
The Practice and Challenges of Regional Policy Making in Ethiopian Federation: The Case of Gambela Peoples' National Regional State

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Abstract: The purpose of this study is to assess the practice of public policy making (agenda setting-policy adoption) in Gambela National Regional State, Ethiopia. To this end, the study utilized a mixed research approach and descriptive research design. The study found that the legal foundations of public policymaking of GPNRS include the constitution of FDRE (1995), the revised constitution of GPNRS (2002). Moreover, the administrative council of GPNRS and the ruling political party of GPNRS are the constitutionally mandated public policy actors and structures in GPNRS are the council of GPNRS. Though the constitutional guarantee for autonomous regional public policy making, in practice few central policy elites of EPRDF have played an exclusive role in defining and identifying policy problems and setting policy agenda. Whereas the legislature and the executive organs of GPNRS, under the strict control of the regional state's ruling party remained to be platforms of policy formulation and adoption. Thereby study found that the practice of regional policy making failed to realize the exercise of the constitutional right of regional public policy making; and hence the constitutional promise of self-rule in GPNRS. The study has also found that: the political ideology of revolutionary democracy and decision making system of 'democratic centralism' and 'party discipline'; the intermingling of the ruling party institutions and government institutions; Lower public participation; in-competency of policy makers and lack policy analysis unit; a fusion of power between the executive and legislative organ; and the asymmetric nature of Ethiopian federalism has also posed challenge in undermining the exercise of the constitutional promise of regional policy making; and hence self-rule in GPNRS. Hence it is recommended that deepening democratization, promoting decentralization of decision-making system, avoiding the intermingling of political party and government, establishing policy analysis units and building the policy making capacity of regional policy makers to realize the constitutional promise of regional public policy making in GPNRS.

Keywords: Federalism, Autonomy, Regional Policy Making, GPNRS

1. Introduction

The idea of 'public policy' presupposes that there is a sphere or domain of life which is not private or purely individual but held in common [1]. It is a choice or decision made by the government that guides subsequent actions in similar circumstances. Public policy is also understood as relatively stable, a purposive and consistent course of action produced as a response to a perceived problem of a constituency, formulated by a specific political process, and adopted, implemented, and enforced by a public agency [2]. It can also be described as a deliberate governmental attempt

to coordinate decision making over the long run and to influence, direct, and in some cases even control the level and growth of a nation's principal economic variables to achieve a predetermined set of development objectives [3].

Public policy decisions are not made in a vacuum; rather they are the results of their contexts or the political, social and economic environment, as well as historical environments; the prevailing political values and their concomitant public reactions are major determining factors for the shape of a given public policy to be in place [1]. It is difficult to understand public policy without considering the prevailing political context which affects policy choices at

every step. It is obvious that the organization of authority in a nation affects the design and implementation of government activity. It is also evident that Citizen Influence over policy makers and policy decisions occurs in both democratic and nondemocratic regimes [1-3].

Policymaking involves a set of amalgamation of processes. Although not always clear-cut or easily distinguishable, political scientists have identified these processes for purposes of analysis. These include: Identifying policy problems, formulating policy proposals, legitimizing public policy, implementing public policy and evaluating public policy [3]. The process of public policymaking is a decision-centric and goal-driven process [4]. It is a complex web of interactions of various forces and interests in society. Through the study of public policy making, we are able to identify these forces and interests and also determine their level of participation and contribution to public policies [5].

Following the overthrow of the Derg regime, ethno-nationalist forces conducted a Conference on Peace and Democracy in June 1991, which adopted a Transitional Charter which was followed by the 1994 Constitution. The 1991 transitional Charter declared that, among others, political decentralization in a sense that nations, nationalities and Peoples' of the country have the right to self-rule. In December 1994 the constitution of the Federal Democratic Republic of Ethiopia came into being. The constitution under article 50 then declared the Federal Democratic Republic of Ethiopia; where there is a Division of power between the federal and regional governments [6]. In addition under article 47 (4) of the constitution promulgates that, member states of the federation shall have equal rights and powers [6].

FDRE is parliamentary democracy that comprises the federal government and member states both with legislative, executive and judicial powers. The legislative organs of both levels are constitutionally declared to be the highest political authority, empowered with the most important function, law/policymaking in their respective jurisdiction. The constitution declares that any organ of the Government (of Federal and regional) shall in the formulation and implementation of development policies, strategies, plans and programs be guided by these principles and objectives. The legislative (art 55) and the executive organ (art 74, 77) are empowered to legislate national and regional policies. Moreover, the constitution under Article 43 (2), empowers citizens to actively and freely participate in the policymaking process. Moreover, Article 52, of the constitution states one of the major powers and duties of states is to prepare and implement economic and social development policies, plans and strategies [6].

There are some studies whose common theme is the post-1991 federal arrangement and practice of policy making in Ethiopia. The existing studies in this regard depict the constitutional guarantee for regional self-rule has been undermined, particularly in 'peripheral' regional states like Gambela [7, 8]. Moreover, core policy decision (agenda setting, defining policy changes and managing the process) in

policy making in Ethiopia, both at the federal and regional level has been a business of policy few elites at the center, more specifically top officials of the ruling party [9-13]. These studies are vital to understanding policy dynamics in the post-1991 period in Ethiopia. However, they fail to adequately assess the workings of sub-national institutions, especially the regional state legislatures [14]. Though Ethiopia has been a federal state for nearly three decades, there is scanty literature about the practice of regional public policy making. Moreover, the existing few studies have overlooked the role of the party system in the practice of constitutional rights of policy making.

Thus, this study seeks to fill these gaps by assessing the practice of the constitutional rights of policy making among the self-governing regional states of Ethiopia taking Gambela people's national regional state. For a deeper understanding, the study will emphasize the process and actors of public policy problem identification, agenda-setting, policy formulation and policy adoption in the regional state. It also emphasizes on the role of formal governmental institutional arrangements and the ruling party on public policy making of the regional state. Accordingly, the main objective of this study is to assess the practice of regional public policy making (from policy agenda-setting to adoption) in Gambela Peoples' National Regional State, Ethiopia. Thereby, it assesses the legal foundations of public policy mandates in GPNRS; identify major Actors of Public Policy Making in GPNRS; assess the practice of the public policy making (agenda setting-adoption) in GPNRS, and distinguish the challenges that hinder the exercise of constitutional rights of policy making in self-governing regional states. This study delimited to Gambela Peoples' Regional State; hence, its findings could not be generalized to the practice of public policy making. However, it might ignite on the context and feature of policy making in regions like Somali, Harari, Benishangul-Gumuz and Afar, as they exhibit similar social, political and economic background in Ethiopia.

2. Methodology

In order to answer the research question properly, mixed research approach (which combines both qualitative and quantitative methods) has been employed in this study. The qualitative method was conducive to study the research issues in depth and to assess attitudes, behaviors, and opinions of the respondents whereas the quantitative method has helped the researcher to measure the extent or intensity of important variables. Then mixing the two approaches provides comprehensive view towards the research problem [15]. Moreover, both quantitative and qualitative data were collected at a time and analyzed concurrently by triangulating their results. This study has adopted descriptive cross sectional research design to assess the practice of public policy making in Gambela regional state thereby to identify basic challenges and prospects.

Given the mixed nature of the study, the mixed sampling method was used by combining both probability and no probability sampling methods. For quantitative data, the

sampling frame contains the list of the 598 people that participate or supposed to directly participate in the economic policy making process of the regional state, mainly in the formal government structures and through the ruling party. To determine the sample size the researcher utilized the widely used standard formula [16]. Accordingly, representative samples of 240 respondents were selected to fill close-ended questionnaire prepared consisting of Likert scale questions. Then the selection of these samples from the population was distributed proportionally to the legislatures, executive officials, civil servants and party officials. The rationale behind the determination of these numbers to each group is that, ownership and expectation of relevant information about the regional policy making in the study area. As a result, among the 240 questionnaires distributed to respondents, 206 (86%) were returned appropriately. Among the participants, much of them (88% or 182) are male whereas only 12% or 24 respondents were female. Though this does not show the participation of women in the political and administrative positions of the regional state or the entire population of the study, but, it shades light that women are being marginalized from politico-administrative positions of the regional state. On the other hand, the majority (38.3% or 79) of the respondents were aged 46 years to 65 years, followed by 30 years to 45 years, which comprises 34.5% (71) of the respondents. Moreover, the educational status of respondents indicates that all of the respondents have at least BA/BSc degree. Accordingly, 51% (105) of the respondents have BA/BSc degree; 47.6% (98) of the respondents have MA/MSc degree; and 1.5% (3) respondents have PhD degree.

The qualitative data has been collected from key informant interviews with purposely selected respondents. These include the spokesperson of the regional council, a head of economic affairs standing committee, policy advisors (legal and economic affairs) of the regional president, head of agricultural and natural resource office, Directors of a directorate in the regional educational bureau, senior planning expert of regional bureaus, senior planning expert of finance and economic development bureau, head of political affairs of the ruling party, former head of urban political affairs of the ruling party and central committee members of two oppositions parties in the regional state. Moreover, the study has utilized Secondary Sources including official documents of the federal and the regional state and plans, reports, programs and other documents of the ruling party.

3. Results and Discussion

3.1. Legal Foundations of Public Policy Making in GPNRS

Gambela, get its fore name for the first time in 1905 when Ahimmed Rifat, Sudan official of trade controller and Ethiopian stakeholders came to decide on the fate of the port and in relation to the Agnuwaha affluent who live alone in the areas [17]. Until Emperor Menelik II integrated Gambela with to modern Ethiopian state in 1998, it was ruled by local nobilities known as 'Nyia' which means (king) and "Kwaro"

also refer to (nobles) [17]. During the imperial Ethiopia Gambela served as a strategic place for the commercial relation that Ethiopia had with neighboring colonial rulers (i.e. Anglo-Egyptian rule). However, Gambela region had been weakly integrated with the central politics that was dominated by the Christian highlanders [18]. After the withdrawal of the Derg in May 1991, Gambela Peoples' National Regional state became one of the member states of the Federal Democratic Republic of Ethiopia. Under this federal arrangement the 'Nation, Nationality and Peoples' of the regions got constitutionally guaranteed right to self-administrations, as indicated in article of 39 (3). These include full measure of self-government (autonomy) on public policy issues that fall under the region's jurisdiction.

3.1.1. The Transitional Charter

Following the overthrow of the Derg regime, ethno-nationalist forces led by EPRDF conducted a Conference on Peace and Democracy in June 1991. The conference that paves way for the establishment of the transitional government was attended by representatives of twenty-seven political movements and liberation movements, ethnic groups, prominent individuals, and representatives of 22 international bodies [19]. In addition to the establishment of the Transitional Government, the July 1991 national conference has resulted in a five-page public policy document or quasi-constitution [20].

The Gambela People's Liberation Movement (GPLM) was a rebel group from Gambela Region that participated in the National Conference [21]. During the transitional period, the GPLM had two delegates in the Council of Representatives of the transitional government [22]. After the conference participants adopted a Transitional period charter that laid down the legal framework for reconstituting the state and devolving state power along ethno-regional lines. The Transitional period Charter (1991) declared that, among others, political decentralization in a sense that nations, nationalities and Peoples' of the country have the right to self-rule. Article 13 of the Transitional Charter proclaims for, 'establishing local and regional councils for local administrative purposes defined on the basis of nationality'.

