

Community Based Organizations and Their Role in Empowering Their Members: Experiences from Dire Dawa

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Abstract

Ethiopians are familiar with their own version of civil society organizations that are part of their life since time of immortal. However, in its modern form, CSOs are a recent phenomenon that did not exceed half a century. In this brief period, looking at their operation demonstrates that they faced pitfalls that bring their survival into question. All the successive regimes of the country tried their best to abort the very objectives of CSOs and manipulate them to serve as one wing of their administration. In this study it is showed that the CSOs serve as a public realm and made to mobilize their members to materialize their interest and aspiration. This paper tried to investigate the role of selected CSOs in consolidating sound governance in their endeavour by employing mixed research methods. The findings reveal that the selected CSOs are alternative channels of communication, participation, mobilization and ways of socialization/schools of democracy that are conventionally taken as bed rock to practice sound governance at grass root level. Furthermore, all the selected CSOs are instrumental to empower their members. They also serve as a push factor in lobbying and setting agenda to advance their members' interests. However, there are many challenges that stifled them to strengthen governance within the society. The natures of most challenges that hamper their performance are at times specific to their duties and responsibilities. However, there are instances of problems that transcend boundaries across the CSOs that are investigated in this study. Internal administrative malpractice and inefficiency; legal framework hurdles; alleged government interference; narrow membership base; lack of trust and confidence in the eyes of their members and the public; and the paucity of philanthropic culture to mobilize and organize around CSOs are the few of the many. However, some challenges are specific to each selected cases. For instance, EWLA has faced particular challenges partly emanated from the Charities and Societies proclamation 621/2009 on EWLA; ETA is struck by the confusion of leadership following the emergence of other competing Association as well as the nomination of school administrators by the Education Bureau of the City based on political affiliation of the candidate; and chaotic relations among employees, employers and government in CETU. The paper concluded by pinpointing some exit strategy from the current dire conditions of CSOs that are the focus of this study.

Keywords: Governance Sound Governance Civil Society Organizations EWLA ETA CETU

1 Introduction

In its modern sense of the term, Civil Society Organizations are relatively a recent phenomenon in Ethiopia. It is launched in the mid of the twentieth century in tandem with the socio-economic and political transformation of the country. Sisay (2002) posited that modern interest groups such as labor unions and professional associations began to emerge as CSOs following the Labor Relation Decree of the government that was proclaimed in 1963. However, notwithstanding with such narratives, it is possible to say that Civil society in the form of the traditional Ethiopian organizations, such as "*ekub*" and "*edir*", local self-help societies that provide services and mutual aid and protection of the interest of their members goes back to time of antiquity. In this paper attempt is given the development of the modern Civil Society Organizations pertinent to the last three consecutive regimes of the country. The paper will also try to pinpoint some of the legal and politico-administrative arrangement of the country in the context of CSOs (Civil Society Organizations) in their operation at grass root level.

2. The Historical Context

2.1 The State of Civil Society under the Imperial Regime

As indicated earlier, traditional form of self-help associations has long existed in Ethiopia. They have continued to exist in the forms of *edir*, *equb*, and *debo* so as to meet the immediate needs of their members. The development of modern civil society, however, is a recent event that not exceeded half a century. Urbanization and economic development were the impetus for the coming on scene of civic associations (Asnake and Dejene, 2009). During the reign of Emperor Haile Selassie, there were few non-state sectors that were considered as civil society. These included government sanctioned voluntary associations, particularly the Ethiopian Women's Association and the Ethiopian Red Cross. Furthermore, ethnic-based self-help associations and professional societies were also commonly noticed. Although the 1960 Civil Code did not proscribe the engagement of citizens in advancing public interest and service delivery, according to Dessalegn (2008), individuals preferred to

engage in self-help activities to avoid close scrutiny from the successive Imperial regime. Although the 1955 constitution advocates for the protection and promotion of fundamental freedoms and human rights that could be a milestone for the flourishing of civil society, the closed political arrangement did not entertain different ideas and institutions parallel to the state. All non-state actors did not face similar challenges from coercive state machineries. For instance, traditional institutions were immune from close state supervision since they did not pose challenges to the establishment. The Imperial regime, however, used to resort to violence to crush any dissents that could pose danger to its survival. The paucity of open political space culminated in the flourishing of opposition in various forms throughout the period.

The Imperial period also witnessed the emergences of trade unions, Teachers' Associations and Student Union. The promulgation of the Labor Law paved the way for the establishment of the Confederation of Ethiopian Labor Union (CELU). Subsequently, Ethiopian Teachers' Association (ETA) was established a year after. These associations were engaged in promoting and protecting their respective members as well as involving in political actions. ETA, for instance, had showed its solidarity with the Ethiopian Student Movement in voicing the demands of the marginalized sections of the Ethiopian society like that of "Land to the Tiller" (Asnake and Dejene, 2009). This shows the association's activity was not just limited to demanding professional interests, but it went to the extent of raising nationwide issues. Among civic organizations, the Ethiopian Student Union was prominent in posing socio-economic demands vis-à-vis the Imperial regime. While the regime did not prohibit their engagement in labor legislation, it was not tolerant to any actions staged by trade unions to keep their interests. The authoritarian nature of the political system was not the only factor that crippled trade unions, their internal weakness exemplified by weak leadership, disorganization and the paucity of resources were hindering factors (Dessalegn, 2002; 2008).

NGOs in Ethiopia were engaged in relief, development assistance, education and health, to name some of them. The international NGOs involvement traced back to the period of famine during the late days of Haile Selassie in 1973. The weakness of the state to reach out to the famine-stricken region partly prompted it to welcome the involvement of INGOs in relief activity. They were not "home grown, indigenous development" (Kassahun, 2002:128). Their activities targeted addressing immediate problems. Given the paucity of social bases exposed them to the state's pressure. This also opened an opportunity for the establishment of local relief organizations to engage in addressing famine-related catastrophes (Dessalegn, 2002; Kassahun, 2002).

2.2 Civil Society under the Military Regime

The increasing mounting challenges against the Imperial system culminated in the withering away of the *Solomonic* dynasty installed as of its restoration in 1270. Given the absence of political force to assume the state power in lieu of the old system, the military clique or what is known in *Geez* the Derg stepped into the power vacuum. The regime began to justify its assumption of state power to do away with the vestiges of feudo-capitalism and the transgression of fundamental freedoms which was an aged old tradition in land lord-tenancy relations. In fact the military regime took radical measures that differentiate it from its predecessor. Such actions included the promulgation of land to the tiller thereby ending tenancy system and nationalization of extra urban houses and privately-owned enterprises. The regime, however, continued the suppression of any dissent to the state in unparallel manner to the previous regime. Furthermore, it suppressed the survived self-help associations. As Dessalegn (2008) succinctly argues, the military regime proscribed the establishment of any social and political association so long as they were not permitted by the government. The existing associations were replaced by associations of social groups under the support of the regime. The Military went far to the extent of redesigning associations based on the model of socialist states. Furthermore, the period also witnessed the proliferation of associations along social groups' lines like the youth, women, peasants and urban dwellers. They were subservient to the political system so as to facilitate the implementation of government's policies. The military absolute interferences in the working of associations, as Asnake and Dejene (2009:98) clearly state, culminated in the termination of "official separation of government and civil society institutions".

The military regime unleashed its coercive machineries to intimidate, harass and imprison those dissidents and made associations instrument of the regime to advance its interest (Dessalegn, 2002). Associations devoid of political influence were able to survive during the military regime. Ethiopian Teachers' Association, however, faced different fate and its prominent members were purged. In this case, the Red Terror unleashed against the members of the Ethiopian People Revolutionary Party (EPRP) played a significant role in silencing opposition against the establishment (Tafesse, 2012). The military regime had precarious relations with NGOs. This was the result of considering them as the embodiment of Western values. However, it was forced to open its hand to international NGOs to engage in relief and rehabilitation activities to ameliorate the catastrophes accompanied the 1984/85 famine. The donors were hesitant to provide their food aid through the government. They rather preferred international NGOs to administer the food aid to the victims of the drought and famine. During this period, Christian Relief and Development Association (currently renamed as Consortium of Christian Relief and Development Association (CCRDA)) was engaged in significant activities characterized by

coordinating relief assistances. This period also witnessed an increasing numbers of international NGOs engaged in relief, rehabilitation and development activities. Those international and local NGOs were engaged in activities in the regime controlled areas.

