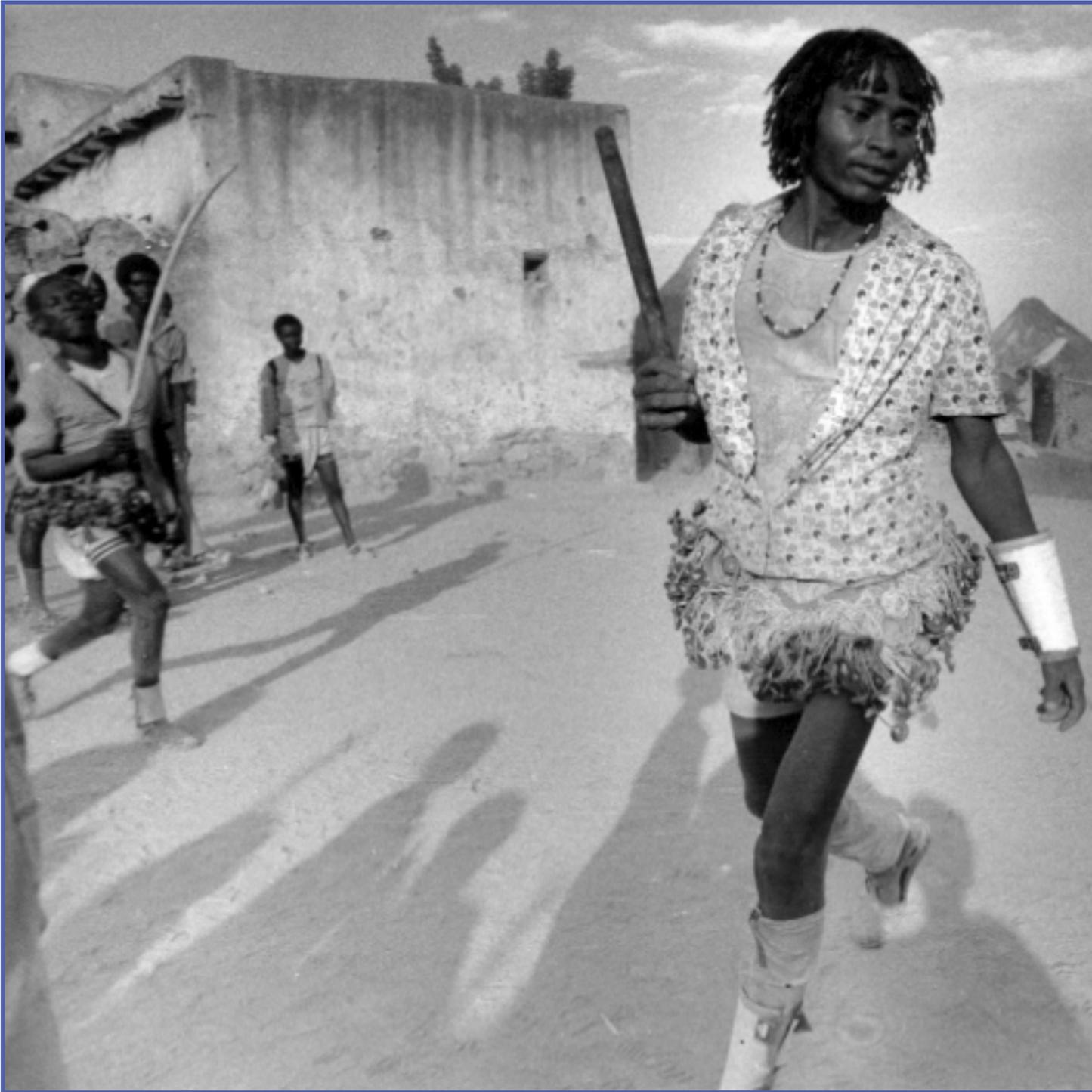


Eritrea:

Towards Unity in Diversity



ERITREA: TOWARDS UNITY IN DIVERSITY

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MINORITY RIGHTS GROUP

Minority Rights Group works to secure rights and justice for ethnic, linguistic and religious minorities. It is dedicated to the cause of cooperation and understanding between communities.

Founded in the 1960s, MRG is a small international non-governmental organization that informs and warns governments, the international community, non-governmental organizations and the wider public about the situation of minorities around the world. This work is based on the publication of well-researched Reports, Books and Papers; direct advocacy on behalf of minority rights in international fora; the development of a global network of like-minded organizations and minority communities to collaborate on these issues; and the challenging of prejudice and promotion of public understanding through information and education projects.

MRG believes that the best hope for a peaceful world lies in identifying and monitoring conflict between communities, advocating preventive measures to avoid the escalation of conflict and encouraging positive action to build trusts between majority and minority communities.

MRG has consultative status with the United Nations Economic and Social Council and has a worldwide network of partners. Its international headquarters are in London. Legally it is registered both as a charity and as a limited company under the United Kingdom Law with an International Governing Council.

THE PROCESS

As part of its methodology, MRG conducts regional research, identifies issues and commissions Reports based on its findings. Each author is carefully chosen and all scripts are read by no less than eight independent experts who are knowledgeable about the subject matter. These experts are drawn from the minorities about whom the Reports are written, and from journalists, academics, researchers and other human rights agencies. Authors are asked to incorporate comments made by these parties. In this way, MRG aims to publish accurate, authoritative, well-balanced Reports.



*Traditional ceremony of
the Kunama tribe.*

RHODRI JONES/PANOS PICTURES

Eritrea: Towards Unity in Diversity

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Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities

(UN General Assembly; Resolution 47/135 of 18 December 1992).

Article 1

1. States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories, and shall encourage conditions for the promotion of that identity.
2. States shall adopt appropriate legislative and other measures to achieve those ends.

Article 2

1. Persons belonging to national or ethnic, religious and linguistic minorities (hereinafter referred to as persons belonging to minorities) have the right to enjoy their own culture, to profess and practise their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination.
2. Persons belonging to minorities have the right to participate effectively in cultural, religious, social, economic and public life.
3. Persons belonging to minorities have the right to participate effectively in decisions on the national and, where appropriate, regional level concerning the minority to which they belong or the regions in which they live, in a manner not incompatible with national legislation.
4. Persons belonging to minorities have the right to establish and maintain their own associations.
5. Persons belonging to minorities have the right to establish and maintain, without any discrimination, free and peaceful contacts with other members of their group, with persons belonging to other minorities, as well as contacts across frontiers with citizens of other States to whom they are related by national or ethnic, religious or linguistic ties.

Article 3

1. Persons belonging to minorities may exercise their rights including those as set forth in this Declaration individually as well as in community with other members of their group, without any discrimination.
2. No disadvantage shall result for any person belonging to a minority as the consequence of the exercise or non-exercise of the rights as set forth in this Declaration.

Article 4

1. States shall take measures where required to ensure that persons belonging to minorities may exercise fully and effectively all their human rights and fundamental freedoms without any discrimination and in full equality before the law.
2. States shall take measures to create favourable conditions to enable persons belonging to minorities to express their

characteristics and to develop their culture, language, religion, traditions and customs, except where specific practices are in violation of national law and contrary to international standards.

3. States should take appropriate measures so that, wherever possible, persons belonging to minorities have adequate opportunities to learn their mother tongue or to have instruction in their mother tongue.
4. States should, where appropriate, take measures in the field of education, in order to encourage knowledge of the history, traditions, language and culture of the minorities existing within their territory. Persons belonging to minorities should have adequate opportunities to gain knowledge of the society as a whole.
5. States should consider appropriate measures so that persons belonging to minorities may participate fully in the economic progress and development in their country.

Article 5

1. National policies and programmes shall be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.
2. Programmes of co-operation and assistance among States should be planned and implemented with due regard for the legitimate interests of persons belonging to minorities.

Article 6

States should cooperate on questions relating to persons belonging to minorities, *inter alia* exchanging of information and experiences, in order to promote mutual understanding and confidence.

Article 7

States should cooperate in order to promote respect for the rights as set forth in the present Declaration.

Article 8

1. Nothing in this Declaration shall prevent the fulfilment of international obligations of States in relation to persons belonging to minorities. In particular, States shall fulfil in good faith the obligations and commitments they have assumed under international treaties and agreements to which they are parties.
2. The exercise of the rights as set forth in the present Declaration shall not prejudice the enjoyment by all persons of universally recognised human rights and fundamental freedoms.
3. Measures taken by States in order to ensure the effective enjoyment of the rights as set forth in the present Declaration shall not *prima facie* be considered contrary to the principle of equality contained in the Universal Declaration of Human Rights.
4. Nothing in the present Declaration may be construed as permitting any activity contrary to the purposes and principles of the United Nations, including sovereign equality, territorial integrity and political independence of States.

Article 9

The specialised agencies and other organisations of the United Nations system shall contribute to the full realisation of the rights and principles as set forth in the present Declaration, within their respective fields of competence.

Preface

The Horn of Africa has seen some of the most horrific wars in Africa during the last 30 years. These wars were fuelled by financial and military support from outside the region, with the human misery being compounded by drought and famine. Millions of people died in what was Ethiopia, where the *derg* became one of Africa's most oppressive regimes.

Violent conflict was resolved with the overthrow of the *derg* and the creation of the Eritrean state. Many states are nervous of, or even hostile to, the precedent that this creates, because the sovereign integrity of the state is seen by many as crucial to stable development in Africa. Many non-governmental organizations (NGOs), among others, are eager to support both Eritrea and Ethiopia in the reconciliation and reconstruction process, to ensure that Eritrea can become a stable new state, respecting human rights and celebrating ethnic and cultural diversity, in the way that its charismatic President Issayas Afewerki proclaims. However in Eritrea there is understandable caution on the role of outsiders, whether they be states or NGOs.

