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Negash, Minga

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# **Accountability, the APRM State and Traditional Polity: The Case of Ethiopia**

**Minga Negash**

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*Lay-out and word processing*  
Cirkeline Kappel

*The Secretariat*  
Research Center on Development and International Relations  
Fibigerstraede 2, room 99  
Aalborg University  
DK-9220 Aalborg East  
Denmark  
Tel. + 45 9635 8310  
Fax. + 45 9635 0044

E-mail: [cirka@ihis.aau.dk](mailto:cirka@ihis.aau.dk)  
Homepage: <http://www.ihis.aau.dk/development>

# **Accountability, the APRM State and Traditional Polity: The Case of Ethiopia**

Minga Negash

“The asymmetry of power between the ruler and the ruled, which generates a heightened sense of identity contrast, can be combined with cultural prejudice in explaining away failures of governance and public policy.”

(Amartya Sen, 2006: 105-106)

## **Abstract**

This paper attempts to use agency theory to understand issues of governance and accountability in the public sector. It contributes to the debate about “good” governance in Ethiopia and by extension to the rest of Africa. The contributions are fourfold. First, using the microeconomic theory of agency and Hofstede’s cultural dimensions, the paper documents that accountability and democracy are not alien concepts to Africans. Second, the discussion on the African Peer Review Mechanism (APRM) and agency led to one important insight. The existence of a mono ethnic or uni-cultured state is neither a necessary nor a sufficient condition for the creation of a government that is accountable. Third, the paper notes that Africa’s traditional (indigenous) leadership can have synergetic value when the governance system is structured under the *trias politica doctrine*. Furthermore, advancing the *trias politica doctrine* in the context of multidimensional identities can serve as a prelude to a regional and a pan African constitution. Fourth, with regard to Ethiopia, the APRM brings both opportunities and challenges for the ruling regime as well as for its competitors.

## **Introduction**

At the heart of the African Peer Review Mechanism (APRM) instrument one finds the crucial concept of (government) accountability. An emerging approach to the study of accountability is the microeconomic theory of agency. Using a microeconomic framework to understand political governance and institutions of control is a relatively new research avenue that is becoming popular. This paper uses the ‘nexus of contracts’ (Jensen and Meckling, 1976) concept and links the problems of political governance to one key social theory; Hofstede’s (1980) study of cultural dimensions. This link enables us to analyze whether effective neo-liberal institutions of “good” governance can be realized in predominantly traditionalist, non-individualistic, masculine dominated and power distanced cultures of Africa.

The APRM is a country specific performance scorecard that shows whether progress has been achieved in meeting some of the goals of the African Union (AU) and the New Economic Partnership for Africa's Development (NEPAD). The scorecard has four substantive areas. They are democracy and political governance, economic governance and management, corporate governance and socio economic development. Many commentators and polemic writers have described the APRM as a neo-liberal (Western) instrument of "good" governance.<sup>1</sup>

The English thesaurus defines the term *traditional* as customary, conventional, usual, established, fixed, long-established, time-honoured, habitual, accepted, and its antonym is innovate<sup>2</sup>. Similarly, the term *indigenous* is defined as native, original, aboriginal, home grown, local and its antonym is foreign. A great deal and variety of literature exists about leadership. It shows that leadership is embedded in the cultural philosophy of the institution (law, organization, society) that is being led, and is distinct from management. In this respect Sen (2006:112) observes that behaviour and thinking are influenced by cultural background. The nexus of contracts (agency) theory however attempts to model economic behavior and follows a rationalist-utilitarian-individualist paradigm.<sup>3</sup> In contrast, research on culture and leadership is predominantly qualitative, phenomenological and interpretive. It focuses on institutions, social systems, values, norms, identities, laws, organizations, power relations, trade and migrations, intermarriages, "social psyche" and globalization. In trying to understand the concept of accountability in the context of the emergent APRM state and traditional (indigenous) polity, it is important to note the role of culture and the tensions between paradigms.

The literature review on accountability in the context of NEPAD and APRM can be found elsewhere. For completeness sake, key terms and concepts are reproduced here again. "The terms 'accountability' and 'responsibility' are used interchangeably, but for Olson, Humphrey and Guthrie (2001:507) 'accounts are the control feature of life and accountability is the process of giving accounts'. Willmott (1996) cited in Olson et al (op cit) relates the concept of accountability to the

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<sup>1</sup> See the APRM questionnaire at [www.nepad.org](http://www.nepad.org). The peer review team so far consisted of three eminent persons whose term of office has just expired. The term of office of the Secretary General of NEPAD will also expire shortly. In January 2007, at the Heads of States and Governments meeting in Addis Ababa, Prime Minister Meles of Ethiopia has been assigned to lead NEPAD and the APRM process. Hence, the inter-governmental institution that was created to advance "good" governance is facing many challenges.

<sup>2</sup> Note that according to the thesaurus there is a negative association between innovation and tradition.

<sup>3</sup> For a critique and summary of the rationality theory see the motivations for the widespread use of "bounded rationality" settings in economic research and Amartya Sen's series of works on the "problems of the rational fool."

universality of human action, irrespective of whether one is working in the context of modern institutions or in so-called primitive societies.” Negash (2005:2). Furthermore, Sinclair (1995) outlines five types of accountability. They are political accountability, public accountability, managerial accountability, professional accountability and personal accountability.

This paper focuses on APRM and Africa’s traditional polity (leadership institutions); hence it deals with political and public accountability. Taking cognizance of the contributions of social researchers, the paper analyzes the forms of political and public accountability from an agency perspective, and observes two areas of conflict in neo-liberal institutional (constitutional) arrangements. Although in the context of the governance of economic institutions, conflict arising from the problems of delegation and stewardship was identified by Adam Smith as far back as 1776. Conflict analysis based on demographic classification of population groups is not new. It is observed in classical Marxian studies, in Weber’s “tensions and contradictions” between “state and society”, and in ethnographers’ “fault lines” or other culture and gender based politics. Hence, the philosophy behind classification needs to be carefully understood. In this respect Bauman (1991:1) states the following:

“To classify means to set apart, to segregate. It means first to postulate that the world consists of discrete entities, then to postulate that each entity has a group of similar or adjacent entities with which it belongs, and with which together, it is opposed to some entities ...to classify is to find the world a structure”.

