

Egypt's Quest for Hydro Hegemony and the Changing Power Relation in the Eastern Nile Basin

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Abstract

This paper examines incessant hydro hegemonic power configuration and the changing power relation in the Eastern Nile basin. The hydro politics of Nile has been at the centre of academic debates for long and several scholars, in this regard, have studied the multifarious aspects of the hydro-politics of Nile River with different opportune contentious issues. However, little attention has been given to the study of hydro hegemony and counter hydro hegemony in the aforesaid river basin. The overall objective of this paper is, therefore, to examine the hydro hegemonic strategies and tactics used by Egypt in its long journey of establishing, maintaining and consolidating the current hydro political status quo. Methodologically, the study employed qualitative research method. In view of that, the study used both primary and secondary sources of data. The primary data was collected through key informant interviews while the secondary data was collected from books, archival sources. Given the data gathered are qualitative; the study employed the qualitative data analysis techniques of historical narrative, and document and critical discourse analysis. The paper argues that Egypt has used a smart power, a combination of hard and soft power, in establishing, maintaining and consolidating its most preferable state of affairs, and in the meantime there is no pragmatic change but only sign of changes foreshadowing a new order which can be explained by the post 1990s changing domestic, regional and international environment. This anticipated new order, however, is now infested with the hegemonic power using hegemonic compliance producing mechanism and thus it is in between life and death. Thus, there is a need on the part of non-hegemonic riparians to use smart power, a combination of hard and soft power, so as to successfully transform the established order. First, there is a need for 'decolonizing the hegemonic mentality' to affirm that 'Egypt is not the sacred husband of Nile rather Nile has made a geographical and legal marriage with 11 countries'. Second, there is a need for the establishment of a 'historic non-hegemonic block' in order to bring consistent unified upstream position which will push for a paradigmatic change. Failing to do so would mean endorsing the current hegemonic status quo and calling for the extinction of the commonly shared resource_ the Nile waters.

Key Words: Eastern Nile, Hydro hegemony, Counter hydro hegemony, Power

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1. Introduction

The Nile River is world's longest river which is the principal artery of life, the cradle of civilization, a bone of contention, a magnet for tourism, and a stimulus to expedition and exploration (Al Rasheedy and Hamdy, 2007: 26; Swain, 2011:688). Since antiquity the Nile River basin has attracted the attention of explorers, expansionists, poets, philosophers, politicians, geographers, environmentalists, hydrologists and policy makers with competing interests (Bayeleyegn, 1998:361; Yohannes, 2008:1). Naden eloquently captures the significance of the Nile and its relevance for the inhabitants as follows: “no other river is so important to a people. And no other river is so rich in history. This is the mysterious river Nile _ the longest river system in the world_ the river of romance” (Naden, 1973:28 as quoted in Bayeleyegn, 1998:361). Nile River is one of the complex river basins in the world due to the diverse climatic zones and the divergent interest of countries it constitutes.

Hydro-geographically, Nile River flows 6,825km over 35 degrees of latitude from south into northeast towards the Mediterranean Sea crossing highly diverse landscapes and climatic zones (Yacob, 2007:25; Nile Basin Initiative (NBI), 2016:15; Egypt country paper, 2000:38). The Nile basin covers an area of more than 3 million km², nearly 10% of the land mass of the African continent, in 11 countries that share the river: Burundi, Democratic republic of Congo, Egypt, Eritrea, Ethiopia, Kenya, Rwanda, Sudan, South Sudan, Tanzania and Uganda. The river is home to more than 257 million people nearly 54% of the total population of the 11 countries (NBI, 2016:15).

Hydrologically, the Nile River has several tributaries and headwater lakes which can be classified into two broad subsystems: the Eastern Nile subsystem and the Equatorial subsystem. The Eastern Nile subsystem comprises four sub-basins: the main Nile starting from the White-Blue Nile confluence at Khartoum, the Abbay, the Baro-Akobo-Sobat, and the Tekeze-Atbara (NBI, 2016:35-39; Yacob, 2000:610). The Equatorial Nile subsystem embraces the equatorial lakes which are generally referred as the White Nile which all together contributes 14% of the total flow of the Nile River (NBI, 2016:39-45).

The Eastern Nile basin covers approximately 2,695, 300km² of which the main Nile covers 44% and the Abbay, the Baro-Akobo-Sobat and the Tekeze-Atbara altogether covers the remaining percentage (Eastern Nile Technical Regional Office (ENTRO), 2016). The source of Abbay River is the spring of Gish Abbay (in Sekela, Gojjam, Ethiopia) which flows as Gilgel Abbay into the wide and shallow Lake Tana which receives other tributaries including Megech, Ribb and Gumara (Oestigaard and Gedef, 2011:27).

On the left bank of the Nile river, the tributaries are Beshilo, Welaka, Jema, Muger, Guder, Fincha, Dabus and Didessa and the right bank tributaries are small streams from Gojjam highlands, Abeya, Suha, Chemoga, Birr, Fettam, Dura, and Beles and other tributaries such as Rahad and Dinder joins in downstream Sudan (Federal Democratic Republic of Ethiopia

(FDRE), 1998a:11; ENTRO; 2016; Bureau of Reclamation, 1964:2; Yacob, 2000:611). The Baro-Akobo-Sobat river basin originates from Ethiopian plateaus and then flows into South Sudan in the West. Major rivers within this sub-basin are Baro with its tributaries Birbir, Geba, Sore; Alwero, Gileo with its tributaries Gecheb, Bitun and Beg; and Akobo with its tributaries Kashu (FDRE, 1997:2; Yacob, 2000:611; ENTRO, 2016). Pibor River which flows from southern Sudan and northern Uganda is also a tributary of this sub-Basin (ENTOR, 2016). Finally, the Tekeze-Atbara river flows from its source as spring near Lalibela into Sudan. Tributaries of this sub-basin are the Angereb and Goage and other small streams are Zamra, Tserare, Geba, Wori, Zarema and Insia (FDRE, 1998b:3.1).

The Eastern Nile basin is characterized by a number of asymmetries which range from water endowment and use to exploiting potential and power relation (Cascão, 2009: 248; Alan, 2009:749). The interest of Eastern Nile basin countries and their position on the basin key issue, equitable entitlement and regional cooperation, and their contribution to and use of the Nile waters also differ considerably. In this regard, a bulk of academic hydropolitical research highly associate the Nile River, in particular the Eastern Nile basin, with the 'water war' and 'water peace' narratives. However, neither overt conflict nor principled cooperation is actually realized. This led scholars to theorize power and hegemony, on the basis of Gramsci's notion of hegemony and Stevin Lukes's three faces of power, in transboundary water resources studies¹. This study, therefore, examined the incessant hydro hegemonic power configuration and the changing power relation in the Eastern Nile basin in light of hydro hegemony theory. Accordingly, the paper attempted to address the following core research questions:

- What are the strategies and tactics used by Egypt to establish the existing hydro hegemonic status quo?
- What are the underlying factors that can explain the post-1991 hydro-political dynamism in the Eastern Nile?
- What are the imperatives to transform the existing unfair hydro hegemonic status quo in the Eastern Nile basin?

2. Hegemony in Trans-boundary Water Analysis: A Conceptual and Theoretical Perspectives

The term hydro hegemony is adopted from Gramsci's theorization of hegemony as a 'theory of what ones adversaries have done'. The concept hydro hegemony is thus used to denote unequal power configuration among riparians and its effect on transboundary water resources utilization. In other words, the concept is used to distinguish those water arrangement systems which are based on principle of equitable distribution of shared water resources among riparians from those

¹ Warner, Jeroen and Mark Zeitoun (2006). Hydro-hegemony – a framework for analysis of trans-boundary water conflicts. *Water Policy* 8, Pp. 435–460.

hegemonic trans-boundary water arrangement systems whereby the powerful riparian or 'the first among equals' has established ways of controlling the water resources (Wessels, 2015:602-603). As Gramsci had defined hegemony as coercion plus consent, hegemony in the water sector known as hydro hegemony is an arrangement system in which a powerful riparian maintains its control through a mix of coercion and consent.