Minority Rights Group (MRG)'s last Report on Eritrea, which was published in 1983, reflects the experience of Eritreans under Ethiopian rule. Following Eritrea's independence in 1993, the situation now needs reassessing, hence this new MRG Report. The author, Dr David Pool, has travelled extensively in Eritrea and has studied the country and its people for many years. Like its predecessor, this new Report describes the land and inhabitants of Eritrea, showing the country's considerable diversity of ethnic groups, languages, religions and topography. The Report traces the process by which Eritrea achieved statehood, from the period of Italian rule via the brief period of British Military Administration (BMA), semi-autonomous federation rule, incorporation into Ethiopia and the war of liberation.

The Report examines the process of constitution-making and considers the draft constitution, completed in 1996, which is due for adoption once a constitutional assembly has been established. Particular attention is paid here to the implications of the draft constitution for Eritrea's minority groups. The draft constitution has its basis in, and strongly implies, the principle of unity in diversity. Yet, as the experience of many African states since independence has illustrated, it can be difficult in an emerging democracy to achieve a balance between individual and group rights, on the one hand, and the need to build a new state in the context of a severe shortage of national resources and the legacy of war, on the other. While acknowledging the major obstacles that the emerging democracy still faces, much is rightly expected of the Eritrean government to find ways of involving all of its people in its development.

The text closely documents the establishment of the provisional government and National Assembly, describ-

ing how the Eritrean People's Liberation Front (EPLF) became the sole ruling force of the country. As the Report demonstrates, one of the main challenges is how to transform a highly centralized and disciplined guerrilla movement into a functioning pluralist state where human rights are adequately protected and promoted.

Following independence, a crucial test for the new state will be to ensure that all Eritreans enjoy equal freedom and rights. It is still a little early to judge how far the country may be moving in this direction, but the Report identifies some pointers for the future. MRG has also sought to make a constructive contribution by setting out a number of recommendations, including one crucial point – that Eritrea should recognize the existence of, and the rights of, all the minorities within its borders and celebrate this diversity in practical ways.

Alan Phillips
Director
May 1997

Abbreviations

<i>BMA</i>	British Military Administration
<i>CCE</i>	Constitutional Commission of Eritrea
<i>CERA</i>	Commission for Eritrean Refugees
<i>ELF</i>	Eritrean Liberation Front
<i>ELF-RC</i>	Eritrean Liberation Front-Revolutionary Council
<i>ELM</i>	Eritrean Liberation Movement
<i>EIJ</i>	Eritrean Islamic Jihad
<i>EPLA</i>	Eritrean People's Liberation Army
<i>EPLF</i>	Eritrean People's Liberation Front
<i>EPRDF</i>	Ethiopian People's Revolutionary Democratic Front
<i>NEMP-E</i>	National Environmental Management Plan-Eritrea
<i>NUEW</i>	National Union of Eritrean Women
<i>OAU</i>	Organization of African Unity
<i>PFDJ</i>	Popular Front for Democracy and Justice
<i>PGE</i>	Provisional Government of Eritrea
<i>PLF</i>	Popular Liberation Forces
<i>PROFERI</i>	Programme for Refugee Integration and Resettlement
<i>TPLF</i>	Tigray People's Liberation Front
<i>UN</i>	United Nations
<i>UNHCR</i>	United Nations High Commission for Refugees
<i>USA</i>	United States of America
<i>USSR</i>	Union of Soviet Socialist Republics (Soviet Union)

Introduction

In 1991, the Eritrean People's Liberation Front and Army (EPLF, EPLA) entered Asmara to the jubilant welcome of its inhabitants as the defeated Ethiopian army fled in disarray. The liberation of Eritrea's capital brought to an end a prolonged siege of the city and more than three decades of Ethiopian control. In 1993, after a 30-year liberation struggle and two years of *de facto* independence, Eritrea received international recognition as a state. Achieving independence was unprecedented in modern African history: for the first time an African state attained sovereign statehood at the expense of another African state and against both an international and African consensus on the sanctity of African territorial boundaries. The political achievement was matched in the military sphere: the EPLF, with limited external assistance, had maintained a protracted armed struggle and proved victorious against one of the largest armies in Africa and a state which had successively been supported by the United States of America (USA) and the former Soviet Union (USSR).

The realization of independence reversed a pattern of foreign intervention, occupation and control which was seemingly engrained in Eritrean history.¹ Ethiopian rule (1952–91) had succeeded the British Military Administration (BMA) (1941–52) which had followed Italian colonialism (1889–1941). Italian colonial conquest brought together the many different ethnic and religious communities which make up contemporary Eritrea. It created the boundaries of the 1993 independent state and, thus, the basis of Eritrean territorial nationalism and nationalist claims for statehood. Eritrean nationalism and the demand for national independence was not, then, based on an ethnic claim. Rather, it was based on the principle of the right to self-determination of colonized peoples, the pre-colonial histories of whom affected both the path to statehood, the Eritrean nationalist movement and the course of the armed struggle (1961–91).

The focus of this Report is on the way in which the complex problems of building a new state in a highly diversified society are being confronted and on the political and policy framework to secure the peaceful coexistence of majority and minority communities. It is not on a particular theme nor does it focus directly on the oppression of minorities by a government. 'Minorities' are not even in the language of the Eritrean government: ethnolinguistic communities are identified as nationalities. The Report examines the establishment of a new state in Africa and the construction of a political and constitutional system for the diverse peoples of Eritrea. To understand state- and nation-building in Eritrea, it is essential to understand the historical, political and social context from which it emerged: ethnic tensions, a highly diverse society, occupation by external powers, political divisions between Christians and Muslims, and a prolonged armed struggle involving civil wars between Eritrean liberation fronts.

The EPLF succeeded in liberating Eritrea but had to confront divisions of the past and construct a future. The legacy of war shaped those who have begun shaping the future and this legacy has to be taken into account. The present government of Eritrea has a particularly strong consciousness of the causes of division between Eritreans and the policies necessary to enhance unity while preserving diversity. In the process of the armed struggle the EPLF developed into a highly centralized and disciplined front and has carried this further legacy into post-independence Eritrea.

The first section of this Report will present an account of Eritrea and its peoples, it goes on to examine the roots of past conflicts from an historical perspective and takes a thematic approach to key issues in post-independence Eritrea. The final sections provide an account of the construction of the Eritrean political system and the making of the constitution, assessing their implications for the diverse peoples of the country.

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The land and its peoples

Prior to Italian colonization and over many centuries, the area which became Eritrea had been subject to waves of migration from the Ethiopian plateau and the Arabian peninsula, and its peoples had many different cultural and political experiences, part of the impact of which would underpin twentieth century social and political divisions. Migrations of peoples with different languages and religions, and conversions between them, has produced a complex regional pattern of ethnic, religious and linguistic groups. Loosely organized empires succeeded each other in the area, took various political forms and extended over different geographical areas. These empires extracted tribute from subject peoples when they had the military and administrative capacity to do so. For long periods, parts of Eritrea maintained an autonomy from empires and, at times, some areas paid tribute to several. In the pre-colonial period the Sudanic Funj Kingdom, the Ottoman Empire, Egypt and a variety of Ethiopian imperial dynastic empires had extracted tribute over different parts of the land that became Eritrea after the establishment of Italian colonial rule.² The first three were Islamic, exercised authority in areas largely inhabited by Muslims and continued a process of Islamization which had begun hundreds of years earlier. Their core areas were the western lowlands, northern highlands and in the east, around Massawa. The Ethiopian empires exerted authority largely in the highland plateau where the inhabitants were Coptic Christian and shared the religion of the Ethiopian imperium.

Geography and regions

Climate and the environment, and modes of production deriving from them, have combined with the impact of competing empires to produce a complex regionalism. The most important distinction is between highlands and lowlands but there are important contrasts within these categories and within the lives of the peoples who inhabit them. Neither are fixed: there have been considerable changes in both the environment and livelihoods as a result of periodic variations in rainfall, war and famine, as well as significant population movements. One marked change from the beginning of this century has been the sedentarization of pastoralists. In listing the different regions,³ the communities which have inhabited them will be mentioned briefly with more detail on ethnography and religion below. It makes sense to provide information on the two separately because there is not a neat fit between regions and the distinct communities.

The central highlands or plateau

The central highlands are 2,000 m above sea level and suffer from severe environmental degradation,

brought about by soil erosion and population pressure. Rainfall is irregular and unevenly distributed. The three traditional central highland provinces of Akalai Guzai, Hamasein and Serai are linked historically to Ethiopian empires and the inhabitants are village-based peasant cultivators. Due to their dependence on livestock (oxen are used to plough the hard soil) and limited grazing, many of them move their animals seasonally to pasture on the escarpments between the western and eastern lowlands. Although central highland peasants are settled village agriculturalists, a form of pastoralism may be practised. Most of the inhabitants of the region are Coptic Orthodox Christian. In eastern Akalai Guzai, however, there are Muslims of the Sahho tribes. The southern part of the central highlands have traditional trade links with northern Ethiopia, particularly Tigray province.

The northern highlands

These are a geological extension of the central highlands and stretch from Senheit province to Sahel. The land is largely barren mountains cut by deep valleys containing seasonal streams. The population is mostly dependent on pastoralism, although there has been increasing settlement around the small towns of Afabat and Naqfa. It was in the rugged mountains of Sahel province where the EPLF established its main base area and where decisive battles were fought in the 1980s.

The semi-lowland bridge

Most accounts of Eritrea place the former Senheit province as part of the western lowlands or the northern highlands. It is in fact a geographical and social 'bridge' between the central highlands and western and northern Eritrea. Centred on the market town of Keren, it is a highly mixed area: agro-pastoralists and peasant farmers; the minority Bileyn community, Tigre-speaking Muslim tribes and Christian Copts. The latter have, over time, migrated from the central highlands.