In conflict-inflicted areas, according to Clark (2000), insurgents-affiliated relief organizations, such as REST (The Relief Society of Tigray), ERA (Eritrean Relief Association) and Oromo Relief Association (ORA) had access to deliver humanitarian activities. Local secular and faith based NGOs also began to flourish to actively participate in relief activities. Relief and Rehabilitation Commission (RRC), however, closed local secular NGOs on the ground that the commission is the appropriate body to undertake relief activities. On the eve of the demise of the military regime, there were some local and international NGOs as well as professional societies.

In sum, there were aspects of continuity and change between the Imperial and Military regimes with regard to their approaches vis-à-vis civil society. First, the regimes were intolerant to the existence of independent association that could uphold democratic virtues thereby functioning socialization role. This, in turn, crippled the emerging civic associations, be professional or trade unions, from becoming school of democracy. Second, the fertile grounds for the existence of vibrant civil society like free media, independent political party, and vibrant middle class were not in place. Furthermore, the entrenched authoritarian political system under the successive regimes, as Dessalegn (2008: 85) succinctly stated enabled “the state to be the sole and dominant force and was not to compete for influence with non-state actors”. This, in turn, limited the opportunity that civil societies could play to hold the regimes accountable for their actions. Both regimes, however, preferred to work with Non-Governmental Organizations engaged in relief activities during the time of drought and famine struck the country in 1973 and 1984.

It is also possible to observe aspects of changes between the successive Imperial and Military regimes as to their policies vis-à-vis civil society. The first difference lies in the Military regime’s use of force in unparallel manner against any dissent. This was manifested in the form of Red Terror against the sources of threats, which could pose challenge to the regime. The more entrenched system of the military regime marked distinct from its predecessor in that the establishment of Peasant Association and Urban Dwellers’ Association in the immediate aftermath of the onset of the Ethiopian Revolution showed the increasing penetration of the state. This had, in turn, impacted on the existence of independent associations parallel to the state. The military regime’s persisted action of organizing social groups under its close supervision is also different approach to cripple independent associations compared to the Imperial regime. Furthermore, the relatively harsh policy of the military regime in changing the existing associations as well as restructuring some of them along socialist model to make them channel of command and communication could different it from its predecessor.

2.3 The Politico-legal Contexts of Civil Society in the Post-1991 Political Arrangement

The demise of the military regime in 1991 ushered in the restructuring of state and society along ethno-linguistic lines. The Ethiopian People’s Revolutionary Democratic Force (EPRDF)-sponsored ethnic federalism experimented immediately after the incumbent assumed state power. Fourteen regions were organized accordingly. After the promulgation of the constitution of Federal Democratic Republic of Ethiopia (FDRE), nine regional states have been established. The explicit pronouncement of ethnicity in the political system so as to address the state crisis starkly differentiated the establishment from the status quo antes in that the previous regime, the military, sought to address the socio-economic plights of the society through class view. Another formal difference lies in the incumbent’s policy of decentralization. This, however, criticized for its failure to live up to the promise.

The incumbent bestowed sovereignty on ‘nations, nationalities and peoples’ of Ethiopia in the Constitution. The Constitution further succinctly entitled ‘nations, nationalities and peoples’ right to self-determination up to and including secession. This puts the territorial integrity of the state at stake that marked the discontinuity of the arrangement of political system compared to the previous unitary establishments. Furthermore, the institutionalization of a multi-party system in the current Constitution differentiated the post-1991 state-society relations from the military whereby mono-party system allowed in its 1987 Constitution by outlawing the existence different political groups. In practice, however, the incumbent has pursued actions exemplified by harassment, intimidation and imprisonment of members of different political parties at best and outlawing political groups at worst that would cripple the activities of independent political parties (Merera, 2003; Vestal, 1999). This enabled the ruling party to claim landslide victory in successive national and local elections held in 1995; 2000 and 2010 thereby maintained hegemonic position over the political terrain. As Tigist and Medhane (2011:6) asserted “the EPRDF has made it abundantly clear that it is not prepared to accept any equal contest for popular support, and has consistently mobilized the resources of the state to ensure electoral victory for itself.” Thus, the absence of a clear separation between the state and the ruling party would further complicate the environment in which civil societies are functioning.

Political parties are not just the victims of the incumbent regime; independent civic associations and

private media are also facing pressure. Article 31 of the Constitution, however, clearly states major fundamental freedoms and rights underpinning associations in what follows "Every person has the right to freedom of association for any cause or purpose. Associations which undertake acts that lawlessly subvert the rule of law and constitutional rule are prohibited." The incumbent government is also party to major international instruments, such as the Universal Declaration of Human Rights (UDHR) (1948), the International Covenant on Civil and Political Rights (ICCPR) (1966) as well as the International Covenant on Economic, Social and Cultural Rights (ICESCR) (1966). These instruments succinctly stipulate fundamental human rights with regard to freedom of associations. The UDHR (Art.20), the ICCPR (Art.22) and the ICESCR (Art. 8) to which Ethiopia is party, the incumbent is obliged to respect freedom of association. Those legal bases, however, do not warrant the existence open political space whereby civic groups could function without the undue restrictions of the state.

Constitutionalism is bedrock for the proper functioning of civil society in any political system. Needless to say, both the Transitional Charter and the FDRE Constitution clearly enshrined fundamental freedoms underpinning the existence of vibrant civil society. The problem, however, lies in the incompatibility between the stated ideal values and the practices whereby the incumbent takes measures in contrary to the basic tenets of the constitution. For example, arbitrary actions taken by the incumbent to dismiss Addis Ababa University faculty and against the very survival of Ethiopian Teachers' Association and Confederation of Ethiopian Trade Union showed, according to Vestal (1999), the infringement on freedom of associations and expression, which are the linchpin of vibrant civil society. The problem of constitutionalism continues as the feature of the politico-legal environment of the post-1991 political dispensation. Due process of law should also be mentioned as one of the pillars of constitutionalism to critically examine whether the establishment conducive to the flourishing of civil society. Due process of law proscribed government's action, which is contrary to the rule of law and extra-legal activities by government officials would be restrained. For instance, the post-1991 period has witnessed arbitrary arrest and torture without recourse to due process of law. Many people detained in prison without facing trial (Vestal, 1999). The government, however, argued the inadequate number of judges and prosecutors extend the trial period. The critics still charges the government in holding political prisoners in custody. In such cases, the system is still far from implementing due process of law regardless of certain attributes within the society. These phenomena inevitably would have effect on the legal environment in which the third sector is supposed to function. The policy environment, especially in the aftermath of the promulgation Societies and Charities Law in 2009, has also been challenging to the functioning of civil societies strived for the promotion of human rights by holding the government accountable for its actions.

Another challenge lies in the commitment of the ruling party to put mass organizations under its close supervision so as to implement its policies through thereof. This is mainly because of the Tigray People Liberation Front/EPRDF leaders' admiration for the Albanian communist model propagated by the Albanian dictator, Enver Hoxha. This policy persisted unabated "against a host of voluntary associations" (Vestal, 1999: 145). This position further attests the party's unwillingness to permit independent voluntary associations so as to advance and protect their interests in parallel to the state. It is one of the major exogenous impediments facing civil societies as far as the political context is concerned. Furthermore, the EPRDF led government espoused 'Revolutionary Democracy' as version of Marxism and Leninism. The ideology has been instrumental to organize every facet of people's life since the ruling party assumed the incumbency. The ruling party regarding itself as the vanguard party prompting it "---anticipate the country's needs and best interests and lead the masses through the oxymoronic theory of "democratic centralism""(Vestal, 1999: 185).

