

**PRACTICES AND CHALLENGES OF HOUSE OF FEDERATION IN  
RESOLVING CLAIMS OF IDENTITY: CASE STUDY OF KEMANT  
COMMUNITY IN AMHARA NATIONAL REGIONAL STATE**

**By:**

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## **Declaration**

I the undersigned, declared that this is my original work and that all sources of materials used for the thesis have properly been acknowledged.

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## **Acronyms**

**ARSC**-Amhara Regional State Council

**CCI**-Council of Constitutional Inquiry

**E.C**-Ethiopian Calendar

**FDRE**- Federal democratic republic of Ethiopia

**GIS**-Geographical information System

**HoF**-House of Federation

**KCISACC**- Kemant community identity and self-administration claiming council

## **ABSTRACT**

*The purpose of this paper is assessing practices and challenges of House of Federation in resolving claims of identity and self-administration: the case study of Kemant Community in Amhara National Regional State. Accordingly, ethnographic design was employed for this study; since it is a particular kind of qualitative research that seeks to describe culture and language from the point of view of cultural insiders. Primary data, like key informant interview, minutes, appeals and proclamations are used for this study. On the other hand, FDRE and Amhara Regional State constitutions are used as secondary data sources. Furthermore, the findings of the study from both data sources indicated that challenge of the House of Federation are; lack of commitment, prioritizing political issue to constitutional legitimacy and low awareness of members of the House on constitutional issue, since most of them are political appointees. Based on findings and conclusions recommendations were forwarded, Therefore, the House needs to clearly stipulate what standards of evidence ought to be used to make identity assessments and work on according to the law.*

**Key Word: Identity, Self-Administration**

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## CHAPTER ONE

### INTRODUCTION

#### 1.1. Background of the Study

There is no definite agreement on the origin and history of Kemant people. For all of the writers their early history is obscure Quirin. J (1998). But, according to the local legend, the origin of Kemant people is from Canaan (Middle East), the father of Kemants, Ayner, came Ethiopia through Egypt around 2795 B.C. Ayner (Aneyer) who came to Ethiopia with his wife Entela because of the existence of famine in Canaan. As a result, Ayner is the grandson of Canaan, the fourth son of Ham, who is son of Noah (Tiribits Deresse, 2013)

The other suggestion is , may be the well-known legend of Kemant people, Ayner, the father of the Kemants, migrated from Egypt to Ethiopia around 2410 B.C., fifteen years after King Hare of Egypt ascended to the throne, and Ayner left Egypt with his wife, Entela, at a time of prolonged famine happened there. Some peoples also believed that the Kemants descended from those people who came from Israel with Minilik I (son of King Solomon and Queen Sheba) as servants of them. Others argue that the Kemant origin is like other Ethiopians; their origin is Ethiopia rather coming from any other place Getachew Maquqnit (1998).

According to the local legend, Aydarki, who is the founder of the Kemant community, was being continuously chased by the neighboring internal enemy and he first remained hidden in the forested areas of Kerker (Lay Armachiho), and then moved westward to Chilga in search of a peaceful place to establish settlement, and most Kemant members including Womber Muluneh Mersha are in support of this claim Getachew Maquqnit (1998).

Related with the above claim, Gamst also assert that the Kemant people are the remnants and part of the Agaw people who are the original settlers of Central-Northern Ethiopia, retreated to the south and settled in Gondar following the rise of Christianity in Northern Ethiopia.

The foundations of identity politics in multicultural community was understood or accepted gradually; especially after the Second World War, the expectation of scholars, who later came to be known as modernization theorists, was that an on ward march of modernity would before long obliterate people's attachments to religious, ethnic or caste groups' In contrast, the passage to modernity all over the world more in some places, less in others has been accompanied by very different developments Charles Taylor (1994). He further famously argued, two such developments the demand for dignity and the urge to find one's authenticity are critical for understanding the identity politics of individuals and groups' (Charles Taylor, 1994).

Federalism is currently a common system of government, having been adopted by countries across the world in order to recognize nations and nationalities as well as ethnic diversity recognition, including Ethiopia.

In 1991 after the fall of the Dereg regime when the present government, led by the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF) there after came to power, introduced federalism and the recognition of Ethiopian ethnic diversity became one of the core principles of the new regime's political policy as well as immediately established an ethnic based federal system.

Ethnic Federalism is defined as a political system consisting of ethnic based territorial units overlapping with political administrative units. Countries which are nationally and ethnically heterogeneous and work in a federal structure at least partially based on national and ethnic heterogeneity (i.e. at least some of their member states are ethno-regional units) are said to be adopted ethnic federalism.

Some scholars like Tsegaye Regassa (2009) suggests that Ethnic federalism has played a pivotal role in solving conflicts by allowing each ethnic/cultural-linguistic community to have control of those regions in the country where it is in the majority, while respecting basic minority rights, it prevents the kind of zero-sum power struggle between groups that is likely to occur in an ethnically divided society where all the power is in the hands of the central government (Tsegaye Regassa,2009).

Charles Taylor (1994), states that, the right to self-determination is a fundamental and inalienable human right. Individuals are entitled to participate in the political economic and cultural systems of their state. In that sense the individual right to self-determination might be regarded as coextensive with the right with some form of democratic

governance. Self-determination is congruent with minority rights as it is a right with pertaining to members of the group, such as national religious ethnic or linguistic minorities (Charles Taylor, 1994).

It forms Article 1 of the two major international human rights instruments (the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights) because of its importance to the international order and the protection of individual rights. The International Court of Justice has also recognized the right to self-determination as one of the most important human rights, and as ‘the concern of all states’ Self-determination is not only a right exercised by peoples or groups but it is also a human right of individuals.

According to Taylor first, modernity has replaced the traditional discourse of honor with a conversation about dignity. Honor is reserved only for some and was characteristic of traditional social systems. In pre-modern times, human beings, even at the lower orders of society, customarily accepted pre-existing accretive hierarchies, or notions of birth-based superiority and inferiority. Living according to one's station in life, or leading one's life according to pre-assigned social roles, was the accepted norm. Modernity has transformed human life by giving precedence co-dignity over longstanding hierarchies (Charles Taylor, 1994).

Dignity is intrinsic to all human beings, and with modernity, more and more previously dominated groups and individuals have come to believe in the idea of equal dignity. Hierarchies can and do exist today, but they are increasingly achievement-based, not birth-based, and if the latter, are often challenged. Taylor urged in his Second argument, modernity has also led to claims about recognition. Traditionally, an engagement with God was regarded as critical for discovering one's moral core. With modernity this conversation about morality is increasingly regarded as being with our inner self that is paradoxically understood not via meditation, but by means of dialogical contact with others. Dialogical contact, in other words, helps us to answer "where we are coming from" and "who we are." With dialogical contact gaining prominence, misrecognition is regarded as causing injury; withholding recognition is seen as a form of oppression's Crude illiberal prejudice or hatred is an obvious source for such "confining, demeaning or contemptible" images. But the problem is much more complex (Charles Taylor, 1994).

It is worth recalling that until this century, even well-meaning liberals believed in group-based notions of civility and barbarism. In one of the founding texts of liberalism, John S. Mill (1990), argued that:

*“Nobody can suppose that it is not beneficial to a Breton, or a Basque of the French Navarre, to be brought into the current of ideas and feelings of a highly civilized and cultivated people to be a member of the French nationality than Rosulk on his own rocks, the half savage relic of past times, revolving in his own little mental orbit, without participation or interest in the general movement of the world.”*

The same remark applies to the Welsman or the Scottish Highlander, as members of the British nation. In the modern world, thus, two different notions of worth have often been at odds: one stemming from the culturally inherited conceptions’ of groups as better or worse; and another arising out of a decline of social hierarchies and the rise of equality. By challenging the inherited structure or discourse of group hierarchy, the latter inevitably seeks to undermine the former. Identity politics or what we might call the demand for recognition is thus, at its core, essentially the politics of equal dignity and the politics of difference or authenticity (John S. Mill, 1990).

It has emerged both in the developing and developed world, and has roots in gender politics, sexual politics, ethnic politics, and religious interpretations, or some combination thereof. The founding arguments of many, if not all, of these movements combine tradition and modernity in unusual ways; many traditional ideas are revived or group traditions are fought for, but the language used is one of dignity and equal respect. In societies like Ethiopia whose past history exhibited linguistic, cultural, religious and other types of dominations, multiculturalism serve as an antidote to accommodate cultural diversity (John S. Mill, 1990).

It serves to reduce the harm and oppression that non recognition inflicts on the country’s population. In rectifying past injustices, the government of Ethiopia had took significant measures in recognizing to the cultural communities; that have already identified themselves as distinct and made open for the possibilities of minorities within majority to have access to institutional mechanisms that assess their claims for distinctiveness.

In this regard the constitution of the federal democratic republic of Ethiopia vested the power to assess the claims of cultural communities on the House of Federation.

Accordingly, the House of Federation has been entertaining the issue of identity claims coming from different regional states of Ethiopia using its legitimate power of Article 62(3) of FDRE constitution.

For example the House of Federation has decided on the quest for independent recognition of Siltie nationality in southern nations, nationalities and peoples region while in Amhara region the Kemant's claim for independent recognition has been treated by the same institution differently. Therefore, this paper tries to assess the "Practices and Challenges of House of Federation in Addressing Identity Claims: The case of Kemant Community in Amhara Region."

### **1.2. Statement of the Problem**

According to Girma Zawudie (2011), Though the new government has taken bold measures in accommodating diversity, the response given to the claim of cultural communities is taking longer time than it is supposed to take.

*The indecision of the house on the claims creates suspicion whether it is committed to accommodating diversity or as scholars argue use policies recognizing cultural pluralism in order to constrain and channel political activity in to patterns that are less challenging to the state. The house has clearly stated the time; it has failed to live up to its standards (Girma Zawudie, 2011).*

The core idea here can be raise as how the House of Federation could manage the identity claims of Kemant community. How does the House of Federation decide on claims of identity recognition. Therefore, in this, the researcher tries to assess the challenges and practices of House of Federation in assessing identity claims of Kemant community.

### **1.3. Research Questions**

This thesis generally tried to raise and answer questions like; what were the main challenges the House of Federation faced, how it could resolve those challenges and what practices were the House of Federation developed. Accordingly, this study attempts to answer the following research questions:

1. Who is the 'self' that claims for self-determination, accommodation and recognition?
2. Who decides on the issue and on what bases?
3. What are the institutional and policy mechanisms for dealing with such demands?

4. What is the role of House of Federation and regional states in addressing identity claims? What lessons learnt from previous precedents?
5. What was the main challenge that the House of Federation faced during assessing identity claims of Kemant community?

#### **1.4. Objective of the Study**

The general objective of this study was identifying the main challenges and practices of the House of Federation in resolving the identity claims of peoples of Ethiopia in general and Kemant community in particular. The specific objectives are to:

- Explore the ‘self’ that claims for self-determination, accommodation and recognition.
- Identify the criteria of self-determination and the authority that can do this.
- Analyze the institutional and policy mechanisms for dealing with such demands.
- Explore the role of House of Federation and regional states in addressing claims of identity and explore the lessons learnt from previous precedents.
- Assess the challenges that the House of Federation face in entertaining Kemant community’s identity claim.
- And recommend relevant solutions for the identified legal and practical problems.

