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Full Length Research Paper

Ethnic federal system and conflict in the post-1995 Ethiopia: The case of southern regional state

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The study investigated the practice of ethnic federal system along with ethnic rights to self-determination and associated conflicts in the context of Southern Regional state of Ethiopia. This study is a qualitative research that employed both primary and secondary sources. The federal system is based on the constitutional conviction that ethnic groups in Ethiopia have the right to self-determination up to secession. By using ethnicity as an instrument to establish the constituent units, ethnic entitlement and political representations, the federal system has uniquely formalized politics of ethnicity in Ethiopia. Practically, the federal system in Ethiopia faces anomalous asymmetries both within the four ethno-parties that formed the Ruling party and constituent units. Despite rhetorically committing to multi–party politics and democracy, the political regime in power is markedly intolerant of political pluralism. The 'making and remaking' of the regions and local ethnic political parties in Southern Ethiopia has led to conglomeration of 56 ethnic groups into a single region. Instead of ethnic right to self-determination in accordance with the constitutional principles, the ruling party has gradually put efforts into administrative integration of diverse ethnic groups. This is one of the underlying causes for ethnic autonomy conflicts in the region. It is time for the ruling party to accept the consequences of the constitutional choices, to protect the constitutionally declared principle of federalism, to respect ethnic right to self–governance in Ethiopia beyond ideological and political motives.

Key words: Ethnic federal system, the right to self-determination, making and remaking, ethnic autonomy conflicts, southern regional state and party politics.

INTRODUCTION

The second half of the 19th century was dominated by the 'making and remaking' of modern Ethiopia that coincided with the European colonization of Africa. Unlike the African states established by external European colonial conquest, the formation of modern Ethiopian state was the result of internally driven wars of incorporation and state formation. Despite this stark difference of its historical development from those of other African states, Ethiopia faces similar problems of state-building in the same fashion with other post–colonial African states (Mengisteab, 2007).

This process of internally carving the modern state by

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excessive forces were not impacted differentially from the external colonial conquest in the rest of Africa. Unlike other African states, ethnic diversity in Ethiopia is a result of state formation. The consequence of territorial conquest was far more brutal and devastating for the conquered peoples from the south, east and west. The incorporation of conquered peoples into the emerging empire was a dual oppression, both national and class. The conquest created the North–South dichotomy: one polity but two markedly different north–south systems (Merera, 2003).

The second half of the 20th century has been shaped by struggles started by the Ethiopian Student Movement (ESM), and subsequent ethno-nationalist forces intended to end the hegemonic project of building 'a nation–state' that emerged after the formation of the modern state (Temesgen, 2016). These class and national struggles had brought the *National Questions* as politico-ideological agenda. The *National Question* used by active Ethiopian political forces to describe the deep-rooted ethnic marginalization and inequality in the country. In other words, while the wars of the 19th century were for the 'making' of modern Ethiopian state, the struggles of second half of the 20th century were for the reversal of the same historical process that created the multi-ethnic polity of Ethiopia (Merera, 2007). The class and national struggles precipitated the revolution of 1974 that demised the 44 years long reign of Emperor Haileselassie I. In the absence of organized political parties, however, the military took the advantage of the political vacuum and controlled the state power.

Descended from the Student Movement, the Tigray People's Liberation Front (TPLF) and its satellite groups, assumed the state power as the Ethiopian Peoples' Revolutionary Democratic Front (EPRDF) after waging a successful armed struggle against a socialist military regime in 1991 (Temesgen, 2016). As a legitimate response to the *National Questions,* the TPLF/ EPRDF adopted a federal system and formalized ethnic rights to self-determination up to secession. By transforming itself into multi-ethnic EPRDF, the TPLF enlarged its programme and ideology nationwide with the ambition of creating a renewed, 'revolutionary–democratic centralist federalism' instead of an enforced unitary state (Hagmann and Abbink, 2011; Aalen, 2006). By adopting an ethnic-based federal system along with ethnic right to self-determination up to secession, Ethiopia has gone further than any other African states and further than almost any state worldwide. The 'revolutionary democracy' was instituted by the EPRDF as politically guiding state ideology.

The ethno-federal system is explicitly based on ethnicity as a fundamental principle of state organization, representation and political mobilization. Nine ethnically designated regional states were established. These included the regional state of: Tigray, Afar, Amhara, Oromia, Somali, Hareri, Gambella, Benishangul–Gumuz

and Southern Nations Nationalities and Peoples Regional States (SNNPRS) or the Southern Regional State, which is the subject of this study. Theoretically, the regional states are given a broader symmetrical political autonomy to exercise a degree of legislative, executive and judicial powers. Notwithstanding constitutionally entrenched equal rights and power, the interesting point about the Ethiopian regional states is practical asymmetry in ethnic composition, territorial and population size. In many major aspects, the SNNPRS or Southern Regional State is quite unique in the ethno-federation of Ethiopia.

Most relevant studies on the Ethiopian federal system are those that focus on "ethno-federal aspect" as either a solution or problems; the extent to which ethnicity in politics has worked out and how far it is a solution to the problem of multi-ethnic state. In this regard, one can refer to studies that focus on the experimentation of accommodating diversity under ethnic federal system in Ethiopia (Assefa, 2007). Among the other useful studies, one can also refer to comparative studies emphasizing the implementation of ethnic federal system and ethnic rights to self-determination and point out the clear paradoxes in the promise and practice of federal system in Ethiopia that produce ethnic conflicts (Aalen, 2008; Berhanu, 2007). Another studies focus more on why ethnic federal system was adopted in Ethiopia and its practice taking comparative case studies, concluding that federal system has neither realized its own raison d'état nor emerged as a credible instrument of pacifying ethnic conflicts in Ethiopia (Asnake, 2013). Still some others focus more on politicization of ethnicity and formalizing secession, concluding that the future of federalism in Ethiopia is unclear (Alem, 2005; Abbink, 2011; Clapham, 2009).

Indeed, all these studies are vital in understanding ethno –federal system and ethnic politics in the post 1991 Ethiopia. However, these and other studies investigated the relationship between ethnic federal system and conflicts in the context of Southern Regional State of federal Ethiopia. Thus, albeit briefly, either the studies lack empirical detail and do not show the practice of ethnic federal system along with constitutionally sacred ethnic rights to self-determination and associated challenges that would ignite ethnic conflicts in the context of Southern Regional State.

This study is intended to explore the relationship between ethnic federalism, along with the right to self-determination and ethnic based conflicts in the context of the SNNPRS. Accordingly, the study has the following three objectives. Firstly, the study examines 'making and remaking' of the Southern Regional State since 1991. Secondly, the study investigates the emerging trends of asymmetries and associated paradoxes in the ethnic federal system in terms of ethnic diversity, the EPRDF party politics and inconsistency in granting the right to ethnic self–governance taking SNNPRS as a prototype model. Thirdly, the study analyzes ethnic conflict

dynamics and trends in the context of SNNPRS.

Methodologically, this study was an empirical analysis of the real practice of ethnic federalism, ethnic rights to self-governance and party politics since 1991 in the context of SNNPRS or Southern Regional State. The study used multiple methods of data collection: qualitative face-to-face interviews, focus group discussions, document analysis and review of secondary sources. The researcher made several field trips to cities and towns for data collection. He held interviews with key informants, as well as conducted focus group discussions in capital city of Addis Ababa, Regional capital city of Hawassa and Zonal cities of Arba Minch, Hossana, Wolaita-Sodo, Wolkite, Sawola and in some selected woredas from 5 April, 2015 to 15 January, 2016.

Theoretical aspects: Federalism and ethnicity

This article is mainly about federalism, ethnicity and associated ethnic based conflicts. The relationship between these notions and the effect of their combination needs to be put in proper perspective. Hence, the concept of federalism and ethnicity will be discussed on a theoretical plane.

Concept of federalism

Like most social science concepts, the concept of federalism can mean different thing to different people. This is because; there is no universally accepted definition of federalism (Kymlicka, 2005). In an attempt to define federalism, scholars' emphasized the division of power within the framework of common government. In its most general sense, federalism is an arrangement in which two or more self–governing communities share the same political space (Karmis and Norman, 2005).

To Kymlicka (2005), federalism refers to a political system which includes a constitutionally entrenched division of powers between a central government and two or more sub-units defined on territorial basis, such that each level of government has sovereign authority over certain issues. In contrast to Kymlicka (2005) definitions that focus on territorial division of power, Daniel Elazar relates federalism with the prevalence of a covenant of partnership between the general government and its sub–units. In this respect, Elazar (1987) pointed out that federal principles are concerned with the combination of shared rule and self–rule. The federal system is, therefore, adopted on the basis of combined 'self–rule' and 'shared rule' so as to create a union of units while maintaining specific integrity.

In the context of this study, federalism has to do with the need of people and polities to unite for common purposes yet remain separate to preserve their integrity. It is rather like wanting to have one's cake and eat it too

(Elazar, 1987). Overall, federalism is considered as a compromise between unity and diversity, autonomy and sovereignty, national and regional issues.

Federal bargain, national, multi–national and ethnic federalism

There is no universal set of factors that explain why countries become federal (Davis, 1978). Every federation is a result of unique historical and political circumstances. Each model of federalism originates from historical–geographical experiences of the respective societies and hence, it is impossible to impose any of the 'models' of federalism across the board to a wide range of other settings (Agnew, 1995; Kymlicka, 2006). Some of the factors that led to the origin of federalism are often considered from different perspectives. Generally, federalism originates in two ways: through aggregation of independent states or through the devolution of power to sub–national units that lead to the federalization of a once unitary political system.

The manner in which the federal system has been created is equally important. Depending on how they came to be, Stepan (2005) often classifies federations into three categories. Firstly, the coming together federation formed through aggregation or integration of pre–existing states. The US, Australia and Switzerland are prototype models. Secondly, the holding–together federation formed through devolution of a previously centralized system of power in a unitary country. Examples are India, Spain and Belgium. Thirdly, putting together federation formed through 'a heavily coercive effort by a non–democratic centralizing power to put together a multi–national state, some of the component of which had previously been independent states (2005). The USSR was an example of this type. Stepan (2005) key contribution to the previous broader division of federation as federal integration and federal structuring is therefore the attempt to explain discrepancy that exists among federations established through devolution.

Fitting the Ethiopia's federalism into one of Stepan (2005) continuum of federations has been controversial. For scholars, like Assefa (2012) and Tsegay (2010), the Ethiopian federal model belongs to Stepan (2005) model of 'holding' together federation. Contrarily, Andreas (2003) and Asnake (2013) fit consecutively the Ethiopian federalism into Stepan (2005) model of 'coming' and 'putting' together federalism. As the political system in Ethiopia had very strong unitary past, the federal system adopted as the only way to hold the country or ethno–nationalist groups together in the state. Accordingly, the constituent units with constitutionally entrenched autonomy rights in Ethiopia are new creations of the federal bargain, rather than entities with a prior existence. Therefore, this study categorizes the Ethiopian model into the Stepan (2005) continuum of 'holding' together

federalism. Increasing interests in the use of federalism led to the question of which type of federalism is relevant to manage ethnic diversity and conflicts. Kymlicka (2005) divides federalism into two: Territorial and multi–national (2005).

Territorial federalism is the oldest form of federalism in the world. The older western federation of US, Australia and Germany fall under this category. It mainly arose for reasons unrelated to the ethno–cultural diversity and accommodating national minorities. They were originated from the coming together of their units, which previously existed independently.   If national federalism was not intended to accommodate ethno–cultural diversity, why would state adopt federalism? According to Kymlicka (2005), federalism was just one way of several mechanisms for reducing the chance of tyranny. The adoption of federalism, for instance in the USA, is to ensure separation of powers within each level of government, to put limit on the power of central government and to minimize threat to individual rights. Kymlicka (2005) emphasizes that any liberal democracy which contains a large and diverse territory will surely be pushed in the direction of adopting some form of federalism, regardless of its ethno–cultural composition.

Furthermore, the virtues of territorial federalism for large–scale democracies are manifested, not only in the US but also in Australia, Brazil and Germany (ibid: 276). In other works, Kymlicka (2005) has pointed out that the goal of eliminating minority national identities has been abandoned (in the western territorial or national federations), and it is now accepted that these groups will continue to see themselves as separate and self–governing nations within the larger state into the indefinite future (2006).

Currently, all national federations are now multinational in nature. In short, we see a virtually universal trend towards multinational federalism in the world (ibid: 35). In contrast to territorial or national federalism, multinational federalism is mainly adopted for reasons related to ethno–cultural diversity. To provide guarantee and accommodate the desire of national minorities, federal sub–units were deliberately manipulated to ensure that the minorities could achieve self–rule (ibid). Accordingly, internal boundaries have been drawn and powers distributed in such a way as to ensure that each national group is able to maintain itself as a distinct and self-governing society and culture. The multi–national federation is thus not only recognizes ethnic diversity but also reflects them in their ideology and structures. In multinational federalism, there are significant limitations on how powers can be divided and on how boundaries can be drawn (ibid: 277). Therefore, whether the allocation of powers to territorial sub–units promotes the interests of and accommodates minorities depends on consciously addressing these limitations. Both multinational and ethnic federations therefore focus on accommodating ethnic groups in a country. However,

ethnic federation devolves powers along ethnic lines and enables ethnic groups to participate equally at the federal level, as the case in Belgium.

As this study focuses on the Ethiopian ethnic federalism, one may then ask why ethnic as opposed to multinational federalism is more appropriate in the Ethiopian context. It is also appropriate to ask in what way, if any; the Ethiopian ethnic federalism differs from multi–national federations of the west. It is conceivable to view this question from the ideological rigour of ethnic federalism in Ethiopia. Kymlicka (2006) summarizes the differences between Ethiopian ethno-federation and western multi-national federalism as follow:

There are some important differences at the level of [Ethiopian] constitutional principles. The most striking of these are the explicitness with which the Ethiopian constitution affirms the principle of ethno-national self-governance and the logical consistency with which it attempts to institutionalize that principle–that is it accords all national groups the right to self–determination and envisages procedures for redrawing internal boundaries accordingly.

It has been mentioned that one of the characteristics of federalism is its aspiration and purpose to generate and maintain both unity and diversity simultaneously (Elazar, 1987). Concerning the origin and bargain of the Ethiopian federalism, Kymlicka (2006) points out that in contrast to western multinational federalism, the Ethiopian federal constitution emerged out of revolution, not peaceful and piecemeal democratic mobilization.

In Ethiopia, unlike Western multinational federations, for instance Spain, that mediated questions of ethnic autonomy through a protracted bargaining between the State and mobilized minority groups, federalism entailed a top down reconstitution of the country based on ethnicity (ibid:56). After adopting ethnic federal system, many ethnic groups, which did not mobilize before 1991 based on ethnic nationalism, were required to organize themselves according to their ethnicity so that they fit into the new ethno–federal system in Ethiopia. Accordingly, ethnic federalism led to the overall ethnification of politics in the country as the state promoted ethnicity as the key instrument of political mobilization and state organization. Thus, ethnic federal restructuring in Ethiopia shows some of the characters of what Fleiner (2001) called ethnified polities:

Territorial boundaries are drawn in a way that maximizes ethnic homogeneity. Policies are pursued which differentiate the status rights of citizens according to ethnic affiliation. Policies are proposed, advocated and resisted, and associations as well as political parties are formed, in the name of fostering the well-being of an ethnic community at the expense of excluding those internal and external groups who are considered not

belonging to it (cited in Asnake, 2009:29).

It is therefore on the basis of the mode of state formation, ethnic based mobilization, entitlement and modality of representation in the governments that the Ethiopian federalism is named as 'ethnic' than western multi–national federations.

At the end of the Cold-War, one of the continent's brutal dictator, socialist president Mengistu was removed from power in 1991 after a successful military victory by the TPLF led the EPRDF. In 1995, the EPRDF adopted a new constitution that brought a fundamental transfor-mation in the political philosophy as antithesis to ethnic assimilation policy and marginalization by old regimes. The EPRDF adopted ethnic federal model, along with the right to self-determination, as a panacea to ethnic inequality and the challenges of ethno-national armed conflicts that beleaguered the old Ethiopian state (Tsegay, 2010; Assefa, 2012). The ethnic –based federal system helped to prevent the relapse of and removed the ethnic based armed struggle from the national scene in the post 1990s. Nonetheless, the federal system has created its own types of conflicts, which will be investigated in the context of SNNPRS.

Ethnicity: The concept and theoretical debates

The dynamic nature of the concept along with its complex manifestations makes it difficult to define ethnicity. For Brass (1991), ethnicity is a sense of ethnic identity that can be used to create internal cohesion, and also differentiate themselves from other groups. For Hutchison and Smith (1996), the meaning of the ethnicity is uncertain. It can mean 'the essence of an ethnic group' or 'the quality of belonging to an ethnic community or group'. According to Eriksen (1993), ethnicity has to do with the 'classification of peoples and group relationship'. He has further noted that ethnicity is the relationship between groups whose members consider themselves distinctive,   and   these   groups   may   be   ranked hierarchically within a society (ibid: 30). As a marker of groups' distinctiveness, sense of self–identification and ascription of others, ethnicity determines the nature of inter–group interaction. In defining an ethnic group, scholars emphasize those factors that differentiate a given group from others, and also to strengthen its internal cohesion.

The scholarly debate on ethnicity has often been reflective of the theories behind ethnicity. Based on the questions whether ethnicity is a permanent feature or subject to change and flexible, scholars have developed contending theories/ approaches to ethnicity. From the Primordialism perspective, ethnic groups share kinship, common   psychological   make-up,   tradition,   history, religion, culture, social organization or language, and common territorial unity. These traits of ethnic identity are considered to be objectively given, coherent, easily distinguishable, stable and genetically determined and the reasons for the common action of the group (Geertz, 1973; Eller and Coughlan, 1996). Thus, the primordial traits bound together group members as a distinct and used as a marker for group's self–identification and ascription by others.

As noted by Eller and Coughlan (1993), primordialism as such has come in for a good deal of criticism for presenting a static and naturalistic view of ethnicity, and for lacking explanatory power (Hutchison and Smith, 1996). Accordingly, in confutation of the Primordialism, instrumentalism and constructivism emerged. These theories acknowledge the existence of primordial traits but they emphasis that ethnicity is not a given but dynamic and flexible phenomena created by human thought and action. They further argue that ethnic identities are subjective, relational and situational. Based on these shared understanding, the study will emphasis their distinctive assumptions regarding the nature of ethnicity.

Instrumentalists' has emphasized the utility of ethnicity as a tool of politics. They treat ethnicity as a social, political and cultural resource for different interests–and status–groups (ibid). One of the central ideas of ethnicity is socially constructed nature of ethnicity and elite driven competition for resources and ability of individual to 'cut and mix' from a variety of ethnic heritage and cultures to forge their own individual or group identities (Hutchison and Smith 1996; Brass, 1991). However, instrumentalists can be criticized for defining interests largely in material terms, for failing to recognize that ethnic identity cannot be decided by individuals at will but is embedded within and controlled by the larger society or for its apparent failure to take seriously the participants' sense of permanency of their *ethnies* (Lake and Rothchild, 1998:5; Hutchison and Smith, 1996).

