

Minority empowerment, Self-determination rights and Sub-national constitutionalism in Tigray National Regional State: An analysis of the ‘Kunama community’ case

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Abstract

Since the FDRE constitution was promulgated in 1995, it was hoped that constitutionalism would be an irreducible national value and consequently serve as the main democratic response to the historical questions of self-determination and empowerment rights of all Ethiopians- majorities and minorities alike. Indeed, the constitution declared both individual and collective rights of the minority and majority Ethiopians are equally protected and complementarily recognized at all levels of self-administration and shared governance. Those rights are also recognized and guaranteed in similar way in the constitution of Tigray. This then implies that based on the federal and regional constitutions, the Kunama community (the subject of this study) as minority group can legitimately claim wide range of rights. Three components of self-determination rights namely; language and cultural rights, self-governance rights, and representation and participation rights are of special importance in this study. The purpose of this research was then to analyze the empirical relationship between self-determination rights, sub-national constitutionalism and minority rights in Tigray by taking the Kunama community as a case of analysis. To this end, the research collected primary information from in-depth-interviews and focus group discussions with officials, professionals, students and elders of the Kunama community in addition to document analysis of secondary sources. And, its findings revealed that having democratic and comprehensive constitutions at national and subnational levels is neither sufficient enough nor end in itself in terms of fully realizing minority self-determination and empowerment rights for minority groups as there appears to be marked realization challenges in this respect in the Kunama community context. And, this has a long term impact of widening and deepening minority-majority (the Kunama Vs the Tigrigna speaking people) and the minority – minority (the Kunama Vs the Irob community) gaps and tensions in the region. The gravity of the problem thus implies that bold initiatives and intervention schemes are required both from the supply side and demand-side levels to fill up the implementation challenges in the process of fully realizing self-determination rights and thereby empowering the Kunama community.

Key words: Minority, Minority rights, Minority empowerment, Self-determination rights, Sub-national constitutionalism

I. Introduction

The recorded history of modern Ethiopia testifies that the country was a unitary state with extremely centralized system for almost throughout all its history in the twentieth century. Given this, the state had long experienced unitarist thought and the process of centralization as instruments of controlling local government entities. In other words, local government entities and minority communities in those times were simply political and administrative extensions of the political center for repressing opposition against the political center and/or for extracting free labor and revenue in the form of taxation and tribute for the center. Presently, however, Ethiopia is a federal state and is also undergoing a constitutionally- backed process of decentralization. Its federalist thought and decentralization process are also premised on, amongst others, such ideas as installing grassroots democracy, enhancing development and accommodating diversity and there by laying the foundations for recognizing, protecting and empowering local government entities and minority communities in their move to enjoy right to self-determination in its full measure and not to simply controlling them.

Since the FDRE constitution was promulgated in 1995, it was hoped that constitutionalism would be an irreducible national value and consequently serve as the main democratic response to the historical questions of self-determination and empowerment rights of all Ethiopians- majorities and minorities alike. Indeed, the constitution declared both individual and collective rights of the minority and majority Ethiopians are equally protected and complementarily recognized at all levels of self-administration and shared governance. This is also partly the reason that in the eyes of many the FDRE constitution is uniquely viewed as radical, comprehensive and farsighted one. Uniquely unorthodox to other modern constitutions, the FDRE constitution (by virtue of its

Article 39) also grants all Ethiopian nations and nationalities (including minority groups) unconditional right to self-determination including up to secession. These all rights are also recognized and guaranteed in similar way in the constitution of Tigray. This then implies that based on the federal and regional constitutions, the Kunama community (the subject of this study) as minority group can legitimately claim wide range of rights. Three components of self-determination rights namely; language and cultural rights, self-governance rights, and representation and participation rights are of special importance in this study. However, having democratic and comprehensive constitutions at national and substantial levels and consequently the legal recognition and protection of rights has become simply not enough for this particular minority group. Both supply side and demand side challenges are constraining the community's full realization of self-determination and empowerment rights. It is thus in this background that this research has attempted to analyze the empirical relationship between self-determination rights, sub-national constitutionalism and minority rights in Tigray by taking the Kunama community as a case point of analysis.

1. Problem statement

Studies indicate that there is a vicious circle relationship between the overall development level (socio-economically, culturally, politically... etc) of a given country and the extent and depth of empowerment rights it renders for its citizens in general and minority groups in particular. i.e underdevelopment defined in terms of economic backwardness, political mal-practices and weak legal entrenchment cultivates low levels of minority empowerment and this in turn contributes to underdevelopment. The case in Ethiopia in general and in Tigray region has not also been historically different from this. In its historical dynamics, Tigray was affected by history long economic backwardness, protracted conflicts and political unrest. As a result, self-determination rights for its entire people in general and empowerment for its minority groups in particular were not put in place let alone to be mainstreamed. In fact, the cumulative power of all the factors that the region experienced for long had broaden and deepen the relegation of minority rights directly (through physical violation) and indirectly (via limiting the possibility for positive infrastructural and institutional development and educational expansion that could pave the way for sustainable minority empowerment).

With the change of Ethiopia's political system since 1991 towards federalist and democratic republican style of governance (for which Tigray is considered to have played a pioneer role both intellectually and politically), a reasonably tremendous progress has been made nationally as well as regionally in terms of guaranteeing citizens' self-determination rights and minority protection and empowerment. Similarly, the National Regional State of Tigray has not only constitutionally recognized and protected self-determination rights for its minority groups (Irob and Kunama) but also demonstrated commitment and undertaken certain positive political and institutional initiatives towards giving them practical leverage too. Amidst this, however, major gaps and tensions have been felt out. The gaps and tensions have two-dimensions. The first and very general one is that the legal, political and economic initiatives put in place by the region thus far are still far from capable of mainstreaming self – determination and empowerment rights for the Irob and Kunama communities and hence are deficient to narrow down the gaps with the majority group in the region (the Tigrigna speaking one) – hence the minority- majority gap/tension. And, secondly, there are striking differences between the Irob and Kunama communities too when it comes to progressive realization of their self-determination and minority empowerment rights despite the fact that they share the same legal status as minority groups and the same extent and depth of constitutional rights both by the FDRE and the TNRS constitutions. For instance, on the issue of self-rule the Irob people now has a special Wereda administration status. Moreover, the degree of Irob people's enjoyment of right to 'equitable representation' in many aspects of the regional government's shared- rule is now more comparable to that of the majority group (the Tigrigna speaking people) than that of the Kunama. Yet, on the other hand, the Kunama community has no special Wereda status. Nor is the degree of its enjoyment of right to 'equitable representation' in the regional government a significant and remarkable one and this is comparatively making the community relatively underdeveloped and with sever challenges of minority self-determination and empowerment rights exercise-hence the minority-minority gap/tension. This then comes at odds with our general knowledge that Tigray is the home base of federalist political thought which preaches about the twin principles of shared-rule and self-rule and one that renders a package of rights to minority groups at all levels of governance and in full measure. Why? Because the region that generates this thought and pioneered the struggle thereof would normally be expected to go extra- mile and take the lead also in the realm of fully interpreting them on the ground. And, that has to start from making investment on its minority groups like the Kunama community so that this would help others to emulate it as a lesson. Given this, this study was meant to provide an analysis of how regional states can deepen and widen the practice of self-determination and empowerment for minority communities (in this case the Kunama community in Tigray) through the instrumentality of entrenching sub-national constitutionalism. It is thus highly important from the academic point of view because thus far Ethiopia's federalism has been studied from the perspective of the "center or above" which then made the regional states almost invisible. Yet, this study has attempted to offer a fresh look at the Ethiopian self-determination and minority empowerment experiment from the perspective of "below". Having this context in