#### **1.5 Significance of the Study**

This study provides the opportunities for enhancement of good governance especially in addressing identity claims. So that it might give clear insight on proclamation No 251/2001 and its implementation mechanisms during the assessment of identity claims and other issues coming to House of Federation. Moreover, it would also help to the House of Federation in order to properly handle difficult cases during assessment of identity claims. Finally, it could help researchers pursuing the same problem in the area of identity claim studies.

#### **1.6 Delimitation of the Study**

Although so many problems might be observed in addressing identity claims in different areas, for this study it is better to limit on the practices and challenges of House of Federation based on Kemant’s recent identity claim in order to make it manageable. Hence, this study has focused on assessing the implementing mechanisms of the House of Federation while entertaining the Kemant community’s identity claim.

### **1.7 Limitation of the Study**

This study was limited in assessing identity claim of Kemant community, the findings might not generalize for other cases of identity claims that assessed by the House. The other limitation was overscheduled program of the interviewee respondent due to their political commitment. Time and financial constraints; these were the potential hindrance for the quality of the result of this study.

### **1.8 Research Methodology**

The purpose of this research was to examine the challenges and practices of the House of Federation in addressing the identity claims in general and Kemant community in particular. During its assessment of identity claims; the House of Federation consider, the language, territory and psychological makeup of claimant groups. Therefore, to achieve this purpose qualitative study design was used to properly address the above stated research questions. Moreover, ethnographic design assumed to be best fits for this study; since it is a particular kind of qualitative research that seeks to describe culture and language from the point of view of cultural insiders (Amos Hatch, 2002).

#### **1.8.1 Sources of Data and the Instrument**

The source of data was both primary and secondary sources. Hence; minutes of the House of Federation as well as government officials in the House of Federation, representatives of Kemant community identity claiming and council members have been consulted. Hence, The senior law experts in the House of Federation, the secretariat of regional and identity standing committee in the House of Federation are the key informants of House of Federation for this study, whereas, the spokesman of Kemant identity claiming council and the attorney of Kemant community identity claiming council were the key informant from Amahara Regional state for this study.

#### **1.8.2 Methods of Data Analysis**

The response of the interviewees was transcribed before analysis, then after the transcribed interviewee along with minutes and appeal were analyzed to see the coherence with proclamation 251/2001 as well as related constitutional legitimacy regarding to identity claiming and self-administration; in order to answer the research questions and to attain the research objective.

## **1.9 Organization of the Study**

This paper was divided into five chapters. Accordingly, the first chapter deals with the introduction of the study. Mainly it tries to elaborate the background, statement of the study, research questions, objectives of the study, significance of the study, limitations and delimitation of the study and definition of operational terms. The second chapter focuses on the review of related literatures of the study area.

Whereas, the third chapter deals with; background of the study population. This chapter tries to elaborate, background of the Kemant community, by explaining religion, custom, language and the like concepts. The fourth chapter includes discussion and analysis of the main findings. This chapter tried to analyze on the minutes concerning Kemant identity claims, according to FDRE constitution and proclamation number 251/2001. The last chapter focuses on summary, conclusions and relevant recommendations.



## CHAPTER TWO

### THEORETICAL AND CONCEPTUAL FRAME WORK

#### 2.1 Definition and Perspectives of Identity

Different scholars argue on the concept of Identity. For instance, (Rogers' & Frederic, 2011) argues that, the strong conceptions of 'identity' preserve the common sense meaning of the term. The emphasis on the sameness across persons or /and they accord well with the way the term is used in most forms of identity politics. But precisely because they adopt for analytical purpose a category of every day experience and political practice. They entail a series of deeply problematic assumptions. These strong perceptions of identity were categorized in the following four major categories:

1. Identity is something all people have, or ought to have, or are searching for.
2. Identity is something all groups (at least groups a certain kind e.g. Ethnic, racial, or national) have, or ought to have.
3. Identity is something people (and group) can have without being aware of it. In this perspective identity is something to be discovered & something about which one can be mistaken. The strong conception of identity, thus replicates the Marxian epistemology of class.
4. Strong nations of collective identity imply strong nations of group boundedness and homogeneity. They imply high degree of groupness, an identity or sameness among group members a sharp distinctiveness from members a clear boundary between inside and outside. Similarly, Eisenberg (2009) defines identity from diversified community perspective as the attachment that people have to particular communities.

#### 2.2 Identity in Multicultural/Diversified Society

Like the term 'multiculturalism' the term 'identity' is a wide ranging and an interdisciplinary concept that is used in association with the concept of culture, of authenticity, the demand for recognition, the idea of difference and equality. Authenticity refers to 'a certain way of being human that is one's way.'

In this regard, Taylor responded and calls upon individuals to live their life in their own way, and not in imitation of anyone else's life. This notion of originality applied not only to the individual person among other persons, but also to the identity bearing people among other peoples. 'Just like individuals, a *Volk* (community) should be true to its culture, that is, its own culture (Taylor, 1994).

*Parekh further, extends the centrality of cultural authenticity by arguing that 'human beings are culturally embedded... they grow up and live within a culturally structured world, organize their lives and social relations in terms of its system of meaning and significance, and place considerable value on their cultural identity (Parekh, 2000) .*

According to Taylor, Recognition is the idea that others should be sensitive to one's authentic way of being. The significant others or interlocutors have a responsibility to respect someone for the authentic self he think, he is and striving to be, rather than expecting the person to conform to their standards. This recognition extends to cultural communities as well. (Taylor, 1994).

Taylor further argues that, the idea of difference begins with the fact that the sort of being authentic that deserves to be recognized is different among groups and different people may have different rights. And equality holds that everyone's unique identity is entitled to recognition including equal access to the authentic resources a culture has to offer (Taylor, 1994).

Based on the purpose of study one undertakes identity can be defined and used to describe ideas that range from individuals to cultural communities. From multiculturalism perspectives, however, the term identity is used at both levels with special attention to cultural communities. Diversity like (Taylor, 1994) and (Parekh, 2000) extends the concept of authenticity to cultural communities as well and place high value on culture in shaping the identity of individuals.

They argue that communities like individuals have a distinct cultural identity that ought to be respected and recognized publicly. Thus, in diversified society identity claims and recognition are the basis for allocation of resources, power and opportunities to

culturally distinct communities in order to help them retain their distinctness (Taylor, 1994; Parekh, 2000).

With this regard to the request of Kement community can be taken as an example of the community claiming to their independent existence and identity recognition since 2007 but their case was prolonged by the negative influence of those who did not want to positively admit their identity claim as well as not want to leave them (Kemant Community identity and self-administration claiming council apple dated 13/2006).

With regard to the request of the Kemant community; the House of Federation started to study the case through organized task force but; while the Hose was deliberating the result of the research conducted by the task force; the Amhara regional state government officials showed willingness to see the claim again and the House allowed them to do so. As the result the regional state didn't address the case and finally made its decision partially which dissatisfied Kemant community. However, there was a serious challenge that makes the process difficult and delay for such long period of time. Hence the practices and challenge of the House of Federation during this long period of time must be assessed and thoroughly examined so as to get important lessons for future similar claims.

### **2.3. Identity and Identity Claims**

As Eisenberg (2009) has pointed out from diverse community perspective the term 'identity' refers to the attachments that people have to particular communities, ways of life, sets of beliefs, or practices that play a central role in their self-conception or self-understanding. When people claim that a practice, a place, or an activity is important to their identity, they usually mean that it reflects something important about their sense of who they are or that they cannot realize something important about themselves without access to it.

Thus, identity claims are claims that entitlements, resources, or opportunities ought to be distributed based on this because of something distinctive and important about the identity of a group advancing the claim. When they claim that an ascriptive characteristic like ethnicity is central to their identity, they mean that they understand themselves partly in terms of this characteristic (Eisenberg, 2009). Based on the

definition given above, diversify communities claim public recognition of their distinctiveness in order to get resources and power needed to protect their authentic way of life.

*Given the ample defense for diversified community, identity claim and recognition in multicultural theories, defining identity and what it constitutes would be instructive to this research and also try to assess the handling mechanism for claims of identity as well as challenges of House of Federation. In addition to this the relationship of identity with culture, language and territory will be discussed (Parekh, 2000).*

However, many scholars argue that because the substantive content and value of cultural identity vary from one individual to the next in a diversify community; identity is an unreliable basis for legal and political entitlements. This, according to (Eisenberg, 2009) is one of the key concerns in contemporary debate across several scholarly disciplines, to confirm its political elusiveness. Eisenberg (2009) further pointed out that sociologists and anthropologists have argued that identity should be treated as a useful fiction, a sort of virtual center to which we must refer to explain certain things, but without it ever having a real existence or as an idea without which certain key questions cannot be thought at all.

*Nevertheless, Moodod; argues that the suggestion that groups are so internally complex that they have become 'necessary fictions' and that states with diverse population need to reach out for diverse society that is sensitive to ethnic difference and incorporate a respect for persons as individuals and for the collectivities that people have a sense of belonging to (Moodod, 2000).*

Regardless of the debates over identity in diverse society use it to refer to the cultural attachments and activities that are important to the self-conception or self-understanding of an individual or group; and defend identity by focusing on the relation between identity and recognition. For instance Taylor argues that-Our identity is partly shaped by recognition or its absence, often by the misrecognition of others, and so a person or group of people can suffer real damage, real distortion, if the people or society around

them mirror back to them a confining or demeaning or contemptible picture of themselves. Non recognition or misrecognition can inflict harm, can be a form of oppression, imprisoning someone in a false, distorted, and reduced mode of being (Taylor, 1994).

Hence, culturally diverse countries like Ethiopia have distinctive ways in which individuals or groups come to understand themselves in a social context are greatly influenced by recognition. Absence of recognition to the distinctiveness of a group is also adversely related to self-esteem and respect. Thus, many defenders of cultural identity argue for identity to have a place in politics to enhance the self-esteem of groups that claim for recognition. Moreover, the claims for identity recognitions have been expected to be answered within two years, according to proclamation for consolidation and defining functions of HoF No 251/2001 article 22, but the claims of Kemant community prolonged for more than five years and the challenge that hinder the case in House of Federation should be seen in detail and brief manner.

Recognizing the close link between identity and self-esteem, integrity, respect, and solidarity, Moore 2006, argues that identity ought to be taken seriously in politics because of its integral relation to the self, to a person's core moral commitments, and to personal traits that are inscriptive and therefore beyond choice (Moore, 2006 as cited in Eisenberg, 2009). Susan Wolf argues in the same vein by stating that members of unrecognized cultures will feel deracinated and empty, lacking the resources for a feeling of community and a basis for self-esteem, and, at worst, they will be threatened with the risk of cultural annihilation and the most obvious remedies, she argues, involve publicizing or recognizing and explicitly preserving the cultural identity of groups (Wolf, 1994).

As Eisenberg, 2009 pointed out other area of contradiction using identity in politics is related with the argument of fluidity and hybridity as well as its use with individual and group. Contenders of identity situation argue that identity is not static that could be identified using some aspects of markers; rather, identity is fluid and its borders are problematic to decide. Eisenberg further argues that, it is sometimes used to indicate sameness across persons in groups and sometimes to point to the individual's sense of selfhood, creating the tension between individual and group right in politics.

However, supporters of culturally diversified community like (Taylor, 1994 and Parekh, 2000) agree with Eisenberg who stated that both individuals and groups might be described as unique or distinctive in some ways, although what makes an individual unique or distinctive differs from what makes a group distinctive. Thus, what protects individual distinctiveness might be different from what protects group distinctiveness. Moreover, as (Eisenberg, 2009) pointed out some entitlements, which are aimed at protecting values central to individual identity, will fail to protect groups.