Constructivism theory presents an alternative for the polarized views on the nature of ethnicity. It integrates both the instrumental use and the cultural meaning of ethnic identities. Arguably, incorporation of constructivism would help to improve the potential for empirically sensitive analysis of ethnic political mobilization and managing diversity and conflicts. Unlike instrumentalist perspective, it assumes that ethnicity is not only a matter of strategy, but rather constructed and negotiated in everyday life on the basis of selective interpretation of real cultural experiences of history and tradition in order to mobilize for political action (Young, 1996; Banks, 1996). It further assumes that ethnic identity is not something people possess but it is something people construct in specific social and historical contexts to further their own interests.

There is a consensus today that none of the existing theories can exclusively account for ethnicity. There is a need among scholars to transcend these divergently contending views by attempting to synthesis their views

in their effort to define ethnicity. Scholars have sought to situate themselves somewhere on the spectrum between 'the primordialist' and 'the circumstantialists' (Glazer and Moynihan, 1975). In this regard, Hutchison and Smith (1996) further noted that neither types of approaches (primordialism and instrumentalism) has much place for the vicissitude of ethnic community and identity over the *longue durée*. There is a consensus that ethnicity has thus interrelated objective as well as subjective dimensions. Accordingly, this study contends that ethnicity possess attribute both from 'primordialist' and 'constructivist' perspectives on the nature of ethnicity. This study, following Banks (1996), suggests that ethnicity is a group's self–identification and/or ascription by others to belong to a certain ethnic group on the basis of common primordial traits while it is also a construction or as an instrument of groups' mobilization for political or other purposes.

The Ethiopian ethnic federal system is explicitly based on ethnicity as nations', nationalities and peoples. Thus, the central place given to ethnicity in terms of state organization, representation, entitlement, and mobilization has in a remarkable fashion brought the question of ethnicity to the realm of the politico–legal in Ethiopia. In its stipulation of the principle of popular sovereignty, the FDRE constitution arrogates state sovereignty and the right to self–determination up to secession, to the nations, nationalities and peoples of Ethiopia. This constitutional stipulations mark an emphatic indication of formalizing and institutionalizing ethnicity in the post 1990s Ethiopia. Therefore, with the introduction of ethnic federalism, the politics of ethnicity has been formally institutionalized since 1991.

RESULTS AND DISCUSSION

The 'making and remaking' of the southern regional state

The Southern Ethiopia is an area which had long been totally marginalized. Accordingly, the development of ethnic consciousness was too late and slow in the Southern Ethiopia. Previously, the study region was never a unified area in economic, cultural or political terms before 1991. In the past, ethnic groups in the South were divided into different provinces and they were never under one administration (Abbink, 1998). Despite claims for complete departure by the EPRDF regime, continuities with the past remain clearly visible in Ethiopia. Rhetorically, the EPRDF abandoned Marxist–Leninism as a political guiding ideology as its predecessor. However, the ideology of the current regime in Ethiopia entails a set of governance and power techniques marked by vanguard party rule derived from the same Marxist–Leninist ideology and a commitment to the neo–Stalinist rights of nationalities to self–determination up to secession

(Hagmann and Abbink, 2011).

Paradoxically, the continuity of centralized and authoritarian policies and practices under dominant party system, and the persistence of old problems have remained visible in Ethiopia. The EPRDF has continued, as Donham (2002) notes, one of the *Derge's* main projects for the Ethiopian state is capturing the citizen or *encadrement*, incorporating every member of the community into its own structures of control (Aalen, 2008). The introduction of ethnic based federal system, the multi–party politics, formalizing ethnicity as the political idiom of public life, holding periodic elections, ethnic based administrative boundary redrawing and rhetorically liberalizing the economy can be taken as changes since 1991. Although ethnic right to self–determination up to secession is formalized as a response to the *National Question,* its implementation has mixed results as reported by informants. The main criticism *inter alia* is that the federal system has been preoccupied in addressing the rights of ethno-nationalist group. As a result, it has not responded well to the political interests of smaller ethnic groups in the country.

The 'making and remaking' of SNNPRS were undertaken in two phases. The first was during the EPRDF's transitional period while the second was after adopted ethno-federalization following the coming into force of the constitution of 1995. Accordingly, the ethnic groups of today's South were witnessed in two phases of transitions. The first 'making and remaking' of the Southern Region was during the EPRDF's interim period (1991 to 1995). The transitional charter was promulgated shortly after the fall of the military regime in 1991. The charter created an interim EPRDF led government. It also formalized Eritrea's secession, and granted for the first time the ethnic right to self–determination up to secession in Ethiopia. In pre-1990s, any form of decentralization was seen as a threat to the delicately constructed national unity. Thus, the federal system and the right to self–determination are not an all too familiar terms in the Ethiopian legal system. In a long recorded history of Ethiopia, the interim charter was the first step to turn the wheel of history from strong unitary state to decentralizations along ethno–linguistic line. Although the transitional charter was the first to bring the concept of ethnic self-determination, the federal system had to wait until 1995 for it to appear in Ethiopia's constitutional rhetoric. The interim charter and the subsequent proclamations established a system which could be seen as merely the foretaste of the 'ethnic-federalism' to emerge in Ethiopia.

The first historic attempt to decentralization got its elaborate expression only when proclamation No.7/1992 was issued to establish *National/Regional* self–governments in Ethiopia. This Proclamation made the ethnic–based decentralization more articulate and real in Ethiopia. Accordingly, the internal administration was restructured and fourteen regional states were created

mainly along ethnic lines. These were: Tigray, Afar, Amhara, Oromia, Somalia, Benishangul, Gurage/Hadiya, Sidama, Wolaita, Omo, Kafa, Gambela, Harar and Addis Ababa (TGE, 1992). These self–governing regions were mainly ethnic in their making although almost none were entirely homogenous. However, there was no formal use of the term ethnicity. Based on this proclamation, an incipient form of self–government was made apparent in the country. While autonomy is granted to 'self–governments', they were subordinate to the central government in all their dealings.

For previously marginalized Southern peoples, this decentralization was described as a honeymoon (Watson, 2002). By the EPRDF's rhetoric of liberating nationalities from the previous oppressive regimes, the claims of all ethnically defined groups for internal self–determination had been encouraged during the interim period in the South (Vaughan, 2003; Aalen, 2008). The ethnic groups were made to organize and mobilize for self–determination. This EPRDF's 'ethnic free–for all' policy was evidenced by organizing five out of 14 national regional units during early years in the areas comprising today's SNNPRS. The major ethnic groups of the region, like Sidama, were able to gain regional status, and smaller ethnic groups managed to gain separate self–governance at sub–regional levels. They were established more or less using similar patterns of administrative restructuring of socialist military regime.

After consolidating control of the state, there was an observable and orchestrated move in the South by the EPRDF in the mid–1990s to claw back control over its' ethnic free for–all' policy (Vaughan, 2003). Integrationist impetus and power centralization vis-à-vis the formal federal system is characterizing the government policy. The greatest challenge in the Ethiopian politics is the EPRDF's reticence to live up to its promises and principles (Hagmann and Abbink, 2011; Aalen, 2006). The EPRDF rhetoric of 'ethnic free–for all' policy was waned when these five regional units of transitional period were unilaterally conflated into one as the SNNPRS. Seen in retrospect, the EPRDF had good start during the transitional period compared to the outcomes of reconstructing the Ethiopian state and society under ethnic federal system. In this regard, Lewis (1994) notes that from an initial position of great moral and political strength, the EPRDF has fallen back into the old Ethiopian tradition of attempting to rule single–handedly and autocratically, without consent of, or input from, the governed'(Vaughan, 2003).

The interim period was formally ended after coming into force of the 1995 Federal Democratic Republic of Ethiopia (FDRE) Constitution. The FDRE Constitution formalized a federal state. Nine regional states were recognized as constituting Ethiopia thereby reducing the number of previous fourteen regional states by five. This was mainly due to top-down EPRDF decision to merge former five regional states into one as the SNNPRS or

Southern Regional State. As stressed by respondents, this consolidation of five regions as the SNNPRS was made for political fiat without any historical, geographic, linguistic and other justifications. Informants further emphasized that the merger was imposed on them by the ruling party in the center. It was not only regional states but also more than 21 political parties proliferated in the former five regions, which were 'consolidated' into one regional ruling party, first as the Southern Ethiopia Peoples' Democratic Front (SEPDF) and later as, Southern Ethiopia Peoples' Democratic Movement (SEPDM). As stressed by some informants, the political motivation behind this political engineering is related to the TPLF's desire to create a bigger region and dominant local vanguard regional ruling party as a core member of the EPRDF. Politically, the SNNPRS and SEPDM help the EPRDF to maintain inter–regional balance to larger Oromia and Amhara regions. In this regard, Merera (2004:257) notes that 'such lumping together of Southern Ethiopian Peoples' seems to be motivated both to create a counter–weight to the most populous and vast Oromia region that can cast its shadow across the country and administrative convenience for central control'.

Respondents stressed that the 'making and remaking' of regions stand in stark contrast with the core principles of the 1995 Constitution that further consolidated all principles of the charter, except formalizing a federal system. They further noted that this 'remaking' of the region and its peoples has been depriving southern ethnic groups from exercising constitutionally granted rights to self-governance. It is related to the EPRDF's desire to sustain its control of state power and in sharp contradiction to the national Constitution that gives ethnically defined groups a universal right to self–rule.

The emerging asymmetries in the Ethiopian ethnic federal system

The SNNPRS is unique within the Ethiopian federal system. It was the only Regional State established at the end of the transitional period and stands as ethnically, the most diverse region in Ethiopia. In many respects, the SNNPRS can be taken as a prototype model to show practical asymmetry in the Ethiopian federal system. Theoretically, the Ethiopian federal system is symmetrical. There are several asymmetrical features, both vertical and horizontal, in the Ethiopian federal system. Some of these asymmetrical features are discussed below:

Firstly, despite the existence of more than 80 ethnic groups in the country and constitutional promise of the ethnic right to self–determination, the federal system has overemphasized on the rights of ethno–nationalist groups. At the practical level, however, only five major ethnic groups as core nationalities – Tigray, Afar, Amhara,

Oromo and Somali–were granted separate regions named after the ethnic groups. Practically, the federal system does not provide the types of self– governance structure for all ethnic groups. The right to self–administration is granted inconsistently and in an asymmetrical manner. Many smaller ethnic groups were not considered within the federal system. They were lumped together in the multi–ethnic regions: the SNNPRS, Gambella and Benishangul–Gumuz regions. The case of SNNPRS is quite unique as it is the home for 56 ethnic groups in the country. As stressed by informants, this was the outcome of 'making and remaking' of the region and local ethno-political parties for largely political expediency. Some smaller groups' were also subsumed within ethnically designated regions. The Ethiopian federal system is a system for ethno-nationalist groups. It has no adequate political space for the smaller groups as reported by informants. Almost all of those multi–ethnic regions have been facing ethnic based conflicts.

Secondly, while using ethnicity as the key instrument in operationalzing the federal system, there emerged a number of anomalies within the federal system. As noted in the latest national census, there are only 10 major ethnic groups with a total population of one million and above (CSA, 2008). These are: the Oromo, the Amhara, the Somali, the Tigray, Sidama, the Gurage, Wolayita, Hadiya, Afar and the Gamo ethnic groups. Of these, five of them, namely Sidama, Gurage, Welayita, Hadiya and Gamo are from the SNNPRS. Some of them, like Sidama, had accorded a separate statehood like the other groups before the merging of former five regions. In the same census, the Harari have a total of 31,869 populations. Surprisingly, when the EPRDF allowed regional status during the transition period, the Harari had a total population of only 9,374 out of a total regional population of 131,139 that indicates an undoubted constitutional oddity (Vaughan, 2003). While minority Hareri continue to enjoy regional status, these five major ethnic groups of the south were not allowed to have their own separate regions as reported by respondents. Instead, as mentioned by informants, they were denied the same right and amorphously conglomerated with other smaller groups as SNNPRS. Indeed, as Merera (2004) notes, 'the Hareri regional status has exposed some of the absurdities of the EPRDF's regionalization policy'. In this regard, Mesfin also notes that 'if the population of the Harari warrants the status of a regional state, then all language groups that have the same or higher population size must have a regional state'(1999). This anomaly has its own contribution for instability and conflicts in the multi–ethnic regions.

Thirdly, the regional states exhibit huge disparities in terms of population, territorial and ethnic composition size due to making of ethnic identity and administrative boundaries congruent. In terms of total population and territorial size, the regional state of the Oromia, Amhara and the SNNPRS are too big with the resultant administrative and logistic difficulties in Ethiopia. In contrast, the Harari city state region without Zonal administrative structure is extremely too small with the difficulty of ensuring its economic viability. The level of ethnic heterogeneity differs from one state to the other. With 56 ethnic groups, the SNNPR stands as the most ethnically diverse regional state in Ethiopia. Such an asymmetry could have the potential to destabilize the federations due to ethnic nationalism and ethnic internal secessionist tendency that is prevalent today in the multi–ethnic regions.

Theoretically, disparity in terms of territory, population and resources between constituent units can lead to relationships between the centre and periphery that can potentially damage the federation itself (Watts, 1991). For instance, the Dutch–speaking region and its economic strength compared to the French–speaking region have created stress in the Belgian ethno–federation (Kymlicka, 2006). The huge asymmetries in the regional state in Ethiopia might lead to destabilization of the federal system and the asymmetrical contribution of the constituent units and ethnic groups to the stability of the federation.

Fourth, the federal system in Ethiopia also faces an anomalous asymmetry regarding political power; inter–federal relations, both vertical and horizontal, and center–periphery disparity. Because of its military victory over *Derge* regime, the TPLF from smaller Tigray in terms of geographic size and population has dominated the political process in Ethiopia by the name of the EPRDF (Asnake, 2013; Hagmann and Abbink, 2011). Through its governing practices, the TPLF/EPRDF has not done enough to make the Ethiopian state appear ethnically neutral. According to Aalen (2006), 'the main danger in this respect comes from inability to elevate the federal government both in popular perceptions and practice above ethnic partisanship'.However, this could have negative repercussions on federal stability and development. The other aspects of asymmetries are the dependence of the regions on federal subsidies for much of their finances and the *de jure* asymmetry in inter–governmental relations.

As a post-Marxist-Leninist vanguard party system, the EPRDF's practice of the party politics is the most obvious limitation to federal system. This centralized federal system in practice contradicts with constitutional powers generously granted to the regional states. In the historic past, peripheral areas were completely marginalized in Ethiopia. Relatively, the center is well off in terms of social and physical infrastructure as compared to the peripheral areas of Ethiopian Somali, Afar, Benishangul–Gumuz and Gambella. Almost all of these peripheral areas remain insecure, and they have experienced several violent conflicts. The center–periphery dichotomy is also another challenge that prevails even within the regional states.

The EPRDF power politics in Ethiopia

The 'making and remaking' of the SNNPRS is an evidence for an instrumental use of ethnicity for political expediency. With its multitude of ethnic diversity, the SNNPRS was considered to be an interesting ground for ethnic engineering. The unilateral merger of former five regions into one as the SNNPRS can be taken as the first step in the party politics and instrumentalist transformation of power of ethnicity. The second one was amalgamation of the many of ethnic based People Democratic Organizations (PDOs). More than 21 PDOs, which were initially fabricated by the TPLF/EPRDF as a strategy to secure a political support base, were merged together as regional ruling party. Once after power is consolidated, the EPRDF decided to 'remake' regions and the PDOs as reported by respondents.

The TPLF has controlled the state power by transforming itself into a multi–national liberation front by establishing the EPRDF in the 1990s. The EPRDF is a coalition of four ethnic organizations: the Tigray People's Liberation Front (TPLF), the Amhara National Democratic Movement (ANDM), the Oromo Peoples' Democratic Organization (OPDO) and the Southern Ethiopia Peoples' Democratic Front (SEPDF). As part of establishing the EPRDF, the TPLF forged separate organizations for the Amhara, Oromo and after 1991, for SNNPRS from various ethnic groups. In reality, the creation of the EPRDF has helped the TPLF to play a role beyond the bounds of Tigray province (Markakis, 1994).

The ANDM was the first to be established with an encouragement and support of the TPLF in 1980. It was the first to form a 'coalition' with the TPLF to establish the EPRDF in 1989 (Clapham, 2002). The TPLF established OPDO from ex–prisoners of war and deserted soldiers of the *Derge* regime in 1990. The OPDO was created as a counteract and to undermine the Oromo Liberation Front (OLF) that has been fighting for independent Oromia since 1975 and not willing to accept a subordinate role to the TPLF. Perhaps, the last regional organization to be formed by the TPLF was the Southern Ethiopia Peoples' Democratic Front (SEPDF) as ruling party of the SNNPRS. After internal political cracking within the TPLF in the early 1990s, as noted by informants, the SEPDF has modified into the Southern Ethiopia Peoples' Democratic Movement (SEPDM).

Indeed, the federal system in Ethiopia faces an anomalous horizontal asymmetry within the parties formed by the EPRDF. Intra–party relationships within the EPRDF remain horizontally asymmetrical. The TPLF remains the primary mover and shaker within the 'vanguard' party and its central leadership uses authoritarian Marxist–Leninist principles of 'democratic centralization' and self–criticism (*gimgama*, in Amharic) to stifle internal dissent (Hagmann and Abbink, 2011:579; Aalen, 2006:245). The TPLF continues to dominate the state power by the name of the EPRDF. However, it has

been emphasized that this asymmetry has its adverse impacts for the realization of genuine federalism and could have negative repercussions on federal stability in Ethiopia. Due to influence of socialist ideology, the EPRDF is known in the party disciple. However, this is not in the intra–party democracy in terms of granting political space and power sharing for other member parties as stressed by respondents. In terms of the centralization of power by dominant EPRDF party and vertical and horizontal asymmetries, there is strong similarity between the federalism of the former Soviet Union and Ethiopia. Like the Communist Party of the Soviet federation, which was disproportionally dominated by Russians, the TPLF dominated EPRDF provides political leadership to all of the ethnic regions either through its member organizations or affiliates. This may warrant characterizing the Ethiopian federalism as 'national in form' and 'revolutionary democracy in content' by borrowing one of the well-known adages of Soviet federalism–'national in form' but socialist in content (Asnake, 2013). One of the causes for the disintegration of the Soviet federation was a systemic problem in the design of the federal system coupled with authoritarian system and deep–rooted asymmetry. Like the Belgian federal system, the Ethiopian federal system is based on ethnicity. However, there are striking differences between the two systems. In Belgium, the federal system is systematically designed in a manner to reduce the negative consequences of politicizing and formalizing ethnicity as the basis of federation. Very strong and democratic mechanisms for co–operation were established in the federal institutions, which enable the ethnic groups to freely co–operate and negotiate at the centre in the Belgian system. This, however, seems lacking in the Ethiopian system. These mechanisms have become the main reasons for the sustainability of the Belgian federal system.