mind, therefore, this study has analyzed the empirical relationship among issues of self-determination, sub-national constitutionalism and minority rights in Tigray national regional state by taking the case of Kunama community as a unit of analysis. To this end, the research was guided by one key question; why is that the Kunama people is not as bold as even its Irob counterpart in progressively realizing its rights to self-determination and minority empowerment? Is it because community demand is not there or because there are other implementation challenges from above or from below?

2. Research methods and methodology

The research utilized both secondary and primary methods of data/information gathering. With regard to secondary sources, the study relied on document analysis which included the FDRE constitution and the constitution of the National regional state of Tigray, and other pertinent literatures such as articles, books, journals...etc written on such areas as self-determination, constitutionalism, minority groups, minority group rights and minority empowerment. And, with regard to the primary sources, the study used in-depth interviews and focus group discussion with the legislative and executive officials in Tahtai Adyabo Wereda where the Kunama community is found. The interview also included randomly selected individuals from the Kunama community's elders, teachers and students of both sexes. Consequently, the research adopted a descriptive-analytical case based study methodology as its main purpose was not to drive statistical but analytical generalization. This in turn made the research to be largely qualitative in nature.

3. Conceptual frame work: Definitions and categorizations of minority and minority rights

Despite the fact that the question of minorities enjoys international prominence, little has so far been done to formulate an authoritative, generally acceptable definition of a 'minority'. A plausible reason for this neglect, as argued by Gilbert (1992), might be that the lack of a definition could be used by states as an excuse not to deal at all with potentially contentious minority issues at home by claiming that the relevant group was not a 'minority' and had no claims to special rights, but was simply part of the broader national population. It is also instructive that multilateral organizations such as the United Nations (UN) and the European Union (EU), have historically not been very forthcoming with definitions of minorities; it was only recently that they began addressing the vital question of defining a minority. (Ibid). To fill this conceptual gap, Francesco Capotorti, Special Rapporteur of the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities, in 1979 proposed the following definition of a minority: 'A group numerically inferior to the rest of the population of a State, in a non-dominant position whose members - being nationals of the State - possess ethnic, religious or linguistic characteristics differing from those of the rest of the population and show, if only implicitly, a sense of solidarity, directed towards preserving their culture, traditions, religion or language' (Capotorti,1979). This definition later gained wide acceptance because in their definitions of a minority (or national minority), both the European Commission for Democracy through Law and the Parliamentary Assembly of the Council of Europe in 1993 also essentially captured Capotorti's formulation. The gist of these mainstream definitions is, thus, such that a minority is 'a non-dominant, institutionalized group sharing a distinct cultural identity that it wishes to preserve.' One can thus note that most of the definitions of minorities refer to the historical link between the specific minority group and the state in which it finds itself. This is important because the plight of other disadvantaged groups, such as women, is also often seen as a 'minority cause'; while in terms of existing definitions they do not qualify as minorities and hence cannot claim minority rights. Accordingly, the term 'minority' embraces three distinct groups and consequently minority rights are applicable to these three types of minorities. The first and most common are national minorities. Such a minority consists of a group that is numerically smaller than the rest of the population of a country; its members, nationals of that state, display ethnic, religious or linguistic characteristics different from those of the rest of the population; and they are committed to safeguard their culture, traditions, language or religion. These are the classical minorities that are the subject of most existing international instruments of minority protection. Culture and language are thus the key distinguishing features of minorities in this category, hence the widely used appellation 'ethnic minorities.' Among the numerous examples of 'national' or 'ethnic' minorities are the Kurds in Turkey, Swedes in Finland, Germans in Belgium and Italy, Serbs in Bosnia-Herzegovina, French in Canada, Tamils in Sri Lanka and Afrikaners in South Africa and the like. Ethno-cultural minorities are the second category of a "minority group". They are often immigrants and refugees and their descendants living on a more than merely transitional basis in countries other than those of their origin. These minorities are in many cases different from the majority in such features as race, culture or religion. The Turks in Germany, Indians and Pakistanis in Britain and Mexicans in the United States are good examples in this regard. Finally, Indigenous peoples fall in the third category of a "minority group". They share all the characteristics of national minorities but have an additional distinguishing feature: they are the original inhabitants of their countries, having settled there before the majority population. The San in South Africa, Aborigines in Australia, and Maoris in New Zealand and Inuit in Canada are cases in point in this regard. For the purpose of this study, therefore, "minority" is operationally defined as a group that possesses both the characteristic features of the first and the third definitions above. This definition is adopted

because the “Kunama community” defined here as “minority” essentially captures the senses reflected in both definitions.

On the other hand, minority right generally refers to the sets of rights enjoyed by the three categories of minority groups discussed above. In the 1990s the issue of minority rights in plural societies rose to the top of the global political agenda for the first time since 1945. Although there had since the 1950s been a gradual international recognition of the need to protect minority rights, the issue gained a new prominence and urgency with the upsurge in ethnic conflict following the collapse of communist dictatorships in Eastern Europe. Today the status of minority communities remains a central political issue in many parts of the world. Minorities and majorities across the globe still clash over such issues as language rights, religious freedom, education curricula, land claims, regional autonomy and national symbols. The politics of language – involving decisions on which languages to use in political, judicial and educational institutions – is in many states at the heart of conflict between minority groups and the majority populations. Recent history is also replete with examples of such conflicts. Given this, the major concern of minorities worldwide has now become one of consolidating the gains made in the 1990s and ensuring that governments fulfill their obligations under what constitutes an international minority rights regime. Since this period, the concept of minority empowerment and self-determination rights has emerged as one that attracted wider attention. Depending on the context it is used, the concept has elastic and different meanings. It also generally has internal and external dimensions. However, in this study because the external dimension (secession right) has become practically irrelevant it is not considered. Therefore, self-determination is understood only in its internal sense and accordingly it has three components; linguistic and cultural rights, rights of self-governance (self-rule) and rights of equitable representation and participation at all levels of governance (shared rule). Concomitantly, the minority empowerment rights is understood as a concept capturing such essences as respect, recognition, protection and promotion/development rights of minority groups. However, due to the fact that the respect, recognition and protection dimensions of the rights of the Kunama people are as equally guaranteed as that of their Tigrigna speaking and Irob counterparts and hence they have not lagged that much in this regard, minority rights are here discussed primarily in light of the promotion/development dimension. That is also what matters most for any meaningful discussion on rights realization.