The incumbent's persisted attempt to entrench the ideology of Revolutionary Democracy is aimed at ensuring regime security. The uncontested political terrain monopolized by the ruling party is achieved through silencing any dissent to the system, recourse to coercion to any contest of supremacy, restricting political participation beyond support to the system, and manipulating mass organizations. This modus operandi would have dire consequences on the quality of political institutions in that principles underpinning Revolutionary Democracy would restrain the autonomy of political institutions, such as Parliament, Court, and government sponsored human rights institutions (Ethiopian Human Rights Commission and the Ombudsman) from checking the power of the executive. Furthermore, the ideology per se is incompatible to the existence of independent associations that could voice the demands whom they represent.

The trajectory of political culture, as Dessalegn (2004: 3) clearly stated, characterized by the "tradition of successive governments of leaving the public out of the political equation" continues to determine the degree of freedom of activities of civil societies, particularly, those engaged in advocacy matters in relation to the state. As already mentioned in the previous discussion, the existence of private media is indispensable for the existence of vibrant society. The post-1991 period witnessed the mushrooming of private press due to the desire of the public to have access to alternative sources of information and people's disgruntlement about state-owned media. Although the Imperial and the *Dergue* regimes sanctioned freedom of speech and press in their respective constitutions, they fell short of fulfilling thereof. In the immediate aftermath of the demise of the military regime, the newly instituted Transitional Government adopted the Universal Declaration of Human Rights in its Charter

thereby paving the way for the flourishing of the private press, including magazine and newspapers (Shimelis, 2002). However, it has been observed on the ground that the private press stifled by its internal weakness and external politico-legal barriers. The government's approach to the private press since 1991 has been hostile. Journalists have continued to face arbitrary arrest, detention, long life-imprisonment and heavy penalty including fines, and seizure of their property. Its fragile situation could hamper the healthy functioning of civil society by furnishing them with information that exposes the business of government to the mass. In addition to this, the electronic media is predominantly controlled by the state. It is only one local radio channel namely, FM 102. 1 and FM 90.7 are privately owned. This condition continues to adversely affect the transmission of alternative views to the public.

In short, the politico-legal environment of the post-1991 political dispensation has shaped the nature of interactions between state and society. The paucity of constitutionalism illustrated by unchecked power of the incumbent, the absence of independent judiciary system and due process of law have adversely affected the propensity to the flourishing of vibrant civil society. Authoritarian political culture reinforced by the ideology of the incumbent, 'Revolutionary Democracy, enable the regime to monopolize the political landscape, thereby limiting the politico-legal space to the existence of human rights organizations. Furthermore, the fragile situations of the private media also continue to impact on the performance of civil society.

3. Engagements-Cum-Confrontational Aspects of Relationship

As already mentioned in the earlier section, there are aspects of change and continuity in state civil society relations. Indeed, there are driving forces that could shape the relations between them. In the post-1991 political dispensation, there are conditions that persist unabated, including our authoritarian political tradition, the paucity of elite commitment and the absence of rule of law. Implementations of new political arrangement and the principle of self-determination, vesting sovereignty on 'nations, nationalities and peoples', sanctioned multiparty system and adopting decentralization, which have marked the current establishment different from its predecessors. These have had impacts on the confrontational-cum-engagement aspects of relationship between the state and civil society. The purposes of this part of the paper are twofold. First, it provides an overview discussion with regard to the functions played by advocacy and interest group drawing on Dessalegn's (2004) classification. These parts of civil society are selected because they are "prominent in their influence and more visible" (Dessalegn, 2004:1). Second, aspects of engagement and confrontation between the state and civil society in the aftermath of the 1991 political dispensation will be dealt with. Furthermore, aspects of change and continuity are discussed.

3.1 Advocacy and Interest Groups: An Overview

Advocacy organizations and interest groups have begun to emerge subsequent to the opening of political space to voluntary associations in the aftermath of 1991 period, inter alia; Ethiopian Human Rights Council (EHRCO), Ethiopian Teachers' Association (ETA), Ethiopian Women's Lawyers Association (EWLA) and Confederation of Ethiopian Trade Union (CETU) are notably mentioned. The Ethiopian Teachers Association is a prominent voluntary association that has engaged in promoting its members interest and quality of education since its establishment. The association has had a precarious relation with the state while trying to maintain its independence. This phenomenon has continued unabated in the aftermath of 1991 political dispensation. The ETA, for instance, criticized the newly implemented educational curriculum in line with the federal arrangement prompted the Ministry of Interior to award certificate for the EPRDF-supported new association on 23 October 1994 (Vestal, 1999). The Ministry went to the extent of calling the ETA as part of the military regime. The measure also included frozen its financial account and expropriating its fund. The regime continued to prop up the newly established union parallel to the ETA by transferring offices, financial assets thereto. Furthermore, teachers refused to give recognition to the EPRDF-sponsored union became victims of denial of salary increments, suspension, transfer to remote areas and dismissals (*ibid.*). This attests the response of the state vis-à-vis the ETA in the earliest period of the regime was acrimonious.

In its 2012 annual report, the International Labor Organization (ILO) identified Ethiopia among the top five countries for their harsh measure against freedom of association whereby the state infringed on the right to organize and collective bargaining. The ILO committee on Freedom of Association criticized the incumbent regime for its delay to register the National Teachers Association (NTA). This is mainly due to the government in favour of the rival teacher association. The Supreme Court ruled against the independent union not to use its name, logo and to transfer its asset to the government supported rival union. The Union's prominent members were victims of harassment, intimidation and imprison. For instance, Taye Woldesemayat, the chairperson, was sentenced to 15 years imprisonment in 1996. He was, however, released after serving six years behind the bar in May 2002. Teacher activists at the local levels are also victims of government's intimidation, harassment and arbitrary arrest for their denouncement undue restrictions on their urge for independent union.

Ethiopian Women's Lawyers Association is another advocacy organization emerged in the mid-1990s

by women with legal background. Its objectives are ensuring gender equality, fighting gender-based violence, defending the rights of women, engaged in reforming legal frameworks detrimental to the interests of women, creating awareness with regard to the rights of women within the society as well undertaking researches and documentation. The organization is also providing legal assistance and counselling predominantly to women, who are victims of gender-based violence. There are also few men who seek legal aid and counselling on behalf of their relatives. Most issues presented to the organization are pertinent to marital related problems, rape, abduction, robbery, theft, assault and battery (Dessalegn, 2004). To this end, it employed various techniques, such as printing and electronic media, to show the conditions of women and the need to ameliorate their burden.

EWLA, as an advocacy organization, stands for the disfranchised sections of the society. Thus, it strives to address the plights of women anchored in long held traditions and customs. It is also engaged in debates and dialogue with policy makers to change legal frameworks detrimental to the protection and promotion of the rights of women. In this case, it is possible to mention one of its success stories. That is the reform of Family Law of the 1960 in the mid of 2000 and the Penal Code in 2005. This shows the aspect of engagement between EWLA and the government in reforming laws to fairly treat both sexes without discrimination. EWLA relationship with the incumbent took confrontational form in 2001 when the Ministry of Justice suspended thereof temporarily. This is mainly because EWLA criticized the Ministry in public for its failure to take measure against those individuals committed gender-based violence and for the paucity of independent judiciary system (Sisay, 2002). This confrontation relationship attests the suspicion of the incumbent toward critics against state's misdeeds. This misconception of the state would jeopardize the activities human rights based organizations that of like of EWLA in their bid to democratize state and society.

Following the collapse of the Military regime in May 1991, Ethiopian Human Rights Council (EHRCO) was established as a pioneer of human rights based organization. Its objectives were to ensure the rule of law and support democratization process. The organization, since its inception, has engaged in monitoring human rights violations and produce reports with regard to the practices of unlawful dismissal of employees, arbitrary arrest, torture, detention, injury, extra-judicial killings and property damage as well as its unlawful confiscation. Its activities incurred in confrontational relationship with the state since its establishment (Asnake and Dejene, 2009; Dessalegn, 2004; Sisay, 2002).