Consequently, in January 1992, the transitional government proclaimed Proclamation No. 7/1992, to establish the fourteen national self-governing regions. Implying federal political arrangement, the proclamation also recognized the legislative, executive and judicial powers of regions within their geographic areas in all matters that were not expressly assigned to the central government, as indicated in article 9 of the charter. Moreover, regional self-governments were empowered with the power to plan, direct and supervise social and economic development programs/establishments; to prepare, approve and implement their own budgets; to employ and administer their own personnel; to acquire, own and transfer properties; and to borrow from domestic lending sources and levy duties and taxes in their respective regions, as indicated in article 10 of the charter. In June 1992, the first multi-party elections for regional and

local councils in the history of Ethiopia were conducted. However, the federal promises of the proclamation, regional states were mandated to be subject to the laws and policies of the central government and practically, regional authorities to accountable to federal government bodies particularly, to the council of representatives [23]. Similarly, it is argued that that:

although the process of establishing regional and local self-governments along ethnic lines was fundamentally different from the hitherto centralized and hierarchical structure of the Ethiopian state, the newly established self-governing units remained subordinate to, and financially dependent upon, the central government throughout the transitional period [19].

During the transitional period (1991), the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF) was a dominant political and military group. EPRDF was both the umpire and the guardian of statesmanship during the transitional period. Beyond the orbit of EPRDF the prospects for non-state actors to influence the policymaking process were bound to appear dim both at the central and states level [20].

3.1.2. The FDRE Constitution

In December 1994 the constitution of the Federal Democratic Republic of Ethiopia came into being. The constitution then declared the Federal Democratic Republic of Ethiopia; where there is a division of power between the federal and regional governments as indicated in the article 50 of FDRE constitution. In addition, article 47:4 of the constitution states member states of the federation shall have equal rights and powers [6].

FDRE is parliamentary democracy that comprises the federal government and member states both with legislative, executive and judicial powers. The legislative organs of both levels are constitutionally declared to be the highest political authority, empowered with the most important function, law/policymaking in their respective jurisdiction. The constitution declares that any organ of the Government (of Federal and regional) shall in the formulation and implementation of development policies, strategies, plans and programs be guided by these principles and objectives. The legislative (art 55) and the executive organ (art 74, 77) are empowered to legislate national and regional policies. Moreover, the constitution under Article 43 (2), empowers citizens to actively and freely participate in the policymaking process. Article 52, of the constitution Powers and Duties of States, include (a) Prepare and implement economic and social development policies, plans and strategies; (b) Enact and implement state constitution and other laws; (c) Administer land and natural resources in accordance with laws enacted by the Federal Government; (d) establish state administration aimed at self-administration; establish a democratic order where rule of law reigns. Safeguard and defend this Constitution; (e) Levy taxes and duties on those sources of revenue reserved for the States; prepare and implement its own budget; (f) Enact and implement laws regulating

administration and working conditions of civil servants of the State. It shall, however, have the responsibility to ensure that standards of education, training and experience for a given job category are comparable to the general standards adopted in the country; and (g) Organize and direct the police force of the state; ensure law and order within the state.

The constitution also guarantees that 'concurrent powers of both the federal and regional governments in the areas of taxes on profits, sales, excise and personal income taxes on enterprises that jointly establish; on the profit of companies and on; dividends due to sharing holds; on incomes derived from large-scale mining and all petroleum and gas operations and royalties (Art. 98). On the other hand, Art (52 (1) promulgates that residual powers are constitutionally reserved to the regions. Thus, from federal legal and constitutional points of view, Gambela Peoples' Regional State, like other regional states, is provided a broad scope of competencies in public policy making within its jurisdiction.

1. The Constitution of Gambela Peoples' Regional State

Similar to other federal arrangements, the post-1995 Ethiopia has constitutionally guaranteed that member states of the federation shall have their own constitution. Hence, other than the FDRE constitution, the regional constitution is also the legal foundation of regional policy making. The first constitution of Gambela regional state adopted by Proclamation No 2/1996. In 2002 a Revised Constitution of the Gambela Peoples' National Regional State was adopted, which was reviewed and adopted again in 2003 and eventually published as Proclamation No 27/2003. In 2001 all regional states of Ethiopia revised their respective constitution mainly for the need to separate the existing fusion of power between the executive and legislative organs of their respective governments [24]. Before the year 2001 in all regional states there was a fusion of power between the executive and legislative organs of the regional government; for that, the chief-administrator of the regional government was simultaneously acting as chief of the regional state council [24]. As discussed in the previous sub-section, member states of the Ethiopian federation have been authorized to formulate and execute economic, social, and development policies, strategies and plans of the state; by article 52 of FDRE constitution. Based on this constitutional promise, article 39 of the revised constitution of Gambela Peoples' National Regional Constitution (2002) guarantees the right to self-determination of the nation and nationalities of the state. On top of this article 49 of the constitution promulgates the policy mandates of the regional state that are guaranteed by the federal constitution. Article 49 sub-article 1 empowers the regional state's government over authorities who are not distinctly given to the federal government or concurrently to the federal and the regional government. Article 49 (2) of the revised constitution of the regional government of Gambela is authorized to adopt and implement the constitution of the regional government, socio-economic and administrative policies and strategies of the region autonomously, among others. Having these constitutional provisions of regional public policy mandates, respondents were provided with a set

of questions that inquire about the perception of regional public policy makers about their constitutional mandates.

As presented in table1, the first question provided to the respondents of the study asks whether the constitution of GPNRS has explicated that the regional Public policy mandates given by the constitution of FDRE (1995) or not. Accordingly, the majority of the respondents 65% and 25% responded agree and strongly agree, implying that they do believe that the constitution of the GPNRS has explicated the regional Public policy mandates given by the constitution of FDRE (1995). Likewise, responses collected from key informant interviews also support the quantitative result. Concerning the policy mandates, powers and responsibilities to the state government, nearly all of the key informant's interviewees responded that the constitution of GPNRS, (2002) is a narration (carbon copy¹) of the federal constitution with minor contextualization. On the other hand, respondents were asked whether, policy makers of GPNRS know that, the regional state has mandates of public policy making as provided by the FDRE Constitution (1995).

Table 1. Respondents view towards the constitutional mandates of policy making in GPNRS, by%.

	Strongly disagree	Disagree	Neutral	agree	Strongly Agree	I don't know
The constitution of GPNRS has explicated the regional Public policy mandates given by the constitution of FDRE (1995)	1%	3%	4%	65%	25%	2%
policy makers at GPNRS know that, the regional state has mandates of public policy making as provided by the FDRE Constitution (1995)	24%	32%	6%	27%	8%	3%
Do you believe that GPNRS has made use of its constitutional provisions of public policy mandate to design its own policies and strategies?	31%	46%	8%	6%	5%	7%

As indicated in the table, 24% and 32% of respondents responded strongly disagree and disagree respectively. This implies that the majority of the respondents believe that the public policy makers of the region do not know that the regional state has the constitutional mandate of public policy making. On the other hand, a significant number of respondents: 27% and 8% responded agree and strongly agree respectively. On the other hand, the qualitative data collected via key informant interviews indicate that public policy makers of the regional state lack awareness about their policy mandate. According to this information, most of the public policy makers, including top officials believe that policy making is the mandate of the federal government; where regional states are policy implementing agencies². Some policy makers even believe the making of socio-economic policy frameworks is the sole power of federal policy elites³.

The third question the respondents asked to respond inquires, whether they believe that GPNRS has made use of its constitutional provisions of public policy mandate to

design its own policies and strategies or not. As presented in the table above 31% and 46% of respondents responded strongly disagree and disagree respectively. Hence most of the policies and strategies that had been implemented in the regional state were designed or decided to be implemented by other bodies. Similar questions were presented to key informant interviewees. In this regard nearly all key informant interviewees responded that the 'central' (federal) policy elites were in a position to design or decide what is to be done or not to be done, in the jurisdiction of regional state.

However, we (GPNRS) is a member state of FDRE with constitutionally guaranteed autonomy of public policy making within our jurisdiction, nearly all public policies implemented in the region were designed by 'central' policy elites⁴.

Similarly, other respondent argues that:

Core policy directions including policies of the agricultural, trade and industry, educational, health, land use, etc... were centrally decided in the region adopted without any modifications. These policies were sent to the region from the federal government. The role of the regional policy makers was limited to giving some basic data for the federal policy elites⁵.

The key informants also argue that instead of the constitutionally mandated regional state's public policy making structures, public policies of GPNRS state were designed by EPRDF.

Particularly, EPRDF, a political party that dominated the federal government, but the ruling party of GPNRS is not a member of it, was used to design public policy for the regional state. Unless acknowledged by EPRDF, nothing used to be legislated, decided and implemented within the regional state⁶.

Referring to the role of federal elites in the public policy design of the regional state a key informant argued as follow:

Concerning policy design, there is a center-periphery syndrome. The regional policy makers believe that policy is something that comes-down from the federal government and the federal elite also believe policy-making is their own sole business. As a result, most of the public policies used to be implemented in the region were alien. The policies were designed to take the realities of highland areas of Ethiopia, where EPRDF claims its social base, hence did not consider the socio-economic realities of the GPNRS⁷.

3.2. Actors of Public Policy Making in GPNRS

As discussed in chapter two, 'policy-making' is not a simple rather complex dynamic process involving a series of actions and inactions of a variety of groups with varieties of interests at different stages. Policy decisions are not

1 Interview with, economic and finance advisor of the president (Jun 6, 2020).

2 Interview with the speaker of the council of GPNRS (Jun 5, 2020).

3 Interview with the legal advisor of the regional president (Jun 6, 2020)

4 Interview with, speaker of the council of GPNRS (Jun 5, 2020).

5 Interview with, economic and finance advisor of the president (Jun 6, 2020)

6 Interview with, former coordinator of urban political affairs (Jun 6, 2020).

7 Interview with, secretariat of the Gambela branch Opposition political party (Jun 7, 2020)

something confined to one level of organization at the top, or at one stage at the outset, but rather something fluid and ever-changing' [25]. Moreover, the process of policy making involves negotiation, bargaining and accommodation of many different interests, which eventually give it a political flavor. These political interactions happen within the network through which decisions flow, programs are formulated and implemented and inter-organizational dependencies and interactions take place.

The crucial actors in the policy-making process can be categorized into two, namely: official and unofficial policymakers [2]. Accordingly, The Official Policy Makers are those who possess legal authority (formal public positions and political offices) to engage in the formulation of public policy. Those involved in this category are the legislators, the executive, the administrators and the judiciary. On the other hand, Unofficial Policymakers do not occupy formal public positions or political offices, but they derive their relevance and policy-making roles from the government and the official policy makers. These unofficial policy makers comprise interest groups, political parties and individual citizens.

The Revised Constitution of Gambela Peoples' Regional State, the region is organized by four administrative divisions: the region, nationality zones, woreda (district) and kebeles; and each level are established based on identity and consent [27]. Under article 46 the constitution stipulates the founding nationalities of the regional states are: the Anua, Nuer, Mejang, Mao and Komo. All members of the state have equal rights and authority. The Gambella National Regional State is administratively divided into three nationality administrative Zones (Nuer nationality Zone, Anua nationality Zone and Mejang nationality zone) and one special administrative woreda. Chapter five of the revised constitution understates that the political power of the regional government is separated between the legislative, the executive and the judiciary. Thus, the legislative and the executive branches have the mandate of regional policy making.

1) The Legislative organ

According to article 48 (1) and Article 51 (2) of the revised constitution of GPNRS, the regional council is the legislative organ and it has the highest authority in the region. According to article 50 of the revised constitution of the regional government members of the house council of the regional state are elected democratically using by first-past-the-post electoral system. Moreover, members of the council are accountable to the constitution; the will of the people; and their Conscience.

The revised regional constitution promulgates that the council is the legislative organ (Article 51 (1) and holds the highest authority with the jurisdiction of the regional government (Article 51 (2). Concerning the regional policy mandate, article 51 (3) of the constitution promulgates that the regional council has the power to make law and approve socio-economic policies within its jurisdiction without contradicting the federal constitution. The GPNRS council rules of procedures code of conduct regulation no. 2/2001, article 4 also promulgates that, and the regional council is mandated to make law, appoint,

follow and monitor the executive body, establish different committees of the council among others.