Smith’s observation is about the relationship between the agent and the principals, irrespective of the demographic or another form of classification. Assuming the principals’ basic rights are enshrined in a formal constitution,<sup>4</sup> and the rights enshrined in the constitution are enforceable, the agency problems of delegation (for the principals) cannot be eliminated without the incurrance of substantial costs of monitoring. Evidently, these monitoring costs will have to be borne by the principals.

Smith’s observation can be extended into political competition. The second form of conflict is between the individuals and groups that are competing to obtain agency from the principals. That is, individuals and groups (including modern political parties) compete and seek legitimacy for controlling the levers of State power, and hence resources. Here, unless the competition among agents (leaders and political parties) is regulated and carefully monitored, the contest can be destructive. The election crisis and disputes in DRC, Ethiopia, Nigeria, Uganda, Zimbabwe, etc are

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<sup>4</sup> In circumstances where the rights of the principals are not observed, the agency problems of delegation and trust become complex.

examples. In this case too, the principals are obliged to incur the costs of creating and administering the instruments (law, organization) of control. Therefore, the agency approach to the study of accountability, despite its reductionism, sheds a new light to the problems of “good” governance. It is an antecedent to the deconstruction of singular delusions about culture, identity and nationalism (state as well as ethnic). Finally, agency theory shows that a neo-liberal system of “good” government structure must be founded in the *trias politica* (separation of powers) doctrine.

Notwithstanding the contributions of agency theory, attempting to address eclectic studies like political-public governance without consideration of ontological factors in a given country makes the research incomplete. Ontological reality can be studied either by accepting widely held views and norms, or through experience or both. Hofstede’s (1980) study of cultural dimensions is better positioned to indicate common trajectories in cultures. It will be used to analyze the problem of “good” governance in countries where the dominant culture is collectivist. The scope of this study excludes research avenues that aim at capturing the so called “the African psyche” or an “ethnic psyche”.

Ethiopia will be used as a case study. There are many reasons for this. First, it is a multicultural State with a recorded history of indigenous (traditional) leadership and polity at least until the slow motion military coup of 1975. Second, Ethiopia was a (founding) member of several multilateral institutions:- including the League of Nations, the United Nations, the Organization of African Unity (OAU), AU and NEPAD. Membership suggests ratification and compliance to the key provisions of the convention. More importantly, in spite of its limiting constitution and political structures, Ethiopia has agreed to be a member of the APRM process. Hence, despite institutional and ideological limitations, Ethiopia purports to be an APRM compliant State. Third, despite two radically different constitutions and political doctrines during the last 25 years, traditional values of the Atse State (more on this in Section III) persist. Therefore, Ethiopia is a useful study subject in that despite two radically different forms of governance ideologies, the problems of accountability remain unchanged.<sup>5</sup>

The paper uses a mix of qualitative and case methodology to show that neo liberal system of “good” governance, as advanced in the AU and NEPAD documents are unlikely to be realized in Ethiopia in the short term, and by extension in many parts of Africa. The reason for this rather pessimist conclusion is simple. It is important to note that “good” governance is not an event. It is rather an outcome of a well

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<sup>5</sup> For more information on this matter, see the constitution of the Federal Republic of Ethiopia at [www.walta.com](http://www.walta.com) and press clippings such as Feb 23 2007 edition of the Economist.

designed process. Sound institutions (traditional and modern) of accountability are the *sina qua non* of “good” governance.

Hence, unlike the mainstream literature on organizational control, the concept of accountability needs to be redefined in the context of public governance, and articulated in the context of non-individualist, power distanced and masculine dominated cultures of Africa. How Africans recognize and manage risk (uncertainty avoidance) needs to be systematically studied. African decision making systems, if there is any, need to be identified. If these theoretical and practical voids are not filled, neo-liberal paradigm, a paradigm that is built on a Western cultural milieu, will remain irrelevant to Africa as was classical Marxism. Furthermore, African culture and traditional (indigenous) leadership institutions will continue to be undermined. They will continue to be perceived to be incompatible with governance innovations and the production of new knowledge.

The remaining sections of this paper are organized as follows. Section II provides a theoretical background to the problems of agency, reviews the literature on culture, and attempts to link African culture to the *trias politica* doctrine, and the problems of accountability. Section III examines the link between culture, leadership and accountability in the context of Ethiopia. It narrates the events leading to, and the experience of post imperial Ethiopia, and provides an outline of the gains (if any), lost opportunities and the new challenges. Section IV contains a discussion of the result of section III and links culture and traditional leadership with constitutionality. It compares and contrasts the South African and Ethiopian constitutions from the perspectives of traditional leadership. Section V contains summary, concluding remarks and indicates the avenues for future research.

## **II Relevant Literature**

The academic literature on Africa’s traditional (indigenous) leadership and governance systems is fairly extensive. It is found in the knowledge domains of history, sociology, political science, philosophy, law and public administration. How traditional (indigenous) leadership institutions were used and misused during colonial times is documented. The essays by and large paint a negative picture of not only the institutions of traditional polity (as an agent of slave trade) but the entire continent. More recent studies on Africa focus on the failure of the post colony state itself (Bembe, 1991). Herbst’s (1996) “failed state”, and Muchie’s (2006) “diseased state”, have one common trajectory. Both look at the political economy of African States and attribute the continent’s under performance to weak leadership.

Furthermore, studies that approach Africa’s development problems from the perspectives of “knowledge systems” often neglect the link between knowledge capital (intangible assets) and leadership (including creating an enabling

environment). Their focus has been on “catching up”, “capacity building” and adaptation of “appropriate technologies” that are invented elsewhere (Johnson and Lundval, 2003; Mytelka 2003; Jamison, 2003). This direction of research has a trade focus, and attempts to patent indigenous knowledge that has potential patentable value. Hence, the link between knowledge capital and leadership on one hand, and relationship between indigenous leadership and its externality in value formation on the other hand, have not been properly articulated in the African context.

