

RESEARCH ARTICLE

Satellites, Plasmas and Law: The Role of TeleCourt in Changing Conceptions of Justice and Authority in Ethiopia

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An ambitious experiment in the ICT and justice sector is underway in Ethiopia. As part of an effort to improve service delivery and the responsiveness of the state, the Ethiopian government has created 'TeleCourt,' a system that allows trials to take place between remote areas and regional or federal courts through video-conferencing and a satellite Internet connection. This article is the first to analyze how TeleCourt operates, with a particular focus on the perspectives of end-users, those who have had first-hand experience of how 'justice at a distance' actually works. The findings suggest general satisfaction with the savings – both in terms of financial burden and time costs that are often incurred when travelling to trials – which TeleCourt allows. As the system improves ways to provide justice to the grassroots, in line with the government's commitment towards peasants, this must also be considered in the context of the Ethiopian government's growing efforts to use law to curb political dissent. This is indicative of a broader tendency of selectively adopting and reshaping ICTs and extending them to the poorest people in Ethiopia in order to support the functioning of the state, while other uses of ICTs that are seen as potentially destabilizing are discouraged or forbidden.

When describing the justice system in Ethiopia, there is a common expression: 'The farther you go from Addis, the farther you go from justice.' Historically, the state's limited capacity and reach prevented those living outside of major cities from having adequate access to formal justice. While traditional mechanisms of conflict resolution and reconciliation offered venues for individuals

to have their cases addressed, Ethiopians living in rural areas had little opportunity to resort to formal courts when they were dissatisfied with the rulings of elders or religious leaders. For cases that had to be dealt with according to state rather than customary law, the lack of trained personnel and resources often meant that trials could drag on for indefinite periods of time, or require substantial and expensive travel to regional capitals, creating a heavy burden on those least able to afford it.

Efforts have been made to overcome this challenge in recent years since the introduction of a Comprehensive Justice System Reform Program (CJSRP). The emphasis that

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Figure 1: A court case adjudicated through TeleCourt.

the government led by the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF) placed on farmers as the building block of the new Ethiopian state led to new opportunities for the marginalized to seek justice and have their cases resolved in a timely manner. As this article illustrates, information communications technologies (ICTs) have played a paramount role in making this transformation possible. The development of TeleCourt allows trials to take place between remote areas and regional and/or federal courts through video-conferencing and a satellite Internet connection. Theoretically, then, justice can be dispensed remotely and at lower costs, reducing the need for judges and for all those involved in a trial to travel long distances on often difficult roads (**Fig. 1**).

In-depth interviews demonstrate that the individuals whose cases have been processed using TeleCourt, after some initial puzzlement (many were illiterate farmers who had never encountered this kind of technology before), appeared to be impressed with the system. TeleCourt is part of the broader nation-building efforts of the Ethiopian government which is attempting to extend its influence over the country and to gain legitimacy by improving service delivery and shouldering responsibilities which have traditionally been among the duties of other authorities (e.g. religious power, customary law, etc.). This article also addresses some of the contradictions in the relationship between justice and ICTs in Ethiopia.

For example, the arrest, detention and trials of political opponents, which is usually dealt with by courts in Addis Ababa have been criticized as highly politicized and fundamentally flawed (Abbink 2006). Most recently, the arrest of bloggers belonging to the Zone9 collective, an informal group of young Ethiopians using social media to promote reform in the country, and the continuous adjournments of their trial, have raised additional concerns about the relationship between politics and justice. These concerns have led to suggestions to reverse the motto which opens our article to 'the farther you go from Addis, the closer you go to justice.'

Methodological Issues

For this article, we focused on two regional states: Amhara and Oromiyya. These states were intentionally selected due to their proximity to each other and the volume of TeleCourt cases handled. Amhara Regional State was in part selected because of its position as the first state to use TeleCourt in Ethiopia. In these two regional states, Telecourt's target groups were end-users (plaintiffs, defendants, attorneys and defense lawyers), implementers (woreda, zonal and regional court judges) and designers (chiefs of federal supreme courts). Based on conversations with senior court officials, we have confirmed that more end-users of the TeleCourt service exist in these regional states. Oromo and Amhara are also the two largest ethnic groups in Ethiopia.