To exercise its policy mandates the regional council with the following structures: general assembly, the spokes-person of the house and standing committees. The GPNRS council rules of procedures code of conduct regulation no. 2/2001, promulgates that the regional state should have a parliamentary structure. Thereby it states that the regional council shall have the following structures. These are the general assembly of the council, committees, secretariat office of the regional council, and security forces of the regional council and party or group of the regional council. Among these, the active structures of the regional council are the general assembly, standing committees, and secretariat office of the regional council⁸.

The following Diagram illustrates the organization of the council of Gambela Peoples' regional state.

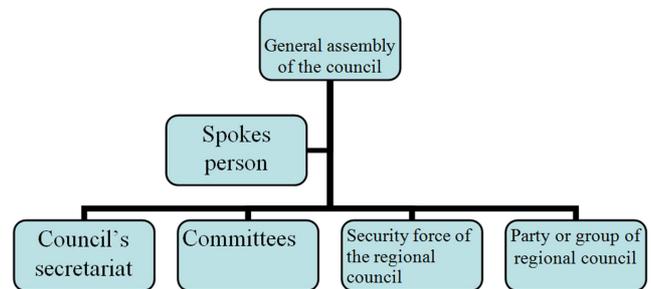


Figure 1. The organization of the council of Gambela Peoples' regional state.

Source: author's computation based on the GPNRS council rules of procedures code of conduct regulation no. 2/2001.

The general assembly of the regional council is currently composed of 156 members. According to The GPNRS council rules of procedures code of conduct regulation no. 2/2001, article 11 and key informant interview with the spokesperson of the council, the general assembly of the regional council has regular meetings, emergency meetings and closed meetings. Accordingly, the regional council is mandated to conduct two regular meetings per year. But in practice the regional council may not meet according to the procedure; i.e. in the regional council didn't undertake regular meetings for the last two years⁹. On the other hand, emergency meetings are called based on the request by the regional president or 1/3 of members of the regional council. Closed meetings of the regional councils are also meetings to be called by the requests of the regional executive organ and supported by more than half of the members of the regional council.

According to article 52 (3) and (5) of the revised constitution of GPNRS and of the GPNRS council rules of procedures code of conduct regulation no. 2/2001, the regional council should have a coordinating committee, standing committees, sub-committees and ad-hoc committees. In this regard the coordinating committee. According to article 137, the GPNRS council rules of

⁸Interview with, Speaker of the council GPNRS (Jun 5, 2020).

⁹Interview with, Spokesperson of the regional council of GPNRS (Jun 5, 2020).

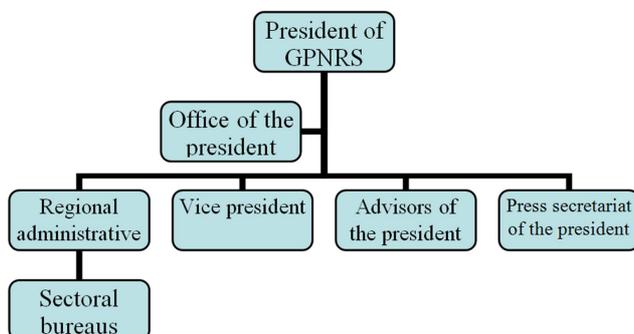
procedures code of conduct regulation no. 2/2001, the coordinating committee of the regional council is composed spokesperson of the council, heads of the standing committees, and the head of the secretariat of the council. Article 138 of the regulation promulgates that, the coordinating committee is mandated to coordinate the works of standing committees.

As indicated in article 140 of the GPNRS council rules of procedures code of conduct regulation no. 2/2001, the Council of GPNRS has six standing committees. These include the legal, justice and administrative affairs standing committee; women, children and youth affairs standing committee; agriculture, environmental conservation and natural resource development affairs standing committee; infrastructures affairs standing committee, human resource and social affairs standing committee; and budget, finance and audit affairs standing committee. The proclamation orders that each standing committee shall be composed of a total of 5-7 members among the state council. Moreover, Standing committees are mandated to carry out tasks such as: evaluating draft legislation before approval, initiating law, making oversight supervision of the executive organ; organize quarterly and annual task-oriented performance evaluation for the executives; conduct a face-to-face discussion with the public [27].

2) The executive organ

The highest executive authority of the GPNRS resides in the hand of the chief-administrator and the administrative council, as indicated in article 59 of the revised constitution of GPNRS. Article 61 (5) of the 2002 revised constitution of GPNRS promulgates that the executive organ of the regional government is mandated to, among others, formulate the region's socio-economic policies and laws and executes them. To exercise their constitutional mandate the executive branch of the GPNRS is composed of the regional president, vice president of the regional state and different sectoral bureaus. According to proclamation no 183/2011, currently, there are 18 sectoral bureaus in GPNRS's executive branch of government.

The following Diagram illustrates the administrative structure of the executive organ of GPNRS.



Source: authors computation based on proclamation no. 183/2011.

Figure 2. The administrative structure of the executive organ of GPNRS.

3) The Ruling Political party

Ethiopia was under the rule of absolute feudal monarchies,

since its modern statehood, had no the culture of party politics until the Workers' Party of Ethiopia (WPE), the only party in town at the time, was legally established in 1982 [14]. After a decade of centralized and one-party rule, the year 1991 became the turning point in the constitutionally guaranteed multi-party politics of Ethiopia [28]. Following the downfall of the Derg regime, the EPRDF has opened the country for a multiparty system by declaring that, every political group inside and outside the country is invited to come to the July conference which was held in Addis Ababa, although, some scholars argued that some political parties are systematically excluded from attending the conference [29]. The July conference comes to found the Transitional government by establishing the Transitional Period Charter as the supreme law of the transitional period [30].

The transitional charter, under article, 1, assumed multiparty politics in Ethiopia by declaring every Ethiopian has the right to engage in unrestricted political activities and to organize a political party for the purpose of achieving political power through peaceful means. To further strengthen the protection of constitutionally promulgated multiparty system has been given form and subsistence by the enactment of the political party registration proclamation No. 46/1993. The proclamation asserts that citizens can form and join any political organization. This marked the emergence of new political parties to the scene by granting legal personality to operate in the country. To this end, both the Federal Democratic Republic of Ethiopia (FDRE) Constitution and the electoral law (No. 111/1995; No. 187/2000; No. 532/2007) legalized a multiparty system. Nevertheless, due to the presence of fragmented, disjointed and weaken oppositions, EPRDF has been enjoying a prolonged state power and a monopoly of policy making, which are all typical characteristics of the dominant system [14] or de facto one-party system (Heywood, 2002).

Similarly, the revised constitution of GPNRS (2002) recognizes the functioning of party politics and the multiparty system. Article 52 of the constitution promulgates that:

A political party or a coalition of political parties that has the greatest number of seats in the House of Peoples'; Representatives shall form the Executive and lead it [26].

The development of the political parties in Gambela needs to be focused on from different perspectives first as a regional phenomenon of organizing political elites, secondly as part of the development of the national party structure, particularly the EPRDF as the ruling party in post-Derg Ethiopia and thirdly in its role towards local communities [31].

The history of party formation in Gambela dates back to the late 1970s with the ethnic-based military struggle against Derg. The GPLM was founded in 1979 and was based in the Anua ethnic group that had launched a guerrilla war against both the Derg regime of Ethiopia and the Sudan People's Liberation Army (SPLA). GPLM had allied itself first with the Oromo Liberation Front (OLF) and later with the Tigray Peoples' Liberation Front (TPLF) led the EPRDF (Ethiopian People's Revolutionary Democratic Front) during the last

phase of the war against the Derg [32]. However, the GPLM was unable to mobilize more than a negligible portion of the population and never held any liberated area before the fall of the Derg in 199. With the end of the Ethiopian Civil War, Ethiopian People's Revolutionary Democratic Front (EPRDF) forces, accompanied by a small contingent of the GPLM, occupied Gambella and expelled the SPLA. The GPLM removed the predominantly Nuer leadership that had dominated the province under the Derg, as well as for settling old scores with its ethnic rival [32, 45].

In the attempt to cope with Anua a-dominance in the newly structured region, the Nuer formed the Gambella People's Democratic Unity Party (GPDUP) in 1992. The new party appealed for recognition to the EPRDF, which it readily received [33]. Consequently, the two political parties managed to come to an agreement of power-sharing. Eleven positions on the executive council of the regional government were divided evenly among the Nuer and the Anua each took five; whereas one position is reserved for the third-largest indigenous group, the Majang [32]. Despite the GPLM's hold a power, it was weakened by internal disputes, predominantly between Anua from villages along with the Opo (or Baro River), who known as "the Openo boys", and those from villages along the Gilo River. The first group, including the then Regional President Okello Oman, was expelled from the GPLM before the 1995 General Election. In response to this situation, the EPRDF ordered the remaining members of the GPLM and the GPDUP to merge into the Gambella Peoples' Democratic Front (GPDF) in 1998 [33, 45]. The formation of GPDF was engineered by and has been under the direct guidance of the center (EPRDF), in order to reduce what was perceived as negative competition. This led the dissatisfied Anuas, to found the Gambella People's Democratic Congress. Prior to the 2000 elections, many leaders of this opposition party were detained. In 2003, the central government dissolved the GPDF and replaced it with the GPUDM, a coalition of three newly founded ethnic-based parties. The three constituent parties were the Nuer People's Democratic Organization for the Nuer and Opo, the Anua People's Democratic Organization for the Anua and Komo, and the Majanger People's Democratic Organization for the Majang [33, 44, 45].

The formation of the party though seems strongly connected with the Itang incidents in 2002. At the time politicians of the party were perceived not only as failing to control their own communities but to stirring up hatred, or manipulating ethnic animosity for political advantage. On November 26, 2007, the different parties and the umbrella party were abolished and a new and uniform party was formed, the 'Gambella People's Unity Democratic Movement' (GPUDM). The declared aim was to improve the relations with the EPRDF, the power-center of the country and to gain better and direct access to resources [32]. Political parties in Gambella had been always very fragile, where the making unmaking of them was in the hand of central elites of EPRDF. More or less the region was under a dominant party system, which reflects the indirect rule of EPRDF until its conversion into Prosperity Party, on

December 1, 2019¹⁰. The merger agreement was signed in Addis Ababa on December 1, 2019 by the chairpersons of the eight ethnic-based political parties including Mr. Amed Ujulu, representing Gambela Peoples' Democratic Movement (GPDM). Currently, the ruling party of GPNRS is the prosperity party of GPNRS.

3.3. Practice of Public Policy Making Process in GPNRS

As discussed in chapter two, 'policy making' is not a simple rather complex dynamic process involving a series of actions and inactions of a variety of groups with varieties of interests at different stages. Policy decisions are not something confined to one level of organization at the top, or at one stage at the outset, but rather something fluid and ever-changing [25]. Moreover, the process of policy making involves negotiation, bargaining and accommodation of many different interests, which eventually give it a political flavor. These political interactions happen within the network through which decisions flow, programmes are formulated and implemented and inter-organizational dependencies and interactions take place. The crucial actors in the policy-making process can be categorized into two, namely: official and unofficial policymakers [2].

