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FOREIGN FICTIONS: ‘RESEARCH’ ABOUT ETHIOPIAN LEGAL REFORM IN A TOP-TIER ACADEMIC JOURNAL

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ABSTRACT

Top tier academic journals claim to publish the most rigorous, peer reviewed research. This evidence based found therein is utilized to support decision making for sustainable development. In parallel, many journals that are published in the Global South are accused of being lower quality or disregarded as ‘predatory’. This article explores an example of a ‘foreign fiction’ written about Ethiopia and published in a top tier academic journal. The narratives and evidence from that top tier journal are contrasted with research published in Ethiopian journals. This case study shows that Ethiopian scholars have produced important research and contributed evidence, but have largely been ignored, or silenced, perpetuating foreign fictions. This is important because policy and law seeking to enable development are informed and influenced by the research produced in top tier journals. Based upon this, this article critiques assumptions about “top tier” journals as well as those about Ethiopian journals, and further about the continued colonial power imbalances that exist within knowledge production systems. This has implications for universities and scholars, which continue to privilege a particular set of journals that are largely based in the Global North and wherein contributing authors are also largely based in the Global North. The reproduction of colonial relationships within global knowledge production systems calls for much broader critical reflection about whose voices are privileged as authentic conveyors of knowledge and how these privileges are institutionalized.

Keywords: Ethiopia, Foreign Fictions, Knowledge Production, Power, Narrative; Sustainable Development; SDGs

1. INTRODUCTION

Sustainable development is enabled by appropriately designed and implemented law and policy that is evidence-based.¹ One of the reasons that these can be ineffective, fail, or have negative impacts is if the problem definition, selection of preferred options, and design are informed by evidence that is inaccurate. This critical analysis provides an example of this, focusing on research that emerged following a set of reforms that took place in Ethiopia. Given the federal governance structure of the country, the reforms took place at different times and in different ways, allowing for comparative assessments of impacts. A subset of literature analysing these impacts was published in a top-tier academic journal. These publications were based on a set of assertions, which informed methodologies adopted to conduct comparative analyses. These assertions were inaccurate, termed here ‘foreign fictions’, related to the geography of their origin.² These publications, and the research that built upon their findings, are found in respected top tier academic journals, giving the foreign fictions credibility, and thereby the appearance of evidence that should inform policy and law. Compared to Ethiopian-based scholars writing on the same issue in Ethiopian journals, the articles in top-tier are this subset of literature is much more read and referenced, furthering the appearance of accuracy and importance. A systemic reason why these inaccuracies take place is the colonial structures of

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¹ The Sustainable Development Goals (SDGs) and the 2030 Agenda have situated evidence and evidence-based decision making as focal to enabling the envisioned transformations. For example, UN DESA highlights the fundamental role of evidence in measuring, monitoring, and assessing progress on the SDGs as well as in formulating, tracking, and managing the indicators that guide that process. See, for example: <https://www.un.org/development/desa/cdpmo/what-we-do/areas-of-work/evidence-based-policy>

² There are also domestic fictions (for example, in data reported by domestic actors about domestic issues, see: Cochrane, L. and Bekele, Y. (2018) Contextualizing Narratives of Economic Growth and Navigating Problematic Data: Economic Trends in Ethiopia (1999-2017). *Economies* 6:64; Cochrane, L. and Yeshtila W. B. (2018) Average Crop Yield (2002-2017) in Ethiopia: Trends at National, Regional and Zonal Levels. *Data in Brief* 16: 1025-1033). The focus in this paper is the role of international academic knowledge production, other research can deepen our understanding of the drivers of domestic fictions.

knowledge production, which privilege certain types of knowledge and knowledge producers and marginalizing others.³

In addition to the specific example of legal reform, this article draws attention to power within knowledge production systems, which mirror colonial power relationships. The power imbalances that privilege and marginalize are why foreign fictions are possible. Foreign fictions occur when foreign scholars conduct research and publish academic publications based on assumptions, inaccurate information or rely on essentializations and generalizations that are not empirically grounded or contextually understood. Foreign fictions exist in the imaginary of outsiders and are communicated as truth. At times such fictions may be rooted in a lack of contextual knowledge while in others they may be driven by agendas to promote or convey a specific image. In either instance, the processes are products of colonial attitudes as the foreign creators of such fictions position themselves as neutral, authentic authorities. Foreign fictions are not new;⁴ indeed, they were focal to the colonial agenda and are integral to the ongoing coloniality of systems.⁵ Foreign fictions are expressed in narratives, methodologies, categorizations, analyses, and interpretations. While foreign fictions have been commonplace in journalistic reporting and on social media, they are also found in “top-tier” academic journals, wherein those based in the Global North are given a privileged position in academic knowledge production systems.

