-Mu’minun* 23:5; *Surah an-Nur* 24:31; *Sura al-Jam’a*, 62:9). The importance of veil and congregational worship in Islam has been discussed extensively. It is ascertained that, Quran mandates both on believers. The government has also legitimate concerns to limit some of these religious practices for security and administrative reasons. However, striking the balance between the two values remained a challenge for the government. On the one hand, the freedom to express one’s religion either individually or in community with others, and in public or private through worship, observance, teaching and practice is a constitutionally guaranteed right. On the other hand, protecting public security and peace is an obligation required from a legitimate government. Moreover, limiting such rights could be even more difficult in countries where respecting diversity is the ‘trademark’ of the state and where the government is committed to maintain such diversities. In this regard, the restrictions go beyond the limitation grounds provided under the FDRE Constitution. The principle of secularism could not justify to limit religious freedom as wearing niqab and congregational pray have nothing to do with providing secular education in educational institutions. Although the directive tries to use the principle of secularism and delivering secular education as bases for restricting such rights, secularizing government institution does not oblige students to develop secular outlook by dropping some of their religious precepts. Providing secular education is only related with the curriculum of educational institutions and their administrations being free from the influence of religion. In a nutshell, the blanket ban of group worship and niqab in educational institutions contradicts both the constitutional provision for freedom of religious expression in public places and secularism.

Chapter six discussed about the contestation between the Muslim community and the government over issues of government interference in religious affairs by promoting a certain sect supposed to be moderate and apolitical over another perceived as extremist and politically active. It is discussed that, al-Ahbash (Ahbash), as a religious doctrine, traces its roots from Ethiopia where its leader was believed to be an Ethiopian descent. Its name al-Ahbash is used to refer to the origin of Sheikh al-Harari who was originally from Ethiopia. The Association strongly advocates for peaceful coexistence between different religious communities and non-involvement in political affairs. Ahbash is also a strong opponent of the Salafi/Wahhabi group whom it considers as intolerant and extremist.

Ahbash was officially invited to Ethiopia by Mejlis in 2011 to provide training for imams, religious leaders and ulemas across the country about religious tolerance and peaceful coexistence. There was an earlier attempt by the Ethiopian government to bring and settle permanently the Ahbash leader Abdullah al-Harari in 2008 but unsuccessful due to his natural death (Dereje and Bruce Lawrence, 2014). Partly considering it as Ethiopian (*nebaru islmina* – indigenous Islam) (17 April 2012, Meles Zenawi) and partly convinced with its stand of secularism and peaceful coexistence, the Ethiopian government inclined towards promoting Ahbash ('Sufis') over the Salafis. The Ministry of Federal Affairs in particular involved in the invitation of Ahbash from Lebanon through Mejlis. This was confirmed by the invited Ahbash guests during a meeting at Ghion Hotel with the trainers and invited government officials. Its vice president, Dr. Samir al-Qadi affirmed this fact when he expressed his gratitude to top government officials of Ethiopia. Muslim activists strongly opposed and protested against the role of Mejlis and the government for inviting Ahbash as it violates the constitutional principle of secularism and freedom of religion. Several mosque imams, religious leaders and ulemas were coerced to attend the religious tolerance training organized by Mejlis in cooperation with the government. The training was conducted in different parts of the country where participation was mainly involuntary.

The Muslims' Solution Finding Committee complained against the forceful training as it clearly contravenes the constitutional provision for freedom from coercion to adopt a

religion of not one's own choice (art 27 sub art 3). This has created wider indignation and protest among the Muslim community all over the country. The Committee plainly expressed that, Muslims opposed not Ahbash as a religious sect and its propagation in Ethiopia but the involvement of government and Mejlis and the forceful imposition of it over Ethiopian Muslims. The government on its part associated the problem with the Salafi extremists propagating an Islamic government in Ethiopia. It expressed its fear and tried to present evidences in mass media that ascertain the involvement of the Salafi extremists for the overthrow of the government through their 'hidden political agenda' for their ultimate goal of establishing *shari'a* rule in the country. It has already charged some Muslim activists and the members of the Muslims' Solution Finding Committee with terrorism and imprisoned some in July 2012.

In chapter seven, I have seen the Muslim complaints and government responses in detail. It is discussed that, the Muslim community through the Muslims Solution Finding Committee presented their grievances and complaints both in writing and protest. It was almost a routine task of Muslims to express their grievances in protest. After the election of the 17-members arbitrator committee on 19 January 2012, however, their claims were channeled through the Committee – though occasionally the protest continued. The mandates of the Committee were specifically stated only presenting the claims and fears of the Muslim community to the government and seeking peaceful solution (see appendix I). Accordingly, three major questions were developed to be submitted to concerned government offices, particularly to the Ministry of Federal Affairs. These were; arranging the ground for the election of new Mejlis leadership, discontinue the campaign of indoctrination of Ethiopian Muslims with Ahbash religious doctrine and handing over Awolia Islamic Mission College to the public. The Committee prepared complaint letters and submitted them for various government offices starting from the lowest to the highest level of state administration (kebele to the prime minister's office).

Many of the letters reiterate the discriminations of the past perpetrated against the Muslims and appreciate the new policies of the EPRDF regime committed to rectify past injustices. Nonetheless, they stressed the recent developments in the country, mainly

conducted by Mejlis leadership but supported by government offices and officials to disseminate the teachings of Ahbash – to impose over Ethiopian Muslims. The complaint mainly focuses on Mejlis leadership and its illegitimacy in the eyes of Ethiopian Muslims. Hence, the demand was mainly to remove the unelected leadership and replace it with new but democratically elected leadership. In this regard, the request was for the government to arrange the ground for the election. For some time, the Ministry of Federal Affairs responded positively and held few meetings with the Committee members. It recognized the Committee as legal representative of the Muslim community and accepted their questions as legitimate and legal. However, the Prime Minister’s parliamentary speech of 17 April 2012 was a turning point for the government to take a hard-line approach towards the Muslims’ questions. The Prime Minister publicly ‘endorsed the indigeneness of Ahbash’ and charged the Salafis with religious extremism and propagator of Islamic government in Ethiopia. This speech obviously pushed other offices, including the Ministry of Federal Affairs, to undermine the legality of the Committee and their complaints.

Meanwhile, the Ministry released its own statements through the state media that ‘it responded positively to all the questions and warned any activity related to this as illegal’. Afterwards, the public media started to produce alarmist documentaries and associated such demands with religious extremism creating a parallel in other parts of the world (al-Qaeda, al-Shabab, Boko Haram and Ansar Din). Put simply, the documentary tries to create a parallel between the most peaceful protests of Ethiopian Muslims with the widely known terrorist groups of Africa and the world. In this regard, the media’s purpose seems more of an attempt to discredit through ‘association’ than any serious critique of their activities and demands in the Ethiopian context. There is no sign of terrorism in their narrations and actions in contrast to other terrorist organizations whose words and deeds completely fall under the definition of terrorism provided in international and national laws. In line with the media terror narration, government responses gradually became blanket denial and counter-accusation of Muslim activists with acts of terrorism. The leading members of the Arbitration Committee were detained and adjudication of their case started in a court of law. Last but not least, chapter eight

summarized all the preceding chapters and presents major findings of the dissertation and provides some recommendations that are pertinent to the findings.