Some values that are central to an individual's identity depend on a collective feature of a distinctive group in the sense that they depend on interacting with others who share this feature or they depend on the security and flourishing of a particular cultural, religious, or linguistic community, he argues. He further pointed out that an individual's right to use a language is practically useless unless others share the language and can practice it together. Thus, group identity recognition give an opportunity for individuals to have a secure and supportive environment to have access to their cultural resources by protecting them against the force of assimilation by dominant groups (Parekh, 2000; Taylor, 1994).

Hence, in a diversified society, political system considers group identity to be an appropriate basis upon which to advance a claim and allows the possibility for groups to be entitled to special protections, resources, or opportunities in order to ensure that certain crucial features of their identities can be sustained in contexts where a group's practices and self-understanding differ from the practices of the larger community (Eisenberg 2009).

Consequently, scholars like Parekh, 2000 and Eisenberg, 2009, advocate multicultural societies to have political or legal means available to respond to the identity claims of groups. Furthermore, arguing that people face disadvantages which are institutional and relational, and many of these disadvantages target group-based characteristics, these scholars recommend legal and normative tools, such as rights, by which groups can advance claims. Moreover, the challenges of decision making for instance in the case of Kement it was prolonged even though the claimant fulfills the basic requirements according to article 39 (5) of FDRE constitution and article 39 (7) of Amhara national regional state revised constitution of 2001. Therefore, these challenges and practices of

the House of Federation should be examined based on the aforementioned constitutional principles in order to bring some important ingredients; this may bring some recommendations to House of Federation in assessing future identity claims.

## **2.4 Reasons of Identity Claim**

Many scholars agree that identity claims in politics are often times related with the issue of culture, language and territory. Claimants justify their case basing on the importance of protecting their culture and language, which many agree play a central role in one's group identity. Claimants also associate their identity with the territory they reside and make it central to their identity claims (Girma Zawude, 2011).

The case for territory is associated with self-administration as well as emotional ties claimants have with specific territory. In this section the relation of identity with culture, language and territory will be assessed. In addition the debate over allocating resources, entitlements, power and opportunities based on identity are presented (Girma Zawude, 2011).

### **2.4.1 Culture and Language**

Culture is defined by many scholars differently and for that matter there is no precise, inclusive and exclusive definition of it. Many scholars from different discipline define culture differently and value it accordingly. However, most of the scholars agree that culture links individuals to one another, provides the basis for a common identity and creates a context for viewing and understanding the world. In this respect, they place high value on language and made culture inseparable with language. For instance scholars like Reaume 2000 argue that language is a repository of the traditions and cultural accomplishments of a community as well as being a kind of cultural accomplishment itself. He further argues that it is the vehicle through which a „ community creates a way of life (culture) for itself and is intrinsically bound up with that way of life. The argument for culture and its place in multiculturalism ranges from its intrinsic value to the bearers as well as its extrinsic or instrumental value. Intrinsic value, Steven Rockefeller argues, involve that respect for individuals is understood not only respect for the universal human

potential in every person but also respect for the intrinsic value of the different cultural forms in and through which individuals actualize their humanity and express their unique identities (Steven Rockefeller, 1994).

Hence, Steven Rockefeller (1994) argues that cultures are like life forms which are ends by themselves that give a context for human identity. Reaume (2000) extends this by arguing that the particular form culture gives for a particular group of people takes on intrinsic value for them because it is their creation. For the group as a whole, its language is a collective accomplishment, his argues. However, not all theorists give intrinsic value to cultures in the sense that Rockefeller (1994) and Reaume (2000) did. For instance, Parekh (2000) argues that Kymlika, (1995), while defending the right of cultural communities to their culture, gave much emphasis on the extrinsic value of cultures.

As summarized by Parekh, Kymlika like Rockefeller acknowledged that human beings are cultural creatures and that cultures are essential to their development as human beings in that culture gives them a sense of identity, provides an unconditional and non-achievement-oriented source of identification and belonging, facilitates mutual intelligibility, promotes social solidarity and trust, reinforces intergenerational bonds, and conduces to human well-being (Parekh, 2000).

However, he departs both from Rockefeller and Reaume in extending and emphasizing the value of culture as extrinsic background necessary for developing human capacity for choices, and a context of freedom and autonomy. Here cultures are instrumentally viewed as a means to freedom and autonomy. Though theorists give different value to culture, and argue based on its intrinsic or instrumental value, the centrality of language/culture in the identity of a group or an individual and its salience as a form of claim is given high consideration. Multiculturalists however, argue for its intrinsic value in constituting identity, which consequently has an extrinsic or instrumental value (Parekh, 2000).

As Reaume (2000), noted most people value their language not only instrumentally as a tool, but also intrinsically, as a cultural inheritance and as a marker of identity, as a participant in the way of life it represents. Parekh (2000) on his part argues that culture



transforms human beings into rational and moral persons by structuring their identity. He noted that culture enables individuals to see the world in a particular way, to individuate and assign certain meanings and significance to human activities and relationships, and hence, strike deep roots and become an inseparable part of their identity. He further argues that growing up within a cultural community build up common bonds and develops a sense of solidarity with its other members through shared beliefs, common objects of love, shared historical memories consequently embedding with a particular group of people and structuring identity (Parekh, 2000).

What this entails is that for the group as a whole, Reaume (2000) argues, its culture/language is a collective accomplishment in which an individual member's use of the language is at once a participation in this accomplishment and an expression of belonging to the community that has produced it. Because this participation has intrinsic value, members of a language community identify with that language—they take pride in its use and in the cultural accomplishments it represents and makes possible. This sort of intrinsic value, his argues, is more salient in the context of diversity due to the reason that it is in being conscious of an alternative to one's own linguistic way of life that one begins to identify the latter as a distinct form of human creativity in which one can take pride (Reaume, 2000). According to, Taylor (1994), this intrinsic value of language, as a manifestation of human creativity with which its speakers identify, is the key to understanding the claim to its protection in its particular manifestations. The intrinsic value placed on cultural or linguistic affiliation is the desire to use it in the conduct of one's life as well as to transmit one's heritage to one's children and thus to see it carry on into future generations. Recognition of this value requires ensuring the accessibility of a culture which people enjoy as members of a group (Taylor, 1994).

Multicultural scholars like Reaume (2000), hold that ensuring the accessibility of a culture requires two sets of conditions. First, a linguistic community must enjoy recognition by others of the intrinsic value of its culture. This requires that use of its language not be made a ground of liability or otherwise publicly denigrated. According to the author such treatment causes, members to lose their self-esteem and abandon their mother tongue because it is associated with inferiority and second-class status. Secondly, ensuring the accessibility of a culture requires support for the instrumental usefulness of

the language, not merely for the sake of other ends considered extrinsically but out of respect for the intrinsic value of a life lived within a particular linguistic milieu, as (Reaume, 2000) argues.

The reason scholars argue for the protection of an instrumental dimension that language has is because this instrumental dimension makes language vulnerable to the manipulation of its usefulness. According to scholars the extrinsic purposes for which language is useful are themselves extremely important to people due to the reason that the best way to weaken a language and effectively force the adoption of another is to lessen its usefulness in important domains like media, textbook, government office etc. (Girma Zawude, 2011).

However, scholars like Reaume (2000) argue that what motivates the desire to protect the usefulness of one's language is the attribution to it of intrinsic value independent of its uses. A multiculturalist argument designed to respond to this, Reaume argues, relies on the difficulty for individuals in transferring from one culture or language to another. Parekh (2000) argues in the same vein that since human beings are culturally embedded the cost of cultural transfer is considerably high. The difficulties of transfer can indeed be diverse and substantial. Independent of the meaning and comfort one's culture makes available to an individual, the underlying system of meaning another culture has is intricate; making the personal effort involved in learning the new way of life a lengthy process and frequently one marked by imperfect achievement. Hence, *ibid* argues the difficulty in mastering them means the foreclosure of many options that one might have wished to pursue, including political, economic and social- disadvantage (Parekh, 2000).

This, in turn, will damage one's self-esteem as one finds oneself relegated to a lesser position and marginalized from important currents in social and political life. Thus, multiculturalists argue that for a cultural community to have a secure ground for the actualization of its potentials, need access to its culture and cultural resources. Thus, they can further argue that best interests of independent claimants be met by recognizing the distinctness of cultural communities and by giving support for the manipulation of it by its members. Political, economic, social and other resources and opportunities are recommendations given by scholars of multiculturalism (Girma Zawude, 2011).

### 2.4.2 Territory

Scholars like White (2001) and Smith (2009) agree that ethnic groups' claim for territory have both strategic and psychological importance in a sense that in the previous case control over territory can mean control over resources while in the second sense an attachment to a particular territory is central aspect of one's identity. According to White (2001) territory is a prime issue in many nationalist conflicts, particularly in secessionist conflicts in which an ethnic group claims a particular territory as its own.

Thus, White argues that it has more than strategic importance due to the reason that territories have strong emotional attachments for the people involved and those human beings tend to be sensitive to potential threats to identity. He argues that territory and identity are too closely intertwined that a threat to territory is considered as a threat to the integrity of the identity of a people (White, 2001). Smith (2009) on his part argues that territory and identity are knotted in that nations are territorialized communities, the majority of whose members have come to reside in a historic territory or homeland and who feel a strong attachment to it.

According to Smith (2009), this derives from the significance attached to place of birth, of the sustenance thought to derive from it and which is also related to the process of self-definition through the creation of symbolic boundaries. These are, Smith argues, spaces that come to be inhabited by communities whose experiences and sense of distinctive identity are in part molded over the generations by the features of their historic homeland, creating what he called an 'ethno-scape' in which a people and its homeland become increasingly symbiotic (Smith, 2009).

The symbiotic relation, Smith (2009), argues that, the result of historical memories of personages, battles, assemblies and the like that took place in the territory, which result in historicizing and territorializing of memories and attachments that are tied to a particular people's identity. Thus, it can be deduced that territory can render significant importance to identity in both extrinsic and intrinsic ways. The first is that control over territory enables ethnic groups to protect their identity by giving them the power to control and lead their life in their own chosen ways. Secondly, control over territory makes available

to them the intrinsic psychological and emotional attachments ethnic groups has with specific territory. These would nurture and develop their self-esteem, which is the wisdom behind recognizing identity. From the above discussions about culture, language, territory and their connection with identity, the need of accommodating the genuine claims made by groups on these grounds is imperative (Smith, 2009).

However, states with diverse population as well as scholars in the field do not agree on how to accommodate the demands made by cultural groups. Different scholars propose divergent ways of accommodating the claims for identity recognition. In the following sub-section the theories of diversity accommodation and the stand of multiculturalists in responding to the claim of cultural communities is discussed (Girma Zawude, 2011).

### **2.4.3 Responses to identity claims**

As Eisenberg 2009 pointed out the response to identity claiming can broadly be categorized in to three. The first response to identity claiming is Quietism. This response to identity claim embraces that the need of ethnic groups can be addressed without recourse to identity. The second response to the claims made by ethnic groups is Skepticism. Skeptics argue that because identities are socially constructed, too ambiguous and easily manipulated, it cannot serve as a basis for minority entitlements or legitimate grounds for distributing resources.