The hostile relationship between them is also characterized by the incumbent's endeavor to silence the organization through putting pressure, criticizing EHRCO as politically driven institution, and harassment. These modus operandi of the state limited EHRCO's function to the capital city. It established linkage with international human rights organizations thereby enable it to voice the local human rights conditions. EHRCO's continual challenge of the incumbent policy vis-à-vis the conditions of human rights in the country led the government to categorize it as an opposition political party and members drawn from Workers Party of Ethiopia (Sisay, 2002). The suspicion of the government towards EHRCO manifested when the former refused to register the latter until 1998. This phenomenon proves the persisted nature of hostility between them.

The Confederation of Ethiopian Trade Unions (CETU) was also a prominent interest group in the early 1990s in advancing its members' interest vis-à-vis the state and industrialists. Until 1997, CETU was able to maintain its relative autonomy from the pressures of the government and the ruling party. Thereafter, the incumbent employed various techniques against the confederation to put it under the system control. As Vestal (1999) clearly stated, the incumbent employed secret strategies, such as staffing the executive and auditing committees with pro-EPRDF individuals and replacing the existing hardliners with the incumbent sympathizers, diminishing the power of the General Congress by empowering the power the executive organ, and purging independent leaders of the confederation. These activities were aimed at paralyzing the association to make it subservient to the interest of the ruling party. These in turn weaken the Confederation so as to voice the corporal demands of the workers.

In a nutshell, the conditions of human rights based organizations were more of precarious. The acrimonious relationship between the abovementioned civil societies and the state rooted in ideological thinking of the regime and the paucity of democratic culture. The opening of political space in the post-1991 periods does not go beyond rhetoric. As a result, the incumbent has continued to pursue overt and clandestine techniques against independent civic associations so to monopolize the political arena. To this end, it employed the following modus of operandi, such as putting pressure, sponsored parallel associations, splitting the existing, dismissals of outspoken critics of government, imprisoning, confiscating properties, as well as portraying some of them like remnants of the defunct regime. These measures are detrimental to the existence of vibrant civil society that could check the powers of the government.

3.2. Aspects of Change and Continuity

Since the opening of the political space in the wake of 1991, aspects of change and continuity in the relationship between the state and civil society have been witnessed. The 2005 national election and its subsequent results are important in shaping the two actors relationships. The unleashing of violence against the threats of the

incumbency following the 2005 election showed the regime's inclination to monopolize the political space without contest. This recourse to violence culminated in the imprisonment of members of opposition groups and civic associations. Furthermore, encroachment on the activities of private press further intensified after the election period. This attests the more interventionist nature of the state to curb the venue of alternative access to information.

Another aspect of change manifested in the promulgation a comprehensive framework that regulates the activities of civil society organizations within the country and its attendant problems. This, in fact, marked further step taken by the incumbent to avoid the fragmented and desperate rules and regulations that were regulating the third sector until 2009. Accordingly, the Ethiopian parliament voted for the Registration and Regulation of Charities and Societies Proclamation (No. 621/2009) in January 2009 to regulate the activities of voluntary associations. The Proclamation created categories of civil society into Ethiopian Charities/Societies, Ethiopian Resident Charities/Societies as well as Foreign Charities/Societies. The proclamation contains provisions that determine the composition and funds of registered civil societies. It is only Ethiopian Charities/Societies are allowed to engage in the promotion and protection of human rights. For example, Article 14 (2(j-n)) of Charities and Societies Proclamation (No. 621/2009) clearly states that only 'those civil societies registered as Ethiopian Charities/Societies are permitted to engage in human rights related issues including the promotion and protection of the disabled and children' rights, religious and gender equality, conflict resolution, entrenchment of justice and rule of law and the promotion of human and democratic rights. Civil societies registered as Ethiopian Charities, as per Article 2(2), Charities and Societies Proclamation (No. 621/2009), are proscribed from receiving more than ten percent of their funds from foreign sources.

Ethiopian Resident Charities and foreign non-governmental organizations are not allowed to engage in human rights related activities. Ethiopian Resident Charities can accrue their total budget from foreign sources so long as their activities immune from human rights advocacy. These Charities are permitted to engage in activities of poverty alleviation, disaster mitigation, environmental protection, economic development, advancements of education and health conditions, relief activities and capacity building. Another impediment posing to advocacy organizations is the power of Charities and Societies Agency (CSA) to unduly interfere in their affairs on the grounds of disclosure of information. This overriding power of the agency granted by the Proclamation, according to Amnesty International (2002), is tantamount to transgression of fundamental principles of privacy and confidentiality. Article 77(1), Charities and Societies Proclamation (621/2009) demands the disclosure of the sources of the funds generated by civil societies. This would jeopardize the willingness of individuals resided in Ethiopia to provide support for their activities for fear of the disclosure of their identities to the government.

Critiques further considered the Proclamation as contravene to the basic tenets of the International Covenant on Civil and Political Rights (ICCPR) in that it blocked individuals' rights to get, demand and employ resources to galvanize their endeavors to the protection and promotion of human rights. They also regard the issuing of the Proclamation as a sign of the incumbent's keen interest to closely monitor the activities of civil societies in their bid to hold the government accountable to its actions (Tiwana, 2008). In contrast to this view, the incumbent argued that the law doesn't discourage the realization of human rights thereby respecting our commitment to major human rights instruments to which the state is adhered. The United Nations Committee on Human Rights in its 2011 report expressed its concern on the adverse consequences of the proclamation on the functioning of civil societies in their bid to advance and protect human rights.

According to Amnesty International Report (2012), after the promulgation of law, there have been witnessed the declining in number of non-governmental organizations which were engaged in advocacy. This is mainly due to the infringement unleashed by the state through the enactment of the law that limits the activities of non-governmental organizations. Accordingly, it has resulted in the downsizing of human rights civil societies in their activities as well as in their staffs. Most of them are forced to close down their office due to the restriction of the law regarding financial access. Another trend associated with the law is the changing of their mandate thereafter. As far as the financial impact of the law is concerned, human rights activities are confined to local NGOs and if they continue to function as an advocacy organization, they have to generate their 90 percent of budget from local sources. This is difficult, if not impossible, to be to have viable local human rights organizations given we have poor philanthropic culture and the most sections of the society are lived below the poverty threshold. Another challenge lies in the provision of the law that clearly states that the source of the fund shall be disclosed to the supervising body. This makes it far worse in the country characterized by human rights transgression. As a result, according to the Amnesty International (2012), seventeen human-rights based organizations changed their mandate and names owing to lack of financial sources intact their functions, inter alia, Action Professional Associations for Peoples (APAP) and the Organization for Social Justice in Ethiopia (OSJE). Only Ethiopian Human Rights Council and Ethiopian Women Lawyers Association continue to deliver their functions after they re-registered. They, however, downsized their activities and lay off their staffs due to drying out of their financial sources. This condition would inevitably undermine their endeavours to entrench

rule of law and justice into the system.

Although civil societies sought to be re-registered as the Ethiopian Charities as per the law had a one-year grace period to retain their property gleaned from foreign sources, the CSA frozen the financial accounts of both HRC and EWLA on the ground that their fund accrued from foreign sources as per the law. Although both appealed to the Board of the CSA and the Federal High Court, the decision was upheld. This was, according to Amnesty International (2012), against the fundamental principle of non-retroactivity. Although these organizations tried to make efforts to tackle shortages of funds through fund raising activities, individuals are afraid of providing financial assistance for fear of repercussions. This is a debilitating impact on local human rights organizations to strive for the promotion and protection of human rights. The activities of the third sector to hold the state accountable for its action is also jeopardized as a result. This paved the way for the reduction of the opportunities on the side of the disfranchised sections of the society to voice their problem through civil societies. In short, the formulation and implementation of the Registration and Regulation of Charities and Societies Proclamation marked the culmination of acrimonious relationships between the state and civic associations, particularly advocacy organizations.

