RESPONSIBLE U.S. POLICY TOWARD ETHIOPIA
Context, Challenges, and Opportunities of a Strategically Vital Relationship

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By Dr. J. Peter Pham
Director
The Nelson Institute for International and Public Affairs
James Madison University

Chairman Delahunt, Chairman Payne, Congressman Rohrabacher, Congressman Smith, and Distinguished Members of Congress:

I am honored and pleased to have received the invitation opportunity to appear before you today to discuss, as the title of this hearing has it, whether there is "a human rights double standard" with respect to United States policy towards Equatorial Guinea and Ethiopia. As someone who has repeatedly lamented that Africa is often treated as something of a "stepchild" of U.S. foreign policy, I have to recognize the leadership of the subcommittees not only for calling this oversight hearing, but for the longstanding commitment of the Congress with regard to Ethiopia in particular, which stretches back over a decade to Congressman Harry Johnston's role mediating between the government and the opposition through the efforts of Congressmen Tom Lantos and Donald Payne and others during the Ethiopia-Eritrea border dispute and down to efforts by Congressman Edward Royce and others to ensure free and fair elections in 2005 and the interest that the Africa subcommittee under Congressman Christopher Smith has had in democratic progress after that poll.

For the record, I would preface my remarks with the understanding that while some of my points will certainly have their application to the case of Equatorial Guinea,

my observations will focus on U.S. policy towards Ethiopia where I have done research and field work, including the privilege of observing the historic parliamentary elections in 2005, and which is more directly related to my security studies of the Horn of Africa subregion, concerning which I have previously had the privilege of briefing the predecessor of the present subcommittees (as well as the Subcommittee on International Terrorism and Nonproliferation) during the 109th Congress.

I am also humbled to be called upon to follow-up upon the remarks made by Dr. Sulayman Nyang, whose work on Islam in Africa I have great respect for, and Ms. Lynn Fredriksson, whose organization has done a tremendous amount of good in many of the conflict zones of Africa that I have worked in. As an educator, I want to especially commend the role that Amnesty International and its "Urgent Actions" have played in helping win the release in Ethiopia of detained members of the Ethiopian Teachers Association as well as students who were arrested for opposition political activity. Consequently, my purpose is not so much to contest what my colleagues have said as much as to try to complement it by presenting some background to the context, challenges, and opportunities involved in U.S. relations with Ethiopia.

Context

Before entering into a discussion of the rough-and-tumble of contemporary Ethiopian politics, a word might be said about the unique constitutional framework for multiethnic governance that the country has constructed in recent years and for which, in my view, it gets too little credit.

Ethiopia, as we all know, is Africa's oldest continuously existing polity. Despite its ancient roots, the country's political history and development was affected by the Western colonial enterprise, albeit in a manner different from that of other pre-colonial African polities. Faced with the pressures of the European empire builders, the Ethiopian monarchy under Menelik II (*nagusä nägäs*, 1889-1913) systematically expanded its boundaries, incorporating previously independent communities with widely differing religious, ethnic, and political backgrounds into a centralized imperial state. While the regime in power at any given moment in the country's subsequent history has varied considerably—as have the constitutional documents under which the successive governments theoretically labored—from Haile Selassie's "divinely-sanctioned" imperial rule to the socialist-inspired "People's Democratic Republic" of the Derg, the monolithic contours of a centralized unitary state have remained constant.

Following the flight of Mengistu Hailemariam and the collapse of the Derg in 1991 after a protracted civil war, the Eritrean People's Liberation Front (EPLF) emerged victorious in Eritrea while the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF), a coalition of various groups headed by the Tigrayan People's Liberation Front (TPLF), predominated in the rest of what was then Ethiopian territory. Following a referendum on April 23-25, 1993, the EPLF led the former Italian colony—which was only awarded in federation to Ethiopia in 1952 and unilaterally annexed and integrated by the latter ten years later—to independence. An EPRDF-led transitional government was set up in Addis Ababa for the balance of the old country and tasked, among other things, with preparing a new constitution.

A 547-member constituent assembly was elected in early June 1994 and, after extensive debate and a number of amendments, approved the "Constitution of the Federal Democratic Republic of Ethiopia" on December 8, 1994.