Notwithstanding this, Kuada (2003) observes the impact of social ties on innovation and learning. For this, he relies on social capital theory of sociology. This theory is concerned about the role that relationship plays between individuals and groups in organizations. Following Hofstede’s (op cit) thread, Kuada (2003:113) identifies how trust is built in a collectivist relationship, in Ghana and by extension in Africa, and classifies group relationship into:- (1) family based ties (2) ethnic based ties and (3) non-kin based ties (religious groups, clubs and societies, professional associations, etc.).<sup>6</sup> Hence, the concept of accountability, as defined in self interest and rationalist premised control literature (Anthony and Govindarajan, 1998; Kaplan and Atkinson, 1998) is insufficient to explain individual and group behavior without contextualizing specific cultural trajectory. Therefore, it is important to examine whether there is a possibility that African’s non-individualistic, power distanced and traditional beliefs may influence the way accountability and responsibility are interpreted in Africa. In this respect (Negash 2005: 8) notes the following:

“Recent studies in sociology distinguish between value systems of people who are living in different parts of the world. Hence, it is important to note that the mainstream control literature depicts particular value systems. However, in many parts of Africa, ‘tribal’ and religious leaders, for example, do not account in the ordinary sense of the word but share responsibility in times of conflict, tragedies and natural calamities. Ethics, integrity and value systems relate to the concept of accountability in several ways. Mainstream control literature does not seem to be adequately addressing these institutional differences.”

Focusing on the agency problem, Figure 1 compares the nexus of contract relationship in business and political settings.<sup>7</sup> The broken arrows indicate the flow of information or power. The rest of the figure is self-explanatory. The important thing to note from Figure 1 is that the principals have different powers in various forms of agency, and the agents face different forms and degrees of accountability

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<sup>6</sup> However, it is important to note that this method of trust building is not uniquely African. International trade networks and immigrant communities indicate some key aspects of Kuada’s thread.

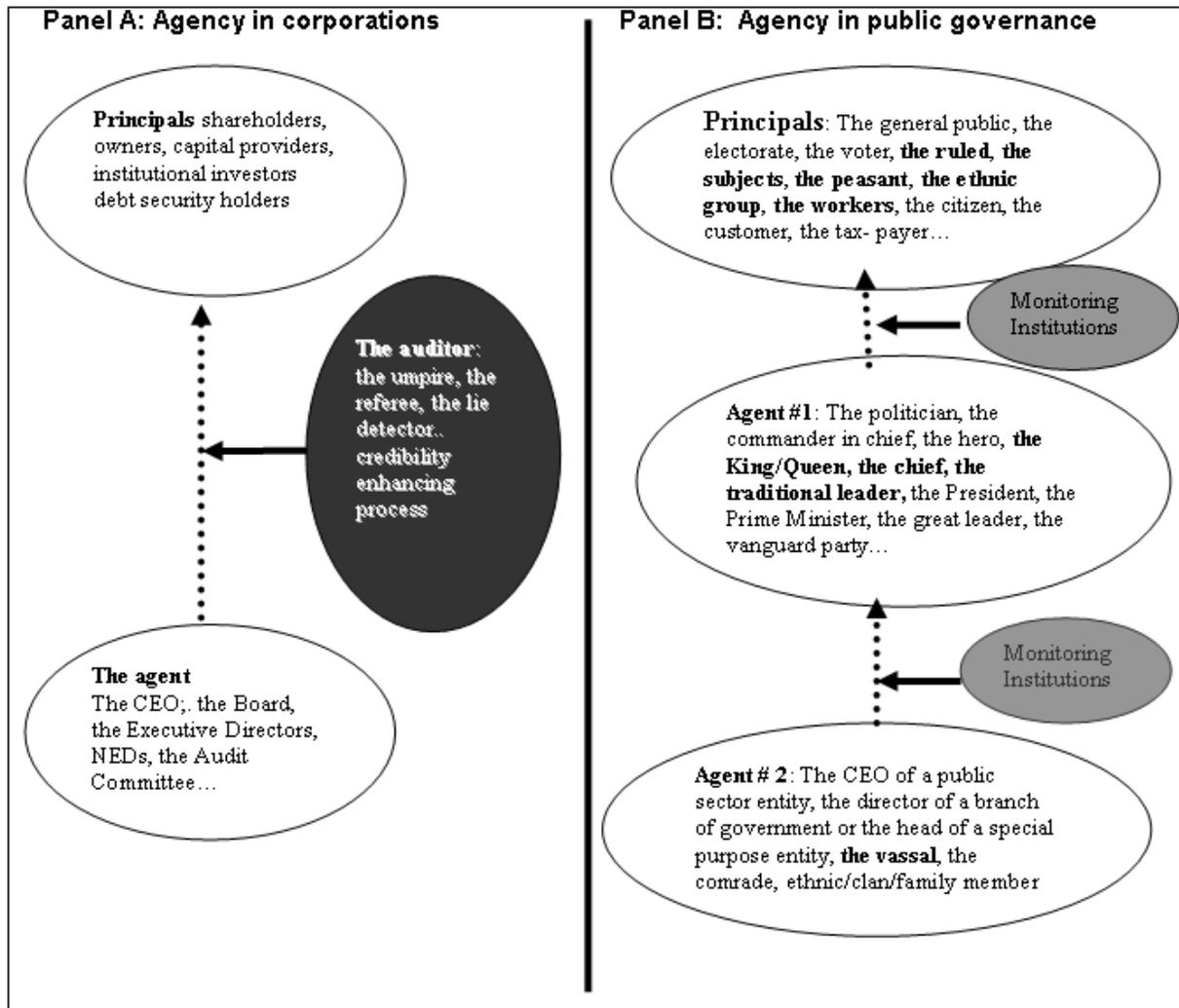
<sup>7</sup> Note that the “nexus of contracts theory” is different from the “social contract” theory that is commonly found in the sociology literature.

(Figure 1 panel B). Furthermore, it is important to note how the agency problem gets blurred when agency (authority) is legitimized through birth right, kinship, ethnic/clan/religious/ position.

Similarly, in classical Marxist governance structure, the relationship between the citizen, the ruling vanguard party and the State organs often gets blurred, bringing new and complex forms of agency. In contrast, the neo liberal governance structure is founded in the trias politica doctrine, and attempts to ensure accountability by creating various forms of control. It is important to note that the trias politica doctrine requires the separation of the powers of the law makers from the executive branch of government, ensures the independence and strength of the judiciary and the monitoring institutions (see Figure 1 panel B). At the other extreme, where the trias politica doctrine is not well articulated, the institutions (law, organizations) of accountability are either weak or non-existent or obscured in the governance structure.