8.2 Findings

It has been discussed that, Ethiopian Muslims consistently protested against ‘unjustified government interference’ in their religious affairs, which has been manifested in the form of controlling the Mejlis leadership and the institution, forced indoctrination with the Ahbash religious philosophy at the expense of ‘mainstream Islam’ in the country, and restricting manifestation of religious symbols and practices in public spaces. Many of the government policies and practices towards Muslims are marked by antithetic between ‘bad and good, tolerant and intolerant, moderate and extremist’, which in turn is aggravated by the overstated idiom of state media about the threats of religious extremism. Based on the analysis made from the various letters of the Muslim activists, the data collected from Ethiopian Muslim informants and the historical examples of the practice of Muslims in Ethiopia, nothing is found to support the government’s claim of fundamentalist Islam working for political victory and governmental Islam. The presence of religious-based violence and fundamentalism is more of a reality in Ethiopia – some are associated with the negative influence of neighboring states – than home-based terrorism with an ambition of creating Islamic government. Some of the government’s own policies and strategies also contributed for religious radicalization and extremism. The most obvious ones being its strategy of working with and promoting moderate religious sects and leaders, and its policy of restricting public display of religious symbols and group worship. To be specific, the study has found that:

1. The Ethiopian Islamic Affairs Supreme Council (Mejlis), which is supposed to be independent of any external influence and legitimate representative of the Muslim community, lacks genuine autonomy to represent Muslims and co-opted with the government. Inconsistency is apparent between the promises of the Constitution for the autonomy of religious institutions and the amount of autonomy they are actually enjoying. The government has tight control over its administration (in addition to using the Council to control other Islamic institutions) and manipulates divisions in the

leadership circle (Sufis vs. Salafis). The government dichotomizes the Muslim community into either the moderate Sufi or the extremist Salafis and tried its level best to ensure Mejlis is occupied by the ‘traditionalist’ Sufi members at the exclusion of Salafis. This has resulted in unduly state interference in the internal disputes within religious communities. In this regard, the government exhibited an apparent interventionist strategy in the form of backing those seen as most conformist (moderate) and traditionalist over those that were supposed to be radicals and non-conformist. This in turn has precipitated bitter and sustained protest from the Muslim community and sometimes with the risk of violent clashes between the faithful and government forces. Related to this, religious parity is at stake where some are governed by the imperial laws, which instituted inequality between religious institutions with regard to their legal status. Mejlis is treated as an ordinary association subject to registration and secure license every three years while its counter-part (EOC) is free (at least *de facto* exempted or EOC refused)²⁶³ from this obligation.

2. Labeling Muslims as national security threats long-held by many of Ethiopian rulers has still resonance among some government offices and officials. The government is trying to justify its close-eye watch and control over the Mejlis for security reasons and countering religious extremism. Religious rights and freedoms, in most cases, are subordinated to state security. When it comes to Islam, the government still approaches Islam and Muslims from ‘the reductionist framework of security’. After the 9/11, in particular, the debates and narrations in the Ethiopian media and government policy circles have been dominated by security concerns and dangers of terrorism in a way that

²⁶³ A leading member of Mahbere Kidusan expressed his surprise when the EOC was asked to be registered in the Ministry of Federal Affairs when he said, “we will be registered after 2000 years of existence and be recognized as a new religious organization!” This was a reaction to MoFA when it disseminated a draft document to discuss on about ‘registering all religious institutions’ in Ethiopia in 2013. The writer argues that, the draft does not take into consideration of the ‘special’ contribution of the Church to the Ethiopian state and its role for the Ethiopian state formation. It is the EOC that helped for the Ethiopian state to be built from the scratch and it could be an ‘insult’ for the Church to require to it to be registered in one government office (ministerial office). It may fit into Protestantism as there are so many divisions within it and can present memorandum of establishment from its founders but this could be impossible for the EOC. How can the EPRDF government register EOC as if it were established today – the Church predates the government, even the Ethiopian state. Can the EOC be registered as ordinary association? Can it be an NGO? If it refuses to be registered, does it mean that ‘the EOC lost its life’? This is really surprising. The writer finally stressed that, “EOC leaders need to be conscious of these facts while discussing the draft with the government” (www.ethiopianorthodox.org).

portrays Muslim grievances and protests as manifestations of political Islam aiming at establishing an Islamic government through violence and terrorism. By doing so, it has created an impression that Islam and Muslims are concerns for risks of security and violence in Ethiopia too.

3. The recent move of the government to ban religious symbols from educational institutions is perceived by many Muslims as exclusively targeting their religion. Arguably, displaying religious symbols – in the form of dressing and appearance – is more prescriptive and mandatory in the Quran than other religions. Moreover, congregational pray, which the law is supposed to curb, is obligatory for Muslims or is a boundary line between being Muslim and non-Muslim. Veil is also an integral part of the religion of Islam. Prohibiting both in educational institutions has the potential to increase the social, economic and political exclusion of Muslims in the Ethiopian body politic. The real and perceived alienation from the Ethiopian body politic further complicates the government's efforts to expose the extremist activities and tackle the problems of terrorism. Muslim students are targeted in some public universities for wearing religious clothes – particularly hijab and niqab – and practicing congregational pray. Some are even suspended or expelled from their education mainly related with these issues rather than weaknesses in academic performance. In fact, the research ascertained that, there are other similar legal approaches in the world that support the Ethiopian policies and practices (e.g. France and Turkey). What makes the Ethiopian case unique is, the value accorded to diversity and the sanctions imposed on this same right from manifesting at public places. France is a country that values more on individual rights vis-à-vis group rights and aggressively pursued the policy of assimilation to the mainstream French culture. It considers the prevalence of Islamic identity as a threat to French-ness and imposed sanctions on veiling and work for dismantling it from all public places (Black, n.d). In a nutshell, though the Ethiopian law and practice is supported by similar practices, the context in which these laws have been introduced was completely different. Ethiopia introduced a constitution in 1995 after the ethno-nationalist parties took power emphasizing group rights. The emphasis accorded to group identity in the Ethiopian constitution and the restrictions of some of these identity markers from public places

obviously contradicts one another. Not only the subordinate laws enacted by the Ministry of Education contradicts the group rights provisions enshrined in the Constitution but also the imposition is without reasonable justifications as there are no tangible security threats attached to wearing niqab and congregational pray in educational institutions. In the name of secularism, imposing dressing codes and prohibiting congregational pray in educational institutions may result in further injustice and may end up in discrimination of certain religious communities.

4. The government's repeated statements for 'threats of terrorism and political Islam' from home are somewhat overstated, albeit, some grain of truth. Ethiopia, as an emerging regional hegemon in terms of population size, military and intelligence capabilities in the Horn of Africa, a strong partner in the fight against the 'war on terrorism', a neighbor of Somalia, Eritrea and Sudan, which are alleged for exporting and supporting radical Islam in the region, has a legitimate fear for terrorism. However, Muslim discontents at home are articulated within the constitutional bounds and demanding for redressing some of the historical alienations with no intention of overthrowing the current government. Addressing historical injustices by the EPRDF government as it did for the marginalized and least advantaged nationalities are imperative to solve the problem. Muslims are underrepresented in the Ethiopian body politic in commensurate to their numbers. The inevitable consequences of perpetual discrimination and marginalization of Muslims practiced for centuries left its legacies of Muslims being ruled by others. Indisputably, there are improvements of the participation of Muslims in recent years in education and the civil service. However, the figure is still the least compared not only with other religious believers but also with the total number of Muslims in the country. Unless the previously subordinate groups are accorded equal place within the state apparatus, the democratization process of the country will be at stake. It is not by accident that all the complaint letters prepared by the Muslims' Solution Finding Committee framed in historical grievances and unjust relationships that the government is sought to resolve with full courage. If the government is really worried about the increasing trends of religious violence and extremism, it needs to address and redress the social, economic, and political inequalities that the Muslim community has endured for centuries due to the

exclusionary policies of the previous regimes. This is because though some conflicts seem signs of religious extremism, the causes are deeply rooted in social, economic and political grievances. In a community where the collective perception of marginalization and discrimination is on the rise, the voices of the extremists or their messages could easily find sympathy from the masses for collective action against the perceived oppressors.