In the Framework of Hydro Hegemony (Warner and Mark, 2006), power along with exploiting potential is regarded as the determining factor in controlling water resources. Warner and Mark (2006: 442), based up on Lukes (1974) categorization of power, identifies three pillars of power: material (military, economic power, expert power and technological advancement), ideational (power through, over and in ideas) and bargaining power (power of persuasion). However, in the revised pillars of hydro-hegemony, Cascão and Zeitoun (2010:32) added geography (riparian position—upstream or downstream) as a fourth pillar of power.

Hegemonic transboundary water arrangement is thus established “on the four fields of both covert and overt forms of power” (Cascão and Zeitoun 2010:32). Thus, hydro hegemonic power is 'the first amongst equals' or the more powerful riparian of formally equal parties that has established ways of controlling the water resources through smart power, a combination of hard and soft power (Warner and Mark, 2008:805). This is particularly true over five transboundary River basins: Egypt on the Nile, Turkey on Tigris-Euphrates (Warner and Neda, 2012 Para. 14), China on the Mekong (Rein, 2014:130; Warner and Neda, 2012 Para. 14), India on the Ganges (Warner and Neda, 2012 Para. 14) and Israel on Jordan (Zeitoun, 2008:145-153).

Nevertheless, hydro hegemonic transboundary water arrangement system is not a static reality. Rather it can be challenged and transformed. In this regard, Cascão (2008) develops, based on the work of Warner and Zeitoun (2006), 'framework of counter-hydro hegemony' which is adopted from Gramsci's theorization of hegemony as a 'theory of what to be done' in a response to the hegemonic system. Thus, the term counter hydro hegemony denotes the reaction or response of non-hegemonic riparians to the inequitable water arrangement created, maintained and consolidated by the basin hydro hegemonic power. As originally defined by Cascão, counter hydro hegemony is “[the] confrontation and/or opposition to existing status quo and its legitimacy” (Cascão, 2007).

According to Cascão's framework of counter hydro hegemony, the strategies to be used by non-hegemonic riparians include contesting the legitimacy of the order, envisioning alternatives, and challenging the status quo. The tactics to be used are coercive, leverage, and liberating mechanisms (Cascão *et al.*, 2016:4; Kistin, 2010:84-86). The tactics of leverage mechanisms are water diplomacy, unilateral construction of infrastructure, coalition with other non-hegemonic riparians, and formation of basin-wide institutions and agreements. Such change, however, can occur either through coordinated intentional counter hydro hegemonic strategies or through uncoordinated but intentional or uncoordinated unintentional counter hydro hegemony strategies and tactics.

3. Egypt's Incessant Hydro Hegemony in the Nile River: A Historical Perspective

The existing knowledge on the hydro hegemonic position of Egypt can be classified into two contending but supplementary views. The first view regards Egypt as a real hydro hegemonic power. The assumption of this view is that by exploiting the existing power imbalance (first dimension of power such as military might, economic strength, technological advancement, expert power and international political and financial backings, second face of power such as bargaining and ideational power) Egypt has established negative/dominative hydro hegemony in the Nile river basin largely through the twin ways of water resource control strategies, resource capture and normative instrument, that are executed by four tactics such as coercion, utilitarian, normative, and ideological hegemonic compliance mechanism (knowledge construction, securitization and sanctioned discourse) (Warner and Mark, 2006; Cascão and Mark, 2010; Allan, 2009). Using the indicators of population size and Gross National Product (GNP), Whittington (2004:12) concludes that Egypt is a clear hegemony. Similarly, the London Water Research Group viewed Egypt as negative/dominative kind of hegemony. According to Dereje Zeleke,

Egypt's hegemony is not cooperative. Rather it is malign, oppressive hegemony which means by using the power asymmetry they intend to maintain the status quo without taking into consideration the interest and right of others. The Egyptian view is that the only potential challenger is Ethiopia and it is possible to make Ethiopia silent through several hegemonic compliance mechanisms such as cooperation, incentive and use of force².

The second view asserts that Egypt is a 'quasi hydro hegemony'. According to John Waterbury (2002:59), under the auspices of Great Britain in the first half of the twentieth century a quasi-hegemony favouring downstream Egypt was established. This was reinforced and more institutionalized by the 1959 bilateral agreement which is now being canonized by downstream countries.

Both perspectives viewed Egypt as hydro hegemony. With the exception of geographical power, Egypt is the strongest riparian in all dimension of power. Egypt has used its power advantage to consolidate and maintain its hydro hegemonic position³. Since hydro Hegemony is established by a more powerful riparian through a mix of coercion and consent (Zeitoun, 2008:31), Egypt has followed a strategy of establishing and maintaining malign hydro hegemonic water arrangement system. Throughout the hydropolitical history of the Nile, Egypt's solution is at

² Interview with Dereje Zeleke (PhD), Assistant Professor of Law, Addis Ababa University, March 2017
See, Dereje Zeleke Mekonnen (2011). Between the Scylla of Water Security and Charybdis of Benefit Sharing: The Nile Basin Cooperative Framework Agreement – Failed or Just Teetering on the Brink? *Goettingen Journal of International Law*, 3 (1), Pp.345-372.

³ E-mail correspondence with Rebecca L. Farnum, King's College London, 5 February 2017

odds with that of upstream countries. Egypt's Nile solution can be best explained as hegemonic solution aimed at establishing *de jure* acquiescence of all countries to existing bilateral treaty regime if not possible '*de facto* nondefection' (Waterbury, 2002:33). The other strategy adopted by Egypt focused on technical cooperation. As Anthony Turton noted "Egypt only wants technical cooperation where it can insert its own people into the third country to monitor that country. Egypt will cooperate on what they call 'green water' use but never on 'blue water use' which they regard as being exclusively covered in the 1959 agreement"⁴. Along technical cooperation, the most desired cooperation by Egypt is "loose cooperation with extended process that aimed at excluding sensitive and crucial issues, legal issue and equitable allocation, from the agenda"⁵.

The upstream countries notably Ethiopia's solution is a 'new deal' that nullify the status quo and thereby establishing a new equitable comprehensive regime based on principles of equity and justice (Waterbury, 2002:33). To achieve its hegemonic solution Egypt has pursued a policy ranging from military expansion and destabilization aimed at making Ethiopia 'a state of anarchy' (the stick) to cooperative diplomacy (the carrot) aimed at hegemonized cooperation. Nevertheless, Egypt's hydro hegemony is always contestable. Thus it can be concluded that the kind of hegemony is 'contested malign' hydro hegemony.

3.1. Egypt and Nile in Pre-Colonial Period: The Beginning of Egypt's Hydro Hegemony

Egypt's hydro hegemonic ambition is not a recent phenomenon. Rather it is as old as Egypt's Pharaonic period. Kerisel (2001) concludes that "the Pharaohs were masters of the Nile: they had a detailed understanding of the ways of the river. Modern Egyptians see themselves as heirs to this tradition and as owners of the Nile waters". Egyptian thinking of Nile as a sacred gift for their ancestor and future Egyptian generation was thus dates back to ancient period. Egyptian hydro hegemonic position and public imagination in the pre-colonial period can be classified into three unequal periods: the mythical period, the period of the Cross and Water (Alexandria patriarchal hegemony), and imperial and military expansion period.

During the mythological period, Egyptians have developed identity of inseparability in contrast to shared identity and deep sense of entitlement to the Nile River which is seen as inseparable from their culture and existence. Ancient people of Egypt venerated Nile as deity, god given, and thus scared. The annual flooding of Nile was also cogitated as divine order.