The south-western lowlands

Here there is relatively good, albeit unpredictable, rainfall compared to other parts of Eritrea and the land is quite fertile. The population rear livestock and practise shifting cultivation. It is an area where, in the past, there have been conflicts between pastoralists and village cultivators, particularly between the minority Kunama and Nara, and Beja and Tigre tribes. Today many of the villages are mixed, due to the sedentarization of the Beja and Tigre. In areas close to the Gash and Setit rivers, arable agriculture can be practised. Many fled to Sudan from this region during the war of liberation and it is anticipated that refugees will return here.

The north-western lowlands

Here there is limited rainfall and it is very sparsely populated. Agro-pastoralism is practised: livestock rearing with patches of settled cultivation. Agro-pastoralists frequently move between Eritrea and Sudan.

The Red Sea coastal plains

This arid area, along the 1,000 km Red Sea coast, has extremely limited rainfall and high humidity levels. The southern inhabitants of the former Dankalia province are Afar pastoralists; although some villagers on the coast between Massawa and Assab, the two main Eritrean ports, are involved in fishing.

The peoples

The Italians created a colonial state composed of distinct tribal, ethnic and linguistic groups, a distinctiveness often reinforced by their residence in these very different environmental settings. As previously mentioned, the main ethno-linguistic groups are generally referred to as nationalities in Eritrea.⁴ They can be divided into two dominant groups, the Tigrinya- and Tigre-speakers, and seven small minorities. No reliable statistics exist on the proportions of these communities, nor on Eritrea's total population. Population figures, from the Italian period to the present, have been based on estimates and vary considerably. Current population estimates range from 2.5 to 3 million. In 1995, the Department of Education based their statistics on a figure of 3,081,000. The United Nations (UN) Commission Report of 1950⁵ provided estimates based on the joint criteria of community (ethnic, religious and linguistic) and region, ignoring the internal diversity of regions, and gave separate figures for the urban population. Extrapolating from these, crude percentages for 1950 would be: Tigrinya highlanders: 47.5 per cent, Tigre lowlanders: 34.5 per cent, Afar and Sahho: 10.5 per cent, Kunama and Nara: 4 per cent.

A Central Intelligence Agency (CIA) estimate⁶ of 1994 gave the following percentages, (incorrectly including the Kunama as Tigre-speakers): Tigrinya: 50 per cent, Kunama and Tigre: 40 per cent, Afar: 4 per cent, Sahho: 3 per cent.

Both of these estimates give a relatively equal balance between Christians and Muslims but make Tigrinyan-speakers the largest community.

Tigrinya

Tigrinya-speakers reside in the three central highland provinces of Akalai Guzai, Hamasein and Serai. Their language is Semitic and derives from the ancient Geez.⁷ They are mostly Coptic Orthodox Christian, a religion they share with Ethiopian Christians. However, there are also converts to Roman Catholicism and Protestantism, and to the culturally distinct community of Jiberti Muslims in the central highland towns. The vast majority

of Tigrinya-speakers are subsistence peasants and because of population pressure on the land many have moved to other areas of Eritrea. Tigrinya-speakers share their language with the population of Tigray, the northern Ethiopian province adjoining Eritrea. The Jiberti community are distinct from Christian Tigrinya-speakers only in religious belief. In terms of ethnicity and language they are the same people. Christian Ethiopian empires prohibited Jiberti Muslims from owning land and they therefore concentrated on crafts and trade, forming the merchant class in the central highlands, where many of them became prosperous. They have a strong sense of community and rarely marry outside of it.

Tigre

Tigre-speakers live in a large arc around the central highlands: in the eastern, northern and western lowlands. As with Tigrinya-speakers, their language is semitic and derives from Geez. Prior to the war, the vast majority were pastoralists and agro-pastoralists, organized in tribes with varying levels of solidarity. Some settled in agricultural communities and in towns like Ginda, Keren and Massawa. Tigre-speakers are overwhelmingly Muslim and many are followers of the Eritrean branch of the Khatmiyya Sufi order. Tigre-speaking people are divided into several tribes. They include sections of the Bani Amir of the western lowlands; the Bayt Juk, Marya and Mensa of the area around Keren; the Habab of the northern highlands and the inhabitants of the Harqiqo and Massawa areas. Some of these tribes were originally Christian and converted to Islam. Many Tigre tribes trace their origins to Arab Muslims who came from the Arabian peninsula and married locally. Commerce across the Red Sea over the centuries has also led to the use of Arabic in the Harqiqo and Massawa areas. Tigre tribes, like the Bani Amir, Marya and Mensa, provided many early Eritrean Liberation Front (ELF) fighters.

Afar

Afar-speakers inhabit Dankalia, the southern desert coastal lowlands of the Red Sea which stretch from Massawa to Asab. They are Muslim, organized in clans and share a culture and language with the Afar of Djibouti and Ethiopia. Although pan-Afar nationalist factions have emerged from time to time, such nationalism has been counterpoised by the Islamization policies of the Ethiopian Afar Sultan of Aussa. The northern Eritrean Afar of Dankalia produced several key EPLF military leaders and fighters for the early ELF.

Beja or Hadarab/Tu-Bedawi

People of this Hamitic-speaking language group are found among some tribal sections of the Bani Amir of western Eritrea. According to Nadel,⁸ writing in the 1940s, many of the Beja-speaking Bani Amir are bilingual in Beja and Tigre. Some have traditionally farmed pastures across the Sudan border, as Beja-speaking Sudanese tribes have farmed into western Eritrea. Like south-western Tigre-speaking Bani Amir, some sections of the Beja took up sedentary cultivation.

Bileyn⁹

Bileyn live in Keren and its surrounding villages, historically known as the land of the Bogos. They are equally divided between Christianity and Islam and some are bi- or trilingual, speaking Bileyn, as well as Tigre and Tigrinya. Oral traditions suggest a connection to the Agaw of Lasta in Ethiopia. They are divided into the Bayt Tarqe and Bayt Tawqe tribes, which are based on clans under the authority of elders rather than on a centralized political authority. Many early ELF fighters were Bileyn.

Kunama

Kunama-speakers are a Nilotic people and reside in settled peasant communities in villages between the Gash and Setit rivers and in Barentu town. They follow a traditional religion but there have been some converts to Christianity and Islam. Some of their kin live over the border in Ethiopia. There has been a long-standing animosity between the settled Kunama and the neighbouring pastoralist Bani Amir. As a result of the Bani Amir's involvement in the independence movement, the Kunama developed links with Ethiopian governments and were little involved in the independence struggle.

Nara

Nara-speakers, a Nilotic people like the Kunama, live in villages in the western lowlands east of the Gash river. 'Barya', implying 'negroid slaves' is a sometimes-used but pejorative term for them. They were Islamized in the nineteenth century and had a traditionally hostile relationship with the Kunama, often allying with the Bani Amir in raids against the former.

Rashaida

Rashaida are a small pastoralist Arabic-speaking tribe which came from the Arabian peninsular in the nineteenth century. They have preserved their language and pastoralist traditions.

Sahho

Sahho, a Cushitic-speaking people, live on the eastern edge of the central highlands and in the foothills of Akalai Guzai province. Sahho are both pastoralists and settled agriculturalists. They are loosely tribally organized with the main tribes being Assaorta, Hazu and Miniferi. Apart from a small clan of Miniferi, they are Muslim. There has been a past history of animosity, based on conflict over land and grazing, in south-eastern Akalai Guzai between Sahho and the Tigrinya Christian population.

Culture and identity

Eritrea, then, has two dominant linguistic communities, Tigrinya and Tigre. Religion has been a significant source of community and political identification.

Christianity and Islam are the two main religions and there is a high correlation between these and the Tigrinya- and Tigre-speakers, respectively.

The central highland Christian Tigrinya-speaking community is the most compact, although there are differences in customary law between the three old highland provinces and a division between rural and urban. Many urbanites, however, retain links to their village of origin. Even though the village is an important social unit, in the past there were marked differences between villagers: *restenya*, the original founding families of the village who traditionally dominated village decision-making and had greater land rights, and *makalai ailat* who had less access to land. The Coptic Christian community has a priesthood and priestly hierarchy providing a higher degree of cultural, linguistic and organizational coherence. The village church is the dominant building in the Eritrean highlands and is symbolic of the priesthood's influence. Missionary activity resulted in conversions to Roman Catholicism and Protestantism and various small evangelical sects.

The Tigre-speaking Muslim community is geographically fragmented and, more importantly, is constituted of different tribes with different histories, cultures and customs. The educated peoples of the Tigre, as well as other Muslim minority communities, frequently use Arabic (and the Arabic script), the language of the Koran, as a *lingua franca*.

Although differences in modes of livelihood (pastoralists, agro-pastoralists and settled cultivators) have diminished during this century, the lowlands remain the heartland of Muslim pastoralist and agro-pastoralist communities and the central highlands the heartland of Christian Tigrinya-speaking peasant cultivators. Differences between the two were compounded by the deeper impact of Italian colonization on the central highlands, which resulted in significant socio-economic variations between the lowlands and the highlands and between Eritreans inhabiting these regions. These variations have been most marked in education and health care. Indicative of regional disparities, a British consular report of 1958 pointed out that there was not a single school in Muslim rural areas and that the total Muslim urban population was only 27,000.¹⁰ Almost 40 years later, in a country which is generally highly underdeveloped, regional disparities remain. In 1995, of the estimated 451,000 in the 7–11 age group, primary school enrolment in the central highlands and Senheit was 188,000. For the lowlands (including Sahel) it was 36,500. Female enrolment in primary schools was 85,900 and 13,600 respectively.¹¹

This portrait of Eritrea needs some qualification because of the impact of war and famines. Large numbers of pastoralists lost their property and animals, fled to Sudan and became refugees; some of whom became agricultural labourers.¹² Other Eritreans sought refuge in Europe, the Gulf, Saudi Arabia and the USA. Some of these became successful businesspeople and achieved advanced educational qualifications. Peasants and urban residents have been uprooted and displaced within Eritrea and tens of thousands of the former lost their oxen and became dependent on food aid. Highland peasants, however, generally stayed within Eritrea and pastoralists and agro-pastoralists, particularly from the west, became the refugees.