Two data collectors and two principal investigators participated in the data collection. Semi-structured interviews were conducted with the end-users, implementers and designers of TeleCourt.¹ Specifically, the research sought to examine what the designers expected TeleCourt to achieve and whether their expectations were consistent with what end-users have perceived as the principal benefits of TeleCourt system in Ethiopia. In order to supplement data from the interviews, two Federal Supreme Court TeleCourt proceedings were also observed.

The data were collected in two phases. The first phase was from 26 March to 9 April, 2014 and the second phase took place from 21 April to 11 May, 2014. A total of 39 end-users, six designers and 15 implementers were interviewed. Convenience sampling was used to identify the sample end-users, whereas the designers and implementers were selected based on information from the federal and regional high courts.

The Justice system in Ethiopia

The centralized Derg regime had completely destroyed the judicial process and instead had relied on blunt force to exact justice. Therefore, the creation of the new constitution immediately after the fall of the Derg regime and which allowed for a new regional form of Courts based on federal principles was a great success. It also set forth a set of rights more in line with a liberal western model; for example the right to be informed of charges and, despite the difficulties of transportation in Ethiopia, the right to be seen in court within 48 hours of one's arrest (Blackburn and Matthews 2011: 169). As part of a larger nation-building project aimed at uniting the country, regional courts were given the same three-tiered structure as the federal court with *woreda* (district)² courts, zonal courts and regional supreme courts (Blackburn and Matthews 2011: 169). This was a significant step in disassociating the reformed judicial system from the unitary judicial system of the Derg and a past where 'Ethiopia's judicial system [has been] generally characterized by a fusion, not separation of administrative and judicial functions' (Fiseha 2011: 703).

These reforms had lofty goals, however, and criticism arose as the difficulties of reaching all of the regions of the country, and of enacting a very new regional legal system, became apparent. A primary criticism of these legal reforms was that they left out perhaps one of the most important pieces of an independent and democratic judicial structure: the power of judicial review of

the Constitution. This omission might be explained as a result of the legacy of a centralized Ethiopia. Currently no court in Ethiopia has the power to interpret the Constitution (Vibhute 2014: 123). The Constitution privileges Parliament above all else and the Ethiopian judiciary has no ability to act as a check on executive power (Fiseha 2011: 708). Furthermore, enacting a new form of federalism has caused other problems, as the understanding of what should be federal court or state court matters are often disputed.

Another difficulty of the EPRDF government reforms is the successful implementation of these new laws in remote areas where customary laws are still important. Because of the lack of legitimacy that transplanted law has in rural Ethiopia, the 1995 Constitution stipulates 'personal and family issues,' for example, can still be resolved by traditional courts (Fiseha 2011: 703). That people in remote areas look to traditional authority for resolution in many cases has proven to be another challenge. Ultimately, the new Constitution, though idealistic in its goals, maintained a judiciary with no powers of judicial review, logistical inability to give access to justice in regional areas, and did not provide clear definitions of state, federal and traditional jurisdictions.

It would take a decade from the ratification of the Constitution until the CJSRP was enacted under the direction of the Ministry of Capacity Building (MoCB) to address some of these aforementioned weaknesses. It was generally understood that the reforms in the justice system would allow citizens to seek and obtain their rights 'as embodied in and guaranteed by the democratic new Constitution' (MoCB, JSRPO 2005: 11). The baseline study for the CJSRP identified a number of subfields in the legal system to be reformed so that the country could adapt its judicial system to 'the demands of the changing world economy' (Ministry of Capacity Building; CJSRP Office 2005: 11). Some of these subfields included legislation, law-making and revision, law enforcement, the

judiciary, legal information, and information flow within and outside the justice system. In its recommendations for all the subfields, the study underlined the need to expand the use of ICT for efficient and effective legal service (Ministry of Capacity Building; CJSRP Office 2005: 11).

The principle of reform was significant in the early 1990s, and the CJRSP revealed a further commitment to the difficult goals undertaken by the EPRDF a decade earlier when faith in the judiciary was at a low point. However, the process of developing a system of reform to increase efficiencies in the legal system raised major questions with regard to how the judiciary has acted within the framework that was created by the Anti-Terrorism Proclamation (2009), and with the uses of ICTs, which the government has championed to centralize rather than disperse power. Not only has the judiciary remained weak – perhaps as part of a legacy of ongoing centralized authority – but the goal of enacting justice in regional areas, though admirable and much-needed, instead reflects the weakness and dependency of the judiciary on the one party state.