The third response is a multicultural perspective (identity approach) to identity claiming. Unlike the above state two responses, this perspective asserts that identity claims needs to be addressed for three reasons. These are its pervasive nature, the vitality of social recognition to the group's identity and self-worth, and respect for claimants' distinct way of life. Identity quietists, Eisenberg (2009) argues, are generally sympathetic to the project of assessing the claims of cultural and religious minorities to protection and accommodation, but they believe that multicultural principles can be applied without recourse to identity assessments.

Quietists neither explicitly defend nor reject the concept of identity or the notion of an identity claim. To the contrary, Eisenberg argues they frequently employ identity

considerations in the course of their analyses but do so without labeling them as such or recognizing the difficulties they might present. According to Eisenberg (2009), the groups argument rely implicitly on the possibility that group identity can be transparently and fairly assessed, but they do not expressly articulate how this should be done.

The quietist's fiction is that multicultural principles can be given content without actually talking about identity. So identity quietists studiously avoid questions and problems that arise when engaging in the assessment of identity claims, he argues. On the other hand, identity skeptics, *ibid* argues, want 'identity' off the public table. Identity skeptics raise deep reservations about the form that politics takes when it incorporates recognition of identity claims and groups.

Eisenberg (2009), identified the concerns of identity skeptics to be four of which capture most of their unease. These include concerns that allowing identity to play a role in politics can lead to cultural essentialism and ethnocentrism, that minorities will manipulate identity for strategic gain, that an identity-sensitive politics facilitates the assimilation of minorities, and that identity politics heightens social conflict. First, some identity skeptics worry about the sheer variety and seeming incommensurability of claims that can be made in the idiom of identity. According to Eisenberg (2009), identity politics heightens social conflict by giving added legitimacy to the different and divisive values of minorities. Second, skeptics are concerned that because identity is non-negotiable, the politics that values identity initiates groups to base their claims on identity which ultimately give rise to fraudulent and suspicious claims. Third, skeptics strongly criticized identity claiming by arguing that it essentialist groups by encouraging a historically static view of what identity consists in and that it reduces whole ways of life to 'essential' practices.

Fourth, skeptics argue that identity claiming domesticates minorities because it encourages them to perform their essential identities for majorities, and there by creates opportunities for majorities to assert their dominance over minorities while appearing to accommodate them, he argues. However, multiculturalists like Taylor (1994), Parekh (2000) and Eisenberg (2009), cognizant of the ubiquitous nature of identity, the vitality of social recognition to the group's identity and self- worth, and the need of respect for

claimants' distinct way of life, defended multicultural perspective that makes identity central to its argument and urge governments to accommodate the claims and cherish diversity by recognizing claims that made on what is distinct about a group.

According to the Eisenberg (2009), often avoiding identity claims magnifies the problems minorities face or forces them to engage in higher stakes political activity and higher risk decision making which identity skeptics argue the other way round. The aforementioned authors further argue that even though identities are socially constructed, ethnic groups can sustain in to the indeterminate future and recognition of the distinct way of life through which individuals and groups actualize their potential is a vital human need that requires accommodation. Furthermore, they pointed out that enabling groups to get access to their cultural resources that form the basis of their identity also needs institutions to respect the distinct way of life of groups who espouse different and even divergent vision of the good life.

The authors suggest that accommodating the claims of groups entails institutions to treat people with different identities respectfully and give equal opportunity for all. Though they agree the need of accommodating diversity on the reasons discussed above, they disagree on how to accommodate the claims. For instance Parekh (2000), while recognizing that Charles Taylor's (1994) correct observation that social recognition is central to the individual's identity and self-worth, and misrecognition can gravely damage both, criticized him on his failure to answer the question as to how the un- or misrecognized group can secure recognition.

According to him Taylor seems to think that the dominant group can be rationally persuaded to change its views of them and by intellectual argument and moral appeal. Thus, he argued is to misunderstand the dynamics of the process of recognition. Thus, he proposed to respond to the demand by arguing that misrecognition has both a cultural and a material basis, and can only be addressed by giving due consideration for both material and cultural inequalities.

According to Parekh, misrecognition, therefore, can only be countered by both undertaking a rigorous critique of the dominant culture and radically restructuring the

prevailing inequalities of economic and political power. This argument is further extended by Eisenberg (2009), who argued that institutional structures and relations are shaped in ways that privilege some groups and disadvantage others, hence, to develop just political institutions in diverse societies, require uncovering possible inequalities in the ways that majorities and minorities have access to and are treated by public institutions.

Both Parekh and Eisenberg agree that culture is integrally tied up with the politics of power and that culture itself is institutionalized power and deeply **implicated** with other systems of power. Therefore the authors argue that cultural self-esteem cannot be developed and sustained in a vacuum and requires appropriate changes in all the major areas of life. Multicultural states to be stable and vibrant need to ensure that its constituent communities receive both just recognition and a just share of economic and political power.

To be able to ensure a just recognition and a just share of economic and political power, the authors recommend states to increase the number of venues, that is, the laws, institutions, and procedures by which these claims can be heard and accommodated. They also recommend states to have institutions capable of managing identity claims that have transparent, clear and unambiguous guide and criteria. Thus, multicultural response to identity claim holds that identity is ubiquitous, that social recognition to the group's identity and self-worth is vital, and that respect for claimants' distinct way of life is imperative for institutions that aspire to create favorable condition for diversity Parekh (2000), Eisenberg (2009).

This perspective sees the demand for cultural identity to be intertwined with politics and **cultural communities** to have access to the resources of their culture and to **have a voice to** participate equally in shaping public values, need political, economic and social resource. This conclusion would lead as to such questions like who mobilizes cultural communities in order to secure state recognition that entails political, economic and social entitlement (Girma Zawude, 2011).

## **2.5 Identity and Group Mobilization**

As Modood (1998), pointed out in this period of globalization the bases of identity formation have undergone important changes, and there has come to be minority assertiveness. Identity has moved from implicit in distinctive cultural practices to conscious and public projections of identity and the explicit creation and assertion of politicized ethnicities. He further argues, ethnic minorities mobilize their group around the rubric of identity to secure state recognition that entails political, economic and social entitlement.

In mobilizing groups, elites play a crucial role. As Smith (2009), pointed out elites aspire to create a sense of identity in terms of their constituent symbolic resources, that is, the traditions, memories, values, myths and symbols that compose the accumulated heritage of cultural units of population. They employ symbolic resources in motivating identity and collective actions. He argues that, influenced by myths, popular beliefs, memories and culture, the elites propose views and actions to designated populations whom they seek to mobilize and empower. As the author suggested the complex interplay between elites and various sections of the wider population whom they seek to mobilize depends on the symbols, myths and memories that resonate with them (Smith, 2009).

Ross 2009 also agrees with Smith 2009 in stating that the power of culture - the ability to mobilize action in the face of perceived threats or to achieve collective goals in its name requires explanation, for it is not always the case that people can or will exhibit solidarity around cultural identity just because a leader (or anyone else) asserts that there is an external threat.

Cultural mobilization builds on fears and perceived threats consistent with internalized worldviews and regularly reinforced through high in-group interaction and emotional solidarity. Such worldviews are expressed in daily experiences as well as significant ceremonial and ritual events that effectively restate and renew support for a group's core values and the need for solidarity in the face of external foes. In potentially threatening situations, the ability of a group to organize collective action, which can range from



unified voting to political demonstrations and violent action, is tied to the plausibility of a specific worldview (Ross 2009).

Hence, the response of cultural communities to the appeal of mobilizers depends on how the latter frames its argument. The power of the appeal is determined by the use of those cultural resources that resonate with the life of the cultural communities. Cultural communities will respond to the appeal one way rather than the other based on the imminence of the selected cultural elements to the community to be mobilized (Girma Zawude, 2011).

### **2.5.1 Cultural Resources of Mobilization**

As has been pointed out above culture renders resource for groups to mobilize around identity. This is due to the reason that the power culture has in linking individual and collective identities. Culture links individual and collective identities by providing narratives and meaning to the social, political, economic and other events group experienced in the past and is experiencing in the present.

Furthermore, as many authors argue culture defines group boundaries and organizes action within and between them; provides a framework for interpreting the actions and motives of others; and hence provides resources for political organization and mobilization. Ross (2009) argues that culture offers emotionally significant connections between the fate of individuals and the group is that individual and collective actions are motivated, in part, by the sense of a common fate people in a culture share. Moreover, he argues that the dynamics of within-group identity formation overemphasize what it is that cultural group members actually share and gives greater emotional weight to the common elements especially in periods of high stress, reinforcing their strong sense of within-group linked fate. In doing this culture motivates group action by providing narratives and interpretations to the symbols, memories, myths, values and traditions and material objects people consider valuable and worth fighting over (Ross, 2009).

The narratives and interpretations that a culture makes available for a group, Ross (2009), Smith (2009), and White (2001) argue help people make sense of ambiguous but

emotionally salient situations. According to the authors narratives are socially constructed explanations for events of the past, present and the future and offer significant emotional resources that leaders and groups use as instruments of organization and mobilization. The authors hold that narratives that are embedded in the system of myths, symbols, rituals, memories, values, cultural expressions and enactments are continuously interpreted and reinterpreted in order to accommodate it to changing economic, political and other social circumstances.

Kymilica and Norman, (2000), argue that group representation within the institutions, symbols, and political culture of the larger state through the name of the polity, its flag, its coat of arms, its national anthem, its public holidays, the use of language, the name by which a cultural group will be known, or the way a group's history is presented in schools and textbooks, etc. demonstrate the inclusion and exclusion of a group, hold deeper levels of meaning of the fears, hopes, and worldviews of those involved in social interactions.

#### **2.5.1.1 Narratives and Interpretations**

Narratives and interpretations of the cultural elements pointed out above serve as a resource for mobilizing ethnic groups. As Smith 2009 argues, narratives are selective political understandings of aspects of ethnic pasts that are found in the symbols, memories, myths, values and traditions of a group, and are powerful resources to mobilize a designated group. Ross 2009 extends this by arguing that the narratives that are found throughout a society's symbolic landscape communicate many specific emotions and positions, including intergroup power relations and messages about inclusion and exclusion.

He holds that narratives contain evocative images that explain past, present, and future events in emotionally meaningful ways that render alternative action possibilities. White (2001) also argues that narratives describe significant social or political events in the group's history, and play a central role in group mobilization. In a multicultural society where diverse groups coexist the narratives that shape groups identity are influenced by what Taylor (1994), called 'significant others'. The power relation, inclusions and exclusions of a group with the significant others that are embedded in narratives, shape

group identity by giving a sense of common history, common purpose and destiny against a reference group which groups can define themselves.

According to White (2001), historical inequities live on as part of group narratives and identities, and continue to play a role in the present. Narratives as has been discussed play a central role in group mobilization. According to Ross 2009, narratives, especially in political life, play three important roles. First they serve as reflectors of deeply held cultural understandings and beliefs. Second, they can be examined as **exacerbates** or inhibitors of within- or between-group differences. Third, because they frame action alternatives, they can serve as causes of action.

Though narratives play these important roles, White (2001), Ross (2009), and Smith (2009) argue that that narratives are not always internally consistent, that narratives are renegotiated and changed as contexts change in a culture, and that narratives might be false. As the authors hold in-group disagreement about parts of a narrative and its meaning are inherent and that narratives exist at different levels of generality. Depending on the context narratives are renegotiated and changed in subtle or even major ways which consensus is invariably greater on the general themes than on more specific details. Even so, the authors argue that narratives provide support for a range of plausible actions.