³ For example, see: Adesanmi, P. (2020). *Who Owns the Problem? Africa and the Struggle for Agency*. Michigan State University: East Lansing; Amin, S. (2004). *The Liberal Virus: Permanent War the Americanization of the World*. Monthly Review Press: New York; Cochrane, L. and Oloruntoba, S. (2021) *Whose Voice Matters in the Teaching and Learning of IPE? Implications for Policy and Policy Making*. *Policy and Society* 40(4): 545-564; Ndlovu-Gatsheni, S. J. (2018). *Epistemic freedom in Africa: Deprovincialization and Decolonization*. Routledge: New York.

⁴ For example, see the works of Edward Said: Said, E. (1978). *Orientalism*. Pantheon: New York; Said, E. (1993) *Culture and Imperialism*. Vintage: New York.

⁵ For elaboration, see the works of Walter D. Mignolo, such as: Mignolo, W. D. (2007). Introduction: *Coloniality of Power and De-Colonial Thinking*. *Cultural Studies* 21(2-3), 155-167; Mignolo, W. D. (2011). *Geopolitics of Sensing and Knowing: On (De)Coloniality, Border Thinking and Epistemic Disobedience*. *Postcolonial Studies* 14(3), 273-283; Mignolo, W.D., & Walsh, C. E. (2018). *On Decoloniality: Concepts, Analytics, Praxis*. Duke University Press: Durham.

This article critically analyses examples of foreign fictions in a ‘top tier’ academic journal, and the implications thereof. The following section starts by introducing the idea of ‘top tier’ journals and situates those within international knowledge production systems. The third section of this paper analyses a specific instance of legal reform in Ethiopia, and the way that a subset of literature has analysed the impacts of it. The fourth section examines the results of the papers from a ‘top tier’ journal and contextualizes the findings put forward within other available evidence (published by scholars based in Ethiopia, outside of the ‘top tier’ journals). The article closes with sections offering a discussion of the critique put forth, recommendations emanating from this article, and then a summative conclusion.

2. THE CONSTRUCTION OF ‘TOP TIER’ JOURNALS

Those who read what the academic knowledge production system produces are told that the “indexed” and well “ranked” (top tier) academic journals are considered to be the most rigorous and offer the highest quality evidence.⁶ Due to the indexing and ranking, these journals are considered the most prestigious places for academics to publish in. The conveyors of this claim attempt to justify it by pointing to their thorough process of double blind peer review. The publishers of these journals tend to be for-profit companies based in the Global North (e.g. Taylor & Francis, Elsevier, Sage, Wiley, Springer), which sell academic publications to individuals and institutions. Conversely, we are told, that many – if not most – journals published in the Global South are replete with poor quality and

⁶ Typically, an “indexed” publication or journal is one that is included in the academic database Scopus (owned by Elsevier, a company based in the Netherlands that is one of the world’s largest for-profit academic publishers) or the academic database Web of Science (owned by Clarivate, an American company that is also one of the largest for-profit academic publishers), as two prominent examples from the social sciences. A common reference for ranking journals is Scimago, which ranks journals indexed on Scopus with an individual score as well as a comparative rank to other groupings of journals (listing journals as Q1, Q2, Q3, or Q4). A comparator, Eigenfactor, offers a similar rank using journals indexed on Web of Science. These rankings are largely based on citations.

shoddy peer review processes, and therefore low-quality content (many journals based in the Global South are high quality and have exemplary processes of peer review). Some critics also accuse Global South publishers as being “predatory”, which is in part due to their adoption different publishing models, including ones that require payment, but also models that offer different approaches to knowledge production, such as journals owned and run by public universities that are fully open access (free to publish, free to read). The accusation of being predatory due to the charging of fees is only applied to some publishers; all of the major Global North academic publishers charge fees, often in the form of multi-million dollar subscription packages to universities and libraries. We might instead view these publishers as perpetuating global inequality by commodifying knowledge, which they privately own and package into subscriptions designed for sale to institutions that wield financial privilege, and in the process exclude those without such privilege from being able to access such knowledge.

Institutions across the world have bought into these narratives, often stipulating the hiring and promotion of academic faculty based on their publication in the so-called top-tier, indexed journals. For scholars based in the Global South, this presents multiple challenges: being unable to read the newest evidence, their articles are rejected as missing relevant research; the barriers to publish their research result in fewer opportunities for hiring and promotion, as well as accessing research funding; this is compounded by visa restrictions that limit participation in global knowledge production fora. Those without access to financial privilege – or access to financial systems that would enable individuals to even pay such fees – are excluded.⁷ As a result, many of the top-tier, indexed journals are predominately home to male voices based in the Global North, wherein only a fraction of their academic publishing space is authored by

⁷ For more on this, see: Cochrane, L., & Lemma, M. D. (2019). Reflections on Open Access from the Global South: Melisew Dejene Lemma. *Nokoko Pod* 2019(7): 1-22.

scholars based in the Global South.⁸ Those privileged to read pay-for-access-knowledge benefit by this process, as they are better positioned to engage with the most recent publications, which contributes to why they have disproportionate levels of voice within the pages of those journals.