Establishing a Network of Telecourts

The efforts of judicial reform have coincided with ambitious initiatives to use ICTs to improve governance and service delivery. The government's national ICT policy (approved in 2009) has stressed the use of ICTs to promote good governance and has prioritized applications that can improve service delivery (Federal Democratic Republic of Ethiopia 2009).

Major ICT enhanced programs include Woredanet, Schoolnet and Agrinet. Woredanet, which uses the same protocol as the Internet, allows administrators in the capital, the regions and the woreda to communicate with one another via videoconference, and has provided the infrastructure on which TeleCourt operates (Gagliardone 2014). While ICTs have found different applications in courts around the world (Reiling 2009), Ethiopia's TeleCourt is unique in its

approach to using ICTs not only to transform the court itself (e.g. improving recording and access to documentation) but in allowing courts in the center and in the periphery of the country to connect with one another and provide justice 'at a distance.' Other countries in Africa have followed the Ethiopian example. Rwanda, for example, has established videoconferencing as part of the public administration and has also tested its ability to improve judicial services (Mugisha 2014). Ethiopia, however, has been a pioneer in combining different uses of ICTs that could enhance service delivery while reinforcing the presence of the formal state in the peripheries.

Using Internet Protocol (IP) based satellite communication and plasma TV screens, courts in Addis Ababa and in the regional capitals connect to woreda, which enables judges who reside in those places to judge trials far from the main cities. The Federal Supreme Court, for instance, undertakes daily court hearings through videoconferencing with some 23 regional and local courts reviewing more cases than otherwise would have been possible using the traditional court procedure alone.

Despite the country's poor Internet connectivity, the justice sector has begun to use the Internet extensively in order to electronically document legal charges, update their progress as well as create a database for a range of legislative resources.

The first TeleCourt was launched in 2006 in the Amhara Regional State, an area whose geographic location, hilly terrain and poor road conditions have made the conventional justice system inaccessible and inefficient, especially during the rainy season (from June to mid-September). During this season, courts often found it difficult to handle cases. For example, if the judges leave town before the start of the rainy season (which they often do), the court is likely to be without a judge until the rainy season is over. In addition, the terrain and poor roads make travel from other woredas difficult or very costly for individuals whose cases are heard in court.

Court	No. of cases	No. of hours	Participating sites
Federal Supreme Court (Addis Ababa)	429	619	Bahir Dar, Hawasa, Dire Dawa, Mekele, Gondar, Jima, Desie, Adama, Harar, Merahabete, Debre Birhan, Ambo, Debre Markos
Tigray Region Higher Court (Mekele)	5200	2436	Adi Gudem, Humera, Maychew, Shire, Alamata, Axum, Adwa, W'qro, Edeselassie, Tenben, Abiy Adi, Adigrat
Amhara Region Higher Court (Bahir Dar)	817	1000	All Amhara zones and most of the Woredas
Total	6446	4055	

Table 1: Court services conducted using Woredanet video conferencing facilities in 2007/8 (Adapted from United Nations Public Administration Network-UNPAN).

TeleCourts were subsequently extended to other regional states including Tigray and Oromiyya, and later to the remaining regional states. Woreda offices that are already equipped with satellite or fixed Internet connectivity and plasma TV screens have also been used for trials when needed (See **Table 1**) and in some cases dedicated spaces have been created just for TeleCourts. While there has not yet been a formal assessment of the TeleCourt system, the original system in the Amhara Region was deemed sufficiently successful (817 cases had been successfully heard by 2008 (Federal Supreme Court ICT Directorate)) to warrant an expansion of the program. Today, TeleCourt is used at both the regional and federal government levels and has been used for both civil and criminal cases.

Despite the difficult circumstances and poor Internet connectivity, the federal courts still manage to handle a significant number of cases through videoconferencing. Between April 2013 and March 2014 alone, over 1700 cases were reviewed using videoconferencing between the Federal Supreme Court in Addis Ababa and courts and correction centers in more than a dozen towns, including Mekele, Hawasa, Arbaminch, Adama, Dire Dawa, Ziway and Shewarobit (Federal Supreme Court Data for Video Conferencing, unpublished (Amharic)). In its 2013 Implementation Completion and

Result Report, the World Bank acknowledged Ethiopia's improvement in implementing novel dispute resolution mechanisms through the utilization of ICTs. Courts have reportedly improved 'records management systems and introduced court management and decision support systems.' Non-existent in 2005, 'video conferencing (VC) facilities now exist in 229 courts, clearing over 36000 cases and thus improving access and reducing the cost of justice' (World Bank 2013: 19).