Colonialism and liberation

Italian colonialism and social change

Italian colonial rule was established in the late 1880s and, particularly in its later stages, initiated social change in Eritrea.¹³ The greatest impact was on the central highlands and areas adjacent to them, thereby adding a socio-economic dimension to the cultural differences between regions and the communities inhabiting them. It increased urbanization through colonial settlement in the highland towns of Asmara, Decamhare and Mendefera; the market town of Keren and the port of Massawa. The growth of urban manufacturing and commerce attracted rural migrants as labourers, and the establishment of large scale agricultural estates owned by Italians had a similar impact in pockets of rural areas. In the 1930s, tens of thousands of Eritreans were conscripted as soldiers and construction workers to build the infrastructure of roads and railways in preparation for the invasion of Ethiopia. In the peripheral lowlands, colonial administrators enhanced the power of local chiefs and, by using them as 'native' administrators, strengthened tribal identities. The Italians did little in terms of social improvement or in the provision of education.

The British administration, blocked independence and federation

If Italy brought together the different peoples of Eritrea, post-Italian colonial history brought with it a politicization of Eritrean communities and planted seeds of deep discord. After the British defeated the Italians in 1941, the BMA set the framework for Eritrea's political system, and Eritrean political parties, trade unions and professional organizations emerged.¹⁴ Political activity was focused on the future of Eritrea and resulted in a sharp division between Christian and Muslim.

The fate of the former Italian colony was to be decided by a Four Power Commission, constituted in 1948, of Britain, France, the USA and the former USSR. When they could not agree the decision passed to the UN. Eritrean politics became immediately caught up in international and regional political rivalries. Both the Four Power Commission and the later UN Commission (1950) sought Eritrean opinion and took into account British and Ethiopian government views. Ethiopia lobbied for the 'return' of Eritrea while Britain initially favoured a partition between Ethiopia and Sudan. Britain and Ethiopia both also attempted to influence the expression of Eritrean opinion. Ethiopia's main instruments were the

Coptic Church and the Tigrinya-speaking highland Christians organized in the Unionist Party, while Britain used its administrative power. The major force opposing unity and favouring independence was the Independence Bloc at the core of which was the Muslim League. This political cleavage was not wholly based on religion, however. The Liberal Progressive Party originated in the highlands and opposed the Unionists. Some Muslim tribal chiefs, whose privileges were threatened by their rebellious serfs, saw union as a means of restoring their semi-feudal privileges under the Ethiopian emperor.

Ethiopian support for terrorist activities against advocates of independence, including assassination attempts on the leader of the Liberal Progressive Party and the intimidation of nationalist Christians by the church (which threatened excommunication among other religious sanctions), effectively silenced much of what opposition to unity there was among the Christian community. Although this polarization of the two communities was more apparent than real, there was a grain of truth to it and this influenced the mutual perceptions of members of the two communities: with Christians being generally identified as pro-union and Muslims as anti-union. These perceptions had an important influence on the development of the nationalist movement in the early stages of the armed struggle.

The UN consultation exercise was essentially elitist and involved regional chiefs, tribal leaders and village heads, mostly from *restenya* and feudal notable families.¹⁵ The terms of reference of the UN Commission were to ascertain:

The wishes ... of the inhabitants of Eritrea ... including the views of the racial, religious and political groups of the province ... and the capacity of the people for self-government.

The interests of peace and security in East Africa.

The rights and claims of Ethiopia based on geographical, historical, ethnic or economic reasons, including ... Ethiopia's legitimate need for adequate access to the sea'.

Any right of self-determination was set against these other principles. Like the Four Power Commission, the UN Commission was split. The General Assembly accepted the three-to-two majority decision which favoured Eritrea as a 'self-governing unit of a federation of which the other member shall be Ethiopia, under the sovereignty of the Ethiopian crown'. The Ethiopian federal government was required to ensure the right to life, liberty, property, freedom of opinion and expression. Provision was made for an Eritrean assembly and constitution.

The history of the federation was the history of its destruction. From 1952 onwards, political parties and trade unions were dissolved and newspapers were suspended.

The army and police were used to intimidate Eritrean nationalists, particularly during elections to the Eritrean assembly. Even unionists were alienated by the heavy-handed treatment meted out by Ethiopia. In 1956, Tigrinya and Arabic were replaced by Amharic as the official language. In 1958, the Eritrean flag was lowered and replaced by the Ethiopian flag. In 1962, Eritrea was annexed to Ethiopia and became an ordinary province. The international blanket of silence over the undermining of Eritrea's autonomy was largely a function of Ethiopia's links to the West and the USA. The USA had an intelligence-gathering base in Asmara and military agreements with Ethiopia.

Opposition to Ethiopian annexationist policies was led by the political forces which had favoured independence and included Christian and Muslim political leaders. Although support for union was largely a Christian highland cause, the burial of the federation brought with it Christian-Muslim cooperation and the emergence of a modern nationalist organization, the Eritrean Liberation Movement (ELM).¹⁶ It was founded in Sudan; it was a nationalist and secular movement which spread to the Christian community.

The ELF and the armed struggle

In the 1960s, Eritreans launched the armed struggle; during its early stages sharp divisions arose which replicated those of the BMA period. The Eritrean Liberation Front (ELF) was formed in Cairo in 1960 by the exile leadership of the independence movement and young nationalist students there.¹⁷ Their aim was liberation through armed struggle. This began in September 1961, when 13 Eritreans under the leadership of Hamid Idris Awate, took to the countryside in the western lowlands and fired the first shots against the Ethiopian occupation. This latter band linked up with the ELF outside leadership and were soon joined by Eritreans serving in the Sudanese army and police force. The location of its leadership, its foreign relations and the social core of the early fighters, however, created divisions within the new front.

In order to pursue a military strategy the exile leadership sought arms from Arab states, linking the movement to nationalist and Middle Eastern Muslim states in the eyes of the Ethiopian government and many Christian Eritreans. The original fighters were from western Muslim Eritrea with its clannish and pastoralist society. Later adherents came from the eastern lowland Muslim communities. The Ethiopian government was well positioned to present the ELF as an organization inspired by Arabism and Islam, confronting an African, pro-Western Christian state. This propaganda replicated the political and social cleavage of the 1940s: dissident Eritrean Muslims as the vanguard of nationalism and Ethiopia recruiting Christians into the Eritrean commando force, which was armed and trained by Israel.

Initially based on clan and regional networks in the western Muslim areas, the ELF expanded its support and a more organized guerrilla force, based on autonomous zones, was introduced. Attempts were made to curtail the dominance of local tribes and communities within the zones, the latter became identified with particular tribal and religious com-

munities. Although the zonal system represented a more organized form of struggle than the band-like warfare of the early 1960s, the zonal structure brought with it a new set of problems. The Ethiopian forces were able to capitalize on the lack of coordination between the guerrilla zones, and this was facilitated by the rather predatory nature of the fighters which alienated the rural population. In some zones the lack of supplies induced some ELF fighters to extort resources from the rural population. These practices fuelled ethnic and sectarian tensions in several areas: in the western zone between Bani Amir fighters and the Kunama people, and in the east between Sahho fighters and Christian peasants. Tension also existed between the outside leadership and the fighters, heightened by an influx of educated cadres and Christian highlanders into the latter.

Demands for reform (the abolition of zones, the establishment of a unified army and leadership in the field) became entangled with sectarian and tribal divisions. The leadership mobilized support among the fighters from their own communities to neutralize these demands. A sectarian division was brought into the conflict when a number of Christian fighters, suspected of being Ethiopian spies, were killed. It was a further legacy of the identification of all Christians as unionists.

Between 1968 and 1970 splits emerged from top to bottom.¹⁸ After the massacre of Christian recruits, some Christian fighters, including Issayas Afeworki (the future head of state), fled to the Ala area of Akalai Guzai province. A mixed group, the majority of whom were Muslims from eastern Eritrea, fled to Sudan and returned to the Dankalia area of Eritrea via Yemen. The first two dissident groups became the core of the future EPLF: the Dankalia group (also known as the Popular Liberation Forces [PLF]) and the Ala group. The dissidents retained links to Osman Saleh Sabbe, one of the external leaders who had split from the ELF and taken control of finances. The alliance with Sabbe induced a significant number of reformists to remain within the ELF and campaign for change.

The complexities of this split cannot be characterized as Christian against Muslim. Ideology, foreign policy orientation, regional, clan and personal loyalties all played their part. Western lowland Muslims remained loyal to the ELF and it continued to recruit in significant numbers from the Christian highlands. The ELF remained a broad coalition of social and regional forces and competing leadership factions who were unable to instil strict discipline.

In 1972, the ELF declared war on the dissidents. Sensitive to the legacy of the killing of Christian fighters, the Ala group was not initially a target, but joined forces with the PLF. The fighting continued for two years and only stopped after popular pressure was put on the combatants. Mutual suspicions remained and the deaths of fighters on each side reinforced loyalty to the two guerrilla organizations. Developments during the 1970s further undermined the ELF: many members either abandoned it or joined the dissidents.