According to the authors view, narratives that are grounded in selectively, rediscovered, remembered, interpreted experiences and projections from them that resonate widely in a group provide support for action by amplifying what is shared, and emphasizing differences among groups. Recognizing the possibility of narratives to be false, however, the authors suggest that whether or not historical narratives are literally true is not the central point. The importance is that such stories are one of the central defining features of identity, and that they have emotional power and play important role in specific political contexts.

Politically relevant narratives, according to the authors, are those selective accounts, drawing on key images and events from a group's collective memories as they are relevant to contemporary situations. Especially narratives that contain accounts of collective fears and threats to identity, as well as recalling past heroic deeds and triumphs

are important. Both Ross (2009) and White (2001), agree that the emotional and symbolic meaning of the traumatic event suffered by a group is incorporated into its identity and passed on from generation to generation. Likewise the triumphs and glory over the enemy is also incorporated in to the identity of a group, they argue.

The power of these narratives and interpretations, the authors argue, lies in their shared social character and by giving social protection from the ambiguities and uncertainties of existence, reinforce social and political bonds within groups. Inclusion or exclusion of the worth, status, or existence of various groups within the larger state also provide narratives and interpretations for groups to mobilize around identity.

Inclusion or exclusion that refers to public recognition or non-recognition respectively are important sources of mobilization. Inclusion and exclusion of groups is evident in what Ross (2009) called 'symbolic landscape' and what Kymilica and Norman (2000) called 'symbolic gestures'. These areas include group representations in the social, political and economic spheres including the mass media, theater, school textbooks, music, literature, language, museums and monuments, and public art. The following subsection will also elaborate these narratives in detail manner.

#### **2.5.1.2 Symbolic Landscapes and Narratives**

According to Ross (2009), symbolic landscapes reflect how people perceive and experience their world and others in it, and are significant shapers of these worlds when they establish and legitimate particular normative standards and power relations within and between groups. The author holds that symbolic landscapes communicate inclusion, exclusion, and hierarchy, and portray dominant and subordinate groups in the social and political life.

And the meanings a symbolic landscape conveys and the narratives it invokes invite us to ask: Who is present and who is absent in public representations? What are the qualities of the people and objects portrayed in them? Who controls the representations, and to what extent are they contested? How is hierarchy portrayed, and what qualities are associated with particular positions within a society's hierarchy? What stories do they choose to tell

about themselves? Who controls its narrative and the images associated with it? The symbolic landscape communicates messages to groups with regard to the place their culture, language, and way of life have in the public spaces (Ross, 2009).

The inclusion or exclusion of group's culture, language and heritage invokes narratives that give explanation and reinforce action in its name. According to Smith (2009) symbolic landscape consists of the public images found in physical objects and other expressive representations in public spaces - especially sacred sites and other emotionally important and visible venues, as well as group representations in the mass media, theater, school textbooks, music, literature, museums and monuments, and public art.

Symbolic gestures granting or denying recognition of the worth, status, or existence of various groups within the larger state community, Kymilica and Norman, (2000) argue, can have profound and continuing effects within a political culture in ways that directly affect the well-being and self-respect of citizens of minority cultures, as well as their enthusiasm to participate in the political life of the larger state. The authors further argue that for instance the denial of status to the minority language, might be viewed as an open declaration that some are not wanted as members of the state.

Hence, inclusion and exclusion are expressed through the restriction or expansion of a society's symbolic landscape; and both invoke narratives that groups make sense of the world around them. Ross (2009) argues that cultural expressions and enactments that communicate inclusion and exclusion connect group narratives and identity. The author holds that inclusion or exclusion of groups in public ceremonials, religious ceremonies, and calendared festivals and holidays, theatrical presentations, television programs, literature, public discourse, school text books and language use invoke relevant narratives communicating and reinforcing in-group identity. With regard to inclusion of groups to the larger state it communicates mutuality and a shared stake in society. According to Ross (2009), inclusion renders the previously unseen seen, gives voice to those once voiceless, and can offer powerful messages to reshape relations between groups. In doing this inclusion communicates narratives that have hopes and aspirations for a common future.

However, exclusion of groups as has been said is an explicit form of denial of the existence and importance of groups and invokes narratives that serve both as a rallying point and as a way to make sense of events that evoke deep fears and threats to existence. Hence, the narratives of exclusion motivates collective action by emphasizing and giving within group identity greater emotional weight to the common element of exclusion, reinforcing their strong sense of within- group linked fate (Girma Zawude, 2011).



## **CHAPTER THREE**

### **HISTORICAL BACKGROUND OF THE PEOPLE OF KEMANT**

The main objective of this chapter is describing the historical background, religion, population, language, location and history of Kemant people.

#### **3.1. Historical Genesis and Development of Kemant People Quest for Identity**

Historically, the quest of Kemant people for the right to preserve and develop their language, identity and other cultural values had been raised in the monarchical period. For example, they experienced the oppression and institutional deprivation under the imperial regimes, and especially the period of Hailesellasiye I (Tinibitu Deresse, 2013). However, the people expressed their complaint when the system makes them landless and forced them to baptize and abandon their language because of their distinction in culture, religion and language from the neighboring people (Tinibitu Deresse, 2013).

Contrary to repeated attempts of imperial regime to assimilate them/still they are reserving the distinct characteristics what makes them unique from the neighboring ethnic group. This in turn may be taken as one testimony for their opposition towards the above discriminatory practices. However, their opposition and question of protection of their rights was not raised in well-organized form (Addisalem Baye, 2014).

It also didn't arouse the sentiment of majority of Kemant people for their question. Rather, the question and disappointment was expressed through randomly and by few individuals. This is because first, any explicit opposition towards the act may result to the alienation of their right to land which is their major livelihood. Second due to undemocratic nature of the monarchical system of government, it was not ready to accept and answer such questions. (Addisalem Baye, 2014).

Similarly, Kemant people oppression has been prolonged by the succeeding Derg regime (Tinibitu Deresse, 2013).



However, among other things the government had recognized the Kemant people as distinct people and put in the list of nations and nationalities of the country. Moreover, since such the time was the time of melting pot which never promises for right to self-determination of ethnic groups and even the Kemant people was not as such sensitive for their ethnic identity. Rather they focused on national integration. As a result, asking racial and ethnic questions was considered to be aggressive and hostile against the regime (Tinbitu Deresse, 2013).

The Kemant people had struggle much with the proponents and heroes of current government (such as members of TPLF and EPRDF) for the demise of the military government which was dictator for all nations, nationalities and peoples in general and the rights of individuals in particular (Tinbitu Deresse, 2013). Due to this, the expectation of the Kemant people in the morning of FDRE government is entirely positive.

Moreover, the current government introduced federal democratic system of government to the country which promised and explicitly put the declaration in article 39 of the new constitution about the self-determination and protection of right of nations, nationalities and peoples of the country. Though the constitution assures self-determination rights of nation, nationalities and peoples, but it is not put in place in practice to the question of Kemant community. This is because, the operation and institutional deprivation of Kemant people is worsening in current government which claims itself as government of nations, nationalities and peoples (Tinbitu Deresse, 2013)..

Consequently, the recurrent and persistent institutional deprivation against the Kemant led to explicit dissatisfaction and grievance in the early 1990s. Accordingly, the second phase in the history of Kemant people for right to promote and preserve their own identity and to have recognition starts to early 1990's. This is because proclamation No. 7/1991 has not acknowledged Kemant as one distinct ethnic group (Addisalem Baye, 2014). The proclamation denies the Kemant people as one and full-fledged ethnic group when it recognized Amhara ethnic group, Himra and Awi nationality and Oromo special zone administration in Amhara region. However, the Kemant people were counted as one distinct ethnic group until 1994 Population and Housing Census and numerically rank

18th stage among the hierarchy of the nations and nationalities and people of the country (Addisalem Baye, 2014). .

The third phase for Kemant peoples movement for the right to recognition and self-administration is started since the 2007 population and housing census. This is due to the fact that the 2007 population and housing census has explicitly omitted/erase the name of Kemant from the list of nations, nationalities and peoples of the country, and the code which given for Kemant peoples in former censuses and name of "Kemant" is substituted by "others".

From these, we can understand that since 2007 population and housing census, the questions of Kemant peoples broaden its content and hold another new form. It has been changed to become the issues of majority of Kemant people. In other words since then the number of self-identified. Kemant individuals increase dramatically while for decades the question was mainly manifested by little self- identified political activists. They have given focus for two questions, such as right to identity recognition and right to have self-rule/ self-administration. However, before this time their question was confined to right to identity recognition and never asks a question of either Special Woreda or Zonal self-administration right (Yeshiwas dagu, 2013).

Accordingly, the chapter concluded by summarizing the points as, even the Kemant people is indistinguishable to the neighboring Amhara people in their livelihood, diet, "wedding and mourning ceremonies, but still they also have unique characteristics, such as language, descent, religion, and history. Moreover, not only they claim that they are unique from the neighboring people in such objective characteristics, but also in their descent or 'jins (Zelalem Leyew, 2002).

### **3.2. The People and its Location**

Most writers agreed that the Kemant -Agaw people are considered as the original inhabitants of Central-Northern Ethiopia. The Kemant people live in North Gondar Zone administration particularly in Chilga, Metema, Lay Armacheho, Dembiya, Quara, and Wogera Woredas, in Gondar town and Gondar Zuria. Among the afore mentioned

Woredas, Chilga , Lay Armacheho are taken as where the Kemant people live contiguously and majority of their Kebeles are the Kemant residents. In the remaining Woredas, in some kebeles the Kemant people are found as numerical minority and in others they are found in the position of numerical majority (Tinibitu Deresse, 2013)

Basically the Kemant people are indistinguishable from the neighboring Amhara people in their livelihood, diet, wedding and mourning ceremonies (Zelalem Leyew, 2002). As a result, there is a controversy on does Amhara's culture the original Kemant culture or the reverse is true. In other words, it is debatable to discern who acculturated by whom. But some Kemant members argue that the Amhara culture is the direct copy of the original Kemant culture. This is due to their assumption that the Kemant people are considered as part and remnant of Agaw people who are the founder of civilization in Ethiopia (Gamst, Frederic C., 1961).

Since major means of livelihood of the Kemant people is agriculture, Professor F.C. Gamst, an anthropologist who conducted a very comprehensive study on Kemant people, called them 'Pagan-Hebraic Ethiopian farmers'', Accordingly, majority of them live in rural areas, but those peoples who live in urban areas are government workers, traders and involve in other private activities (Gamst, Frederic C., 1961).

However, even agriculture is the major means of livelihood, their existence seems like a mixed one with animal husbandry, especially in Metema and Lay Armacheho Woredas, and partially in Chilga Woreda in addition to agriculture they also practice such activity. The Kemant territories are therefore characterized by cold, moderate and hot weather conditions which are conducive for agricultural activities (Gamst, Frederic C., 1961).

### **3.3. Religion**

As it is mentioned in the above subsection, in their means of livelihood and customary practices the Kemant people are similar with the neighboring Amhara people, but their traditional religion and language makes them distinct from other ethnic groups. The Anthropologist F. Gamst considered that the Kemant people are Caucasoid people and their religion is the result of two different religious practices that is the Agaw and the

Hebraic. But most members «if the Kemant people disappointed by the term 'pagan' because they claim that no time at all in history when the Kemant people being pagan rather 'we had (been)in Hege-Libona forms of belief. In their religion they believe in one God which they call 'Adara' or 'Mezganaassisted', heroes and holy figures; they also believe in souls, in good and evil, in judgment day and in everlasting life in heaven. But in all of their belief they do not have any written literature, as a result it can be said as 'Hege-Lebona' forms of belief (Gamst, Frederic C., 1961).