Woredanet takes most of the credit for enabling zonal and woreda courts to handle cases through videoconferencing facilities. These facilities have helped citizens to avoid long and costly travel from Woreda to zonal and regional courts. If not in their own locality, many rural dwellers have been able to enjoy access to, and reduce the costs of justice by having their court case reviewed in their nearby town through videoconferencing (See table below for regional and local beneficiaries of Woredanet video conferencing facilities in 2007/8).

But this is not without its challenges. As Girma Getachew, a high court judge, described:

When this system was put in place, I think the government's main objectives were related to ensuring accessibility of justice, reduce sufferings sustained by the public, and enabling

the public to access justice nearby without traveling distances and incurring costs. By accessibility, we mean to provide genuine and effective judicial services easily and swiftly. In that respect...the government deserves credit. If fully utilized, the system is able to meet the objectives of the proposers. It can enable customers, the courts and others who use the system to achieve what they want to achieve. We can say it is consistent. When we see data from the past years, 20 per cent of the cases presented to us in 2013 have been seen in the TeleCourt. This is not simple. If we see it from that perspective, we can see how consistent it is. What have recently happened are holding us back. We have to face power interruptions, and we do not have adequately trained personnel (Interview, 26 March 2014).

Another high court judge, Tasew Begashaw concurred with his fellow judge's assessment about the consistency of the system's objectives and the end-users' experiences. However, he also shared the concerns aired by his colleague in relation to chronic power failures and network problems as well as the lack of well-trained technical personnel. These are major hurdles 'taking the TeleCourt services from life to death' and Tasew warned that unless all concerned bodies work together to create a solution, the objectives of the proposers may not be fully realized (Interview, 26 March 2014). Similar views were shared by other judges, such as Wagaye Tadesse, Gonit Tefera and Rahel Wondwesen. Although they all confirmed the consistency of the objectives envisioned and the experiences of the end-users, they did not hide the serious challenges that the system has encountered. They fear that unless these challenges are met, the full realization of the objectives would be uncertain.

The concerns expressed by the interviewees together with observations on some of the study sites reveal a paradox that has

characterized the application of ICTs in Ethiopia. Despite being among the least connected countries in Africa, with only 1.5 per cent of the population having access to the Internet in 2012 (ITU 2013), Ethiopia has championed highly complex uses of ICTs aimed at improving service delivery and at expanding state control. Projects similar to Woredanet, Schoolnet and TeleCourts emerged in areas where even the most basic infrastructure was lacking, including drinkable water, roads and electricity (Debretsion 2011). In this environment TeleCourts represented outposts of modernity: they were symbols of a state demonstrating its commitment to providing fundamental services while also employing technology to extend its authority to areas that had previously been outside of its remit.³ The lack of other technologies in Ethiopia (present in other societies and which allowed for more recent innovations to build on earlier ones), caused unique obstacles to the proper functioning of systems like TeleCourt.

As indicated in the next sections, however, it was often the symbolic power of TeleCourt, rather than its functional component which has been noted by end-users who have both praised the system as a concrete example of the commitment of the government to improve the justice sector, but have also referred to it as symbol of a stronger power that commands respect.

View from the ground: transformations of authority and justice

The use of TeleCourts has been a significant departure from more traditional conflict resolution mechanisms for poor and rural communities. It is significant not only because of increased state intervention and involvement in local legal affairs, but also for the performative aspect of justice. For communities that have little access to new technologies, and for individuals who do not own a television, let alone a computer, having justice meted out through a plasma screen has forced a reconceptualization

of both authority and justice. This section explores this transformation in two areas: how TeleCourt has improved access to justice, allowing those who were previously excluded to have access to the formal courts; and how it has changed notions of justice for users in rural communities, including traditional ideas of the relationship between authority and citizens.