However, at this juncture one has to be careful in attributing “good” governance and democracy only to Western systems. If democracy is interpreted by elections and votes, which are important, despite the “primitive” nature of the procedures, one can see some aspects of Athenian democracy for example in Oromo and Dinka societies in the Horn of Africa. If democracy is defined more broadly viz. as consultative governance, important general assemblies (Imbizo) or being heard in these assemblies, then this is a common practice in most parts of Africa. Hence, traditional leaders did not operate without consultations, courts, councils, advisors, etc. Therefore, the debate about the presence or absence of democracy in Africa should not be limited to formal State structures. It should also incorporate the decision making systems.

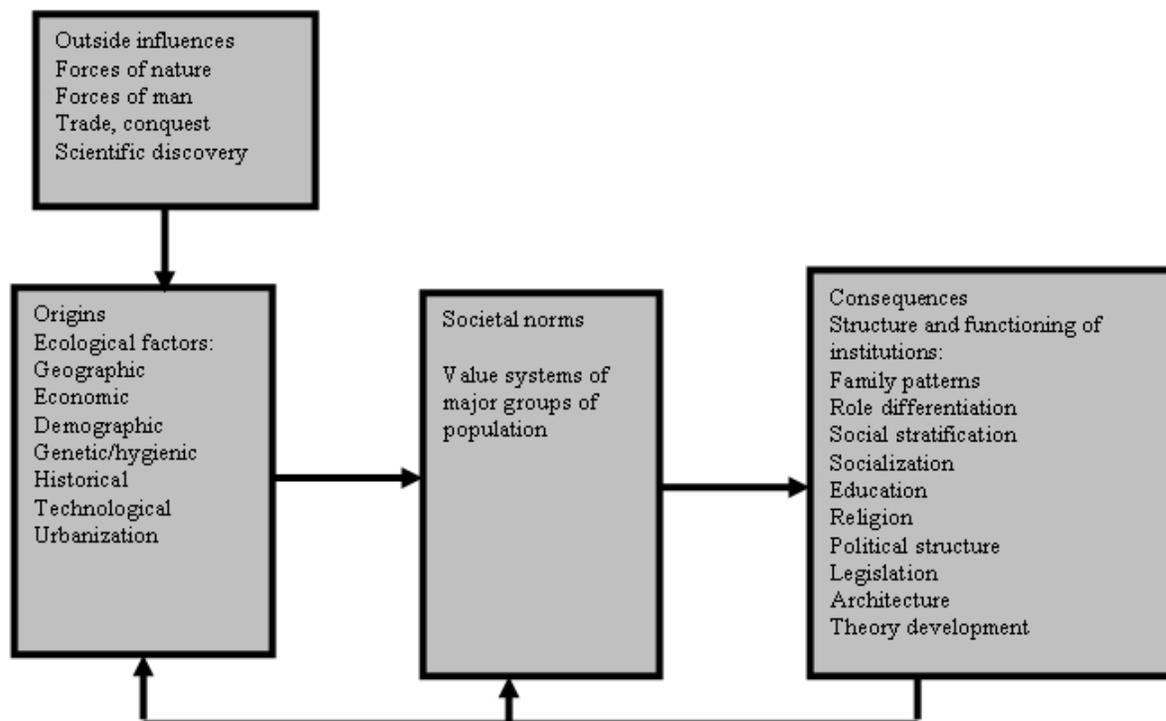
Figure 1: Governance in an Agency Framework\*



\*Adapted from Negash (2005:3): Public sector accountability, NEPAD and Africa's Transition: A Scorecard Approach, The Southern African Journal of Accountability and Auditing Research Volume 6. page 3.

Hofstede (1980) identifies four underlying societal values. These societal values are individualism (self concept of I or we), power distance (extent to which hierarchy and unequal power distribution in institutions and organizations is accepted), uncertainty avoidance (written and unwritten rules of behaviour, formal organization structure and procedures) and masculinity. More recently, Hofstede adds a fifth dimension of long term orientation, as opposed to short term orientation, to explain Eastern (Asian) culture of future orientation, perseverance and thrift. Figure 2 was extracted from the original work.

Figure 2: Hofstede's Cultural Framework (Source Hofstede, 1980:27)



From Figure 2 we learn the interdependence between political structure, societal norms (value systems of major groups of population) and origins. Furthermore, it is important to note that the direction of causality between political structure and societal norms is not necessarily uni-dimensional (see also Sen, 2006: chapter 6). There is also a possibility that even the empirical relations might be explained by chance correlations rather than causality. The earlier version of Hofstede's survey of world cultures indicated that in countries where neo-liberal governance institutions are dominant (United States, United Kingdom, Australia, Germany, Italy, Canada, the Netherlands) the dominant culture reflected relatively higher level of individualism, lower level of power distance, lower level of uncertainty avoidance (except France) and moderate level of masculinity.<sup>8</sup> In contrast, Japan showed low level of individualism, high level of uncertainty avoidance, masculinity and moderate level of power distance. As noted earlier, the interesting issue for this paper is whether culture is relevant to the trias politica doctrine and the agency relationship that was depicted in Figure 1 Panel B. If culture is relevant to the agency relationship, one can argue by stating that the systems of accountability and the instruments of control in the two societies (example Western and African) cannot be the same as the two societies are culturally different. Therefore, a proper articulation of Africa's cultures is a prerequisite to the study of accountability.

<sup>8</sup> The urban rural cultural divide is not discussed here.

Fortunately, Geert Hofstede's world survey of cultures has recently started to include Africa. Table 1 contains an extrapolation from Geert Hofstede<sup>TM</sup> cultural dimension indices. A column is added for author's remarks about Ethiopia. The indices are available in graphical forms at <http://www.geert-hofstede.com/>. In the 2003 survey three African regions (West Africa, East Africa and South Africa) were included. The countries covered by the survey were Nigeria, Ghana, Sierra Leone, Ethiopia, Kenya, Tanzania, Zambia and South Africa.

Assuming the samples are representative, Table 1 allows us to make interesting comparisons. First, Christian dominated countries have lower level of power distance and uncertainty avoidance than Muslim dominated countries. Second, power distance is high in East Africa, West Africa and the Arab World. Individualistic culture index is low in West Africa, East Africa, the Arab World and Muslim world, but high in Christian dominated countries. Third the individualist culture index for South Africa is higher than world average, suggesting that ubuntu (African) culture might have been suppressed. The implications of these indicators to self interest and rationalist based research and governance paradigms are straightforward. One central lesson that can be learned from Hofstede's survey is that the study of leadership (traditional and modern) cannot be decoupled from culture. That is, comparing world cultures using similar benchmarks enables us to find internationally acceptable common threads to the study of the concepts of accountability and responsibility.