3.1. Self-determination rights as applied to minority groups: definitions and component parts

Because of the co-emergence of the concept of ‘state’ and ‘nation’ in the history of modern state formation, as Bradshaw (2008) also argues, the definition of self-determination has increasingly become ever fluid and contestable. Added to this, because of its emotive nature, more often than not, a refrain from giving a definition to the concept of ‘self-determination’ has become the dominant exit strategy for many. Thus given, many loosely use the concept to refer to ‘state sovereignty/independence’ especially in association with the context of colonization. For instance, Hoskyns (1969) argues that ‘The principle of self-determination is relevant where foreign domination is the issue and it has no relevance elsewhere’. Others also use it to refer to “nations’/other form of groupings’ freedom/liberty’ in association with situations of struggle for self-rule/autonomy while being inside a given country. However, a more compressive meaning to the concept of ‘self-determination’ is given by Shivji Issa (1991) which refers broadly to two inter-connected aspects. One is the internal aspect which defines the rights of all peoples to freely determine their political status and to pursue their economic, social and cultural developments and the other is the external aspect which refers to the rights of peoples to freely determine their place in the international community of states. So, from these two, the concept of self-determination can be broadly used to describe; 1) the right of colonized people to independence and the formation of their own sovereign states, 2) the right of oppressed nations to self-determination, including the right to secede, 3) the right of peoples, nations, nationalities, national groups and minorities to freely pursue and develop their own culture, traditions, language and religion, and 4) the right of all peoples to determine democratically their own socio-economic and political systems of governance and government (**for more illustration on this see table-1 in appendix A**). The fluidity and flexibility of the meaning of self-determination, notwithstanding, in this study the concept is therefore used in its broader sense although the referent object here is neither the state nor the nation in their full senses but the national minority group. Similarly, despite the concept of ‘self-determination right’ has internal and external dimensions, for the purpose of this study, the external dimension (secession) has been rendered irrelevant. Hence, the concept is to be understood only in its internal sense and accordingly it has three components; linguistic and cultural rights, self-governance (self-rule) rights and representation and participation (shared rule) rights for minorities.

3.1.1. Linguistic and cultural rights

From the chronological survey of documents (like international agreements, conventions and declarations) on minority rights it can be learned that these categories of rights have become popular in the cold war era. That is to say that the 1945 Charter of the United Nations is probably the first document that put critical influence in the enrichment of these rights by clearly recognizing ‘the principle of equal rights and self-determination of peoples’. However, the ‘peoples’ referred in the UN Charter, were not national minorities within states, but

rather entire national populations, especially those in colonial territories. To fill this gap, therefore, Article 73 of the charter, which deals with non-self-governing territories, obliges states administering these territories 'to ensure, with due respect for the culture of the peoples concerned, their political, economic, social, and educational advancement, their just treatment, and their protection against abuses'. Moreover, a notion of collective rights became evident in the 1948 Convention on the Prevention and Punishment of the Crime of Genocide when the Convention defined genocide as 'acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group as such' (ibid). However, the major problem of both the charter and convention is that the focus of their respective rights discussion remains to be limited to only the recognition, respect and protection elements. Both did not openly and directly touch the issue of rights' promotion and development which are much more important when the issue of collective right is discussed in relation to minorities. Then, as a consequence of this, explicit international recognition of the existence of minorities and group rights has emerged in 1954 in a recommendation of the United Nations Sub commission on Prevention of Discrimination and Protection of Minority Rights. This document, thus, underlines 'In states inhabited by 'well defined ethnic, linguistic or religious groups which are clearly distinguished from the rest of the population and which want to be accorded differential treatment', members of such groups have a right to establish their own schools and by virtue of the International Labour Organization's (ILO's) Convention on Indigenous and other Tribal and Semi-tribal Populations in Independent Countries, the right for continuity of the groups' values and institutions such as traditional forms of 'social control' and traditional land ownership and specifically with regard to education, the right to be taught by, read and write in their mother tongue and also for preservation of their mother tongue or vernacular language' (ibid). More importantly, also, the European Parliament in its Resolution on the Languages and Cultures of Regional and Ethnic Minorities, adopted in 1987, pointed to the need for members states of the European Union (EU) to recognize their linguistic minorities in their laws 'and thus create the basic condition for the preservation and development of minority cultures and languages'. Therein, in the field of education, the Parliament recommends that EU members should, among other measures, arrange for pre-school to university education and continuing education to be officially conducted in the minority and regional languages in the areas concerned 'on an equal footing with instruction in the national languages'. Measures recommended by the parliament in respect of the mass media also call for access to public and commercial broadcasting services 'in such a way as to guarantee the continuity and effectiveness of broadcasts in regional and minority languages, and for ensuring that minority groups obtain organizational and financial support for their programmes commensurate with that available to the majority' (ibid). Similarly, the FDRE and TNRS constitutions provide for a broad spectrum of rights that are relevant for the protection of both individuals that belong to indigenous minorities and to the minorities as groups. In addition to individual rights for indigenous minorities such as the right to equality and non-discrimination, freedom of movement and freedom to choose one's residence within the Ethiopian territory, and the right to vote and to be elected without any discrimination on any grounds including based on ethnic identity, both constitutions provide them also important group specific including, among others, the 'right to speak, write and develop their own language; to express, to develop and to promote their own culture; and to preserve their history'(FDRE constitution and TNRS constitution, 1995). The message from these documents is, therefore, such that the relevant state or majority is not only duty bounded to refrain from certain actions that could impinge on the rights of the minority, but also to take specific steps that would enhances the rights of that minority. Hence, in this study, the notion of 'minority linguistic and cultural development right' is used in such senses and implications.

3.1.2. Self-governance/self-rule rights

The Atlantic Charter of 1941 is believed to be the one that made significant influence in the enrichment of such rights by acknowledging 'the right of all peoples to choose the form of government under which they will live'. The ILO also later recognizes this set of rights especially for minority groups when it underlines that 'measures that ensure the promotion and full realization of the social, economic and cultural rights of these peoples need to be developed in consultation with the peoples concerned through appropriate procedures and in particular through their representative institutions'. In this regard, the ILO further states that 'measures must be taken for the full development of such institutions too'. And, most importantly, both the FDRE and TRNS constitutions guaranteed all ethnic groups and minorities in Ethiopia the right to self-government as an important component of the right to territorial self-rule. Although it may not be practically sensible for communities as small as the Kunamas, in principle the constitutions stretch the right to self-governance to include even the right to secede from the federation. However, this study takes minority self-rule (self-governance) right only to mean the right to enjoy autonomy in administration through, but not limited to, the establishment of own structures/institutions or even separate territorial rule at local level of governance and hence it excludes the secession from federation aspect.