Aspects of continuity between civil society organizations, particularly advocacy organizations, and the state could be viewed through the prism of the normative framework(s), the entrenched authoritarian political culture, fragile independent media, centralized and dominant state, problem of constitutionalism, and the strongly embraced ideology of revolutionary democracy by the ruling party. These politico-legal contexts have continued to shape the relationship between the two sectors. Since the 'opening' of the political space in the aftermath of the demise of the *Dergue* regime, the promulgations of the 1991 Transitional Charter and the 1995 Federal Constitution have laid ground for the flourishing of the third sector thereafter. The normative principles regarding freedoms of association and assembly are sanctioned. This continues to govern the relations between the state and the civic associations. The normative framework, however, has been crippled by the entrenched authoritarian political culture and the increasing trend of the intervention of the state. As already mentioned earlier, the country's political tradition has been characterized by devoid of citizens' participation in shaping the political sphere. This is mainly because of the persisted nature of state's action to monopolize the political arena. Any attempts by advocacy organizations to pose challenge to state's monopoly would result in acrimonious relationship. The confrontational relationships between them, in fact, have been continued unabated.

The paucity of vibrant private media, both print and electronic, is another persisted variable that could shape the two sectors relationship. Needless to say, the existence of strong and professional media provides fertile ground for the flourishing of civic groups. In this case, the private media has continued to suffer from both internal and external weaknesses. This condition narrows the creation of opportunity to alternative sources of information. Furthermore, the ruling party's revolutionary democracy ideology and regarding itself as vanguard party have continued to provide impetus for the incumbent to take measures against independent associations that could be parallel force to the state. These conditions coupled with the problems of constitutionalism have continued to pave the way for the entrenched conditions of confrontational relationships between civil society organizations and the state.

4. Assessments of Some Selected CSOs operating at Grassroots level

Earlier, it is argued that the developments of CSOs in the country are mushroomed in the second half of the twentieth century. It is further argued that, a glance at the trajectories of the development of CSOs underwent through various political, legal and administrative arrangements that are in favour of its development or otherwise. Some of the CSOs are reached to the wider community as a public domain through their formal structure. In this part, attempt is made to look at the performance of some selected CSOs that are hosting at Dire Dawa City Administration in their endeavour to articulate and materialize sound governance.

4.1 EWLA: Endeavours and Major Hurdles

4.1.1 Brief Description of EWLA

As indicated in the previous sections, EWLA was established by women with legal background in order to improve, modify and alter customary laws that are inimical to the fundamental rights of women across the country. It also strives to combat gender-based violence at home and workplace. Generating new laws and insights as well as revising the existing laws in accordance with the right of women is also the domain of the association. Since its establishment, EWLA has engaged in addressing the plights of women in line with the stated objectives. For instance, EWLA was able to positively impact up on the revision of the Family Law in favour of women hitherto considered as male biased. It was also notable in terms of providing legal assistance to victims of patriarchal norms while they were in need of support during legal wrangling.

The association has six branches across the country of which Dire Dawa is hosting the EWLA office which coordinates all activities aimed at ensuring gender equality in the Eastern part of Ethiopia. Formally, the office has organized in such a way to include; secretary, lawyer and coordinator. Furthermore, four committees

in the areas of *Waher, Beawale, Kersa and Haramaya* are active under the supervision of the branch. There are 5 members, both men and women, in each respective committee. The branch office has formally supervised by the Head quarter Office through the following modes of communication: quarterly report and direct personal observation of activities undertaken by the branch office.

4.1.2 Grassroot Activities: Challenges and Opportunities

In its effort to rectify the gender imbalance observed at the local level, EWLA has been engaged in various activities of legal counselling; gender mainstreaming, gender sensitization and lobbying for legal reforms and inclusiveness. As the branch coordinator highlighted, gender –based violence such as beating, denial of food, rapes etc are commonly manifested in the City (Selame, 2012). The informant further argues most victims’ partners wrongly believed that women rights are limited to basic needs such as food and cloth. This implies lack of awareness on the part of perpetrators of gender based violence with regard to women’s fundamental rights and basic freedoms that are stipulated in the national and international human right. To address these challenges, the Association is working on awareness creation activities. Sexual incompatibility and HIV testing with different results are also one of the critical problems that contributed to gender based violence. The following story illustrates the multifaceted nature of gender-based violence frequently happened in the city:

Ms. X and Mr. Y are couples and residents of Dire Dawa City Administration. The wife is in mid of forty while her husband is mid of fifty. Their first born daughter is 24 years old and pregnant. The husband is addicted of watching pornography movies. He always nags his wife to act like porno star that brings him into conflict with his partner who is committed to maintain normal husband-wife relationship. This continuous sexual violence prompted the wife to bring the case to EWLA. She hesitates to tell the truth story for a while. Finally she uncovered her pain to the expertise. EWLA intervened and brought the partners together to discuss and solve their problems amicably.

One of the critical challenges of the Association is financial constraint. This problem has become more acute after the enactment of Charities and Societies proclamation 621/20092 which forced the Association to register as Ethiopian Charities which obliges it to rely on domestic financial sources that are not less than ninety percent as stipulated in the proclamation article 2(2). Despite this challenge, Ethiopian Women Lawyers Association continues to deliver its functions after it re-registered. However, it downsized its activities and lay off its staffs due to drying out of its financial sources. For instance, the branch at Dire Dawa had previously a chairperson, legal expert and secretary. With enactment of the proclamation, it was forced to, layoff its staffs and relying up on only one person who is acting with multiple roles. Most of the budgets of the Association are allocated to renting offices and the City Administration has so far failed to provide EWLA with public renting houses at fair price.

These severe shortages of staffs, according to Selam (2012), have overburdened her with multiple roles, there by partially hindering EWLA in its endeavour to ensure women’s rights in DDCA and its environs. This condition would inevitably undermine their endeavours to entrench rule of law and justice into the system. Given the existences of thousands of women in the City and its environs as well as predominantly prevailed cultural practices of gender violence, it is fair to argue that EWLA is incapable of discharging its duties with one staff and four committees in the four areas of its operation. Besides, each members of the committee are legally inequipped to work with the day to day challenges facing women. In other words, each volunteer lacks legal expertise that requires supporting the victims through legal procedures. Their activities are further stifled by lack of financial incentives that were given to them earlier in each month.

The lack of wider mass based support of EWLA is also curtail its activities, given the increasing drying up of foreign financial support following the formulation of the charities and societies proclamation. At the branch office there are only 7 individuals that contribute in finance and moral support. Furthermore, members are mainly women. As a result, the association has unable to widen its social base, thereby mobilizing the mass at the grassroots level in response to the entrenched patriarchal norms that are hostile to gender equality. Since the enactment of the same proclamation, the popularity of the Association has been declining. This is usually observed, as Selam (2012) clearly stipulated, “some people are wondering while they heard that I am representing EWLA, Dire Dawa branch during a meeting session”. She further argued that this shows that how far the popularity of the Association is further dwindling from time to time to the extent of not knowing its very existence.

Duplication of responsibilities focused on ensuring women’s rights between civil societies that are working in DDCA is a major challenge³. To put differently, there is lack of coordination between EWLA and other CSOs like PROPRIDE that have similar missions and objectives with regard to gender empowerment. For instance, competition and lack of trust is a common phenomenon that prevailed between them and hence hindering the associations from working in tandem with each other to tackle major hurdles facing women in their daily activities. In relation to this the tradition of close partnership between and among civil societies and EWLA

has declined as of the enactment of the new legislation. This proves that overlapping of jurisdiction and lack of willingness to cooperate jeopardizes EWLA from meeting its founding objectives and missions.

Pursuing similar approach towards urban and rural area is another challenge on the part of EWLA in that the Association has similar mode of intervention vis-a-vis the plights of women regardless of their geographical context and knowledge. This ‘one size fit for all’ approach has its own defect in treating the problems of women without making specificity as per certain challenges.

4.2 Ethiopian Teachers’ Association (ETA): Roles and Challenges in Strengthening Governance

4.2.1 Overview of Ethiopian Teachers’ Association

Ethiopian Teachers’ Association (ETA) was established in 1948/9 in Addis Ababa by 32 teachers of Menelik II School. In 1964/5, the Code (*metedaderia demb*) was formulated in accordance with the 1955 revised constitutional provisions of the country (Asnake and Dejene, 2009). Its founding objectives were organizing teachers and exerpertise/educators and protecting and advancing members interests and rights as well as ensuring quality education. Furthermore, maintain the professional respect was one of its core objectives. The ranges of its objectives are wide and one of it is achieving international cooperation in the area of education.

