

Rights turn to Privileges: Killers thanked, Crimes forgotten

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Background

The core strategy of the enemy is to gradually but surely erode the morale of the people of Tigray and render them too weak to defend themselves from the long-term physical and cultural genocide planned on them. To accomplish the mission effectively a peace time under enemy control is what is considered to be the most convenient. The most unfortunate part of the entire scheme is that both sides want peace; but the Tigray side uses it for virtue and the enemy side uses it for vice. This is what is happening after the peace deal signed in Pretoria and Nairobi. Did Tigray have to sign the peace deal which is most likely to be abused by the enemy side? Yes, it had to! All kinds of hypotheses are formulated and forwarded about why the delegates of Tigray signed the seemingly unfavorable deal. The loudest of all is the most expected: Alleged betrayal of the TPLF. Putting all the burden of blame on the TPLF may be the easiest thing to do because it removes the pains of thinking harder beyond what seems to be obvious.

The accusations leveled against TPLF lies on the premise that TPLF is haunted by the idea of finding itself at the Arat-Kilo palace by whatever means. This is followed by a kind of syllogism which concludes that succumbing to this kind of peace-deal is the logical flow from the “inherent” obsession of the TPLF for Federal power positions. In nature water finds its way following the slightest change in gravity. That means, water takes an effortless path. Human brain should not be like water weak enough to think along a path of convenience to reach conclusions. I don't rule out the fact that such hasty conclusions about what TPLF did in Pretoria arise out of genuine concern for the fate of the people of Tigray. Many genuinely feel that all the arduous struggle they waged to free Tigray has utterly failed and those who signed the agreement are responsible for that. A few others are unfairly using the opportunity to demonize the TPLF to pave their own path to political relevance among the Tigray public. This is not to mention the confused majority who are not willing to blame the TPLF for signing the unfavorable agreement but are skeptical about its honest implementation by the enemy side. The latter hold the truth in view of the fact that the characteristic untrustworthiness of the enemy can be proved by ample evidences.

I share the skepticism on the peace deal because what I experienced in the last two long and bitter years is that the enemy is determined to destroy Tigray and its people by all means available, peaceful or otherwise. I am fully convinced that the enemy smiles to kill and handshakes to maim. Anyone who is worried about the future of Tigray and its people has every reason under the sun to suspect the intentions of the enemy whether they are waging war or signing peace. Am I the only one who is aware of this? Are those who opposed the peace-deal better cognizant of the dangers underlying the peace deal? The answer is No! No one individual or group recognizes the “wolf in sheep skin” nature of the peace deal more than any other. This includes the leaders of TPLF and the commander of the TDF who signed the agreement. Who claims to be more Catholic than the Pope in this regard? Getachew, Tsadqan and Tadesse have put their lives in such a grave danger not to protect their personal interests but to protect the safety and security of the people of Tigray. Generations of Tigray have to be deeply grateful to these living saints.

If the leaders were bent on maximizing their own personal interests they would not need to go through all the adversity. Was it so difficult for Abraham Belay to be a defense minister? Did he have to fight and starve for two years to reach that position of power? Was it difficult before the war for Getachew, Tsadqan, and Tadesse to take high positions in the Prosperity Government if they had turned blind eye to the demise of self-rule in Tigray like it happened in the Somali Region? All of it is a matter of conscience. They are not the kind of people who lose all hopes and trade the fate of the people of Tigray for a peace deal that is convenient for them. I am of a strong opinion that all Tegarumust unite around this reality. I know, most of us have become so happily addicted to the almost endless news of TDF victories that a withdrawal syndrome must have set in in our minds. I am not ridiculing this kind of mentality. This is how normal people work. We are as a matter of fact carried away by continuous successes that we become oblivious to what the other side can do to deny us of the joy. Even for the angels we have to realize that there are good and bad days. The best minds are those that quickly detect the point where the good ends and the bad begins. This is what the Tigray political and military leadership did. In history many of the failures of great men and great empires is the indulgence in the good without realizing that the bad is creeping in. Napoleon, Alexander, Ottomans, Persia, British, Rome, you name it and don't forget to include Axumite Empire and TPLF-EPRDF.