3.1.3. Representation and participation rights

Representation aims at preventing the majority from depriving a minority of its proportional share in the legislative, administrative and judicial bodies so that the minority's presence at different levels of decision

making will be guaranteed. Moreover, the equitable representation of minorities will create harmony and peaceful relation among nationalities and strengthens the unity of the country which they inhabit. The representation of minorities may be effected both at the center and in the regional legislatures. Given this then, how are national minorities represented? According to Ciprian-Calin Alionnescu (2004), there are **four** different forms through which Minorities can achieve representation. First, minority associations can have a formal role in representing minority interests. This can have the advantage of depoliticizing certain minority-relevant decisions. Second, minorities can be represented through specific institutions such as cultural autonomy and minority councils which are established to represent minority interests. Third, minority interests can be articulated by parties or bodies which do not represent minorities perse, but rather a broader constituency which also includes a particular minority and fourthly, through the system of political party representation. In all the four senses, representation can thus be viewed both as an enabler for minority rights realization and as a broader tool to advance democratic governance in a given country. Despite this, however, national minorities often face the problem of under-representation in two major senses namely descriptive and substantive representations. Descriptive representation is “about the presence of ethnic minorities themselves in politics in order to create justice and legitimacy ground to a political system by dealing with the context of distrust in certain political institutions”. On the other hand, the substantive dimension entails to full representation of minorities where representatives “represent their constituents through the realization of their political needs and interests”. On the onset these two dimensions seem to be separate but in closer look at there is a connection between them. That is to say that on one hand the presence of national minorities in politics increases the chance that their substantive needs and interests are heard and on the other hand the presence of minorities in legislatures is not sufficient to enhance their substantive representation. In this respect, however, there are very few studies that address the underrepresentation of different groups within countries and even those that exist tend to focus much on the descriptive representation aspect and pay too little attention to the understanding of which features promote or obstruct the representation of national minorities substantially. This problem then explains why, in this study, both the descriptive and substantive dimensions of (under-) representation are investigated in order to picturize the degree of representation and participation rights of the Kunama community in Ethiopia including the factors that determine such process. How about the concept of ‘minority participation’? ‘Participation’ can be understood very broadly. For instance, the European Centre for Minority Issues (ECMI) (1991) distinguishes between consultative processes, co-decision making and full decision making forms of minority participation. In consultative processes, minority members have a right to voice their opinion on particular laws or decisions and state institutions are required to communicate particular policies to minorities. By its very nature, consultative processes provide no guarantee that minority voices are heard. When considering co-decision making, minority representatives are part of the institutions or the processes which take decisions, this can be at the level of executive or parliament in terms of institutions. In regard to decision-making processes, special minority institutions could also have the right to be included. This form of minority participation generally provides for greater safeguards that the opinions of minority communities are considered. Nevertheless, practice suggests that many forms of minority co-decision making often ignore minorities due to their limited representation. Finally, sole decision-making can occur when minority specific institutions or minority representatives in the government have the ability to take decisions fully autonomously. While the most effective form of minority participation, it can only function for a limited area of decisions, as many state-wide decisions cannot (or should not) be delegated to a minority institution. **(For more elaboration on this see also table-2 in Appendix B)**. The different forms of minority participation are complimentary but also have their specific scope. Thus, one needs to distinguish not only the degrees of participation but also the scope of the decisions in their application. For instance, decisions can be those that affect minorities only and directly as in the case of the use of minority languages in schools, they can be those that only have clear repercussions on minorities as in the case of the nature and content of history textbooks or they can be of broader relevance, which might affect minorities fundamentally. In this study, all the three forms of minority participation are thus considered.

4. Discussion and Analysis

4.1. Overview of self-determination rights, minority empowerment and the Kunama community in a historical perspective

In this sub-section, the demographic, geographic, socio-cultural and economic make-ups as well as the genealogical/identity root of the Kunama community are briefly discussed based on the information obtained from the Journal published by Wereda Tahtai Adyabo’s Bureau of Information (2nd edition, June 2001 E.C, Vol.no.1, translated from Tigrigna). Accordingly, the Kunama community, like others, has a yet to be discovered rich history, culture and tradition. The total number of the Kunama community is estimated to be around 6000 as of the year 2001. Of this number, while the 3500 live in Tahtai Adyabo Wereda- i.e ‘Sheraro’ town and its surroundings- the remaining 2500 live in an area known as ‘Adigoshu’. Geographic settlement pattern of the community is very scattered ranging from Northwestern to Western of the Wereda. Only very few of the community, however, are densely settled around Sheraro town, Adigoshu and Shinbilina areas. Those who live

around Sheraro town are found in Tabia 'Lemlem'-just 45 minutes' walk to the western direction of the town. The main economic base of the majority of the Kunama community is agriculture. And, some of them rely on cattle herding and artisanship. In this regard, the community is uniquely known for its hard working ethics and has zero-tolerance to 'begging'. The community also values high 'team work/collectivism' in all its economic activities. What is uniquely impressing about the Kunama community is also its cultural ethos and traditions. Of especial importance in this regard is the community's system of "Naming children". Probably unlike other communities in Tigray, in the Kunama community a child is given more than 10 different names. These names are given to the child by his father, mother, aunt, uncle and other members of the community. The child then chooses the name widely accepted by the community to be his name in schools and other official matters. Yet, in the community, names are not given randomly and arbitrarily. They are rather unique contingency/situation dependent and hence are phenomenal in nature. For instance, if the father of the child is a hunter, a name that somehow captures the essence of hunting activity in general or specifically the unique qualities needed to be a fit hunter will be given to the child. The Kunama community belongs to the Nilo-Saharan ethno-linguistic family. It has also four (4) major tribes with in it namely; the KALWA, the SHIWA, the GUMA and the SE'MA. Marriage relation among the tribes is such that KALWA with SHIWA and GUMA with SE'MA. Outside this frame work, other pair of marriage is not culturally allowed. For instance, KALWA or SHIWA can't form marriage relation with GUMA and SE'MA and similarly GUMA or SE'MA can't marry with KALWA and SHIWA. The name "Kunama" has also a historical origin. It is associated with the community's history of struggle for liberation both from internal enemies and external intruders. More specifically, during the community's war history with the Italians and the British and also internally with the 'Liban' and 'Hamasen' communities in today's Eritrea, the Kunamas had a long history of 'mobility' as a self- defense/saving strategy. Given this, the word "Kunama" is originally derived from the expression 'Zewar (literally means mobile)' to refer to the idea that the community normally prefers a geographic settlement that is strategically/militarily important for both defense and offense purposes. With regard to the genealogical /identity root of the Kunama community, although much is yet to be known, elders and scholars generally subscribe to what is famously known as the "BAZIEN THESIS". According to this thesis, the Kunama community used to live in Aksum (Central Zone of Tigray) during the reign of King Bazien (arguably, the community's first leader) of ancient Aksum. Yet, because of King Dagen's (from Kilde -Awlaelo – in today's Wukro, Easter Zone of Tigray) war of expansion and the consequent death of King Bazien, the community was pushed towards west and began to live in today's North Western zone of Tigray- specifically in and around 'Adyabo' Wereda. Settlement pattern of the community has thus since then extended from original places such as Byara, Eigini, Chea'Meskebet and E'rdi Mathewos to in and around Adyabo areas today. This way, thus, the community has become the original settler of Sheraro itself. Even the word 'Adyabo' itself is etymologically derived from two 'Kunamingna' (the language of the community) words 'Abo' (male) and 'Adabo' (female) in which especially 'Abo' means literally "lead me" and refers to a situation where, after the death of its leader king Bazien, the Kunama community was in desperate need of a leader that would save them from enemies and re-settle them where they are now. The community then calls such a leader 'Abo' and by inference 'Adyabo' to its land of living. The BAZIEN Thesis's narration of the genealogy of the Kunama community- being semetic in its 'civilizational origin'- has thus found itself in sharp contrast with a thesis that traces the ethno-linguistic origin of the community to the 'Kushitic civilization'.