The Association was engaged in promoting and protecting the interests of its respective members as well as involving in political activities. ETA had showed its solidarity with the Ethiopian Student Movement in voicing the demands of the marginalized sections of the Ethiopian society like that of “Land to the Tiller” (Asnake and Dejene, 2009). This shows the association’s activity was not just limited to demanding professional interests, but it went to the extent of raising nationwide issues. While the regime did not prohibit its engagement in labor legislation, it was not tolerant to any actions staged by trade unions like that of ETA to keep its interests. The authoritarian nature of the political system was not the only factor that crippled ETA, its internal weakness exemplified by weak leadership; disorganization and the paucity of resources were hindering factors (Dessalegn, 2002; 2008).

Currently, it has operated in all nine regional states and two city administrations. At Dire Dawa level, the Association’s General Assembly has around 180 to 207 members which comprise three representatives from each government’s schools. The Association at DDCA has the Executive committee who have unlimited terms of years earlier elected for not more than two terms. The president who is accountable to the General Assembly is elected by them and supported by the vice-president. The general assembly holds a meeting annually, but there are also extra ordinary meeting that can be held at any time if the need arises. For instance in 2011/12 two extraordinary meeting were held. The secretary, the book keeper, and the auditor are also part of the structure in which the first two are accountable to the president while the latter is accountable to the General Assembly. In every six month, the branch Office’s report is submitted to and discussed with the General assembly at Addis Ababa. The Office will act based on the feedback offered at the headquarter level. There are five or six executives, elected from the general assembly. The chairman is responsible for the day to day operations of the Association. He is directly elected by the general assembly. There are around 1700 teachers of which 600 women and 1100 men are members while 600 teachers are not members of the Association.

4.2.2 Socio-Economic Characteristics of the Respondents

To have some reflections on the nature of administrative set up in the context of sound governance, a survey of two schools in Dire Dawa City Administration were undertaken. Accordingly, as the following table depicts, around 50 teachers of whom sixteen female and thirty four male were taken as the sample respondents.

Sex	Frequency	Percent
Female	16	32
Male	34	68
Total	50	100

Table 1. Socio-economic character of sampled respondents

Membership	Frequency	Percent
Non-members	23	46
Members	27	54

Table 2. Membership Status

4.2.2 Issues of Governance: Challenges and Opportunities

The following discussions that are augmented by charts, graphs and tabular representations reveal that the Association is mired with multiple challenges in relation to governance. The perceptions of the majority of teachers and the key informant support this claim. For instance, the immediate table listed below shows that more than 50% of the sampled respondents have faced major challenges pertinent to their academic and administrative procedures in one way or another.

Problems faced at work place	Frequency	Percent
No	22	44
Yes	50	100

Table 3. Problems at work place

The followings are the major challenges frequently raised by sampled respondents: incompetence's on the part of directors and supervisors; lack of creating cordial relation between teachers and administrators; delay or denial of promotion; election of directors and supervisors based on the basis of non-meritocratic criteria; assigning some teachers in administrative positions in lieu of their right place as well as prohibit them to pursue further education/scholarship in their preferences. Evaluation and assessment of teachers is not usually in line with the core values of the profession in that political affiliations of individuals are yardsticks to measure their performances.

As far as the information gained from the ETA5 (Shimeles T., 2012), the problems have not only to do with problems pertinent to the school and its administration, but also the teachers themselves. Of which joining the professions without interest and ethical problems have continued to impact on the possibility of strengthening governance in the schools. Despite the fact that most of the respondents face challenges in their activities, they hesitate to appeal to the association in order to address their problems. As table four below confirms 90 percent of the sampled respondents try to address their problems via their immediate administration rather than relying on the Teachers' association. It is only 6 percent of the sampled respondents prefer to appeal to the Association.

Preference to Appeal	Frequency	Percent
For the School	45	90
For Association	3	6
For Court	2	4
Total	50	100

Table 4. Preference to Appeal

Most teachers prefer the school administration to the association on the ground that the latter has been perceived as unable to address their problems. As table five below reveal that 66 percent of the sampled respondents perceived that the Association is weak to solve their actual and/or potential problems.

Ability to Address members' problem	Frequency	Percent
Very/high	17	34
Very/low	33	66
Total	50	100

Table 5. Perception in the ability of the Association to Address members' problems

Even those who brought their cases to the Association most of them did not get the Association up to their expectation. Only 22 percent of the respondents are satisfied by the solution delivered by ETA. Furthermore, most teachers are not willing to appeal to the Association not just because of the inability on the part of the Association, but also the lack of trust they have on it. Only 26 percent of the respondents have high/very high trust on the Association.

Trust on the Association	Frequency	Percent
Very/high	13	26
Very/low	37	74
Total	50	100

Table 6. Trust on the Association

Most teachers showed low expectation towards the Association because of different factors. Some of them, for instance, perceived ETA as an extension of the government in its attempt to maintain political control over them. This perception forced them to consider the Association as not impartial from political manipulation. Lack of trust on the Association is also emanated from the perception associated with its internal institutional set up and functions particularly lack of transparency, exclusiveness, and lack of responsiveness to its members. Furthermore, according to most respondents, the Association is not in a position to benefit all its members. Rather, it is there to serve the interests of the few individuals who are in control of the leadership. That is why most respondents considered the Association is deviated from its founding principles and objectives.

The Association has so far relatively failed to maintain its objectives as a result of different internal and external factors. For most respondents, they claimed that they should elect the president directly rather than nominated by the Education Bureau. The latter usually perceived as 'president maker' and the president is supposed to silence any question raised by teachers in relation to academic and administrative affairs. He/she rather perceived by most respondents simply manipulated by external forces and stifled the leadership not to

speak on behalf of teachers. This can be demonstrated by their claim that ETA barely gives due attention for quality education, rather it is simply engaged in propagating the incumbent regime's political agenda. The education Bureau of DDCA has continued to appoint representative of teachers as supervisors, directors and vice directors (Shimeles, 2012). This has adversely affected the association in reconciling the interests of the teachers in the one hand and the management of the schools on the other hand.

The internal challenges are mainly manifested in its structure that is not hospitable to experiment democracy at grassroots level. It is rather prone to, according to most respondents, lack of democratic procedure, unfair treatment of members as well it is working against their interests. Directors usually perceive ETA as weak and powerless and hence hesitate to consider the recommendation provided by the Association to address the resentment of teachers is also major challenge facing governance (Shimeles, 2012).

Another challenge facing ETA is financial constraints and lack of transparency in its management. As the President of the ETA (Shimeles, 2012), Dire Dawa branch, explained that members are expected to pay 2 birr per month as their membership contribution. However, he added that most of them failed to pay their fees. In raising members' fee, there is no strong procedure that compelled them to contribute. It simply relied on the consent of each member. For instance, in 2010/11, the total fee collected was around 10,000ETB which can be collected in one month if proper system was instituted as some informants indicated. This may be attributed to the lack of trust upheld by the majority of teachers' vis-à-vis the Association. The problem is further compounded in that the new Charities and Societies Proclamation No. 621/2009 that prohibits the association to issue receipts. However, the new proclamation has not as such a significant adverse impact on the operation of the association (Shimeles, 2012).

These phenomena have continued unabated so long as the Association is failed to garner a modicum of legitimacy from its wider members. It is through government financial support that ETA manages to undertake its activities. Though Education bureau has provided this kind of support, its contribution is minimal. This financial constraint has forced the Association to rely on few personnel to run its routine activities and erode its financial autonomy, thereby created financial dependency on government that ultimately militate against its endeavours. In fact, the problems confronted the Association is not limited to financial burden, but it is also related to inadequate office. This compelled it turn its plea to get physical accommodation from the local administration.

