Analyzing Military Interventions and Insecurity in Amhara National Regional State of Ethiopia: Insights from Custodian Theory

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Abstract

This piece employs custodian theory to analyze why Ethiopia's military intervention in the Amhara region has failed to restore peace. It argues that the 1995 Federal Democratic Republic of Ethiopia's (FDRE) constitution, rooted in ethnic federalism, excludes the Amhara and energizes ongoing conflict. Without constitutional reform and inclusive representation, military efforts will continue to worsen the crisis.

Introduction

Custodian theory is an oasis to analyze the causes of military intervention, militarily-induced insecurity, and the military's failure to bring security. Custodian theory argues that when a country is in political turmoil and its constitution is at risk, the country's military will intervene to protect the constitution, sustain constitutional order, and bring security. Huntington is considered the primary progenitor of custodian theory. According to Huntington's 1968 book *Political Order in Changing Societies*, when a state's constitution is breached, the state's military forces may step in to handle internal matters.

The state's military will operate as the protector of the constitution's laws, which includes safeguarding citizens, the state's security, and protecting civil institutions and the integrity of the territory, especially when civilian authorities are thought to be incompetent or incapable of upholding security.

In this regard, the military will face difficulties bringing security, and the conflict will intensify if it approaches as the defender of the constitution. The community or society is unwilling to collaborate with it due to various complaints, especially when there is the possibility that the constitution is perceived as exclusive and unrepresentative.

The Custodian Paradox: Ethiopia's Military Intervention and the Crisis of Constitutional Legitimacy in Amhara

Custodian theory is relevant to the FDRE's military force intervention in the Amhara National Regional State, or the ANRS. Following political uncertainty, conflict, and insecurity, which were difficult to manage by the regional security sectors and regional

civil authorities, the FDRE's military forces have been intervening in the Amhara region since 2018, claiming responsibility for upholding the 1995 FDRE Constitution and the rights of nations, nationalities, and peoples.

After 1991, the 1995 FDRE's constitution is the first constitution in Ethiopia that employs ethnic politics as a governing principle. After the collapse of the Derg regime in July 1991, political groups, various political elites, and scholars held peace and democracy conferences in Addis Ababa, Ethiopia. At the meeting, Ethiopia's Transitional Government (TGE) was formed.

TGE adopted a transitional charter, recognizing the separation of Eritrea, national rights, and the linguistic-ethnic restructuring of the country's administration. It also adopted the state's ethnic federalism policy (the Federal Plan) to implement and oversee decentralization based on language and ethnic boundaries.

After five years, the country transitioned from a transitional government to a government dominated by the Tigray People's Liberation Front (TPLF). This gave rise to the Ethiopian People's Revolutionary Democratic Front (EPRDF). EPRDF came with the herald of the ratification of the nation-nationalities constitution, and it stated that after nations and nationalities signified their representatives, the FEDRE constitution was adopted. In fact, during the ratification of the constitution, the Amhara ethnic group was unrepresented.

The FDRE constitution of 1995 lacks legitimacy and is not inclusive. The ethnic groups of Amhara were not provided with representation in the constitution. As a result, the constitution causes segregation of the Amhara ethnic groups and has not protected Amhara's various ethnic groups from genocide, intimidation, eviction, and targeted slaughter by other ethnic groups.

Thereby, the 1995 FDRE constitution is considered a source of insecurity. Prime Minister Abiy Ahmed's administration cannot mitigate insecurity in the ANRS as long as it is unwilling to revise the constitution to include ANRS issues.

Since the adoption of the 1995 FDRE constitution, the Amhara ethnic groups have been subjected to ethnic cleansing and genocide in various parts of the country. Consequently, Amhara is beginning to see the FDRE constitution as the real threat to its existence.

In understanding flaws in the FDRE's constitution, after the 2018 political reform, Abiy Ahmed promised to facilitate constitutional amendments to answer the question of political representation for all ethnic groups. The goal was to protect those groups from ethnically-motivated violence and equalize the playing field of politics for all ethnic groups.

But still, Abiy Ahmed's administration has not followed through on this promise because of pre-existing polarized views regarding the 1995 FDRE's Constitution. Some view the constitution as a holy document that allows the rights of marginalized ethnic communities to be respected. Others consider the 1995 Constitution as the source of ethnic conflicts. In particular, the constitution leaves Amhara ethnic groups ripe for attack. As a result, the

constitution's amendment has been delayed, and the existing constitution has not ended the atrocities of the Amhara. The Amhara ethnic group continues to be targeted for ethnic cleansing and genocide in various parts of Ethiopia.

Following this, the Amhara ethnic group in Amhara National Regional State has protested and rebelled against the administration of Abiy Ahmed. As a result, the ANRS has become a center of violence within the country. The violence has been causing economic ramifications, damage to civil institutions, and the death and displacement of innocents. In the name of defending the constitution and bringing security, the FDRE military has been operating in ANRS, but this has been getting objections and escalating the conflict. The FDRE military force has been failing to bring security.

Ways Out

Custodian theory argues that to address the underlying conflict, recognition, representation, emphasizing mutual respect for identities and interests, and creating mechanisms for coexistence and cooperation are important. Accordingly, if the politicians and ruling class truly want to keep Ethiopia in their hands, it is time to amend the constitution and reorganize the government in a way that the representation and rights of Amhara are respected, the rights of citizens come first, majority rules are respected, and geographically-based cooperative federalism is valued.

Additionally, there are regional states' constitutions. For example, the constitution of Oromia National Regional State has been segregating Amhara from the economy and politics. Like the 1995 FDRE's constitution, such regional states' constitutions need to be revised. There are roughly 9 to 15 million Amharas living in the Oromia National Regional State, and their rights, as well as rights to territory based on ethnicity, have not been safeguarded under the Oromia National Regional State's constitution. As mentioned in the constitution, the sovereign power holder in Oromia National Regional State is the Oromo.

The FDRE's military operation to defend the constitution in the Amhara National Regional State turns into a crucial instance of the region's conflict and violence intensifying. The FDRE's military intervention becomes a source of people's refusal to cooperate with security agencies and provide their support to the Fano forces, as the Amhara ethnic group has not trusted the 1995 FDRE's constitution.

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