Mythologist Pinch (2002:4) noted that "the ultimate source of the Nile and the inundation was believed to be in the *nun*. Foreign lands and the deserts that bordered the Nile valley were said to [be] belong to the realm of chaos (*isfet*), the force that constantly threatened the divine order"

⁴ E-mail correspondence with Professor Anthony Turton, Centre for Environmental Management, University of Free State, 4 February 2017

⁵ Interview with Dereje Zeleke (PhD), *Supra Note 2*

(emphasis original). Such mythologies were internalized and reflected in modern Egyptian nationalist discourse as Erlich (2002:5) notes “in the eyes of the militants (Egyptian nationalist) it [Ethiopia] became the uncivilized enemy and the brutal destroyer of the *Unity of the Nile Valley*”. This all shows that how mythology contributed to the current thinking of Egypt as a sacred husband of Nile. The claims of Egyptians as the only people of the ‘Nile Valley’ were deeply rooted in such mythology. After millennia, Nile is now associated with a particular culture and society which is Egypt though it was not always true. It is now commonplace to come across literature identifying Nile as ‘the father of Egypt’, the saviour of Egypt, the giver of life, the creator of Egypt, Egypt as gift of Nile’ (Ostigard, 2010:2-3). Undoubtedly, the ritual mythology of ancient Egypt accorded Nile a unique status. Such mythology serve as ‘charter myth’: “myths that are used to justify and maintain a particular institution or state of affairs” (Pinch, 2002:1). Thus, Egyptian hydro hegemonic water discourse has been reinforced by myths.

While Nile has a great place in Egypt’s mythology, other upstream countries particularly Ethiopia, the source of 85-95% of Nile water (NBI, 2004), have utterly failed in constructing a similar or an equivalent myth either to establish their own hegemonic myth or to counterbalance the Egyptian egoistic and hegemonic myths. The myths of Egypt and Ethiopia about Nile and its potential effect are totally different. Egyptian mythology idealizes Nile as sacred and an invaluable artery of life for Egyptians and thus they are the elect of Nile gods. Such hegemonized and egoistic mythology leads to the conception of ‘*Nile as the sole gift and sacred husband of Egypt alone*’ (Wuhibegzer, 2016). In reality, however, Nile has made a polygamous geographical legal marriage with 11 countries. Such mythology has also been used by several Egyptian leaders of the time as a political instrument and they regarded their Nile co-riparians as uncivilized forces threatening the *divine order of their Nile Valley* (Wuhibegzer, 2016:47). On the other hand, Egyptian mythologies led to a heightened ‘sense of monopolism’ which was later institutionalized by Egypt’s protectorate Britain and post independent Egypt.

In contrast, in Ethiopia Abbay (father of rivers) is considered as *heavenly* and sacred as opposed to the Egyptians’ conception of Nile as *earthly* and sacred. Drawing on Biblical myth, Ethiopians regarded Abbay (Gihon) as the Holy River flowing from Eden from where it was divided into four headwaters. “...And the name of the second river is Gihon: the same is it that compasseth he whole land of Ethiopia” (Genesis 2:13). Based on such biblical account, Abbay or Gihon (as referred in the Bible) is regarded as *heavenly* and the shibboleth is that ‘*Gihon feeds the heaven*’ (Oestigaard and Gedef, 2011:32). Such religious belief has its own repercussion as Wuhibegezer (2016:50) has argued “thinking about arresting it [Abbay] was tantamount to offending the creators of the cosmos”. While such thinking forced the Ethiopian peoples to ‘respect the heavenly river’ whose role is feeding the Heaven, other indigenous religious beliefs and worshiping of the Abbay induce into the public an extreme fear of the river, ‘don’t touch Abbay’. As the author of this paper observed in person, the people inhabiting the area around Abbay River strongly believe in the existence of mephistophelian power or devil for whom they slaughter Oxen and other animals during *Pagume* (Leap year) of each year till now. This is not

special for Abbay River rather throughout the country such worshipping of streams is common. Consequently, veneration and fear of rivers and streams have been internalized. Wuhibegezer (2014:50) and others believe that such traditions and beliefs were socialised and internalized through the active involvement of foreign Alexandrian Bishops whose role included “emissary for the enculturation of Ethiopian society” so as to realize their dream of controlling the source of Blue Nile.

From the forgone discussion one can understand that while Egyptian mythology regarded Nile as Earthly and thereof the people of the Nile valley and thus they are divinely entitled to utilize the Nile river for whatever purpose. In contrast, Ethiopian religious mythologies idolize Abbay as Heavenly and thereof veneration and fear are fabricated. Along this, through the intromission of religiously disguised non-religious water related miracles and evil events in several religious books like *Gedil*, *Te'amir* and *metsehafe sinkisar* Alexandrian appointed popes had attempted to create a water fearing society.

In the second period, Egyptians have successfully used religion to secure the uninterrupted flow of Nile, to create water fearing society in Ethiopia and to study the water resources of Ethiopia. For Ethiopian elites, this period, which stretched from 4th century A.D to 1951, represents an era of confusion, chaos, and instability (Gorgorious, 1986:9). For 1600 years not only Ethiopian Orthodox Tewahido Church (hereafter EOTC) but also the regime if not the state (the monarchical system) were dependent on the Coptic Church of Egypt. From religious perspectives, Coptic Church of Egypt serves as the sources of legitimacy of Ethiopian Christianity and also corridors to the outside world (Erlich, 2002:9). In political terms, since religious legitimacy was a key for the imperial throne and the whole political system, appointed Alexandrian Bishops had an indirect control of the political power through the provision of patriarchal legitimacy to the monarchs. Thus, the Bishops were both religious and political pope.

In religious terms, Alexandrian patriarchal hegemony was built on religiously disguised non-religious doctrines. Drawing on the apocryphal canon of the Nicaea credo, the Coptic Church of Egypt consolidated its power over EOTC by prohibiting Ethiopian citizens from becoming heads of their Church. This is incorporated in the normative principle of *Fetha Negest* which can be read as follows: “Ethiopians are not allowed to assign patriarchs from their own for they were under the suzerainty of the Alexandrian seat and therefore, it's only the Coptic Fathers who could hold the position with exception of ranks below arch bishop”⁶.

From the time of the first Patriarchal appointment of Abune Selam till 1951 Ethio-Egyptian relation was based on a reciprocal belief which saw ‘Ethiopia as the source of the Nile for Egypt and Egypt as the source of Bishop for Ethiopia’ (Erlich, 2002:9). This has its own repercussion on the political system of the country. Although he was a foreigner, the Abune was the second privileged figure next to the Monarch. The Abune and the Monarch symbolize the unity of the

⁶ *Fetha Negast Nibabuna Triguamewu Part I Article 4 (50)*

Cross and the Crown as an indiscrete and divine order. The king must have the will of the Abune to come to and to stay in power. In other words, the success or failure of a rival to the throne was largely determined by the Abune as observed in the case of Lij Iyaasu (Fiseha, 2004:17-19; Bahiru, 2002:128).

During that period, Nile and the Cross had become the weapon of both parties. The chronological record of Blue Nile reveals the myth of the capability of Ethiopian emperors to block or divert the River. 'Blocking the river' was largely invoked in time of delayed appointment or when Egyptian Christians were mistreated by Egyptian leaders. Thus, the Ethiopian card was the ability to divert or block the river while that of the Egyptian was either to delay or not to send Abune. Hence, as the flow of Nile is natural then Egypt's dependence on it (Ethiopian rivers) is natural dependence, but Ethiopia's dependence on Egypt is unnatural or for scholars like Erlich (2002:20-22) it is *voluntary dependence*.