The predatory nature of selling knowledge to those who have access to financial privilege is problematic and creates systemic privileges for some while in parallel creating systemic marginalization for others. An additional layer of power and inequality is exerted when scholars based in the Global North extract data from the Global South, and then publish their findings in journals where the people from whom that data was taken do not have access. As it relates to the articles examined below, scholars based in Ethiopia do not have the institutional access to read Elsevier journals, including *World Development*. The result is distinct, often entirely separate knowledge production worlds (one for those with financial privilege, who read and publish in ‘top tier’ journals, and another for those excluded, who tend to read and publish in non-traditional, open access journals).⁹ As we contest the power and politics of knowledge production, we should also critically analyse the content in these top-tier, indexed journals. Is it accurate that “such ‘top tier’ publish” the highest quality research, or are they similarly plagued by their own problems, notably of foreign fictions? And, if so, why and how might such foreign fictions exist within academic journals that claimed to be so rigorous?

⁸ There is a lot of research, analysing different disciplines and sub-disciplines, as examples, see: Cochrane, L., & Oloruntoba, S. O. (2021). Whose Voice Matters in the Teaching and Learning of IPE? Implications for Policy and Policy Making. *Policy and Society* 40(4): 545-564; Medie, P., & Kang, A. J. (2018). Power, Knowledge and the Politics of Gender in the Global South. *European Journal of Politics and Gender* 1: 37-53.

⁹ For example, see: Cochrane, L., & Nigussie, Z. (2018). The State of Knowledge on Food Security in Ethiopia. *The Journal of Rural and Community Development* 13(3): 152-166.

3. WORLD DEVELOPMENT: EARLY AND LATE REFORMING REGIONS

Following years of advocacy, Ethiopia's federal government revised its Family Law in 2000 (and again in 2004), updating a code that was first devised in 1960. The regional states that followed the federal government and revised their respective codes did so at different times, creating the opportunity for researchers to conduct a 'natural experiment' or comparison study to assess the impacts of this legal reform. Several academics pursued this research opportunity, resulting in highly cited publications in *World Development*, one of the highest-ranked Scopus-indexed journals in development studies.

In 2015, *World Development* published an article by Hallward-Driemeier and Gajigo that aimed to assess the impacts on gendered economic opportunities following the legal reforms.¹⁰ The authors argue that strengthened legal rights are associated with better jobs for women. This paper was initially published as a World Bank Policy Research Working Paper in 2013 and before that it was presented as a conference paper at the Centre for the Study of African Economies at Oxford in 2011.¹¹ The comparative, or difference-in-difference, assessment of the impact of the legal reform was based on the following division of regional states: "The regions and chartered cities that allowed the new family code to take effect during this period are Addis Ababa, Amhara, Dire Dawa, Oromiya, and Tigray. The later implementing areas (as of 2004–05) are Afar, Benishangul Gumuz, Gambella, Harari, and SNNP. Currently, all areas have

¹⁰ Hallward-Driemeier, M., & Gajigo, O. (2015). Strengthening Economic Rights and Women's Occupational Choice: The Impact of Reforming Ethiopia's Family Law. *World Development* 70: 260-273.

¹¹ World Bank Policy Research Working Paper: Hallward-Driemeier, M., & Gajigo, O. (2013). Strengthening Economic Rights and Women's Occupational Choice: The Impact of Reforming Ethiopia's Family Law. Policy Research Working Paper 6695, World Bank Development Research Group. Conference paper: Hallward-Driemeier, M., & Gajigo, O. (2011). Strengthening Economic Rights and Women's Occupational Choice the Impact of Reforming Ethiopia's Family Law. Paper presented at the Centre for Study of African Economies 25th Anniversary Conference 2011: Economic Development in Africa, Oxford.

now implemented the new Family Code”.¹² Based on the temporal differences in regional adoption, these researchers created a two-part categorization of the regions, grouping them into early and late reformers. This quoted list excludes the Somali region, but it was included in the tables as a late reforming region. No reference or source was given for this division. The “early reforming” and “late reforming” categorization of the regional states used in this paper is focal to the methodology, analysis, and findings. With regard to the two groupings, the difference-in-difference comparison by Hallward-Driemeier and Gajigo found no difference between these early/late reforming regional states. As of this writing, the paper has been cited more than 100 times, according to Google Scholar. A wide range of literature on women’s empowerment cites this paper, from rights and finance to nutrition and divorce.