Ethnicity and practice of ethnic federal system in Ethiopia

The FDRE constitution of 1995 adopted the Soviet practices of hierarchically categorizing its ethnic groups into 'nation, nationality and people'. In the ex–Soviet system, Joseph Stalin arranged numerous Soviet nationalities according to hierarchy of recognition. In the multi–level Soviet ethnic federation, the location of the ethnic groups is determined in accordance with this hierarchy of recognition. The historic factors that led to the creation of the Soviet Union as a multi–tiered ethnic federation was not, however, based on ideals of equality or democracy, but upon an order of preferences dictated by factors such as location, size, stability and the dominance in its area by the nationality group. Indeed, the ethnic–based territorial organization of Ethiopia's ethnic federalism seemed to have been influenced by the

Soviet experience of 'multi–tiered' ethnic federation.

In the FDRE constitution, ethnic group is labeled as 'Nation, Nationality and Peoples' (in Amharic, *behieroch, behiereseboch, enahezboch*). These terms are predominant in the contemporary Ethiopian political and constitutional legal rhetoric. The FDRE Constitution defines a 'Nation, Nationality and People' (NNP) as clearly distinguishable cultural groups akin to the primordial assumption of ethnicity (art.39/5). From this constitutional definition, one can identify a number of primordial traits attributed to ethnicity in the context of Ethiopia: people, culture or custom, language, belief in common or related identity, psychological makeup and territory. Accordingly, an ethnic group in Ethiopia can be defined as people with their own common culture or custom, language, identity, psyche, and contiguous territory. The constitution provides a single definition and no distinction is made between these distinct terms- 'Nation, Nationality and People'. Implicitly, this categorization indicates a hierarchy among ethnic groups in Ethiopia.

Within the formalized ethnic politics, any cultural group that wishes to have a self–governing administrative structure needs to be recognized as either 'nation, nationality or people'. Accordingly, defining the ethnic identity of several smaller groups has emerged as an arena of local/regional (re)negotiation of identity and statehood (Asnake, 2010). This is particularly evident in the multi–ethnic regional states. In the House of Federation (HoF), the upper house that interpret the constitution, uses the constitutionally stipulated primordial criteria (art.39/5) to determine cultural groups' ethnic status to grant the right to ethnic self-governance for those groups fulfilling the criteria of the constitution which has already been set. In other words, a political body from outside determine ethnic status and grants the right to self–rule. This was evident in the process of granting separate ethnic status for Silte from Gurage after fierce and violent identity conflict. Under the auspices of HoF, Silte declared an independent ethnic group status by referendum and managed to get their own separate Zone. One can observe clear paradoxical combination between instrumental uses and primordial definition of ethnicity to determine ethnic status and grant the right to self–rule. As evidenced by 'making and remaking' of regions and local PDOs, granting the right to self–rule for ethnic group is not an end in itself in Ethiopia. If it is an end in itself, it must be granted for some major ethnic groups in the SNNPRS as reported by respondents.

According to the FDRE constitution, the federal restructuring is basically demarcated on the basis of "consent of the people concerned, settlement patterns, identity and language" (Art.46/2). However, the "consent did not play any part in the formation of the region. If self–determination is decided by consent of ethnic groups' concerned, major ethnic groups in the SNNPRS, like Sidama, would never accept amalgamation of their

regions. All informants stressed that former five regions were merged without any discussion and negotiation by the decision of the party at the centre.

Consistently, Berhanu (2007) points out that 'the Sidama denied the regional status not by consent but by force.' And yet, no ethnic group will intentionally agree to stratify at zonal status if they have the choice to be at regional state status. Contrary to the constitutional principles, 'all regions in Ethiopia were selected and delimited by the TPLF without genuine and open public discussions' (Mesfin, 1999). The decision to determine a certain level of political or administrative status to nation, nationality and people solely rests upon the vanguard party, the EPRDF. This is similar to the practice of the Soviet federation. In the Soviet multi–tiered territorial administrative structure, the power to determine the political status of a given nationality group rested with the communist party or Kremlin (Slocum, 1995).

The population size is not mentioned in the constitution and not used as criteria to restructure the state so far. As stressed by informants, if population size had been used as criteria, the tiny minority Hareri would not have allowed a separate region while others with population over millions in the SNNPRS denied regional status. Despite persistent violent struggles, the government refused allowing the regional state status for Sidama. This instrumentally motivated inconsistency in the ethnic federal system is seen by many informants as discriminatory practice. The hierarchical arrangement of ethnic groups as nation, nationality and people in Ethiopia seems more evident when one considers the territorial organization of the Ethiopia federation. Similar to soviet–styled ethnic federal arrangement, Ethiopia pursued a multi–tiered approach to identity based territorial autonomy in which apparently the bigger ethnic groups were given their own regions as core "nations" in which they constitute the majority and the regions were designated by their own names.

On the other hand, several dozen smaller ethnic groups or "nationalities" and "people" were merged together into 'multi–ethnic' regions: SNNPRS, Gambella and Benishangul–Gumuz. Even within these regions, government granted ethnic self–governance very inconsistently all according to the political interest of the party in power. Sub–regional status or zonal/ Special Woreda level of self–administration was granted for regionally dominant ethnic groups while other smaller groups were either merged together in the multi–ethnic zones or subsumed under ethnically designated Zones.

As it has been mentioned earlier on, nine regional states were established each with legislative, executive and judiciary branches. Broader political autonomy is granted including the right to secede from the federation (art.47/2). The state sovereignty is vested on the nations' nationalities and Peoples of Ethiopia. This, however, departs from the traditional trends of ascribing sovereignty to the 'people' in general. Theoretically, nations',

nationalities and peoples' are granted the right to self–determination up to secession; granted the right to develop language, culture and history; recognized the right to a full measure of self–governance (at the local level); accorded the right to fair and equitable representation at the federal and regional governments (art.39/1–4). Territorially concentrated smaller ethnic groups that are currently not granted the rights to self–rule have already granted to establish separate self–governance to establish separate regional states or they have the right to establish separate statehood at any time.

There are some paradoxes in the EPRDF power politics that are difficult to explain. Political decision to determine ethnic identity status and recognize the ethnic right to self-governances is made by vanguard party at the centre as reported by informants. There has not been an attempt to allow ethnic groups to decide on their own identity and their right to self–rule. It is rather the political regime that grant from outside the right to self–determination for ethnic groups (Temesgen, 2011; Aalen, 2008). The process of granting the right to self–determination, ethnic equality has been violated in two ways: first, by imposing identity on the people and arbitrarily creating ethnic regions, and; second, by arbitrarily stratifying ethnic groups: some at regional level, others at zonal level and still so many others at woreda and *kebelle* levels of administrative hierarchy without any clear criteria. The criteria for granting ethnic regional status were very vague and arbitrary as stressed by informants. This is evident in the case of the minority Hareri regional status and denial of the same right for the 5th largest Sidama group in Ethiopia.

Indeed, there are striking similarities in the practice of the Ethiopian federal system to the ex– Soviet Union federation. Towster (1951) points out that one of the core principles of Soviet federalism is that in theory it provided ethnic self–determination up to secession, but in practice never allowed autonomy beyond culture and language (Asnake, 2009). The initial assumption of the Soviet federal system along with the right to self–determination was to bring the different republics together. This recognition of the right to self–determination contributed to bring some republics voluntarily to the Union (Watts, 1991). Nevertheless, once the Union was established, the right to self–determination was not genuinely implemented due to the democratic centralist approach of the Bolshevik party (ibid). These practices were transplanted in federal Ethiopia. Even if Ethiopia's federal Constitution recognizes 'unlimited' self–determination like Soviet federation, it is clear from the experience of ethnic federal system in Ethiopia that the ethnic regions are not allowed to exercise administrative autonomy let alone secession.

According to informants, the regime in power is using ethnicity and the right to self–determination for political expediency to handle ethnic diversity according to its own desires instead of genuinely empowering ethnic groups in the country. The following statement by Meles Zenawi, the late Prime Minister and chairman of the EPRDF, seems to corroborate this:

There is no way the secession could take place one fine morning simply because the right is embodied in the constitution. As a matter of fact, the secession clause was put into the constitution in order to avoid such an eventuality (quoted in Abbink, 2006: 394).

Despite the constitutional system, the government has difficulty in adhering to it. The EPRDF relies more on a centralized party system than on the federal compact and federal institutions. The government practices democratic centralism and top-down ideology-driven policy and decision making. However, this practice sharply contradicts the constitutionally proclaimed principles of self–rule and state autonomy (Medhane and Young, 2003; Assefa, 2012). Consistently, Jon Abbink (2006) further adds that the specific model of "revolutionary democracy" officially espoused by the ruling EPRDF, the party built around the TPLF, represents in many ways a contradiction to the proclaimed constitutional principles. Undoubtedly, this will have its own consequence. It is noted by informants that the federal system and other constitutionally established institutions have not yet well entrenched in Ethiopia. There is a fear that 'once the ruling party loses control of power, the fate of the federal system will be uncertain or will wither away with it' (Clapham, 2009). The EPRDF's power politics has been creating unforeseeable effects that have been difficult for the government to control. The constitutionally promised principles of the right to self–rule and paradoxes associated with its implementation are source of ethnic-based conflicts in the country.

The politics of ethnic self-governance and conflicts in the SNNPRS

It seems that the EPRDF power politics is full of contradictions, ambiguity and uncertainty. There is clear inconsistency between the EPRDF power politics and the constitutional all–embracing right given to ethnically defined groups. This inconsistency was succinctly stated by Lovise Aalen as follows:

The EPRDF's power politics is in itself conflict producing: when communities that have defined themselves along ethnic lines are denied the right to self–rule in the SNNPRS, it creates a difference between the principles and practices that produce anger and discontent (2008:190).

As it has been discussed earlier on, although the constitution stated ethnic groups in the country

intersectionally as 'Nations, Nationalities and Peoples', it provides a single primordial explanation. This, however, brings the presumption that there are nations, nationalities, and peoples who seek self–determination up to secession in their own right. As no clear distinction is so far made between these three entities, any group that can demonstrate the ownership of the constitutional primordial attributes can claim the right to self–determination of any sort, regardless of whether it is a nation, or a nationality or a people.

For instance, the profile of Southern nations, nationalities and peoples, which was published in 2004 (Ethiopian Calendar) by SNNPRS Council of Nationality, labeled all ethnic groups, ranging from the largest Sidama to the smallest Dime – 981 total population – in the region as "nationalities". Indeed, this clearly indicates ambiguity associated with the use of these terminologies. In their struggle for regional status, the Sidama are also claiming "nation" status but government remains unwilling to address the demand in accordance with the constitutional principles and procedures. For the previous socialist military regime, Ethiopia, being a pre–capitalist and feudal state, is premature to host "nations". Accordingly, this regime decided that there are only "nationalities" that deserve equal recognition and protection in Ethiopia. Contrarily, the EPRDF argued that there are "nations" (without clear criteria to make distinctions) which need to exercise their right to self–determination up to secession in Ethiopia. Indeed, this is an evidence for full of ambiguity in the politics of ethnicity in Ethiopia.

In the multi–tiered ethnic–based federal restructuring, fitting into the federal system has been straight forward for major ethnic groups or "nations". As we have seen, the major ethnic groups were allowed to have their own regions while several smaller ethnic groups or "nationalities" and "people" were merged together to form multi–ethnic regions. In all levels of hierarchy ranging from region to *woreda*, granting a certain level of administrative status to ethnic groups solely depends upon the EPRDF party (Temesgen, 2011). This is to the extent that ethnic groups were hierarchically categorized within the multi–ethnic regions. As mentioned by informants, some major ethnic groups were allowed to have zone designated by their own names while so many other groups were either merged together at some multi-ethnic zones or subsumed within ethnically designated Zones.

The 'making and remaking' of regions and local ethnic-based political parties ended up by conglomerating 56 ethnic groups of former five regions under a single region. Accordingly, the politics of granting self–governance is very complex. Although it is not to the level of their satisfaction, the major ethnic groups were empowered at sub–regional level of self–administrations named after specific ethnic groups as reported by informants. However, several smaller groups are merged together in the multi-ethnic zones, like South Omo and Segen Area Peoples Zones. Still, some others are subsumed as minorities under ethnically designated Zones, such as Gamo-Goffa, Bench-Maji, Gurage, Kaffa and Sheka. Subsuming ethnic groups under one has serious implications when understood in the context of an ethnic federalism. In ethnic Zones, as stressed by respondents, the groups dominate the local political process, determine the set of values, command the local public institutions and resources and they are the ones represented in the regional and federal government institutions. Accordingly, subsumed smaller ethnic groups under ethnic Zones are declared invisible from the political process at all levels of governments. According to informants, this is one of key factor that compel subsumed ethnic groups to demand separate self-governance and associated ethnic violence in the study region.

Despite constitutional promise for broader ethnic autonomy, most ethnic groups still remain far from exercising the right to self-governance. Currently, most ethnic groups in the SNNPRS do not have their own self–administrative structure at zonal or special *woreda* levels. Vander Beken rightly points out this issue:

Most of the southern state's 50+ ethnic groups do not have their own zone/special woreda. These groups either live in a multi-ethnic zone orare a minority group in a zone dominated by another group (2008:23).

The constitution allows ethnic groups, which currently do not have their own region or Zones, to establish, at any time, a separate self-governance. Practically, however, government does not allow ethnic groups to exercise these constitutionally entrenched rights despite deadly struggle subsumed groups, for instance by, Goffa and Kabena ethnic groups as reported by respondents. As the decision is made at the level of the EPRDF party, there are some paradoxes associated with granting the right to self–determination. Generally speaking, ethnic rights to self-determination up to secession are a pseudo rights as the EPRDF regime does not allow exercising these rights (Merera, 2007). The constitutional right to establish separate ethnic regions at any time has not been exercised until this day albeit violent struggles by Sidama in the SNNPRS. Practically, as stressed by informants, the ethnic right to self–determination is never allowed beyond culture and language autonomy.

The subsumed ethnic groups are minorities and invisible from the political process at all levels of government institutions. This has serious implication in the ethnic–based federal system. As Kymlicka (2006) notes, the ethno–nationalist groups should not be allowed to govern their own regional states unless a clear guarantee for minority rights is stipulated and enforced. He further emphasizes that there is a fear that once national minorities acquire self–governing power at sub–

state level, they might use it to prosecute, dispossess, expel or kill anyone who does not belong to their group (ibid). Both at regional and sub–regional levels, Ethiopia's case prove that the process of empowering ethno–nationalist groups at sub–state level was conducted 'without putting relevant institutional and policy mechanisms to protect the rights of a subsumed minority group in place' (Assefa, 2012). As stressed by informants, this has remained a serious political challenge for subsumed ethnic groups in the SNNPRS.

Accordingly, in the post 1990s period, minority have appeared not only in the traditional sense of political minority but also in terms of new trends of creating *minorities—within—minorities*. In spite of its relative appeal to the context of the multi–ethnic pluralism and apart from fears of the African states to the potential impact of ethnically constructed federalism, the phenomenon of *minorities—within—minorities* within federal arrangement also further complicates the federal solution in addressing the minority claims. The EPRDF's 'making and remaking' of regions in the SNNPRS has anomaly created *minority–within–minority* in the SNNPRS. The nature of sub–regional ethnic–based federal restructuring is typical instance of creating *minorities—within—minorities* that could compel subsumed groups to fight for separate identity and ethnic autonomy in accordance with the constitutional promise. Politics of formalized ethnicity has been serving as particular impetus not only for inter–ethnic contestation and conflicts but also for continuous (re) construction of–real or imagined–ethnic identities to get separate self-governance.

Against the principle of the constitution and ethnic federal system, the government adopted artificially constructed Omotic WOGAGODA language. It was constructed as standardized language of local administration and education for all ethnic groups merged together in the multi–ethnic Simen (north) Omo zone. Literally, people with great culture, WOGAGODA language was constructed from the first two letters of Wolaita, Gamo, Goffa and Dawro ethnic groups, respectively. As a triggering and powerfully exacerbating catalyst of conflict, WOGAGODA led to violent resistance, human atrocity and material destruction as reported by informants. Losing its initial convictions, the government withdrew WOGAGODA and allowed the disintegration of the Simen Omo Zone into five sub-regional administrative units: Dawro, Gamo–Gofa, Wolayta, Basketo and Konta. After prolonged ethnic violence for separate self–governance by the Sheka ethnic group, the government allowed the division of Kaffa zone into Kaffa and Sheka ethnic zones. The Gurage Zone was also divided after recognizing distinct identity status for Silte from larger Gurage by referendum. The Silte group allowed establishing a separate Zone.

Constitutionally correlating ethnicity and the right to ethnic self–rule is encouraging various cultural groups to

be mobilized to assert separate identity and self–governance in the SNNPRS. By emulating the 'Silte model', cultural groups of Wollene and Kucha are embarked on identity conflicts as reported by respondents. As stressed by informants, the government addresses ethnic demands for separate identity and self-governance very inconsistently and all according to political interest and circumstances. All those demands for separate self–governance by Wolaita, Sheka, Ale and Silte were achieved after a series of violence and human atrocity. All violent demands for regional status by Sidama, separate zonal status by Goffa, Special Woreda status by Kabena, and distinct identity status by Wollene and Kucha have remained unrealized despite violence and human atrocities.

According to respondents, the ethnic quest for self–rule is considered by the government as anti–dote to the overall aims of administrative integration in the SNNPRS. If self-determination leads to disintegration of SNNPRS and undermine the country's unity, self-rule for ethnic groups should be denied (Aalen, 2008). This sharply contradicts with the constitutional, all-embracing right given to groups, defined along primordial criteria to self-determination (ibid). While fulfilling the primordial criteria the constitution which has already been set, the ruling party did practice the right very inconsistently. In this regard, Abbink (2006) also notes that 'the constitution confirmed the new regions, and on paper gave them far–reaching administrative autonomy, but in practice an informal control or brake system was in place in Ethiopia'. Thus, it is not the constitutional principles but the EPRDF politics that determines a certain level of administrative status to ethnic groups. For the EPRDF regime, ethnic mobilization should only be allowed as long as it serves overall political ends. It is not ethnic identity which is valued for its own sake for granting the right to ethnic self–rule but its instrumental use to reach political aims. The right to self–rule was adopted for not genuinely empowering ethnic groups but for instrumentally using it for political expediency.

CONCLUSIONS

This paper has examined inter-relationship between ethnic federalism and ethnic-based conflicts in the context of the SNNPRS of Ethiopia. Although ethnic federation along with the right to self–rule was adopted as a novel approach to create a new legitimate basis to the Ethiopian state, the record of ethnic–based federal system remains troublesome. As the nature of Ethiopia's federal system is ethnic, it has triggered its own types of conflicts that are peculiar to the kind of federalism adopted. The Ethiopian federal system has overe-mphasized the rights of a few dominant ethnic groups as core "nations" and has failed to grant political autonomy for some major ethnic groups, like Sidama, and several

smaller ethnic groups in Ethiopia in general and SNNPRS in particular. It failed to comprehensively respond in accordance with the constitutional promise to the quest for a better regime of smaller ethnic groups' rights protection.