What is uniting all of the opinion groups is that the one month old peace agreement is likely to be a paper tiger to the alarm of its enthusiastic supporters, to the delight of its detractors, and to the frustration of its skeptics. Nothing else seems to be going at the expected pace except for the process of demobilizing the Tigray armed forces. The agreement seems to be putting the cart before the horse in the sense that disarming and demobilizing the TDF should have been the closing act in the entire drama of the peace deal. Taking up arms by the people of Tigray and forging the TDF was not a cause; it was a result. Effective solutions do not deal with results; they manage causes. Take Chloroquine not Aspirin for malaria. Trying to treat the headache, caused by malaria by continuously prescribing Aspirin, could kill the patient if the original cause of the headache (plasmodium ingestion) is not removed. When John F. Kennedy was asked how he became American hero during WWII, he answered: "I was forced to be a hero because they sunk my boat and I saved my comrade!" The TDF became world renowned heroes not just for the sake of being so but because they have the historic obligation to save their people.

Unless the alternating silent and noisy tactics used by the enemy to exterminate Tegarum are stopped Tigray will rise again with stone and sticks even if it is disarmed. So disarming without ending the cause for arming does not permanently bring peace; it only postpones war. A peace deal normally starts with disengagement not with disarmament. Disarmament is justified only when the reason for armament is effectively and permanently removed. We are dealing with enemies who know perfectly well what I am taking about here. They are creating all kinds of illusions to scatter our attention, to divide us, and continue with their original plans with greater ease. The enemies are not after our arms, they are not after our resources; they are after our unity! If we are disunited they will get everything else they want without effort. We may fail, we may be defeated, we may be killed and starved, we may be displaced and raped; but the worst thing that can happen to us is to be disunited! It is unity of Tegarum that created the TDF; it is the unity of Tegarum that forced the stubborn enemy to the negotiating table. There is no way that this cannot happen again if we stay united. Unity is the seed that germinates every time it is thrown on to the soil. Every Tigrayan soul has to keep this in mind, write it and hang it on the wall or tattoo it on your skins!

Rights turn to Privileges

I was jailed by the Derg in the notorious central prison for four years, accused of being a Tigrayan! I was not a member of the TPLF. When I told my jailers that I was not a TPLF member they told me in black and white what my crime was. The interrogator asked me in amazement: “Aren’t you a Tigre?” God created me as a Tigrayan and this people are accusing Him of doing so! The enemy Tegararu are dealing with now is worse. If we are to choose between Ape beauty-queens Derg is comparatively cuter. Don’t ever pray to God not to give you an enemy. You will always have an enemy regardless. What you have to ask God all the time is to give you a manageable enemy. There is always a method in enmity and love. Isn’t it a curse when you face an enemy who has no method or does not want to have a method or is not capable of having a method? What if you are dealing with an enemy whose rules of the game are that there are no rules of the game? This is the unfortunate situation the people of Tigray are currently in. The enemies of Tigray use the Constitutions and at the same time they don’t use the constitution. They vow to protect the law and at the same time they break the law. They accuse those who are abiding by the law as criminals while they are the ones who are abundantly violating rules and regulations.

To move on into the details of the main section of this article let me dwell on the description of important concepts that help illuminate the analysis. This is based on the Meynell and Paron’s book entitled “Applied Ethics Primer”. Rights are entitlements or enforceable claims other individuals or groups are obligated to protect, fulfill, enforce, or at least not violate them. If we fail to respect someone’s right to something, then we commit a serious injustice to them. What rights do Tegararu have that must be respected and enforced by the law enforcement branch of the Ethiopian state? It is the Federal Constitution of Ethiopia that provided for the rights of individuals or groups in the following articles:

Article 15. Every person has the right to life; No person may be deprived of his life except as a punishment for a serious criminal offence determined by law.