Improving access to justice

When asked to describe TeleCourt and its impact on the justice system in Ethiopia, a lawyer from the Amhara Regional State who had been working with TeleCourt noted:

There's a proverb in our area. "I feel better to have lost my mule justly than to have lost my loaf of bread unjustly." [...] The saying exemplifies that if one's *chibito* [ball like bread made of a mix of butter, pepper powder and teff flour] is snatched from him unjustly, and if, in another point in time, a jury found him guilty and decides against him to hand in his mule, he feels ok to lose a mule (Interview, 26 March 2014).

As the above quote indicates, TeleCourt has progressively come to represent the commitment of the central state to provide justice to those who have been largely excluded from it. Atale Dosegna, president of the high court in North Shoa, describes the benefits of TeleCourt to its users, including farmers, women and elderly people:

If it were not for TeleCourt services, these people might not seek justice because they might not have been able to come as far as this town [Debre Birhan] due to financial, physical, or health constraints. But now, they have benefited from the services brought closer to their place of residence. Thus, the TeleCourt service is benefiting such type of people (Interview, 26 March 2014).

In a similar vein, Yeshidinber Masresha, a practicing lawyer and TeleCourt user from Debre Berhan, has noted that TeleCourt users often include:

Farmers in our zone, civil servants, any citizens who use the law, people who are physically weak due to aging [elderly people], lawyers – all these are users of TeleCourt facilities... People who work for the supremacy of the law and those who believe in finding justice through legal means are the ones who use TeleCourt most often (Interview, 26 March 2014).

For Hailu Derese, who is a TeleCourt user himself, 'Users of this system [the TeleCourt] are generally people living in rural areas; those who seek justice but don't have the means to go as far as Addis Ababa for their court cases. The service is good that it enables such people to enjoy justice, which otherwise they might have given up on' (Interview, 6 May 2014). Concurring with the views of other interviewees, Temare Tewabe, a local priest and a farmer, noted:

The beneficiaries are mainly farmers, the elderly and the physically weak people; and those with physical assault charges are also other beneficiaries. [...] Furthermore, the government is also the other beneficiary. If there are no people, there's no government. If there's no government, you don't have a united people; you'll only have unruly and irresponsible people. When the people benefit, it means the government benefits, too (Interview, 8 May 2014).

The poor have traditionally been marginalized in regards to accessing the justice system, as the system has often been urban-centric and largely in the service of those who could afford it. Against this backdrop, most interviewees perceived TeleCourt as a 'poor man's' technology that has created an

opportunity for them and their compatriots to enjoy the justice system, which had previously been enjoyed only by a privileged few.

With respect to the benefits of the TeleCourt, the interviewees mentioned cost savings, time savings, avoiding the hassle and discomfort associated with traveling long distances, and a change in citizens' perceptions with respect to the justice system. Speaking of the principal benefits of the TeleCourt, Atale Dosegna, for example, stressed that '[...] Firstly, they saved expenses; they avoided lots of suffering; they saved time as well. Secondly, people who cannot come as far as here [north Shoa zone] because of aging, ill health, and disabilities have benefited from the TeleCourt services' (Interview, March 26, 2014).

Prior to the introduction of the TeleCourt system, judges were sporadically dispatched to remote areas to dispense justice. Such an arrangement necessitated logistical expenses *per diem* and other expenses for the judges and their teams. All such expenses were covered by the government. This meant that the conventional justice system was costly not only for citizens but also for the government. The TeleCourt system has either eliminated or substantially reduced such costs.

According to Yeshidinber Masresha, the new system has benefited both ordinary citizens and the government:

For instance, there is a Woreda [district] in north Shoa zone called Gishe Rabel. It is near Wollo. It is some 250 kms away from Debre Birhan. Think about the expense it incurs to come here from Gishe Rabel to access justice. By the way, court disputes take place between people. One person alone cannot have a dispute. He/[she] comes in with other people. All these people have to travel for 250 kilometers for justice to be served, and in the process, they lose their precious time of work. Ensuring justice in the old ways of dispensing justice involved financial losses. The government,

for example, used to incur a lot of expenses in the form of allowances and other expenditures. Such expenditures are no more necessary now. This means that not only the citizens but also the government is the beneficiary of the TeleCourt system (Interview, 25 March 2014).

Another farmer by the name Goshim Kebede, who has sustained injury and is currently in a wheelchair, described the advantages of TeleCourt for people with disabilities:

We, people with disabilities, as well as other members of the community have financial problems. There are many people with financial constraints. They are not able to go to zones and regions in order to access justice for their disputed property and other interests. There are countless people who cannot afford to pay their transport and other expenses. Government considered such things and its attitude towards the poor is positive and good. What it is doing in this regard is good (Interview, 27 March, 2014).