1) Policy Problem Identification and Agenda-Setting In GPNRS

As discussed in chapter three, public policy making starts with problem identification. Policy Problem can be defined as a condition or situation that produces needs or satisfaction among people and for which relief or redress through government action is sought. The definition of a problem is often a political process whose outcome will help determine appropriate solutions. Whereas, agenda-setting which is the second stage of policy making process is a process by which problems and alternative solutions gain or lose public and elite attention [2]. Both the FDRE constitution (1995) and the Revised constitution of GPNRS (2002) have illustrated the public policy mandates of regional states, hence GPNRS. However, the researcher could not find any official document that explicitly specifies about problem identification stage of policy making. Rather problem identification stage is confined to the agenda-setting (policy initiation) stage.

The revised constitution of GPNRS (2002) and other relevant legal documents (i.e. the GPNRS council rules of procedures code of conduct regulation no. 2/2001) indicates that the mandate to set agenda (initiate) and propose draft laws, policies, plans and programs of the regional state is generally given to the legislative bodies, the executive branch, Parliamentary Groups or ruling party and any authorized institution. According to GPNRS council rules of procedures code of conduct regulation no., 2/2001 the bodies of the legislative organ with a mandate to initiate legislation include Speaker of the State Council, coordinating committee, Standing Committees, Members of the State Council, Parliamentary Groups. According to article 46 of the GPNRS council rules of procedures code of conduct

10 Interview with, secretariat of Gambela branch EZMA party (Jun 7, 2020).

regulation no. 2/2001 initiating legislation is the primary mandate of the executive body and it is the only body mandated to initiate bill of finance budget.

As discussed in chapter two, there are several crucial actors in the policy-making process, which can be categorized into official and unofficial policymakers. Where, the Official Policy Makers are those who possess legal authority (the legislators, the executive, the administrators, and the judiciary) to engage in public policy design. While, unofficial Policymakers such as interest groups, political parties and individual citizens, do not occupy formal public positions or political offices, but they derive their relevance and policy-making roles from

government and the official policy makers [2]. However, among these actors, the role and responsibilities of some unofficial actors have not explicitly stated in federal and regional government and also in any other legal documents. These unofficial policy actors include interest groups, the wider public, individuals, etc, as discussed in chapter two; Public policy is related to the public interest because the sum total of all policies affects all of the public in some way. Public interest refers to the assumed broader desires and needs of the public, in whose name policy is made. In this regard, respondents of this study were asked how public policy problems are identified. The following table presents the response of respondents.

Table 2. Respondent responses about policy problem identification in GPNRS.

In your sector at GPNRS, during the policy design process, are there systematic administrative procedures (policy analysis units) for gathering information regarding social needs (polls, citizen panels, discussion groups, opinion surveys etc).					
Strongly disagree	Disagree	Neutral	Agree	Strongly Igree	I don't know
43%	38%	9%	3%	1%	6%

The responses presented in the table show that majority: 43% and 38% of respondents responded strongly disagree and disagree. Accordingly they indicated that there are no systematic administrative procedures (policy analysis units) for gathering information regarding social needs (polls, citizen panels, discussion groups, opinion surveys etc). Likewise, the qualitative sources also indicated that there are no systematic administrative procedures (policy analysis units) for gathering information regarding social needs. The role and the importance of public demand are less considerable in policy making as the legislative body of the region and sub-regional administrative echelons assumed to represent public demands¹¹.

In fact, there is no established public policy analysis unit or think tank group that examines public demands or works on neither policy problem identification, nor established platforms for public participation prior to policy design. Though there are institutional structures that are supposed to handle this activity: such as the finance and economic development bureau, planning departments in each sectoral bureau, they engage mainly in documenting and cascading plans that are directed to them from the higher officials. And the higher officials also took that direction or proposed policy from federal elites¹².

Though there are public policy advisors of the president, they mainly involve in following-up of policy implementation than problem identification and policy design¹³. Policy makers of the regional state consider the central (federal) policy elites as omnipotent that knows everything that the society needs; hence they value the direction given by central elites than assessing societal needs¹⁴. The majority, if not all, the policy problems of

the regional state identified by EPRDF elites, who design public policies based on realities of highland areas of Ethiopia, where EPRDF claims its social base¹⁵. This is against the very essence of federalism, of self-rule and shared rule and also devolution of public power [34]. It is also against the constitutional guarantees of autonomy of regional states to make public policies within their jurisdiction. According to article 88, the constitution of FDRE (1995) the Political objectives shall be guided by democratic principles and the government shall promote and support the People's self-rule at all levels. In line with the above question, respondents were asked to describe the levels of policy actors' engagement in initiating public policy /draft bills in GPNRS.

The results of questionnaire responses about major policy actors' engagement in public policy initiation (table, 3) indicate that the federal (central) policy elites take the lion's share (upper hand); followed by the ruling party of GPNRS and the executive branch of the government. Other actors including the constitutionally mandated legislative body and its structures and civil servants are not very engaged in public policy initiation. Moreover, Opposition political parties, civil societies, media, the wider public and Think-tanks were not at all engaged. This result indicates that the unofficial public policy actors particularly federal (central government) policy elites dominate policy initiating public policy/ draft bills in GPNRS than constitutionally mandated official public policy actors.

Likewise, the qualitative data collected via key informant interviews, also indicate that the core policy actors in the region have been the: federal (central) elite, the ruling party of the region and the executive branch of the regional government, ordered 'hierarchically'. Despite the formal policy initiation procedures that empower the legislative and executive organs of the regional government, the defacto process favors unofficial

11 interview with, Speaker of the council of GPNRS (Jun 5, 2020)

12 Interview with senior expert of planning in Finance and Economic development bureau (Jun 5, 2020).

13 interview with, economic and finance advisor of the president (Jun 6, 2020);

14 Interview with, head of political affairs Gambela prosperity party (Jun 6,

2020).

15 Interview with, secretariat of the Gambela branch E-ZAMA party (jun 7, 2020)

actors. According to the key informant interview, the defacto practice of initiating policies/bills, proposing nominees, and

directing core decisions were made top-down from the federal elite to the regional executive.

Table 3. Responses about the levels of policy actors' engagement in initiating public policy/ draft bills in GPNRS, by%.

		1	2	3	4	5
Official public policy actors	Speaker	2%	4%	45%	41%	8%
	legislative Standing committees	-	2%	51%	42%	5%
	Members of the council	1%	3%	52%	41%	4%
	Executive government officials	21%	42%	24%	3%	10%
	Civil Servants	-	2%	43%	52%	3%
	Ruling political party of GPNRS	41%	40%	14%	3%	2%
	Opposition political parties	-	-	25%	71%	4%
Unofficial public policy actors	Civil societies	-	4%	42%	51%	3%
	Media	-	-	48%	51%	1%
	The wider public	3%	15%	32%	47%	3%
	Think-thanks	-	8%	35%	54%	3%
	Federal government /federal elites	54%	42%	1%	2%	1%

1=Very Engaged, 2=Somewhat Engaged, 3=Not Very engaged, 4=Not at all Engaged 5=Don't Know

In this regard, key informants described the policy problem identification and agenda-setting process in GPNRS, as follow:

Primarily few central policy elites particularly the EPRDF policy elite sets identify problems or decide what the society needs and sets policy agenda for the regional state. Then they order the regional ruling party which is not a member of EPRDF, rather considered as auxiliary to EPRDF, to set pass through legal procedures. Next, the ruling party presents the policy agenda to the regional core-coordinating committee. The regional coordinating committee is made up of five members: the president of the region, vice president and three members of top officials of the ruling party of the regional state, and each member has an equal vote. This committee is a body that passes core policy decisions, draft bills, appointments, development plans, etc. Once a policy agenda passed by the coordinating committee it will be presented to the regional administrative council, where the secretary-general of the ruling party participates with a vote. Then the policy agenda shall be presented to the regional council, or shall directly be adopted and implemented if it does not require approval by the legislature. Particularly general policy directions and development plans solely initiated and adopted by the executive organ¹⁶.

From this quote, we can understand that, given the federal elite influence, the process of policy agenda setting is dominated by unelected officials at the regional level. From the five members of the coordinating committees, only two of them are supposed to be elected (more authorized) to set policy agendas. However, they are a minority in the coordinating committee by un-elected policy actors who have an equal vote with them. According to the qualitative sources, the party officials even participate with a vote in the decisions passed by the regional administrative council. This situation reflects the intermingling of political party and government, which many scholars [9, 11-13, 35, 39], criticize the unconstitutional and undemocratic

nature of the incumbent regime, which made the federation of Ethiopia a pseudo-federation. The blurred distinction between the party and the state contribute to a situation in which the ruling party is able to closely control regional and even local affairs [37]. Moreover, such a situation promotes upward accountability to the party organs above rather than downward accountability to the people of the region. Thus, self-rule is severely modified and self-determination for the nationalities is more of a paper provision than an actual principle of government practice (ibid).

There are also different agencies of the federal elite that influence policy decisions in the region including the ministry of federal affairs, the federal board of special support, and representatives of EPRDF member parties. These federal agents work closely with the ruling party and coordinating committee of the region regional government. They are the powerful unofficial policy actors; in fact, many top officials of the regional government and the ruling party consider these agents as their immediate bosses. Anybody (including top officials) was unlikely to resist their direction, as they (backed by federal elites) were able to illegally dismiss anybody who opposed them¹⁷. On the other hand top officials of the regional state, both the government officials and the ruling party of the region, do not quest the influence of these federal elites. On this issue, a key informant argues as follow:

The de-jure regional policy makers (particularly the executive branch) have a tendency to claim their legitimacy from the federal elites than constitutionally recognized sources of power: the public and the legislative organ. They justify their actions and decisions, not by the constitutions, rather by the acceptance or rejection of central elites. Moreover, most of the public officials of the region are motivated by narrow personal interests not by the interest of the public. They worry about which ethnic group took which office, not what the public needs or what constitutional power should they exercise¹⁸.

¹⁶Interview with, former coordinator of urban political affairs of GPDM (Jun 6, 2020).

¹⁷Interview with, vice head of Gambela Prosperity party and coordinator of political affairs of the party (Jun 7, 2020).

¹⁸ Interview with, Speaker of the council of GPNRS; interview with, secretariat

Similarly, key informants of this study also argue that the derogative names like 'back ward region' less developed region', 'region that requires special support' has influenced the regional policy makers not to exercise their constitutional power of public policy making.

*The derogatory terms such as: 'backward region' less developed region', 'region that require special support' etc... has been given to GPNRS and some other regional states. On the other hand, the ruling party of the regional state has been kept to be auxiliary to EPRDF with the justification of backward social base (assuming the clan based social structures of nationalities of the region) of the regional party. These labels have their own negative psychological impacts on the regional policy makers. Due to these terminologies, most public officials of the regional state used to believe that they could not make public policies by themselves. Due to these terminologies, public officials of the regional state lack the confidence to exercise their constitutional powers. Hence the region remained trust-ship of the central elite*¹⁹.

Another key informant also argues that the centralized decision-making system of EPRDF, (the so-called 'democratic-centralism) has made enabled the central policy elite to intervene extensively in the policy agenda setting and even in the administration of regional government. Democratic centralism 'which abides both EPRDF member parties partner (auxiliary) parties has made political leaders and policy makers of the GPNRS, to be loyal and obedient to the detailed policy directives of EPRDF'²⁰.

As discussed earlier, Ethiopia in general and GPNRS, in particular, remained under the centralist, and undemocratic dominant party system of EPRDF/GPDM, until, the establishment of to Prosperity Party, on December 1, 2019. Unlike its predecessor, the prosperity party is established by the merger of eight regional or and ethnic-based parties including the Gambela Peoples' ' Democratic Movement (GPDM). Currently, the ruling party of GPNRS is the prosperity party of GPNRS. Given these changes, key informant respondents were asked if there was a significant change in public policy agenda-setting. In this regard, a key informant states the post EPRDF/GPDM changes as follow:

The merger of EPRDF into the Prosperity party has improved the process of public policy agenda-setting. In this regard, the merger has provided the regional policy elites to take part in decisions passed by the central (federal) elite. Moreover, it has empowered the regional ruling party to autonomously set public policy agendas at the regional level. On the other hand, the reform programs that followed the establishment of the Prosperity party have abolished federal government agencies (i.e. federal affairs, EPRDF agents, etc) that used to overtook the constitutional mandate of regional public policy making. However, the power of the ruling party of the regional

*state remained to override the role of official policy actors. Yet the seat of the ruling party in the regional coordinating committee is 3 which overweighs seat of elected officials*²¹.