4.2. The Kunama community-Tigrarian revolution relations in the state re-making and nation-rebuilding history of modern Ethiopian state

In its historical dynamics, Tigray was affected by history long economic backwardness, protracted conflicts and political unrest. As a result, self-determination rights for its entire people in general and protection and empowerment for its minority groups in particular were not put in place let alone to be mainstreamed. On the contrary, the violation and relegation of minority rights directly (through physical violation) and indirectly (via limiting the possibility for positive infrastructural and institutional development, educational expansion, and legal mainstreaming that could pave the way for lasting and sustainable minority empowerment) had been broadened and deepened overtime. The Kunama community was then one of the top victims of such history. According to the views of two anonymous participants (one 78 years old man and another 77 years old woman) in a Focus Group Discussion (FGD) which was held on March 10, 2014, 4-5 Local time, the oppressions and suppressions that the Kunama community had faced during particularly the rule of emperor H/Selassie and Derge were incalculable and extremely harsh in nature. For instance, they argued 'unlike even its counterpart in Eritrea, the Kunama community was for long denied the right to develop its language and culture-consequently 'Kunamingna' remained to be not part of a curriculum and hence subjected to extinction'. Furthermore, their argument goes, 'since to speak in Kunamingna was legally prohibited, the community was forcefully duty bounded to train itself with Amharic or Tigrigna languages for communication'. It was thus such miserable history that pushed Tigray in general and the Kunama community in particular to play pioneer role both intellectually and politically in bringing about political system change in Ethiopia which is in favor of federalist and democratic republican style of governance. Since the TPLF had started its armed national liberation struggle

in the western part of Tigray (area very close it) the role of the community especially in the beginning of the struggle was exceptionally critical. Reports also indicate that from the limited number of population it had (now they are only 6000), the community contributed around 180 soldiers to the struggle. This way, the Kunama community together with others in Tigray had paid costs of life and property for ensuring, among others, self-determination and minority empowerment rights. As learned from the in-depth interview with one anonymously quoted current representative of the Kunama community in Wereda Tahtai Adyabo's council (on March 12, 2014, 3-6 Local time) and the Focus Group Discussions (FGDs) held with elders of both the Kunama community and Tigrigna speaking peoples (on March 10, 2014) there were, however, two basic elements in the social contract between the TPLF and the Kunama community that deserve attention in the history of the protracted national liberation armed struggle. One is what they described it as the **'Two-nation thesis'** and the other the **'Land for security pact'**. According to the 'the two-nation thesis', the discussants underscored, the armed national liberation struggle that was led by TPLF and primarily waged by the people of Tigray (the Kunama community included) had envisioned a republic with 'two nations' –namely the Tigrian nation and the Kunama nation. Hence, the struggle was originally meant to be 'of the two nations and by the two nations and for the two nations'. This thus implies the fact that only later in the process the struggle had broadened and deepened itself to include also other nations and nationalities across Ethiopia. Similarly, according to the 'land for security pact', the TPLF was meant to relentlessly respect, protect and promote 'land ownership and use rights' and 'national identity and self-determination rights' for the Kunama community both ideologically and politically and in return the community (given its history tested defense and offense strategy) was meant to relentlessly ensure the party's security from all enemies in its operation in the Kunama land. Because of this pact then, as the discussant argued, on one hand the Kunama community's land has been protected from encroachment and also up to now land (re-)distribution has not been implemented there, and on the other hand only the TPLF managed to be duly protected from enemies and even get victory in the armed struggle while all other rebel groups such as Jebha, Teranafit and EDU that waged struggle in the same land and around the same time frame did fail one after another.

4.3. Self-determination rights and Minority empowerment as applied to the Kunama community in current Ethiopia

For constitutionalism to make sense, the recognition of rights is not enough. States need to put in place mechanisms that can ensure the implementation of constitutionally recognized rights. This is especially true with group-specific rights, which, like the individual rights, impose negative obligations on the State but also require it to take measures that are necessary to ensure the realization of these rights. Yet, as the ensuing paragraphs would also demonstrate, despite tremendous progress on the recognition and protection aspects of indigenous minority group rights, the rights' promotion and development dimension has been found to be not remarkable in the context of the Kunama community.

4.3.1. Self-rule (self-governance) right and the Kunama community

The Tigray National Regional government is comprised of a three-tier local government structure, namely Zone, Wereda and Kebele. With the view to accommodating indigenous minorities, the TNRS constitution provides for the establishment of minority-based defined Kebele for the Kunama community, which is hierarchically situated just below the Wereda government. This Kebele is substantially recognized as an autonomous tier of local government with mandated elected councils and executive administrations and is to date used to address the claims of the community which has become too small in number to have its own Zonal or Wereda administrations. As a matter of fact, the Tigray national regional state constitution does not provide for a separate territorial entity for the indigenous Irob and Kunama minorities, but in practice a separate Wereda has been established for the Irob. Similarly, the Kunama in Tigray have their own Kebele. Therefore, the creation of a separate territorial entity in a form of local government in which the minority is in a majority, despite being the basic mechanism that regional states use to implement the rights of the minorities who owing to their population size, cannot have their own Zone within a regional state, has not thusfar been materialized for the Kunama community. And, consequently the depth and extent of realization of self-rule right on the part of the Kunama community has been found to be very limited. One possible explanation to this, as learned from the majority of the discussants both in the interview and Focus Group Discussions (FGDs), is the competence of the local governments at the Kebele and Wereda levels. For instance, the Wereda has the constitutional power to approve plans of socio-economic development and the corresponding own budget. Besides, the Council of the Wereda has the power to appoint and exercise control over the Wereda executive body. Then using these powers, the Wereda could have massively invested on economic and educational capacity building of the Kunama community in order to enable it meaningfully realize its self-rule rights. Yet, as also discussed above, from an economic viewpoint one can see the integration of the Kunama minority is not solid. Long-term youth unemployment is foreseeable in the community. The problem is also compounded by the fact that the Kunamas are frequently discriminated against in employment and everyday life primarily due to their lower level educational status and overall exposure. Moreover, significant number of the Kunama population currently live