Perhaps the most salient feature of the constitution is its privileging of the ethnic issue from the very beginning. The document's preamble opens with "We, the Nations, Nationalities and Peoples of Ethiopia" rather than the now-conventional "We the People." Nor is this a mere rhetorical device as is made clear by Chapter 2 of the charter, "Fundamental Principles of the Constitution," which declares "all sovereign power resides in the Nations, Nationalities and Peoples of Ethiopia" for whom the constitution "is an expression of their sovereignty" (Art. 8). Interestingly the definition for a distinct status under the constitution is not that different from the sociological definition of a "nation":

> A "Nation, Nationality or People" for the purpose of this Constitution is a group of people who have or share a large measure of a common culture or similar customs, mutual intelligibility of language, belief in a common or related identities, a common psychological make-up, and who inhabit an identifiable, predominantly contiguous territory. (Art. 39, para. 5)

The constitution goes on to specify that the federal structure thus brought into being shall comprise of states "delimited on the basis of settlement patterns, language, identity and consent of the people concerned" (Art 46). As a starting point (Art 47), nine ethnically-based federal states (*kililoch*)—Tigray, Afar, Amhara, Oromia, Somali, Benishangul/Gumuz, "Southern Nations, Nationalities and People," "Gambella Peoples," and "Harari People"—as well two self-governing administrations (*astedaderoch*)—Addis Ababa and Dire Dawa—are constituted. The right of "any Nation, Nationality or People to form its own state" is affirmed and can be exercised following a prescribed procedure (Art. 48, para. 3). The constitution also affirms the right of

secession as an inherent part of the "unconditional right to self-determination" enjoyed by "every Nation, Nationality and People in Ethiopia" (Art. 39) and provides the mechanisms for exercising that right.

Short of secession, the constitution affirms that "every Nation, Nationality and People in Ethiopia has the right to a full measure of self-government" (Art 39). Within the "identifiable, predominantly contiguous territory" that its individual members inhabit, this right is exercised through the establishment of local institutions of government. On the state and federal levels, the right is guaranteed through the principle of "equitable representation." At the federal level, for instance, the constitution disposes that of the maximum 550 members of the House of Peoples' Representatives at least 20 seats must be reserved for "minority Nationalities and Peoples" in accordance with particulars to be legislated by statute (Art 54). Furthermore, additional provision may be made for minority representation. The upper chamber of parliament, the House of Federation, is composed of at least one representative from each recognized "Nation, Nationality and People," with "one additional representative for each one million of its population" (Art 61).

To say that the introduction of this model aroused misgivings considerably understates the reaction to this novel approach to challenges of ethnicity. But it has to be conceded that, whatever the subsequent shortcomings of the government of Prime Minister Meles Zenawi, the reorganization of the centralized Ethiopian state into a federal arrangement occurred with relatively little economic or political disruption, even as large numbers of civil servants were transferred from Addis Ababa to regional centers to staff the new state governments. While it is too early to declare the success (or failure) of the ethnic federal system in Ethiopia, it is not far-fetched to propose, as one Ethiopian scholar does, that "recognition of the rights, obligations and respect for the language, culture and identity of nations is the first difficult but unavoidable step toward non-ethnic politicization and a multiparty system."

The elections of May 15, 2005, should have delivered on this promise, marking the first real multiparty poll in Ethiopia's history which stretches back three millennia. Nearly 26 million people, 48 percent of them women, registered to vote. Some 1,847 candidates competed for the 547 seats in the lower house of parliament. I was present in the country during the final campaign period and during the poll. The excitement which gripped the country, especially after the opposition parties—which barely had a dozen seats in the outgoing legislature—won some 170 seats and made a clean sweep of the capital, Addis Ababa, was electrical. I was with two of the leaders of the Coalition for Unity and Democracy (CUD), Hailu Araaya and Isaac Kifle, on the very morrow of their victory and can testify to the hopes which seemed so bright that day.