8.3 Recommendations

1. *Instead of trying to implement the ideal forms of secularism as developed by the West, Ethiopian secularism need to take into consideration of the social, political and religious contexts of the country.* Considering the religiosity of Ethiopian society, religious-hostile style of secularism (assertive secularism) or government indifference towards religious-related activities could not be acceptable and also could not help the government much in entrenching the principle of secularism in the Ethiopian political system. As it is discussed in this dissertation, secularism is neither against nor indifferent to religion. Certainly, the strict application of a religious-hostile assertive secularism weakens the protection of human rights and undermines the respect of group identity and in effect contradicts with the purposes that secularism is intended to achieve (freedom for religion, respect for the equal treatment of all religions and promoting religious diversity).

2. *The government is expected to create accommodative environment for the growing democratization and consciousness of the society for the respect and furtherance of their freedoms.* As it is discussed elsewhere in this work, the opening up of public spaces for political parties, ethnic and religious communities to freely express their views, even when these views are against the views of the government, started to ‘challenge’ the established government working procedures. There are immense social, political and economic transformations achieved in the last two and more decades of the country’s life which requires more institutional and practical adjustments to positively accommodate these changes. Rather than labeling the opposition as terrorists, fearing religious activists’ movements as signs of religious radicalism or the play of politics in ‘religious cards’ or as political action by ‘bankrupt politicians’ under the cover of religion, the government

needs to be open-minded and benefit of the democratization process as it takes the credit for its start in the country's history. Of course, open-mindedness does not entail to tolerate the intolerable and allow groups or individuals to undertake unconstitutional and practical challenges to the existence of the state and public security.

3. The government needs to take the maximum care in its reports through state media and other government policy documents and handling of (Muslim) prisoners with dignity, which should not inflame public discontent.

4. The government is required to comply with the laws of the country. As it is discussed in length, secularism is one of the pillars of the 1995 FDRE Constitution and the guiding principle of the government for its dealings with religion. Hence, it should not be in any way undermined by a legislative enactment or executive action. The constitutional provisions immensely invested on group rights and the protection of group identities without understating individual rights. Religious symbols are one markers of group identity. The ban on religious symbols, including niqab for Muslim girls, in educational institutions undermines the overall objective of the constitution that guarantee group rights to preserve, express and develop their identities. The constitutional provisions require the government to develop and enrich cultural and traditional identities so far as these practices are compatible with fundamental human rights, human dignity, democratic norms and ideals and above all the provisions of the present Constitution. Added to that, a top-down approach of secularism imposed by the government is nothing but a reflection of government intervention in religious affairs and violation of human rights sanctioned in the constitution and international instruments that Ethiopia is part. Indisputably, the teachings of the government and its officials about the constitutional rights and obligations for religious communities and citizens are absolutely within their mandates (art 9(2)). In this regard, what the government officials did in religious trainings organized by Mejlis was not wrong by itself. However, its top-down approach of religious moderation through the importation of Ahbash is certainly done in violation of the principle of secularism envisaged in the Constitution that needs to be reversed.

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Appendixes

Appendix I: Sample Letter that shows how Muslim Protesters elected their representatives and recommended claims to be presented for the government

ለመንግስት የሚቀርቡ የሕዝብ ሙስሊሙ ጥያቄዎች

- የኢትዮጵያ እስልምና ጉዳዮች ም/ቤት (መጅሊስ) አመራሮች በሙሉ የሕዝብ ሙስሊሙ ውክልና የሌላቸው በመሆኑ በሕዝብ ሙስሊሙ በሚመረጡ አመራሮች እንዲተኩሉን፤
- በመጅሊስ አማካኝነት በኢትዮጵያ ሙስሊሞች ላይ እየተጫነ ያለው የአህጉር አስተሳሰብ እንዲቆምልን፤
- አወሊያ የሕዝብ ሙስሊሙ ነፃ ተቋም ሆኖ እንዲቀጥል መጅሊስ እጁን እንዲያነሳ
- የመሪ ድርጅታችን አመራሮችን ለመተካት በምናደርገው ጥረት መንግስት አስፈላጊውን ትብብር እንዲያደርግልን።

እነዚህ ጥያቄዎቻችንን ከግብ ለማድረስ ከዚህ ቀጥሎ የተመለከቱትን ግለሰቦች በኮሚቴነት የመረጥን መሆኑን በፊርማችን እናረጋግጣለን።

- | | | |
|--------------------------|------------------------------|-----------------------|
| 1. ሺህ መከተ ሞሄ (ከዑለማኒ) | 6. አቶ ዑመር አብዱልረሃቅ (ከምሁራን) | 10. አቡበካር አህመድ (ከዱዓት) |
| 2. ሹኸ መሐመድ ከድር (ከዑለማኒ) | 7. ሹኸ አብደላ ኢድሪስ (ከዑለማኒ) | 11. ካሚል ሸምሱ (ከዱዓት) |
| 3. ሹኸ ሱልጣን አማን (ዑለማኒ) | 8. ሹኸ ዩሱፍ ሙዘሚል (ከሽማግሌ) | 12. አህመድ ሙስጠፋ (ከምሁራን) |
| 4. ሹኸ ጣሃር አብዱልቃድር (ዑለማኒ) | 9. ያሲን ኑሩ (ከዱዓት) | 13. ጆማል ያሲን (ከዱዓት) |
| 5. ሐጂ አየነው ሙሐመድ (ከሽማግሌ) | 14. ረ/ትፕሮፈሰር አይም ካሚል (ከምሁራን) | |
| 15. ሐጂ ሁሴን ላለምዳ (ከሽማግሌ) | 16. ሐጂ ከማል ኑሪ (ከሽማግሌ) | |

ተ.ቁ	ሙሉ ስም	አድራሻ		ስልክ ቁጥር	ፊርማ
		ከ/ተማ	አካባቢ		
1	ራሴ ለገሰ	ገሌ	ሸጌ	0911453084	[Signature]
2	ሸጌ ለገሰ	ሸጌ	ሸጌ		[Signature]
3	አብነት ለገሰ	አብነት	አብነት	0911156119	[Signature]
4	አብነት ለገሰ	አብነት	አብነት	0912357934	[Signature]
5	አብነት ለገሰ	አብነት	አብነት	0910467119	[Signature]
6	አብነት ለገሰ	አብነት	አብነት	09103144859	[Signature]
7	አብነት ለገሰ	አብነት	አብነት	0911453084	[Signature]
8	አብነት ለገሰ	አብነት	አብነት	0912357934	[Signature]
9	አብነት ለገሰ	አብነት	አብነት	0910467119	[Signature]
10	አብነት ለገሰ	አብነት	አብነት	09103144859	[Signature]
11	አብነት ለገሰ	አብነት	አብነት	0911453084	[Signature]
12	አብነት ለገሰ	አብነት	አብነት	0912357934	[Signature]
13	አብነት ለገሰ	አብነት	አብነት	0910467119	[Signature]
14	አብነት ለገሰ	አብነት	አብነት	09103144859	[Signature]
15	አብነት ለገሰ	አብነት	አብነት	0911453084	[Signature]
16	አብነት ለገሰ	አብነት	አብነት	0912357934	[Signature]
17	አብነት ለገሰ	አብነት	አብነት	0910467119	[Signature]
18	አብነት ለገሰ	አብነት	አብነት	09103144859	[Signature]
19	አብነት ለገሰ	አብነት	አብነት	0911453084	[Signature]
20	አብነት ለገሰ	አብነት	አብነት	0912357934	[Signature]
21	አብነት ለገሰ	አብነት	አብነት	0910467119	[Signature]
22	አብነት ለገሰ	አብነት	አብነት	09103144859	[Signature]
23	አብነት ለገሰ	አብነት	አብነት	0911453084	[Signature]
24	አብነት ለገሰ	አብነት	አብነት	0912357934	[Signature]
25	አብነት ለገሰ	አብነት	አብነት	0910467119	[Signature]
26	አብነት ለገሰ	አብነት	አብነት	09103144859	[Signature]