The broadening of its objectives has also brought about suspicion from members as if the association has deviated from its core objectives that have engaged in promoting its members' interest and quality of education since its establishment. The existence of doubt prevailed within the wider members on the role of ETA in fostering human and democratic rights mainstreamed as its main objective attributed to the erosion of trust in that it is claimed as an institution interested to political activities. In relation to this, there is a tendency on the part of some members of supporting the old association as the right representative of teachers'. This is in fact holds true as demonstrated by other researchers. For instance, Vestal (1999) argued that, the Ministry of Interior awarded certificate for the EPRDF-supported new association on 23 October 1994 because of the criticism raised by the independent ETA against the newly implemented educational curriculum in line with the federal arrangement. The Ministry went to the extent of labelling the ETA as part of the military regime. The measure also included frozen its financial account and expropriating its fund. The regime continued to prop up the newly established union parallel to the ETA by transferring offices, financial assets thereto. Furthermore, teachers refused to give recognition to the EPRDF-sponsored union became victims of denial of salary increments, suspension, transfer to remote areas and dismissals (*ibid.*).

Despite the abovementioned multifaceted natures of hurdles faced the Association; there are still rooms to make it a vibrant organ to stand up for the benefits of its members. Of course, the first benefit derives the constitutional provisions that permit the fundamental freedoms underpinning the right to association. The members of the association are highly educated in that they can be easily mobilized and organized to maintain the objectives of the association. Its recent move to include teachers in Vocational and tertiary education into the Association is also promising to further widen its social base.

4.3 CETU: Roles and Challenges in Entrenching Governance

4.3.1 Overview of CETU

The formation of Trade Unions went back to in the 19th century. In the Ethiopia case, the origin of labor movement could be traced back to the 1950s, which resulted in the promulgation of new labor law in 1954. As a result, CELU came on to the scene in 1955 so as to realize the following cardinal objectives: eight working hours; removing any forms of injustice against the working class and sharing from the benefits of production. The association was engaged in promoting and protecting its respective members as well as involving in political actions during the Imperial period. In the wake of the Ethiopian Revolution of 1974, the military regime unleashed its coercive machineries to intimidate, harass and imprison those dissidents and made associations, particularly CELU, an instrument of the regime to advance its interest (Dessalegn, 2002).

With the changing of the political system of the country in 1991, ‘constitutionalism’ becomes bedrock for the proper functioning of civil society. Needless to say, both the Transitional Charter and the FDRE Constitution clearly enshrined fundamental freedoms underpinning the existence of vibrant civil society. For instance, the Constitution recognizes the right to freedom of association, the right to form and join a trade union and the right to participate in trade union activities. Another legal instrument is Part 8, chapter 1 of the Ethiopian Labour Proclamation that stipulates the right of both workers and employers to form organizations of their own and to participate in them. At the national level, the Confederation of Ethiopian Trade Unions (CETU) claims to represent about 300,000 workers organized in 431 basic unions and 9 Federations (Federation of Food Beverage, Tobacco and Allied Workers; Ethiopian Federation of Metal, Wood, Cement and other Workers; Federation of Commerce, Technical Print, and other Workers; National Federation of Farm, Plantation, Fishery and Agro-Industry; National Federation of Tourism, Hotels and Generic Service Workers; Industrial Federation of Ethiopian Textiles, Garment and Shoe Workers; National Federation of Energy, Chemical, Petroleum Workers; Transport and Communication Workers; Ethiopian Banking and Insurance Industrial Federation) (Sommer, 2003).

Currently, CETU has six branches in Bahir Dar, Dire Dawa, Hawassa, Jimma, Adama and Debre Zeit. In Dire Dawa, according to Ermias (2012), there are twenty-three professional Associations. Dire Dawa branch coordinated various federations in the areas of Harari National Regional State, Jigjiga, Assebe Teferi and Western Hararghe. The branch office was established thirty four years ago. Dire Dawa branch Office has undertaken various tasks related to labor, inter alia, represent the federations, negotiations; provide training on dispute resolutions and pertinent issues. Chairperson of the Branch Office is elected among Chairs of professional associations. The duration of his/her office is four years and he can be elected twice/thrice.

4.3.2 Socio-economic Characteristics of Respondents of CETU

Sex	Education		Membership Status					
	Freq.	%	Freq.	%				
Female	15	30	Degree	11	22	Member	29	58
Male	35	70	Diploma	21	42	Non-member	21	42
Total	50	100	Certificate	18	36	Total	50	100

Table 7. Socio-economic Characteristics of Respondents of CETU

Fifty eight percent of the respondents are members of CETU. A significant portion of the respondents hesitate to join the Union mainly due to lack of trust and confidence on the Union. They perceive that the Union is incapable of discharging its responsibilities so as to protect their interests in the face of growing burden from the employers. However, those employees who have joined the Union have actively participated through contributions, meeting and undertaking some assignments of the Union as illustrated the Table listed above.

4.3.3 Challenges facing members of CETU

Employees have multifaceted challenges in their activities. According to most respondents, their employers usually dismiss some workers perceived as threats without the legal procedure. Although the Labor Proclamation 377/04 in its Article 26(2) clearly stipulates that the following actions do not the reasons for dismissal of workers: membership in a trade union or participation in its lawful activities; seeking or holding office as a workers representative; submission of grievance or the participation in proceedings against the employer; his or her nationality, sex religion, political outlook, marital status, race, colour, family responsibilities, pregnancy, lineage or social status, it is not uncommon to observe such practices. In relation to this factor, Partial treatment and discrimination are also claimed to be taken as one of the hurdles, despite the fact that the Constitution guarantees the right to equality in employment, promotion, pay and the transfer of pension entitlement (Article 35 (8) of the Constitution). This shows that how far the degree of deprivation of justice has continued to be a challenge to sound governance

The other challenges are related to their working environment at the organizations. Low safety and health related standards; inadequate provisions of input in the production process; and delay to provide immediate solution for the complaints of employees. Some employers also forced their employees to work for longer working hours even though the proclamation in its article 61 stated that the normal working hours are 8 hours a day or 48 hours a week. They should be distributed evenly, but may be even calculated over a longer period of time (Articles 63 and 64). In the same vein, some employers also refused to respect public holidays that are recognized in Ethiopian calendar. Needless to say, there are twelve public holidays – historical memorial days and holidays of Christian and Moslem origin - described by law. Under Articles 73 to 75, public holidays are paid. A worker who is paid on a monthly basis will not be subjected to a reduction in wages for not working on a public holiday. An employee who works on a public holiday is entitled to the double of his or her ordinary hourly wages. In contrary to this, what is claimed by some workers is that they are denied of celebrating public holidays and or if they work they do not get any additional wage. Even if the workers are mired with these challenges, it is only 54 percent of them who take their case for CETU in the search for solutions as the

following table portrays.

Appeal to CETU			Satisfaction to the Response Given by CETU		
	Freq.	%		Freq.	%
Yes	27	54	Very/High	32	64
No	23	46	Very/low	18	36
Total	50	100	Total	50	100

Table 8. Preference to Appeal and Satisfaction with Decisions Offered

Nevertheless, 64 percent of those who take their case to CETU have satisfied with the response given by the Union.36 percent, however, are not satisfied with the way the Union’s response to their appeals. As indicated in the above table, most respondents are preferred other institutions to CETU if they feel that their rights are deprived. Those preferred institutions are their hosting organization and the court. Thus, the Unions have mired with complex challenges to advance the interest of their members.

Looking at the big picture, Ethiopia was criticized for several years by the ILO Committee of Experts, which noted serious discrepancies between the national legislation and the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). The modus operandi of the Union at the local level resembles the national picture more or less. Concerning obstacle the Union faces in the process of defending members’ rights is the extreme delay of the legal decisions by the labour court. Although the rule is that the concerned court should decide within 60 days, the actual practice shows that labour cases are delayed up to five years.

Financial constraints and limitations of trained manpower are also among the major problems faced by the Confederation. The Union is understaffed with five personnel: the chair person; legal officer; secretary; guard and ‘telalaki’. The Union undertakes its activities through membership fee which is insufficient to fully achieve its stated objectives. The budget is allocated from headquarter, Addis Ababa. Every Association accrues 1% of its members’ salaries, of which 4% is gone to the Confederation (1%) and Federation (3%). Thus, the Union has turned its face to the handouts of the government to the extent of infringing its very independence and autonomy. The Union has also limited capacity to follow up their promotion and salary increment as well as ensuring the safety of workers. The other constraint of the Union is the perception of some investors towards the Union in that they regarded it as an actual and potential threat to their organizations. In some foreign companies, particularly Chinese and Turkish, feel that the associations are against their interest (Mohammed A., 2012). Similarly, Addis Fortune (2014) reported that leaders of the Trade Union collectively angered over the way foreign companies operating in Ethiopia treated their employees badly. This is mainly manifested in intimidating organizers to the extent of firing them and denial of office to undertake their activities. This state of affairs have proven that the absence of good governance.