The Ethiopian Revolution

Despite the internal bloodletting, the outbreak of the Ethiopian Revolution in early 1974 allowed both

fronts to advance into the heavily populated highlands. The weakening of the imperial centre, the emergence of the *derg* (the military committee which took over the Revolution), struggles between the military faction and civilian opposition parties, the launching of the 'Red Terror' murder campaign against the latter and the Somali invasion of the Ogaden region of Ethiopia, all provided opportunities for both fronts. By 1977, they were in control of most of the countryside and many towns.

The success of 1977 faded in 1978 as the Ethiopian army, bolstered by Soviet arms and advisers, regained the towns and large parts of the countryside. However, Ethiopian control in the rural areas did not last long after dark.¹⁹ The impact of the Ethiopian offensive affected the balance of forces between the ELF and EPLF. While the EPLF managed an orderly 'strategic retreat', the Ethiopian army hit the ELF-controlled areas in southern Eritrea first. Although both fronts suffered considerable casualties, the EPLF withdrawal from its positions left their fighting force rather more intact. A new civil war flared in the late 1970s when the EPLF pushed the ELF into the Sudan border area. More conflicts emerged within the ELF to the benefit of the EPLF. Abdallah Idris, the ELF's military leader, imprisoned other leaders, including Ahmed Nasser and Ibrahim Totil. Nasser was subsequently chair of the ELF-Revolutionary Council (ELF-RC) opposition to the EPLF. Totil was of the Nara nationality and took a Nara group with him when he joined the EPLF. Another group called Sagem, largely Christian highlanders, also returned to Eritrea and amalgamated with the EPLF in 1987. Despite the disintegration of the ELF into factions it retained considerable sympathy and support from parts of Eritrea, from some Eritrean communities and from Eritreans abroad in northern Europe, Sudan and the USA.

The EPLF

The origins and early development of the EPLF influenced its organization and structure which, in turn, provided an important legacy for post-liberation politics and government in Eritrea. Unity and discipline, core values of the EPLF and of the independent government after liberation, can be linked to two experiences: the loose controls and internal struggles of the ELF, and an internal crisis. The latter involved a challenge to the leadership by the *manqa* movement,²⁰ composed of educated and politicized recruits. Some *manqa* leaders were executed and others recanted; it is an episode which is still a sensitive issue today.²¹ Determined to avoid splits and replicate the early history of the ELF, the PLF and Ala leadership (renamed the EPLF at its first congress in 1977), established strict democratic centralism as its core organizing principle. It was modelled in large part on a Maoist-style mobilizing party and guerrilla strategy. After the internal scarring of the *manqa* crisis, the EPLF faced no serious internal challenges and was welded into a highly centralized, disciplined and efficient military and political force. From the mid-1970s onwards, it expanded its geographical and social base. It attracted the urban educated and technically trained cadres and recruited mas-

sively from the highland peasantry. After the attack on Asmara by the fronts in 1974–5 and savage Ethiopian reprisals against the civilian population, large numbers fled to the Sahel base areas. In 1978, peasants and urban dwellers followed the front in its strategic withdrawal.

A significant element of EPLF's success was based on linking social transformation with military liberation, and ideology with organization. At the heart of these practices was the spread of the EPLF's political line and the insertion of its organizational structures into Eritrean society. The EPLF expanded its organization into the towns and villages by establishing networks of secret cells and building mass organizations. It also began organizing the burgeoning refugee and exile population of Eritreans, a significant source of funds. The front developed an extensive infrastructure in its Sahel base area to absorb new recruits: garages and repair shops, a hospital, a pharmacy, schools and small scale manufacturing workshops.²² The whole complex was based on the principle of self-reliance. Members were incorporated and socialized into the front through a six-month course of political education and military training. Many of these political and organizational practices provided the model for the post-liberation period.

The EPLF and national unity

Cultural, education and language policies in the post-liberation period derived in large part from EPLF practices during the liberation struggle. Influenced by Eritrea's history of community polarization and subsequent conflicts between nationalists, a major goal of the EPLF leadership was to create a front which brought together the different communities and religions of Eritrea through promoting national unity while also recognizing cultural diversity. The leadership was conscious of past conflicts between Eritreans and sought to undermine ethnic, regional, religious and tribal cleavages through political education classes. Conflicts of the past were a function of underlying class conflicts but imperialist and Ethiopian governments successfully exploited religious cleavages.

The EPLF stressed secularism and nationalism, and the mixing of fighters from different nationalities. There was a conscious effort to shape a leadership which reflected the different communities. Its top leadership was largely comprised of Christian highlanders and east coast Muslims but, in the course of the war and as a consequence of the disintegration of the ELF, a preponderance of highland Tigrinya fighters developed. This was, in part, due to differential patterns of flight: lowland pastoralists and agro-pastoralists became refugees, while highlanders stayed in Eritrea.

As the front developed and its membership increased, the education department started producing rudimentary texts in the languages of the major communities, based on nine Eritrean nationalities. In tandem with this was the celebration of the dances, music and songs of the different nationalities and the founding of cultural troupes to perform them for the fighters. After fighters were permitted to marry, there were many marriages between those of Christian and Muslim backgrounds; a rare phenomenon

among wider Eritrean society. Although the EPLF rejected any sense of an Eritrean Arabism, Rashaida were recognized as an Arabic-speaking nationality and the front also published in Arabic. One of the early stresses of the EPLF was on the necessity of equal roles for women.²³ Women undertook military training and constituted 10 per cent of front-line fighters. The difficulties of sustaining these changes after liberation will be examined later.

Liberation: confronting the legacy of war

At the beginning of the 1980s, the EPLF was embattled in the northern province against a 100,000-strong Ethiopian army backed by the former USSR. It defended its base areas, symbolized by the holding of Naqfa. After a decisive victory at Afabat, the Ethiopian forces were pushed southwards until defeat in 1991.

The prolonged war had a dreadful effect on Eritrea.²⁴ The rural and urban economies were devastated. The Ethiopian forces destroyed villages, confiscated livestock and villagers fled either permanently or for long periods. In the latter stages of the war, industrial equipment was flown out of Asmara and some factories became Ethiopian army billets. Massawa was destroyed by Ethiopian bombing in 1989. The infrastructure of Eritrea was also very run down: there had been no investment in sewerage or water since these systems were constructed in the Italian period. On independence, some 40 per cent of Asmara's water was lost through leakages. Outside the capital large scale commercial agricultural estates at Elaborat and Ginda were in a state of ruin.

In addition, drought and famine had a catastrophic impact.²⁵ There was famine in 1974; inadequate rains between 1982 and 1983 ushered in protracted famine for the rest of the decade. A *Needs Assessment Study* undertaken by the British Leeds University Centre for Development Studies in 1991²⁶ concluded that Eritrea would be dependent on imports for 80 per cent of its food requirements for 1992. After years of poor harvests and drought, animal stocks had become severely depleted. In an interview with the author in 1992, the Minister for Agriculture estimated that 60 per cent of livestock had perished and that about 70 per cent of farmers had no oxen – absolutely crucial for ploughing in the highlands.

War and drought had created huge numbers of refugees.²⁷ From the mid-1960s, more and more people fled Eritrea. On liberation the largest number were in Sudan (500,000–600,000). Of these the Eritrean Refugee Commissioner estimated that 90 per cent would need comprehensive assistance to return. In addition to Eritrean refugees fleeing abroad, tens of thousands were displaced internally and lived in camps established by the EPLF.

War and famine also compounded a deep environmental crisis. Today less than 1 per cent of the country is forested. Agriculture depends on irregular rains and when it does rain the lack of vegetation results in the loss of topsoil.

The liberation of Eritrea in 1991 brought to an end the savagery of war. It occurred almost simultaneously with the overthrow of the Mengistu regime in Addis Ababa by

the Ethiopian People's Revolutionary Democratic Front (EPRDF). At the core of the EPRDF were the guerrilla forces of the Tigray People's Liberation Front (TPLF). Although temporarily disrupted in the 1980s, the long established alliance and military cooperation between the EPLF, and the TPLF facilitated *de facto* and *de jure* independence.²⁸ Long committed to self-determination for Eritrea, the new EPRDF government stuck to its principles and thus helped block international opposition to the emergence of a new African state. Rather than declare immediate independence after the liberation of Asmara, the EPLF announced a referendum on independence after a two-year period.

Over and above the physical destruction, the degradation of the land and the suffering of the refugees, at least 65,000 fighters had been killed and more than 12,000 disabled. An estimated 100,000 civilians had also died during the war. With its conclusion, the new Eritrean government faced a devastated land and people. Celebrated by the Eritrean civilian population, the EPLF government had to confront this broader Eritrean society, both those within the country and those in exile. Neither had been inculcated with the values and mores of this highly organized and disciplined liberation front. The transition from war to peace is dealt with in the next sections of this Report.

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Post-independence: government and opposition

An important question is whether the EPLF can be as successful in creating an effective government and just society, as it was in organizing a liberation struggle. It faces formidable tasks. Not only has the government to reconstruct the economy and develop a political system but it also has to reintegrate fighters and refugees. This requires the maintenance of political stability. In turn, this requires the removal of the sources of past internal conflicts which resulted from uneven regional development or from power struggles between nationalist factions. Some of the latter are quite capable of mobilizing ethnic, religious and tribal sentiments in their opposition to the new government.

Further questions are: to what extent are the political practices of the EPLF, in the past so successful in mobilizing and organizing Eritreans for liberation, a hindrance to the stated goals of developing a democratic and pluralist polity for all Eritreans? Can the culture of equality and strong leadership provide the same model for state-building? Can cultural diversity be harnessed to national unity without the creation of an authoritarian state? To what extent can any devolution of power from the EPLF to non-EPLF institutions take place, given the centrality of the EPLF to the liberation of Eritrea? Can the loyalties and solidarities developed between the cadres and the leadership of the EPLF be transformed into a set of checks and balances between executive, judiciary and legislature and an institutionalized system of accountability?