Appendix II: Complaint Letter of Muslims' Solution Finding Committee against the Media Announcement of Ministry of Federal Affairs

ቀን: የካቲት 30/2004 ዓ.ም
ለፌዴራል ጉዳዮች ሚኒስቴር
አዲስ አበባ

ጉዳዩ:- የህዝብ ሙስሊሙን ጥያቄዎች አስመልክቶ ለመገናኛ
ብዙሃን በተሰጡ መግለጫዎች ላይ ቅሬታ ስለማቅረብ

የካቲት 26/2004 ዓ.ም በፌዴራል ጉዳዮች ሚኒስቴር መስሪያ ቤት ውስጥ በክቡር ዶ/ር ሸፈራው የፌዴራል ጉዳዮች ሚኒስቴር ሚኒስትር እና በሚኒስትር ዴኤታው በክቡር አቶ ሙሉጌታ ሰብሳቢነት ህዝብ ሙስሊሙ ላካቸው ወቅታዊ ጥያቄዎች ምላሽ ያስገኛል ተብሎ የታሰበ ሰፊና ጤናማ ውይይት መካሄዱ ይታወሳል። ሆኖም ግን የውይይቱ የመጨረሻ ውጤት ተደርጎና ከሚቴው የጋራ መግባባት ላይ ደርሶባቸዋል ተብለው ለመገናኛ ብዙሃን ከተሰጡ መግለጫዎች ላይ ቅሬታ ስለሚቀረብን ይህንን አቤቱታ አቅርበናል።

ከሰላምታ ጋር
የህዝብ ሙስሊሙን ወቅታዊ ጥያቄዎች ምላሽ
ለማፈላለግ የተወከለው ከሚቴ

ግልባጭ:-

- ለወከለን ህዝብ ሙስሊም
 ባለብት
 አንዲያውቁትም፤
- ለክቡር ሚኒስትር ጽ/ቤት
- ለክቡር ሚኒስትር ዴኤታ ጽ/ቤት
 በፌዴራል ጉዳዮች ሚኒስቴር

Appendix III: Letter to Prime Minister Meles Zenawi demanding for arraigning discussion forum to discuss on the questions of Muslims

ቀን 03/07/2004 ዓ.ም

በኢ.ፌ.ዲ.ሪ.

- > ለክቡር ጠቅላይ ሚኒስትር አቶ መለስ ዜናዊ
- > ለጠቅላይ ሚኒስትር ጽ/ቤት

ጉዳዩ፡- የውይይት መድረክ እንዲመቻቸልን ስለመጠየቅ

ክቡር ጠቅላይ ሚኒስትር፤

አገራችን በውድ ልጆቿ መስዋዕትነት ያገኘችውና የግንቦት ሃያ የድል ፍሬ የሆነውን ዲሞክራሲያዊ ስርዓት መገንባት ከጀመረች እነሆ ሁለት አስርተ አመታት ተቆጥረዋል። በዚህ ሂደት ውስጥ የአገራችን ሙስሊም ማህበረሰብ የትግሉ አካልና በተገኙ ውጤቶችም ተቋዳሽ መሆኑ እሙን ነው። ከትግቅ ትግሉ ጀምሮ ለዲሞክራሲያዊ ስርዓት ግንባታውና ለኢኮኖሚ እድገቱ ክቡርነትም እንደ አንድ የፖለቲካ መሪ የተጫወቱት ሚና ጎልቶ የሚታይ እውነታ ነው። በመሆኑም ለእርስዎ ለክቡር ጠቅላይ ሚኒስትር እንዲሁም ለሚመሩት ጽ/ቤትና መንግስት ይህን አቤቱታ ስናቀርብ በተገቢ መልኩ አጠነው አዎንታዊ ምላሽ እንደሚሰጡን በመተማመን ነው።

እንደሚታወቀው የሃገሪቱን ሰላሳ ሶስት በመቶ የሚሆነውን የህብረተሰብ ክፍል የሚወክለው የኢትዮጵያ እስልምና ጉዳዮች ጠቅላይ ምክር ቤት (መጅሊስ) ተገቢው ህጋዊ ሰውነት የሌለውና በህዝብ ባልተመረጠና እውቅና ባልተሰጣቸው አመራሮች መመራቱ ህዝብ ሙስሊሙን እያስከፋው ይገኛል። ከዚህም ባለፈ የሀገ መንግስታችንን ድንጋጌዎች በሚሳረሩ፣ በኢ.ህ.አ.ዴ.ግ. መንግስት ታሪክም ባልታዩ፣ በእስልምና አስተምህሮ መርሆዎች ባልተደነገጉና ፍፁም መሰረት በሌላቸው በእስልምና ስም በመሪ ተቋማችን አስተባባሪነት ከእስልምና ውጭ የሆነ ባሕድ እምነት ህዝብ ሙስሊሙን በመጋት ቁጣና አለመረጋጋትን እየቀሰቀሱ ይገኛሉ። ይህ አይን ያወጣ በደል ያስቆጣው ሙስሊሙ ህብረተሰብ በተደጋጋሚ በተለያዩ አግባቦች የቅሬታውን ትክክለኛ ምንጭና ገፅታ

ለሚመለከተው የመንግስት አካል በወከላቸው ኮሚቴዎች አማካኝነት በሰላማዊ መንገድ አቅርቦ መፍትሄ እንዲያገኝ ጥረት እያደረገ ይገኛል።

በዚህ መሰረት ለተለያዩ የታችኛው የመንግስት አስተዳደር አርክን ከማቅረብ ባሻገር በፌዴራል ደረጃ ለፌዴራል ጉዳዮች ሚኒስቴር ቅሬታችንን አቅርቦን በ26/06/2004 በተሰጠን ቀጠሮ መሰረት ሰፊ ውይይት ተካሂዷል። ይሁን እንጂ በእሳቱ የተሰጠው ምላሽ በተጨማሪም ህብረተሰቡን ትክክለኛ የቅሬታ ምንጭ ያላገናዘበና ለችግሮቹም መፍትሄ ያልሰጠ በመሆኑ በህዝብ ሙስሊሙ ዘንድ ተቀባይነት አላገኘም። ይህንን አስመልክቶ ሚኒስቴር መ/ቤቱ ለመገናኛ ብዙሃን ምላሹን አስመልክቶ የሰጠው መግለጫ ከውይይቱ መንፈስ ውጪና የጋራ መግባባት ያልተደረሰበት መሆኑን ማስረጃ በማጣቀስ ኮሚቴው ቅሬታውን በፅሁፍ አስገብቷል። በመሆኑም የጉዳዩ ባለቤት የሆነው ህዝብ ሙስሊም አቤቱታው ለላይኛው የመንግስት አርክን ቀርቦ ተገቢው መፍትሄ እንዲሰጠው አጥብቆ ጠይቋል።