The failure of the Union to comprise many organizations constrained its capacity in mobilizing its members. For instance, 300 organizations do not have associations although the law says that 10 and above individuals who are employed in any organization have the right to form an Association (Mohammed A., 2012). This is mainly the results of fear on both sides of the workers and employers. The initiation and organization procedures in the formation of Unions are also behold in suspicion for some employees. The conventional procedure is that both CETU and Labor and Social Affairs Bureau organize employees Union. Their coordinated task may undermine the autonomy of the Union in that it may force to give loyalty for the Bureau which may militate against the very interest of its members.

In case of one of the sampled organization, Dire Dawa Textile Factory, the rights of workers have been denigrated especially after the privatization scheme. For that matter, many informants claim that when the factory was under the custody of the government, leaders of the Union were considered like that of managers but now a days the managers pursue a hire or fire approach. The Union faces challenges, in the eyes of some respondents, with regard to leadership who are perceived as opportunists and unable to represent the workers. Rather, they are elected and side with employers/*aseriwoch* /. As a result, this erodes the trust of the workers on emerging Unions that have members of CETU. Some federations do not have representatives in the Eastern branch of CETU (Ermias, 2012). This is, according to the same informant, highly difficult to bring them under the umbrella of CETU. This makes them to be unrepresented thereby posed difficulty to federations to have their say in the branch. It continues to be overburdened the branch office if it persists unabated.

Despite these challenges there are still windows of opportunities to make CETU a vibrant Union to entrench good governance. Of course, the law of the land devoted most of its volume by enshrining fundamental rights and freedoms pertinent to equality before the law, equal protection under the law, freedom of speech and expression, freedom of religion, belief and opinion, freedom of assembly and association, freedom of person, freedom against jeopardy and ex post facto laws, the right to property. The constitution provides for principles such as the right of the security of the person (Article 16 of the Constitution), the prohibition against inhuman treatment and the abolishment of slavery and servitude (Article 18 (2)) and forced and compulsory labour

(Article 18 (3) and (4) of the Constitution). General Freedom of Association is laid down in the Constitution (Article 31, “for any cause or purpose”), and specified in Article 42, “Rights of Labour”, which reads: “Factory and service sector employees, peasants, agricultural workers, other rural workers, government employees below a certain level of responsibility and the nature of whose employment so requires, shall have the right to form associations for the purpose of improving their economic and employment conditions. This right shall include the right to form trade union and other associations and to negotiate with their employers and other organizations affecting their interests”. The Right to Strike is explicitly mentioned in Article 42 (1) b) of the Constitution. This article, in its paragraph 2, also lays down the right to reasonable limitation of working hours, to rest, to paid leave and to healthy and safe working environment.

The adoption and the implementation of the Labor proclamation, though some criticize it for its competing interpretation, is also an opportunity. Some provisions concerning the right of workers, without distinction whatsoever, to form organizations of their own choosing and the right of these organizations to organize their activities without interference by the public authorities and not to be dissolved by administrative authority (Article 114 (1), (2) and (7)) is also a milieu to further consolidate the Union. Being a member of ILO, CETU could benefit from its support in its endeavor to stand up for the protection and promotion of fundamental freedoms of workers. Finally, the practices of some federations are encouraging due to their cordial relations with employee.

5. Conclusion and the Way Forward

5.1 Conclusion

The paper has so far discussed major issues pertinent to opportunities and problems facing Civil Society Organizations in their endeavour to entrench sound governance in their respective domains. All the selected CSOs that are entertained in this paper serve as a public domain at least for their members. They share denominators in common, for instance, being served as alternative channels of communication, participation, mobilization and ways of socialization/schools of democracy that are conventionally taken as bed rock to practice sound governance at grass root level. Furthermore, all the selected CSOs are instrumental to empower their members. They also serve as a push factor in lobbying and setting agenda to advance their members’ interests.

Notwithstanding their positive contribution, CSOs in Ethiopia in general and Dire Dawa in particular are not immune to major challenges that stifle them to strengthen governance within the society. The natures of most challenges that hamper their performance are at times specific to their duties and responsibilities. However, there are instances of problems that transcend boundaries across the CSOs that are investigated in this study. What matters most is that how to extricate them from their dire conditions. To put it differently, it is imperative to look towards the way out so as to show them the right direction to entrench sound governance. This does not, however, imply that other actors like that of the state is out of the domain to heal the defects that are visible in state society relationship as far as CSOs are concerned.

Ergo, some of the challenges that are shared among the cases in common are: internal administrative malpractice and inefficiency; legal framework hurdles; alleged government interference; narrow membership base; lack of trust and confidence in the eyes of their members and the public; and the paucity of philanthropic culture to mobilize and organize around CSOs. However, some challenges are specific to each selected cases. For instance, EWLA has faced particular challenges partly emanated from the Charities and Societies proclamation 621/2009 on EWLA. As far as ETA is concerned, it is struck by the confusion of leadership in ETA following the emergence of other competing Association as well as the nomination of school administrators by the Education Bureau of the City based on political affiliation of the candidate.

5.2 The Way Forward

From our conclusion, we have recommended the following points as impetus to further bolster the activities of CSOs in their endeavor to promote governance. Active participation of stakeholders to address the challenges of governance in tandem with the state shall be appreciated to move forward. Every CSOs shall not be curtailed by its prism in materializing sound governance in Ethiopia in general and Dire Dawa in particular. To address the challenges that face CSOs in the study area, there is no ‘one size fits for all’ solution. What matters is the context in which the idiom of their operation. In what follows, the paper has forwarded the possible remedies that could help civil societies working in Dire Dawa to reach out their targets.

It is recommended for EWLA to take the following measures into consideration:

- Outreach to wider public and encompass men as members to tackle its financial constraints; entrench gender equality; mobilize the mass to its goals
- It should be willing and the commitment to work in close collaboration with those organizations that shares similar mandates, rather than competing against would be partners. It is imperative to have cordial relation in order to achieve its cardinal principles;

- Pursuing specific intervention mechanisms to rural and urban settings;
- Pursuing conciliatory approach to the local administrative machineries in their search for material and financial support

For ETA, it is recommended to consider the following impetus in its activities in the future;

- It is advisable to leave the room for teachers to be empowered to elect their leaders
- Promote the gesture of political impartiality and present itself as an independent Association so as to win the hearts and the minds of the teachers;
- It should heed to the demands and aspirations of the significant members of the Association with regard to their call for restructuring the Association to reinvigorate it to represent their interest in the face of maladministration;
- The Association should be abide by its code of conduct particularly holding meeting as per the regulation;
- It is also advisable for ETA to strive for enhancing the quality of education which is a burgeoning challenge confronting the profession;
- To reduce its budget constraint, it is advisable to broaden its financial resource by increasing its membership as well as convincing them to pay their contribution;
- Should cooperate with partners;
- It should embark on building its trust among teachers and the communities and sort out its labelling as façade organ that represents the incumbent administration

To make CETU vibrant and be able to maintain its very objectives, it is advisable to consider the following points;

- Give primacy to create harmonious relations among employees, employers and government;
- Strengthen the financial capacity of the Union by creating diverse sources of income for instance; raising the membership fee through convincing employees; exhibitions and symposiums;
- The office should further continue its effort to comprise other organizations which have so far failed to be part and parcel of it; daily laborers, Coffee and Hotel to organize themselves;
- Increase awareness on government policy;
- Build trust and confidence of employees on their professional Associations
- It needs to have committed leadership who can wage struggle against maladministration;
- Support leaders of trade unions with training aimed at increasing their administrative capacity;
- It is also advisable for the Union to provide training for employers on the rights and entitlements of employees

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