Based on the 2011 Oxford conference paper by Hallward-Driemeier and Gajigo, another World Development article, by Kumar and Quisumbing, which was published in 2012, affirmed that as of 2011 all regions of Ethiopia had adopted the Family Law revisions (this article has been cited more than 40 times, according to Google Scholar).¹³ Another article in the journal World Development, published in 2021, also utilizes the same early / late reformer categorization as outlined by the publications of Hallward-Driemeier and Gajigo,¹⁴ wherein Rokicki also conducted a comparative assessment.¹⁵ The objective of Rokicki’s research was to assess the impact of the family law reforms on reproductive health, suggesting that the reforms are associated with significant, positive changes of some reproductive indicators, including reducing child marriage and delaying sexual initiation. The division of early and late reformers was slightly modified in Rokicki’s 2021 publication,

¹² Hallward-Driemeier, M., & Gajigo, O. (2015). Strengthening Economic Rights and Women’s Occupational Choice: The Impact of Reforming Ethiopia’s Family Law. *World Development* 70: 265.

¹³ Kumar, N., & Quisumbing, A. R. (2012). Beyond “Death Do Us Part”: The Long Term Implications of Divorce Perceptions on Women’s Well-Being and Child Schooling in Rural Ethiopia. *World Development* 40(12): 2478-2489.

¹⁴ This paper specifically refers to the 2015 World Development article as its basis.

¹⁵ Rokicki, S. (2021). Impact of Family Law Reform on Adolescent Reproductive Health in Ethiopia: A Quasi-Experimental Study. *World Development* 144: 105484.

which the author describes as: “The remaining six regions did not adopt and implement the reform until after 2005. I conservatively treated these regions as having implemented the reform in 2005”.¹⁶ Like the Hallward-Driemeier and Gajigo publications, for Rokicki the early/late division is focal to the methodology, analysis, and findings. In the findings, based on an assessment of the comparative impact on the divergence of legal reforms between these two groupings of regional states, no major differences emerged between the early/late reforming regional states for the primary outcome (adolescent birth). However, the author identified some differences in the secondary outcomes (e.g. child marriage and sexual initiation before age of 18).

4. A PUZZLE OF NON-RESULTS

What might explain the lack of differential impacts when comparing the early and late reformers, as is outlined in the two categorizations of Ethiopian regional states in these papers? First and foremost, the assertions informing the methodology and analysis is inaccurate. The categorization of early and late reforming regional states is a foreign fiction, detailed in what follows.

Due to Ethiopia’s federal governance structure, a federal revision does not necessarily translate into legal adoption or reform in all the regional states, nor does it mean that if reform takes place within a regional state that the reform will be the same as the federal revision (indeed, in many instances regional states have specified unique provisions within regional state proclamations that differ from federal proclamations and from other regional states). The claims made in the World Development journal articles regarding the years of regional state reforms as well as the idea that all regional state have reformed are inaccurate. One barrier for potentially not encountering these facts is that not all foreign academics have access to regional state proclamations, which may only be available in Amharic. However, Ethiopian scholars have

¹⁶ Rokicki, S. (2021). Impact of Family Law Reform on Adolescent Reproductive Health in Ethiopia: A Quasi-Experimental Study. *World Development* 144: 105484: 4.

published academic articles clarifying the status of reform in the regional states, which could have been referred to. It should have been the case, if these articles were indeed the most rigorous and high-quality evidence, that all the claims in the articles were supported with evidence and validated by referring to primary or secondary sources. If the peer review process is as rigorous as the corporate-promoters claim, this process should have required that these assertions be supported with evidence, particularly when they are fundamental to the methodology, findings, and interpretation.

To clarify the availability of evidence in English and in academic journals, the following briefly outlines some of the relevant publications that detailed the legal reforms. Before the 2011 Hallward-Driemeier and Gajigo conference paper was produced, an Ethiopian legal scholar, Gebretsadik, published a thesis (in 2010) that outlined four of the regional state proclamations and the respective years that those regional states made their revisions.¹⁷ Despite Gebretsadik's research being published and available online, that work has not yet been cited. In 2013, Berihun Adugna Gebeye, from the School of Law at Jigjiga University (in Somali regional state), published an academic article detailing the legal issues relating to the family law of the Somali region, and specified that the region had not revised and continues to use the 1960 civil code.¹⁸ To date, this article has only been cited three times, according to Google Scholar.¹⁹ In 2014, the Oromia Law Journal published an article written by Chewaka specifying that some regions had not revised their regional family codes,²⁰ which has been cited nine times. Also in 2014, the Haramaya Law Review journal published an article by Hirko specifying some of the dates of

¹⁷ Gebretsadik, T. (2010). *Inter-State Conflict of Laws: The Case of Marriage Issues among the Federal and the Regional States' Family Laws under FDRE*. LLB Thesis submitted to St. Mary's University College, Faculty of Law (ELD-0970/99), July 2010.

¹⁸ Gebeye, B. A. (2013). *Women's Rights and Legal Pluralism: A Case Study of the Ethiopian Somali Regional State*. *Women in Society* 6: 5-42. See page 23 for the relevant information.