In this regard, the Ethio-Egyptian relationship seems enigmatic. First, if it was based on the decision of apostles of the Nicaea accord, then it will not be dissolved because Ethiopia up until 1951 considered the aforesaid accord as dogmatic. From the perspective of the Coptic Church, appointing Ethiopian citizens to be the Head of their church was considered as evil act and a threat to the divine order. Appointed Alexandrian popes preach that any opposition to the Alexandrian patriarchal hegemony will result in divine punishment in the form of fire, death, hunger and others. Not only preaching they also successfully incorporated fabricated events of punishments in religious books such as *metsehafe sinkisar*, *te'amire mariyam* and other *gidlis*. For instance, in *metsehafe sinkisar* it was written that Ethiopians were punished as a result of their demand to appoint Ethiopian popes to be the Head of their church (*Metsehafe sinkisar*, second version April 10). Second, if the accord was to be dissolved then why stay for 1600 years. From this it can be concluded that Alexandrian patriarchal hegemony was based on religiously disguised non religious doctrines, pseudo canon. Thus, it has to do with issue of Nile River. Alexandrian appointed popes had played crucial role in consolidating Egypt's hegemonic position. First, through inserting miracles in religious books such as *Sinkisar* they actively worked hard to create 'water fearing society'. The second mechanism was the politicization of religious authority. They attempted to imbue religious authority with politics and this helped them to indirectly control the regime. The unity of the cross and the crown as divine order creates the game of 'blocking the Nile waters Vs. Alexandrian popes'.

The last part of the pre-colonial period covers the modernization discourse of Egypt's nationalist leaders and a military move towards the realization of Egyptian age-old dream of making the Nile an 'Egyptian river.' The plan for controlling the source of Nile was primarily launched by Muhammad Ali and his successor Khedive Ismael Pasha and was completed by Egypt's protectorate, Britain. In Muhammad Ali's and his grandson's, Khedive Ismail's, southward expansionist policy, the ultimate goal was to control the source of Blue Nile thereby to secure uninterrupted water flow which is the only means for the continuity of Egypt as a State (Bahru, 2002: 26; Teferi, 2004: 19-21). The egoistic ambitious goal of these Egyptian leaders to position

Nile as an Egypt River led to the catastrophic battles of Gundat (1875) and Gura (1876) (Bahru, 2002:56). At both battles Egypt was defeated. Since then Egypt has followed a policy of destabilization which ranges from supporting rebel groups to proxy war.

3.2. Egypt and Nile in the Colonial Period: The Maintaining of Egypt's Hydro Hegemony

Egypt's hydro hegemonic position was maintained in the colonial period when colonial powers used normative instruments so as to maintain and secure the entire water of Nile River for Egypt. The agreements signed during the colonial period on the Eastern Nile basin and their role in establishing the current state of affairs, hegemonic order, and the challenge this poses to the current cooperative efforts are discussed as follows.

The first colonial agreement on the Eastern Nile River was the Anglo-Italian protocol of April 15, 1891 which sought to shield the interest of Egypt, a British colony, with regard to Tekeze/Atbara River. Under Article 3 of the agreement, Italy agreed not to construct or initiate any works on Tekeze/Atbara River which might alter the flow of the main river Nile⁷. It seems somewhat enigmatic as why Egypt colonial master Britain wants an agreement with a party distant from the river; the area is neither flowed in a territory controlled and claimed by Italy nor had Italy established a colonial rule over the country where the river is found. The implicit reason is to secure the entire flow of the river for downstream countries and thereby to lay down *a normative foundation* so as to extinguish any claim of potential use over the river water. Thus, though the agreement in any sense is not binding it has strong message for claims and counter claims which is to be consolidated by forthcoming colonial agreements.

The second colonial agreement was a treaty between Great Britain and Ethiopia, signed at Addis Ababa, May 15, 1902. Although the primary objective of the treaty as the name implies was delimitation of the frontier between Ethiopia and Sudan, it counter intuitively sought to make Nile the 'River of Egypt' alone. The English version of Article 3 of the treaty obliged Emperor Menelek II "...not to construct, or allow to be constructed, any work across the Blue Nile, Lake Tsana [Tana], or the Sobat which would arrest the flow of their waters into the Nile except in agreement with Britain and Sudan"⁸(Article 3 of the 1902 agreement). The Amharic version, however, intends to oblige Ethiopia *not to stop* the entire flow of the river Blue Nile and Sobat (as quoted in Yacob, 2007:97). In legal terms the treaty was not binding. First, it had never been ratified (Kasimbazi, 2010:721; Yacob, 2007:98). The search of a new legal agreement between Egypt and Sudan in a post-independent period also implied the non-validness of the treaty. Finally, the signatory State Britain itself had denied the sovereignty of Ethiopia by its act of

⁷ Protocols Between Great Britain and Italy on the Demarcation of their Respective Spheres of Influence in East Africa (15 April 1891).

⁸ A Treaty Between Ethiopia and Great Britain on the Delimitation of the Frontier between Ethiopia and Sudan (15 May 1902).

recognizing Italy's annexation of Ethiopia. Thus, Ethiopia could argue that any agreement signed with Britain was null.

The third agreement was the 1906 Tripartite treaty of Britain, France and Italy. Based up on reciprocity each signatory States had established their own sphere of influence over Ethiopia (Bahiru, 2002:114). The Nile, which had never been distant from the eyes of the British since the Berlin plan, was given to Britain (Yacob, 2007:96). In *a tit for tat manner*, Eritrea, Somaliland and west of Addis Ababa were granted for Italy. France was also entitled to the Franco-Ethiopian railway as its own sphere of influence. The three colonial powers had agreed to work jointly so as to preserve the interest of Britain and its colony Egypt with regard to Nile. In legal terms the agreement violated the absolute sovereign territory of Ethiopia and thereby undermined the interest of Ethiopia without giving due consideration of its riparian status and right.

The fourth agreement was the 1925 exchange of notes between the United Kingdom and Italy. Based upon reciprocity, in this agreement Italy agreed to "recognise the prior hydraulic rights of Egypt and the Sudan and agree not to construct on the head waters of the Blue Nile and the White Nile and their tributaries and effluents any work which might sensibly modify their flow into the main river"⁹. In return, Britain agreed to help with utmost effort Italy in obtaining a concession from the government of Ethiopia to construct a railway to connect Eritrea and Italy Somaliland. As clearly stated in the agreement, Britain was ready to recognize Italy's age-old colonial ambition over Ethiopia. The primary goal of Britain was to control the source of Blue Nile, Lake Tana, though it has never been realized.

The fifth agreement was the 1929 Anglo-Egyptian agreement. This agreement, which was concluded between Britain (on behalf of its colonies notably Sudan) and the newly independent Egypt, was intended to allocate the water of the Nile between Sudan and Egypt without regarding the interest of other riparians¹⁰. In this agreement, Egypt has attempted to make the entire Nile water its own gifted resource. This was also reinforced by the subsequent bilateral agreement.

3.3. Egypt and Nile in Post-Colonial Period: Consolidation of Egypt's Hydro Hegemony

In the post-colonial period, diversified actors have been involved in the hydro politics of Nile. Egypt has used several instruments aimed at consolidating its incessant hydro hegemonic position. The first instrument was normative compliance producing mechanism, *The 1959*

⁹ Exchange Of Notes Between The United Kingdom And Italy Respecting Concessions For A Barrage At Lake Tsana And A Railway Across Abyssinia From Eritrea To Italian Somaliland (Rome, 14 and 20 December 1925)

¹⁰ Exchange of Notes between His Majesty's Government in the United Kingdom and the Egyptian Government in regard to the use of the waters of the river Nile for irrigation purposes (Cairo May 7, 1929)

*agreement*¹¹. The agreement was the result of the bilateral renegotiation between the Sudan and Egypt. In view of the signatories, the agreement awarded them 'historic rights' over the entire Nile waters. This treaty allocated the Nile waters for Egypt (55.5 bcm) and Sudan (18.5 bcm) and the interest and legal rights of other riparians has been totally disregarded. It serves for Egypt and Sudan as a legal foundation of their 'historic rights' over the Nile waters. Thus, the 1959 agreement was the last normative mechanisms in the long journey of legalizing Egypt's hydro hegemonic position and its desired state of affairs.