ክቡር ጠቅላይ ሚኒስትር መንግስት በሃይማኖት የውስጥ ጉዳይ ጣልቃ የማይገባ መሆኑ ይታመናል። ይሁን እንጂ በመጅሊሱ ላይሆን እሱን «በሚመሩ» ግለሰቦች የግል ፍላጎት ምክንያት ከሃይማኖቱ መርሆዎች ውጪ በህዝብ ሙስሊሙ ላይ የሚጫንበት ተደጋጋሚ በደል የሚፈጥረው ቁጣና ተቃውሞ በሂደት በሃገራችን ሰላም፣ ደህንነትና ፀረ-ድህነት ትግል እንቅፋት ስለሚሆን መንግስት ተገቢውን ድጋፍ በማድረግ የተጋረጠውን ችግር መፍታት እንዳለበት እምነታችን ነው። ከዚህ በመነሳት በኢትዮጵያ ሙስሊሞች ወቅታዊ ጥያቄዎች ይዘት ለመወያየትና የጋራ የመፍትሄ ሃሳቦች ላይ ለመመካከር ክቡርነትም አስቸኳይ የውይይት መድረክ እንዲያዘጋጁልን በወከለን ህዝብ ሙስሊም ስም እንጠይቃለን።

ከሰላምታ ጋር

ለህዝብ ሙስሊሙ ወቅታዊ ጥያቄዎች መፍትሄ ለማፈላለግ የተመረጠው ኮሚቴ

ግልባጭ፤

በኢ.ፌ.ዲ.ሪ.

ለክቡር ምክትል ጠቅላይ ሚኒስትርና የውጭ ጉዳይ ሚኒስትር

ለክቡር የመንግስት ኮሚሽኔሽን ጉዳዮች ጽ/ቤት ኃላፊ ሚኒስትር

በጠ/ሚኒስቴር ጽ/ቤት ለክቡር የህዝብ አደረጃጀትና ተሳትፎ አማካሪ ሚኒስትር

ለክቡር የፌዴራል ጉዳዮች ሚኒስትር

በአዲስ አበባ ከተማ አስተዳደር

ለክቡር ከንቲባ

ለፍትህ ቢሮ

ለህዝብ ግንኙነት አማካሪ ጽ/ቤት

አዲስ አበባ

Appendix IV: Complaint to Prime Minister Meles Zenawi

ቀን:- ሚያዚያ 12/2004

ለ:- ክቡር አቶ መለስ ዜናዊ

የ ኢ.ፌ.ዲ.ሪ ጠቅላይ ሚኒስትር

ጉዳዩ:- ህዝበ ሙስሊሙ ያነሳቸውን የመብት ጥያቄዎችን ተንተርሶ በአንዳንድ የመንግስት ባለስልጣናት እየታየ ያለውን ህዝብን የማሸማቀቅና የማዋክብ አመለካከትና ተግባርን ለመቃወም የተዘጋጀ የአቋም ማሳወቂያ ዕቃዎች ስለመላክ:-

ኢትዮጵያውያን ሙስሊሞች በኢትዮጵያ አስልምና ጉዳዮች ጠቅላይ ምክር ቤት አመራሮች ፊት አውራሪነት የተከፈተብንን የአምነት ነፃነት ጥሰት በይፋ መቃወም ከጀመርን እነሆ አራት ወራት አላለፍን። በነዚህ ግዜያትም ጥያቄያችንን ፍፁም ሰላማዊ በሆነ መንገድ እያቀረብን ብንገኝም ማሳካት የቻልነው ያማረ አካሄድን እንጂ ያማረ ውጤትን አይደለም። ከዚህም አልፎ ጥያቄዎቻችንም ሆነ አቀራረባቸው ምንም አይነት የይዘት ለውጥ ባላመጡበት ተጨባጭ ሁኔታ በአንዳንድ የመንግስት ባለስልጣናት የሚነዙት የማዋክብ፣ የማሸማቀቅ አመለካከቶችና፣ ተግባራት ህዝበ ሙስሊሙ እነዚህ አቋሞች የመነጨት ከመንግስት ነው ወይንስ መስመራቸውን ከለዩ ባለስልጣናት በሚል አቅጣጫው ባልለየለት መንታ መንገድ ላይ ይገኛል። በመሆኑም እነዚህንና ሌሎች መሰረታዊ ነጥቦች ላይ ያሉትን ተጨባጭ ሁኔታዎች የሚዳሰስ ባለ 20 ገፅ የግንዛቤ ማስጨበጫና የዳግም ጥያቄያችን መልስ ያግኝ አቤቱታ ያካተተ ዕቃዎች ከዚህ ደብዳቤ ጋር አባሪ አድርገን መላካችንን እንገልጻለን።

ከሰላምታ ጋር
ለህዝበ ሙስሊሙ ወቅታዊ ጥያቄዎች
መፍትሄ ለማፈላለግ የተመረጠው ኮሚቴ

አልፎ አልፎም የጥያቄዎቹን ይዘትና የአቀራረብ ስልታቸውን በግድ በመጠምዘዝ አቅጣጫ ለማሳት ሲሞክርም አስተውሎታል። እነዚህ ሁሉ ነገሮች ግን የተነሳበትን ለሚያውቀው ህዝብ ሙስሊም መድረሻውን አያስጠፉትምና መቼም አይሳካም። ጥያቄዎቻችን ለማንም የማይከብዱ እጅግ በጣም ቀላልና ግልፅ ቢሆኑም ዛሬም ደግሞን እንደሚከተለው አስቀምጠናቸዋል።

1. በህዝብ ሙስሊም ይሁንታ ባላገኙና ባልተመረጡ፣ በጎር በር ገብተው የሙስሊሙን ሁለንተናዊ ስብዕና በመግፈፍና የመጅሊስን ተቋም በብልሹ አሰራር እየመዘበሩ ያሉት የመጅሊስ አመራሮች ሙሉ በሙሉ ተወግደው ሙስሊሙ ማህበረሰብ «ላላይማኖቱም ለሀገሪያም ይጠቅመኛል» የሚለውን መሪ በየመስጃዱ ያለ ማንም ጣልቃ ገብነት፣ ህዝብ በተስማማበት የምርጫ ስርዓት፣ አስመራጭ፣ ታዛቢ፣ አስፈጻሚ፣ ነጻ፣ ግልጽና ፍትሀዊ በሆነ መልኩ እንዲካሄድ ይፈልጋል።
2. በመጅሊስ ፊታውራሪነትና በአንዳንድ የመንግስት አካላት ድጋፍ በሙስሊሙ ማህበረሰብ ላይ በግዴታ እየተጫነ ያለው የአህባሽ አስተምህሮና አስተሳሰብ ሙሉ ለሙሉ ይቀም። አህባሽ እንደማንኛውም የእምነት ተቋም ራሱን ችሎ መንቀሳሰብ እንደሚችል በህገ መንግስቱ በግልፅ የተቀመጠ ቢሆንም ከሙስሊሙ ተቋማት ላይ ግን ሙሉ ለሙሉ እጁን እንዲያነሳ እንጠይቃለን።
3. አወሊያ ብቸኛ የሙስሊሙ ሚሲዮን ት/ቤት ሲሆን ይህ ተቋም በውስጡ ብዙ ማዕከላት በመያዝ ለሙስሊሙ ህ/ሰብ ዘርፈ ብዙ ግልጋሎቶችን ሲሰጥ ቆይቷል። ይህ ተቋም የህዝብ ሙስሊሙ ብቸኛ እንጠራ ሀብት ነውና በህዝብ ሙስሊሙ ሊተዳደር ይገባዋል። በመሆኑም ይህን ተቋም በአደባባይ የወረሰው መጅሊስ ተቋሙን ለህዝቡ ሙስሊሙ በመመለስ እጁን ከአወሊያ እዲያነሳልን እንጠይቃለን።