¹⁹ The other references to citation counts in this paragraph also refer to Google Scholar, that has not be restated for ease of readability.

²⁰ Chewaka, J. E. (2014). *Bigamous Marriage and the Division of Common Property under the Ethiopian Law: Regulatory Challenges and Options*. *Joornaalii Seeraa Oromiyaa / Oromia Law Journal* 3(1): 77-133.

reform, clarifying when reforms took place.²¹Hirko's academic article has only been cited once. In 2015, the Haramaya Law Review journal published another article, by Mulugeta,²² explaining that Afar and Somali regions did not adopt the legal reform. As it relates to the World Development articles, it was stated that all regional states had adopted the reform, however these regions are not late adopters, they are non-adopters. Mulugeta's academic article has been cited twice. These publications, all written in 2015 or before, and all by Ethiopian scholars, have collectively been cited 15 times – a fraction compared to the more than 100 citations of the single 2015 publication in the journal World Development).

It might be suggested that a reason why scholars are not identifying research that would clarify the status of regional state reforms is that these five publications were not published in Scopus-indexed journals (or another similar platform, such as Web of Science). First, these findings should make us question the exclusive utilization of these platforms when searching for available evidence and literature. Second, about the critique offered about the 2015 World Development article, those assertions should have been supported with evidence regardless (as part of the expectations of such academic research. In the case of the more recent World Development article, published in 2021, there were alternative sources for validation within Scopus-indexed journals. For example, that Afar and Somali regional states had not reformed their laws and still utilized the 1960 Family Law code had been specified elsewhere,²³ within an article that was specifically about these legal reforms (which a review of literature using the Scopus database should have identified). If it were the case that scholars reading and publishing in journals such as World Development do not veer beyond the gated walls of “indexed” knowledge production, alternatives for validation did exist.

²¹ Hirko, S. B. (2014). A Post-Divorce Cohabitation Never Equals a Remarriage in Ethiopia: A Case Comment. *Haramaya Law Review* 3(1): 77-109.

²² Mulugeta, GetuSisay (2015). Departure of Ethiopian Family Laws: The Need to Redefine the Place of Societal Norms in Family Matters. *Haramaya Law Review* 4(1): 81-105.

²³ For example, in: Cochrane, L., & Berhanu, B. B. (2019). Pathways of Legal Advocacy for Change: Ethiopian Women Lawyers Association. *Forum for Development Studies* 46(2): 347-365.

Taking the broader set of published literature in account, what do we know about these reforms? The “early” adopting categorization has some validity to it. When the federal government revised the Family Law it applied to the federally administered cities of Addis Ababa and Dire Dawa. Two regions in the World Development categorization (Amhara, Oromiya) initiated their reform shortly thereafter, which are found in the “early reforming” category. For the other regions, the early/late categorization is a foreign fiction. Tigray is categorized as an early reformer but passed its proclamation in 2007. SNNP is categorized as a late reformer but passed its proclamation in 2004. In order of legal revisions, the ordering is as follows: Federal (2000 and 2004), Amhara (2003), Oromiya (2003 and 2004), SNNP (2004), Benishangul Gumuz (2005/6), Tigray (2007), Gambella (2008) and Harari (2008), as outlined in Table 1).²⁴ Furthermore, in the World Development articles we are told that all regions revised after 2004 or 2005 (although no references are given to the revised laws nor the dates when they are passed). However, as the above-mentioned Ethiopian scholars have noted, two regions never revised at all (Afar regional state and Somali regional state). All Ethiopian scholars are in agreement that Afar and Somali regions did not revise. Additionally important is that amongst the regions that have revised, there is variation in the revised regional laws, such as in the articles relating to the age of marriage. The categorization proposed by Hallward-Driemeier and Gajigo, from which Kumar and Quisumbing draw evidence, and which Rokicki replicates – all published by the ‘top tier’ World Development journal – rely on foreign fictions.

²⁴ See: Gebretsadik, T. (2010). Inter-State Conflict of Laws: The Case of Marriage Issues among the Federal and the Regional States’ Family Laws under FDRE. LLB Thesis submitted to St. Mary’s University College, Faculty of Law (ELD-0970/99), July 2010; Hirko, S. B. (2014). A Post-Divorce Cohabitation Never Equals a Remarriage in Ethiopia: A Case Comment. *Haramaya Law Review* 3(1): 77-109.

Regional State*	Proclamation	Revision Year
Amhara	No. 79	2003
Oromiya	No. 68 & 83	2003 & 2004
SNNP	No. 75	2004
Benishangul Gumuz	No. 63	2006
Tigray	No. 75	2007
Gambella	No. 68	2008
Harari	No. 80	2008
Afar	Applying 1960 Code**	NA
Somali	Applying 1960 Code**	NA

* We are not excluding Sidama as a regional state; having been formed in 2020 Sidama was not involved in the approval of these revisions during the time period being discussed.