While I do not wish to minimize in any way the serious charges of irregularities which the CUD as well as the United Ethiopian Democratic Forces (UEDF) and the Oromo Federalist Democratic Movement (OFDM) brought following the publication of election results—much less the subsequent turmoil and violence and the government's at times ham-fisted response—these have to set within a context. The 2005 elections, for all their flaws, were a vast improvement over those of 2000. And, again without excusing many unfortunate incidents, those same elections were much better than those in other African countries whose electoral exercises I have observed—whatever intimidation or fraud may have occurred in Ethiopia, it certainly did not equal what I saw in Nigeria just over two weeks ago—much less those in other parts of the world.

Challenges

Without taking away from any of the concerns raised by Amnesty International and other nongovernmental organizations as well as by our own State Department and partner governments regarding mass arrests, the use of lethal force against civilian protesters, and other serious charges leveled against the government of Prime Minister Meles, it would perhaps serve us well to take note of the serious *existential* challenges faced by the government in Addis Ababa, both internal and external.

Internally, the Ethiopian government faces armed opposition from the Oromo Liberation Front (OLF) and the Ogaden National Liberation Front (ONLF), both of whom claim to be engaged in "national liberation struggles" to free their respective peoples from what they perceive to be "occupation." Whatever the merits of these claims, it in incontestable that both groups have carried out numerous attacks not only on government military forces, but also civilian officials and even ethnic groups supposed to have pro-government affinities. In one instance, just one month before the 2005 election, some 400 members of the Gebera, an ethnic group in Oromia with strong ties to the government, were slain.

If there was any question of the ongoing seriousness of the challenge posed by these armed internal opposition forces, late last month the ONLF launched an attack on an oilfield being developed by a Chinese firm in Ethiopia's Somali Regional State. During the subsequent fifty-minute firefight between the ONLF fighters and Ethiopian soldiers guarding the oil workers, nine Chinese and sixty-five Ethiopians were killed. Seven other Chinese workers were kidnapped before the ONLF fighters withdrew and subsequently released. (I would observe that despite the ONLF's open admission of its role in the most spectacular attack within Ethiopia since the fall of the Marxist

dictatorship in 1991—to say nothing of the toll of thousands of lives which ONLF ambushes and raids against Ethiopian military and civilians have exacted since 1984—the Ogadeni militants amazingly do not figure in official U.S. terror lists.)

Externally, the Ethiopian government has become embroiled in the crises affecting neighboring Somalia. The Ethiopian officials, unlike their Western counterparts who have only belatedly picked up upon the rising Islamist storm in the Horn of Africa, know well the origins of *al-Itihaad al-Islamiya* ("the Islamic Union"), the predecessor to the Islamic Courts Union which was established in the 1980s and sought the creation of an expansive "Islamic Republic of Greater Somalia" embracing all Somalis, and even perhaps all Muslims, in the Horn of Africa. After the collapse of the last effective government of Somalia in 1991, al-Itihaad tried to seize control of strategic assets like seaports and crossroads. Although it temporarily held the northern port of Bosaaso and the eastern ports of Marka and Kismaayo, the only area where it exercised long-term control was the economically vital intersection of Luuq, in southern Somalia, near the Ethiopian border, where it imposed harsh *shari'a*-based rule from 1991 until 1996.

No less than expert than Dr. Ted Dagne of the Congressional Research Service affirmed that "Al-Itihaad has carried out a number of terrorist attacks against Ethiopian targets." In fact, from its base in Luuq, the Islamists of al-Itihaad encouraged subversive activities among ethnic Somalis in the Ogaden region of Ethiopia, who carried out a series of terrorist attacks, including the bombing of two hotels and the attempted assassination of a cabinet minister in Addis Ababa. The exasperated Ethiopian regime finally intervened in Somalia in August 1996, wiping out al-Itihaad bases in Luuq and Buulo Haawa and killing hundreds of Somali extremists as well as scores of clearly non-Somali Arabs who had flocked to the Horn under the banner of *jihad*.

After that defeat a decade ago, al-Itihaad changed tack and, as the longtime scholar of Somali affairs, Professor Iqbal Jhazbhay of the University of South Africa, noted in a recent paper, "rather than prioritize a strategy of developing an independent military base, decided instead on what could be termed a more 'hegemonic' approach whereby it would be working within Somali political and clan structures such as the Islamist Courts." While the courts—aided by external financial resources in addition to internal organizational capacity—have credited with marked improvements in security in many areas of Somalia, they also represented al-Itihaad's new stealth strategy of achieving a preponderant position in society from which to impose its radical theology and extremist political agenda.