The study result revealed that ethnicity and the right to ethnic self–rule are instrumentally used by the government for ideological and political motives rather than genuinely empowering ethnic groups. As discussed in the study, Ethnicity is primordially defined in the Constitution but instrumentally used for political ends. Ethnicity is a useful tool to achieve political motives as it is malleable, and can be manipulated and mobilized from *inside*, relying on peoples own cultural and knowledge system. However, this contradicts with the use of primordial ethnicity in the constitution for establishing nation, nationality and people to grant the right to ethnic self–rule up to secession. As a result of this ideologically and politically motivated use of ethnicity, ethnic groups are still far from exercising the right to self–rule. This has particularly been proved in the multi–ethnic SNNPRS.

As reviewed in the study, the areas comprising SNNPRS were organized into five regions during the EPRDF's interim period. However, the government unilaterally consolidated very diverse ethnic groups of former five regions into one after a decision made at the vanguard EPRDF party level. This 'making and remaking' has provoked ethnic based conflict for the establishment of a separate region by Sidama. Some subsumed ethnic groups, such as Goffa, and Kabena are violently struggling for separate self–governance. Certainly, conflict cannot be prevented and unity cannot be achieved by vanguard party control and military response but they can be achieved–fully or partially–if the ethnic rights to self–rule are respected and effectively protected.

The study result further indicated that the contradicting party politics in Ethiopia is jeopardizing the federal system itself and the institutionalization of democratic system in Ethiopia. Theoretically granting broader ethnic rights on the one hand and the political limits to their implementation on the other, is an important conflict generating factor. This is evident in the denial of regional status for Sidama despite persistent struggles and other several autonomy conflicts. Now, the ruling party should accept the consequences of the constitutional choices, to protect the constitutionally declared principle of federalism, to respect regional state autonomy and ethnic right to self–determination in Ethiopia. The federal system has the potential to guarantee sustainable unity and stability, through the protection of diversity, in Ethiopia if it is genuinely implemented beyond ideological and political motivation.

CONFLICT OF INTERESTS

The author has not declared any conflict of interests.

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Full Length Research Paper

The protection of minority rights under regional constitutions in the Federal Democratic Republic of Ethiopia: The case of Tigray

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The issues of minority rights have been given a significant concentration in the political discourses of today. In traditional literatures and policy packages, the issues have been given a special emphasis pertaining to the protection of minority rights. Since the end of the World War II, many international instruments are adopted, declarations are domesticated; Ethiopia is a case in point. After the downfall of the Dergue; Ethiopia has ratified international human rights instrument like International Covenant on Civil and Political Right (hereafter ICCPR), International Covenant on Economic, Social, and Cultural Rights (hereafter ICESCR) and African Charter on Human and Peoples' Right (ACHPR) . As it is determined to follow ethnic based federal system under the existing Federal Democratic Republic of Ethiopia (FDRE) constitution that acknowledges unity within diversity. On the other hand, some studies revealed that the existing legal and institutional mechanisms of accommodation have practical gaps to effectuate the intention up to the grass roots. In lieu of this, the study explores the status of minority rights in the Tigray Regional State Constitution and its practical correlates on the Irob people in Eastern Tigray, and Kunama people in Western Tigray. In doing this, it takes a sample of three Tabias from two Weredas/ District in Kunama and the whole Wereda from Irob based on a purposive sampling technique. Consequently, the result of this study indicated that constitutionally, the Tigray National Regional State (TNRS) recognizes the existence of the Irob and Kunama people at least with the establishment of their local administration. Nevertheless, this notable achievement and the actual practice are not without limitation. Hence, ensuring of self-administration for the Irob people is simply the same as the other Werdas of Tigray; they are not treated as special Wereda to exercise their right. Given that constitutional recognition of minorities is not an end by itself; it needs to be supported by appropriate legal documents with its practical correlate of sustaining it, as it deemed required. However, there is no guaranteed special consideration for the representation of Irob and Kunama people in the Regional council and other Regional governmental institutions. Finally, the study suggests that the Tigray National Regional State should open legal and institutional rooms for the protection of minority rights that enable them to enjoy their rights and play roles in the existing federal system.

Key words: Ethiopia, Tigray, Federal Constitution, Regional Constitution, minority rights.

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INTRODUCTION

The Constitution of the Federal Democratic Republic of Ethiopia (FDRE) articleone depicts the establishment of the Federal Democratic Republic[1] (FDRE Constitution, 1995). The Constitution created a Federal state structure with nine Regional states[2] and recognizes nations, nationalities and peoples of Ethiopia[3]. Accordingly, each nations, nationalities and peoples of Ethiopia are entitled with the right of self-determination to establish their own state including the right of unconditional secession, to develop their own language, to develop and promote their culture and preserve their history[4]. The existence of minorities have increased the importance of federalism to contribute shared governance in a large political unit for certain common purpose and self-governance for the various smaller constituent units of government to be directly responsible for their own electorates (Watt, 2008). Hence, it could be said that all attempts made or to be made for the best protection of minorities, particularly in federations, are among the foundations of the federation's effort to accommodate diversity. In short, protection of minority rights is at hub of accommodation of diversity in a multi-ethnic society.

As a multiethnic nation, Ethiopia designed a federal political system that is federation; so as to accommodate the diverse groups there by maintaining the unity of the country. With the context of Ethiopian federation, every nations, nationalities and peoples are minorities[5]. Pursuant to the Federal Constitution, every Regional state within the federation has their own respective constitution in which the right of minority groups are considered and given constitutional guarantee. This is meant to safe guard the endogenous and exogenous minorities scattered at regional states. It is within this framework of analyses that the study is to proceed. The study deals with the protection of minority rights under the Constitution of Tigray National Regional State. In lieu of this, the study is organized in three mainareas. The first part deals with the elaboration of terms and theoretical frameworks. The second part focuses on the essence of local governments and the local governments in Tigray. Thethird is about protection of minority rights at Federal and Tigray Regional Constitution in relation to the actual practice. This is followed by conclusion.

Theoretical Frameworks of Minorities

The term minority is defined by different scholars in different ways, entailing the lack of universally accepted definition of it. Different scholars argue in different ways for the delay of a binding legal definition of the term. According to Grammatikas Vassilios as cited in Aberra Dagafa, having a universally accepted, recognized and binding definition of the term minority has importance to reduce the controversy on the term and to look after the rights of minorities (Aberra, 2008).

Welhengama Gnanapala also states the absence of conventional definition of minority across the world, and the international instruments are not necessarily there to think about their rights and to adopt meaningful measures of minorities[6]. Nevertheless, the issue of minorities was sensitive as one of the main causes of the World War II[7] as it had delayed to have a universal definition. G. pentassuglia in his part as cited in Christophe Van der Beken[8], the predominant focus in international law on the protection of universal human rights was changed after the end of Cold War politics.

Cognizant of this fact, the United Nations (UN) organization has come up with a declaration that explicitly recognizes the right of minority. Accordingly, the 1992 UN declaration in its article one has stated that "*States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity.*"And in its article two stipulates "*states shall adopt appropriate legislative and other measures to achieve those ends*"[9]. It is plausible todeduce that the declaration is imperative in terms of enumerating certain rights of minorities. However, this by itself lacks clarity as to what it mean by the term minority.

Article 27 of the International Covenant on Civil and Political Right (ICCPR) guaranteed to those states in which ethnic or linguistic minorities exist to enjoy their culture and practice and use their own language[10]. This covenant also didn't define the term minority. It stipulates persons belonging to religious, ethnic, or linguistic minorities shall not be denied the rightto enjoy their own culture, to profess their own religion, or to use their own language with the other member of their community[11]. Other scholars have also defined it in different ways, among others; the first worth accepting definition was given by Capotorti. For him as cited in Aberra Dagafa:

A minority is a group of numerically inferior to the rest of the population of a state, in a non-dominant position,

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[1] Proclamation No.1/1995, A Proclamation to pronounce the coming in to effect of the constitution of the Federal Democratic Republic of Ethiopia, Addis Ababa, Negarit Gazeta, 21st August, 1995.
[2] Ibid, Article, 47 (1)
[3] Ibid, Preamble of the Constitution.
[4] Ibid, Article 39
[5] Supra note at 1, article 39.

[6] Ibid, 33
[7] Ibid, 21
[8] C. Van der Beken, Constitutional Mechanisms for the Accommodation of Ethnic Diversity, in Unity in Diversity- Federalism as Mechanism to Accommodate Ethnic Diversity: the case of Ethiopia (unpublished), 32
[9] Declaration on the Rights of persons belonging to national or ethnic, religious and linguistic minorities, 1992
[10] International Covenant on Civil and Political Rights, 1996.
[11] Ibid

whose members-being nationals of the state-possess ethnic, religious or linguistic characteristics differing from the rest of the population and show, if only implicitly, a sense of solidarity, directed towards preserving their culture, traditions, religion or language (Aberra, 2008)*.*

The supra definitions have given a broader scope for the term minority since it does not specifically limit itself to the requirement of nationality or citizenship. According to his assertion, there are certain criteria to be met by a group of individuals to be a minority. First, they should begroup of persons whose distinctions are based on *ethnic, linguistic or religious* backgrounds in a state in which they constitute a minority. Secondly, the group should be in a position of *non-dominance*, their number should be *less than* the rest of the population of a state. Thirdly, they should be *nationals of a state,* as opposed to non-nationals, say immigrants and refugees. Another definition given by Deschennes is:

A *group of citizens of a state constituting a numerical minority and in a non-dominant position in that state, endowed with ethnic, religious or linguistic characteristics which differ from those of the minority of the population, having a sense of solidarity with one another, motivated, if only implicitly, by a collective will to survive and whose aim is to achieve equality with the majority in fact and law[12].*

From the definitions earlier mentioned the study can deduce that minority right is a right given to any group of numerically small group of people residing in a given sovereign state in which the members share common features of ethnic, religious, linguistic and common psychological makeup that distinguished them from the rest of the population. It is in light of this conceptual clarification that the tem minority is used throughout the paper.

Trends of Minority Rights Protection at International Level

The devastated World War I and World War II lead to the requirement of some mechanism to protect such devastative wars and concomitant human right violations. Following the establishment of the UN[13] organization, many instruments have come into way, like the promulgation of international human right instrument, Universal Declaration of Human Right (UDHR)[14], ICCPR[15], International Covenant on Economic, Social and Cultural Rights[16], Declaration on the Right of Persons Belonging to National or Ethnic, Religious and

Linguistic Minorities[17] (1992), and at regional level African Charter on Human and Peoples' Right (ACHPR)[18] have laid down the foundations for the protection of minority rights. The intentions of these instruments are to promote, encourage and respect human rights without distinction of any kind, such as race and language. Besides, this are all intended to promote the ethnic, religious and cultural rights of minorities too.

These instruments are playing a significant role for the protection of minority rights in multiethnic societies. Moreover, the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, (It is not a binding document, but it gives some weight) is also imperative in laying its own condition regarding the existence of minorities and the need of protection and promotion of that identity. Here, it looks sound to briefly see the ICCPR among other human right instruments as it is the first internationally accepted and binding document (Abadir, 2008). According to the ICCPR of 1966, the right to a distinct identity is the subject of international protection. As seen in the text document, article 27:

Guaranteed to those states in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language[19].

This article clearly indicates that the right to an identity remains a key element in any system to protect minorities. Where a group preserved its distinctive characteristics, non-recognition of the rights of such group would tend to generate conflict between the majority and the minority group. ICCPR, an international law develops the act of realizing and accepting the divided societies in the world, granting minorities the right to defend their special identity and unique characteristics that distinguish them from other members of the human family is an important task for human right protection and promotion in a general manner. This has got many implications in third world countries to have incorporated it in their daily parlance. That is way many states in Africa has ratified it.

Despite its ratification, Ethiopia has failed to give adequate constitutional guarantee up until 1991. With the change of regime in the country a new political mood has ushered the vitality of the covenant. The incumbent government of Ethiopia has confirmed with international human right instruments like ICCPR, ICESC and ACHPR and adopted them all under the existing constitution. Hence, the right of Nations, Nationalities and Peoples of Ethiopia is being recognized under the FDRE Consti-

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[12] Jules Deschennes (1985). Proposal concerning a definition of the term minority, E/CN4/sub2/1985/31

[13] The Charter of the United Nations, 1945.

[14] Universal Declaration of Human Rights, 1948.

[15] Supra note at, 10.

[16] International Covenant on Economic, Social and cultural Rights, 1966.

[17] Supra note at, 9.

[18] African Charter on Human and Peoples' Right, 1981.

[19] Supra note at, 10.

tution[20]. This was able to register practical achievements.

Essence and Practice of Local Government in TNRS

Local government entails that resident of a defined area should be participating in their own limited but locally important matter [21] (Olowu and James, 2004). It is instrumental in deterring problem of the residents via setting their priority needs, determining resources utilization and issues within its jurisdiction[22]. It insures the political process, government accountability and political participation of the people for the advancement of democracy and development[23].

Local government and federal system are interface. They play a strong role to enhance a bottom-up approach of participation, serves as a bridge between civil society and the state and strengthen direct democracy and develop responsiveness (Risse et al., 2008). It promotes public goods, expanding policy-making and implementation, and helps empower disadvantaged and exploited section of a given society[24]. In this regard, political commitment is instrumental[25].

In lieu of this, the FDRE constitution has paved the way and lays the foundation for the establishment of Regional governments with respective constitutions. Moreover, adequate power shall be granted to the lowest units of government enabling the people to participate directly in the administration of such units[26]. The rational for this provision is clearly indicated supporting local governments and its institutions with the guarantee of constitutional status.

The state of Tigray is among the nine member states of the FDRE[27]. In Tigray the local government structure is found under the regional Constitution [28] and Proclamations[29]. Tigray is one of the nine regional states[30], which constitutes the FDRE. The state of Tigray is located at the North tip of the country. It borders with Eritrea in the North, the regional state of Afar in the East, the regional state of Amhara in the South West, and Sudan in the West[31]. The regional state of Tigray consists of seven administrative Zones, thirty four rural *Weredas* and twelve city administrations (FDRE population census commission, 2010).

The region is made up of about 4.3 million people with a geographic area of 54,569.25 km^2 predominantly inhabited by Tigrigna speaking people known as Tigrians; which constitutes 4,167,813 (96.54%) of the population. The remaining are minority groups that belong to Kunama and Irob[32]. Pursuant to article 52(2, b) of the FDRE Constitution, the revised Constitution of the Tigray National Regional State (TNRS) has proclaimed the supreme organ of the government, that are, the Regional State Council, the Executive and the Judiciary[33]. Unlike the 1995 Constitution of TNRS, the 2001 Constitution has a clear separation of power among the three organs of the regional government and lower level administrative structure (*Wereda / District* and *Tabia*)[34]. This recognizes and legitimizes '*Wereda*' and '*Tabia*' as the lowest administrative unit and local government administration with legally defined authority and function[35].

The Zonal administration of TNRS seems to be excluded from the system or authority of the local government under the revised regional Constitution. Nevertheless, article 45(1) and 49 (3, b and s) states that:

"*Where it consider necessary for administrative quality and convenience, the state council may establish below and above the Wereda level administrative body[36].*

Hence, local governments as they are vital for regional government and federal government as well, the TNRS recognized twelve 'municipalities' [37] besides 'Zones' '*Wereda*' and '*Tabia*' as the basic unit for government policy implementation and center of development.

The powers and functions of Zonal administration are listed in an ordinary law by recognizing them as a hierarchy below the region and consists certain *Weredas* below their jurisdiction[38]. The committee of the Zonal administrative structure comprises of the chief and deputy administrator, and other members, and is accountable to the regional chief administrator and the regional Council. Unlike others (like Southern Nation, Nationalities and Peoples' Regional State of Ethiopia[39]), the TNRS Zonal administration do not have its own

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[20] Supra note at, 1, Article 39 (1-4).
[21] Dele Olowu and James S. Wunsch (2004). Local Governance in Africa: The Challenges of Democratic Decentralization, Colorado, Lynne Rienner Publisher, 4.
[22] Ibid, 7.
[23] Ibid.
[24] Ibid, 5.
[25] Ibid.
[26] Supra note at 1, Article 50 (4)(5).
[27] Ibid, Article 47(1).
[28] Proclamation No. 45/2001, 'A Proclamation to Provide for the Approval of the 2001 Revised Constitution on the Tigray Regional State, 'Mekelle, Tigray Negarit Gazeta, 15th November, 2001, Article 45(1).
[29] Proclamation No. 48/2002, A Proclamation to Pronounce the Establishment and Organizing of the Zones of Tigray National Regional State,' Mekelle, Tigray Negarit Gazeta, 22th March, 2002, Article 3.
[30] Supra note at 1, Article 47(1).
[31] Ethiopia Ministry of Agriculture and Rural Development Disaster Management and Food Security Sector, (2009). Tigray Regional over view and Livelihood Zone Summaries, http:/www.feg-consulting.com/...tigray...2009. (Last accessed on December 25, 2014), 2.
[32] Ibid, 57-58.
[33] Supra note at, 28, Article 46 (1-3).
[34] Ibid, Article 46 (1-3), 72-74.
[35] Ibid, Article 71-84.
[36] Supra note at, 28, Article 45 (1) and 49(3, s).
[37] Proclamation No. 107/2005, A Proclamation to Provide for the Organization, Power and Responsibility of Tiray Regional State Towns, Mekelle, Tigray Negarit Gazeta, 8th June, 2005.
[38] Supra note at, 28, Article 2.
[39] Proclamation No. 35/2001, A Proclamation to Provide for the Approval of the 2001 Revised Constitution on the Southern Nations, Nationalities and Peoples Regional State, Awasa, 12th November, 2001, Article 80(2).

council[40]. The executive of Zones are indirectly account-able to the people in which they do their job directly, as they are elected and accountable to the representatives of the whole people in the region; that is, the regional state Council.

The Zone administrative body is established in line with the strong discipline of the winner party (Tigray Peoples Liberation Front (TPLF)) practically interfering in the *Wereda*`s concern (Girmay, 2012). At first, the executive council of the *Wereda* should be elected with their acceptance, even though, formally it seems the chief administrator of the *Wereda* nominates his cabinet and is been approved by the Council of the *Wereda*[41]. It is all the same in the dismissal of any member of the *Wereda* executive[42]. Indeed, the control mechanism of the Zonal administrator is very poor in effect resulted to intrude on the powers and responsibilities of the *Wereda*[43].

The *Wereda* Council members are elected by means of general and direct elections under the first past-the-post electoral system from inhabitants of the *Tabias* within the territory of the *Wereda* and they are accountable to the electorate[44]. However, as can be seen earlier, the incum-bent party select candidates (especially for prospective *Wereda* executives) which most often are not inhabitant of the *Wereda*[45]. The *Wereda* is an autonomous self-administrative unit with its own Council, Executive and Judicial body[46]. It has a power, among others, to imple-ment the regional development policies and strategies, to prepare and execute the *Wereda* socio-economic development projects, to administer tax and approve its annual budget, and mobilization of the community for developments endeavors[47].

The lowest administrative level of the TNRS is *Tabia*. It has its own *Tabia* Council, (highest organ of the *Tabia*) elected by the inhabitants, an executive and have his social courts[48]. The members of the *Tabia* council are accountable to the electorate[49]. The executive Council of the *Tabia* is accountable to the electorate and executive Council of the *Wereda*[50]. *Tabia* as it is found at the grass roots level which is closer to the community plays a crucial role in implementing the regional plans and *Wereda* development activities.