Temare Tewabe, a local priest and a farmer who has once used TeleCourt, explained the advantages of TeleCourt in terms of its capacity for reducing risks for those seeking justice:

It's a very great thing to talk to them [judges] sitting there with transport expenses reduced. I'm very happy. I support greatly this government and those who created this technology. When we travel to Addis Ababa by *Aba Dula* (a mini-bus notorious for accidents), it is not just it is expensive, but the possibility of accident happening along the way is also worrisome. Round trip costs 500 birr.⁴ Furthermore, the thieves in Addis Ababa and the difficulty of finding

accommodation there pose a huge challenge. Many people were unable to take their cases to the federal court because of their problems, and that made them feel hopeless. Land is our life. For us to see the realization of this plasma court is exciting (Interview, 8 May 2014).

Along the same lines, Tewil Haji, from the Sewena and Biliso Woreda, was of the opinion that TeleCourt has saved him and others from huge costs. He said that they used to pay up to 5,000 birr, though the figure varies from person to person and from case to case. If the appointment is prolonged, he claimed, they used to spend up to 10,000 birr, and as a result they were sometimes forced to withdraw and cancel their cases even though they had suffered injustice (Interview, 23 April 2014).

Additionally, Qeneni Ketema, a TeleCourt user from Ejere Woreda in Oromiyya Regional State, noted that TeleCourt is important to all: the individual, the government and the society. She added that residents like her did not have to travel to Ambo, the West Shoa zonal town, to seek justice as they could have it in their locality. She further argued that they have now become accustomed to TeleCourt, and their confidence in the service has increased. She then cited her own example and noted that her case was related to land. Her court case had been ongoing for a long time, but she could not regularly pursue the case by traveling to Ambo, the zonal town. After the TeleCourt system was introduced to her locality, however, she was able to attend the court sessions after having breakfast if it was in the morning, after having lunch if it was in the afternoon, and drinking a cup of coffee before the session started, and that was an enjoyable experience, she added (Interview, 29 March 2014).

Throughout history, the peasantry and the poor have traditionally composed the overwhelming majority of the Ethiopian population. They have suffered from a chronic lack of access to the justice system owing to poor infrastructure, scarce financial and human

resources, and from the urban-rural divide in relation to service provisions, which often privileged the urbanites. The introduction and access to the TeleCourt system is a huge leap forward in bridging the gap between the peasantry and the poor, and the urbanites.

Transforming notions of justice

In Ethiopia, two mechanisms to conflict resolution exist: modern and traditional approaches. While the former includes modern court and police force, the latter takes many forms. For example, in the Afar and Wejerat communities, they resort to the *gareb* to resolve inter-ethnic and inter-communal conflict (Abraha Tesfay 2012). The *gareb* is an indigenous institution that comprises *abo-garebs* committed to the overall societal duties and who act as local court administration. *Abo-garebs* are a collection of people who run the *gareb* institution to resolve an inter-communal or inter-ethnic conflict as peace actors (Abraha Tesfaye 2012: 53–54). In Tigray Regional State, it is the institutions of the *erki* (reconciliation), the *baito* (assembly), and the *mahberawi bet firdi* (the social courts) that intervene in conflict resolution (Assefa Fiseha 2010: 362). These mechanisms typically involve the mediation of powerful community members such as traditional chiefs, religious figures and elders who are respected among the community.

Interviews with end-users, implementers, and designers of TeleCourt have indicated that the introduction of TeleCourt has not negatively affected the role traditional approaches play in resolving inter-ethnic and inter-communal conflicts. In the past, people used to rely on traditional approaches to conflict resolution before pursuing modern approaches. It was only when the traditional approaches failed to resolve the disagreement/conflict that people resorted to police force and modern courts. The same procedure holds true in today's Ethiopia and citizens often explore traditional approaches to conflict resolution before turning to modern approaches. Corroborating this assertion, Fire Qeqeba (a judge in West Shewa Zone,

Ejere Woreda Court) states that TeleCourt is an example that shows how innovation and tradition work hand in hand. According to Qeqeba, people resort to courts after exhausting all other possibilities (Interview, 30 March 2014). Traditional approaches to conflict resolutions are relatively cheaper, more convenient, and more easily understood, especially in rural communities. It is perhaps less likely that an ICT-assisted TeleCourt would displace traditional approaches to conflict resolution. Rather, the two approaches may continue to work side-by-side.

