



Embassy of Ethiopia

Office of the Ambassador

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Professor Donald N. Levine
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1126 East 59th Street
Chicago, Illinois 60637

Dear Professor Levine,

This is an open reply to your letter dated September 28, 2005. After a careful review of your arguments, I want to respond by clarifying several fundamental issues pertaining to the electoral process in Ethiopia.

You correctly state that our interview on Chicago Public Radio on September 16, 2005, helped place the current situation in Ethiopia in the right perspective. I am grateful to Chicago Public Radio for taking such a keen interest in the historic moment currently underway in my country. I am convinced that any discussion of Ethiopia's elections in the U.S. media, particularly on public radio, helps advance Ethiopia's short- and long-term interests: to ensure the advancement of a democratic culture in the country that will allow it to meet head-on the enormous challenges it faces, including those you mentioned - famine, epidemics, ecological ruin, and population density.

I also agree with you that the May 15 elections represent a significant advance towards democracy in Ethiopia, and I agree as well that the ruling party deserves credit for seeing these elections through. I also share your view concerning the vital necessity of Ethiopia's political parties to share their opinion in respectful consideration of each other's view, which is indeed a pillar in any democratic culture. In this vein, however, I hasten to add that these types of dialogues must take place in an atmosphere where all participants agree to abide by the country's constitutional framework, and ultimately, the advancement of the rule of law. That is a central pillar in any democratic culture. Anything less would amount to defying constitutional order and undermine the advancement of democracy.

On the other hand, I was surprised by certain arguments in your letter, the evidence of which do not stand up to scrutiny. Moreover, your decision to make your letter open raises my suspicion regarding your objectives, particularly in light of the discussion we had during the radio program and thereafter. In addition to relying on entirely

unsubstantiated arguments, your letter lodges charges that are unfair and biased. I hope to be able to adequately explain why I arrive at these conclusions in this letter.

Leading commentators on Africa and on democracy agree that the Ethiopian national and regional elections of May 15, 2005, represent a landmark in the advancement of democracy in the country. For example, the Carter Center Final Report, which you have cited on numerous occasions, provides “[t]he election process demonstrated significant advance in Ethiopia’s democratization process, including most importantly the introduction of a more competitive electoral process, which could potentially result in a pluralistic, multi-party political system”. The United States Department of State, in its statement of September 16, 2005, recognizes the election “to stand out as a milestone in creating a new, more competitive multi-party political system”.

You argue that the ruling party interfered with the operation of election observers and support your assertion on essentially three grounds: (1) the pre-election expulsion of three organizations, NDI, IRI and IFES; (2) the Federal Supreme Court’s overturning of a decision of the National Election Board of Ethiopia (NEBE) on the types of domestic organization it was prepared to grant credentials for election monitoring, and (3) the reports of a French journalist.

First, with regards to the issue of election observers, as you correctly noted, “the EPRDF [was] **courageous and forward-looking** in permitting election observers to monitor the elections.” (Emphasis mine). As the Carter Center Final Report explicitly acknowledged, the ruling party, EPRDF, which you credit for being forward-looking in inviting monitors, even went further and issued its own Comprehensive Code of Conduct that governs the operations of its members. The expulsion of the three U.S.-based organizations did not take place in a vacuum. While I will not use this letter to provide evidence that prompted Ethiopia’s expulsion of these organizations, please realize that the missions of the aforementioned organizations had nothing to do with election observation. You are clearly misinformed about the missions of these organizations and, hence, your criticism about their expulsion is without merit.

Indeed, as you correctly stated, the Supreme Court overturned the NEBE’s regulations on the type of domestic organizations it was prepared to grant credentials for election monitoring. This is a clear testimony that Ethiopia’s judicial system, currently undergoing substantial reform, functions independently. It is public knowledge that following the court’s decision, NEBE gave the necessary accreditation to all NGOs and civic organizations that applied to monitor the elections. Moreover, with several thousand observers deployed, I do not know of any complaint about shortage of domestic observers. Rather the Carter Center itself, in its Preliminary Report, “congratulate[d] the manner by which legal appeals were pursued and the rapid and professional response of the NEBE following the Supreme Court’s decision”.

While the transparency and fairness of the campaign phase is well known and widely reported, I was surprised by your attempt to justify your erroneous conclusion using the comments supposedly made by a French journalist. Contrary to your assertion, the Carter

Center Final Report characterizes the pre-election process as “generally commendable”. The report also notes that “the pre-election campaign period provided sufficient conditions for a credible and competitive electoral process.... Candidates campaigned widely and effectively”. No credible observer has so far questioned the veracity of the overall outcome of the election. President Jimmy Carter, in a recent interview on the subject, made clear that from his foundation’s as well as other major observer’s perspective, the EPRDF won the majority seat. It is indeed such circumstances that led the international community to unequivocally call upon all parties to join the parliament. In light of all this, even if the isolated pre-election incident in one area of Ethiopia did occur as may have been reported by the French journalist, I am extremely puzzled by your extrapolation of what supposedly occurred there to the rest of Ethiopia.

Your argument with regards to the French journalist reminded me of our recent discussion on Chicago Public Radio where you made a similar hasty generalization about Ethiopia's situation in 1992, on the basis of what a single taxi driver casually told you. You make similar generalizations in other parts of your letter, including your belief that the 1955 Revised Constitution, when promulgated, contributed to a democratic culture in Ethiopia because, among other things, you heard that “janitors in government buildings stood around reading and discussing it.” While I am not generally surprised to read such generalizations and unfair extrapolations on the internet media, I find it extremely disturbing when they come from a scholar like you. I would like to note in passing that, while I am no constitutional expert, having lived during the time of the Emperor, and also, my own reading of it, the 1955 Constitution like its predecessor, the 1931 Constitution, mainly emphasized the religious and hereditary origins of the Emperor’s imperial power. These constitutions were not drafted by representatives of the Ethiopian people (through the bicameral parliament). More importantly, and this is relevant to your comment, despite what you heard about “janitors in government buildings” reading and discussing it, the Constitution was adopted in a nation that was nearly totally illiterate. Credibility is at stake when one makes hasty generalizations based on inadequate information.