in isolation without running water, electricity and other conveniences. Another important factor that determines the full realization of minority's self-governance/rule right is the issue of financial support system. The experience of the Kunama community indicates that it has no serious problem in this regard as the financial support it gets in the form of central government's subsidy is normally directly channeled to its Kebele and hence administered by its local councils and executives. However, despite such supplementary support going to the community it is currently happening that the community lacks professional and institutional capacity with regard to how efficiently and effectively to utilize the financial support. Regional level or Wereda level Institutions/organizations which are primarily engaged in supporting the development of small enterprises as well as employment and health care programmes assisting families in the Kunama community are also generally lacking. Even those that exist have not meaningfully involved representatives from the community in the decision-making process so as to create opportunity where by different situations and demands of the community are seriously considered.

4.3.2. Representation and participation rights and the Kunama community

The federal constitution requires the 'equitable representation' of the different ethnic groups in regional governments. Regional governments are obliged to ensure that the faces of their institutions reflect the ethnic plurality that characterizes their society. This also applies to regional states that are, more or less, ethnically homogenous but still have some minorities in their midst like, for example, the representation of the Kunama community in Tigray. The equitable representation is not merely limited to the executive but in the legislative and judicial arms of state governments as well. The purpose is to accommodate intra-regional diversity. By ensuring representation of the different ethnic groups that inhabit the regions, it signals the message that each region belongs to all who live in it. Yet, the realization of this constitutional provision depends on the regional constitutions that should give effect to it. The question is then whether regional constitutions and laws have put in place mechanisms and institutional foundations that ensure the implementation of this constitutional provision. In this regard, the plurality electoral system used at federal level and in all regions goes a long way in ensuring the representation of most indigenous minorities in the national and regional parliaments. In case indigenous minorities are too small to control an electoral constituency, they are treated as minority nationalities and peoples. Many of the regional constitutions grant these minorities a special representation in the form of a quota in their respective regional parliament. With regard to the executive, the regional constitutions do not provide an explicit guarantee of ethnic representation. In practice, however, the composition of almost all regional governments reflects a fair representation of their respective indigenous minorities. The interest of indigenous minorities is also taken into account in the composition of the regional judiciary. Furthermore, indigenous minorities have a constitutionally guaranteed representation in the regional institutions that are responsible for interpreting their respective constitutions. The regional bodies that are responsible for interpreting their respective constitutions include a representative from each Wereda or Special Wereda. It is thus clear that both the national and regional constitutional frameworks provide for a number of mechanisms to protect the interests of indigenous minorities by ensuring their equitable representation and participation rights. These all are also found to be true of the Kunama community. However, two major problems have been found in the community in this regard. One is (may be due to legal gap) the complete lack of representative for the community in the institution that interprets the regional constitution because representatives to this body are selected on a Wereda or special Wereda status basis which the community does not have thusfar. Besides, in the executive body (from regional to Wereda levels) the community is not relatively meaningfully represented. The second major problem, however, is the fact that the community's representation and participation at all levels and in all natures of decision makings are largely descriptive and not substantial in nature due to may be the community's overall capacity limitation. Yet, most importantly, the political party system- based participation of the community has not been the primary focus of minority rights. This then implies, as one American essayist also once said, that "Democracy will only leave us with the contrast between its ideals and its realities, between its heroic possibilities and its sorry achievements". Because, even in contemporary democracies, the ideal of a true representative democracy where the elected assemblies mirror the population of a given country is inconsistent with reality although citizens are still continuously being represented by representatives. In reality, there is an under-representation of different minority groups both in terms of their presence in the political assemblies and in terms of their substantive representation.

4.3.3. Linguistic and cultural development rights and the Kunama community

In this section, the situation of the Kunama community's exploitation of its linguistic and cultural development rights is discussed Vis-a-Vis primarily the issue of minority education. In the majority of the Kunama community's families the process of passing on the Kunamigna language from one generation to another has been historically broken down and as a result the Amharic/Tigrigna languages have been dominant over it. This then makes the role of the school as a vehicle for passing on the native language all the more important and the responsibility of educational institutions all the greater. From the experience of most countries with minorities usually it can be learned that there is a system called 'minority education' that they use not only

to provide public education service to the minorities in their native language, but also to create necessary conditions for studying the native language and passing on an understanding of their culture and history down to generations. Accordingly, there are three types of minority schools. These are; 1) schools which teach the minority language as a foreign language 2) schools with dual-language in which the humanities, for example history, literature and geography, are taught in the native language and natural science subjects are taught in another language, and 3) schools where all subjects except other languages and literature are taught in the language of the given minority. Given this, in the context of the Kunama community, it was found that the Kunamigna language (its native language) has not yet assumed a status of medium of instruction to other subjects (natural and as well as social ones) and at all levels of schooling. In fact, even as a subject in its own right, its curriculum has not yet been fully developed and is still very much under the shadow of Tigrigna and Amharic languages. Efforts by individuals in this regard are there but they are not well systematized and organized. There is lack of institutional ownership. As one anonymously quoted informant has noted, the still ongoing 'Latin Vs Geez line' debate on the root of the Kunamigna language's alphabets and grammar is a good case in point here. Another problem in this regard is lack of suitable teachers and children's inadequate grasp of their native language. In fact, it is also learned that the number of students who attend classes in Kunamigna language has been decreasing overtime both in the elementary and secondary school levels as a result of students' increasing interest to join classes in Tigrigna language although on the contrary there are now growing numbers of students from the Tigrigna speaking families that are demonstrating high interest in learning the Kunamigna language. But, most importantly, even if minority education is to be suggested to the Kunama as a minority, the environment that it is supposed to ideally work on is far from being available now. i'e while it demands high investments on issues such as ensuring the study materials are the same in all of the schools and preparing detail requirements for the subjects taught in the schools (like minority language and literature, minority awareness), the current trend, both on the part of the central and regional governments, seems to be not encouraging. Consequently, the educational data of the Kunama minority has become (if not worse) not different from those of the majority population. As regards education, there are also special problems associated with the Kunama minority. Currently fairly a significant number of Kunama children complete primary schooling, but only few of them continue studies into the intermediate (secondary) level. This is far lower than the proportion of children of non-Kunama families who continue studies at an intermediate level in relatively high proportion. The situation is made still worse by the fact that a large proportion of young Kunama are qualified in subjects that provide them with only limited chances for employment. To make things even worse, of the total 6000 population number of the Kunama community, only one (1) person is reportedly a diploma holder and very few others hold other types of higher education certificates. Starting from preparatory level all the way to colleges and vocational trainings, efforts are there by the regional and Wereda level governments to improve the chances of young Kunamas to pursue their higher education studies. Yet, clear mechanisms and institutional frameworks are not in place to extend this assistance to the Kunamas to University level studies. In fact, in this regard, neither the central government nor the regional government seem to be clear on how the Kunamas can be best beneficiaries from Universities' scholarship offers to minorities. On an another angle, the Kunama community is facing critical problems to realize its cultural development rights though in this regard it has shown in the last 20 years tremendous progress in terms of developing self-awareness via, among others, establishing regional, Wereda and Kebele level network of museums and theatres, community houses and clubs and art societies as cultural traditions of the community. One among such critical problems is the fact that no cultural-educational institutions have thus far been established specifically for the community, e.g. there are no Kunama Cultural centers and Libraries at regional, Wereda or Kebele level. Even no research institutes to study its traditions, history and present-day situation either on the basis of self-initiative or in contacts with national or regional governments or some universities. Besides, although the Ethiopian/Tigray state in principle support (or at least not prohibits) minority access to the means of mass communication, in practice, however, both the Ethiopian and Tigray Radio and TV are not transmitting programs for the Kunama (also for the Irob community for that matter) except in special occasions. The gap is the same or even worse in journals, magazines and newspapers too. Moreover, no research projects and high-level conferences are currently being held by Universities in the country/region and other educational research or museum research groups/institutions on issues pertaining to cultural development rights of the Kunama community.