The agreement itself establishes tactics of counter resistance at times of upstream refusal of the established hegemonic order. One such tactic is the establishment of a downstream coalition; they agreed that they will hold and present a 'unified view' in future negotiation with upstream countries¹². If such negotiations result in the construction of hydraulic infrastructure outside of the two countries, they agreed to conduct all the necessary "technical execution details and the working and maintenance arrangements" through the Joint Technical Commission¹³. The more wicked aspect of the agreement stated that any future planned upstream hydraulic projects must obtain the hegemonic blessing and be supervised by the Joint Technical Commission. Thus, the Joint Technical Commission is another technical tactic so as to control the Nile River. All in all, this agreement has consolidated and legalized Egypt's hydro hegemonic position and continues to hinder cooperative efforts aimed at equitable utilization of the shared resources.

The second strategy was resource capture. Egypt has practically consolidated the established hegemonic arrangement through the construction of large and multi-purpose hydraulic infrastructure such as the Aswan High Dam. Since ancient time small dams were built along the banks of the river (Lewis, n.d:48). The British had built a dam at Aswan which was completed in 1902 and later enlarged twice between 1907 and 1912 and then between 1929 and 1924. The dam provides water for irrigation of the upper and middle Egypt (Goldschmidt, 2008:158). The construction of the Aswan High Dam was launched on the 9th of January 1960 and was completed on the 17th of January 1971 with the purpose of flood control, power generation and irrigation (Rosegrant, et al., 2006:3). With the completion of this dam Egypt has controlled the Nile waters. The other more recent controversial Egypt's resource capture strategy is the Toshka project also known as the South Valley Development Project, New Valley project. The very purpose of the project is to create a new Nile valley by diverting the main Nile water via canal_Sheikh Za-yed Canal (Baker, 1997:60; Wahby, 2002:1).

Finally, Egypt has been engaged in employing utilitarian hegemonic compliance producing mechanism so as to institutionalize the status quo. To accomplish its aspiration of making Nile an 'Egyptian river', Egypt actively moved into creating hegemony favoured cooperation which is referred in this article as 'hegemonized cooperation'. Basin-wide cooperation is in Egypt's best

¹¹ Agreement between the Republic of the Sudan and the United Arab Republic for the Full Utilization of the Nile Waters (Cairo, 8 November 1959).

¹² The 1959 Agreement, *Supra Note 11*, Article 5 (1 and 2)

¹³ The 1959 Agreement, *Supra Note 11*, Article 5(1)

interest if the cooperation is in view of assisting other riparians in search of an alternative to the main Nile waters. Along this the cooperation preferred by Egypt is technical cooperation including data gathering and exchange, and technical assistance¹⁴. Such Egyptian strategy of cooperation came to the forefront as of the mid-1960.

The first attempted institutional framework for the Nile basin was the Hydromet (the Hydro-meteorological survey project of the Equatorial Lakes of Victoria, Kyoga and Albert) which was established in 1967 with the backing of Egypt and two UN agencies: the United Nations Development Program (UNDP) and the World Meteorological Organization (WMO) (Yacob, 2007:213; Egypt Country Paper, 2000: 49). The overall objective of Hydromet was to study and report meteorological data on the equatorial lakes to member countries. However, Hydromet was not all-inclusive. It also never incorporated the very sensitive and hydropolitical dilemma of the Nile basin issue: comprehensive fresh legal framework. Although Hydromet is regarded by Egypt as a successful example of technical cooperation (Egypt Country Paper, 2000:49), I argue that Hydromet was hegemonic bait which serves as a mechanism of maintaining the iniquitous status quo.

The other attempted 'hegemonised cooperation' was the *Undugu* meaning 'brotherhood'. The Undugu was the result of the Boutros Boutros-Ghali, Egypt's Minister of State for Foreign Affairs of that time, 'multi-good solution' proposal (Waterbury, 2002: 77). He proposed a Nile cooperation under the leadership of Egypt and the focus area was power development, transportation, tourism and regional security. On the basis of Boutros Boutros-Ghali's proposal, Egypt initiated the establishment of Undugu which came into being in 1983. However, the ulterior motive of Egypt was to prolong the lifespan of the status quo. Like that of Hydromet, Undugu was also non-comprehensive and thus died without upstream blessing.

The third attempted institutional framework initiated by the basin hydro hegemon was the TECCONILE (Technical Cooperation Committee for Promotion of the Development and Environment Protection of the Nile Basin) which was established in 1992 with the financial assistant of the Canadian International Development Agency (CIDA) (Yacob, 2007:215; Egypt Country Paper, 2000:49). Egypt, Sudan, Rwanda, Tanzania, Uganda, and Zaire now Congo are member countries while Ethiopia, Kenya, Eritrea, and Burundi had participated as observers (Yacob, 2007: 215; Waterbury, 2002: 78; Egypt Country Paper, 2000:49). Egypt's ulterior motive was to re-establish the dead Hydromet. However, because of the changing geo-politics of the Horn of Africa, the end of cold war, the coming to power of EPRDF under Meles Zenawi leadership, and the overgrowing water demand of Ethiopia for poverty alleviation, Ethiopia has become an active participant with a novel solution: comprehensive fresh agreement and institution. Thus, Egypt and Ethiopia came to the table with different often conflictual Nile solution. Their interest and solution were clearly articulated in 1995 at the third ministerial meeting in Arusha, Tanzania. Egypt focused on the plan of action consisting of several projects

¹⁴ E-mail correspondence with Professor Anthony Turton, *Supra Note 4*

of which most of them were remnants of the dead Hydromet. In contrast, Ethiopia asserted a new Nile solution and called for the creation of a comprehensive framework of agreement. The ministerial meeting led to the design of Nile River Basin Action Plan (NRBAP), which led to the establishment of the NBI in 1999 and the D3 project which aimed at addressing legal and institutional issues.

In general, the Egyptian roadmap towards Nile cooperation is a hegemonized cooperation which is largely at the expense of non-hegemonic riparians. First, Egypt wants cooperation in view of assisting upstream countries in search of developing alternatives to the main Nile waters. Egypt never wants quota negotiation (quantitative water allocation). In 1995 a senior Egyptian diplomat, Deputy Assistant Minister of Foreign Affairs Marwan Badr, reaffirmed the Egyptian position of the non-negotiability of volumetric allocation. He argued that:

“We are obliged to engage in a process of negotiations that will ineluctably lead us toward the re-definition of quotas. What we are seeking at the present time is to offer them alternatives. Ethiopia or Uganda, for example do not need water but [rather] electricity. We, then, propose the construction of dual use projects; water for us and electricity for them” (as quoted in Waterbury, 2002:75-76).

Thus, Egyptian decision makers strongly viewed quotas as allocated by the 1959 agreement as non-negotiable and thus eternal. By using its expert power (experienced water technocrat), Egypt wants to offer technical assistance in helping upstream countries to develop alternative water sources other than on those feeding the main Nile. Secondly, Egypt wants cooperation on data gathering and exchange, and extensive studies of specific projects as observed in the case of Hydromet. Finally, Egypt's preferred area of cooperation is on technical issue. Thus, the most contentious issue of Nile politics, the legal and institutional issues, are often neglected. All in all, Egypt has successfully defended its hegemonic position and the established order through several strategies and tactics, most often a combination of hard and soft power.

4. Challenging Egypt's Hydro Hegemony and the Changing Power Relation in the Eastern Nile Basin

“The current regime cannot be sustained. It's being sustained because of the diplomatic clout of Egypt. There will come a time when the people of east Africa and Ethiopia will become too desperate to care about these diplomatic niceties. Then, they are going to act”

The Late Prime Minister Melese Zenawi (BBC, February 2005)

Until the 1990's the status quo remained unchallenged though there was a strong verbal contestation of it. However, the post 1990 period has witnessed unprecedented change both domestically, regionally and internationally which largely changed the balance of power in the Nile region. This sub section identifies the changing power relations in the Eastern Nile Basin in the post 1990s.