An example of the success of this approach is found in the career of the chairman of the ICU's *shura* council, Sheikh Hassan Dahir 'Aweys. After his defeat at the hands of

the Ethiopians in 1996, 'Aweys, the vice-chairman and military commander of al-Itihaad (and, prior to that, a colonel in the prison service of the Siyad Barre regime, an occupation for which it would fair to read "torturer"), settled in Merka where he established the first Islamic court in the lower Shabelle region. He then moved to Mogadishu to preside over the Islamicization of the southern part of the capital. While the name "'Aweys" may not ring a bell with most Americans, it should be recalled that the "sheikh" was prominent enough a figure in the world of terrorism to make the cut onto the list of 189 individuals and organizations singled out by the U.S. government for special mention after the attacks of September 11, 2001—as well he should for someone whose liaison with al-Qaeda was none other than Muhammad Atef, who was Usama bin Laden's military chief until he was killed by U.S. forces in Afghanistan.

In the light of this history, is it at all surprising that Ethiopia ended up intervening in Somalia? While, as I have repeatedly said since the fighting began on December 20, 2006, Ethiopia may not have been the ideal intervener in Somalia, better it than no one and perhaps the one thing worse than Ethiopia intervening forcefully is for it to have done so in vain. Unless the al-Qaeda-linked radicals within the ICU leadership are utterly and unambiguously defeated—or, in all frankness, better yet, eliminated—they can still turn the remnants of the former Somalia into a regional terrorist hub that exports the conflict from Somali territory across the Horn of Africa.

And, without stretching my brief too far, permit me to simply mention the rather unfortunate role that Ethiopia's regional rival, Eritrea, and its rather nasty government have played in the ongoing situation in Somalia, arming the Islamist insurgency as a way to stoke the fires of its own conflict with its larger neighbor. In fact, Eritrea's strategy is precisely to play the role of regional spoiler, forcing Ethiopia to maintain robust forces in its southeast as well as to its north, draining scarce resources.

This is a reality we have come to realize and which, I would imagine, has informed much of U.S. policy in recent months. And while I am unable to address the particulars of how Ethiopia has helped to advance our interests in the Horn of Africa in recent months, the conclusion I would draw from an analysis of open source information as well as my own contacts in the region is that it would hardly be an exaggeration to characterize the relationship as "strategically vital."

While I have made no secret of my view of the "Transitional Federal Government" (TFG) of Somalia as well as my disagreement with the seemingly uncritical support that the United States has publicly thrown behind this internationally-recognized, but disastrously ineffectual body, it nonetheless remains that the policy of our government has been to back the TFG. In this regard, with its promises—including

ones made just this week—of support for a stabilization force largely rhetorical with the exception of Uganda, the Africa Union has likewise not followed through. Only Ethiopia has put forward the resources to support what—mistakenly I believe—seems to be our policy.

In addition, I would mention just in passing the contributions that Ethiopia has made to peacekeeping operations which we have supported in places like Liberia—where two Ethiopian battalions were committed to the largely successful United Nations Mission in Liberia (UNMIL) led by Ambassador Jacques-Paul Klein which paved the way for the elections which brought President Ellen Johnson-Sirleaf to office—as well as various trouble spots across the African continent.

Opportunities

With all the challenges in mind, I would encourage us to return to the glimmer of hope the 2005 elections offered. Clearly there were flaws. But there are also opportunities. If anything, the former point to the need to build capacity and encourage reform. The National Electoral Board of Ethiopia (NEBE) did a rather outstanding job registering voters and candidates and preparing for the poll; its post-election performance was perhaps less impressive. This capacity needs to be strengthened through international exchanges and other mechanisms. The same things could be said for other political and civil society institutions in Ethiopia.

I know that our Embassy in Addis Ababa has been engaged with the both parliamentarians and municipal authorities in Ethiopia. Technical experts provided by the European Union—especially Germany and Great Britain—have been involved with the government in a process of reviewing a number of rule of law issues. I would encourage the Administration and the Congress to seek ways and means to return IFES, the International Republican Institute, and the National Democratic Institute to Addis Ababa to help with the long-term process of capacity building and political reform.