** While the 1960 code remains in place in these regions, judges have also referred to the federal revision in their rulings; this practice is inconsistently used and had questionable legal status in relation to regional laws.

It is also worth noting that for a legal study of this sort, researchers should not only rely on secondary information via publications. Particularly if the entire research endeavour is based on the date of legal reforms (comparative assessments of impacts based on the time of reform), researchers should find those primary sources and verify the date of those reforms. For clarity, the regional state proclamations are: Amhara National Regional State Family Code, Proclamation No.79/2003; Benishangul Gumuz Family Code, Proclamation No. 63 / [1998 EC] 2006; Gambella Peoples Regional State Family Code, Proclamation No. 68/2008; Harari Regional Family Code, Proclamation No. 80/2008; Oromiya National Regional State Family Law, Proclamation No. 68/2003 & 83/2004; Southern Nations Nationalities and Peoples Regional State Family Code, Proclamation No. 75/2004; Tigray National Regional State Revised Family Code, Proclamation No. 116/2007. The process of seeking out primary sources to validate claims would also help researchers identify that not all the revisions are the same, complicating the simplistic difference-in-difference approach.

This reliance upon primary evidence would have made clear that two regional states had not revised their codes at all.

Could there be difference-in-difference comparisons conducted relating to legal reforms in the Ethiopian regional states? Potentially. One could use a two-part division of adopting and non-adopting, or a three-part division based on early / late / no revision status. Region specific analyses could be conducted, which could then be compared to one another based on changes following the respective year of legal revision. This, however, would lead us to a simplification. Creating a difference-in-difference study on these bases would assume that the legal change occurred in isolation of other legal transformations that influence the impacts. For example, Kumar and Quisumbing note the importance of another legal change – land certification – that put in place mechanisms to address gender discrimination regarding land holding, particularly in relation to divorce, death and inheritance (this is interconnected with the gender discriminations that the Family Law revisions were addressing).²⁵ To properly understand the impacts of the land certification program, and distinguish that from the legal reforms, one would need another layer of temporal change, as not all regional states implemented land certification, nor did those that implemented it do so at the same time. The land certification program was first introduced in Tigray, followed by Amhara, and then by SNNP and Oromia. Further complicating this analysis is that each region devised its own land certification system, with some putting in place stronger gender provisions than others. That second legal reform, however, is not all that should be considered as enabling change during this time period. In the late 1990s the Ethiopian Women’s Lawyers Association conducted public campaigns to raise awareness about the rights of girls and women, and opened

²⁵ Kumar, N., & Quisumbing, A. R. (2012). Beyond “Death Do Us Part”: The Long-Term Implications of Divorce Perceptions on Women’s Well-Being and Child Schooling in Rural Ethiopia. *World Development* 40(12): 2478-2489.

offices in Amhara, Benishangul Gumuz and Oromiya regions to expand their legal support services. Any attempt to single out one factor during these changes as the impetus for change ignores a complex history, making invisible the reality experienced by people for statistically significant generalizations to be produced. Furthermore, and potentially more importantly, such an analysis neglects the intention behind legal pluralism within Ethiopian federalism, which recognizes the diverse socio-cultural, historical, and political contexts of the nations, nationalities and peoples of the country. These examples show that there were several legal transformations occurring during this time period, which impact the reliability of a simplistic difference-in-difference comparison based on only one factor. This also helps explain why the World Development articles conducting difference-in-difference comparisons did not find significant impacts. Foreign fictions of this type rely on simplifications and essentializations to function, in these cases foreign fictions simplify complex issues by analysing only one legal change as if it occurred in isolation, making invisible the reality of lived experiences.

5. DISCUSSION

From a collegial perspective, this critical review should encourage scholars to verify their data and seek out primary sources. This analysis should also impress upon editorial boards that contextual knowledge should be mandatory in peer review. Collectively, we might also reconsider some of the assumptions taken as truth regarding knowledge production. For colleagues based in the Global North, this reflection suggests that there should be a greater recognition of who are constructed as an experts, and where expert knowledge is found. Scholars based in the Global North may also better recognize the limitations of unequal access to knowledge and how this results in poorer knowledge for all – including being unable to participate in the production of knowledge, as in being on editorial boards and

acting as peer reviewers. Euro-Western knowledge production biases are well documented.²⁶