Moreover, their religion comprised of animistic, many Hebraic and some Christian elements, and traditional religious leaders through prayers and chant perform the ritual called *Kidassie*. Kidassie ritual system is not only conducted in the place or residence of those priests, but the ordinary Kemant community who want conducted the ritual system get program with them and call those priests. Particularly the day of Thursday is called the day of 'Mezgana' and 'Gebero' which comes two times a month one by one in fifteen days gap and should be respected, and considered as every member of Kemant community could be passed these days through rest as Sabbath day of Christianity.

According to the Anthropologist F. Gamst, the Womber (literally means 'seat') Muluneh Mersha, who is both the religious and political leader of Kemants live in Chilga which far around 60 kilometers west of Gondar. All decisions regarding the religion and the Kemant community decisions needs the Womber's blessing. In their religion, what makes similar the Womber and other Kemant priests with the Orthodox Church priests is they cover their heads with a white piece of cloth (Gamst, Frederic C., 1961).

On the other hand those few Kemants still maintain their old religious traditions especially those Kemants who are living in the Chilga area (west of Gondar). However, they have been both progressively and massively Christianized and Amharized in the last decades (Tourny, O 2009).

In recent times only few people are adherent of the religion and through day to day the followers are baptized and changed to Christianity. Moreover, in the past few years, especially around Chilga Woreda, except those Kemant priests other ordinary Kemant peoples seem to follow both orthodox Christianity and Kemant religion, but in recent

time most people abandon the Kemant religion and only follow the orthodox Christianity (Tourny. O, 2009).

### **3.4. Language**

The other major distinguishing element for Kemant people is their language called Kemantney, which until the present time is used as means of communication by some individual members of the community. The Kemant people speak a dialect of Agaw language, which is a Cushitic language family and almost all Agaw including kemant, they are bilingual in Amharic or Tigrigna, (Gamst, Frederic C., 1961). According to, Zelalem Leyew (2002), it indicates that some kemantney speakers are also speakers of either Amharic or Tigrigna. As a result currently, it seems that no monolingual speakers of Kemantney are there.

Zelalem Leyew (2002), also noted that, only the *kidassie* ritual system is conducted by using the Kemantney language and sometimes those peoples if both of them know the language, to condemn or praise other individuals, and in sarcastic speaking they use it. Otherwise since the speakers are very few, they use Amharic in market, wedding and mourning ceremonies, and in other social relationships (Zelalem Leyew ,2002).

As Olivier Tourny (2009), writes less than one percent of the 172,000 Kemant people, (from the 1994 census) have preserved their ancestral language and beliefs. On the other hand, Zelalem Leyew (2002) also testifies that even Kemantney certainly is one of the most 'endangered' languages in Ethiopia, already considered 'dead' by some linguists, but it only recently that a linguistic survey team has reported its continued existence. Generally, as Zelalem Leyew expressed the status of Kemantney language in his survey report is stated that:

*The Kemantney language is not widely used even among its speakers rather its functions are limited to purposes such as secret talking and praying. Even though there are speakers of the language fluently; almost all are elderly people who are beyond the age of sixty. The persons of Kemant descents were either Kemant-*

*Amharic bilinguals or Amharic monolinguals. The young generation of the Kemant people does not know Kemantney (Zelalem Leyew, 2002).*

According to Belay Shibeshi (2010), various causes can be mentioned for the continuous decrease of the number of speakers of the Kemantney in favor of the neighboring Amharic language or Tigrigna. Starting from the monarchical periods up to the current political regime primary schools were (are) run only in Amharic language. According to Tinbitu Deresse, (2013), members of the Kemant community experienced recurrent marginalization from government work and different decision making activities due to their distinction in their language and religion. Moreover, during the monarchical period, to entitle the right to land the kemant people were forced to assimilate with the neighboring Amhara people (Tinbitu Deresse, 2013).

.Cultural contact with the neighboring Amhara people such as linguistic, religious, and social contacts and intermarriage, religious conversion, the spread of Christianity, the introduction of modern education, peaceful coexistence with the neighboring Amhara people and swallowed by the dominant language. Culture and religion; and integration into the national identity also factors for the continuous decrease of the number of speakers of Kemantney language (Zelalem Leyew, 2002)..

However, in the last three or four years the situation of Kemantney language seems as in rehabilitation stage. Since, currently, the language is in the process of returning from its confinement being spoken by the old age groups who are beyond 60 years to share by both the young and children groups. This is supported by the people's willingness and interest to develop, speak, and preserve the language (Addisalem Baye, 2014).

As a result, the number of speakers of the language seems to increase through time with the existence of some young and few child speakers. Moreover, in the current time, Kemantney language education is started in Chilga, Lay Armacheho and Quara Woredas, and the teachers of this program are fluent bilingual (Amharic and Kemantney) young speakers. Alphabets of the Kemantney language are started to publish, and it makes a good opportunity for those individuals who want to speak and use the language (Addisalem Baye, 2014).

### 3.5. Population

According to F.C. Gamst estimation before forty-five years the total number of Kemant was 20,000 up to 25, 000. In those monarchical periods no attempt were made for knowing and counting the number of Kemant people, however, according to the 1984 Population and Housing Census, the total number of Kemant was 169,169, and in 1994 Census their number rose to 172, 327. In both censuses among the seventy-seven ethnic groups in the country the Kemant people have got eighteenth rank in their number of population.

After the demise of Dergue regime the Transitional Charter for the first time paved the way for the ignorance of Kemant people as one ethnic group while it recognizes the existence of the major ethnic group Amhara, Agaw- Himra, Agaw- Awi and Oromo special nationality zone in Amhara national regional state (Proclamation No, 7/1992), and the 2007 population and housing census explicitly denied the existence of an ethnic group who called as Kemant.

However, the recurrent resentment and claim of the Kemant people is, both the above censuses and Gamst's estimation was not really the representative of their number. Hence, now in addition to the existence of a general growth of the number of people as the general population increases daily, a strong process of Amharization seems to have made a strong impact on the size of the Kemant population (Zelalem Leyew, 2002),

*Furthermore Zelelem articulates that, consciously or unconsciously there are peoples even their descent is from Kemant, but label them as Amhara, and those of Kemants who do not speak Kemantney language also identify them as Amhara. As a result, according to the study of Kemant people's interim committee for identity recognition and self-administration and from the census of North Gondar Zone Finance and Economy Development Office the current number of Kemant population is beyond 933, 869. (Zelalem Leyew, 2002),*

## **CHAPTER FOUR**

### **4.1 Analysis and Interpretation**

This part of the thesis is trying to assess the challenges and practices of the House of Federation in addressing claims of identity for Kemant community in Amhara national regional state. Accordingly, two approaches were used during the interpretation. The first approach is, analyzing based on the secondary data that is document analysis. Hence, minutes of the House of Federation, minutes of the Amara national regional state and state council regarding kement claims as well as the applications/documents/ of the Kemant community identity and self-administration claiming council were intensively analyzed in order to identify the gaps or challenges in addressing the issue.

Besides, legal frame works of both federal and regional governments were also assessed. Secondly, the primary sources of information gathered through interview were used in addressing the practices and challenges of HoF in addressing the claims of identity of Kemant community. Therefore; the intensive interpretation and embedding the qualitative analysis of an interview was done to support and strengthen the interpretation of document analysis.

### **4.2. Question of identity Recognition and self-administration**

Before talking the challenge of the Fouse that face in addressing the claim of identity recognition and self-administration of Kemant community; let us see the source of problem that cause the Kement community to raise the claim of identity recognition and self-administration. In 1994 the Kement community was included in the population statistics by giving them a unique code. At the end of the population census statistics the population of kemant was estimated 172,291 and from this among 5,075 of them were kementy langue speakers and this population (172,291) because of this Kement community was the tenth populous nationality of Ethiopian peoples and nation and nationalities in 1994 census. Whereas Kement community; was not counted or included as an independent nation or nationality during the census of 2007. In addition to this, proclamation No. 7/1992, while in recognizing identities of nations and nationalities and peoples of Ethiopia; Kemant community was excluded.



*Because of this Kemant people were shocked and immediately started to mobilize the people of Kemant from every corner and therefore, this root cause provoked the Kemant community members from young to old age to the claim of identity reorganization and self-administration. Since then, they have been suffering a lot even some of the community members (20-30 people) were killed and more than 15 people were put in prison; according to my key informant. (March, 8, 2016) <sup>1</sup>*

Then after; by establishing a committee to follow the case; they started struggle in structured manner. The first claim of identity recognition and self-administration begun immediately after the 2007 census report is published. They tried to convince the concerned government institutions of Amhara region democratically.

As a result Nov. 29/1999(2007) for the first time representatives from Kement community was invited to attend the nations and nationalities celebration day but then after they were forgotten from invitation to nations and nationalities day. In addition to this act of marginalization; the Kemant community was disappointed by the exclusion from population census then they applied for their grievances to be corrected to the following respective government organizations:

1. North Zone Central Statistic branch office.
2. Amhara nation regional state population and census community
3. Federal statistics agency to re-include Kemant as usual in population census by giving a code. This was beginning at May 2007 and this application was applied for aforementioned offices dated 01/09/99 E.C (2007).
4. Similarly, the same application was presented for House of Federation at 08/09/99E.C. But the House of Federation responded for this application as “Kemant community has no representative in the House of Federation” this is the reason to be excluded from population census.”

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<sup>1</sup> Ato Abyneh Zawudu lawyer of Kemant community identity recognition and self-administration council .

5. Federal statistics agency to re-include Kemant as usual in population census by giving a code. This was beginning at May 2007 and this application was applied for aforementioned offices dated 01/09/99 E.C (2007).
6. Similarly, the same application was presented for House of Federation at 08/09/99E.C. But the House of Federation responded for this application as “Kemant community has no representative in the House of Federation” this is the reason to be excluded from population census.”

Moreover, after official declaration of 2007(1999E.C) population census result the report clearly indicated that kemant community was officially excluded from the list of nations, nationalities and peoples of Ethiopia and subsumed by Amhara nation. Following this the Kemant community from every corner of their territory and abroad shocked and pushed to raise the question of identity recognition and self-administration. (Kement Community identity recognition and Self-Administration appeal dated 21/09/2014)

Accordingly, a council of Kemant identity recognition and self-administration was established with a member of 120 on 16 May 2009. The first formal claim of identity recognition and self-administration was presented to the House of Federation on 15 July 2001 E.C. which was based on the procedure of proclamation No.251/2001. Having said this now, the chapter exhaustively tries to assess the challenges and practices of the House in addressing the claim of identity recognition and self-administration of kement community. (Kement Community identity recognition and Self-Administration appeal dated 21/09/2014)

#### **4.3 Examining the data from interview and Secondary Sources**

This part of the analysis as indicated in the above section, tries to present the detailed and specific narratives of the document. Therefore, the minutes, constitution as well as interpretation of the proclamation for consolidation and defining functions of HOF No 251/2001 as well as Kemant community representatives’ application was used as a source to assess the challenges and practices of the House of Federation.