ለህዝብ ሙስሊሙ ወቅታዊ ጥያቄዎች መፍትሄ ለማፈለግ
የተመረጠው ኮሚቴ
ሚያዝያ 2004
አዲስ አበባ

Appendix IV: Abubeker Ahmed's (Chairman of the Muslims' Solution Finding Committee) Response to Federal High Court against the Charge for 'conspiring for Establishing an Islamic Government and Terrorism'

መጋቢት 16 ቀን 2006 ዓ.ም
የፌ/ከፍ/ፍ/ቤት ልደታ ምድብ
የወንጀል መዝ/መ/ቁ 124754

**ለአ.ፌ.ዴ.ሪ. ፌዴራል ከፍተኛ ፍርድ ቤት
ልደታ(ልደ?) ምድብ 4ኛ ወንጀል ችሎት፤
አዲስ አበባ፤**

ኮሚሽን የፌዴራል የማዕከል ዐቃቤ ሕግ

- ተከላካዮች፡-
1. አቡበክር አህመድ መሐመድ
 2. አህመድን ጆበል መሐመድ
 3. ያሲን ኑሩ አሳ አሲ
 4. ካሚል ሸምሱ ሲራጅ
 5. ኢንጂነር በድሩ ሁሴን ኑርሁሴን
 6. ሺህ መከተ ሙሂ መኮንን
 7. ሳቢር ይርጉ ማንደሬሮ
 8. መሐመድ አባተ ተሰማ
 9. አህመድ ሙስጠፋ ሀቢብ
 10. ሙራድ ሽኩር ጆማል
 11. አቡበክር አለሙ ሙሂ
 12. ኑሩ ቱርኪ ኑሩ
 13. ሺህ ባህሩ ዑመር ሽኩር
 14. ሀሳን አሲ ሹራባ (ከክሱ ቡባይን የተሰናበተ)
 15. አርቲስት ሙኒር ሁሴን ሐሰን
 16. ሺህ ሰዲድ ዓሊ ጃሀር
 17. ሺህ ሱልጣን ሀጂአማን(ከክሱ ቡባይን የተሰናበቱ)
 18. ጋዜጠኛ የሱፍ ጌታቸው
 19. ሺህ ጆማል ያሲን ራጅኦ(ከክሱ ቡባይን የተሰናበተ)
 20. ወጣት ሙባረክ አደም ጌቱ አሊዬ
 21. ሺህ ጣሂር አብዱልቃድር አብዱልሀፊዝ(ከክሱ ቡባይን የተሰናበቱ)
 22. ካሊድ አብራሃም ባልቻ
 23. አብዱረሣቅ አክመል ሀሳን
 24. ሀሳን አቢ ሰኢድ(ከክሱ ቡባይን የተሰናበተ)
 25. አሊ መኪ በድሩ(ከክሱ ቡባይን የተሰናበተ)
 26. ሺህ ሀጅ አብራሃም ቱሂሩ(ከክሱ ቡባይን የተሰናበቱ)
 27. ሺህ አብዱራህማን አሰማን ከሊል(ከክሱ ቡባይን የተሰናበቱ)
 28. ሀቢባ መሐመድ መሐሙድ (ከክሱ-ቡባይን የተሰናበተች)
 29. ዶ/ር ከማል ሀጂ ገላቱ ማሚ(ከክሱ ቡባይን የተሰናበቱ)
 30. አልቢር ዴቭሎፕመንት እና ኮኤፕራሽን አሶሲቴት(ከክሱ ቡባይን የተሰናበተ)
 31. ነማእ የቦጎ ድራጎት ማኅበር(ከክሱ ቡባይን የተሰናበተ ድርጅት)

**በወ/መ/ሥ/ሥ/ሕ/ቁ.142(1)(3) መሰረት 1ኛ ተከላካሽ በዓቃቤ ሕግ ጥቅምት 15 ተፅዕኖ
ጥቅምት 19 ቀን 2005 የቀረበብኝን ክስ አስመልክቶ ለፍ/ቤቱ የማሰማው
የተከላካሽነት ቃል ወይም የማስተባበያ መልስ**

1. በክሱ የተጠቀሱትን የህግ፣ የሞራልና የድርጊት(ግዙፋዊ) ፍሬ ነገሮችን በሚመለከት
 - 1.1. ያቀረብኘው የመብት ጥያቄ መዳረሻ ሀይማኖታዊ ነጻነት እንደ ሀይማኖታዊ መንግስት አይደለም
1ኛ ተከላካሽ በሰብሳቢነት የመራሁት በመላው አለም የሚገኝ ኢትዮጵያዊ ህዝብ ሙስሊም የሀገራዊ
ሀይማኖታዊ ችግሮች መፍትሔ አፈላጊ ኮሚቴ በአዲስ አበባ ከተማ፡በኮልፌ ቀራኒዮ ክፍለ ከተማ

ክልል በሚገኘው የአውልያ ሁለገብ ኢስላማዊ ተቋም ውስጥ በትምህርት ማዕከሉ የሚገኘው መስለም ዜጎች የተደገፉ የኢትዮጵያ ኢስልምና ጉዳዮች ጠቅላይ ምክር ቤት(መጅሊስ) ህገ ወጥ አመራሮች በህዳር 2004 በተቋሙ ላይ የወሰዱቸውን አፍራሽ እ. ህገ መንግስታዊ እርምጃዎች ተከትሎ ባተረቡት አቤቱታ መነሻነት ያገረሸው የሰፊው ህዝብ መስለም የሀይማኖት አስተዳደርና የእምነት ነጻነት አጣጥሮ ጥያቄ በመንግስት ተዘጋጅቶ ፖለቲካዊ ምላሽና አስቸኳይ ፍትሀዊ ዳኝነት ይሰጥበት ዘንድ ጥያቄያቸውን እስከ መጨረሻው የአቤቱታ(ቅሬታ) ሰሚ አካል እንድናደርስላቸውና ዘላቂ ህገ መንግስታዊ መፍትሔ እንድናስገኛቸው በምዕመኑ የተመረጡን የህዝብ ተመራጮች(ተወካዮች) ነን።

ለክሱ መነሻ የሆኑት እኔና የኮሚቴ ባለደረጃዎቹ ለመንግስት ያቀረብናቸው ህገ መንግስታዊ የመብት ጥያቄዎች በወከለን ሉዓላዊ ህዝብ ተጸንሰው ሲወለዱም ሆነ አቤቱታዎቹ ጎልብተው ስመራው በነበረው ኮሚቴ በኩል ለሚመለከታቸው አካላት ሲቀርቡ የነበረው ሃይት ከጅማር እስከ ጊዜያዊ ፍጣራ(እስከ ዕለተ ዕለቱ ጊዜ) ድረስ ሰላማዊነቱ አስገናኝቶ በሆነ መንገድ የተከወነ ሲሆን የሰፊው ኢትዮጵያዊ ምዕመን ውክልና በመታሰራችን ምክንያት ላልተወሰነ ጊዜ እስከተስተገለጸበት ቅጽበት ድረስ በሀይማኖት ነጻነት ወይም በኢስልምና ጉዳይ ምክር ቤት(መጅሊስ) ዙሪያ ከታጠሩትና መንግስታዊ ትብብር ወይም ፖለቲካዊ (አስተዳደራዊ) ምላሽ ከሚሹት ዕስት ህገ መንግስታዊ ጥያቄዎች ውጭ በክሱ መግቢያና ሀታታ እንደተተረከው በማናቸውም አኳኋን የትኛውንም ህገ መንግስታዊ ሀረግ፣የትኛውንም ህግና ደንብ ድንጋጌ አልተላለፍንም። ይልቁንም ህገ መንግስቱን የማክበርና የማስከበር የነፍስ ወከፍ የዜግነት ግድታችን ተወጥተናል።