No ambiguity is possible here. Although the right to live is a universal right, the lives of Tigrayans as citizens or nationals of Ethiopia is protected by the Constitution, the supreme law of the land. The right to live is a legal right protected by legal codes and enforced by various legal institutions. The legal codes in the Ethiopian context are detailed in the Criminal Code and the office of the attorney general and the Supreme Court are the institutional arrangements responsible to protect the right to live. Is the right to live provided by Article 15 respected for Tigrayans? Not at all! When Tigrayans were murdered in huge numbers in Mai Kadra, Axum, Mahbere Degue, Togoga, Mariam Denglat, Humera, Shire, Adi Daero, Bora, Mirab Abaya, and in dozens of other locations, was it proved in a court of law that all these people committed “serious criminal offence determined by law”? Were there legal proceedings? Were the victims represented by a defense attorney? Was the execution signed and approved by the head of state? Was the attorney general aware of it and approved it? The answer to all the above questions is: “None of the above”.

The most important objective of a Constitution is Article 15. The most important job of an attorney general is Article 15. The exchange rate of Article 15 is the entire Constitution because the right to live is the mother of all rights. Tegararu are denied all of it. The manner of extra judicial mass murder of Tegararu takes silent and noisy forms used alternatively: Guns and Hunger. It is not only the right to life of Tegararu that is violated by the very individuals, groups, and institutions who had

the legal and moral duty to protect the lives of Tegar. The right of security and protection against bodily harm is also extensively violated.

Article 16. Everyone has the right to protection against bodily harm.

The invasion of Tigray has massively victimized young and old women, children, and even nuns. Tens of thousands of women were gang raped, turned into sex slaves, and their genitals mutilated by Eritrean troops, Ethiopian army, and Amhara irregulars. The PM of Ethiopia mocked the gang-rape and the attorney general, a former advocate of women's rights, gave her silence of approval and appreciated the Ethiopian army for enforcing the law in the "rebellious Tigray region". The massive gang-rape in Tigray got sympathy from a Minister of Women who lost her job for it. Contrary to what the Constitution dictates under Article 16, the Minister was criminalized to the point of going into exile.

The right to live is not only a legal right but also a moral right. One of the Ten Commandments states: "Thou shalt not kill". Religious institutions are responsible for this particular mosaic code, and besides the legal support they have they also use the tools like excommunication on individuals or groups that commit murder. In Ethiopia, religious leaders of the Orthodox and Protestant churches were in the forefront of the propaganda campaign to commit genocide on the people of Tigray. The arch genocide preacher is none other than Ethiopian Orthodox Church Deacon Daniel Kibret who ironically is the social affairs advisor to the Prime Minister. The anti-Tigray campaign was not restricted to the Tigray region alone. Tigrayans as a matter of right as citizens of Ethiopia are spread throughout Ethiopia and been there for several generations. They were also targeted by the Government of Ethiopia and the friendly opposition parties and individuals.

Article 25. All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall guarantee to all persons equal and effective protection without discrimination on grounds of race, nation, nationality, or other social origin, color, sex, language, religion, political or other opinion, property, birth or other status.

Article 41.2. No person may be subjected to arbitrary arrest, and no person may be detained without a charge or conviction against him.

Before and after the invasion of Tigray Tegar all over Ethiopia came under a reign of terror where in anyone can insult them, arrest them (in violation of Article 41. 2.), rob their money and property, and shut their business while the foreigners from Eritrea enjoyed freedom and even superiority. Although Tegar have the right to political opinion and to belong to any social group as per Article 25 they were brutalized only for being Tigrayans. The Mayor of Addis Ababa, who was sworn into office by the Constitution, was targeting "Tigrigna speakers" as criminals. She openly encouraged widespread impunity in Addis Ababa where most of the economically significant Tegar live outside Tigray. The Constitution also provides for the right to public services:

Article 41.3. Every Ethiopian national has the right to equal access to publicly funded social services.