The point which I want to underscore is that, unlike the two other countries mentioned here today—Equatorial Guinea and Zimbabwe, which Dr. Nyang has brought up—in Ethiopia we have significant opportunities to engage in support of human rights, good governance, and, yes, democracy.

Conclusion

Messrs. Chairmen, Distinguished Members:

During the latter stages of the Cold War, one school of ethical analysis, ultimately labeled that of "moral equivalence" by the late Jeane Kirkpatrick, measured Western liberal democracies against utopian standards in a radical critique—often buttressed by what is now known to have been disinformation from the Eastern bloc—which redefined the political discourse, erasing distinctions between the Soviet Union and its satellites on the one hand and the United States and its allies on the other. In short, the world was divided into two "morally equivalent" spheres, each led by a superpower which perpetrated equally reprehensible deeds—although somehow those of the U.S., by dint of its greater openness as a society, generally received greater scrutiny—in its struggle for global supremacy. As a result, according to those who subscribed to this vision, the "free world" had no moral standing to criticize the abuses occurring behind the Iron Curtain.

One would have assumed that the collapse of the Iron Curtain had consigned this doctrine to history's dustbin, but it has enjoyed something of a revival in the 21st century, albeit this time among those whose sympathies lie perhaps less with the fantasies of scientific Marxism incarnate—at least in theory—in the U.S.S.R. and more with the romantic notions of Third Worldism as represented by any regime which has attracted the critical scrutiny of the West. This is the approach which the Robert Mugabes of the world and their defenders take.

But there is another variant of moral equivalence that is just as pernicious. It is the one which, in the name of avoiding "double standards" and for the sake of avoiding "inconsistencies," refuses to distinguish between what Dr. Nyang has appropriately termed the "historical distinctiveness" of the nations under examination and their relationships with our own country.

The United States and other countries with a liberal democratic tradition can and should support the efforts of men and women everywhere to secure for themselves the rights and freedoms we more often than not take for granted. That principle being stated, however, I would suggest, with all due respect, is that we have to acquire the wisdom—and the humility—to acknowledge the limits of our own capacities in the differentiated cases which we confront and, accordingly, tailor our policies responsibly and realistically to achieve the strategic effect we seek.

In some cases, no matter how morally self-satisfying it may be, outside advocacy—to say nothing of external intervention—may even lead to a worsening of conditions for those on whose behalf action was undertaken in the first place. In other cases, the reality is that civil society—perhaps through no fault of its own—has yet to mature and a viable political opposition has yet to materialize; in such a situation, our options are limited. And in still other cases, we can do a great deal to empower the forces seeking peaceful democratic transformation through direct engagement with both those forces and the regimes they face off against, regimes which our relationships with might allow us considerable leverage. I would suggest that perhaps Zimbabwe may be an example of a country which falls into the first category, Equatorial Guinea the second, and Ethiopia the third. In Ethiopia, despite setbacks, there is an extensive civil society and a credible political opposition. And we have a government with which we can work.

In the end, the reality which must be recognized is that progress in human rights will be made not so much because outsiders, whether governmental or civil society actors, push it, but because individuals, cultures, and nations appropriate it for themselves, ultimately embracing it as something worth fighting for. The 2006 version of the *National Security Strategy of the United States of America* acknowledges as much when it states:

> Africa holds growing geo-strategic importance and is a high priority for this Administration. It is a place of promise and opportunity, linked to the United States by history, culture, commerce, and strategic significance. Our goal is an African continent that knows liberty, peace, stability, and increasing prosperity…The United States recognizes that our security depends on partnering with Africans to strengthen fragile and failing states and bring ungoverned areas under the control of effective democracies.

In the case of Ethiopia, against the backdrop of it millennial history, it is my conclusion that extraordinary progress has been made in recent years and it is the will of the people that the momentum be sustained. It is my opinion that the Ethiopian government, despite some backsliding—understandable if not excusable because of the extraordinary challenges it faces—will ultimately not stand athwart the march of history. And it is my hope that the United States will make full use of the opportunities offered by the strategic, diplomatic, political, and cultural links of its engagement with Ethiopia to help open up the path forward.