##### **4.3.1 Analysis of the Case /minutes/**

The House of Federation has made a lot of meetings in assessing the claims of Kemant community identity recognition and self-administration since 2007. In this part to have a good look both the House of Federation and Amhara national regional state council and

government minutes were assessed. The Kemant community as mentioned in the earlier parts of this thesis is Residing in the north Gonder zone of Amhara region who do share the same territory, the same language, culture and psychological makeup. By indicating these all, the Kemant community identity recognition and self-administration council listed three points on their application, dated 13/01/2006 EC. These are:

- Kemant community claims of Identity recognition and self-administration has taken a lot of years regardless of the procedure of proclamation No. 251/2001 what is the reason for and why this much?
- The Regional State Council conducted a study during the assessment process of our claim at regional state level, but the result of the study was not reliable; it was rather biased by relentless effort of officials of zonal administration.
- Why the regional state governments become reluctant while assessing our case? (Kement Community identity and Self-Administration appeal dated 21/09/2014)

These three questions were the pillars of the claims of Kemant community identity recognition and self-administration council as well as the Kemant community at large. Based on the appeal by Kemant community representatives; the House of Federation seat three times for a round table meeting at Adama city. Accordingly, Nov/05/2007(2014) in its first meeting at “Adama”; the constitutional and regional affairs standing committee of the House presented the kemant case to be an issue for the discussion, and then the Amhara region council showed its willingness to work in collaboration with the House of Federation even though it was not committed to take immediate action. The study conducted by the House of Federation has started to see the case in detailed along with regional representatives and they said that in our next meeting we are going to decide based on the result of the study (Minutes of House of Federation, Nov/05/2007(2014)).

Secondly, the House deliberated the case in its meeting in May 29-30/09/2007 E.C. Based on the result of the study; the House understood that the claim was revolving around the question of special Woreda. Therefore, the House of Federation in its meeting at Adama discussed that the Kemant case stayed for long and consumed unnecessary time; but now its identity is recognized and some 42 Kebele administrative units are identified to be organized as special wereda for self-administration of the same by the decisions of regional council (Minutes of House of Federation, 29-30/09/2007 E.C)

Whereas, the representatives of the Kemant community identity recognition and self-administration indicated in their appeal that they request for 126 kebele administrative units, however the regional state council decided only taking 42 kebeles as tereteries of Kemant community and established as special woreda administration by proclamation No.../2015. Nevertheless, this proclamation under paragraph 3 of its preamble it states that the special wereda comprises up to 42 kebeles; which is still under question and not accepted by the claimants.

On the other hand, for the appeal dated 13/01/2006 E.C the House of Federation rendered its final decision on 17 June 2007 E .C; and some important text from the minute's full idea was taken as follows: The appeal of Kemant community regarding identity recognition and self-administration was assessed intensively; accordingly after a series investigation the House has discussed as follows:

“In the House of Federation the constitutional and regional standing committee in collaboration with experts of the House has conducted a study at the grass root level in some selected kebeles where Kemant community resides. The result of the survey indicated that, Kemant community resides in Lay Armachiho, Chiliga and Matama woredas; those who speak kemanty language are aged peoples and rarely youths. Similarly, a large number of children show a tendency to learn kemant language. In addition to this, the result of the survey indicated that the community call themselves as Kemant and share a common psychological makeup.”

Furthermore, after a long discussion the House decided to be conducted additional survey in the remaining kebeles to see whether kemant community resides or not. But at this time the regional government has taken initiation and starts a discussion with local community to solve the problem; accordingly the new survey kept from realization until the regional state arrived at some results. In the meantime the House appreciated the regional state decision in addressing the claim of Kemant by recognizing its identity and giving self-administration right for the same community taking majority kebeles of Lay Armacho and certain part of chiliga woredas to administer themselves and the allocation of startup budget starting from July, 2007 E. C. (Minutes of the House of Federation in decision of kemant appeal June, 17/2007).

From the above minutes and discussion, we see this deliberation of the same case in the House of Federation it shows that the issue was for the fifth time to decide on the claims of kemant community identity recognition and self-administration council. This clearly indicated that how much the House has been challenged by the regional state and its internal politics to address the claims of identity recognition and self-administration of Kemant community.

Moreover, in contrast to Kemant case; the House addressed the “Silte” case in a fast and positive manner when the representatives of “Silte” Community brought their appeal following the rejection of their application by Southern region. Records show that the House did not face as such strong challenge from the regional state comparing the kemant case instead the House request for constitutional clarification and assistance from the Council of Constitutional inquiry which is established by Article 82 of the FDRE constitution to assist the HOF Particularly, the House was interested on the issue of:

- 1) Is this issue the mandate of the House of Federation or the regional government? Who will be the responsible body to decide on identity claims first?
- 2) What is the existing procedure that would help us to decide on identity issue?
- 3) What is the intention of Article 62(3), does it include deciding over internal issue of the regional states like, language, culture interpretation?

To answer these questions and assist the House of Federation on related issues the council constitutional inquiry examines Article 39(4),47(3),52(2)(a)and 62(3) of the FDRE constitution and forwarded its suggestion to the House with relevant recommendations. Then after getting such recommendation from the constitutional interpretation inquiry council, the House of Federation reorganized the guidance of interpretations given to it by Council of Constitutional inquiry and sends the case back to SNNPRS, together with the direction on how to apply the constitutional interpreted rights on “Silte” case.

Then the regional State decided to organize referendum and accepting to follow the result of the decision of the Silte community. Although the House has developed relatively workable procedures and resolved, it did not entertain the Kemant case like that of “Silte” case. Rather delayed the kemant case for long time, by mentioning different reasons; this

indicated that still there is confusion regarding to claim of identity and self-administration of nations, nationalities and peoples and unnecessary imposition of strong hands of regional states. In similar way one of my informants the member of Kemant community identity recognition and self-administration council informed me that: “The Amhara regional state has made three decisions in three times to answer our claims.

1. The first decision passed by regional state was indicating that the Kemant community has no its own language and independent identity so that it is part and parcel of Amhara nation,
2. The second decision passed by the same regional state was indicating that Kemant community is recognized as an ethnic group but it did not deserve Self-administration,
3. The third decision passed by the regional state indicates that the independent identity of Kenant community as an ethnic group is recognized & also given the right to self-administration in their territory. But it was considering only 42 kebele administrative units while the claim was presented consisting of 126 kebeles of geographically contiguous area.

According to the member of the council not only this, we claim for the status of nationality administration consisting of certain woreda administrative units, but the regional state council made its decision in favor of special woreda which is out of our interest and claim. Moreover, he further explains that the House of Federation delayed its decision for more than two years on our case without any reason.”

Therefore, the House as higher level government institution representing nations, nationalities and peoples Ethiopia vested with the power to prepare a manual that makes more clear such ambiguously incorporated provisions of the general constitutional principles which would govern the House and all the regional states. Considering this article 62(1) states that’ the House has a power to interpret the constitution and sub article (3) also indicates that, the House has a power to decide on the issue raised as identity claims from any nations, nationalities. Moreover, the council of Amhara regional state in its article 39(4) states that: .....the people in Amhara regional state under the circumstances, while in unity, it shall exercise its right self-determination up to secession in accordance with the provisions of article 39 of the constitution of the FDRE. Although

these legal and constitutional rights of nations and nationalities are guaranteed all nations, nationalities and peoples of Ethiopia; the Kemant case delayed unnecessarily for 7 solid years. In conjunction with this one of my informants who is the member of Kemant Community identity recognition and self-administration council indicates that:

*“The House has constitutional power and it can use its power to decide on the present issue but instead it made back and forth our case between itself and the Amhara national regional state and cause for the unnecessary delay for many years irrespective of constitutional and legal background of the country” (March, 9, 2016.)<sup>2</sup>*

#### **4.3.2 Constitutional Legitimacy of the House of Federation**

The FDRE government done a significant effort in addressing the question of identity claims not only during identity claims but also made a significant effort even in using bold words on the provisions of the constitution of FDRE. Moreover, the proclamations that are relevant in addressing questions of ethnic group shows that the government is sensitive to react accordingly.

This political and legal response should govern the House of Federation during its assessment of different cases regarding identity claims of nations, nationalities and peoples of Ethiopia.

Because the House of Federation has a constitutional power to decide on the issue related to claims of identity and self-determination by using Article 62(1) and (3). Article 4(2) of proclamation No.251/2001 clearly indicated that the House has the right and it has given and decide in not later than two years duration for the case of secession (self-administration) if two third of the nation, nationality of community request but the case of Kemant took solid seven years back and forth between the House of Federation and the Amhara national regional state without rendering a clear cut solution. Even though the claimants presented their claim; in written form; including the signatures and names of members of the applicant community, it did not give proper attention. This was supported by one of my informants during my field work, he reported that:

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<sup>2</sup> Ato Misganew Fankelaw, Kemant community identity recognition and self-administration council Speaker.

*The House of Federation did not use its power as vested and given in the constitution and proclamation 251/2001 rather it used to lobby the regional state and cause the delay of the decision. The main problem of the House of Federation is therefore lack of confidence and commitment that we realize during our appeal (March 3/2016).<sup>3</sup>*

Similarly, the other informant from the House of Federation whose position is senior law expert states that *“The legal issue is very sensitive, especially in deciding such kinds of identity claims; it needs series attention and thorough investigation, that is why we deal with regional state rather than passing prompt decision on the issue, like that of the Kemant’s case.(March, 7, 2016.)<sup>4</sup>*

The Article 39(5c) of Amhara national regional state constitution states that: The demand for secession is supported by majority vote in the said referendum. In the same document Article 39 (7) also magnifies that ‘nation-nationalities’ or “people” for the purpose of this constitution is a group of people who have or share a large measure of a common culture or similar customs, mutual, intelligibility of language, belief a common or related identifies, a common psychological makeup and who inhabit an identifiable predominantly contiguous territory. Within the view of this the appeal of Kemant community states that:

1. Almost all Kemant community live within an identifiable contiguous tertiary consisting of some 126 kebele administrative units,
2. They have and share common custom ,
3. Have common psychological make-up and
4. Share common language.

Moreover, law, justice and administration standing committee confirm that the aforementioned issues are the elements of the ARSC constitution to judge for a case to be

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<sup>3</sup> Ato Sitotaw Shibru in House of Federation Senior Law expert.

<sup>4</sup> Wizero Tirunesh Garemau in House of Federation Constitutional interpretation and identity rights Directorate Director Senior Researcher.



evaluated whether the applicants have the right to self-administration. But, the ARSC, law, justice and administration standing committee, decided that the appeal of Kement community identity and self-administration claiming council was not right there to decide on it due to some requirements are still not full filled.

In the same document the ARSC, law, justice and Administration committee said that to protect the language from disappearance the ARS has to work a lot, on the other hand the claimant argue that we provide for ARS council on July, 2009; the signature and name of 18,584 peoples which indicates that the language is not going to disappear and this is paradox with the ARSC, law, justice and Administration committee suggestion that the speaker of the language is few elderly people. Similarly, according to the result of the survey conducted by the KCISAC there are 6,645 speakers of Kemanty language.

Furthermore, the constitution of FDRE article 62 (3) states the duties and responsibilities of the House of Federation to decide on the issue such as self-administration and secession based on the constitution. Moreover, the proclamation No. 251/2001 of the consolidation and defining the power and function of HoF sub article 20, states that essentiality of exhaustion of state level procedures. Accordingly sub article 20, the question of self-administration and self-determinations presented to the House of Federation only under conditions that the questions has not been given due solution by the various organs in the administrative hierarchy of the state concerned.