Table 1 Extrapolation from Geert Hofstede™ cultural dimensions\*

Region or country	Power distance Index	Individualism index	Masculinity index	Uncertainty avoidance index	Long orientation index	term	Remarks
World average	52	40	58	61	43		
Predominantly Christian countries	30	67	38	35	NA		
Predominantly Muslim countries	68	22	42	54	NA		
Arab World (Egypt, Iraq, Saudi Arabia, UAE, Lebanon, Libya and Kuwait)	73	32	48	62			
West Africa (Nigeria, Ghana & Sierra Leone)	72	25	42	50	13		
South Africa	43	60	58	43	NA		
East Africa (Ethiopia, Kenya, Tanzania & Zambia)	64	27	41	52	20		
Expected deviation of Ethiopia's culture from the East African Mean Index	Higher than East African Mean index	Lower than East African Mean index	About the same as East African Mean Index	Slightly higher than East African Index	Slightly higher than African level	higher than the African index of higher perseverance & thrift	Key considerations: Afro Arab influence, two major religions, major ethnic groups, migration, conquest and expansion, cultural fusion and contradictions, ethos and values system of the Aise State, colonial history, hierarchies within ethnic groups, revolution & cultural globalization.
Expected difference between East Africa and South African index	Higher level of power distance in East Africa	Higher level of individualism in South Africa	Higher level of masculinity in South Africa	Higher level of uncertainty avoidance in East Africa	Requires separate work	separate	Key considerations: Ethnic groups, major religions, urbanization, colonial and apartheid legacy, conflict and migration, history of state formation.

\* Note that the numbers in the table are visual extrapolations from Hofstede's rather copyright protected graphs. For more details please visit the web site at <http://www.geert-hofstede.com/>.

### **III Culture, Leadership, Agency & the Modern State: The Case of Ethiopia**

The Horn of Africa has been unfairly described as the “Balkans of Africa”. This characterization can be easily challenged. First, similar ontological realities exist in many parts of the world. Mono ethnic and singular culture states are few. Second, within Africa itself, the Horn of Africa is not different from other parts of the continent. The Democratic Republic of Congo, Nigeria and Southern Africa serve as examples. Hence, in contrast to the Balkans description one can take a different view and characterize the Horn of Africa as ‘a melting pot’ or a place of interactions of African and Arab cultures on one hand, and Islam and Judo-Christian identities and value systems on the other hand. Traditional belief systems are also widespread. Added to these are the ethnic and other forms of identities. In other words, one can describe the Horn of Africa in a multidimensional identity and culture framework rather than in a framework of discrete and singular identities that needs some kind of aggregation. The multiple identity discourse has a theoretical plausibility to provide a base for the development of persuasive arguments for advancing the APRM.

From an historical perspective, by most accounts, Ethiopia is an old nation-state, with various shapes and sizes, a recorded history and a civilization that goes back to thousands of years. Despite the loss of its coastal territories in 1991, it is an important regional power in the post 9/11 world order (disorder). Hence, the study of the Ethiopian State is not only complex and tantalizing, but it is also an eclectic discipline. Since the purpose of this paper is to examine APRM and traditional leadership, we focus on Ethiopia’s recent past. In this respect the impact of the Fascist occupation of Ethiopia during WW II on the type of political leadership that emerged in the country needs to be studied carefully.<sup>9</sup> The purpose of history is not limited to keeping records and understanding the past, but to assist us in comprehending the relationship between the past and the present.<sup>10</sup> This paper only focuses on the history of traditional polity to the extent it is relevant to the formation of the APRM State. Hence, for the purpose

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<sup>9</sup> Readers interested in the Ethiopian history, politics, sociology, economy and philosophy are referred to the works of Lapiso Dilebo, Fikere Tolosa, Getatchew Haile, Tadesse Tamirat, Shumet Sishagn, Richard Pankhurst, Eshetu Chole, Befekadu Degefe, Desalegn Rahmeto, Donald Levine, Haggai Erlich, Negussay Ayele, Sven Rubenson, Claude Sumner, Marina Ottaway, Merid Wolde Aregai, Haile Larebo, Messay Kebede, Tewodros Kiros, Amsalu Aklilu, Christopher Clapam, Harold Marcus, Asmerom Legesse, Mohammed Hassen, Donald Donham, Wendy James and Bahiru Zewdie. For a recent review of previous works on contemporary Ethiopia, see Cedric Barnes (2003), “Sovereignty, identity and modernity-understanding Ethiopia”, *African Affairs* 2003, 102, 507-514.

<sup>10</sup> Examining the power relations in the early years of post WW II period might in part explain the origins and behavior of certain culture based politics of contemporary Ethiopia. In this respect it is important to note that a disorientated ethno-history not only documents inaccuracy but spreads cultural bigotry.

of this paper the fact that Ethiopia had a traditional polity (a centralized tributary and quasi feudal system, with its evident domineering culture and economics) is important. The only interruption to this traditional polity in the recent past (20<sup>th</sup> century) was the five years occupation of Ethiopia during WW II. Hence, to examine the problems of accountability in contemporary Ethiopia, it is important to go a step back and understand the type of indigenous leadership Ethiopia had after WW II.

In his seminal work on Haile Selassie I, “the anatomy of a traditional polity”, Markakis (1974) outlines the tensions in the post war Government of Ethiopia, and describes the Emperor as possessing “a brilliant administrative and political acumen”. Markakis (op cit) showed how the Emperor’s leadership team, which combined products of modern education and traditional leadership, was able to maintain effective control throughout Ethiopia.<sup>11</sup> Nonetheless, despite achievements in education and development, Haile Selassie was an absolute monarch. In other words, the agency problem that was discussed in the previous sections was in its acute form.