1.2. ለክርስቲያናዊ የእግዚአብሔር መንግስትም ሆነ ለኢስላማዊ የሸሪዓ አስተዳደር አልተንቀሳቀስንም

ለመንግስት ያቀረብናቸው ሰነድ ጥያቄዎች በወከለን ሉዓላዊ ህዝብ በዕሁፍ የተገደቡ ሲሆኑ እነሱም አህጉረ የተሰኘው የሀይማኖት ፈላጊ በህዝብ መስለም ላይ በግዳጅ የመጫኑ ሃይት ይገታል። 2ኛ ህዝባዊ ተቋማትን አስመልክቶ ህገ መንግስቱ ከደነገገው አስገዳጅ የምርጫ መርህና መሰረታዊ መመዘኛ ባፈነገጠ ሁኔታ፣ በሀገሪቱ የፍ/ብሔር ህግና ተዛማጅ አዋጆች ከደነገገት የእንደራሴና የውክልና አሰራር ውጭ በሆነ መንገድ፣ ህግና ስነ ምግባርን በሚቃረን አኳኋን የተሾሙ ህገ ወጥ የመጅሊስ አመራሮች በሀገራዊ የምዕመኑ እንደራሴዎች እንዲተኩ ትብብር ይደረግልን፤ እንዲሁም አውልያ የተሰኘው ብቸኛው ሁለገብ ኢስላማዊ የሀይማኖት ተቋም ከህገ ወጥ የመጅሊስ አመራሮች አስተዳደር ወጥቶ በምዕመኑ ተመራጭ ቦርድ እንዲመራ ይደረግልን የሚሉ ሲሆኑ የጥያቄዎቹን ምንነት ተከላኮችና የወከላቸው ህዝብ በተደጋጋሚ ጊዜ በቃልና በጽሁፍ፣በድርጊትና በምግባር ለመንግስትና ለባለድርሻ አካላት በማያሻማ አኳኋን አሳውቀናል።

1.3. ኢስላማዊ መስጅድ እና ኢስላማዊ መንግስት በትርጉምና በተግባር ይለያያሉ፤ይራራቃሉም

መንግስትና መጅሊስ የተለያዩ መሆናቸው ተደንግጎ እያለ ምእመን - መር መጅሊስ ወይም መስለም አቅፍ የኢትዮጵያ ኢስልምና ጉዳይ ምክር ቤት እና ኢስላማዊ መስጅድ እንዲኖር መናፈቅና መጠየቅ ኢስላማዊ መንግስትና የሸሪዓ አስተዳደር እንዲኖር ከመንቀሳቀስ ጋር አንዳችም ጉድኝትና ዝምድና የላቸውም። በተከላኸና በሌሎች የኮሚቴ አባላት እንደራሴነት ለመንግስት ያቀረብናቸው ሰላማዊ የመብት ጥያቄዎች፣ የእምነት ነጻነት እንዲከበሩላቸው በዜጎች የተስተጋቡ አቤቱታዎች፣ ህገ መንግስቱ በተሟላ መልኩ እንዲተገበር ስለ ምዕመኑ ሆነን ያሰማናቸው ስሞታዎች፣ በሀይማኖት ተቋማቸው ላይ በተስተዋለው

ጭጥረው ግልጽ ገብነት ላይ በህግ እግባብ የተሰተዋሉት ትራታዎችና ያልተከለከሉ ተቃውሞዎች ለይዳላ ትርጉም ያልተጋለጡ መጀላሰና መስጫ ተኮር የነጻነትና የመብት ጥያቄዎች ሆነው እያለ ጥያቄያችን ባልተሰማደ ለካጋን የሽሪን መንግስት በማቋቋም ፍረጃዎች ተተይሮ ለወንጀል ክስ ፍጆታ መሞሉ የህግ ተተባይነት የለውም። ስለሆነም የክሱ ፍሬ ነገሮች ለህግና ለሎጂክ ለሞራልና ለትን ልቦና ይቃረናሉ። ተደም ሲል በክርክር ጅምር ውድቅ በተደረገው 2ኛ ክስ ላይ ተከላኾች በሽሪን የሚተገደር ኢስላማዊ መንግስት ለመመስረት አለማ በማንገብ ህገ መንግስታዊ ስርዓቱን ለመናድ ሞክራችንል በሚል ተመሳሳይ ሞራላዊ ፍሬ ነገርና የወንጀል አላማ የተረበ ቢሆንም ክሱ በፍርድ ቤቱ ብይን መሰረዙ ይህንኑ አጭሮችንን ያጠናክራል።

1.4. በህግ የተተረጎመና ትግት የተደነገገለት "አከራሪና አከራሪነት" የተሰኘ ወንጀል ባይናርም አይመለከተም

ማንኛውም የወንጀል ድርጊት የሚያስተግ ስለመሆኑ በህግ አውጭው መደንገገና ወንጀል የሚሰኘው ድርጊት ምንነትና ትርጓሜ በህጉ ላይ በግልጽ ሰፍሮ በነጋሪት ጋዜጣ ሲወጣ ብቻ ነው በዚች ላይ ተፈጻሚ የሚሆነው። የፌዴራል ነጋሪት ጋዜጣ ማቋቋሚያ አዋጅ(ቁ.3/1987) በግልጽ እንዳሰፈረው የፌዴራል መንግስቱ ህጎች የሚወጡትና ህገ የሚመለከታቸው አካላትንና ዜጎችን የሚያስገድደው በዚህ ጋዜጣ ሲወጡ ብቻ ነው። ከዚህ ውጭ የጋይማናት ተቋማትም ሆኑ ከላሽን የመሰሉ የህግ አሰፈጻሚ መንግስታዊ ኮንላት ያለስልጣናቸው ወንጀል መደንገግ አይችሉም። በዚህም መሰረት አከራሪነት የተሰኘ ወንጀል ወይም ጽንፈኝነት የሚባል ህገወጥ ድርጊት ትርጉሙና ክልከላው በህግ ባልሰፈረበት ሁኔታ ከላሽ የፈለገውን ሰውና ድርጊት በስያሜው እንዲፈርድና የዜጎችን መብት እንዲቃረን የሚፈቅድ ሀገራዊ የፍትህ ስርዓት የለም።

ይሁንና ተከላኾ ያለፈ ግለ ታሪኪ በግልጽ እንደሚያስረዳው በሀይማኖቶች መካከል አውነተኛ መግባባትና መረዳናት እንዲገለብት ጉልህ ስራ ማከርከቱን ያስረዳል። ለአብነትም በደሴ ከተማ በክርክብት ወቅት ህዝብ መስለሙን ወክዬ በመሳተፍ ስለመቻቻል አስፈላጊነት ላይ ከፍተኛ እንቅስቃሴ በማድረግ አይነተኛ ለውጥ አስገኝተናል።