The possibility of resorting to TeleCourt, however, has had positive repercussions on those cases that do not find immediate resolution through traditional means, or which, according to the law, must be directly dealt with by formal courts. Findings from the interviews support the connection between accessibility to justice on one hand and conflict on the other. In other words, when people do not feel that their interest is protected in the court of law, they have tended to take the law into their own hands. An interviewee from the Amhara Regional State notes:

In the past, an individual might have committed a crime in one Woreda and moved to another Woreda and lived there for a long time with no one knowing his criminal standing. [...] These days, no one can hide anywhere in Ethiopia after committing a crime. They will rather be brought to justice. When justice is easily accessible, crimes cannot be rampant. If facilities like the TeleCourt were not available, injustice would have continued to prevail (Interview, 26 March 2014).

Inaccessibility of the justice system for the poor and the delay in the process has been one of the major findings of the CJSRP. The justice system in Ethiopia has been criticized as inaccessible to the poor and those in the periphery (CJSRP 2005:14). Those desperate to receive justice in a timely manner but

unable to do so might take the law into their own hands; this can include physical confrontation, group attack, and even revenge killings. Such practices have become the cause of many conflicts in some communities across Ethiopia. In this regard, Temare, a priest and a farmer, attests to the fact that:

If one fails to kill his enemy with a stick, he'll kill him with a rifle. This happens when justice lacks in or when it falls subservient to favoritism. Such problems sometimes take place in our Woreda. As I mentioned earlier, the plasma court has enabled appellants to access judicial hearings at all levels and would then reduce acts of revenge. It's reduced them (Interview, 8 May 2014).

In some past cases, suspects would remain at large until they were convicted and sentenced. These people would move from one area to another and commit other crimes. In cases of inter-ethnic violence, attacks and counter attacks may continue to pave the way for increasingly larger waves of violence, until cases are resolved through courts or traditional means.

According to an interviewee:

In the past, due to inaccessibility of the justice system, one could engage in violent ways of securing his/her interest. When s/he can have his rights respected [through the plasma court], why does he engage in those activities? The plasma court has indeed contributed to maintaining peace in our area (Interview, Goshim Kebede, 27 March 2014).

Along the same lines, Birhanu Kebede, a rapporteur at Sia Debirna Wayu Woreda Court notes that:

...if justice is served before one is engaged in a traditionally practiced

vendetta and bloodshed, this traditional practice will be reduced. People engage in the vendetta tradition because of the ups and downs and recurrent appointments before one enjoys justice. Therefore, the plasma court shortens the time and it helps in this regard (Interview, 27 March 2014).

Testimonies like these, however, must be considered not only in relation to the more efficient ways of dealing with justice supported by ICTs, but also in light of the effort the Ethiopian government has demonstrated in extending its control over the country. This last includes a variety of means to surveil the population, from increasing the role of *kebele* officials (those at the lower level of the administrative structure and closer to the community) to boosting the party ranks (Aalen and Tronvoll 2009; Abbink 2011). TeleCourt seems to have contributed to changing the widely held view that 'The farther you go from Addis, the farther you go from justice' into 'wherever you are, you can't hide from justice/you will face justice.' As trials that have attracted international attention, such as those of the Zone9 bloggers, indicate however, that the symbolic value of justice has not been used exclusively to show commitment towards the marginalized, but also to demarcate the limits of political opposition in the country.

The Zone9 collective is an informal group of young Ethiopians using social media to promote reform in the country. The Zone9 bloggers seek to build the political debate in new areas, advocating for change and reform within, rather than beyond, the political framework that the EPRDF had created for Ethiopia. Rather than asking to rewrite the constitution as other political and media actors had done in the past, they launched campaigns to #RespectTheConstitution, a hashtag first posted on Twitter on 6 December 2013. They asked leaders in the Ethiopian government to live up to the

principles they, the leaders, had themselves chosen to rebuild their nation, including freedom of expression, sanctioned by Article 29 of the Ethiopian Constitution. The Zone9 bloggers championed new ways of using social media to engage in conversations with prominent political figures, including with Foreign Minister Tedros Adhanom, the member of the Ethiopian government with the most active presence on social media. However, their criticism was considered too extreme, especially before the upcoming elections in 2015. Six members of the collective were arrested on 25 April 2014, accused of 'plan[ning] to destabilise the country using social media' and of 'getting financial and intellectual support from a foreign force.'⁵