From a culture perspective, even though Haile Selassie comes from the Shoan nobility, he was neither exclusively an Amara nor his upbringing suggested a singular culture. Notwithstanding these, there is a widespread allegation that Emperor Haile Selassie I extended the Amara culture to other parts of the country. He promoted acculturation rather than a multidimensional identity. Holding aside the allegation, the Amara culture this author knows can be explained by the following key characteristics. They are collectivism, power distance, devotion, monogamy, shimage’le (conflict resolution and deal making), afer’sata and awchachign (naming and shaming of wrong doers at a public gathering), gu’elt (communal land holding system), subsistence farming, e’set-ageba and shengo (debate before verdict), perseverance, thrift, social roles (for women, children, elders) and appreciation of scholarship (writing system, memorization of religious dogma, interpretation of religious manuscripts:-priesthood/debtera-hood). Religion had its own dynamics.<sup>12</sup> To suggest that the

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<sup>11</sup> More recently Markakis has been facing a series of criticisms. Notwithstanding these Markakis’s’ series of works on Ethiopia remain an important body of knowledge about Haile Selassie’s period.

<sup>12</sup> According to the New English Bible, Oxford University Press 1974, the translations of the Holy Bible was as follows:- Greek (3<sup>rd</sup> century BC), Latin and Syriac and Coptic (3<sup>rd</sup> Century), Ethiopic, Gothic and Georgian (4<sup>th</sup> century), Armenian (5<sup>th</sup> century), Nubian (6<sup>th</sup> century), French (12<sup>th</sup> century) and English (14<sup>th</sup> century). Similarly, there is a legend which states that Kadija, Prophet Mohammed’s first wife, was an Ethiopian. Furthermore, when the early adopters of the Islamic faith faced prosecutions in their native Arabia, they were advised to go to Ethiopia by the Prophet himself. Hence, the histories of the two great religions are interwoven with indigenous culture and identity. Most Western scholars do not observe this.

above cultural characteristics are uniquely Amara is a profound error. They are reflected in many human cultures and identities.

These complex systems and values define the relationships between the individual and the group on one hand, and the individual, the group and the State on the other hand. Hence, the centralized post WW II Atse State was restored based on complex sets of domestic relationships between the traditional ruler and the ruled, regional power houses and the then international power equilibrium. Haile Selassie I returned from back to his throne after five years of difficult life in exile. Therefore, to synchronize the governance system of the post WW II Government of Haile Selassie as a continuation of the so called *neftegna system* (similar to the Barbarians' invasion of Europe or Morris Dobb's military feudal colonization method of State formation, see for example Addis Hiwot, 1975), is not only a polemical writing, but it is a crude form of reductionism; probably executed because of either inexperience in research or because of a mental colonization of disenchantment.

Ceteris paribus the forgoing discussion, despite the absence of Athenian form of democracy and a discernable level of trias politica doctrine in the Emperor's governance system, Haile Selassie's period was nonetheless characterized by modernity and development.<sup>13</sup> Bahru Zewde (2003) characterizes the 1950-1975 period as an era where modern administration systems were implemented, and succinctly outlines three major reasons why Haile Sellasie's modernization effort was interrupted for the third (Fascist occupation, the failed coup of Mengistu Neway and the 1975 revolution) and final time. They are Haile Selassie's failure to make a sound land reform (because of the strength of the nobility), failure to enhance the power of the parliament [and monitoring institutions] and finally the failure to adumbrate the traditional polity in line with Scandinavian styled constitutional monarchy.

Mesfin Wolde Mariam (2003) concurs with Bahru Zewde's (op cit) observations and states that in spite of the progress that was made in modern education and the building of institutions, Emperor Haile Sellasie's regime was not able to use the gains from education. Mesfin (op cit) argues that Haile Selassie failed to decentralize power (trias politica) and institute a land reform programme (economic relations). Hence, both Bahru and Mesfin agree about a positive correlation between constitutionality and economic liberalization (land reform).

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<sup>13</sup> There is a widely held view which suggests that there is a link between democracy (elected government) and economic development. Anecdotal evidence however does not show this. Notwithstanding this, the converse is also not true. One cannot opt for dictatorship (including a vanguard party rule) and command economy simply because there is no direct link between democracy and development.

Shiferaw Bekele (2003), a discussant of Bahru's (op cit) work succinctly summarized the first post Haile Selassie period (1975-1991). In his critique, Shiferaw showed the link between constitutionality and legitimacy. To this effect, Shiferaw (op cit) raised a penetrating question of whether Ethiopia can have a legitimate (in other words a genuine constitutional) government in the next 25 years. With regard to the 1975 revolution, he detoured from the review work and documented: (i) the link between economic development and revolution and (ii) the leadership vacuum that was left after the deposition of Emperor Haile Selassie. The translation from the Amargina original (Shiferaw Bekele, 2003:24 paragraph 1; *Revolution, Legitimacy and Politics: Three Major Processes, Vision 2020, Proceedings of the Ethiopian Economists Association, editor, Befekadu Degefe*) suggests the following:

“...The pre 1975 revolution was caused by the militancy of the intelligentsia whose vision was to bring revolution and tackle the challenges of underdevelopment through revolutionary programmes. Hence, the intelligentsia's effort was to follow radical revolutionary ideology, and as a result (inadvertently) presented the country as a gift to extremists. Hence, for the 1975 revolution the main agent was the student movement. After the breakout of the revolution, to the dismay of the (naive) intelligentsia, the change had to take a different route. What was expected did not happen. Instead, the country was plunged into widespread bloodshed. The nation was filled with tears, torments and cry for help.”

One clear thread that comes out of Shiferaw's (op cit) observation is neither the intelligentsia nor the leaders of the coup did properly understand (i) the issues of underdevelopment, (ii) the way the Atse State was restored after the Fascist occupation of Ethiopia and (iii) the delicate case of Eritrea. It is important to note that both the opposition and the military advocated for a mono party political structure, classical Marxian economic policy and with regard to Eritrea almost all of them supported the “self determination” argument. In contrast to this, there was no significant support for the reform of the traditional polity, constitutionality and economic liberalization. If the military and its supporters had made a critical assessment of their initial disillusionments, the 1975 revolution would have taken an altogether different route. Hence, one cannot totally blame the military for the mishaps in the Horn of Africa in mid and late 1970s. Furthermore, the entrenched collectivist culture tolerated/accepted the policy of nationalizations (of land and key economic institutions), while the power distance aspect of the culture condoned the rule of a vanguard party (Derge, which later became the Workers Party of Ethiopia). Hence, Marxism exploited Ethiopians' key cultural dimensions of collectivism and power distance.