5. Findings, conclusions and recommendations

This research was meant to generally analyze the empirical relationship between self-determination rights, sub-national constitutionalism and minority rights in Tigray by taking the Kunama community as a unit of analysis. More specifically, its aim was to discuss the pattern of 'rights realization' on the part of the Kunama community including the challenges facing it in due course. So, based on the feelings and attitudes collected from in-depth- interviews and focus group discussions with officials, professionals, students and elders of the Kunama community as well as a review of pertinent literatures related to the subject, the following findings have been drawn. Firstly, it is revealed that having democratic and comprehensive constitutions at national and sub

national levels has practically become neither sufficient enough nor end in itself in terms of fully realizing minority self-determination and empowerment rights for the Kunama community as a minority. Secondly, the minority–majority (the Kunama Vs the Tigrigna speaking people) and minority–minority (the Kunama Vs the Irob community) gaps and tensions in the region in terms of ‘rights realization’ are currently in a widening and deepening trend. In this regard, it was also found that there are marked ‘rights realization’ challenges in the Kunama community. The subsequent section is thus briefly about these challenges.

5.1. ‘Rights realization’ challenges in the Kunama community

As discussed above in some greater detail, both the FDRE and the TNRS guarantee individual and collective minority rights in the areas of self- governance, use of language, public education and culture. Among collective rights, the constitutions state that the minorities have the right to form local self-governments, collective participation in public life, nurturing of their own cultures, the widespread use of their native languages and education in their native languages. Moreover, the FDRE constitution has established the House of Federation to protect the rights of national minorities entrusted it with the responsibility to investigate any kind of abuse of the rights of national minorities that comes to its attention and initiate measures in order to remedy it. In this regard, the Kunama community as a minority has thus been found to have not faced significant challenges in terms of respecting and protecting of these rights. However, with regard to the promotion and development of the rights it was found that the community has faced tremendous challenges. For simplicity purpose, these challenges are then categorized as demand-side (from below) and supply- side (from above) challenges.

5.1.1. Supply-side challenges (challenges from above)

These are challenges that can be discussed at the level of the central government of Ethiopia or the Tigray regional government. They can be classified to three major themes corresponding to the three major component parts of empowerment and self-determination rights that the Kunama community is constitutionally and politically cherished. And, these are challenges that affect the community’s self-rule/self-governance rights, representation and participation rights and linguistic-cultural development rights. In the **first** one, issues such as lack of bold investments on economic empowerment and overall capacity building of the community, absence of a ‘special wereda status’ system for the community which could be helpful given its fragmented and dispersed nature of settlement, and absence of ‘veto power’ system especially with regard to decision makings on matters that determine the fundamental /survival rights of the community (for instance, on issue of constitutional interpretation) are worth of mentioning. In the **second** one, the fact that at the central, regional or even zonal/wereda level governments’ executive and judiciary organs, the Kunama community’s representation/participation is invisible at best and non-existent at worst, that the community is insignificantly represented and participating even at the legislative processes of all levels of government and most crucially that the community’s representation and participation in all regards is predominantly descriptive in nature and not substantial one also deserve due notice. And, in the third one, lack of educational and cultural institutions like museum and art centers/institutes which could implement/help realize the community’s linguistic and cultural promotion development rights as well as education and curriculum related problems such as, for example, lack of programs on minority studies or even special scholarships to students coming out from the community are worth of underlining. In addition to all the above, lack of ‘rights realization’ overseeing institutions and most importantly the ‘satisfaction with respect and protection of rights’ problem which consequently is making governments to be negligent of the ‘promotion and development’ aspect of rights are also critically challenging the full scale realization of the community’s rights from above.

5.1.2. Demand–side challenges (challenges from below)

These challenges are by nature those emanating from within the Kunama community itself. From the discussions in the focus group discussion and in-depth interviews, it is learned that there are some three general factors currently critically challenging the community’s full-scale realization of its rights. The first one is the lack of awareness on the part of the community itself. That is to say that the Kunama community at large has no proper understanding about the various individual and collective rights that the FDRE and TNRS constitutions granted it in general and specifically about the essence and component parts of its empowerment and self-determination rights. The community is also unaware of what is to be done and by whom in the process of fully realizing the different aspects of its rights namely- the recognition, respectation, protection and promotion/development of rights ones. Secondly, the community lacks human resource and institutional capacity to fully exploit its rights in general and its empowerment and self-determination rights in particular. And, thirdly, the community itself, like those from the above also seems to be largely satisfied with the recognition, respect and protection aspects of its right which currently are under no critical threat. This psychology is thus preventing the community from aspiring for and pressuring towards the promotion and development dimensions of its rights. Put this differently, unlike non-indigenous minorities who might normally be easily contented with recognition, respect and protection of their rights, the Kunama community as an indigenous national minority is expected to be a ‘more and more rights-aspiring, rights- conscious and rights- assertive’ one. Yet, at the moment, such is all lacking.