From the above quote we can notice that, though the current political change and replacement of EPRDF by Prosperity brought several changes, it could not substantially change the state-party relation. Hence, there is continuity of upward accountability to the party organs rather than downward accountability to the people of the region and regional self-rule in policy making. From the above discussions, we can infer that the policy agenda-setting, hence the policy making of GPNRS is best expressed by the elitist model. The elitist model argues that few individuals situated at the top of political and economic hierarchies set the public policy agendas. Moreover, Society's elites select issues that serve their own interests because the public is by and large apathetic [2]. The following diagram illustrates the defacto actors and process of public policy problem identification and agenda setting, during EPRDF/GPDM and during the Prosperity party.

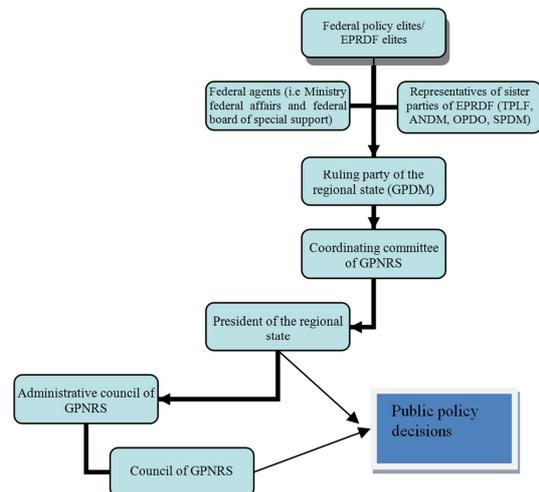
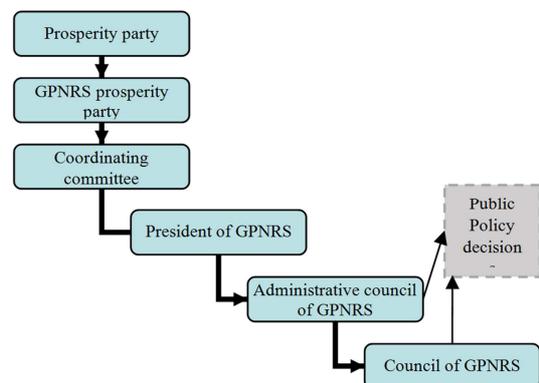


Figure 3. Process and actors of policy agenda setting in GPNRS, post December-2019.



Source: author's computation based on survey results

Figure 4. Actors and process of policy agenda setting in GPNRS, pre-December 2019.

of Gambela branch E-EZEMA party (Jun 5, 2020)

19 Interview with, legal advisor of the president of GPNRS. These description has also been described by speaker of the council of GPNRS (Jun 6, 2020).

20 Interview with, former coordinator of urban political affairs of GPDM (Jun 6, 2020)

21 Interview with, vice head of Gambela Prosperity Party and coordinator of political affairs of the party (Jun 7, 2020).

2) Public Policy formulation in GPNRS

As discussed earlier, 'policy making' a complex dynamic process involving series of actions and inactions that involves negotiation, bargaining and accommodation of many different interests, which eventually give it a political flavor (Gilliat, 1984). Once public policy agendas are set the next stages are policy formulation and policy adoption. Policy proposals can be formulated through political channels by policy-planning organizations, interest groups, government bureaucracies, state legislatures, and the president and Congress [2]. On the other hand, public policy adoptions (Legitimizing public policy) is a result of the public statements or actions of government officials, both elected and appointed in all branches and at all levels. This includes executive orders, budgets, laws and appropriations, rules and regulations, and decisions and interpretations that have the effect of setting policy directions [2]. This subsection presents the actors and processes of public policy formulation and adoption in GPNRS.

As indicated in article 46 (3-7) of the regional council's rules of procedures and code of conduct regulation no. 2/2001 also confirmed by the speaker of the house, initiating legislation and policies formulation passes through set of some legal procedures. Accordingly, when particular draft laws and policies are initiated by the regional executive organ, the draft bills shall be submitted to the speaker in a written form signed by the regional president. Similarly, when different committees of the state council initiate draft bills, it shall be submitted to the speaker signed by the chairperson of the respective committee. Equally, a draft bill initiated by the parliament group (ruling or/and opposition party) shall be presented to the speaker of the council in written form signed by the chief of the party or the parliamentary group.

A draft bill initiated by any authorized institution shall also be submitted to the speaker in written form signed by the head of the respective institutions. Article 46 (3-7) of the regulation no. 2/2001 any a draft legislation by any of the authorized body is expected to satisfy the following pre-conditions: the significance

of the draft law/policy for the socio-economic development of the region; detailed contents of the draft law; a document verifying the impact in which the draft policy/law shall have on the government budget, the draft bill shall be prepared both by Amharic an English copies (GPNRS regulation no. 2/2001, article 46). According to article 47 of GPNRS regulation no. 2/2001, once policy agendas are selected, the policy proposals (draft bills) shall pass three stages of readings. Accordingly, in the first round-reading, the owner of the agenda (who initiated the bill) shall explain the content and the objective of the bill; after a brief discussion on the draft bill by members of the council, the speaker of the council refers it to the concerned standing-committee for the intent of analyzing the relevance of the draft policy/law; draft bills may also be directly passed to second reading upon the support of the majority members of the council. If the document is not distributed before 48 hours, it must be presented by reading in detail. In the second round reading detailed discussion shall be conducted by members of the council; based on the report and recommendation of the concerned standing-committee to whom the draft law is referred. In the third round reading, the council shall pass its final decision. According to article 144 of GPNRS regulation no. 2/2001, a standing committee, to whom a draft bill is referred, may use a representative of the initiator that give clarifications over the draft bill and vague issues, and a public hearing will be organized for scrutiny. Having the legal procedures of policy formulation respondents were asked to describe the practical process, nature and context of formulating and adopting public policies in GPNRS. From table above, we can notice that public policy formulation in GPNRS is not effective in all measures provided to scrutiny its nature. In this regard majority of the respondents: 32% and 20% responded low and very low respectively to the indicator that inquires 'Significance of draft laws/policy proposals for the socio-economic development of the region'. From this result, we understand that the formulation of draft laws/policy proposals were less significant for the socio-economic development of the region.

Table 4. Respondents view about the nature of Formulating public policy in GPNRS, by%.

	V. H.	H	M.	L.	V. L.
Significance of draft law/policy proposals for the socioeconomic development of the region	10%	17%	21%	32%	20%
Draft proposals prepared based on implementable solution to the issue at hand	3%	6%	18%	49%	24%
Draft bills come up with alternatives or options for resolving or ameliorating public problems	2%	4%	19%	54%	21%
Draft bills/policy proposals verify their impact on the government budget.	12%	13%	19%	32%	24%
draft law/policy proposals prepared with detailed contents	24%	35%	29%	10%	2%
Public policies are formulated with clear objectives	6%	17%	37%	27%	13%
Consideration of views of relevant stakeholders	4%	8%	24%	38%	26%
Consideration of cross-cutting issues: gender and environment	2%	6%	12%	51%	29%
Draft billsreflect the wellbeing of the general public	7%	10%	15%	43%	25%

Accordingly, the formulation of draft bills/ policy proposals gives due attention to the preference central policy elites and narrow personal interest of policy makers than the significance of the bills to the socio-economic development of the region²². Policy proposals or draft bills were formulated considering their value for corruption and

exploiting the resource of the regional state's resources (natural resource and financial resource)²³.

Likewise, majority of respondents of questionnaires responded low and very low to the indicators that inquire, providing alternatives, implementable and consideration of the impact on the budget, during formulating policy.

22 Interview with, economic and finance advisor of the president of GPNRS (Jun 6, 2020).

23 Interview with, secretariat head of Gambela branch opposition party (Jun 7, 2020).

Accordingly, 54% and 21% of respondents' responded low and very low implying formulations of bills/ policy proposals do not come up with alternatives or options for resolving or ameliorating public problems. Similarly 49% and 24% of respondents' responded low and very low indicating that draft bills are not prepared based on the implementable solutions to the issue at hand. Moreover, 32% and 24% of respondents responded low and very low implying that the formulation of draft bills/policy proposals do not adequately verify their impact on the government budget.

The key informants of this study also agree that the formulation of public policy in GPNRS does not come up with alternatives or options for resolving or ameliorating public problems rather intended for the narrow interest of few policy elites. They also argue that the formulation of draft proposals does not consider an implementable solution to the issue at hand.

Majority of policies implemented throughout Ethiopia were formulated centrally with consideration of realities and policy instruments in highland Ethiopia. As the context in Gambela is different from highland Ethiopia such policy direction are not implementable or are difficult to implement in Gambela²⁴.

On a similar line, respondents were asked to reflect on whether policies are formulated with detailed contents, clear objectives, stakeholder involvements, considering cross-cutting issues and reflecting public wellbeing. Accordingly, 24% and 35% of respondents responded very high and high indicating that draft laws/policy proposals are prepared with detailed contents. On this point, some key informants argued that as the majority of the policies and bills are adapted from the federal government and their contents are detailed as detailed the federal bills are²⁵. Likewise, respondents asked whether Public policies are formulated with clear objectives. Accordingly, 37% of them responded medium and while, 27% of them Low. On the other hand majority of the respondents indicated that the formulation of public policies in GPNRS does not consider the views of relevant stakeholders. Accordingly, 38% and 26% of the respondents responded low and very low. Moreover, 43% and 25% of respondents responded low and very low, indicating that the formulation of draft bills does not, reflect the wellbeing of the general public.

Similarly, respondents of key informant interviews indicated that stakeholder involvement and also the consideration of stakeholder view in policy formulation is low. The constitution of the federal government (1995) and the revised constitution of GPNRS (2002) promulgate public participation in the political process of governments. In this regard Article 88 (6) of the FDRE constitution (1995), and article 113 (5) promulgates that, Government (federal and state) shall at all times promote the participation of the People in the formulation of development policies and

programs; it shall also have the duty to support the initiatives of the People in their development endeavors. Moreover, GPNRS regulation no. 2/2001 empowers standing committees to whom the draft bill is directed for scrutiny, may call for a public hearing if necessary. The public in this regard is represented by different stakeholders such as mass organizations, interest groups, civil society organizations, think tanks, public institutions, media and individuals, etc. However, neither the standing committees do not undertake public hearing, nor the public (relevant stakeholders) have no platform to influence public policy formulation²⁶.

On the other hand, some key informants argue that there is some room for public servants to take part in policy formulation. According to the key informant sources once the policy agenda accepted by the executive branch of the government, draft bills or policy proposals are prepared by legal experts of the justice bureau, based on the direction given by the regional administrative council. Similarly, a draft policy proposal of a development agenda to be prepared in the form of plans shall be sent to the finance and economic development bureau and sectoral bureaus. Policy Proposals which are compiled by the justice bureau of finance and economic development bureau shall be approved by the regional executive committees and then to the regional councils for approval²⁷. Referring to such similar procedures of policy formulation in Ethiopia some researchers [38, 39] argue that process of policy-making in Ethiopia is a combination of "top-down" and "bottom-up" approaches. However, the researcher of this study argues that the contribution of experts of the justice bureau and finance and economic development bureau in the policy process is limited to write-up or making the draft bill contain legal frame work formal plan format. They do not have room to come up with alternative ideas, nor shape policy contents²⁸. Hence, as the views of public servants are insignificant on the policy content, their role in the policy formulation process does not make the policy making process a combination of "top-down" and "bottom-up" approaches.