Concerning your comments on the operations of the Complaint Investigation Panels, I would like to bring to your attention the observations of the African Union and European Union observer teams.

the AU Observer Team is of the opinion that the election of 2005 and subsequent investigation processes were conducted and organized in accordance with the country's electoral laws.

Even the Report of the European Union Observer Team, to which we expressed our reservation, observed:

In procedural terms, the work of many, though not all, Complaint Investigation Panels (CIP's) observed went according to the Terms of Reference at least as long as observers were present.... The CIP's worked in general in accordance with the Terms of Reference.

I will next address your comments with regards to the unfortunate June 8 incident that led to the tragic death of my fellow citizens in Addis Ababa. While your reconstruction of the events has some factual errors, I agree with you that the matter is complicated and needs an independent investigation. My government has repeatedly expressed its commitment to do so in a fair and judicious atmosphere. The investigation must determine not only the events as they occurred in a highly tense and fluid environment, but also, whether there was an attempt to subvert the constitutional order and appropriateness of the government's response. While you admit that the situation is complicated, you rush to a hasty conclusion that the response by the security force was not a legitimate one. I genuinely feel that this should be left to an independent investigation.

I do not disagree with you about the fact that Ethiopians were ready for a fully democratic election in 2005. I believe we are in full agreement that the people of Ethiopia, in their impressive and huge turnout on election day, proved to themselves, and showed to the rest of the world, that their chosen path of self-governance is democracy. In that regard, my government believes and is extremely proud of the fact that Ethiopia will never be the same: the bells of freedom and democracy will forever ring in our country.

I also agree with you that some localized Ethiopian cultural and traditional practices, such as the remarkable institution of *Gumi Gayo* and the traditions of the *Chilot* and *Afersata*, have their own contributions in familiarizing the people practicing them with democratic practices. Yet, you seem to ignore the very fundamentals of Ethiopian history, whereby the exercise of democracy is a very recent (Post-Dergue) phenomenon. The Ethiopian saying, "a king can't be accused as the sky can't be cultivated", should remind us of how democracy has taken root in our country only a decade and a half ago. Ethiopia is an emerging democracy. While it is true that our citizens have had little long-term experience with democratic practice, neither the Ethiopian Prime Minister nor I have ever said that the Ethiopian people are not ready for democracy. I fully appreciate the importance of further deepening of the democratic process in Ethiopia. And I would like to assure you that Ethiopia will continue with its commitment to further strengthen the democratic process.

I take this opportunity to express to you my pride in representing Ethiopia in the United States of America – a great nation that stands as a beacon to the rest of the world and one that constantly strives to attain a perfect democracy for its citizens. In the few years I have resided in your great country, I have witnessed, admittedly with incredible envy, the fascinating struggle and balance between the powers of the government against those of the rights of individuals. The interplay between state and federal governments under the respect of the rule of law is something I wish my country can benefit from. As you may know, the Ethiopian Constitutional Commission, after an exhaustive drafting period, borrowed heavily from certain aspects of the U.S. Constitution. The government of Ethiopia, with the assistance of several organizations, including USAID, has launched aggressive efforts to reform its judiciary and I will be happy to discuss this issue with you at your convenience. Hardly, however, are these actions those of a government bent on

imposing a discredited “Leninist style of political control.” In this connection, I would like to reiterate what I mentioned during our discussion on Chicago Public Radio - even the United States, a country with such a rich tradition of democracy faced problems related to election irregularities.

Finally, I would be remiss if I do not express my serious disagreement with your characterization of the history of the Ethiopian people’s struggle to end the brutal Dergue regime. While you appropriately credit the blood sacrifice thousands of Ethiopian paid to rid themselves of tyranny, you go on to state that

[Tigrean young men] . . . came to Addis, poor, bereaved and with nowhere to go. It seemed essential for them to cling to power at any cost, then as now.

Frankly, I believe this comment is disrespectful, to say the least, to those who sacrificed almost two decades of their life fighting a universally hated regime. They did so because of their yearning for freedom, not just their own, but also that of their entire fellow citizens. Their struggle was not limited to engaging on the field a military government that was committing atrocities against its own people including, and not limited to, conducting air raids on Ethiopian villages. The coalition group, EPRDF, had ambitions not only to tear down oppression but also to replace it with hope and democracy in Ethiopia. A democracy in which merit and not birth right or ethnicity will determine one’s ability to exercise his or her own rights to live in peace and raise his or her children. In my view, your unfortunate description of a “poor, bereaved” people reflects the views expressed by those who belonged in the two *ancien* regimes who, again, deem it a birthright to rule Ethiopia. Unfortunately, these loaded terms that you used to describe the young men and women, fuel, and do not tame, the ugly scars of name-calling and ethnic slurs unfortunately present in our history, and are now sadly resurfacing.

As you stated, the May 2005 parliamentary elections “represent a significant advance toward democracy in Ethiopia.” I believe, as you do, that each political actor has the responsibility to persevere within the country’s constitutional framework in order to advance the respect for the rule of law. It is the genuine commitment to these goals that should guide our discussions in Ethiopia.

Please accept my gratitude for our conversation on and off the air regarding the future of my country. I hope we will continue this important conversation.

Sincerely yours,



Kassahun Ayele

Ambassador Extraordinary and Plenipotentiary
of the Federal Democratic Republic of Ethiopia
to the United States of America