Taken together, the commitment towards using ICTs to improve access to justice, especially in marginalized communities, and the resistance towards uses of ICTs that challenge the hegemony over the political debate, delineate a complex picture of a country where ICTs have been actively reshaped to support a specific project of state and nation-building. This privileges ICT uses that dispense power from the centre to the periphery, rather than allowing a more inclusive process of technological appropriation.

Conclusion

In Ethiopia there has always been a substantial urban-rural divide in terms of citizens' access to justice. The justice system has been comparatively inaccessible to those in the periphery. The state's capacity to provide services has been limited to the capital and other cities and towns in the country. The historical trend of a judiciary that is heavily dependent upon, and controlled by, a powerful executive has also ensured that rural areas have been left out. In this sense, a move towards regional courts is a step in the right direction towards access; however, this move is still hindered in some ways by the need for a central power to exert control over the periphery.

Building institutions in areas where they have either never existed or have not functioned well, enables the government to project its power and reach, and is an important indicator of state-building. In this regard, it can be said that the introduction of the ICT-assisted TeleCourt system is contributing to the government's state-building effort. Almost all respondents agreed that TeleCourt has influenced their conception of justice and their relationship with the state. For them, the state-administered justice has become less of a remote and mythical institution and has become closer and more familiar. Respondents largely noted that using ICTs to develop TeleCourt has brought the state closer to citizens.

TeleCourt has increased the capacity of the state to deliver access to justice by removing a debilitating distance barrier and crippling travel costs. This appears to have boosted the citizens' confidence in the government's commitment to promoting good governance. According to the collected testimonies, TeleCourt seems to have also had important implications for peacebuilding. The interviewees were convinced that increasing the accessibility and speedy delivery of justice to citizens would reduce potential conflict between contending groups, which otherwise might encourage parties to take the law into their own hands.

When understood in the larger context of the strategies pursued by the Ethiopian government to shape ICTs in the country, however, some fundamental contradictions were revealed regarding TeleCourt. TeleCourt, similar to other ICT projects such as Woredanet and Schoolnet, has employed advanced technologies in a context where the most basic infrastructure is still lacking, including access to electricity. As reported in the interviews, court sessions had to deal with chronic power outages, regular network failures, and the shortage of well-trained ICT professionals to effectively run the system. More dramatically, uses of ICTs that have challenged the government domination of the political spectrum have been

actively discouraged, including recurrences to courts of justice.

As noted earlier, TeleCourt is a success story in addressing the problem of accessing justice. However, access to the courts does not necessarily guarantee a fair trial. Some critics often complain that political opponents/prisoners are not beneficiaries of this innovative approach, although this study has not found any data that would either corroborate or disprove such assertions. Similar to Woredanet and Schoolnet, TeleCourt also exemplifies how ICTs can be used for state-building, nation-building and peacebuilding; in doing so, however, they increase the control of the state over its citizens, while concurrently offering them better services. As similar systems are tested in other countries, like Rwanda (Mugisha 2014), better attention should be paid to understanding whether citizens are empowered or disempowered through the application of ICTs to justice.

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Notes

- ¹ The Revolutionary Democracy brand of the EPRDF emphasizes collective leadership; it is not unusual for the leaders to refer to 'the government' while they answer personally-directed questions. The Supreme Court chiefs are among the designers of TeleCourt as part of the collective leadership, and, thus, their role should be seen as such.
- ² Woreda is the third-level administrative division in Ethiopia after region and zone.
- ³ Traditionally in Ethiopia, courts were limited to cities and towns, and never extended themselves to remote areas where the majority of the citizens lived. These areas were left to traditional elders, religious figures, and other local

personalities to mediate and settle disputes. However, the introduction of TeleCourt is bridging this disparity by enabling the government to extend formal justice to these citizens via TeleCourt.

⁴ 500 Birr (about 25 USD) corresponds to a two-month income of an average farmer.

⁵ These and subsequent accusations brought against the bloggers can be accessed on <http://trialtrackerblog.org/press>

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