Notwithstanding this, in historical terms the vanguard party's rule of Ethiopia was brief. It lasted seventeen years. In May 1991, after the end of the cold war, the balance of power in the Horn of Africa changed in favor of ethnic and secessionist movements which were operating in the Northern parts of the country. Accordingly, Asmara and Addis Ababa were captured by the joint guerrilla armies of the Tigrayan People Liberation Front (TPLF) and the Eritrean People Liberation Front (EPLF). The collapse of the military regime was dramatic. This drama not only resulted in the change of key state organs (security and defense) and the abolishing of the Atse State, but the installation of the TPLF in Addis Ababa brought a diplomatic breakthrough for EPLF. Eritrea not only found an ardent advocate of "self determination" in Addis Ababa, but was assured that its separation will be completed without a glitch.

TPLF's problems however were not limited to securing its tenure (legitimacy) in a rather hostile hinterland and rehabilitating war torn Tigray (the home of the guerrilla army), but devising a strategy for the administration of the rest of the Atse State was its major preoccupation. The same issues that sparked the 1975 revolution were awaiting, this time with much greater scale. An ideology had to be created for the hastily organized EPRDF (Ethiopian Peoples Revolutionary Democratic Front, with TPLF as its core). A Transitional Charter was devised apparently with the help of the EPLF. A variety of local and foreign scholars came to the front, evidently to provide "advice" and intellectual legitimacy for the political events in Ethiopia. Polemical writers and '*neftegna*' theorists dominated the official public intellectual life. From the foreign scholars, British and American scholars (example Greenfield, Baxter, Henze and the likes) openly corroborated the singular ideology of cultural determinism (ethnic nationalism).

In terms of governance, the problems of accountability in the Atse States (both Eritrea and Ethiopia) became more acute than the imperial era. In Eritrea the source of agency was supposed to be the citizens of the newly independent (democratic) country. In Ethiopia, the agency issue is raised only within the framework of an ethnic box, called 'kilil'. Ethiopia was re-invented as a "federation" of ethnic groups. Hence, for the "federation" to be sustained TPLF had to find allies and opportunistic agents from other ethnic groups. For this, Marxism was juxtapositioned with ethnology, culture based politics and human rights conventions (example: Article 20 of the African [Banjul] Charter on Human and Peoples' Rights, which was adopted on June 27 1981). Hence, the Ethiopian Peoples Revolutionary Democratic Front (EPRDF) to this day remains, in theory, a loose association of "independent" political groups. When this organizational arrangement is read together with the logic of power, it is evident that the tensions and contradictions within the ruling coalition and the

multicultural state institutions cannot be indefinitely hidden from the public domain.<sup>14</sup>

It is in the middle of these legacies and political trends in Ethiopia and the Greater Horn of Africa that the Organization of African Unity was transformed into the African Union. The birth of the African Union brought new charters, governance paradigms, programmes and institutions. It has opened new sets of Pandora boxes in the Horn of Africa. Hence, it is suffice to say that the APRM has brought more challenges not only to the TPLF/EPRDF and its opponents, but to the entire Horn of Africa region. The appointment of Prime Minister Meles to lead NEPAD and APRM, instead of other leaders with better democratic credentials, has brought shocks and surprises on one hand and, indifference on the other hand (mainly super power and the donor community). Only time will tell whether this is a blessing or a curse for Ethiopia, and indeed for the continent as a whole.

#### **IV Traditional Leadership, APRM and Constitutionalism**

The debates of the 1960s amongst African scholars centered around decolonization and the merits of either of the two extreme ideologies of governance: capitalism and socialism. There were different definitions of democracy: the democracy of the masses versus the democracy of the capitalist.<sup>15</sup> In both arguments there was a certain degree of utopianism in that the ideal capitalist or socialist state was viewed as an imaginary end, in a continuum, with a clear ‘destiny’; it is similar to the religious analogy of hell and heaven. Ethnic nationalists use the same line of argument.

Furthermore, to overcome the development challenges of the continent, African scholars attempted to learn from the experience of Europe. Hence, by and large modernity was taken to be synonymous to Westernization (Bahru Zewde 2003:1), and change meant revolution rather than the reform of traditional polity. Some attempted to explain the development gap between Africa and other parts of the world by “democracy” and culture. The African culture and the “African psyche” were deemed to be inferior (hence a need for cultural change and Westernization). The APRM purports to be a vehicle to reverse this trend, reinvigorate the pan African ideals of the 1960s (African Renaissance) and gradually introduce “good” governance in the continent.

The ramifications of APRM to Ethiopia and the Horn of Africa are several. First, from a political theory perspective, the APRM is an anti thesis to segregationist ideologies, and probably a prologue to a single constitution not

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<sup>14</sup> The number and variety of defections, fallouts and purges are difficult to account for.

<sup>15</sup> For more on this and the problems of capitalism, see Rajan and Zingales (2002). The literature on social choice and social justice are also relevant.

just for the Horn of Africa but for the entire continent. This is true. Notwithstanding the African Charter on Human and Peoples' Rights, the APRM challenges singular identities that attempt to classify population groups in the "us" versus "them" framework, and exposes the accountability (agency) problem. More importantly, it shows that creating a mono ethnic State (uni-cultural state) is neither a necessary nor a sufficient condition for "good" governance. In other words, the search for a "good" governed country (including Plato's ideal republic) is not concomitant with segregationist world views and singular identity dimensions. If this is the case, it is the sets of constitutional instruments that range from doctrinal issues (trias politica) to the structure of government that create the "good" governed State than the singularity of the identity of its inhabitants (see Figure 1B). Furthermore, if for one reason or another singular identity inhabited independent states have to be created (as in Afar-ia, Amara-ia, Oromo-ia, Ogden-ia, Sidama-ia, Tigrai-ia, etc.), then the conditions for "good" governance in the new mono ethnic republics (ia-republics) must be prepared well in advance before separatist clauses (example Article 39 of Ethiopia's constitution) or any other international convention is invoked. In other words secession alone is not a panacea for bad governance.<sup>16</sup>

With regard to traditional leadership, how this institution was able to co-habit with the institutions of the modern State in Ghana, Nigeria, South Africa, Uganda and other African States requires closer examinations. Taking stock of traditional leadership polities in the Horn of Africa is important. In what ways the collectivist, power distanced, faith dominated, perseverance and thrift cultural dimensions of the inhabitants of the region are common and fit into the APRM doctrine is a question that scholars of substance and politicians need to investigate.