Consideration of cross-cutting issues such as gender and environment in the formulation of public policies has also be indicated as low (51% respondents and very low (29% respondents). Likewise, key informants also indicated that consideration of cross-cutting issues in the policy formulation process has been disregarded. However, article 89 (7) of the FDRE Constitution and article 113 (7) the revised constitution of GPNRS (2002) promulgates that, Government (both the federal and regional state) shall ensure the participation of women in equality with men in all economic and social development endeavors. Likewise, article 92 (2) of FDRE constitution (1995) and Article 116 (2) of the revised constitution of GPNRS promulgates, the design and implementation of programs and projects of development shall not damage or destroy the environment.

²⁴Interview with, head of Agriculture and environmental conservation bureau of GPNRS (Jun 6, 2020).

²⁵Interview, speaker of the council of GPNRS (Jun 5, 2020).

²⁶Interview with, head of Agriculture, environmental conservation and natural resource affairs standing committee of GPNRS (Jun 5, 2020).

²⁷Interview with, speaker of the council of GPNRS (Jun 5, 2020).

²⁸Interview with, Legal advisor of GPNRS (Jun 6, 2020).

3) Public policy adoption in GPNRS

Public policy adoption process (Legitimizing public policy) is a result of the public statements or actions of government officials, both elected and appointed in all branches of government and at all levels [2]. This includes executive orders, budgets, laws and appropriations, rules and regulations, and decisions and interpretations that have the effect of setting policy directions. Accordingly, article 51 of the revised Constitution of GPNRS, (2002) stipulates that regional states constitution, laws, annual budgets, economic, social and development policies and programs of the regional state shall be adopted by the council of GPNRS. Moreover, article 61 of the revised constitution of GPNRS (2002) empowers the executive organ to adopted rules and regulations.

Similarly, article 59 (1) of the revised constitution of GPNRS (2002) and 41 of GPNRS regulation no. 2/2001 promulgates that, draft bills presented council, shall be approved with a simple majority (50+) vote. However, deciding on the constitutional amendment, state of

emergency, amending provisions of basic human rights, which requires 2/3 vote of the council. The revised constitution of GPNRS (2002) also guarantees that members of the regional council are representatives of the regional People as a whole; and they are governed by the Constitution, the will of the people, and their Conscience (art, 50 (3)). Moreover, the constitution promulgates that, no member of the council may be prosecuted on account of any vote he/she casts or opinion he/she expresses in the council, nor shall any administrative action be taken against any member on such grounds. And also no member of the council may be arrested or prosecuted without the permission of the council except in the case of flagrant delicto (art, 50 (4-5)). Once a draft bill is approved by the council of the regional state, it shall be sent to the president of the regional state for signature (GPNRS, 2002: art 64; and GPNRS regulation no. 2/2001: art 53). Finally, the draft bill shall be implemented after printed in 'Gambela Negarit' magazine in Amharic and English copies.

Table 5. Respondents view about the nature and context of adopting public policy in GPNRS, by%.

	1	2	3	4	5
During adoption process policy makers (in the council) democratically discuss on draft bills	2%	6%	13%	52%	27%
valuing evidences than political ideology or rhetoric during adoption	4%	6%	15%	44%	31%
enacted bills, regulations and directives conform to supreme laws	21%	41%	28%	7%	3%
economic, social and development policies and programs adopted in GPNRS were politically feasible and legitimate	5%	8%	44%	33%	10%

1=Very High, 2=High, 3=M=medium, 4=Low, 5=Very Low

As indicated in table 5 majority of the respondents: 52% and 27% responded low and very low for the question they were asked if policy makers (in the council) democratically discuss draft bills during the adoption process. This implies that members of the council in GPNRS are not free to democratically discuss (express their views) during the adoption of public policies. Likewise, 44% and 31% of respondents responded low and very low for the indicator of 'discussing evidence than political ideology or rhetoric'. This also implies that members of the regional council and also executive organ gives more value to political ideology or rhetoric than evidence or reality of the regional state, during policy adoption.

Similarly, sources of qualitative data, particularly key informants indicated that almost all of the draft bills sent by the regional executive are assumed to be sent by the federal elites and the regional ruling party. Hence, draft bills or policy proposals are adopted without opposition or meaningful discussion. There are several reasons that key informants for the lack of democratic and meaningful discussions during policy adoption in GPNRS. In this regard, the first major reason is that the all of seats in the council of GPNRSs' have been seized by members of the ruling party. On top of this members of the council have been suffered the democratic centralization system of EPRDF/GPDM and party discipline imposed on members of the regional council²⁹. Likewise, another key informant of this study

described how to party disciple downgraded democratic discussions during policy adoption in the regional council. The interviewee describes it as follow:

Before they presented to the regional council, almost all draft bills/policy proposals are assumed to be identified, debated, discussed in detail and formulated by the regional ruling party and the regional executive body. Accordingly, draft bills presented to the council are assumed to meet the objectives of the ruling party and hence members, including members of the regional council, of the ruling party have given their consent to the policies. Thus, no member of the council stood against draft bills /policy proposals of its own party, rather the council unanimously approve bills/ policy drafts presented to it. Moreover, in case there are members of the council who oppose draft bills of their party during the adoption process, the party will impose strict disciplinary punishment, including being fired from the party membership and political positions³⁰.

Despite constitutional procedures, the practice of policy adoption in the regional council is suffered from party discipline and democratic centralism; hence one can notice that it is an unconstitutional act. As discussed earlier, the revised constitution of GPNRS (2002) guarantees that members of the regional council are representatives of the regional People as a

29Interview with, speaker of the council of GPNRS.

30Interview with, vice head and coordinator of political affairs of Gambela Prosperity Party.

whole; and they are governed by the Constitution, the will of the people, and their Conscience (art, 50 (3)), not by party discipline. Moreover, the constitution promulgates, that no member of the council may be prosecuted on account of any vote he/she casts or opinion he/she expresses in the council, nor shall any administrative action be taken against any member on such grounds. And also no member of the House may be arrested or prosecuted without the permission of the House except in the case of flagrante delicto (art, 50 (4-5)). Against this constitutional guarantee, members of the regional council are victims of party discipline which results in prosecution and strict punishment on account of a vote he/she casts or opinion he/she expresses in the council.

Other key informants also asserted that most members of the regional council are less concerned with socio-economic policy matters; rather they are concerned about political appointments³¹. Others also add that, in democratic centralism and party discipline systems, members of the regional council are assumed to participate and debated during policy agenda setting and formulation in the party platform. However, in practice, policies are developed within few central and regional party core executive structures. Hence the majority of members of the council have not the opportunity to influence policy initiation and formulation³². On the other hand; respondents were asked if enacted bills, regulations and directives conform to the supreme law of the region. In this regard majority of the respondents: 21% and 41% responded high and very high respectively. This implies that enacted bills, regulations and directives conform to the constitution of the region. Likewise, the majority of the key informants indicated that though, the process of policy development is un-constitutional, content-wise enacted bills or policies do not contradict with the regional constitution.

Lastly, respondents of this study were asked if they think that, economic, social and development policies and programs adopted in GPNRS were politically feasible and legitimate. Accordingly, 44% responded medium and 33% responded low. This result indicates that the legitimacy and political feasibility of public policies enacted in the region are contestable. Hence the result is clarified by further triangulating it with qualitative data.

Accordingly, key informants of this study have different views about the legitimacy of public policies in the region. Most key informant respondents agree that laws, rules, regulations are legalized by an authoritative body: regional council, executive organs. However, some key informants quest the legitimacy of economic, social and development policies and programs enacted in the regional state of GPNRS. The respondents have indicated that these general policy guides have not to be adopted by the regional council, rather they are merely implemented as they were sent by the federal government, with meaningless involvement of the

regional executive body³³. However, article 51 of the revised Constitution of GPNRS, (2002) stipulates that economic, social and development policies and programs of the regional state shall be adopted by the council of GPNRS. Moreover, the revised constitution of GPNRS (2002: art 61) empowers the executive organ to only adopted rules and regulations, not economic, social and development policies and programs of the regional state. Some respondents argue that laws, rules, regulations, economic, social and development policies and programs enacted in the regional state of GPNRS have been legitimized by an authoritative body. In this regard, a key informant asserts that though the regional council did not directly enacted general social, economic and development policies and programs that have been implemented in the region, it indirectly enacts them annually while it approves annual government budgets. Annual budgets are allocated and approved for implementation of economic, social and development policies and programs of the regional state, among other activities³⁴. From this discussion, we can understand that the regional council is the constitutionally mandated body that did not directly take part in the adoption of general social, economic and development policies and programs. However, we cannot conclude that these policies and development programs are illegitimate as the council authorizes them indirectly during annual budget approval.

3.4. Challenges That Hinder the Exercise of Constitutional Rights of Policy Making in GPNRS

Policy makers are part of the system in which governments must operate. This system has no shortage of external and internal forces that are constantly challenging it [4]. This section deals with major challenges that hinder the exercise of constitutional rights of policy making in GPNRS. Accordingly, the following figure illustrates respondents' responses to the proposed challenges by questionnaires provided to them.

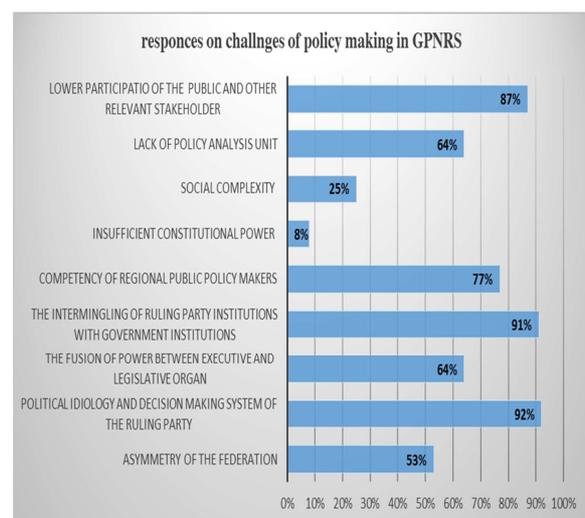


Figure 5. % of respondents on the challenges of Policy making In GPNRS.

31 Interview with, senior planning expert and director of Agricultural input supplies and rural finance director, in GPNRS agriculture and environment conservation bureau.

32 Interview with, former coordinator of urban political affairs of GPDM (Jun 6, 2020)..

33 Interview with, Legal advisor of GPNRS (Jun 7, 2020).

34 Interview with, speaker of the council of GPNRS (Jun 5, 2020).

1) Political Ideology and decision making system

As presented in the figure the major challenge that hinders the exercise of constitutional rights of policy making in GPNRS are related to political party and nexus of party-government. Accordingly, 92% of the respondents of this study indicated that the Political ideology and decision-making system of the ruling party is the main challenge that hinders the exercise of constitutional rights of policy making in GPNRS. Similarly, 91% of these respondents have also indicated that the intermingling of ruling party institutions and government institutions is hindering the exercise of the constitutional right of public policy making in GPNRS

Likewise, the secondary sources and key informant interviews of this study also indicated that the political ideology (revolutionary democracy and the decision-making systems (democratic centralism and party discipline); and also the intermingling of the ruling party and government institution has been hindering the exercise of constitutional rights of policy making in the region. The ideology of Marxism-Leninism and revolutionary democracy 'has been a critical element guiding and as well as justifying policy elites' claims on the choice of public policies and the institutional and structural mechanisms of implementing them'[20].