The provisional government and the referendum

After independence the EPLF formed a provisional government of Eritrea (PGE) with Issayas Afeworki as Secretary-General and key central and provincial positions going largely to long-standing members of the front.²⁹ A National Assembly was established consisting of the EPLF central committee, an additional 30 members from provincial assemblies and another 30 nominated by the EPLF central committee. Government was conducted by proclamations ratified by the assembly. Agreements were reached with Ethiopia over the disentangling of the two states, providing what many see as a model of post-conflict cooperation. Priority was given to boosting the rural and urban economies, rebuilding the physical infrastructure and, in the political sphere, preparing for the referendum.

The main burden of the reconstruction fell on EPLF members who received a small amount of pocket money rather than salaries in the two-year period up to the refer-

endum. Former fighters set to work building and repairing roads damaged by tank traffic, technicians restored electricity and water supplies, and were drafted into factories to repair machinery and restore production. EPLF cadres moved into key administrative positions. Just after independence there was a very vivid symbolic distinction in government offices between officials of the Ethiopian period in civilian attire and the men and women in khaki.

The referendum was the gateway to internationally recognized statehood and access to development funds from regional and international financial institutions. Both were central to Eritrea's reconstruction plans. A Referendum Commission was appointed by the PGE and observer teams – including those from the Arab League, the Organization of African Unity (OAU) and the UN – followed the referendum process from voter registration to the voting on the 23–25 April 1993. Eritreans resident abroad, including those in Ethiopia, also participated in the referendum.³⁰ Of the 98.5 per cent turn out, 1,102,410 (99.8 per cent) voted for independence. The referendum was generally considered a fair exercise. On the 28 May Eritrea became a member of the UN.

Following formal independence there was a rejigging of political institutions with the establishment of a transitional government formed of an executive (a Consultative Council made up of ministers, provincial governors and heads of commissions), a legislative (the National Assembly) and a judiciary. Afeworki was elected President in 1993 by the National Assembly, concluding a long march to power beginning with his split from the ELF. In 1994, Proclamation 55 provided for the establishment of a Constitutional Commission with a two-year mandate to draft a constitution. Symbolic of the power of the EPLF, the principles and values on which the future order would rest were laid out in a National Charter at its third congress in 1994. Both the charter and the constitution will be examined in detail later on.

The Popular Front for Democracy and Justice³¹

After the referendum, preparations began for the EPLF's 1994 congress. The EPLF's emphasis was now on revitalizing the front and reinforcing the ties between it and the broader population. It planned to do this by transforming itself into a mass party. By mid-1996, there were about 1,000 branches with a membership of around 600,000. In Africa and the Middle East, mass parties have usually been instruments of control by a small

elite rather than vehicles for participation, with the membership unable to do more than follow the leadership's policies. As one leader of the Popular Front for Democracy and Justice (PFDJ) told the author, it is up to the members to make it a vital organization.

As successor to the EPLF, the PFDJ is a formidable political force. At independence, the EPLF had acquired considerable popularity and legitimacy for liberating Eritrea and the PFDJ succeeded to this. It is possible that such support can be maintained in the longer term if the government and front performs well, it is also possible that it could be eroded if policies fail to fulfil popular expectations. It is not unusual for political structures like the PFDJ to become authoritarian, corrupt and moribund. One advantage that Eritrean political forces have is the opportunity to learn from the frequently negative experience of earlier 'Third World' nationalist movements which became ruling parties.

The PFDJ succeeded to the assets of the EPLF and separated institutionally from government. With considerable resources in Eritrean terms, these assets provide the PFDJ with economic and political power and the potential to establish an extensive patronage network to reinforce its dominance. In the course of the liberation struggle the EPLF built up a transport network, both on land and sea; commercial concerns (the Red Sea Corporation) specializing in construction and imports, and its own financial arm, with the PFDJ Department of Finance now operating like a commercial bank. The intention is that the assets will be held by a holding company, functioning rather like a trust fund. It will operate as a commercial concern and invest its profits in non-profit making areas and underdeveloped regions.

After liberation the PFDJ imported grains and sugar and sold them at a profit but below the market price and has done the same for building materials and consumer items like televisions. It has invested in housing in Asmara and offered apartments for sale. Profits have been invested where the private sector would be unlikely to invest: such as enterprises in Afar areas of Dankalia and public transport in south-west Eritrea. The PFDJ has already set up a technical school outside Keren and is planning to rebuild hospitals for women and children. It is an innovative experiment in using the former EPLF's assets for development in regions relatively lacking in infrastructure and in educational and health provision.

The principle of social justice underpinning such an approach is admirable, as is the PFDJ's political and financial autonomy from government. At the same time, the PFDJ's political and financial powers provide little space for a credible opposition to flourish. In the absence of a critical opposition, it is important that internal mechanisms of accountability develop and that they are open. How the assets are managed and the nature of accountability within the PFDJ are crucial determinants of the development of Eritrean democracy. There is a delicate balance in what will be a combined presidential-dominant party state on the one hand and the establishment of a pluralist political system where opposition parties have a real opportunity to function, on the other.

The development of a truly independent press with a reputation for investigative journalism would be beneficial. Currently, newspapers and magazines are controlled

by the government and the party. The levels of illiteracy and the small population mitigate against the development of a commercial press, as does the prohibition against a press that is dependent on external finance. Although the constitution provides for freedom of speech and freedom of the press and media, in the run-up to constitutional rule, the government banned a magazine published by the Roman Catholic Church which was critical of cuts in government employment. It was not a widely-read publication and neither the topic nor the publisher could be considered security threats.

Political reconciliation and political opposition

Neither the ELF nor the EPLF tolerated opposition during the armed struggle. With the disintegration of the ELF into factions some of the latter joined the EPLF during the 1980s. After liberation, the EPLF's criteria for the return of members of opposing fronts and factions was that they were welcome to return and join on an individual basis, but were not allowed to function as political organizations. Some did return and were given guarantees of freedom and of the establishment of a democratic political system. Two were subsequently appointed as provincial governors and others were appointed to the referendum and constitutional commissions. In the provinces, it was not unusual to meet former ELF fighters in administrative positions. In some cases, the reintegration did not work out. After a violent clash between one of the governors and EPLF members, the former returned abroad for hospital treatment and when the provinces were altered, the governor was not reappointed.

Other opposition fronts rejected return on the terms set by the EPLF and the system established by it. Eritrean Islamic Jihad (EIJ) viewed the new government as highland Christian; EIJ called for its overthrow and replacement by an Islamic government. Abdallah Idris's faction, with a following among the Bani Amir, rejected the government outright. The ELF faction with the largest following, mixed Christian-Muslim and members from most of the communities of Eritrea, was the ELF-Revolutionary Council (ELF-RC). Its views place it within the mainstream of Eritrean nationalism with its stress on democracy, nationalism and secularism, and merit some examination. An analysis of its publications and an extensive interview with its leaders indicate a fundamental opposition to the EPLF and its policies.³²

Other than expressing positive views about the EPLF's liberation of Eritrea, the ELF-RC is critical of all the processes and policies pursued by the Eritrean government since liberation. Their main argument is that the EPLF is undemocratic: its leadership is a 'totalitarian clique' and runs its dictatorship through the PFDJ. It views the constitutional process as illegitimate: it was drafted by a commission which was hand-picked by the EPLF. Key policies on land rights, language, nationality and the press, were decided before the constitution, reflect narrow EPLF policies and bolster its power.

The ELF-RC proposed an alternative constitutional

process involving representatives of different organizations and personalities that had participated in the liberation of Eritrea and had expressed a clear commitment to democracy. On these grounds the EIJ would be excluded. It also argued that ratification should be done by referendum and that Arabic and Tigrinya should be the official languages. Although the ELF-RC shares with the government a commitment to the separation of religion and politics, members of the leadership stressed to the author that the *sharia* (Islamic law) should be considered part of Eritrea's cultural heritage and that if the EIJ emphasized Muslim rights rather than an Islamic state, cooperation with it would be possible. They also stressed that local customary laws should be maintained as part of Eritrea's democratic tradition and that although both *sharia* and customary law might be adapted, it would have to be done by consensus.

On these sensitive issues, the different approach appears to be one of emphasis rather than principle. While PFDJ leaders talk of establishing a national legal system in the longer term, ELF leaders talk of adaptation through consensus.

For the PFDJ, the ELF-RC produces destructive and divisive criticisms without offering constructive proposals. Many independent Eritreans believe that the ELF-RC missed its chance by not returning after liberation, (the ELF-RC remains in exile). When this point was put to ELF-RC leaders they responded that returning would compromise their commitment to democracy and that the record of the treatment of returnees has been poor. They cited the disappearance and likely imprisonment of some ex-ELF fighters, and had given their names to human rights organizations. The author found it impossible to disprove or verify such claims. If these claims are true, they suggest a limited tolerance of critical opposition and strong grounds for clearer provisions for public trial, if only to dispel reports of arbitrary imprisonment.³³ It remains to be seen whether critical organizations, like the ELF-RC, could reform as parties in the post-constitution period. Unlike other opposition elements the ELF-RC cannot be portrayed as ethnic, regionalist or sectarian. However, under the terms of the constitution, it could be proscribed on the grounds of threatening national unity.

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Key questions

The economy

The importance given to the economy in the post-independence period is reflected in the constitutional provision that limitations on fundamental rights can be justified by the interests of the economic wellbeing of the country. Given that many of the internal problems that Eritrea faced in the past derived from uneven regional development and that communal problems tended to surface from both regional and ethnic/sectarian inequalities, the performance of the economy is crucial for the development of political stability and harmonious social relations. Therefore, Eritrea is heavily dependent on economic growth as a means of lifting the majority out of poverty.