From a more critical perspective, these foreign fictions can be seen as a continuation of Euro-Western oriented knowledge production essentialization that privileges and marginalizes. As outlined by Mamdani, one of the hammers in the colonial toolkit was essentialization and categorization: Hutu / Tutsi; Colored / Asian / Black; et cetera.²⁷ Categorizations were codified in the mundane forces of data collection. These categorizations were employed to universalize. As Mignolo and Walsh point out, in much of the knowledge produced by scholars in the Global North about the Global South, the ontologies and epistemologies that inform the questions, designs, methods, analyses and communication are rooted in the legacies of colonialism and continue to perpetuate a colonial gaze.²⁸ This is not the first attempt to raise concerns of ‘scholarship’ infused with a colonialist gaze. In the realm of scholarship about Ethiopia, YirgaGelaw Woldeyes has identified and challenged the misinterpretation, distortions and racism in works written about Ethiopia by foreigners, and the ways in which knowledge produced by Ethiopian scholars has been devalued.²⁹ More broadly, Ndlovu-Gatsheni highlights how ‘international’ journals are situated in and primarily about

²⁶ For example: Cochrane, L., & Oloruntoba, S. O. (2021). Whose Voice Matters in the Teaching and Learning of IPE? Implications for Policy and Policy Making. *Policy and Society* 40(4): 545-564; Medie, P., & Kang, A. J. (2018). Power, Knowledge and the Politics of Gender in the Global South. *European Journal of Politics and Gender* 1: 37-53.

²⁷ Mamdani, M. (2012). *Define and Rule: Native as Political Identity*. Harvard University Press: London.

²⁸ Mignolo, W.D., & Walsh, C. E. (2018). *On Decoloniality: Concepts, Analytics, Praxis*. Duke University Press: Durham.

²⁹ Woldeyes, Y. G. (2017). *Native Colonialism: Education and the Economy of Violence Against Traditions in Ethiopia*. New Jersey: Africa World Press & Red Sea Press; Woldeyes, Y. G. (2020). Colonial Rewriting of African History: Misinterpretations and Distortions in Belcher and Kleiner’s Life and Struggles of Walatta Petros. *Journal of Afroasiatic Languages, History and Culture* 9(2): 133-220.

the Global North, while the rest of humanity is otherized and pushed into 'local' area studies journals.³⁰

As a result of the entrenched biases, foreign fictions find lives of their own, within realities that exist only in the minds of their makers – and their readers. In the case of *World Development*, of the 50 editors of the journal 40 are based in the Euro-West; it is noteworthy that this is an inverse of global population in terms of representation, and particularly problematic for a journal that largely focuses on the Global South. The resultant availability of research in journals such as *World Development* influences decision making, including governments in the Global South who are being told that 'top tier' journals convey the most rigorous evidence. On the institutional level, there is an urgent need to decolonize not only knowledge production systems, but also what is thought to constitute authentic, validated knowledge. On the individual level there are many, easy to implement, actions that scholars based in the Global North can begin to use in order to contest these power imbalances.³¹ These transformations will be returned to in the following section.

6. RECOMMENDATIONS

There are many directions that recommendations could take, some of which might be specific to the legal reform under study. The following three recommendations instead focus attention on the knowledge production system, and how we might collectively shift the system that has enabled foreign fictions to flourish while scholarship by scholars within the country of study are ignored and/or made invisible. Transforming the knowledge production system is key to enabling sustainable

³⁰ Ndlovu-Gatsheni, S. J. (2018). *Epistemic freedom in Africa: Deprovincialization and Decolonization*. Routledge: New York.

³¹ See: Tilley, E., & Kalina, M. (2021). "My Flight Arrives at 5 am, Can You Pick Me Up?": The Gatekeeping Burden of the African Academic. *Journal of African Cultural Studies* 1-11.

development, by allowing everyone to have access to the research and evidence required to make appropriate and informed decisions. This is embedded within the SDGs, particularly SDG 17: Partnerships for the Goals, such as Target 17.6 that specifies knowledge sharing. However, the agreed upon language for this SDG target is limiting, as it is to be based on ‘mutually agreed terms’ and the only indicator listed to measure success is broadband subscriptions.³² No indicators relate to accessibility of research and evidence. Advancing accessibility to research and evidence is a fundamental enabler to sustainable development, the withholding thereof is an injustice and a root cause of global inequality.

Support Open Access: Access to evidence remains a privilege for some, and a barrier for many. This impacts the ability for students to learn, researchers to engage, practitioners to advance, and decisions makers to make fully informed choices. While these barriers are not specific to the Global South, the barriers to accessing knowledge are greatest in countries where financial resources are more limited. This system entrenches inequalities, contrary to the aims of the SDGs and the 2030 Agenda. Open Access publishers, journals, and articles are one way to work toward correcting this injustice. However, there is much work yet to do, as some new Open Access models shift the cost burden from readers to writers, alleviating some barriers while creating new ones. Supporting ‘public journals’ (run by public universities that cover all costs, so that none are borne by readers or writers) is one option to overcome these barriers.