This article will be less enforceable in the states where the provision of basic services are largely privatized. In Ethiopia, as result of backwardness or as a matter of ideology basic services in Ethiopia are run largely by public financed institutions. By public services I mean potable water

services, power services, telecom services, banking, medical services, and air and land transport services. As part of the silent genocide basic services are blocked from reaching Tigray. This is clearly a gross violation of Article 41.3 by those who are responsible for protecting it. As long as Tigray remains a part of the Ethiopian Federal State the right of the people of Tigray to the services is not for negotiations. To negotiate on this basic rights is tantamount to legalizing criminality in public. When Tigray demanded that the Government in Addis Ababa respects the right of citizens to public service as per the Constitutional Article 41.3 half-baked PP politicians and activists in the political wilderness put the surrender of the Tigray Army as a precondition for the resumption of the basic services. This is analogous to a parent denying basic necessities to his child as a penalty for misconduct. There could be a sufficient reason why the child misbehaved; that is a different matter for discussion or argument. However, denying the child basic necessities of life is a criminal act on the part of the parent that could open a criminal case. Is lady attorney general of Ethiopia attending to this violation of the constitution in broad day light on millions of citizens of Ethiopia? She does not seem to have lost even a penny when the law is broken and millions are dying and starving as a result. It is rumored in the last few days that the attorney general is resigning. She is resigning for a trivial reason when she has a mountain-size case in Tigray to do so.

Article 10.1. Human rights and freedoms, emanating from the nature of mankind, are inviolable and inalienable.

Closely connected with Article 15 the right to live is the right to access to food. The threat to life emanates not only people could be killed by violence but also by the lack of food. Access to food is a human right under Article 10.1 that is inviolable and inalienable. Articles 41.3.and 10.1 should not imply that government is obliged by the Constitution to provide free services and food to people. It is the freedom of access to the paid services that is closed in Tigray. The government controls all the major highways leading to Tigray. When inter regional trade of basic goods and public passenger transport was obstructed by anti-Tigray irregulars in the Amhara Region the Federal government did not intervene to clear the blockade. This happened before the first Tigray invasion. As per Articles 41.3.and 10.1 Federal Government was not expected to distribute food and other commodities to Tigray; it was expected to clear the routes. After the Tigray invasion what started in the Amhara region was vigorously implemented by the bigger friend and collaborator of the Amhara irregulars in Addis Ababa. There was food aid dependents in Tigray already, but millions more were added to them because Banks were closed and people could not buy their food. So starvation came not only upon the poor but also the rich. Tragically, Tigray saw millionaire beggars and street hawkers. Those who were sworn to office their hands on the Constitution saw, with smiles in their eyes, when the people of Tigray perished in disgrace. Will Ethiopia survive this act of cruelty? I doubt!

The issue of access to basic services is more complex than it looks. There is legal arrangement, in the form of contract between the service providers and the customer. By the way basic service provision is not welfare nor is it based on the kindness of the government. The access to the basic services is paid for and the service itself is also paid for per unit of service. Access to tap water requires payment for the permit, extension of pipelines, and installation of meters. Per unit service is computed on meter readings. The same happens for electricity and telecom land lines. For mobile phone service there are charges for subscription and Sim-cards. Charges are deducted for every call and message by the customer. There is a legally binding contract between the provider

and the customer. It is punishable by law if any of the parties violate the contract. Neither the power authority, the water provider, nor the telecom can interrupt the service without justifiable prior notice. This is more so for banks. Opening saving account by any customer in any bank involves a contract where by the bank saves and uses the customer's money and pays interest in return. The customer signs a legal agreement in which the customer will have unrestricted access to the personal saving in the bank. All this is violated in Tigray. All banks are closed and customers are denied access to their savings for two years. The banks did not sue the government for rendering the contracts with their customers null and void without consent of the parties to the contracts. Some of the banks, were even financially supporting the war and the siege in Tigray, obviously harming millions of their customers. So, when the time comes it is not only the government that would go to court for this but also all the banks with branches in Tigray and the telecom, power, and road transport institutions.