In the short term, the new government's emphasis has been on recovery and rehabilitation through injecting cash into the economy. In the long term, the goal is:

'The creation of a modern, technologically advanced and internationally competitive economy within the next two decades' and 'among the national development objectives priority is given to food security through developing irrigation and improving the productivity of peasants, pastoralists and agro-pastoralists, export-oriented industries and services and tourism'.

According to the government's *Macro-Policy* document,³⁴ the centrepiece of the development strategy is:

'The establishment of an efficient, outward looking private sector-led market economy, with the government playing a proactive role to stimulate private economic activities'.

The stress on the private sector, and plans for the privatization of the industries nationalized by the *derg*, is a departure from the statist economic policies of the EPLF of the 1970s and early 1980s. So too is the emphasis on encouraging foreign capital investment, a necessity given the lack of domestic capital.

Although a fair degree of freedom is promised for foreign capital, including remittance of profits and repatriation of capital, the government's policy demands that employment and training of Eritreans is part of the package. All aid and development programmes have to be linked to enhancing self-reliance. It is a refreshing approach to foreign assistance.

In the short period since independence, it is difficult to accurately assess whether the stress on human-centred development, through linking foreign investment to developing Eritreans' skills, will provide a disincentive to foreign business concerns, or whether the PFDJ's role in the economy with its emphasis on combating regional and urban-rural disparities will discourage the Eritrean private sector. The role of the PFDJ in importing goods and sell-

ing at a reasonable profit has the advantage that goods and materials are available in the market at a price which prevents merchant profiteering. The question is, however, whether this could lead to a discouraging down-turn in the private sector as a whole. Creating balance between government and PFDJ priorities of growth and social justice, and between the local and foreign private sector and the public sector, will present many challenges and difficult decisions. Of particular importance is the regional location of development projects, a sensitive issue given the regionally-based disparities between Eritreans.

The Land Proclamation and land rights³⁵

The Eritrean government has emphasized food security, improving agricultural productivity, the development of commercial agriculture and its own role in the removal of critical bottlenecks. To achieve these goals property rights had to be defined and a Land Commission was established in 1993. In 1994, the Land Proclamation was issued. It fundamentally changed rights to land and traditional land tenure systems. The basic principles of the proclamation were:

1. Ultimate ownership of all the land lies with the state.
2. Security of tenure should be for a lifetime.
3. All Eritreans, regardless of gender, should have access to land.
4. Land redistribution should be on the basis of equal holdings.
5. The state is to pay compensation for land taken for development purposes.

Although these are relatively clear principles, their implementation can cause difficulties. The preamble to the proclamation blamed the system of land tenure, and the laws and customs associated with it, as the major obstacle to agricultural and industrial development, private and public investment, and the improvement of agricultural techniques.

Because approximately 80 per cent of the population of Eritrea is rural, redefining rights to land for cultivation and grazing touches on the lives of the mass of the population. Prior to the proclamation, the land tenure system was complex, reflecting both the evolution of and reforms to 'traditional' systems by the Italians, ELF, EPLF and the *derg*. Although the government has a policy of equalizing access to land and is sensitive to nation-building and national unity, the principle of state ownership and the practicalities of implementing it could have negative consequences for national unity. The principle of equalizing

access to land is a sound one, but could be problematic for some Muslim communities because *sharia* enshrines both the principle of the right of inheritance and of unequal inheritance between men and women.

Because there is no publicly available land survey, the assumption that there is sufficient land available for the state to distribute to all who need it could be an erroneous one. Notionally, most parts of Eritrea have some form of claim for community use. If anything were to inflame rural communities in Eritrea it would be the encroachment of others, under the aegis of the state, on land traditionally considered theirs. There has historically been a tension, at times turning to violence, between highlanders moving to the eastern and western lowlands for grazing and between settled peasants and agro-pastoralists in the western lowlands. Indicative of land scarcity in the highlands, disputes over the boundaries between villages frequently took a violent turn – particularly in Serai, the richest of the highland provinces.

By 1996, there was reportedly no available land in the highlands. Without long term conservation more land is likely to become unproductive. Environmental rehabilitation might mean land is taken into reserves. Increasing population pressure in the highlands leaves the peasantry with the alternatives of migrating to the urban areas, where there are limited employment opportunities, or searching for land in the west, an area inhabited by several minorities. In addition, much of the land made available to demobilized fighters, returning refugees and for the development of commercial investment, is in the west, in the Gash–Setit area. Unless handled in a sensitive way, the land issue here could become politically explosive and provoke conflict. This might occur if highlanders, who latterly formed the bulk of fighters, were to gain access to land which is considered to belong to the local Kunama and Nara minorities or to the traditional grazing areas of Bani Amir pastoralist and agro-pastoralist refugees and returnees. Pre-existing tensions between pastoralist Bani Amir and settled Kunama have already been mentioned. As it is, the spread of highland Tigrinyans throughout Eritrea has gone on apace over many decades, and can be seen by the number of Tigrinya-language primary schools in the urban centres of the western lowlands.

Although no political problems have arisen so far from resettlement and the allocation of land to fighters, any large scale influx of outsiders into areas traditionally considered to be those of a particular community could produce tensions. Tensions between farmers, pastoralists, existing people and newcomers to the area coincide to a certain extent with ethno-linguistic groups: Kunama and Nara minorities and the Tigre and Tigrinya.³⁶ To a certain extent, they also coincide with religious cleavages.

The west has been one of the pastoralists' traditional areas. Although the number of pure pastoralists in Eritrea is small, perhaps between 5–10 per cent of the population, there is no specific mention of their particular problems in the Land Proclamation, although the government's *Macro-Policy* document guarantees grazing rights and one might assume that equal access to land includes access to grazing. It is an area which needs to be clarified as the proclamation is implemented.

The refugee question

The right to return to one's homeland is a basic human right and is enshrined in the Universal Declaration of Human Rights and the African Charter of Human and Peoples Rights. One of the great tragedies of the prolonged war is the situation of the refugees. A major task of the Eritrean government is to manage their return in a way that ensures a satisfactory livelihood for the returnees. Eritreans who fled are spread relatively thinly across the globe, save for the large concentration in Sudan where there were an estimated 500,000–600,000 in 1991. Since the war ended about 110,000 have returned, according to the Commission for Eritrean Refugee Affairs (CERA).³⁷ Eighty per cent of these were from Sudan and most were from rural Muslim communities of the lowland areas; progress on their return has been slow. The Eritrean government has been determined that their return should be an organized and planned process, coordinated with the development of shelter, the means of sustainable subsistence and the provision of basic services. Given the scarce resources, the immediate and unfunded return of an additional 20 per cent of the population would have created social and economic chaos. Most were very poor and a high proportion of them were female-headed households.

Despite international concern for refugees, the international community has not been generous in providing finance. The Eritrean government presented a detailed plan, *Programme for Refugee Integration and Rehabilitation of Resettlement Areas in Eritrea* (PROFERI), in July 1993, to a pledging conference of donors in Geneva for the return of the refugees in Sudan. A funding requirement of US \$262.2 million, far beyond the United Nations High Commission for Refugees (UNHCR)'s financial capacity, was submitted for a three-phase programme: phase one – US \$111 million, phase two – US \$80 million and phase three – US \$72 million. At the end of the conference only US \$32.4 million had been confirmed with US \$20.7 pledged for repatriation and US \$11.7 for the rehabilitation of the resettlement areas. The government scaled back its plans and initiated a pilot programme based on the repatriation of 25,000 refugees to be administered by CERA and government ministries. Of a proposed budget of US \$14.2 million, pledges were US \$11.2 million, leaving a funding gap of just under US \$3 million. Of the budget for phase one of PROFERI, to repatriate and resettle 100,000 refugees, there was a funding gap of US \$50.5 million.

The pilot phase brought to the fore several problems which had to be overcome for the planning and implementing of phase one. For example, by the time the final convoy of returnees reached Tessenei in western Eritrea close to the Sudanese border, the estimated 25,000 returnees constituting 4,500 families had become 24,200 individuals in 6,386 families. The number of families was 45 per cent more than was planned and thus increased manifold the need for housing. This also indicated that the costs of resettlement would be higher than had been estimated. Of the returnees 40 per cent were in female-headed households. The shortfall in the projections was a

function of CERA's reliance on accurate and adequate information being gathered in Sudan and passed on through the UNHCR.

Refugee return is complicated by more than funding difficulties. The intentions of the refugees are not known: about half of them reside in agricultural settlements and work as agricultural labourers from which they derive a meagre income. Some have argued that the slow process of repatriation is a result of the Eritrean government's fear that the return of refugees from Sudan would bring a tide of anti-government opposition and Islamic militancy into Eritrea.³⁸ There is evidence that the Sudanese government has sponsored and trained Eritrean Islamic militants, but little evidence to suggest a mass movement among the refugees. Most came from areas influenced by the Khatmiyya Sufi order, noted for piety rather than fundamentalism, and from western Muslim communities, an area traditionally loyal to the ELF and hostile to the EPLF.

In the longer run, the danger is that the PROFERI programme could fall between two stools. With Eritrean independence, donations for refugee relief – currently running at US \$20 million – will diminish, but without adequate funding it will be impossible to provide for repatriation and resettlement. With the refugees caught in limbo, their increasing impoverishment and political marginalization could provide further recruits to the armed opposition. Adequate funding for the refugees' speedy return and resettlement is essential.