4.1. Ethiopia: A Move from a Challenger to a Changer of the Status Quo

Despite the 85% contribution of the Nile water, Ethiopia has neither utilised its resources nor constructed water control infrastructures. Nevertheless, since the imperial period Ethiopia has been engaged in exploring potential areas for hydro power and irrigation projects. However, only very few projects have been realized. The major reasons for this were lack of financial resources of its own and external sources, protracted internal and external conflict, weak national research based water institutions, absence of well-organized water technocracy, high expert turn over water experts as a result of political instability, and inability of penetrating/entering international financial institutions to secure financial funds (Abate, 1994 as quoted in Cascão, 2009:254; Waterbury, 2002:72; Yacob, 2010:169). Despite these constraints, Ethiopian leaders at various times have expressed their aspiration to develop the Nile for hydropower and irrigation which is an 'element of continuity' and top agenda of the three successive Ethiopian regimes (Waterbury, 2002:126)

However, with the coming to power of EPRDF in 1991 the country has made major politico-economic transformation. The major challenge of the new regime was how to attain food security, which is the single-most strategic interest and also a contributing factor for the downfall of EPRDF predecessors, and how to achieve sustainable development and economic growth (Verhoeven, 2013:5; Waterbury, 2002:91). Among the various strategies through which food security can be enhanced, the new regime preferred the 'big project' approach: large water storage and hydro power generation projects. This strategy can be labelled as 'a hydro-agricultural State building strategy'. Such a strategy, however, has its own impact on the hydropolitical dilemma of the Nile River. Thus, using its geographical power combined with relatively growing material and bargaining power, Ethiopia begun the long journey of eroding the hydro political status quo, which was legally established by the 1929 and 1959 agreements with the intent of making Nile an Egyptian River.

First, in terms of material power Ethiopia has witnessed considerable change. Ethiopia is relatively stable both in economic and in political terms than it was a decade ago. Economically, the Ethiopian economy has become one of the fastest growing economies in the world with an average growth rate of 10.5 since 2005 (Admit *et al.*, 2016:2; Alemayehu, Yared and Seid 2016:1). Such relative changes coupled with Ethiopians' age old aspiration of utilising the Nile water to end poverty have influenced the new regime to proceed with the development of the water resources. Thus, the country is now in a better position than in the past both to finance hydraulic infrastructures in its own and to bring alternative funding from the emergent world economies. However, this does not mean that Ethiopia is more powerful in all dimension of material power (economic power, military power, expert power and structural power) among Nile riparians.

Second, Ethiopia has been exploiting its bargaining power. Using its bargaining power, Ethiopia for the first time in the hydropolitical history of Nile won the 'war of ideas' at Arusha TECCONILE meeting. The increment of Ethiopia's bargaining power is also manifested in the negotiation process of CFA, its finalization, signing and ratification. Ethiopia has successfully influenced the negotiation process of the legal framework. According to Cascão (2009:256), "Ethiopia had convinced the six equatorial Nile riparians to vote unanimously in favour of a draft that endorses the principles of 'equitable utilization' and downplays the past Nile water agreements".

The other more prudent manifestation of Ethiopia's bargaining power is the establishment of Tripartite International Panel of Experts (IPoE). The government of Ethiopia invited, in a good faith, Sudan and Egypt to set up International Panel of Experts on the Ethiopian Grand Ethiopian Renaissance Dam (GERD) to review the design document of GERD and finally to report the possible benefits and costs of GERD to downstream countries so as to build confidence among the three riparians (IPoE, 2013). In history, this was the first of its kind which showed the Ethiopian Government's and the people's altruism, good will and good faith. In an article published on its official website, the Ethiopian Ministry foreign Affairs (MoFA) stated :

We don't know of any single country in the Nile basin that has ever previously invited other riparian countries to study the impact of a dam on riparian countries. Definitely this has never been the experience of Egypt, at least in regards to Ethiopia. If Ethiopia had chosen to follow historical precedent and indeed the example set by Egypt, there would never have been any consultations on GERD in the first place¹⁵.

Finally, Ethiopia's ideational power has also increased than what it had been a decade ago. Ideational power (power over idea) is the capability of a country in imposing and thereby legitimizing ideas, knowledge and narratives. Historically, Egypt has successfully sanctioned its own discourse such as its absolute dependency on Nile, historic right, and water as a security issue. Currently, Egypt has also attempted to keep the unsolved sensitive issue of water sharing out of the agenda and instead insisted on benefit sharing. In contrast, Ethiopia with other upstream countries holds an alternative discourse of 'equitable and reasonable utilization' of the shared water resources. With regard to GERD, Ethiopia also guaranteed that 'no significant harm' will be caused to downstream countries due to the construction of GERD. Rather, Ethiopia maintains that the GERD is a beneficiary project for all. This is also confirmed by the IPoE final report.

¹⁵ Ministry of Foreign Affairs (n.d.). Egyptian "Experts": unjustified statement on GERD. Retrieved 15 February 2017 from http://www.mfa.gov.et/web/guest/articles/-/asset_publisher/TiDZpSUe5oS6/content/egyptian-experts-unjustified-statement-on-gerd?_101_INSTANCE_TiDZpSUe5oS6_redirect=http%3A%2F%2Fwww.mfa.gov.et%2Fweb%2Fguest%2Farticles%2F-%2Fasset_publisher%2FTiDZpSUe5oS6%2Fcontent%2Fegyptian-experts-unjustified-statement-on-gerd&_101_INSTANCE_TiDZpSUe5oS6_cur=0&_101_INSTANCE_TiDZpSUe5oS6_page=1

4.2. Changing Geopolitics and its Impact on the Hydropolitics of Nile

On July 2011, South Sudan formally seceded from Sudan after decades-old struggle and became the fifty-fourth state in Africa (Vaughan et al, 2013, 3) and thus Sudan is no longer a unified country it was when it signed the 1959 agreement. The birth of South Sudan as an independent State increased the number of Nile riparian to 11. The independence of South Sudan has its own repercussion for the hydropolitics of Nile. Hydrographically, South Sudan has a relatively strong geographical power. South Sudan is an area of confluence of most tributaries of White Nile including the Ethiopian Rivers of Baro-Akkobo-Sobat. White Nile flows through the territories of South Sudan before joining the Abbay-Blue Nile at Khartoum, the capital of the Sudan. Finally, the Nile is joined by another Ethiopian river Tekeze-Atbara in North Sudan. With regard to this, South Sudan has valuable geographical position at least for two reasons. First, as discussed above White Nile flows through South Sudan and Pibor, South Sudan River, also receives high run off though occasional from Southeast Sudan and it joins the Ethiopian Baro-Akkobo-Sobat River (Parks and Sutcliffe, 1999: 5-6).

Second, almost half of the White Nile waters are lost in South Sudan largely due to evaporation and also seeping into four large swamps such as the Sudd, Bahr el Ghazal, Bahr El Jebel, and the Machar. According to Salman (2011:157), 50% of the White Nile water is lost at the three South Sudan swamps (Sudd, Bahr el Ghazal and Machar swamps) and the study of Yohannes (2008:72) also shows that close to 22 bcm (sometime 41 bcm due to seasonal variation) evaporates in the Sudd swamp. Because of this reason, particularly the Sudd swamp has become the very interest of the government of Khartoum and Cairo.