The remaining parts of this section compare the constitutions of South Africa and Ethiopia and draw some conclusions as regards traditional leadership. During the last 30 years Ethiopia had three radically different constitutions while South Africa had two. Even though the two countries have had different paths of reaching their present constitutions, and their institutional realities are different, it is important to note that they were written at about the same time. Both were written after the end of the cold war. Ethiopia's present constitution was authored by the victor, the TPLF/EPRDF, in 1993. South Africa's constitution was written in 1996. It was drafted during a stable transition period, further negotiation with the moderate wing of the National Party (the party that created and administered the apartheid policy), lessons from India's experience in constitutionalism and "social justice".

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<sup>16</sup> This has already been observed in the Horn of Africa. The experience of Eritrea provides a lesson.

The South African constitution is built on the trias politica doctrine. It sets term limits for the president, provides for individual and class (group) rights and creates several monitoring organizations that are commonly known as chapter 7 institutions. In contrast, Ethiopia's constitution aims to create a new "union" from a "federation" of ethnic (*volk*) entities. The relationship between the party, the judiciary, law makers and the executive branch of the Government is blurred. This allows the dominant party to undermine law enforcement agencies, the judiciary and other control institutions like the National Electoral Board of Ethiopia (NEBE) and the Auditor General. In other words the agency problem is acute.

The ramifications of the ontological realities in Ethiopia for APRM, its global image and the study of accountability are straightforward. Many doubt that the ruling regime will be a change agent. Notwithstanding this, APRM reviews can also be seen as an opportunity for reform. If however the APRM review is to gain credibility in Ethiopia, it is important that due care should be followed in the selection of both the "eminent" persons and country review team. Finally, it is important to note that audit failure can only be prevented by ensuring the independence and the technical ability of the audit (review) team.

With regard to traditional leadership, Section 12 of the 1996 constitution of South Africa explicitly recognizes this form of leadership and authority. It does not however suggest a European or Japanese form of dynasty for the country as a whole. It merely recognizes regional power houses, and limits traditional polity's role to matters related to justice, customary law and conflict resolution. Section 212 (1) states that national and provincial legislation bodies are empowered to create laws. The Council of Traditional Leaders was established at a national level. It is interesting to note that the Council of Traditional Leaders is separate from the Senate, which later became the National Council of Provinces.

Another important feature of the South African constitution is that public administration is separated from the Council of Traditional Leaders. Section 195 (1) states that public administration must be governed by democratic values and principles enshrined in the Constitution, and provides for high standards of professional, efficient and effective use of resources, development oriented public administration, fairness and equity, accountability, transparency and representation. At this point it is important to note that the constitution carefully delimits the power of the traditional leader, hence the agency problem of governance, in the context of public governance (the ruled and the ruler) does not arise. The Constitution observes a separate form of relationship between the principals and the agent(s). On the down side, the constitution does not observe

traditional (indigenous) leadership as a skill, a scarce resource and does not state how it is going to be harnessed.<sup>17</sup>

Ethiopia's Constitution does not altogether recognize traditional (indigenous) leadership and polity. Hence, descendants of traditional leaders must tow the official line if they are to share privileges or lead normal life inside Ethiopia. Evidently this brings both opportunistic behavior and disenfranchisement, on the part of traditional leadership institutions and polity. It also allows the ruling regime to gain from conflict and competition among traditional polities, thus exacerbating the culture based politics and bigotry. A similar criticism can also be directed at the opposition. The role of traditional leadership institutions are not coherently articulated, including by those that promise to advance a neo-liberal constitution.

Notwithstanding this, the works of Befekadu Degefe (2003) and Hailu Shawel (2003) can easily be extended to include (i) the analysis of how the problems of trust are resolved in collectivist and power distanced cultures such as Ethiopia; (ii) how traditional (indigenous) leadership (central-regional-district-village level) finds space for itself and gets harnessed in a constitutional and democratic order; (iii) the role of traditional polities in conflict prevention and; (iv) the articulation of the relationship between identity and culture in the context of the trias politica doctrine and the APRM state requires a new discourse. This discourse must start early so that the next election is not "postponed", boycotted or face the same challenge as the failed election of May 15, 2005. In other words, Ethiopians, including TPLF/EPRDF need to take the opportunity to join the movement for a Pan African Constitution and governance system. This way it can avoid poor draftsmanship of laws, the dominance of segregationist ideologies, conflict, the exclusion of minorities from mainstream life, and evidently improve the standards of public governance.

## **V Concluding Remarks and Direction for Future Research**

This paper has attempted to use agency theory to understand issues of "good" governance and accountability. Its contributions are fourfold. First, using the microeconomic theory of agency and Hofstede's cultural dimensions, the paper identified that democracy and accountability are not unique concepts in Africa. Second, the discussion on APRM and agency led to one important insight. That is, the existence of a mono ethnic state is neither a necessary nor a sufficient condition for "good" governance. Third, the paper documented that traditional (indigenous) leadership polity has a better chance of contributing to a "good" a governance system if the constitution is structured in the trias politica doctrine

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<sup>17</sup> This observation however is changing. The series of statements made by the State President suggests that the tax payer must bear the costs of maintaining and harnessing traditional leadership.

than under ethno nationalism or other forms of segregationist ideologies. Fourth, with regard to Ethiopia, the APRM brings both opportunities and challenges, if the APRM review process is credible. The current deadlock in Ethiopian politics might be resolved if examined from the vantage points of the APRM.

Ethiopia's ethnic "federations" might be easier to be linked to one another, and the cultural walls that have been built can probably be demolished by consideration of a continental level governance doctrine, commonality of cultures and recognition of diversity. The above discussions point to one direction. Traditional polity and indigenous leadership are not devoid of modernity as the English thesaurus is suggesting. They have the potential to move with times. Blending new ideologies with traditional (indigenous) leadership system has been the main challenge for African scholars. Imitating foreign ideologies, without the consideration of ontological realities is a crude form of replication. It worsens the problems of accountability. Future research needs to address how accountability is resolved in collectivist societies and link the outcome of the research to a Pan African constitution.

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