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[40] Supra note at, 28, Article 5.
[41] Ibid.
[42] Ibid.
[43] Ibid.
[44] Supra note at, 28, Article 73 (1-2).
[45] Interview conducted by the Author with Ato Girmay Zeru Asefa, former Wereda cabinet member in Western part of Tigray National Regional State, Kafta Humera. February 23, 2015. Mekelle. The Author has also an experience of four years as a mayor in Abi-Adi town (1996-1999) central Zone of Tigray.
[46] Supra note at, 28, Article 74 (1), 79 (1-2) and 65.
[47] Ibid, Article 72, 74, 80, 82 and 83.
[48] Ibid, Article 85 (2).
[49] Ibid, Article 86 (3).
[50] Ibid, Article 86 (4).

Protection of Minority Rights under the FDRE and TNRS Constitution

Ethiopia is a composition of different nations, nationalities and peoples, and this entails the need for appropriate policy measures, political enthusiasm and institutional set ups that accommodate the need of the diverse identity within the wider political community. However, the reverse had happened in its entirety and proclaimed as the prison house of nations and nationalities (Aberra, 2008). This has been its recent past history up to 1991. With the demise of the Dergue with rules of the country for almost two decades, a new political atmosphere has come to the Ethiopian political scene.

The peoples struggle has ushered the promulgation of a democratic Constitution that acknowledge diversity and strives for unity in the country. The preamble of the 1994/95 FDRE Constitution reads "*we, the Nation, Nationality and Peoples of Ethiopia*[51]*"* and recognizes the ethnic diversity of the population. In other words, unity depends on the recognition of and the respect for diversity. This attention to unity in diversity was legally expressed in the granting of a right to self-determination to all the nations, nationalities and peoples (Assefa, 2010). According to the Constitution article eight (one), the sovereign power resides in the nation, nationalities and peoples of Ethiopia[52]. Accordingly, every nation, nationality and people has an unconditional right to self-determination including secession[53]. This is the highest manifestation of the political will and commitment for political pluralism and the respect for minority rights and self- administration. In line with this, Van der Beken, has the following to say:

The right to self-determination as conceived by the Ethiopia Constitution is very large and Includes-language right, cultural rights and rights of self-administration, and the right of nations, nationalities and people to secede from the Ethiopian federation. Thus all ethnic groups have the right to speak and develop their own language, to express and promote their own culture and history; they have the right to self-administration with in a particular territory and the right to their own represen-tation at the regional and federal level of government. As such, the right to self-determination includes both the objectives of unity and that of diversity[54]*.*

The FDRE Constitution is the expression of the sovereignty of the nation, nationality and peoples of Ethiopia[55]; hence, they are to enjoy all rights articulated in this Constitution equally. The rights provided in article 1, 18, 25 and 39(1) and (2), of the Constitution never

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[51] Supra note at, 1, Preamble.
[52] Supra note at, 1, Article 8(1).
[53] Supra note at, 1, Article 39(1).
[54] Supra note at, 7, 107.
[55] Supra note at, 1, Article 8(2).

suspend or limit even in the declaration of emergency[56]. The FDRE Constitution as a supreme law of the land[57] is deemed respected at regional and other levels of local governments. This Constitution grants important competence to the regional state, such as the power to choose its own working language[58] and to enact and execute its own constitution[59]. The regional states have a right to form their own administration and institutional structure vis-à-vis the obligation to respect the supremacy of the federal Constitution.

The TNRS is one among the nine member states of the FDRE[60] to recognize the supremacy of the FDRE constitution[61]. The preamble of the revised TNRS constitution begins with *"We, the peoples of the Tigray National Regional State[62]."* Moreover*, "The supreme power of the national Regional state resides in and belongs to the people of the TNRS, and this is expressed through their elected representative and direct democratic participation[63]"* The Constitution pays attention in recognizing ethnic minority groups in the region. It is clearly recognized that the Tigray nation, the Irob and Kunama nationalities have rights to self-determination including secession to use and develop their language, culture, preserve their history, and to participate at the federal government with fair representation[64].

The Constitution has outlined the principles of language policy and clearly states that, *"All languages in the Region shall enjoy equal state recognition. And, Tigrigna shall be the working language of the Tigray government[65]."* However, this constitution depicts that the first- past–the-post electoral system[66] and this provision in an ethnically organized states carries danger for the representation of ethnic minorities at regional council and executive body. Despite such constitutional recognition to minority groups, there lacks adequate institutional setups that are deemed required to change rhetoric's into action. Therefore, giving serious consideration to minority right in multiethnic region is unquestionable. In this regard, issues related to the representation of Irob and Kunama are cases in point.

Representation of Irob and Kunama in the Regional State Apparatus

The Irob people, who are Saho speaking, occupy a small, semi-arid, mountainous region with a wide altitude range. With the population of 30,549 (Souba Hais, 2014), they

are resided dispersedly in the high lands and mountainous area of Agame, North East Tigray[67]. In terms of their religion, Orthodox Tewahdo Christianity, Catholic and Muslim are the main beliefs systems[68]. Dawhan is the latest founded town and center for the Irob *Wereda* administration[69].

The Kunama are Nilotic people scattered living in Eritrea and North Ethiopia, Tigray[70]. Although the Tigrean Kunama practiced traditional belief, since 1950 most of them are converted to Orthodox Tewahdo Christianity[71]. They are one of the smallest groups in Western Tigray *Wereda* Kafta Humera; 'Adabai' and 'Adigoshu' *Tabias*[72] and in North West Tigray *Wereda* Tahtay Adyabo Tabia 'Lemlem' with a total population of 2981 FDRE population census commission, 2010. They are a distinctive people with their own culture and language, speaking Kunamigna[73]. The Irob and Kunama peoples are considered to be among the original inhabitants (endogenous) of the Tigray Regional State[74].

In the Tigray National Regional State, members of the State Council are elected on the basis of first-past-the-post electoral system[75]. Unlike the FDRE Constitution that allocates twenty[76] seats for minority representation at the lower house (House of Peoples Representative), the TNRS Constitution does not mention explicitly for guaranteed representation in the regional Council. Hence, in practice, out of 152 members of the regional Council, Irob (Brhane, 2009) and Kunama[77] each constitute four members like other *Werdas* in the region. Here comes the practical chasm in between the rhetoric's of the Constitution and its practice in the ground. Summing up, the regional Constitution has recognized Irob and Kunamas Nationalities[78], and concomitantly[79], it needs to provide modalities of representation for these minorities at the regional legislative organ too.

The same is true as far as representation of Irob and Kunama in the State Executive and Court is concerned. The Tigray National Regional State has no Constitutional

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[56] Ibid, Article 93 (4) (c).

[57] Ibid, Article 9(1).

[58] Ibid, Article 5(3).

[59] Ibid, Article 52(2) (b).

[60] Ibid, Article 47(1).

[61] Supra note at, 28, Article 9.

[62] Supra note at, 28, Preamble.

[63] Ibid, Article 8(1-2).

[64] Ibid, Article 39(1-5).

[65] Ibid, Article 5(1-2).

[66] Ibid, Article 48(2).

[67] Ibid.

[68] Interview conducted by the author with Ato Rufael Shifare, former Wereda administration in Irob as head of the Wereda, March 27, 2015, Mekelle.

[69] Ibid.

[70] X (2007). Cultural Orientation Resource Centre.http://www.cal.org/co/pdffiles/background-kunama.pdf . (Last accessed on January 27, 2015), 1-2.

[71] Interview conducted by the author with Ato Berhane Haileselassie, member of the House of Federation. September 21, 2014. Addis Ababa.

[72] Ibid.

[73] Ibid.

[74] Supra note at, 28, Article 39.

[75] Supra note at, 28, Article 48(2).

[76] Supra note at, 1, Article 54(3).

[77] Interview conducted by the author with Ato Mohamed Salih, he is working in TRNS coordinator of TNRS Council Legal and Administration Affairs Stand Committee. December 29, 2014, Mekelle.

[78] Supra note at, 28 Article 39.

[79] My argument here is for more protection of minorities, it needs not only guaranteed representation at the regional level, but also some veto power in decision making.

guarantee for the representation of minority at the regional state institutions of executive and judiciary.

Indeed, most of the Kunama live in the remote and isolated area and historically marginalized people were unlikely to get education[80]. Hence, it can be a reason for not being represented in the executive and judicial body at regional level. However, regarding to Irob as they have many competent intellectuals, denying of representation at the regional level institutions is nothing more than lack of Constitutional guarantee for minority representation.

With regard to Constitutional interpretation, state Constitutions are to be interpreted via commissions created for this function. These commissions are composed of representatives of *Weredas* of the states in more homogeneous states like Tigray (Tsegaye, 2008). It constitutes a constitutional interpretation commission (CIC)[81] as well as council of constitutional inquiry (CCI)[82].

The regional CIC is composed of representatives from each *Wereda* and the regional representative to the House of Federation (HoF)[83]. The composition of CIC tries to look only the *Wereda* Council rather than the nation, nationality and peoples, consequently the Irob and Kunama are totally outnumbered by the Tigrigna speaking people. Conversely, from this composition unless a veto power in the CIC is given to these minorities on matters concerning to them problems may arise during decision making process as decisions are made by majority vote. Easy to understand, *"the Kunama nationality has no Wereda administration that in turn they hardly have a representative to such commissions apart from the representative of HoF[84]."* Surprisingly in the TNRS, council of constitutional interpretation commission is not formulated until September, 2014[85].

To conclude, the regional legislative, executive, and judiciary branches are highly dominated by the nation of Tigray. Representation of Irob and Kunama at the regional institutions is not guaranteed by the regional Constitution. This entails that, there is no intention to carry out equitable representation and to encourage participation in decision making within the regional governmental institutions.

Additionally, the unconditional right of 'Nation, Nationality[86] and People' to self-determination including secession, and to form their own states at any time following specific procedures[87] are well articulated in the FDRE Constitution. However, TNRS Constitution has no procedural provision to indicate the right of self-determination for Irob and Kunama. Rather article thirty nine[88] depicts for the whole Tigray. In this regard, even

though, the TNRS Constitution fails to incorporate what the FDRE Constitution includes, there is a possibility for the Irob and Kunama to claim their right based on the federal constitution; as the FDRE constitution is supreme law of the land[89].

Representation of Irob and Kunama at *Wereda* Level

The revised Constitution of the TNRS established the *Wereda* Council, and it is the highest authority in its jurisdiction[90]. Irob as one of the Tigray administrative district has its own Council elected from Irob nationality of the seven '*Tabias*'[91]. The Kunama nationality also have their autonomy to self-administration at *Tabia* level and have ten in Tahetai Adiabo and five in Kafta Humera representatives in the *wereda* Council[92]. The Irob *Wereda* and Kunama *Tabia* are organized in a similar way to the other *Weredas* and *Tabias* of TNRS. This Constitution couldn't provide any provision to show special treatment to enhance the local government for the Irob and Kunama people. They are treated as ordinary *Wereda* and *Tabia*, respectively.

In Irob the composition of the *Wereda* executive is dominated by Irob nationality, which constitutes 67% and the Tigray 33% (Brhane, 2009) .To the contrary, in the civil service the Tigray people are about 65% (Ibid). Furthermore, in the justice sector the composition is shared equally (50% each) (Ibid). Looking at the Kunamas nationality, there is only one in the executive of Tahtai Adiabo *Wereda*; and one in the *Wereda* agriculture sector and three teachers in the civil service of the *Wereda*[93], but have their own executive body at *Tabia* level[94] . Hence, in order to strengthen the participation of the local government (self-administration) of the Irob and Kunama people, it needs to recognize the special status or Nationality administration.

Rights of Minorities to use their Language

The FDRE Constitution outlined the principles of language policy under article five that states:

"*All Ethiopia languages shall enjoy equal state recognition,*" "*Amharic shall be the working language of the Federal government,*" "*members of the federation may by law determine their respective working language[95]*".

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[80] Supra note at, 70.
[81] Supra note at 28, Article 68(1).
[82] Ibid, Article 69(1).
[83] Ibid, Article 68 (1).
[84] Supra note at, 76.
[85] Ibid.
[86] Supra note at, 1, Article 39(1).
[87] Ibid, Article 47 (2-3).
[88] Supra note at, 28, Article 39(1-5).

[89] Supra note at, 1, Article 9 (1).
[90] Supra note at, 28, Article 73 (1-3), 74(1).
[91] Supra note at, 67.
[92] Supra note at, 70.
[93] Interview conducted by the author with Ato Berhane Kegno, members of the Cabinet in Tahtai Adiabo Wereda of Tigray National Regional State, March 23, 2015, Mekelle.
[94] Ibid.
[95] supra note at 1, Article 5(1-3).

In this respect, the Ethiopian federalism has attributed considerable significance to linguistic diversity, and many Ethiopians have positive attitude in using local language as a means to avoid previous language domination (that is Amharization (Yonatan, 2009)). This is a clear evidence for the adoption of article two (1) and 27 of ICCPR[96]. It is a great leap in the right direction in the history of Ethiopia in protection of minority with regard to language policy. Given that protection of the right to one's own language is at the hub of minority right protection, a great deal of effort is being made at country level.

It is common knowledge that, using own mother tongue as a medium of instruction in the primary school helps students to build their confidence and success in learning and teaching process, and it is crucial to take note of language as a means of promoting ones' self-identity and representation[97] (Gideon, 2006). It is in pursuit of this that National and Regional Constitutions have given ample attention to it.

The revised Constitution of TNRS recognizes the equality of languages[98], to write and develop one's own language too[99]. Nevertheless, in actual practice, Tigrigna is the working language of Irob *Wereda* and Kunama *Tabias*[100]. And very recently (2008), it is decided that 'Saho' to be the name of the language and 'Geez' is the script of Irob, applicable as a medium of instruction in the primary school as a subject and the same is true in Kunama in 2011[101]. According to Ato Mohamed, the delay is attributed to lack of trained man power, material and lack of adequate attention from the regional institution as well. At all, it needs a better recognition for the working language and further effort for the improvement of primary education of the Irob and Kunama not only as subject but also as a medium of instruction in all subjects.

As far as rights of minorities other than Irob and Kunama are concerned, the regional Constitution recognizes them in principle, though not explicit mention is made. Without doubt, there is no single region in Ethiopia ethnically homogenous. Interestingly the preamble of the revised TNRS Constitution does not deny the existence of diversified ethnic groups in the region, and recognized them[102]. Looking at the total population of the region, 115645 (2.68%) is constitute by non-endogenous minorities with different culture, language and identity[103]. Notwithstanding this, the right to self-administration is being stipulated under article 39 of TNRS Constitution apply with respect to the endogenous people of the Irob

and Kunama[104]. This refers only to the Irob and Kunama people to exercise the development of their own culture, language and rights of political participation as a minority groups within the wider regional frameworks.

In the revised Constitution of TNRS, the mechanisms designed to protect the non-endogenous minority right is not efficient. Unless with the particular[105] law such as the right of political representation, cultural and language rights are in place, merely recognition of other nations nationalities and peoples to get special representation[106] couldn't protect the rights of the minorities faced difficulties. Therefore, in order to protect societal stability and strengthen unity with in diversity, the right of the non-endogenous groups living in Tigray should be guaranteed. However, the TNRS Constitution has recognized at least theoretically the rights of non-endogenous minorities. This makes the TNRS Constitution unique from other Constitutions of the member states of federation.

CONCLUSION

The federal Constitution mandates that states shall give adequate power to the lower level of governments assuming their role in bringing the central government closer to the people. In lieu of this, the TNRS Constitution recognizes the Regional, *Wereda* and *Tabia* tires of government. There are also Zonal and City administrations established by proclamation. The *Wereda* with its Council and executive has been accountable to the peoples in which they act directly and have a judicial body. It is closer to the people next to *Tabia* and provides public goods and services on its jurisdiction. The TNRS establish local-administration among others with the objective of safeguarding self-administration in a way to determine their own affairs.

However, this Constitutional guarantee and the actual practice are not without limitation. Firstly, ensuring of self-administration for the Irob people is simply the same as the other *Werdas* of the region, as they are not treated as special *Wereda.* Secondly, merely Constitutional recognition of minorities is not an end by itself, unless it is supported by appropriate legal and institutional measures. Thirdly, there is no guaranteed special consideration for the representation of Irob and Kunama people in the Regional Council and other regional governmental institutions. Furthermore, the adoption of Tigrigna as a working language is perceived for the Irob and Kunama societies as threat and less consideration of their language.

On the other hand, there are patterns of non-applicability to promote the culture and preserve history of the endogenous minority. This is because of resource constraints, and consequently the learning and teaching

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[96] Supra note at, 10.
[97] Gideon Cohen (2006). The Development of Regional and Local Languages in Ethiopia's Federal System, in David Turton. (ed.), Ethnic Federalism: The Ethiopia Experience in Comparative Perspective, James Currey, Oxford, Ohio University press, Athens, Addis Ababa University Press, Addis Ababa, 2006, 165-169.
[98] Supra note at 28, Article 5(1).
[99] Ibid, Article 39 (1).
[100] Supra note at, 76.
[101] Ibid.
[102] Supra note at, 28, preamble.
[103] Supra note at, 37.

[104] Supra note at, 28, Article 39.
[105] Supra note at, 1, Article 45 (2).
[106] Ibid.

process in the primary school is undertaken in Tigrigna rather than their mother language, notwithstanding the recent move for Irobigna and Kunamigna as a subject.

Self-administration has for a long time been a significant issue in Tigray (Ethiopia). Interestingly, the TNRS Constitution recognizes the Tigray nation, the Irob and Kunama nationalities, and practice the self-administration of Irob and Kunama. Yet, the issue of representation is a missed link with debilitating effect on the right of minority.

RECOMMENDATIONS

To appreciate ethnic diversity and promote unity within the existing diversity effective, participation and minority right protection is required. In this regard; the study suggests the following as a way forward.

1. The Irob people need special status or nationality administration than being treated like any other *Weredas* in Tigray. With regard to representation, the Irob and Kunama need special attention in all tiers of governmental institutions. This is to be done with a Constitutional amendment.
2. Pursuant to the federal and regional Constitutions, working with Tigrigna language in Irob and Kunama has no rational ground. In lieu of this, protection of their language and its application as a working language and in the education sector is so imperative. Hence, it needs the support and collaboration of the TNRS and non-governmental organization to same effect.
3. Minorities, other than Irob and Kunama, have right to develop their language and culture and to keep their identity and this should be included and guaranteed in the Constitution explicitly.

CONFLICT OF INTERESTS

The author has not declared any conflict of interests.

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China's non-intervention policy in Africa: Principle versus pragmatism

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China's adherence to its policy of non-intervention in its engagement in Africa has sparked a lot of debate. A closer examination will however reveal some inconsistencies with Beijing's official pronouncements versus its actions on the ground. This study seeks to explore this contradiction in China's nonintervention policy in Africa. Through a focused case study on China's actions in Sudan and South Sudan, it is clear that the non-intervention policy has not always been in sync with China's actions. The study also argues that though Beijing may need to rethink its policy in light of increasing investments on the continent as well as Western and domestic pressure to take more responsibility, any potential adjustments will likely assume a more contextual and tactical nature, as opposed to broad ranging and strategic.