In general, the secession of South Sudan may erode the hydro-political status quo in two ways. First, South Sudan has followed a 'clean slate doctrine' and declared the invalidity of the 1959 agreement¹⁶. South Sudan has joined the Entebbe group on 5 July 2012 and this may change the balance of power if South Sudan accede CFA.¹⁷ Initially, South Sudan has showed its willingness in acceding CFA; the document was even presented to the parliament of the country¹⁸. Sadly, with the outbreak of a civil war in the newly independent State South Sudan refrained from acceding CFA largely due to the pressure from Egypt which provides Salva Kirr a military support. This shows how political and economic instability has hindered South Sudan from acceding CFA and how Egypt has used this opportunity to prolong the lifespan of the status quo. Nevertheless, South Sudan is in the process of accession¹⁹. Second, with the secession of

¹⁶ Amos, Machel (20 March 2013). South Sudan Rejects the Colonial Nile Waters Agreement. Retrieved 20 April 2017 From <http://www.meleszenawi.com/south-sudan-rejects-the-colonial-nile-waters-agreement/>

¹⁷ NBI. South Sudan. Retrieved 14 February 2017 from <http://www.nilebasin.org/index.php/south-sudan>

¹⁸ Interview with Fekahmed Negash, Executive Director of ENTRO, April 2017, Addis Ababa, Ethiopia; World Water Day Magazine interview with Alemayehu Tegenu, Former Minister of Water, Irrigation and Energy

¹⁹ Interview with Zerihun Abebe, Transboundary Resources Affairs Directorate, Ministry of Foreign Affairs, April 2017

South Sudan, north Sudan has lost 50% of its oil reserves²⁰. This has forced Sudan into developing large-scale irrigation projects that require huge amount of water. All in all, the secession of South Sudan is another factor that has changed the power relation of the Nile region with various hydro-political implications.

4.3. Sudan: Caught in a Hydropolitical Dilemma

Sudan enjoys twin advantages. Hydrographically, all tributaries of Nile (White Nile, Abbay-Blue Nile, and the Tekeze-Atbara) flow through the territory of Sudan onto Egypt. Thus, Sudan is a geographical bridge between the contributors of the water and the main consumer (Egypt) (Yohannes, 2008:57). Sudan is also the largest Nile riparian in terms of potential irrigable land than others (Waterbury, 2002:128). However, civil war, political instability, lack of financial sources including external financial support and weak institution has made the development of water resources minimal (Cascão, 2009:257). Historically, Sudan has aligned with Egypt and it plays a crucial role in shielding Egypt's hydro hegemony. Both Egypt and Sudan claim 'historic right' and through the 1959 bilateral agreement they control the entire Nile. Despite Sudan's historic coalition with Egypt with the aim of maintaining the status quo established in the 1959 agreement, recent changes imply that Sudan will no longer bless the hydro-political status quo. In this regard, I argue that as a result of the current changes in Sudan, a historic ally of Egypt, will become a challenger of the hydro-political the status quo. The changing factors and their hydro-political implication either in enforcing or in eroding the hydro-political state of affairs are discussed in the following section.

4.3.1. The Revitalization of the Ideology of Making Sudan the Breadbasket of the Arab World

Since Sudan's independence in 1956, Sudanese elite saw agricultural modernization as a viable development path for the newly independent country (Yohannes, 2008:64). At the same time, oil-producing Arab countries came to realize the agricultural potential of Sudan and wanted to export cheap grain from Sudan. Because of these factors the elite of the newly independent Sudanese sought to transform their country using the Nile waters into an 'Arab breadbasket' (Yohannes, 2008:64). However, the 1929 colonial agreement hinders the realization of such aspiration. This forced Sudan to call for the renegotiation of the 1929 agreement and this led to the adoption of the 1959 agreement between Sudan and Egypt. In the post 1959 period, Sudan and Egypt agreed to cooperate so as to maintain their dominant position over the Nile River. However, Sudan has never used all of its allocated water (18.5 bcm). This is largely due to the

²⁰ The Comprehensive Peace Agreement between the Government of the Republic of the Sudan and the Sudan People's Liberation Movement/Sudan People's Liberation Army, Part V schedules A (33). Retrieved 15 February 2017 from <http://unmis.unmissions.org/Portals/UNMIS/Documents/General/cpa-en.pdf>

civil war, absence of financial sources and weak institutions (Cascão, 2009:257). Thus, the vision of making Sudan an 'Arab breadbasket' was dead from the outset.

After a decade, however, the slogan of making Sudan an 'Arab breadbasket' has revived because of the changing power politics of the Nile region, the secession of South Sudan and the 'rise of China' as the infrastructure financier in the region. Upon the secession South Sudan, Sudan has lost 50% of its oil reserves²¹. Consequently, the Sudanese began to pay more attention to agriculture. Now Sudan has made unprecedented change in the agricultural and water sector with an established strong national water institution and thus revitalized the six decade old slogan of making Sudan an 'Arab breadbasket'. However, this requires more water than the current use of Sudan. In realizing its aspiration of being an Arab breadbasket, Sudan has been engaged in hydraulic mission. Due to its increasing geopolitical significance, present day Sudan is attracting foreign investment from Gulf countries and China. Finding in China an alternative source of fund, Sudan is now in a better position than it was a decade ago to initiate and develop hydraulic infrastructure. This mean that Sudan's current plan will exceed its quota as stated in 1959 agreement (Swain, 2011: 695). In its Country Paper presented to the fifth Nile 2002 conference of 1997 Sudan estimated its water demand to reach at 32 bcm by 2002, twice as much its allotted quota under 1959 agreement (Sudan Country Paper, 1997:57). A more recent data shows that the future water demand of Sudan is estimated to be more than 40 bcm²². Thus, Sudan's developmental aspiration and its resentment of the 1959 agreement would gradually compel it to move towards challenging Egypt. Thus, in the near future the strongest challenge to Egypt and the hydro-political status quo of Nile will come from the Sudan.

4.3.2. A Three-layered Change in the Sudanese Water Sector

In Sudan tremendous change has taken place in the water sector which raises serious concern for Egypt. According to Cascão (2009:257), three major changes have taken place in the Sudanese water sector: "a unilateral construction and planning of hydraulic infrastructure, the establishment of a powerful new water institution, and the expansion of irrigation schemes". First, Sudan's unilateral hydraulic mission is a great concern for Egypt. Sudan has completed the large-scale Merowe dam in 2009²³ with the financial help of non-western countries (Butterfield, et al., 2009:28). The other project is heightening of the old Roseires dam which is started in 2008 (Cascão (2009:257). Although such dams may not use water more than the allotted quota, the political message it sends to Cairo and upstream countries has special significance.

Second, Sudan has increased its expert and structural power which is manifested through the establishment of a new national institution, the Dams Implementation Unit (DIU). Established in 2005 to follow-up and manage the Merowe dam, later on DIU's mandate was extended to

²¹ The Comprehensive Peace Agreement, *Supra note* 21, at Chapter three 5 (5.6)

²² Interview with Ana Elisa Cascão (PhD), Programme Manager of Transboundary Water Management, Stockholm International Water Institute, March 2017

²³ Dams Implementing Unit. Funding. Retrieved 14 February 2017 From <http://www.merowedam.gov.sd/en/funding.html>

initiate, develop and utilize the water resources of Sudan and also to manage all future planned projects of Sudan²⁴(Cascão, 2009: 259). Historically Egypt has won the war of expertise while due to political instability Ethiopia and Sudan were known for expert discontinuity (Waterbury, 2002:71). However, after a long period both Sudan and Ethiopia have now increased their expert power.

Finally, Sudan is currently expanding irrigation schemes which will exacerbate the need for more water. All in all, Sudan will present a real challenge to the existing hydro hegemonic state of affairs. Empirical data (Swain, 2011; Waterbury, 2002:172; Mohieldeen, 2007 cited in Cascao, 2009; Sudanese Country Paper, 1997) show that Sudanese planned projects and future water demand will exceed the allotted quota and thus its joining CFA will be the likely scenario.