1.5. ወሀብያ፣ኢሽዋን፣ሱፍይ ... በሚል የሚጠራ እምነትና ለማኝ ካለም ሀይማኖቱ በህግ አልተከለከለም

በተያያዘ በእ.ፌ.ዴ.ሪ. የሴኩላር ሥርዓት ውስጥ የእምነቱና የአምልኮው ዝርዝር ባህሪ በአዋጅ የተደነገገለት፣ በፍትህ ስርዓቱ መጠና ነባር የተሰኘ፣ ስያሜና መገለጫው በህግ የተተረጎመለት ሀይማኖት ወይም እምነት የለም። ያለንበትን ጨምሮ በየትኛውም ዲሞክራሲያዊ የሴኩላር ሥርዓት ራሳቸውን ክርስቲያንና ሙስሊም በሚለው ስያሜ በሚጠሩና በውስጣቸው የተለያዩ እምነት በሚያራምዱ ዜጎች መካከል መንግስታዊ የሆነና ያልሆነ ክርስትና፣ ክፍል አውቅና የተሰጠውና ያልተሰጠው አስልምና እንዲኖር አስራሩ አይፈቅድም። እንዲሁም የአንደኛው ዜጋ ክርስትናና አስልምና በስያሜና በመጠሪያ የሚጋራውን ሌላኛውን ክርስትናና አስልምና የግድ እንዲመስል የሚያስገድድ ህገ መንግስታዊ መርህም የለም። ዜጎች እንደ አንደኛው አያመለኩ እንደ ሌላኛው እንዳይጠሩ የሚከለክል ዲሞክራሲያዊ የህግ ፍልስፍና የለም።

በተመሳሳይ መልኩ የትኛውም ዕምነት መጠኔ ስያሜ ቢይዝ እንኳ ራሱን እንደነባር ወይም የጠፋን ተደምን አስተሳሰብ በተሀድሶ የሚያንሰራራ አድርጎ የሚቆጥር ሲሆን አስተሳሰቡ አዲስ ግኝት ወይም መጠኔ ቢሆን እንኳ የእምነቱ መጠሪያም ሆነ ሀይማኖቱ የተጀመረበት ዘመን አልያም የምእመነት ቁጥር ማነስና መብዛት

➤ ሀይማኖትን መሰረት ያደረገ ነውረኛ ጥቃት በመሰንዘር አምልኮን ከልክለዋል፤ የተጀመረን ጸሎት እምነትን በሚያራክስ ዘለፋና ድርጊት በማጀብ ስግደታቸውን አቋርጠዋል፤ በፈጣሪያቸውና በእምነታቸው ተሳልቀዋል፤ ተሳድበዋል፤ የረመዳንን ዕለታዊ ጸም ማጠናቀቂያ እምነቱ ከሚያዘው የጸሀይ ግባት ቅጽበተ ወቅት(መግራብ) በማሳለፍ እስከ ሌሊቱ ማገባደጃ ድረስ ምግብ፣ውሃ እና እንቅልፍ በመክልከል በረሀብ አሰቃይተዋል፤

➤ በፍላጎት ጸም፣ በግዳጅ ረሀብና በእንቅልፍ ክልከላ የተዳከመን የከላሾችን አካል በመደብደብና ቁጭ እና ብድግ ማለትን ጨምሮ እጆቻቸው በኩቴና ታስሮ አንገታቸው ውስጥ አስገብቶ ዓማቸውን በመንጨት ለህግና ለሞራል ተቃራኒ የሆኑ ዘግናኝ አካላዊ እንቅስቃሴዎችን እስከ ሌሊቱ 8:00 ሰዓት ያለፋታ እንዲሰሩ ያደረጉ ሲሆን በሰብዓዊ ፍጡር ለማይቻሉ 16 ሰዓታት ለሀልፈት በተቃረበ ነፍሳቸው ያለ ረፍት እንዲቆሙም በማስገደድ ክፉኛ አሰቃይተዋቸዋል፤

➤ ጤናን ወዲያውኑ በሚያቃውስ ቀዝቃዛና ጨለማ ቤት ውስጥ ለረዥም ጊዜ ለየብቻ አስረዋቸዋል፤ ከፊል ከላሾን በእርቃናቸውን በማድረግ እያሰቃዩ ቃላቸውን ተቀብለዋል፤

➤ በድብደባ ስቃይ ብዛት የክፊል ተከላሾችን ጥርስ ሰብረዋል፤ አካላቸው ከሰውነት ተራ እንዲወጣ አድርገው አጎሳቁለዋል። ከምርመራ ጊዜው ውጭ በመውሰድ ሽጉጥ ደግሞ ከማስፈራራታቸውም በላይ ቤተሰቦቻቸውን እንደሚያጠፏቸው በመዛት ከላይ ከተዘረዘሩት ግዙፍ ተጽዕኖዎችና ግዳጆች ጋር ተዳምሮ ባልተጻፈበት ነጭ ወረቀት ላይ የእምነት ቃላቸው እንደሆነ አድረገው እንዲፈርሙ አድርገዋል፤ ምስክሮች ባሉበት በድጋሚ እንዲናዘዙ በማድረግ ያለፈቃዳቸውና ያለ ተጨባጭ ምክንያት በፎቶግራፍና በተንቀሳቃሽ ምስል ካሜራ ቀርጸዋል፤

➤ ከላሾች የደረሰባቸውን ስቃይ የጊዜ ቀጠሮ መዝገቡን ለያዘው ፍርድ ቤት፣ ለጠበቆችና ለሶስተኛ ወገን ከተናገሩ ከችሎት መልስ የበለጠ ስቃይ እንደሚጠብቃቸው በመዛት ያስፈራሯቸው ሲሆን በፍ/ቤቱ ተስፋ ጥለውለማጋለጥ የደፈሩትን ክፊል ከላሾች ደግሞ ከፍ/ቤት መልስ ለብቻቸው አስረው እንዲሰቃዩ አድርገዋል።

- ለሰልክ ጠላፋው የፍ/ቤት ፈቃድ ስለሌለው የሀገ መንግስቱንና የጸረ ሽብር ህጉን ቅድመ ሁኔታ አያሟላም
- በየትኛው ስልክ እንደተደወለ አይገልፅም፤ ድምጹ የተከላሾች መሆኑን ተመርምሮ አልተረጋገጠም፤
- የሐምሌ 6 በሰልክ ልውውጥ ያረጋጋን ስለመሆኑ ስለሚሰረዳ በዕለቱ የተጠለፈው ንግግር ይቅረብልን
- ፍርድ ቤት በማዕከላዊ ታስረንበት ነበረውን ክፍል በተከላሾች አላይነት በአካል ይመልከትልን

3. መደምደሚያ

- ሀገ መንግስትም የዜብራ ህግም አልጣስንም፣ መንግስትንም ሆነ ነጠላ ዜጋን አላወክንም እንደ ተከላሽ ከቅድመ እስራቱ ጀምሮ እስከ አሁን በታሰፈው ሃይት ከሰብዓዊ አቅም በላይ ከደረሰው እ-ተፈጥሯዊ ስቃይና መከራ በላይ ሀገ መንግስቱን ለማስከበር ባደረገው የላቀ ጥረትና ትጋት የተገኘውን አፍሪካዊ ትሩፋት ከላሽ የሆነው ክፊል የእስፈጻሚ ተቋም ተቋዳሽ መሆኑን አለማወቁና ለፍሬው እውቅና ነፍሳ በተቃራኒው መክሰሱ አላገዘኛናል፤

የ1ኛ ተከላሽ ስምና ፊርማ