In similar way, one of my key informants in the House of Federation, who is constitutional interpretation directorate director informed that:

*“Any claimants of identity and self-administration should apply their application to regional state before they come to the House of Federation, rather it must be treated by different organs of the regional state government institutions, and if these all regional hierarchal organs didn’t properly address the case within the time limit put under the proclamation, the claimants can come to the House with their application” (March, 7, 2016).<sup>5</sup>*

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<sup>5</sup> Ato Worku Adamu in House of Federation Secretary of Constitutional Interpretation and Identity Affairs standing Committee

Whereas, Kemant community identity and self-administration claiming council states in the appeal to the House that, they have been applying their question from starting North Gonder administrative zone to ARSC. For instance, the ARSC decided to conduct a study on the issue of whether the Kemanty speaker resides and share the same territorial or not. But, the north Gondar zone administration didn't invite the KCISACC representatives; instead, they conduct the mini-survey and present it to ARSC.

The regional state council has decided based on this biased survey result as they indicated in their appeal to the House. Therefore, the Kemant community identity recognition and the right to self-administration claiming council attach this all documents in their appeal to the House dated 13/01/2006E.C. Ref No. 11/407/06. Since, the case was not assessed at all organs of Amhara regional state, the researcher consider the appeal is hierarchal.

Moreover, consolidation and defining functions and power of the House of Federation proclamation No. 251/2001 Article (22) states that the House shall make decision over the case, submitted to it in not later than two years from the day of receipt. In addition to this, the Amhara regional state council; law, justice and administration standing committee in its decision regarding to Kemant community identity and self-administration claim, has decide the following decision: before going to their decision intensively they saw the effort made by ARSC, accordingly, the Amhara national regional state council (ARSC) has made the following effort .

1. In the first place the regional state higher officials after their discussion on the issue they decide to conduct a survey which assists their decision according to the supreme law of the country (constitution of FDRE).
2. The survey has been conducted for four times, 3 surveys was done by the committee of ARSC and the other one is by Kemant community identity recognition and the right to self-administration claiming council.

Based on these survey result and different discussions held at different times with different interested peoples, among these the following decisions were made by Amhara regional, law justice and administration standing committee:

1. Kemant language has not spoken either in family or neighborhood level but it is spoken rarely by only elderly people.

2. The speakers of Kemant language are lived in Scatter place not assembled as a kebele or village level.
3. With respect to culture it is not differentiated from Amhara nation.
4. With respect to custom, norm and religion most of them are share Orthodox Christianity follower and only a few members around Cheliga woreda in personal level are believers of “Higa-Lebona”
5. Of course, psychologically, blood relation context there is an assumption that a portion of community believes himself as a Kemant.

Based on the aforementioned survey report the standing committee recommends that the Amhara national regional state council should take action to protect the Kemant language from disappearances, since it is one of the country’s intangible Heritage. In contrast to this, in the above discussion part of this paper the appeal of Kemant community identity recognition and self-administration claiming council; said that about 6,645 of community member were Kemant language speakers which is a paradox with ARSC, law, justice and administration standing Committee suggesting that the kemant language is going to disappear.

Regarding territorial issue the Kemant community identity recognition and self-administration clamming council explained that the Kemant community resides and share the same territory in their 126 kebele administrative units. This was submitted in 2003 E.C. to regional government using the GIS software technology on this issue and there was no difference between the Kemant community identity recognition and self-administration claiming council and the committee from the regional government until the decision made by regional Council.

The random survey result also indicated that Kemant community has his own custom, culture to share in common which is not the same with others particularly with Amhara nation and others community segment consider it as Kemant culture with regarding to psychological makeup, hence Kemant community assumed that they are Kemant and in blood relation also they put a side them self as Kemant no part of others.

This conclusion totally contradicts to the decision of the law justice and administration standing committee of Amhara regional state council. Therefore, it is the House of

Federation to handle this case as supreme organ of all in the country. That is why the appeal of the Kemant committee for identity recognition and self-administration dated 13/01/2006 E.C (2013) was addressed directly to the House of Federation.

Therefore, According to article 22 of the consolidation and defining the power and function of HoF proclamation No. 251/2001 the House shall make the decision on the presented application at least not later than 13/01/2008E.C (2015). But the House didn't address the case as stated in the above proclamation; it is therefore, the main problem is in the House of Federation.

Furthermore, one of my informants the former Bahir Dar City Administration council spokesperson and currently the kemant community identity recognition and self-administration claiming council spokesperson clearly stated that the Kement community identity recognition and self-administration clamming was started by active members of the community since 1984 E.C. and with a few people in 1987 E.C we were included in population censuses conducted in 2007, however later we have been excluded from population and housing census. This was the time when all kemant community members were started raising strongly the question of identity recognition and the right to self-administration. He further stated that:

*When, we come to the House of Federation, the House start to handle the case in good manner. During this time the regional state asked the House to handle at the regional level because they need the name that the so called the decision is given at regional state level. But, the regional state decides on the issue without considering the real information presented by the committee and based on biased evidences which is contrary to the interest of the community and didn't address our true application.”*  
(March, 11, 2016.)<sup>6</sup>

He also indicated his feeling that, for the delay of our case it is not only regional state but also the House by itself has its own contribution. The House by itself delays our case because of the following problems:

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<sup>6</sup> Ato Mola Jenbere member of Kemant community identity recognition and self-administration council.

- The House didn't use the constitutional power vested to entertain such kinds of cases,
- It has no commitment to resolve the problem if regional state is not willing,
- It is not as such ready to follow up implementation of its decision and
- It prioritizes political issue than the real problem of the society and even legal from work and the like are the problem associated with the House.

The other key informant from the House of Federation, secretary of constitutional interpretation and identity affairs standing committee states that:

*“The identity claim can be applied to the House when 5% of the representative people are raised the case with respect to this; the Kemant case was held by 5% of kemant community members. The identity recognition and self-administration case is first decided by the regional government level. We (the House) take over the case; if the regional government didn't address within two years. The House of Federation has decided the case based on FDRE constitution and proclamation No 251/2001.” (March, 14, 2016.)<sup>7</sup>*

Therefore, from the above statement we can infer that, the House fails to address with the right provided to it by FDRE constitution and proclamation No. 251/2001. This was also assured by one of other key informants;

*“The House is not enjoying the administrative power to decide over regional states, the House prioritizes political issue rather than constitutional issues, the members of the House have low awareness about the constitutional rights of the nations, nationalities and peoples of Ethiopia.” (March, 14, 2016).<sup>8</sup>*

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<sup>7</sup> Ato Woldu Merene in the House of Federation Director of Constitutional Interpretation and Identity Rights Directorate.

<sup>8</sup> Ato Mola Jenbere member of Kemant community identity recognition and self-administration council

## **CHAPTER FIVE**

### **SUMMARY, CONCLUSION AND RECOMMENDATION**

#### **5.1. SUMMARY**

This thesis has tried to investigate the challenges and perspectives that the House of Federation confronts during assessing the Kemant community claims of identity recognition and the right to self-determination. Accordingly, ethnographic design was best fit for this study; since it is a particular kind of qualitative research method that seeks to describe culture and language from the point of view of cultural insiders. Hence; it was used to conduct the study.

Furthermore, both secondary and primary data was used for the assessment. Regarding to secondary sources; minutes of the House, appeal of Kemant community identity recognition and self-administration claiming council, the minutes of Amhara regional state has been assessed and the constitutions of FDRE and Amhara national regional state including Proclamation No. 251/2001 were intensively examined.

Furthermore, the findings of the study from both data sources indicated that the main challenge of the House of Federation is just fear of interference in the affairs of regional state autonomy to decide on the case, lack of commitment, prioritizing political issue rather than constitutional legitimacy. In addition to that, the members of the House of Federation are less aware of constitutional rights of the nations, nationalities and peoples of Ethiopia, since most of them are political appointees and some of them are less competent to understand the claims of identity recognition and the right to self-administration.

#### **5.2. CONCLUSIONS**

This part of the paper has tried to conclude about the practice and challenges of House of Federation in resolving the Kemant communities claim o identity based on the above analysis in chapter four, under which constitutions of both the FDRE and Amhara national regional state which shades some light for the question of ethnic minority group to be recognized as an independent identity group and to exercise the right to self-determination based on the constitutional provisions of the aforementioned constitutions including the relevant provisions of proclamation No. 251/2001. These legal provisions were also intensively analyzed against the present claim and the response of the House of

Federation together with minutes of the House, appeal of Kemant community and interview of key informants.

However, unlike the fundamental constitutional provisions of the constitutions of both federal and regional state as well as political rhetoric of the governing party of federal and regional state governments. The House fails to attain fair decision against the claim of Kemant community due to its low commitment to enforce the constitutional legitimacy. Besides, the Amhara region was not as such ready to entertain the Kemant case; rather it was reluctant to accept the petitions of Kemant community from the very beginning. That is why it passed three types of decisions within a year. Therefore, the intensive analysis of the document and cases gives chance to the researcher to come up with the following concluding remarks.

- ❖ The House of Federation was trying to make just friendly talk with the regional state regarding the Kemant case, so that it fails to exercise its legal power properly to make correct decision on the case.
- ❖ The House in the Kemant case did not take a real commitment to implement strictly the provisions of proclamation No. 251/2001.
- ❖ The House fears its interference in regional states decision while the applicant suffers from mistreatment of regional states and even some pay their golden life, since some of them are died for it due to delay of the same case.
- ❖ The House of Federation did not properly demonstrate its legal power making itself independent of regional state governments.
- ❖ The House treats the Kemant case differently than earlier ones, as did in the “Silte” case. Because the “Silte” case was resolved through popular referendum but the Kemant case is decided by regional state council without consulting the concerned population.
- ❖ Regarding to the lesson learnt from previous ones like the “Silte” case, good legal provisions are drawn in proclamation No. 251/2001 and some procedures are developed to define the vested power of the House and give clear cut exercise to handle the cases although the House could not use such legal instrument to resolve the Kemant case.

### **5.3. RECOMMENDATIONS**

Based on the aforementioned findings and concluding remarks the following relevant recommendations are forwarded for the concerned governmental bodies.

1. The House of Federation has shown little commitment in addressing the identity claims raised from different nations and nationalities while the constitutional document vested the power to the House. Therefore, the House need to clearly stipulate what standards of evidence ought to be used to make identity assessments and should work on it tirelessly.
2. The House should develop certain criteria which shows the difference between nations, nationalities and communities and the criterion on how to designate a group as a 'nation or, nationality or, community' and its consequences as well as to be unambiguously identified and stated well.
3. Since one of the challenges in the Kemant case was the problem of identifying the group either belong to Kemant or not. Because of this, five surveys were conducted and the six one is pending until the regional government may use its full potential. Each survey costs the resource of the nation that lead to unnecessary wastage. Why not the first survey provided the real situations of the concerned community? These and other problems emanate from low awareness of constitutional principles and the right of nationalities by the members of the House and from some of ambiguous provisions of proclamation No. 251/2001.
4. The intensive and timely training should be organized for the members of the House on the constitutional principles pertaining to identity issues and the procedural application of proclamation No. 251/2001.
5. The claims of identity recognition and the right to self-administration are of course beyond the political issue; rather they are the issue of legality. Therefore, the House should give priority for legal issues based on the present case than giving priority to political decisions.
6. Finally, the House of Federation as it is final decision maker on identity claims, it has to clearly articulate the way of executing its decision in situations where regional states in fringe its final decision. Therefore, the House needs to amend its proclamation and regulations so that to clarify the general and ambiguous terms.



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