Key words: China, Africa, non-intervention, non-interference, foreign policy.

INTRODUCTION

The acceleration of economic engagement between China and Africa has been nothing short of impressive. Within a relatively short period of time, China has become Africa's largest trade partner, and Africa is now China's major import source, second largest overseas construction project contract market and fourth largest investment destination (IOSC, 2013). Aside the procurement of natural resources, other strategic objectives form part of China's engagement in Africa (He, 2007), including a search for new markets and investment opportunities, symbolic diplomacy and development cooperation, and forging strategic partnerships (Alden, 2005).

Of the wide range of Chinese activities in Africa, economic transactions provide the most powerful evidence of China's increasing interests in the continent. The skyrocketing of Chinese–African trade deserves particular emphasis (Tull, 2006). For example, two-way trade grew from US$10.6 billion in 2000 to US$166 billion in 2011. Foreign direct investment increased thirty-fold between 2003 and 2011, from US$491m to US$14.7 billion.

In 2012, China pledged US$20 billion of loans to Africa over three years for infrastructure, agriculture and manufacturing. If the funds are committed, China will become Africa's principal financial backer (ARI, 2012). Most African representatives have welcomed Chinese engagement and its philosophy (Schmitt, 2007) and view it as an opportunity to fuel economic growth, to put them into a better negotiating position with traditional Western

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donors and to amplify Africa's voice in international forums (Saferworld, 2011).

China's non-intervention policy means that it is willing to conduct business on the continent without getting involved in what it calls the "internal affairs" of African countries. However, due to deadly conflicts and general insecurity in some regions of Africa, China's interests have increasingly come under threat, placing its energy security, economic investments, and the lives of its citizens at risk. (Saferworld, 2011). Furthermore, criticisms from Western powers have condemned Beijing's willingness to conduct business with rogue regimes complicit in human rights abuses as well as its failure to partake in international interventions.

In states such as Sudan, where the government of the country are argued to be corrupt and authoritarian, they argue that the Chinese policy of non-interference compounds the problem in these countries (Pitso, 2015). Beyond that, China's rise to great power status brings with it feelings of greater responsibility, and there exist both domestic and international pressure for China to take on a more active role. After all, with greater power comes greater responsibility. Given these implications for its interests and image, Beijing therefore has an interest to intervene and assist in conflict resolution, and take on a more active role on the African continent that goes beyond just trade and investment.

However, the Chinese government has repeatedly emphasized its opposition to intervention and maintains that national governments alone should focus on and respond to matters related to domestic political, economic or social affairs, including internal conflict (Campbell, 2012). It has therefore formulated and maintained the policy of "non-intervention" in that regard, in which it is reluctant to intervene in the affairs of other nations.

In spite of this, Beijing's actions on the ground have sometimes contradicted this policy stance. An example is in Sudan, where the Chinese government departed from its long standing principle and played an active role in persuading Khartoum to accept the Africa Union/United Nations (AU-UN) hybrid peacekeeping force. This represents a foreign policy dilemma, and one that is sure to become even more ubiquitous as economic relations deepen and China undertakes a more active role in the continent. The situation therefore merits a closer examination. Several scholars, in addressing China's non-intervention policy have focused mostly on whether or not China ought to abandon the policy (Aubyn, 2013; Jakobson, 2007, 2009; Wang, 2007; Hess and Aidoo, 2010).

Some Chinese scholars believe that China must expand its role internationally (Yan, 2011; Cui, 2012), while others insist that China must continue to honor non-intervention (Liu and Xiao, 2012; Zhang, 2012; Zhong, 2012). However, the ensuing debate has largely ignored the insidious and increasingly prominent dilemma of policy versus pragmatism. This study seeks to address this inadequacy by closely examining China's actions in one of its most widely acknowledged departures from non-

intervention, namely the Sudan conflict. The importance of identifying a potential shift in Chinese foreign policy extends beyond the continent of Africa and encapsulates a global question concerning China's actions as it continues to grow (Dorman, 2014).

MATERIALS AND METHODS

This study adopts an empirical, single- case study approach, focusing on Chinese actions in the Darfur conflict in Sudan, and also includes an analysis of China's relations with South Sudan in the aftermath of their secession from Sudan in July 2011.

The rationale for the choice of the Sudan conflict as a case study is due to the unique role China played in the conflict. In spite of its non-intervention policy, China's presence and more importantly its actions had a huge influence. Not only has China made substantial economic investments in the region, but it has also been very instrumental in persuading Khartoum to accept the UN-AU hybrid peacekeeping force.

So far, this serves as a defining example of China's foreign policy transition, which in this case evolved from seeming apathy into active involvement in conflict resolution through diplomatic pressure. The Sudan conflict has largely challenged China's non-intervention policy; while more recently, engagements with South Sudan have contradicted the principles underpinning its sovereignty principle. The Sudan case to a large extent provides the clearest picture yet of China's dilemma and the ensuing diplomatic and foreign policy maneuverings in a bid to reconcile its non-interventionist approach against political instability in a region that is rife with Chinese investments. Sudan, quite arguably the most consequential African relationship within China's broader relations with Africa, represents a quintessential example of China's changing approach to Africa, and has in many ways illustrated the dynamism, transition and convergence in China's approach to Africa. It thus, has the ability to expose the looming complexities of reconciling China's foreign policy pronouncements against changing geopolitical realities by providing a unique opportunity to assess the evolution and change in China's foreign policy in Africa over time.

Sudan therefore presents an opportunity to closely examine China's actions and whether it really does demonstrate the beginning of a shift away from a foreign policy largely driven by the policy of non-intervention, and if so the roles that domestic and international factors have played towards that move. In so doing, it will be better to address the following questions:

1. In what ways has China's non-intervention rhetoric contradicted its actions on the ground??
2. What situations are likely to prompt China to intervene in other countries?
3. What factors are likely to influence that decision?
4. To what extent is the impact of political pressure from international and domestic actors on Chinese Foreign policy?
5. In what ways does China try to reconcile its non-intervention policy with interventionist activities?

Addressing these questions may help to identify and understand the shifting dynamics of Chinese Foreign Policy and its general tendency towards a particular trend, not only in Africa but globally as well. This study is therefore an attempt to seek answers to these and many other essential questions.

The study is based on qualitative research and relies mostly on secondary sources of data, most of which is gleaned from news reports, official pronouncements, statements by public officials and journal articles. It involved an extensive analysis of the statements and behaviours of African and Western governments, as well as

regional and sub-regional organizations and non-governmental organisations (NGOs), and how their actions and reactions may have played a role in China's decision to intervene in the Sudan conflict. This was in turn followed by an analysis of Chinese government responses including announcements by Chinese officials made through official statements, mediation efforts, meetings and discussions with local officials, increased troop commitments etc.

The study also analyze the reactions of local and regional actors, and the responses of regional organizations within Africa, especially the African Union to ascertain the influence they may have had in compelling China to change its policy stance. In a nutshell, this study focuses on the discovery and validation of causal mechanisms, and through an analysis of words and actions largely based on process tracing, we can draw inferences on the shifting dynamics of China's foreign policy practices and causally link these changes to events, actions and reactions within Sudan, Africa and the broader international environment.

The timeframe under consideration in this research is the 10-year period from 2003 to 2013. The starting point of 2003 marks the beginning of the Darfur conflict and covers events throughout the period until 2013, when violence broke out in South Sudan. This period adequately represents the challenges that China faced in both Sudan and South Sudan, and this research addresses the events and actors, both internal and external that impacted China's foreign policy actions and reactions.

RESULTS AND DISCUSSION

Non-intervention in China's Africa policy

Non-intervention is generally defined as a policy characterized by the absence of interference by a state or states in the external affairs of another state without its consent, or in its internal affairs with or without its consent. (Hodges, 1915).

The principle of non-intervention includes, but is not limited to, the prohibition of the threat or use of force against the territorial integrity or political independence of any state. The principle of non-intervention in the internal affairs of States also signifies that a State should not otherwise intervene in a dictatorial way in the internal affairs of other States (Encyclopedia Princetoniensis, 2014).

Non-intervention is generally regarded as international law and is recognized as "a corollary of every state's right to sovereignty, territorial integrity and political independence" (Oppenheim, 2008). This feeling is captured in the treaties of regional organisations like ASEAN, the African Union, and the Arab League. More generally, the UN General Assembly adopted a Declaration on the Inadmissibility of Intervention and Interference in the Domestic Affairs of States (UNGA resolution 2131 (XX), 1965).

In practice however, states' attitude towards the principle of non-intervention varies widely. This is partly the result of its attendant ambiguity. While the prohibition on the use of force is quite clear, it is not easy to ascertain which actions constitute intervention and which actions do not. It mostly depends on context, for example the relations between the States in question. The term "non-intervention" is

sometimes used interchangeably with "non-interference", though the latter may suggest a wider prohibition. While interpretations of non-intervention vary widely, this study uses the term in a broad sense to encompass diplomatic interference, subversive and clandestine political action and military intervention including peacekeeping operations.

Though smaller states may support non-intervention for the purpose of defense, in the case of larger countries like China, the situation warrants a different perspective. This is because China wields great power and has the capability and sometimes the obligation to intervene in other countries domestic affairs especially in cases of conflict and gross human rights violations.

Nevertheless, the Chinese government strictly adheres to a non-intervention principle, and has time and again re-iterated its opposition to interference in what it deems the "domestic affairs" of other states. This stance has sometimes come into conflict recent global trends like the internationalization of human rights and the diffusion of responsibility to protect (R2P), which have largely promoted the evolution of non-intervention principles in international law, at least, in customary law. Therefore, the tension between human rights and state sovereignty, two pillars of international law complicates China's diplomatic decisions (Ren, 2013).

China's long standing policy of non-intervention in the "internal affairs" of other nations means it is reluctant to take any action in resolving conflicts in Africa, or anywhere else for that matter. As a result, Beijing has chosen to stay out of the spot light of African politics, limiting its support to the idea of 'African solutions for African problems'. In this way, Beijing traditionally avoids taking a leadership role in helping to manage or resolve conflicts (Kuo, 2012).

China's non-interference stance is carried over from the 1954 "Five Principles of Peaceful Coexistence" which includes mutual respect for sovereignty and territorial integrity, mutual non-aggression, non-interference in each other's internal affairs, equality and mutual benefit, and peaceful coexistence (Anthony, 2012). These five principles have since been enshrined in the Chinese Constitution (National Congress of the Communist Party of China (NCCPC), 2004), and is included in virtually every bilateral treaty made by China. As a result, as a fundamental element of the Five Principles, non-intervention has become one of China's foreign policy tenets (Ren, 2013).

Historically, the Chinese government began to turn its attention to Africa in the second half of 1954. The Bandung Asian-African conference of 1955 provided a forum for Chinese delegates to meet personally with representatives of six African states. The conference incorporated the "five principles of peaceful co-existence" into the "ten principles of Bandung".

The original five principles still remain an essential part of China's policy toward Africa, and as mentioned earlier, the States in question. The term "non-intervention" is

is the pre-cursor to China's non-intervention policy (Shinn and Eisenman, 2012). China's Africa Policy was initially influenced by ideology, which was part of the unique international environment between 1949 and 1978. This era, generally known as the revolutionary period, was characterised by Chinese involvement in the liberation struggles of many African states. China saw itself on the frontlines in the fight against colonialism, imperialism and Soviet revisionism (Theron, 2012). During this period, Chinese policymakers largely ignored the official pledge for non-interference in practice, and Beijing became another player in the violent game of Cold War politics (Hess and Aidoo, 2010).

However, the period from 1982 marked a shift towards a more pragmatic approach. Beijing officially shifted away from a policy that emphasised 'war and revolution' to one of peace and development at the 12th Communist Party of China (CPC) National Assembly. This shift included a change in policies from which 'economy serves diplomacy' to policies in which 'diplomacy serves the economy'. The focus thus shifted to practical effectiveness in assistance and the spirit of 'developing together' (Li, 2007). Integral to this decision were the new principles that were established at the CPC National Assembly. This period was marked by a resuscitation of non-intervention principles and emphasized a new type of interstate political relationship based on "independence, complete equality, mutual respect, non-interference in others' internal affairs" (Rotberg, 2008).

The principle of non-intervention is likely a genuine, deeply-held belief among many Chinese officials and academics. It is, however, a policy that has also served China's strategic interests, evidenced in its response to recent coups in the Central African Republic (2003), Mauritania (2008), Guinea (2008), Madagascar (2009) and Niger (2010). While growing, Chinese interest had been registered in all five countries prior to their respective political upheavals, a pragmatic hands-off response "allowed China to continue to consolidate its position under the new strongmen".

In this regard, noninterference serves as a means through which China can maintain stable relations with host governments, usually with an eye to ensuring that economic co-operation continues unaffected by political change (Campbell, 2012). One of the offshoots of China's non-intervention policy in Africa is its "no strings attached" policy.

The Chinese government and its African counterparts maintain that Chinese aid is typically given with few political strings attached, as opposed to Western aid that demand for African governments certain political objectives and standards such as democracy and human rights. This policy appeals to African governments and is received in favorable contrast to the more coercive and forced conditionalities attached to loans and aid from the West.

Historically, Western donors have progressively undermined the sovereignty of African states by imposing reform agendas on them, first in the guise of Structural Adjustment Programmes (SAPs) in the 1980s, followed in the 1990s by demands for democratic reform (Tull, 2006). Structural adjustment and other Western driven economic prescriptions for Africa have proved detrimental to African countries, at worst, and unfit to African political, social and economic realities, at best (Iyasa, 2013). Tull (2006) further emphasizes this point:

"By offering their African counterparts a mix of political and economic incentives, the Chinese government is successfully driving home the message that increased Sino-African cooperation will inevitably result in a 'win-win situation' for both sides. The power of this argument is enhanced by a subtle discourse which posits China not only as an appealing alternative partner to the West, but also as a better choice for Africa" (p. 466).

With the policy of non-intervention, China has been successful in courting African regimes to ensure continued access to vital resources like oil. It has also secured markets for its exports and helped push Chinese companies into investing in foreign economies. The policy of non-interference has also proven to be a useful diplomatic tool for China by countering American hegemony through the projection of soft power and ensuring international non-recognition of Taiwan. The Chinese have found nonintervention to be a powerful brand used for projecting Chinese influence into Africa – a brand that most African leaders and some populations have embraced (Hess and Aidoo, 2010).

However critics have argued that China needs to play a more engaging and responsible role as a foreign power and that it is acting irresponsibly by conducting business with rogue regimes with bleak human rights records. They argue that China should put more pressure on these regimes and impose conditions that will ensure the protection of human rights. Chinese academic and policy elites counter that socio-economic rights take precedence over abstract political rights.

Furthermore, it is argued that political rights cannot be imposed from the outside; instead, sovereignty is to be protected and autonomy honored to allow for indigenous development strategies (Campbell, 2012). Kuo (2012) further emphasizes that, in contrast to the Western led liberal peace' – with its focus on good governance, free markets and protection of individual rights – the 'Chinese peace' emphasizes economic development led by infrastructure construction, poverty alleviation and stable governance. According to then Chinese Premier Wen Jiabao:

"China supports the development of democracy and the rule of law in Africa. But we never impose our will on others. We believe that people in every region and country have the right and ability to properly handle their own

affairs" (Jiabao, 2011).

Then Chinese Deputy Foreign Minister, Zhou Wenzhong, went as far as to say in 2004 that for the Chinese in Africa, "business is business- we try to separate politics from business" (Zhou, 2004).

The principle versus pragmatism dilemma

Although the Chinese government maintains a steadfast adherence to non-intervention in principle, in practice it has proven to be flexible with changing situations in the international environment, and China has inevitably been engaged in several international intervention activities, albeit reluctantly and cautiously.

China's mediation and reconciliation efforts in Sudan and South Sudan, Liberia, Democratic Republic of Congo, Chad and Mali are tacit acknowledgement that China is sometimes willing to adopt a more prominent diplomatic role. For example, after 2006, China played an important role in securing Khartoum's acceptance of the deployment of peacekeepers in Darfur. In late 2008, China actively pushed the governments of the Democratic Republic of Congo (DRC) and Rwanda to resolve the conflict in eastern DRC, where Rwanda was supporting rebel groups (Saferworld, 2011). In 2012, Chinese personnel were included in six out of seven United Nations peacekeeping missions in Africa. Since December 2008, Chinese warships have participated extensively in joint "anti-piracy" escort duties off the Horn of Africa (ARI, 2012).

China has also provided support to the UN led missions in resolving conflicts in Africa. In particular, China provided support to the UN Security Council led mission in Liberia by sending 1300 troops in 2007. Interestingly, China was the first country to push the UN Security Council to intervene in the Somali conflict during the 2006 UN Security Council meeting in Addis Ababa (Korinko and Chelang'a, 2014). By May 2007, China had contributed 1800 peacekeeping troops to UN peacekeeping efforts in Africa. At the moment, China has the largest of its peacekeepers among the five Permanent members of the UN mission to Africa (Gill et al., 2007).

More broadly, China's increasingly close relationship with African countries reveal an evolving foreign policy as Beijing strives to establish itself as a responsible world power. Beijing's leaders do indeed want China to be regarded as a responsible stakeholder. They recognize that a world power is expected to address the challenges and crises that afflict the international order (Jakobson, 2009).

Consequently, China's traditional foreign policy has been tested while contradictions in its noninterference policy, military relations, and economic engagement have been exposed. On the whole, Beijing has adopted pragmatic responses to the realities of a complex situation (Saferworld, 2012). China has largely justified her

intervention polices by acknowledging and emphasizing how changing situations in the international arena have increasingly forced China's hand. In the mind of China's policy makers, the application of the non-intervention policy has never been fixed in reality. As a result, it is common for the Chinese government to justify their intervention activities by combining the principle with flexibility in its political culture. Furthermore, China acknowledges that increasing globalization interdependence has made it difficult to differentiate between domestic issues and global issues (He, 2011).

Therefore, as its economy grows and becomes more exposed to global risks and uncertainties, Chinese foreign policy makers are being forced to react to the changes and challenges at home and abroad. For example, the slaying and kidnapping of Chinese oil workers in Ethiopia and Nigeria in 2007 and in Sudan in 2008 were reminders that China will have to deal with a growing number of non-traditional threats in countries in which it has commercial interests (Jakobson, 2009), and the deeper China ventures into the resource-abundant African continent, the more it will stumble upon various security challenges (Holslag, 2009).

Chinese workers in oil installations have been targeted in conflict zones all over Africa. In January of 2007, nine China National Petroleum Corporation (CNPC) Chinese oil workers were abducted and held hostage in the Niger Delta, following a separate kidnapping of 5 telecommunications workers in southern Rivers state (Harris, 2007). Additionally, during the Libya War, China recognized that it must do more to safeguard its economic interests after Chinese companies lost their investments in over 50 major projects in Libya, worth a total of US$18.8 billion. These investments, which were concentrated in the petrochemical and gas sectors, involved almost all of China's leading state-run oil companies, including China National Petroleum Corporation and China National Offshore Oil Corporation (China Daily, 2012).