...not only ideology has played a critical role in the choice of public policies and institutional instruments for implementing them, but also laid the ground-work for policy elites to justify their claims on policy actions. While ideological precepts and the justifications underpinning them provided policy elites with overwhelming leverage in policymaking, it precluded civil society from making salutary contributions to the policymaking process [20].

Political parties prepare political manifestos that set out both their strategic direction and their outline of prospective policy and programs, should they be elected to serve in government. Therefore, a political manifesto could be defined as a public declaration of intentions or programs by a given political party. It allows the electors to choose the party program and policy that best meet their needs. The parties are then supposed to follow and implement the policies and programs to which they are committed by their manifestos, once they get into the office [39].

Though political parties of Gambela regional states were not members of the EPRDF, they used to imitate the structure, regulations, and procedures of decision making and political discourses of it. The internal regulations regional ruling party revised their internal regulations to replicate the central party constitution. A key informant describes how the former ruling party (GPDM) imitated EPRDF as follow:

Likewise, the structure and functioning of EPRDF, the regional party was organized consisting: the congress (which meets once in a year), the central committee consists of 60 elected members, (which is elected by the congress and meets twice a year), the Polit- bureau (which is elected by the central committee and). Like the Polit Bureau of EPRDF the Polit-Bureau of GPDM, manages the day-to-day activities of the Party and monopolizes

*policymaking of the region*³⁵.

Revolutionary Democracy (The political ideology of EPRDF³⁶ and its affiliates) strictly follows a decision-making system of democratic centralism which enables the core executive committee members of EPRDF to monopolize the determination of public policy agenda that binds EPRDF, affiliates of EPRDF and government structures at all level³⁷. This political ideology has also provided EPRDF with the best prospects of representing itself as the 'sole architect, designer and promoter of all socio-economic policies' assigned exclusive leverage to the EPRDF to set structures for policymaking, and the making and unmaking of government institutions [20]. Moreover, policy governance and decision-making under EPRDF attributed to the top-down decision-making approach that takes a 'committee-style' form with little scope for dissent or adaptation to local circumstances [40]. It has also made political leaders and policy makers of the GPNRS, to be loyal and obedient to the detailed policy directives of EPRDF. Hence, key informants argue that revolutionary democracy is a political ideology that justifies policy decision systems that hindered the self-rule and constitutional power of public policy making³⁸.

The Front claims to be the vanguard of the Ethiopian Farmers, lower and middle urban dwellers and developmental actors. A brief history of EPRDF posted on its website of reads that:

EPRDF is the vanguard of the Ethiopian Farmers, lower and middle urban dwellers and developmental actors. The core leadership pursuers the cause of revolutionary democracy and represents Ethiopians advanced productive forces and the fundamental interests of the overwhelming majority of the Ethiopian people.

However, the Federal and the regional constitutions empower GPNRS regional state to formulate and adopt development policies within their jurisdiction, the reality shows that most policies adopted in GPNRS emanated from EPRDF. Accordingly, the EPRDF led FDRE, hence GPNRS adopted an Economic Development Strategy for Ethiopia in 1994 that explains the economic objectives characterized by rapid and sustainable development, equity, economic prosperity and competency and a free-market economy. The strategy introduced a macroeconomic policy framework called Agricultural Development Led Industrialization (ADLI). ADLI is 'a development framework that aimed to achieve initial industrialization through robust agricultural growth and close linkage between the agricultural and the

35Interview with, former coordinator of urban political affairs of GPDM (Jun 6, 2020).

36 The front claims to Revolutionary democracy (at the earlier) and Democratic Developmental state (later) as its guiding Ideologies. In fact, the researcher couldn't find any informant or official-party documents that explains the differences between Revolutionary Democracy and Democratic Developmental state. However following the recent deep renewal of EPRDF (2018) some members of EPRDF (i.e. ADP) were declaring that they are not revolutionary Democratic rather they claim to be Democratic Developmental state only.

37Interview with, vice head and coordinator of political affairs of GPNRS Prosperity Party (Jun 6, 2020).

38Interview with, speaker of the council of GPNRS (Jun 5, 2020).

industrial sector. ADLI became a basic development framework for other sectoral policies such as Rural Development Policy and Strategies (2003), Industry Development Strategy (2003), etc; and consecutive midterm comprehensive development plans of Ethiopia such as 'Peace, Democracy and Development Program' (1992- 1996), 'Sustainable Development and Poverty Reduction Programme (SDPRP)' (2002-2005), 'Plan for accelerated and sustainable development to end poverty (PASDEP)' (2005 – 2010), The 'First Growth and Transformation Plan (GTP I)' (2010/11-2014/15) and the 'Second Growth and Transformation Plan (GTP II)' (2015/16-2019/20).

In January 2018, the Ethiopian People's Revolutionary Democratic Front (EPRDF) announced that in order to respond to intensifying anti-government protests, it would take comprehensive reform measures, including revising and repealing laws that narrowed the political space, facilitating free and fair elections, releasing political prisoners and promoting national reconciliation. Prosperity party is established on December 1, 2019, by the merger of eight regional or and ethnic-based parties including the Gambela Peoples' Democratic Movement (GPDM). Prosperity Party is a national party organized hierarchically as follows: National Assembly, Central Committee, Executive Committee, President, Vice President, Central Control and Inspection Commission, the Office of the Party, Regional Offices of the Party, Zonal, District and Kebele conferences of the Party, Women's Organization, and Youth Organization³⁹. Currently, the ruling party of GPNRS is the prosperity party of GPNRS. Hence, as a national party and a party that does not exclude minority groups with the name 'allied parties', the development thinking and policy discourses of Prosperity party are development thinking policy discourses of regional prosperity parties. This implies that the political ideology and development directions of GPNRS Prosperity Party are political ideology and development directions of national Prosperity Party⁴⁰. Moreover, the program of Prosperity Party promulgates any decision made by the national Central Committee (CC) by will be implemented by all organs and members of the party⁴¹.

Key informants describe that the coming of prosperity party has improved public policy decision making systems of the regional state. Accordingly, the prosperity party has made regional policy elites to take part in decisions passed at the center; currently, there is no ideological strictness during decision making, regional policy makers autonomously set public policy agendas at the regional level⁴². On the other hand, some key informants are yet skeptical about these changes in regional policy making. Accordingly they argue

that:

...the political ideology of Prosperity Party based on the thinking of 'Medemer', which is thinking of Prime Minister Abiy Ahmed. The party (including its regional party offices) also explicitly expresses that the objectives of the party will be achieved through 'Medemer' thinking. Moreover, as a national party all regional party offices expected to implement (replicate) the decision made by the national Central Committee, which intern works on the ideals of 'Medemer' thinking of the PM. This indicates that the sort of personalization of policy agenda setting throughout the Prosperity Party-led regional states⁴³.

From the above quote, we understand that, though, significant political changes introduced with the coming of the Prosperity Party, yet, there is continuity of upward accountability to the central party organs rather than downward accountability to the people of the region and regional self-rule in policy making. Likewise, the former (EPRDF/GPDM) party, the regional party office of Prosperity Party replicates the political ideology and party programs of the national Prosperity Party. According to the Program of Prosperity Party, the overall objective of the party is to make Ethiopia a prosperous country. The political program of the Party is also to build a nation-state that is strong and has legitimacy. The Economic Program of Prosperity Party is to build an inclusive economic system that realizes the prosperity of the people, in which Government plays a key role to make sure that the fair distribution of wealth happen and intervenes in strategic areas following the principles of a market-led economy⁴⁴.

The Ethiopian government has also introduced a new economic reform blueprint, dubbed Homegrown Economic reform, with a major aspiration to unlock the country's development potentials. The newly introduced initiative, among other things, outlined macroeconomic, structural and sectoral reforms that are said to pave the way for job creation, poverty reduction, and inclusive growth [41]. This economic reform program is initiated ted by the office of the prime minister, but it serves as general policy direction across all regions. This also implies that there is a continuity of centralization and personalization of decision making in Ethiopia; and dependence of policy makers in GPNRS on the federal elite's policy agenda.

2) Intermingling of the ruling party institutions and government institutions

As presented in the figure the similar to the first major challenges, the second challenge that hinders the exercise of constitutional rights of policy making in GPNRS is also related to a political party. Accordingly, 91% of these respondents have also indicated that the intermingling of ruling party institutions and government institutions is hindering the exercise of the constitutional right of public policy making in GPNRS. Similarly, the qualitative data

39 see program of Prosperity Party, available at, <https://addisstandard.com/wp-content/uploads/2019/11/AS-Exclusive-Prosperity-Party-Program-.pdf>,

40Interview with, vice head and coordinator of GPNRS Prosperity Party (Jun 6, 2020).

41 see program of Prosperity Party, available at, <https://addisstandard.com/wp-content/uploads/2019/11/AS-Exclusive-Prosperity-Party-Program-.pdf>

42Interview with, vice head and coordinator of political affairs of GPNRS Prosperity Party (Jun 6, 2020).

43Interview with, secretariat of Gambela Branch opposition party (Jun 7, 2020).

44see, program of Prosperity Party; available at, <https://addisstandard.com/wp-content/uploads/2019/11/AS-Exclusive-Prosperity-Party-Program-.pdf>,

sources also indicate that, given the challenge posed by political ideology and centralized decision-making system of EPRDF elite, regional policy-making in GPNRS, is challenged by the intermingling of ruling party institutions and government institutions. In this regard despite the formal policy initiation procedures that empower the legislative and executive organs of the regional government, the defacto process indicates the ruling party of the regional state takes the upper hand. As indicated by key informants (discussed in the preceding sections) once the policy agenda is set by the central elite and the ruling party of the region it will be decided by the regional core-coordinating executive committee. This coordinating committee was composed of five members: the president of the region, vice president and three members of top officials of the ruling party of the regional state, and each member has an equal vote. The decision passed by this committee shall pass consequent decision-making platforms, due to democratic centralism and party discipline⁴⁵. Moreover, party officials are considered as defacto leaders of the regional state and are more privileged than elected officials. This is due to the fact that they have the actual power to nominate and reject political appointees within the region⁴⁶. Key informants also indicated that the intermingling of party institutions and government institutions was manifested not only during decision making but also in the use of government budget. Accordingly party officials took their monthly salary and other benefits from government budget, justified by their fake title of advisors of the president⁴⁷. Key informants also indicated that the intermingling of party and government institutions has continued even after the formation of the Prosperity Party. Accordingly, despite the political changes, the power of the ruling party of the regional state remained to override the role of official policy actors; yet the seat of the ruling party in the regional coordinating committee is 3 which over weighs the seat of elected officials. Moreover, like the previous system, officials the regional party, take their monthly salary and other benefits from government budget, justified by their fake title of advisors of the president⁴⁸.

Thus, the intermingling of political party institutions and government in GPNRS is hindering the exercise of the constitutional right public policy making of the regional state. It is also one of the unconstitutional and undemocratic nature of the incumbent regime, which made the federation of Ethiopia a pseudo-federation [9, 36]. It also contributes to a situation in which the ruling party is able to closely control regional and even local affairs and promotes upward accountability to the party organs above rather than downward accountability to the people of the region [36, 37].

3) Lower public participation

45Interview with, former coordinator of urban political affairs of GPDM (Jun 6, 2020).

46 Interview with, vice head and coordinator of political affairs of GPNRS Prosperity Party (Jun 6, 2020)

47 Interview with, vice head and coordinator of political affairs of GPNRS Prosperity Party (Jun 6, 2020)

48Interview with, legal advisor of the president of GPNRS (Jun 6, 2020).