Support Public Journals: This article explored a specific Ethiopian example. Public universities in Ethiopia host and publish over 30 academic journals. The Ethiopian Ministry of Science and Higher Education operates the Ethiopian Journals

³² For additional details on the target and indicators of SDG 17, see: <https://unstats.un.org/sdgs/metadata/?Text=&Goal=17&Target=>

Online platform, which hosts 34 journals. Many of these Ethiopian journals are also available on the Directory of Open Access Journals³³ as well as the African Journals Online platform.³⁴ The majority of these Ethiopian journals are fully open access, meaning that they are free to submit and free to read; in other words, knowledge is accessible to everyone. The Ethiopian Academy of Sciences has been involved in an accreditation process of these Ethiopian journals. As Sabelo Ndlovu-Gatsheni has reminded us, critical assessments of knowledge production should also push us to reflect on the purpose of the public university and of the public servant: service to the public.³⁵ It is time for us, as scholars working within public universities to support publishing models that make knowledge accessible to the public, through our choice of where we submit our articles.

Support Global South Publishers: Journals rely on voluntary labour in the form of editors and reviewers, we can and should shift the investment of our time to promote journals that are ensuring knowledge is available to the public freely. Likewise, as educators in tertiary institutions, we can further promote fully open access publications produced by scholars from around the world by prioritizing them within our course reading lists (democratizing knowledge). Institutionally, we

³³ Directory of Open Access Journals (DOAJ): <https://doaj.org/> DOAJ is a platform that hosts 17,000+ Open Access journals, of which 12,000+ do not have ‘article processing costs’ (fees paid by authors for publishing). More than 7 million articles are listed. DOAJ is home to significant linguistic diversity, currently hosting journals in 80 languages, and geographic representation, with 130 countries represented.

³⁴ African Journals Online (AJOL): <https://www.ajol.info/index.php/ajol> As of 2022 AJOL is a platform that hosts 556 journals, 293 are Open Access journals (53%), within which 192,954 full text academic articles are available for download, of which 131,630 are Open Access (68%). AJOL is a registered non-profit company based in South Africa.

³⁵ For example, in a 2020 lecture titled “The Politics of Knowledge and the Imperative of Decolonization in Africa”, given within the Knowing Africa Series hosted by the Institute of African Studies at Carleton University, Dr Sabelo Ndlovu-Gatsheni raised this discussion within the context of decolonizing institutions of higher education. The lecture is available online: <https://carleton.ca/africanstudies/cu-videos/the-politics-of-knowledge-and-the-imperative-of-decolonization-in-africa/>

need to advocate to ensure that publications from beyond the corporate cannon are recognized as valuable academic contributions. The status quo is a travesty that perpetuates an unjust system that privileges some and marginalizes many, while providing spaces for foreign fictions to flourish.

7. CONCLUSION

This critique analysed articles from one journal, and in the process has shown how foreign academics publish articles in “top-tier” peer-reviewed, indexed journals, present their work at elite universities around the world, and build careers in Global North universities with these endeavours. Yet, some of the ‘knowledge’ produced is based on foreign fictions. Whereas, Ethiopian journals (which may not have the financial backing for the same administrative support, editorial work, and graphic design) are criticized for their supposed poor peer review processes or graphic design, hence their exclusion from the gated walls of ‘rigorous’ research. The relegation of Ethiopian scholarship and journals to the status of unworthy is reflected in the disparity of citations: five publications from Ethiopian scholars on this topic have been cited 15 times, while one publication from World Development has been cited more than 100 times – the latter being the one based in foreign fiction. The power embedded within knowledge production systems privileges scholars based in the Global North, and their narratives, even if based on inaccurate information. In parallel, relevant – and in this case accurate - contributions found in open access Ethiopian-run journals, published by Ethiopian scholars, are silenced and excluded.

This critique should not be misconstrued as a categorical dismissal of journals based in the Global North, nor or everything published in corporate-owned journals. That is not the argument being made. To specify, this critique suggests that the following conclusions could be drawn:

- (1) the assumption that the “top-tier” indexed journals are rigorous and the source of the most robust evidence ought to be questioned, as these foreign fictions demonstrate;
- (2) the assumption that non-indexed journals are of poor quality should be contested, as the Ethiopian journals had published accurate information while the ‘top tier’ indexed journals did not;
- (3) more broadly, the systems of knowledge production that privilege Global North voices as ‘authentic’ knowledge producers replicate colonial relationships that need to be contested and rejected;
- (4) in order to have knowledge that reflects more diverse ontologies and epistemologies we need to revalue other forms of knowledge production, not the least of which institutionally (with regard to recognition for hiring and tenure).

Challenging and re-creating systems of knowledge production will take time and effort. It will also require persistence, creativity, and ingenuity, as corporations fight to retain the high profit margins, they accrue by controlling academic knowledge as well as knowledge production systems. While it is a daunting task to contest and remake an entire knowledge production system, we may recall the Amharic proverb that ‘Nobody tills with oxen from the old days’, meaning that everything changes. It is for us to ensure the changes that occur orient us toward a more just destination.