4.3.3. Sudanese Increased Resentment of the 1959 Agreement

“Those who play with fire in Khartoum ...will push us to confrontation and to defend our rights and lives” Former Egypt President, Hosni Mubarak²⁵

It is said that Sudanese politicians and scholars are not satisfied with the 1959 agreement which is in favour of Egypt. Simon (2004:178)'s study on the issue, for example, shows that resentment and critics are raised by Sudanese scholars than their Egyptian counter parts. Sudanese scholars depicted their country's inferior position as relationship in which “the big brother [Egypt] can hit the small brother [Sudan]” (as quoted in Mason 178). Since 1985, with the increasing developmental aspiration, Sudan expressed the need for the renegotiation of the 1959 agreement but vetoed by Egypt. Thus, a new treaty regime is in the best interest of Sudanese officials (Waterbury, 2002; Dinar, 2012:127). Even more proactively the Sudan officials particularly Hassan al-Turabi, the leader of the National Islamic Front (NIF) of Sudan, warned Egypt that Sudan can block or shift the water that reaches to Egypt. The statement by the former president of Egypt, Hosni Mubarak, quoted above was a response to the government of Khartoum. Egypt's foreign minister of the time also warned the government of Khartoum “not to play with fire, at the same time, not to play with water” (as quoted in Swain, 2011:692).

Sudan's resentment coupled with its growing water demand, relative political and economic stability, its increasing geopolitical significance and foreign investment will potentially lead Sudan to challenge Egypt more boldly. On this account, in the near future a Sudan-upstream coalition and its joining of CFA would be the likely scenario. According to Waterbury (2002:131), because of economic interest and future hope of a good deal Ethio-Sudanese coalition against Egypt is the likely situation.

²⁴Dams Implementing Unit (2017) Retrieved 14 February 2017 from <http://diu.gov.sd/en/home/pages/url/6/%D8%AA%D8%B9%D8%B1%D9%8A%D9%81%D8%A8%D8%A7%D9%84%D9%88%D8%AD%D8%AF%D8%A9>

²⁵ The Africa Report (n.d.). Back To Nile, Troubled Waters. *The Africa Report*. Retrieved 15 February 2017 from <http://www.theafricareport.com/basin.html>

4.4. The China Factor: Shifting the Power Balance in the Nile Region

Another challenge to the current hydro-political status quo of Nile is the 'rise of China' in Africa as the 'infrastructure financier'. Since 2002 unprecedented new wave of hydraulic infrastructure construction has been taken place largely with the finance, contractors, and engineers of China (Verhoeven, 2013). This is an 'emblematic shift' in the hydropolitics of Nile at least in terms of access to external financial sources, contract of construction, technical skills and political backing (Cascao, 2009: 260). This is totally absent in the pre-1990 period. In the past, as discussed above, the major impediment to the development of upstream countries and even downstream Sudan water resources was the lack of external financial sources. Traditional international financial institutions and donors are largely either reluctant to finance hydro projects or may set a minimum benchmark or 'luxurious preconditions' (as described by the then Head of the Ethiopian Electric Power Corporation Mihret Debebe), to be fulfilled by the project holder country. For instance, one of World Bank's criteria for financing a hydraulic project is downstream consent on the planned upstream hydraulic project. Such preconditions afforded downstream countries like Egypt a 'veto power' over external financial sources for any planned hydraulic infrastructure of an upstream country.

However, since 1990's the investment landscape of the Horn of Africa region, mostly in Sudan and Ethiopia, has changed radically. China has emerged as the infrastructure financier of the Horn of Africa region particularly in the energy sector (Butterfield, *et al.*, 2009). In the 2014 White paper issued by China's Information Office of the State Council, it is stated that China has "carried out technical cooperation with countries like Ethiopia, Burundi and Sudan, and helped these countries improve their utilization and management of hydro power and other clean energy²⁶". In the Eastern Nile basin, China provides financial sources and technical assistance for Sudan and Ethiopia. Thus, on the one hand the emergence of China in the 'dam industry' with a non-preconditioned financial assistance modality has provided Ethiopia and Sudan an ample opportunity in realizing their age-old development aspiration of their water resources and on the other hand it is a new challenge to the hydro-political status quo.

First, the emergence of China as financier of hydraulic infrastructure in Sudan and in Ethiopia is a game changer in the hydro-politics of Nile. Hydropower and irrigation projects are the priority area of Chinese finance (Butterfield, 2009: ix). Among the four biggest recipients of Chinese finance in Africa, two of them are part of the Nile region namely Sudan and Ethiopia (Butterfield, 2009: ix). Financially, China's support for Sudan and Ethiopia is channelled through the China Export-Import (China Exim Bank) Bank. Beyond financial support, Chinese construction material, companies and contractor, and engineers are also involved in different hydraulic infrastructure projects of the two countries. In Sudan, China through its two biggest

²⁶ China's Information Office of the State Council (July 2014). China's Foreign Aid (2014). Retrieved 15 February 2017 from <http://ssc.undp.org/content/dam/ssc/dgspaces/China/files/China%202nd%20White%20Paper%20on%20Foreign%20Aid%202014.pdf>

institutions, Sino hydro (the world's leading dam builder) and state-owned China International Water and Electricity Corporation, builds two hydraulic projects: the Merowe Dam which is completed in 2007/8 and the heightening of the Roseires dam (Casaco, 2009:260; Verhoeven, 2013 n.d; Institute of Development Studies, 2013 n.d.).

Second, with the 'rise of China' traditional international financial institutions and donors are no longer the only actor and partner particularly in the Nile region's hydraulic infrastructure and power project sectors. This means Egypt has lost its 'veto power' over external financial sources for upstream hydraulic projects. For long period of time, Egypt had used its geopolitical significance and substantial diplomatic clout along with its economic and military power to prevent the financing of dam construction in Ethiopia (Institute of Development Studies, 2013 n.d.). The late Prime Minister Meles Zenawi correctly predicts the coming of a new 'playing field' in favour of the helpless upstream countries: "the current regime cannot be sustained....There will come a time when the people of East Africa and Ethiopia will become too desperate to care about these diplomatic niceties. Then, they are going to act"²⁷. Thus, the emergence of China as an alternative source of fund is a game changer and will be another challenge to the hydro hegemonic status quo of the Nile River.

5. Conclusion

This study examined the strategies and tactics used by Egypt in its quest for hydro hegemony and the post-1991 developments that unlocked new avenues in challenging the incessant 'malign hydro hegemonic' power, Egypt, and thereof the inequitable and unsustainable status quo which is against the very right of non-hegemonic riparian's. The findings of the study show that in the Eastern Nile Basin there exists a 'contested malign hydro hegemony' with the coexistence of veiled consent and apparent verbal sometimes actual contest. Egypt has pursued a trinity of strategies (resource capture, containment and hegemonized cooperation) which aimed at making Nile an exclusively Egyptian river and a sacred gift of the past, present and future generation of Egypt. The tactics in executing the three strategies employed by Egypt include charter type mythologies, pseudo canon, religion aimed at creating water fearing society in Ethiopia, use of force, normative instruments, utilitarian mechanism, cooperation as domination, securitization, destabilization, detainment or delaying tactic, and rapprochement with Ethiopian adversaries.

Nevertheless, Egypt's incessant hydro hegemony and the established inequitable order being canonized and considered sacrosanct by the hegemonic power is now being challenged and contested by non-hegemonic riparians largely because of the changing domestic, regional and international environments in the post-1990's period. In this regard, it can be concluded that

²⁷ BBC (3 February 2005). Nile restrictions anger Ethiopia. *BBC News*. Retrieved 14 February 2017 From <http://news.bbc.co.uk/2/hi/africa/4232107.stm>

there is no change but sign of change foreshadowing a new order. Thus, there is a need on the part of non-hegemonic riparians to use smart power, a combination of hard and soft power, so as to successfully transform the established order. First, there is a need for 'decolonizing the hegemonic mind' to assert that 'Egypt is not the sacred husband of Nile rather Nile has made a geographical and legal marriage with 11 countries'. Second, there is a need for the establishment of a 'historic non-hegemonic block' in order to bring consistent unified upstream position which will bring a practical change. Failing to do so would mean blessing the current hegemonic status quo and endorsing the extinction of the commonly shared resource_ the Nile waters.

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