5.2. Conclusions and recommendations

Although the constitutional commitment to the observance of full respect to individual and collective rights is an important mechanism that can be used to protect the Kunama community, the practice, it is observed, is not encouraging. It has thus become clear that a comprehensive minority empowerment in Tigray in particular and in Ethiopia in general requires the design of complementary institutional mechanisms and un-interrupted capacity building works through which indigenous national minorities like the Kunama community can exercise some measure of control at least over matters that are relevant to them. And, to this end, both the central government of Ethiopia and the Tigray regional government should consider the conscious realization of all the 'empowerment and self-determination rights' of the Kunama community in particular and that of other minorities in general not only as a duty deriving from international commitments they have undertaken, but also as a long-term national interest. In other words, all concerned bodies should consider the social integration of the Kunama community not only a question of minority policy but also of a question of social policy. This in turn implies that the gravity of the discussed challenges demand bold initiatives and intervention schemes both from the supply side (from above- meaning from central or regional governments) and demand-side (from below- meaning the community itself and wereda/municipality governments) so as to fill up the implementation challenges in the process of fully realizing self-determination rights and thereby empowering the Kunama community. The positive interventions would then strongly support the strengthening of the identity of Kunama community, the development of its self-government system, the implementation of its cultural autonomy and consequently helps the cultural diversity of the country that goes back centuries as a common value of all its citizens. The grand conclusion of this study is, therefore, that there is a direct, strong and positive relationship between self-determination rights, minority empowerment and sub-national constitutionalism. Having all these in mind, the following specific recommendations are thus put forwarded;

i. Granting 'special wereda' status for the Kunama community

This, as a mechanism of ensuring the community's self-rule/governance right, may open the way to providing the most efficient means for the realization of the interests of the community. For instance, this status may, among others empower the community to at least 1) determine its protected monuments and memorial sites or even the dates of its holidays and 2) establish and run cultural and educational institutions, schools, museums and theatres with its own organizational and operational regulations.

ii. Granting 'Veto power' right for the Kunama community

In order to protect the interests of the community against majority decisions particularity in decision makings on matters of fundamental (survival) rights to it, mechanisms of veto power exercise both at regional and sub-regional level need to be developed. Such mechanisms could take the form of representing the community in regional and sub-regional parliaments/councils and especially in institutions responsible for constitutional interpretation. To be precise, this power would enable the community to veto proposals if region, Wereda or Municipal level governments are working on adversary regulations concerning cultural, educational or language matters related to the community. Then, over all, such a system would be an efficient form of self-rule right realization allowing broad participation of the community in matters that concern it.

iii. Re-orienting our curricular /education philosophy towards the inclusion of 'minority studies'

As part of the package on minority education, there is also a need to introduce in our universities and colleges (either at department, college or independent institutes' level) programs that specialize on minority studies and hence improve our understanding and awareness about their history, culture, tradition, politics, and economics and so on. In the case of the Kunama community, this would then mean to have a program like "kunamiology"- a field that studies the Kunama community in its entirety either at the level of the regional state's colleges or at the universities in its geography. Side by side to this, the community also needs to be financially, materially and professionally/technically supported to fully develop its own **Kunamigna language** (currently under the heavy influence of Latin and other languages) and a **curriculum** based on it. Besides, the colleges and universities with in the geography of Tigray should offer **unique scholarship opportunities** to students from the Kunama community because the success of the students in this community in their elementary and secondary level education is to a large extent dependent on the professional quality of teacher training and further training.

iv. Establishment of institutions to oversee 'minority rights realization'

Minority points of view are increasingly taken into consideration in the wording of legislations passed in Ethiopia/ Tigray over the last two decades. Similarly, modern acts have been created which are fully in line with today's requirements as regards guaranteeing the minorities' basic constitutional rights. Despite these, however, clearly established institutions responsible for overseeing the full realization of especially the **three** major components of self-determination rights for minorities (the Kunama community included) have not yet been put in place and as a result all the rights of minorities, no matter how comprehensive they are, have remained to be only paper tigers. Therefore, to fill such gap the establishment of national, regional, or local level institutions for this purpose becomes helpful. For instance; **A)** in order to ensure the realization of linguistic and cultural development rights of minorities (in this case the Kunama community), institutions that oversee how (if at all)

the national or regional level Radio and Television Broadcasting agencies are preparing, presenting and broadcasting the culture and life of the minorities while delivering media service to the public or why they are not totally considering them if that is also the case need to be fully established at any suitable level of governance. In other words, institutions have to be put in place that could independently decide on the principles for the use of the available airtime at their disposal for public service broadcasting. Because, such institutions, if they exist and work responsibly, would then be of paramount significance even to thoroughly study what investments are actually needed to fully realize minorities' collective rights and give relevant policy recommendations. Otherwise, governments would tend to be concerned with only respecting and protecting the rights and rationally neglect the rights promotion and development aspect because of their expensive nature. And; **B)** the establishment of such institutions as Public Foundation for National minorities in Ethiopia in general or Public Foundation for the Kunama and Irob minorities in Tigray in particular for instance could be sought. Here, the role of the foundations would be something like supporting programmes, activities and organs which protect the identity of the minorities and above all those which serve to nurture, pass on and preserve their traditions, languages, material and spiritual culture. Moreover, the institutions could also help in efficiently and effectively utilizing central government's grant/financial support to minorities and then ensure meaningful minority self-rule.

V. Capacity building for awareness creation and aspiration arousal

As discussed in the analysis part, the issue of proper internalization and institutionalization of the essence of the "self-determination and minority empowerment rights" package as well as of its key component parts, and essential implementation pre-conditions has become a critical factor for its successful realization on the ground. In other words, the extent and depth of the understanding by its key actors in the implementation process has become at least as equally influential factor as other factors. This is so because clarity of thought is always crucial for clarity of actions and outcomes. And, this has been the general sense grasped from the discussions with the key respondents both in the in-depth-interview and focus group discussion sessions. What is, thus, important in such circumstance is to design packages of research, education and training measures on a short-term, medium term or long-term basis that would work on the development of the knowledge and understanding level of the community on its constitutionally and politically guaranteed rights and privileges and thereby the enhancement of its aspiration and assertiveness to finally make it a 'rights demanding community'.

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In-depth- interview conducted with the Kunama community's wereda council representative, on March 12, 3-6 Local time.

Appendix A

Table 1: A Scheme of the various referent objects of ‘self-determination’ from its broad definition

Entity	Status
People	Self-determination of people
State (legal-political representative of the peoples)	State sovereignty
Human being	Self-determination of the individual
Person (legal-political representative of the human being)	Individual sovereignty of the person
Agent	Self-determination of the agent
Forms of agent representation	Sovereignty of the agent

Appendix B

Table 2: Forms of minority participation

		Degree of minority decisions		
		Consultation	Co-decision Making	Sole decision Making
	General relevance to minority	X	X	
Scope of decisions	Partially minority relevance		X	
	Only minority relevance		X	X

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