Therefore to protect its overseas economic investments, the Chinese government will find it increasingly difficult to adhere to its long-standing principle of non-interference in another country's domestic affairs (Jakobson, 2009). Besides, many African scholars and policy makers are increasingly of the view that China's policy of non-interference is acrimonious and are of the opinion that China's policy of investing in belligerent and dictatorial governments has been a contributing factor to undermining peace and security in Africa. Additionally, as the Chinese presence in Africa grows, this policy will increasingly be challenged. This is not because China harbors secret designs upon Africa but rather because on-going political instability coupled with China's needs to sustain suitable investment environments, will demand of them a greater role in regional peace and security (Anthony, 2012).

Deciding how to free China of its 'non-interference trap' and formulate a more activist, yet not overly aggressive –

core principle is a major challenge for Chinese foreign policy makers today. In private, Chinese foreign policy specialists acknowledge that non-interference is no longer practical, tenable, or in line with Chinese national interests (Jakobson, 2007). Chinese researchers have also made careful formulations in academic journals about the need to adopt a more flexible approach to the nonintervention principle. For example, Wang (2007) of Beijing University writes:

"From the diplomatic point of view, non-interference of domestic affairs will still be an important principle. We should, however, see that the stability of other countries has become more and more related to our rights and interests in those countries, including the security of our overseas organizations and civilians. Therefore, China will contribute to the construction of harmonious society of other countries through diversified means of cooperation, consultation, aid, communication and so on".

In conclusion, China's attitude toward intervention has evolved in accordance with the changes in the international environment, and as China increases its engagement in the African continent, we are likely to see some more willingness for flexibility and tactical adjustments to its non-intervention policy. According to Large (2008b), the core Chinese foreign policy principle of non-interference has in recent times come under increasing pressure in its relations with Sudan. Since 1959, China has applied its non-interference principle to its relations with successive governments in Khartoum. From the mid-1990s, however, the Chinese role in Sudan has evolved accordingly with practical realities. Today China's challenge is finding a balance between its policies of noninterference with an increasingly complex environment, the result of Chinese economic involvement in Sudan; while taking into consideration the ongoing conflict in western Darfur and changing politics after the North-South peace agreement of January 2005 (Large, 2008b). An examination of China's role in the Sudan conflict will perhaps offer more insight into the specific situations that have prompted this changing stance.

China's intervention in the Sudanese civil war

Sudan marks one of the most well-known examples of China's ensuing dilemma between adhering to its principle of non-intervention on one hand, and the pragmatism of protecting its interests. China's subsequent actions towards resolving the conflict was highly regarded as significant, and also marks a pivotal shift in its policy towards Africa.

While the emergence of the Darfur conflict in 2003, just as the North-South civil war was coming to an end, brought forth a myriad of emerging challenges for China and its investments, the period before 2007 was nonetheless characterized by a staunch dedication to non-intervention in the Sudan conflict by the Chinese government, who continued to implement a tactical approach defined by a separation of politics from economics, the maintenance of elite-based ties and ultimately, non-involvement in the resolution of Sudanese conflicts. The period between 2005 and 2013 however, represents an evolving era of change and tactical adaptation to China's foreign policy approach as the challenges emanating from within the Sudanese context were compounded after the signing of the Comprehensive Peace Agreement (CPA) in 2005 (Barber, 2014).

President Hu Jintao's visit in 2007 with Sudanese officials in the capital Khartoum marked a turning point in China's policy stance. In a series of meetings, the Chinese President persuaded Sudanese Officials to accept UN peacekeepers in the Darfur region. China's actions did not end with only mediation. It voted in favour of UN resolution 1769 which authorized the deployment of a hybrid AU-UN peacekeeping force to Darfur, and even went as far as to contribute a substantial number of peacekeepers.

Between the period from 2011 to 2013, in the aftermath of the secession of South Sudan from Sudan, trade disputes between the two nations again bore witness to mediation efforts from China in a bid to stem the disruption of oil flow from Chinese oil fields. Not long after that, South Sudan was plunged into an ethnic conflict, this time threatening Chinese oil investments in the region. Again, China stepped and played a key role in an attempt to resolve the crisis. This section is an attempt to chronicle China's interventionist role in Sudan, first during the Darfur crisis in 2007, and then in the South Sudanese conflict in 2011 and 2014.

Diplomatic relations with Sudan were established as far back as 1959. However, the turning point of relations began when the National Islamic Front (now the NCP) seized power in 1989. It quickly lost favour with Western powers amidst accusations of links to terrorism which led to international isolation and US economic sanctions.

Consequently, Sudan turned towards China, which willingly extended a hand of friendship (ICG, 2012). A political framework and structure of bilateral investment agreements governing trade facilitated China's expanding economic relations with Sudan, but investment and activity in Sudan's oil sector remain central to relations (Large, 2008a).

In 1995, the Sudanese government extended an invitation to China National Petroleum Corporation (CNPC). The company set up its offices in Khartoum and began to participate in the bidding for and exploration of oil in Sudan. Two years later, the Great Nile Petroleum Operating Company (GNPOC) was formed. CNPC's stake in GNPOC was 40%.

In 1998, CNPC's construction arm, China Petroleum Engineering and Construction (Group) Corporation (CPECC) participated in the construction of the 1,500-kilometer-long GNPOC pipeline from Blocks 1 and 2

to the Red Sea. It also built a refinery near Khartoum with a 2.5 million-ton processing capacity. CNPC has upstream investment projects in Blocks 1/2/4, Blocks 3/7, Block 6 and Block 15. The crude oil pipelines of Blocks 1/2/4, Blocks 3/7, and Block 6 were also constructed by CNPC. No doubt, China has become a major player in the Sudanese oil industry, and has built a complete oil industry system that includes production, refinery, transportation and marketing. The following is China's shares in the different sectors:

Total oil investment (47.3%), upstream oil investment (43.8%), downstream oil investment (56.9%), oil pipelines (47.6%), oil refinery (50%), petrochemicals (95%), oil refinery and petrochemicals (51%), and oil marketing, industry and manufacturing (12.5%) (Liu, 2015).

In fact, China's development of the oil sector is inextricably linked to the country's brutal civil war which was fought largely in the South between 1983 and 2005. The oil boom helped to fuel the conflict by providing a means of payment for more weapons (ICG, 2012).

According to a former minister of Finance for Sudan, as much as 70% of the income generated from oil sales has been dedicated to acquiring and manufacturing arms (The New York Times, 2006). Thus, the development of the oil sector in Sudan was deeply implicated in the political economy of conflict in Southern Sudan. Most prominently in the 1990s, oil and the territorial control of oilfields became a fundamental dynamic in the war (Verney, 2000). This has in no small doubt fuelled and perpetuated the conflict in the Darfur region. Additionally, China has played a direct role in selling arms to Sudan and in developing its weapons industry. Chinese arms sales grew from twenty-five fold between 2002 and 2005 (Save Darfur Coalition, 2007).

Another facet of Chinese military co-operation in Sudan has been the assistance of Chinese companies to the building of at least three weapons factories outside of Khartoum (The Washington Times, 2006). This occurred in direct violation of a United Nations Security Council arms embargo. Although China denies violating the UN embargo there is compelling evidence from some of the most respected international human rights organisations that implicates China.

Furthermore, on January 26th 2007, the Chairman of the Security Council Committee established pursuant to UNSCR 1591 sent a letter to the President of the Security Council, in which it was stated that "shell casings collected from various sites in Darfur suggest that most ammunition currently used by parties for the conflict in Darfur is manufactured either in the Sudan or in China" (United Nations, 2006). It later emerged that between 2003 and 2006, China sold twenty A-5C Fatan fighter bombers and six K-8 advanced trainer aircraft to Khartoum, which were instrumental in the Sudan Armed Forces (SAF) bombing campaigns in Darfur during this period. China's Dongfeng

Company delivered more than 200 military trucks in 2005. In fact, within that same period, China was the largest supplier of small arms to the Sudanese government, selling on average, US$14 million worth of weapons a year (Shinn, 2009).

Sudan's civil wars have been long and protracted, and have resulted in immense suffering and destruction. Some estimates put the death toll at more than two million over the past eighteen years; this includes victims of direct violence or conflict- related starvation and disease. Half a million refugees have spilled into neighboring countries, and roughly four million people have been displaced and driven from their homes within Sudan (ICG, 2002). Multiple causes are cited as having led to the North – South civil war, including failure to share resources equitably, ethnic and religious difference and later, the discovery of and competition for oil. The start of oil production raised the stakes, with adverse consequences for those in close proximity to actual or potential oil producing areas (World Bank, 2003).

In 2000, the peace process for ending the civil war between northern and southern Sudan resumed, and by 2005, the SPLM/A and the government in Khartoum signed a Comprehensive Peace Agreement (CPA) which formally brought the war to an end. However, within the same period details of this agreement were being worked out, the humanitarian situation in Darfur was deteriorating. Dissidents in Darfur launched attacks against government forces in early 2003.

Initially, they comprised of two rebel factions: the Justice and Equality Movement (JEM), supported largely by the Zaghawa people, and the Sudan Liberation Movement/ Army which consisted mostly of the Fur people. Eventually, they splintered into numerous additional groups. The Khartoum government, in a bid to crush the insurrection, mobilized the indigenous Janjaweed militia in Darfur, choosing not to rely on government soldiers, most of who came from Darfur.

However, the situation quickly deteriorated, as the Janjaweed applied vicious tactics and egregious human rights abuses. By early 2004, an estimated 80,000 people had died or been killed, while 100,000 fled to neighboring Chad and an additional million internally displaced (Shinn, 2009). It was thus the 'Arabisation' of the conflict, with Khartoum's deployment of the Janjaweed to force the Darfuri tribes to make way for Arab resettlement that brought the taint of racism and ethnic cleansing that would shape the conflict, leading many to characterize it later as genocide (Barber, 2014).

While there was general agreement that the events in Darfur were terrible, and as such received worldwide condemnation, there was no agreement that it constituted genocide as defined in the 1948 Convention on the Prevention and Punishment of Genocide. The only government to have officially declared that genocide occurred in Darfur was the United States. In his address to the Senate Foreign Relations Committee   on September

9th, 2004, Colin Powell, then Secretary of State said, "genocide has occurred and may still be occurring in Darfur." He blamed the Janjaweed and the Sudanese government for the turn of events. Most human rights organisations agreed with the US's assessment of the situation, but the United Nations, African Union and most other governments referred to the abuses as "crimes against humanity" or "war crimes" but not genocide (Shinn, 2009).

It was in light of China's expanding military ties with Sudan during the early part of the conflict that laid the foundations for an increasingly globalized and consequential Chinese role in the Darfur context that would emerge from 2006 and pose a significant foreign policy challenge for the Chinese government (Barber, 2014). China's role in Sudan has been widely recognized as critical to prospects for a peaceful resolution to the Darfur conflict. It is also clear that Beijing enjoys an influential standing with Khartoum that could be of major strategic value in efforts to bring peace and security to Darfur (Small Arms Survey, 2007). The fact is that China, by virtue of her engagements with Sudan, and South Sudan since its independence, is inextricably an influential actor in local, bilateral and international politics. Apart from being the largest single investor in the region, Sudan and South Sudan's oil is exported primarily to China. In 2011, of the average production of 330,000 barrels per day, China imported 66% (Energy Information Administration, 2012). Aside from the Chinese Government, there are many other Chinese actors who are involved in South Sudan, including a variety of state-owned banks, corporations and private companies (Saferworld, 2012).

In spite of this, China had initially been reluctant to take any action towards mediation and reconciliation efforts in the Darfur conflict. Chinese Scholars have characterized China's policy with regards to the conflict in Sudan's western Darfur region during the first year since the initial eruption of hostilities in February 2003 as one of 'neutrality' and 'indifference' regarding its resolution. Chinese foreign policy officials and diplomats viewed Darfur as a 'local affair' and had been "successfully persuaded by Sudan government that made Chinese leaders believe what happened in Western Sudan was just local violence that could be controlled by government (sic) (Jian, 2012).

In that vein, China was consistently opposed to the imposition of sanctions against the government of Sudan over its policy in Dafur. It had even threatened to use its veto to block the UN Security Council from imposing sanctions against Khartoum, but never actually did so. It rather relied on diluting the language of resolutions and to frequently abstain from voting (Small Arms Survey, 2007).

In fact, until 2007, it abstained from most Security Council resolutions concerning Darfur. Starting with the first Darfur resolution in 2004, China consistently removed or tried to remove any harsh language that was critical for the Sudanese government.

In July, 2004 it abstained from a resolution that demanded the disarmament of the Janjaweed, and abstained from another one in September of the same year that called for a commission of enquiry to investigate human rights abuses in Darfur. China abstained from yet another resolution in March 2005 that requested sanctions against those responsible for committing violence in Darfur and in the same month, another resolution that called for the referral of the situation in Darfur to the International Criminal Court.

In April 2006, China abstained from a resolution that requested sanctions and a travel ban against four Sudanese individuals, and in August, it abstained on one that expanded the UN peacekeeping mission in southern Sudan to Darfur (Shinn, 2009). China had effectively managed to abstain from a total of 8 out of 22 UN Security Council resolutions concerning Sudan and Darfur since 2001 (Small Arms Survey, 2007).

In essence, the Chinese government perceived the Darfur conflict to be an internal affair which was to be left to the Sudanese government to handle, and as such continued to implement a Sudan policy in line with the broad agenda of promoting strengthened bilateral state-state ties, deeper commercial and military relations, and the reassertion of China's policy of 'non-interference'. This was in line with Beijing's belief at the time that it could separate its commercial role from political involvement at the local level (Barber, 2014).

To add to that, Beijing was able to maintain its stance in Darfur due to the fact that there was next to no international pressure on China as the international community was fixated on other global issues. It didn't help in the same year the crisis began, the US-led invasion of Iraq had taken center stage in the wider geo-politics, thus relegating the Darfur to the sidelines.

However, by mid-2004 China began to gradually change its stance on the Darfur issue, and was no longer willing to offer unconditional support to the Sudanese government. This was largely the result of pressure both outside of and within China. In March 2004, strong evidence emerged from the UN of the Sudanese government's role in the mass killing, rape and displacement of citizens. This sparks a renewed interest from the international community, and drew the attention of the Security Council and Western Media (Cockett, 2010). This brought forth immense international pressure that called for China to adopt a responsible stakeholder role in international affairs. The US government in particular, began to take a special interest in encouraging China's potential role in defusing the situation in Darfur (Barber, 2014). In addition, pressure from Chinese foreign policy circles called for a review of Chinese foreign policy and for China to collaborate with the other major powers to bring a resolution to the conflict (Ahmed, 2010).

At around the same time, numerous NGOs were working tirelessly to bring Darfur to the world's attention with undoubted success. Human Rights groups argued

that China was 'the principal impediment' to swift and decisive action and identified it as indispensable to Sudan and as having significant important leverage over the government of Sudan (Macfarlane, 2013).

By late 2006, considerable pressure had mounted to the effect that it threatened to detract from its hosting of the 2008 Olympics in Beijing. While China was hoping to use the Olympics to highlight its success story and use it as an opportunity to showcase its rapid economic growth and newfound modernity, Western criticism of China's actions or inaction in Darfur was spreading concern globally, to the extent that the Beijing Olympics was being labelled as the "Genocide Olympics". Dream for Darfur was perhaps the most vocal advocacy group in this arena, in large part thanks to American celebrity Mia Farrow who purportedly found the 'lone point of leverage with a country that has otherwise been impervious to all criticism'. Mia Farrow coined the term 'Genocide Olympics' and it quickly became part of colloquial language. Three months after the term's first use, there was a 400% increase on the previous three months in the number of newspaper articles linking China to Darfur. Despite much disagreement as to whether Darfur could be termed a genocide, the rebranding of the Games sparked furor, grabbing America's attention. This visibility was capitalized on by Dream for Darfur who hosted a torch relay of genocide sites, paid for full page adverts linking Darfur and China, hosted numerous rallies and exerted pressure on Steven Spielberg (the Beijing Games' artistic adviser) to resign. On the day Spielberg resigned, two letters were sent to Beijing both condemning China"s relationship with Sudan and expressing "grave concern". The first was a joint letter from Nobel Laureates and Olympic athletes, and the second was from the US Congress stating:

"There are calls to boycott what is increasingly being called the "Genocide Olympics" (Macfarlane, 2013)

These events did considerable damage to China's international reputation and led Chinese officials to engage in restoring the Chinese national image. In addition to western criticism over the Olympics, US policymakers voiced dissatisfaction with China's actions in Darfur. Ninety-six US Senators and 108 house members sent a letter to President Hu Jintao in April 2007 condemning China's actions in Darfur (Dorman, 2014). Under intense pressure, Beijing shifted from its traditional stance of non-interference in domestic affairs and began to actively lobby the Khartoum regime to accept an UN–AU hybrid force (Holslag, 2008).

Since early 2006, Beijing's approach to Darfur had shifted towards a more pragmatic stance. The shift was signaled during the debate over UN Security Council Resolution (UNSCR) 1706, which proposed the extension of UNMIS's mandate to cover Darfur (Small Arms Survey, 2007). Despite the uncertainty around UNSCR 1706, China publicly cast itself as playing a 'constructive role'   in

Darfur (Sudan Tribune 2006a).

China also showed support for the Darfur Peace Agreement by working through its UN representative, Wang Guangya towards a deal on the Annan plan. The US envoy Andrew Natsios later acknowledged that this was 'a vital and constructive role' (Natsios, 2007). Prior to that, China had already began a diplomatic campaign by deploying special envoys like Luo Guozeng to meet with Sudanese President Omar al-Bashir twice in August 2004 and February 2005.

The aim was to persuade the Sudanese government to change its policy and improve the humanitarian situation in the Darfur region. Additionally, the assistant minister of Foreign Affairs Zhai Jun also visited Sudan four times, where he urged the Sudanese government to stop the killings and make a real effort to solve the crisis, and to desist from confronting the international community through a hard-line approach. There were several other instances where Chinese officials took the opportunity to urge visiting Sudanese officials in China to work towards solving the problems in Sudan in a serious manner and providing economic, security and social assistance to the people of Darfur as quickly as possible (Ahmed, 2010).

It was pressure from the Chinese that largely contributed to the Khartoum regime's eventual acceptance of UN Secretary-General Kofi Annan's three-phase plan for the resolution of the conflict, including the deployment of a joint AU-UN peacekeeping force in Darfur (Saferworld, 2011). For the first time, China had publicly encouraged Khartoum to allow UN peacekeepers into Darfur (Sudan Tribune, 2006) and called for a 'comprehensive political solution' to the crisis (Sudan Tribune, 2006b).

These events had signaled a new phase of direct Chinese pressure on Sudan, in which China took advantage of any opportunity to request for action from the Sudanese government. For instance, in November 2006 during the China – Africa summit in Beijing, President Hu Jintao directly expressed China's displeasure with the situation in Sudan to the Sudanese President and requested that he co-operate fully with the international community. "We hope the Sudanese government can find an appropriate settlement, maintain stability, and constantly improve the humanitarian conditions in the region" according to Hu (Ministry of Commerce of the PRC, 2006).