The respondents have indicated the third major challenge that is hindering the exercise of the constitutional right of public policy making in GPNRS is the lack of public and other important stakeholders' participation. This implies that the public represented by different stakeholders such as mass organizations, interest groups, civil society organizations, think tanks, media and individuals, etc, has no meaningful full influence in public policy making in the region. Considering public participation is a manifestation of a democratic political system and self-rule, it can be argued that lack of public participation hinders the exercise of self-rule.

Similarly, respondents of key informant interviews indicated that stakeholder involvement and also the consideration of stakeholder view in policy formulation is low. According to key informants, policy makers or public officials of GPNRS state consider that the public and other stakeholders should only participate during policy implementation; not at the policy development stage⁴⁹. The other respondent also argues that in the Ethiopia in general and in GPNRS in particular public participation is lower in policy making process. According to this respondent:

Political leaders of the region consider the public has participated if a policy agenda is initiated, formulated and adopted by the executive and legislative body. On top of this, the participation of the legislative body in this process is nominal. Stakeholders such as mass organizations, interest groups, civil society organizations, think tanks, media and individuals remained unheard due to the lack of both willingness of the policy elite and platforms for public participation⁵⁰.

On other hand, the standing committees, to whom a draft bill is given for scrutiny, do not undertake public hearings even on policy agendas that the public is more concerned about. Standing committees are more concerned with the supervision of policy implementation⁵¹. Despite this lower public participation, the constitution of the federal government (1995) and the revised constitution of GPNRS (2002) promulgates public participation in the political process of governments. In this regard Article 88 (6) of the FDRE constitution (1995), and article 113 (5) promulgates that, Government (federal and state) shall at all times promote the participation of the People in the formulation of development policies and programs; it shall also have the duty to support the initiatives of the People in their development endeavors. Moreover, GPNRS regulation no. 2/2001 empowers standing committees to whom the draft bill is directed for scrutiny, may call for a public hearing if necessary.

4) In-competency of policy makers and lack policy analysis unit

The other major challenge that respondents of this study

49 Interview with, economic and finance advisor of the president of GPNRS (Jun 6, 2020).

50Interview with, speaker of the council of GPNRS (Jun 5, 2020).

51Interview with, head of Agriculture, environmental conservation and natural resource affairs standing committee of GPNRS (Jun 5, 2020).

indicated to hinder the exercise of the constitutional right of public policy making in GPNRS is the incompetency of policy makers. Accordingly, 77% of the respondents of the study agreed that lack of capacity or incompetency of policy makers of the regional state has hindered public policy making in the regional state. Moreover, 64% of respondents indicated that the lack of a policy analysis unit is hindering the exercise of policy making in the region.

Likewise, most of the respondents of this study has indicated that public policy makers of the regional state do not know either their constitutional powers of policy making or lacks knowledge of scientific policy making procedures. In this regard, key informants argued that due to historical marginalization that remained in Ethiopia, the literacy rate of the region is one of the lowest. For that reason except a few political figures, most of the public policy makers lack scientific knowledge and experience of policy making⁵². Similarly, respondents indicated that due to the ethnic-based politics of the Ethiopian federation, the ruling party in Gambela regional state gives more emphasis to the ethnic and clan-based background of candidates than the qualification of candidates⁵³. Another key informant argues that one of the reasons for the extensive involvement of federal elites in the policy process of the regional state is the incompetency of the regional policy makers. The respondent argues as follow:

Given the incompetency of policy makers of the regional state, there were different federal government agents (i.e ministry federal affairs) and EPRDF representatives with the aim of capacitating regional policy makers. However, the practical role of these agents was undermining the constitutional power of regional policy makers than empowering them. They (the agents) were considering themselves as the boss of the regional state's leaders and the regional leaders were also taking them as their immediate bosses. These federal agents were the de-facto policy makers of the regional state instead of regional policy elites. This has undermined the exercise of the constitutional right of regional policy making in GPNRS⁵⁴.

As indicated by key informants, besides the incompetency of individual policy makers, key policy-making actors like the regional party institutions were incompetent. On top of this, there is no independent policy analysis unit in the region. The policy making process also undermines the role of experts. As discussed in chapter two, policy actors need to improve the internal organizational and professional competencies of their bureaucracy with clear structures and effective organization and regulations. Professionalism is needed in this organization and management, and research, analytical and advocacy capacity to articulate policy issues also need to be enhanced [40].

5) Fusion of power between executive and legislative organ

⁵²Interview with, Former coordinator of urban political affairs of GPDM (Jun 5, 2020).

⁵³Interview with, secretariat of Gambela Branch opposition party (Jun 6, 2020).

⁵⁴Interview with, speaker of the council of GPNRS (Jun 5, 2020).

The finding revealed that, 64% of the respondents of this study has indicated that the fusion of power between executive and legislative organ of GPNRS is has posed challenge on the exercise of regional policy making. Likewise, key informants and secondary sources of this study indicate that the fusion of power and lack of check and balance between the legislative and executive organ has hindered the exercise of regional policy making in GPNRS. As discussed earlier, Chapter five of the revised constitution of GPNRS (2002) states that the political power of the regional government is separated between the legislative, the executive and the judiciary. From these, the legislative and the executive branches have the mandate of regional policy making. The GPNRS council rules of procedures code of conduct regulation no. 2/2001, promulgates that the regional state should have a parliamentary structure. According to article 48 (1) and Article 51 (2) of the revised constitution of GPNRS, the regional council is the legislative organ, and it has the highest authority in the region, and it has the power to elect the regional president from among members of the regional council. In this regard, the president and probably other members of the cabinet shall have dual power as executor and legislature. Most key informant respondents agree that development, laws, rules, regulations in GPNRS are initiated, formulated and even adopted by the will of the executive organ and other key policy actors (a party and federal elites). In most policy development processes, the role of the legislative organ is nominal and is limited to legitimating policy decisions⁵⁵. Given the party discipline system (discussed earlier), the dual power of the executive organ in the legislative and executive platforms of the policy making, has undermined debates, serious policy negotiation during policy development and adoption process. Hence, the fusion of power of the legislative and the executive has hindered the exercise of constitutional right of policy making in GPNRS.

Fusion of power between the legislative and the executive organ has also taken as a major challenge of policy making in the federal government of Ethiopia. Though, the constitution empowers both the legislative and the executive branches to make public policy, in practice the executive branch has exclusive leverage in the policymaking process. This was due to the fusion of power between the two branches, the domination of legislature by the leading party and members guided by party discipline.

6) The asymmetric federalism, social complexity, Constitutional power

The survey result shows that 53% of the respondents indicated that the asymmetry of the Ethiopian federation hinders the constitutional right of regional policy making in GPNRS. Similarly, secondary sources and some key informants of this study indicated that there is asymmetry within the Ethiopian federation that hinders the exercise of self-rule and regional policy making in GPNRS. Given its small population size and it's peripherally, the exercise of

⁵⁵ Interview with, Legal advisor of GPNRS (Jun 5, 2020)

constitutional rights of policy making in Gambela regional state has been affected. In this regard, it is argued that:

Impacts of the glaring political asymmetry arising from the relative population and land area size of the Ethiopian constituent units upon the operation of the Ethiopian federal system Impacts of the glaring political asymmetry arising from the relative population and land area size of the Ethiopian constituent units upon the operation of the Ethiopian federal system [42].

According to a key informant this study, the political asymmetry of the Ethiopian federation can be manifested by formal government structures and party structures. At the formal government structure the seat of representatives of GPNRS in the federal parliament is only 3. Hence they are unable to significantly influence public policies the federal government, which intern adopted by regional states⁵⁶. On the other hand, the policy actors of the regional state are also marginalized by party system of the country. As discussed earlier, under the leadership of the dominant party EPRDF, policy making in Ethiopia both: at federal and regional level, had call for probing into the organizational and operational principles of the ruling political [9]. Despite the regional party has merged with Prosperity Party, yet the representatives of the regional political elite at national level is small in number, hence they are unable to influence policy decisions, which binds regional party offices⁵⁷.

Hence, in all measures the policy makers of the regional state are minority and marginalized in the central (federal) policy decision platforms. This undermines the right to self-determination and also the exercise of constitutional right of regional policy making. On the other hand, 25% respondents responded that social complexity as policy making challenge in the state. As discussed earlier, Social complexity is a product of diverse interests and world views among Actors/stakeholders, a form of behavioral complexity. The greater the social complexity, the more important it is to use a multi-stakeholder approach to problem-solving; consultation and participation are key to this approach [4]. Though social complexity is not taken as serious challenge of regional policy making by most respondents, yet it poses difficulties over the process. According to a key informant, the public policy (public leaders) makers of GPNRS, represents different ethnic groups which further reflect clan and village interests. In most cases there are contradicting interests among the ethnic groups and clans of the region. This pose difficulty to aggregate interests and reach on a given policy decision. Moreover, policy makers lack awareness about the existence of social complexity and its possible detrimental effects.

4. Conclusion and Recommendations

4.1. Conclusion

This study intensely assessed the practice of public policy making in Gambela National Regional State, Ethiopia. From

the detailed analysis of this study the following conclusions are drawn. Accordingly, though there is constitutional guarantee: both by the constitution of FDRE (1995) and the revised constitution of GPNRS (2002); for the autonomy of regional public policy making, in practice few central policy elites of EPRDF have played exclusive role in defining and identifying policy problems and setting policy agenda. Whereas, the legislature and the executive organs of GPNRS, under strict control of the regional state's ruling party remained to be platforms of policy formulation and adoption. Thereby, the practice of regional policy making in GPNRS failed to realize the exercise of the constitutional right of regional public policy making; and hence the constitutional promise of self-rule. The study has also found that: political ideology of revolutionary democracy and decision making system of 'democratic centralism' and 'party discipline'; the intermingling of the ruling party institutions and government institutions; Lower public participation; in-competency of policy makers and lack policy analysis unit; fusion of power between executive and legislative organ; and the asymmetric nature of Ethiopian federalism have also posed challenge in undermining the exercise of constitutional promise of regional policy making; and hence self-rule in GPNRS.

4.2. Recommendation

Having assessed the practice of regional policy making in GPNRS the following major recommendations has been given. In this regard political ideology revolutionary democracy and decision making system of 'democratic centralism' and 'party discipline' have played major role in promoting top-down and centralized policy making process. To solve this, it is recommended that, political parties on power, to embrace more decentralized decision making systems than democratic centralism. Moreover, the system of 'party discipline' has better be abandoned; so that no member of the council may be prosecuted on account of any vote he/she casts or opinion he/she expresses in the council, nor shall any administrative action be taken against any member on such grounds. Accordingly, members of the regional council should be governed by the Constitution, the will of the people, and their Conscience.

Likewise, the intermingling of the ruling party institutions and government institutions has played significant role in undermining regional public policy. To solve this it is recommended that the seat of regional ruling party in regional core-executive (coordinating) committees better to be less than the seat of elected officials; and the salary and benefits paid for party officials from government budget had better be abandoned. Furthermore, democratization should be taken place which strengthens working of civil society organizations, media, pressure groups, political parties and other important stakeholders. Hence, freedom of speech and right to organized political movements has better be guaranteed. There by the constitutional promise of multi-party democracy should be realized. Similarly, it is found that in-competency of policy makers and lack policy analysis unit are hindering exercise of constitutional right of regional policy making in GPNRS.

⁵⁶Interview with, Legal Advisor of the president of GPNRS (Jun 6, 2020).

⁵⁷Interview with, secretariat of Gambela branch of opposition party (Jun 7, 2020).

Hence, it is recommended that, there should be series trainings on public policy making process, federalism and constitutional mandates of public policy. Likewise, there should be policy analysis unit in GPNRS.

These activities require coordinated actions of federal government, GPNRS, ruling party of FDRE, ruling party of GPNRS, civil society organizations, media and other relevant stake holders.

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