The brutal lesson we learned from the Pretoria agreement is that it is possible for the Constitution to be so grossly violated and the provisions for the rights to services be negotiable. The world watched the impunity with utter carelessness. Would USA and EU states allow this in their own homelands? Are rights deserved for some and not for others? Are we too poor to demand for such rights of ours without preconditions set on us? It is not only the government of Ethiopia that is to blame but also the UN which has the charter for human rights lying idle on its table. It does its job not as suggested by the blindfolded statue of the lady justice but by its discriminatory eyes falling on the rich and the powerful. Now we can only get used to the fact that basic services and unfettered access to humanitarian aid have become conditional for the poor and friendless Tigray. These have become dependent on the kindness of the government of Ethiopia to open them or close them at will. So the eyes of the world are focused on Tigray waiting for us to disarm if we are to be provided with food and get our own money from the banks. There are dozens of things that are hard to coin words for; but what is happening in Tigray with regard to the basic services and the humanitarian aid is dumbfounding. We are crying inside us because nobody seems to care about us if we talk loudly. The world has grown callous to such tragedies because they happened before at least in Biafra. The world is a world of states. It is more inclined to listen to what states have to say however untrue or illogical it is. Statehood has become right-hood.

Now we are in the palms of the government of Ethiopia who has delayed the implementation of the agreement for over a month. Our rights to the services and food aid have turned to privileges Privilege means that one is free to act (or not act) as they wish, but this freedom is unprotected. This means that it doesn't entail corresponding duties. That means you are free to use services but no one guarantees you access to it. So what you have to do to get access to the services is to beg for the kindness of the provider. Here is where the grave danger lies. They are using the provision of access to the services and humanitarian aid as a bargaining chip to go stark free from responsibility for the crimes committed in Tigray. They have started playing psychological games with the people in misery by procrastinating the release of aid and basic services and spreading falsehoods in the media about them alternating hope and hopelessness in the victimized people of Tigray. There was several days of talk and breaking news about the start of telecom service in Shire, power connection in Mekelle; and again other news coming again falsifying previous reports. Millions including myself are suffering from mental break down as the widespread confusion and hopelessness takes its toll.

The day before yesterday Berhane of Dehay Meneseayat expressed his unhappiness about Prof. Kindeya's tweet which was full of enthusiasm about the delivery of power to the City of Mekelle. Before I comment on this unfortunate issue let me take you to another story (my story) related to it. When they arrested me and took me to Central Prison in Addis Ababa I was full of courage and challenged the police. For over two months in prison I was still acting like a lion in a den roaring and cursing my jailers for wrongly putting me in prison. No doubt my legal right has been violated because there was no court order for my arrest and I was not taken to court in 48 hours. Counting the days turned into counting weeks, months and then years. Unknowingly, I was getting used to the violation of my rights as if it is my own fault. I thanked the jailers for very "favor" they do for me in terms of food, water, mattress to sleep on, and even radio and TV inside the jail. When my release was decided, and I was summoned to the office, I thanked my jailers for releasing me. This was how the brave guy of four years ago was irreparably broken. What they did to my education to my family was horrible; but they made me have no power left to feel the pains of what they did to me. This is what happened to Prof. Kindeya and Berhane has to be in position to understand the situation. The Professor was a young scholar who led the advancement of Mekelle University as its second president. Now you find him helplessly waiting for the light bulb to brighten; something he had taken for granted before. I couldn't help but weep. I wish him happy days to come when he will be chatting about it with smiles. There are other media like Microphone Media ululating for every truck that arrives in Mekelle. Some listeners named him "elele".

It may not matter much to thank or be happy when your rights brutally turn into privileges. The danger is that this may lead to overlooking or forgetting crimes. The enemy is doing it intentionally to weaken the resolve of the people and it may succeed in its effort if we intentionally or unintentionally collaborate to the evil design. We should bend not bow, to let the troubles pass for now. We have to get used to patience, but we have to be vigilant. Tigray is forever not for a few months, not for a few years. We have to handle the present with a clear view of the future. Obstacles now would give us more energy for the future. Losing hope is not a Tigrayan character.