Later during his visit to Sudan in February 2007, Hu Jintao is reported to have told the Sudanese President directly:

"Darfur is a part of Sudan and you have to resolve this problem" (Washington Post, 2007).

During the same visit, President Hu Jintao announced the four key principles for resolving the Darfur conflict. These were that Sudan's sovereignty should be respected, that there should be peaceful settlement through dialogue and consultation on equal footings, that the AU and   the   UN

should play constructive roles and that regional stability and the livelihoods of local people should be safeguarded (Yu and Wang, 2008). In several other cases, top level Chinese diplomats were sent by the Chinese government to meet with the Sudanese leadership. For example Zhai Jun directly requested that the government of Sudan accept UN Secretary General Kofi Annan's plan in a visit in April, 2007, where he also visited refugee camps in Western Sudan (Sudan Tribune, 2007).

It is widely believed that this form of direct pressure from China on the Sudanese government was instrumental in their acceptance of the UN peacekeeping forces. Liu Guijin who was appointed in that same period as the Chinese special envoy for African Affairs stated:

'The talks between the Chinese president and the Sudanese president, in February 2007, had helped the Sudan to accept the spread of the international forces in the Darfur region' (South China Morning Post, 2014).

On 31 July, 2007 China collaborated with other western countries and voted in favour of Security Council Resolution 1769, which authorised the UN to send 26,000 joint UN-AU hybrid peacekeeping force to Darfur (UN Security Council, 2007) much to the objection of the Sudanese government.

However, faced with joint pressure from China and the West, and coupled with the threat of additional new penalties, Khartoum finally accepted the deployment of the peacekeepers (Ahmed, 2010). China's UN representative, Wang Guangya, commented on his decision to vote in favor of the resolution stating, "It should be particularly emphasized that the purpose of this Resolution is to authorize the launch of the Hybrid Operation, rather than exert pressure or impose sanctions. Representative Wang's comments highlighted China's attempt to remain in good favor with the Khartoum government, while also accepting Western pressure (Dorman, 2014). The 2005 Comprehensive Peace Agreement brought an end to decades of civil war in Sudan between the principally Muslim North and the mainly Christian South, even though pockets of conflict continued in a few secluded areas.

However, as time went on it became obvious that a separation would take place. The secession process was largely peaceful, and in 2011, Southern Sudan overwhelmingly voted in a referendum leading to the creation of a new and independent nation state, the Republic of South Sudan. But it wasn't long before tensions began to rise over oil, the regions most valuable resource. After the recession, land-locked South Sudan now possessed about 75% of oil reserves, while the North had the infrastructure required to distribute it to the international market in the form of pipelines and ports.

In January 2012, South Sudan cut off all oil production in protest at Khartoum"s proposed oil transit fees (Think Africa Press, 2012). China's oil interests were now split,

leaving oil fields in South Sudan separate from the vital refineries and ports in Sudan. Chinese infrastructure development projects of the late 1990s and 2000s were now subject to maintaining a stable relationship between two divisions with long histories of violent disputes (Dorman, 2014). It was under these circumstances that China began its intervention by dispatching its envoy for African affairs, Liu Guijin, to the region. Liu managed to break the deadlock, warning that "the repercussions would be very serious" for all involved if the situation were not resolved (Think Africa Press, 2012).

Throughout the oil transit fee dispute between Sudan and South Sudan, China took a highly interventionist role in mediating the conflict by initiating talks between both sides and attempting to coerce the South Sudanese officials to end the conflict. China hosted South Sudanese President Salva Kiir in Beijing and directly pressured him to seek an end to the conflict in April of 2012. During fighting over the Heglig oil field in Sudan in which both Sudan and South Sudan claimed ownership, China attempted to quell the growing violence calling for the withdrawal of South Sudanese forces from the region (Dorman, 2014).

It is largely acknowledged that "China […] has played an important role in changing peace and conflict dynamics between and within the now separated countries over the last two decades" (Attree, 2012). China's successful courting of both Khartoum and Juba politically and economically exhibits a delicate balancing act. This is largely because China has an economic interest in ensuring the peaceful co-existence of both states. To that extent it may be willing to depart from its non-intervention policy. For example In May 2012, the UNSC unanimously, with unexpected approbation from China, approved Resolution 2046. This resolution threatened economic and diplomatic measures against both Sudan and South Sudan if further border violence occurred (Kimenyi, 2012).

After violence broke out in December 2013 between South Sudanese president Salva Kiir and rebels loyal to ousted vice-president Riek Machar, Beijing once again felt the need to intervene. It took a proactive role in trying to end the violence by dispatching special envoy Zhong Jianhua to carry out mediation efforts (South China Morning Post, 2014). Both he and his US counterpart visited Juba in December in an effort to broker a ceasefire in support of the regionally-led Inter-Government Authority on Development (IGAD) negotiations, and both China and the US worked together to facilitate the rapid and unanimous adoption of UNSC Resolution 2132 to temporarily increase the overall force levels of UNMISS to 12,500 troops and 1,323 to support its protection of civilians and the provision of humanitarian assistance.

Significantly, the Chinese Foreign Minister Wang Yi also met separately with representatives from both the government and the rebel SPLM faction in Addis Ababa, urging both sides to end the violence and restore the rule of law and order (Barber, 2014). Again, Foreign Minister

Wang Yi, while visiting Ethiopia around the same time, also called for an end to hostilities, urging all sides to start talks. These efforts led to the two sides finally signing a ceasefire. (South China Morning Post, 2014) Zhong Jianhua later stated:

"China should be engaging more in peace and security solutions for any conflict there…This is a challenge for China. This is something new for us … It is a new chapter for Chinese foreign affairs," (Zhong, 2014).

The most dramatic turnaround yet of China's non-intervention policy in Sudan occurred in June 2014, when the United Nation's chief of peacekeeping, Herve Ladsous confirmed that China, in a sudden break from previously observed protocol, was in the process of deploying a battalion of 850 armed soldiers to assist the UN peacekeeping mission in South Sudan (Daily Maverick, 2014). Serving under a force of 12,000 blue helmets in the UN Mission in South Sudan (UNMISS), the soldiers were to be tasked with protection of civilians, humanitarian workers and providing security escorts as well as patrols (Xinhua, 2017).

They will be equipped with light weapons for use in self-defense, armored vehicles, and bullet-proof gear (The Diplomat, 2014). This is the biggest break from China's policy, and its commitment of battle ready, full combat troops is the clearest sign of an evolving policy. Never before had China committed troops in such numbers, and especially with a mandate to use force (Daily Maverick, 2014).

Spokespeople from both the Foreign Ministry and the Ministry of National Defense have however underlined that the Chinese troops would not undertake any special missions outside their UN mandate. "The Chinese peacekeeping troops will strictly abide by the international law and stick to their mandate," Geng Yangshen of the Defense ministry told reporters. He added that the troops "will not get directly involved in the armed conflicts of the mission country" (The Diplomat, 2014).

In July 2016, two Chinese peacekeepers died and five others injured after their vehicle was struck with a rocket-propelled grenade while guarding a refugee camp near a UN compound for displaced people. Speaking during an event to mark the International Day of UN Peacekeepers in the capital of South Sudan, head of UNMISS David Shearer said despite working under difficult conditions, the Chinese peacekeepers with their colleagues from other countries have sacrificed their lives and time in the service of the people of South Sudan (Xinhua, 2017).

In conclusion, China's move towards mediation and conflict resolution in both Sudan and South Sudan highlights a significant shift away from its non-intervention policy. China's role in the conflict is a point of reference for Chinese innovation in balancing its policy of non-intervention to changing situations. Without completely changing its policy, Beijing managed to maneuver itself step by step, and in a tactical manner. Rather than follow a particular laid down strategy, Beijing's actions were mostly reactive; the result of several factors both domestic and international.

Making sense of China's actions in Sudan

The different phases of China's involvement in the Darfur conflict have been observed by many as marking an evolution of China's foreign policy strategy. Yu and Wang (2008) contend that China's actions during the Darfur conflict "indicates that China's diplomacy in Africa has entered a new stage". He (2007) also notes that Darfur illustrates how "China is adapting to new circumstances in Africa" and Raine (2009) admits that "some greater flexibility on the non-interference principle is emerging. It is no longer quasi-sacrilegious in China to question the limits of sovereignty". Does this then signal the beginning of a new policy, or at least a gradual and systematic shift away from non-intervention? For many of these observers, events during the conflict represent gradual changes in Beijing's foreign policy and demonstrate that China is willing to make adjustments in its policy of non-intervention, at least in some cases. However, China's role in Darfur was the result of several unique factors. They include international pressure, economic interests and the need to enhance its international image. The study will examine each of these in greater detail.

International and domestic pressure

China suffered heavy criticism for its initial stance in the Sudanese conflict that is, backing the Sudanese government through economic investments and blocking UN resolutions targeted at Sudan. By blocking these resolutions, China prevented the UN from imposing sanctions that would have provided the needed pressure on President Omar Al Bashir to stop the killings in Darfur. Not only did the western media criticize China for hindering efforts in that direction, but celebrities and non-governmental organisations embarked on a campaign to oppose Beijing's hosting of the Olympic games, calling it the "genocide Olympics".

African leaders also added their voice by openly criticizing the Chinese government's actions and labelling China as a stumbling block to resolving the situation. This further impacted negatively on China's image and threatened its relations in Africa. While Beijing's initial aversion to intervention and its desire to abstain from the conflict situation was frowned upon by the international community, Chinese scholars, officials and experts in Beijing also acknowledged that the government could and should do more without compromising on its long standing policy.

Thus in light of these intense criticisms, China was eventually forced to abandon its initial stance. These events marked a turning point in Chinese Foreign Policy, as pressures from the international community, human rights organisations and civil society had effectively influenced a shift in China's stance in Sudan. Well aware of the criticisms it continually received, Beijing recognized the need to move from a position of self-interest to one of adherence to perceptions of the need to act more responsibly. Indeed, within the past few decades China has had to, stemming from its continued rise as a global power, contend with increased expectations from the international community to participate more actively in interventionist activities committed to peace building and prevention. Though staunchly opposed to the idea of intervening without the consent of the host state, China has gradually come to terms with several provisions contained within international norms such as the R2P doctrine.

Likewise, China has had to contend with requests from African states and regional and sub-regional organisations like the African Union to intervene in the interest of peace and security on the continent. Such calls provide some semblance of legitimacy as it falls in line with the Chinese stance that allows for intervention when a nation requests for intervention. Requests from the African Union also holds more weight, and ignoring these requests will very likely damage China's standing on the continent, thus reducing its ability to secure more beneficial partnerships with African states, which will in turn hamper its access to much needed resources.

Economic interests and safety of Chinese citizens

In line with China's economic rise, Chinese companies have increasingly turned outwards in search of natural resources, new markets and global experience. Africa has played host to an increasing diversity of Chinese companies from small privately owned enterprises to huge, multinational state-owned corporations. These companies have invested billions of dollars into not only traditional sectors like oil and mining, but increasingly towards other sectors like banking and finance, agriculture, manufacturing and real estate.

In line with this increased economic interaction, China has felt the need to show more interest in the domestic conditions of host nations, particularly with regards to economic and security concerns. This is with the understanding that issues that give rise to general instability pose a security risk to Chinese investments and personnel, and tend to increase the overall cost of doing business. China felt compelled to intervene in order to safeguard its heavy investments in the region and the lives of its citizens, especially in the oil sector.

In so doing, they recognized that a stable and secure environment was more conducive to its commercial investments and interests. It was increasingly becoming obvious that China's investments and the lives of its citizens was at stake, especially with the kidnapping and murder of Chinese citizens by rebel groups like the Justice and Equality Movement and Boko Haram.

Increasingly, Chinese nationals are being targeted by these armed rebel groups and the Chinese government has struggled with criticism from its citizens for its failure to protect its citizens in Africa. As such, China could no longer remain strictly passive in these circumstances. For China to achieve its resource security objectives, it is imperative that they have unimpeded access to oil and other natural resources needed to sustain a burgeoning economy largely based on manufacturing for export. As it so happens, a huge percentage of China's energy and natural resource imports come from developing countries, with the attendant high incidence of instability. This consequent intertwinement of China's domestic economy with the security conditions of resource markets ensures that for the foreseeable future, China will maintain a close interest in the internal situations of their trade and investment partners, and if need be, take the necessary steps to promote security and regime stability in order to ensure a peaceful and stable business environment.

International image

Additionally, China's involvement in the conflict was motivated by concerns regarding its image both in Africa and internationally. China is presently dealing with a gradual shift in its image and self-perception of its role in the international community.

Since the 1990s, the Chinese government has gradually acknowledged the fact that improving its international image and standing requires some level of adherence to international norms. It has since taken several steps in that direction, particularly through participation in multilateral institutions. Quite simply, it may have dawned on China that with greater power comes more responsibility, and it has to change its approach to its relations with African countries to better reflect its desire to appeal to many as a responsible world power, cooperating with the west to ensure world peace. By getting involved, China hoped to improve its standing and to win the support of the international community and especially that of African countries, which is vital as a way of garnering support in advancing its interests globally. For China, adherence to international norms is a way to increase its reach and influence abroad, and project its image as a responsible power. This was more so, in light of the international reputational damage and moral costs of its initial stance.

Given its economic interests in the two Sudans, as evidenced by its heavy investments in the oil sector on one hand, and the volatility and continued instability in the region on the other, Beijing's foreign policy will continue to be challenged. The fact is, China is inextricably linked in a

mandatory, triangular and uneasy relationship with Sudan and South Sudan, a situation that will continue to test its non-intervention policy. Maintaining a positive global image and a good standing among its peers will increase the willingness of Western powers to cooperate with China, but also assure the international community that China is committed to contributing towards the overall good of the international community. The greater the perception that China is a responsible power, the less opposition it will face in the international arena. With less opposition, China can more efficiently pursue its domestic and international ambitions, thus devoting more resources and efforts towards meeting its growth, resource security and foreign policy objectives.

To add to that, Beijing has had reason to be seen taking some responsibility to conflict resolution in order to avoid the "free rider" label by Western nations. The "free rider" label is the result of China's continuous abstention from Western-led interventionist actions in conflict areas, and its subsequent tendency to make post-conflict investment in such areas.

In line with its desire to dispel this stigma, China's Vice Foreign Minister, Song Tao in 2013 stated "emerging economies are not free riders…as they continue to grow, emerging economies will take a more active part in international affairs to promote international cooperation and tackle global challenges" (Song, 2013).

By intervening in the Sudanese conflict, China is thus taking the necessary steps to prove to the international community that it is a responsible power dedicated to achieving stability, and not a mere opportunistic "free rider" that only benefits from others' contributions and commitments. China's action in Sudan has earned it the role of "responsible mediator" as opposed to its previous label of "reluctant bystander", and has helped greatly to improve its international image and reputation in the international community.

Conclusion

China's expanding engagement throughout Africa means that it increasingly finds itself involved in African internal affairs, whether directly or indirectly. Given that Chinese investments in Africa are expected to increase exponentially, it is expected that motivations for China to intervene in conflict situations to protect their investments will become a more commonplace. In other words, it will increasingly become difficult for China to stick to the mantra of "business is business" and not get involved in the "internal affairs" of African countries in which it has heavily invested in.

Although China's bilateral engagement with African countries will continue to be defined broadly by the principle of non-intervention, recent events suggest that China is not indisposed to a more active engagement on peace and conflict challenges in Africa. In persuading   the

Khartoum to accept an UN-AU hybrid force in Darfur, China has already demonstrated its willingness to depart from its long standing principle and play a more active role in Africa.

However, China's role in Darfur needs to be qualified as it enjoyed a special relationship with Sudan, owing to its massive investments in the oil sector. While this may signal an increasing involvement and greater interest in African peace and security, it does not by any means represent the beginnings of a new policy. At least in official documents there is no sign that the Chinese government is considering changing this policy. For example, China's white paper on National Defense in 2010 explicitly reiterated, "China unswervingly pursues an independent foreign policy of peace and promotes friendly cooperation with all countries on the basis of the Five Principles of Peaceful Coexistence" (IOSC, 2012). As Large (2008c) warns:

"The Chinese government has not proactively sought to involve itself in peace processes; rather, it has affirmed the primary responsibility of the international community, and its interests have been threatened" (p.37).

He contends that the factors that pushed China into the conflict are unique, and must therefore not be interpreted as a signal towards Beijing's deeper engagement on African conflicts. In other words, as compared to Darfur, Beijing has limited economic investments and therefore little political leverage over other African states. Expectations of changes to Chinese foreign policy should therefore remain limited and must not be overestimated.

For Beijing, any involvement in African security, as in Darfur, illustrates a careful balancing of demands. On one hand, there is a mutual interest between China and African states in upholding the policy of non-intervention, while on the other hand China needs to protect its growing economic investments on the continent. Alongside this, is the need for China to demonstrate to the world its credentials as a peaceful rising great power that is willing to collaborate with other western powers in the name of world peace.

It is increasingly becoming difficult for China to balance all these roles at the same time, hence the need for flexibility. The fact that China has demonstrated a willingness to partake more actively in conflict resolution in Africa should be welcomed by all who have a genuine interest in peace, security and stability in Africa. However, there is also the fact that China is still very much attached to the principle of non-intervention and is cautions about getting involved in other countries' internal affairs, unless economic interests and/or international and domestic pressure drive it to do so.

Resolution of conflict in Africa is still not a broad and strategic policy of Chinese engagement in Africa. Even though Beijing regularly invokes its willingness to contribute to the peace process, the instances where it has

actually partaken in conflict resolution and peace negotiation efforts are few, considering its capability. What is clear from China's role in Sudan is the fact that the non-intervention policy does not equal indifference. What it means is that China has adopted some degree of flexibility in reality, mostly towards protecting Chinese investments on the continent, but also as a result of international and domestic pressure as well as recognition of its growing power and the need to act more responsibly.

China has come to acknowledge the fact that its economic and political interests in Africa are not fully compatible with a strict adherence to non-intervention amidst the growing realities and challenges of conflict and political instability on the continent.

In addition, China has progressively to come to terms with the fact that its definition and practice of non-intervention is not in keeping with contemporary global norms such as the R2P and the Responsibility while Protecting (RWP), which expects the international community to intervene in the interest of saving lives. With its rising status as a global power, China is expected to play a much greater role in preventing, managing and resolving conflict on the African continent. Aside from the obvious benefit of protecting its investments, it will go a long way towards enhancing China's image in the international arena as a responsible global power, and help build and foster trust among its partner countries in Africa.

Today, China is definitely a key actor in the international playing ground. The extent of its interest and willingness to engage proactively on security and conflict issues will continue to redefine the meaning and limits of the policy of non-intervention. One thing that is certain though, is that China's increasing engagement on the African continent will continue to test the efficacy of non-intervention, and in so doing expose the ever conflicting dilemma of principle versus pragmatism.

CONFLICT OF INTERESTS

The authors have not declared any conflict of interests.

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