Refugee repatriation faced a further obstacle in early May 1997 when the Eritrean government expelled all UNHCR international staff on the grounds that they were involved in activities incompatible with their duties. A UNHCR spokesperson in Geneva stated that they had no idea why the expulsions took place. No further elaboration was made by either party as to why such an extreme step was taken at that time. The relationship between the government and the UNHCR has, however, never been smooth. The Eritrean government has stressed the primacy of infrastructural development prior to repatriation and, deriving from its policy of self-reliance, its right to control socio-economic development programmes. Although the cause of this particular crisis remains obscure, it is likely that it had roots in tensions with the UNHCR over these principles.

Women

The role of women in the liberation struggle has been an EPLF achievement which has been hailed by many observers.³⁹ Women constituted 30 per cent of the membership of the front, 13 per cent of front-line fighters and were active in the secret organizations and village militias. A general culture of equality within the field was created. The EPLF pursued policies in the liberated zones which also changed the traditional roles of women. They were elected to peoples' assemblies, encouraged to attend political education and literacy classes, and were given rights to land. The sharing of tasks by the fighters was in marked contrast to social behaviour and norms in broader Eritrean society, as reflected in Tigrinya proverbs and sayings:

'Just as there is no donkey with horns, so there is no woman with brains', and 'Where is the gain if one marries a woman to give birth to a woman?'

The introduction of EPLF reforms in this sensitive area of women's rights and public roles was not without reaction from conservative men. After women were given representation in the assembly of Afabat, protestors meeting at the local mosque complained:

*'As if Afabat has no men, 24 women now sit in the People's Assembly. Abomination! It is against the sharia for women to talk in public, to open their veils, to leave their families and go to work alone.'*⁴⁰

Women were also repressed in the Christian communities of Eritrea; *sharia* and customary law codes in the Christian areas enshrine inequalities. In both communities female genital mutilation is widespread, a practice which the EPLF campaigned against in the liberated areas and approached through health education, literacy classes and propaganda campaigns.

The EPLF also promulgated a marriage law in 1977, when fighters were permitted to marry.⁴¹ At the same time, the EPLF began modifying customary laws in areas under its control. One unpublished account of marriage argued that the influence of the EPLF law on shaping marriage practices outside the front varied from area to area and with the presence of the Ethiopian military. The very great difficulty of changing local practices, even in areas of long-standing EPLF presence, was shown in the local opposition to EPLF modifications to customary practice in Muslim Sahel, when a clause opposing infibulation was inserted in new customary law.⁴² Balancing progressive change while maintaining popular support was more difficult where women's position was associated with religion and culture.

There were, then, contrasting legal provisions for women EPLF members and for those in broader Eritrean society. The principles which underpinned the 1977 EPLF law on marriage were carried over into post-liberation Eritrea. Article 22 of the constitution provides for the right to marry based on consent. On liberation, women EPLF members had undergone a qualitatively distinct experience from their sisters, both in their roles and in their relationship to men. They had become orientated to a different set of expectations, norms and behaviour from those of the wider society and, indeed, different from the families they had left. The sharpness of the contrast was more marked for those from rural backgrounds. Since liberation, however, some women fighters have expressed their disquiet. They stated that the divorce rate soared after liberation as male fighters found new and more submissive partners from the urban areas and that the equality of the field was eroded as couples returned to civilian roles. There is no statistical evidence available on the scale of marriage breakdowns nor is there any analysis of the causes, but this issue has been strongly asserted by many Eritrean women. For these women, such divorces were considered symbolic of the problems of sustaining gender equality in the post-liberation period even with male fighter counterparts.

Similar strains emerged among Eritrean women about the role of the National Union of Eritrean Women

(NUEW) after independence and the place of women's rights in the constitution. Although the NUEW was, in effect, a mass organization of the EPLF, since independence it has had two roles: it has functioned, in part, as an arm of the government in raising finance for projects particularly targeted at women (credit for establishing businesses, literacy training for demobilized fighters, etc.) and, in part, as a lobby for women's interests. Eritrean women seemed divided on the duality of these two functions with some believing that a greater distance from the government and the front would enhance its role as an independent pressure group, whereas others argued that its role should be developmental and supportive of government policies.

At a NUEW workshop in 1994, a more radical position than that of the government on the treatment of women was taken.⁴³ It called for the legal prohibition of pre-marital virginity testing, circumcision and infibulation. It proposed that domestic violence be grounds for divorce and that decisions about divorce be made by committees of elders could be vetoed by civil courts on the grounds of abuses of the rights of women and children. This position stands in marked contrast to that of the government which favours change through education and persuasion. More controversially, the workshop proposed that the civil code on family marriage and divorce should embrace Muslims. Although this view was based on the principle that religious and customary law should be subordinated to secular law, Muslim religious elders would certainly oppose such a change in the place of the *sharia*.

These debates herald not a contest between Christian and Muslim communities, although there are significant implications for them, but between the forces of secularism and modernization developed within the EPLF and the younger generation on the one hand, and traditional social forces, which are equally strong among Christian communities, on the other. The position of women, with its highly sensitive political ramifications, is likely to be fought over in the arena of civil and constitutional, customary and religious law, and, in defining the relationship between them, women's issues are likely to become a barometer of the broader contest between forces of change and conservatism. Already, some communities in the Muslim west and the Afar area, have resisted the participation of women in the compulsory national service programme, a duty required in the constitution.

There was a debate within the NUEW and the Constitutional Commission (CCE) about the place of women's rights in the constitution. The prevailing view within the CCE appeared to be that mentioning gender equality in the preamble was sufficient and that if women's rights were specifically mentioned then so too should the rights of children, of disabled fighters and of older people. Many members of the NUEW stated that women's rights should be explicitly included in order to assure the gains that women had made during the liberation struggle and ensure that there would be no retreat from them. The individual views of some PFDJ leaders were to oppose the specific inclusion of women's rights. Some Muslim members of the Advisory Board on Customary Laws were concerned that mentioning women's rights in the constitution would be detrimental to

the position of the *sharia*. Some elders from the Christian communities were equally defensive of customary laws of the highland Christian provinces. As previously mentioned, the statement about women in the constitution was stronger than the author had expected from his discussions in Asmara prior to the issuing of the draft constitution; this gives an example of how the agenda can be changed.

Women are well represented in local and provincial assemblies with an allocated quota of 30 per cent and the opportunity to stand in general constituencies. Even on the issue of representation there has been some argument. Saba Issayas has argued that quotas marginalize women and that women can best assert their position in Eritrean society by competing with men. In *Women in the Constitution* she pointed out that women can achieve a stronger position than allowed by the quota system whereby women do not achieve anything approaching a representation proportional to their numbers. In support of her claim, she cited the example of the Karneshim district elections of 1994 where women participated in general elections and were elected as chair, vice-chair and secretary in three village assemblies.

Although these kinds of debates are restricted to an elite of educated urban women and the educated and self-educated fighters, for the 200,000 members of the NUEW, credit, education, health and literacy are probably more important. The struggle of the former, however, is likely to shape the fate of the many.

Language rights and education

Education and language issues are entwined with development and nationality issues. Providing greater access to education at all levels but particularly at the primary level has been one of the major goals of the Eritrean government, as education for fighters and those in the liberated zones during the war had high priority. The national development objectives, as laid out in the *Macro-Policy*, stress the need to provide a broad-based education, for a widespread dissemination of skills and languages, and the development of human capital. Educational provision in the past was marked by significant disparities between the urban and rural sectors, between regions and between the sexes. The rural lowlands were particularly deprived and female education there has been limited.

The EPLF came to power with extensive experience of providing education and managing an educational system for fighters, displaced people and the population of the liberated areas. Considerable success in educational provision has been achieved in a relatively short period given the run-down state of the school system, a prolonged history of interruption of the school year and limited resources. Primary school enrolment in 1990–1 was 109,087 and by 1994–5, it was 224,287. The school system is one of mixed government and non-government schools, with the latter also having to follow the national curriculum. The commitment of the government to expanding education provision and enhancing quality is not in doubt. Nor is its commitment to bolstering the languages of the diverse nationalities.

The denial of language rights was a factor in Eritrean nationalists' fight against Ethiopian control and unequal access to education was a stimulus for political grievances. Whereas all communities share aspirations for the education of the next generation, the language question is a particularly sensitive one. Government policy is that pupils should study in their mother tongue at the primary level as far as possible and government texts have been produced in most of the languages: Arabic, Kunama, Sahho, Tigre and Tigrinya. In addition, all children study Arabic, English and Tigrinya as subjects, moving at middle school level to studying all subjects in English. It is a demanding package of language study and is aimed at sustaining minority languages, making study at the primary school level easier for pupils, socializing pupils into the languages of other communities and, at the post-primary school level, providing skills in an international language. It is also consistent with the UN Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities. UN declarations, however, do not necessarily gain popular acclaim.

Until relatively recently, there was a degree of flexibility based on community choice of language of primary instruction. (Flexibility was also as much based on the availability of facilities and on the limited number of trained teachers of minority languages.) Several Muslim minority community leaders expressed preferences for study in Arabic rather than a minority language on the basis that it was the language of the Koran and a higher international culture, that knowledge of minority languages was transmitted through the household and that there was nothing written in languages like Bileyn and Sahho. In some areas, where there has been a number of returnees from Sudan, Arabic became the language of instruction. In some provinces, where there were largely Muslim populations, there was considerable teaching in Arabic: in Dankalia, of the 26 primary schools, 20 were taught in Arabic and four in Tigrinya; in Sahel, 11 in Tigre and four in Arabic; in Barka, 33 in Arabic and three in Tigrinya.⁴⁴ Although Sahho community leaders favoured Arabic, in 1994–5 most of that community's children were in Sahho primary schools: 12 in Akalai Guzai and one each in Hamasein and Samhar.

In areas which are highly heterogeneous, it would be difficult to provide choice. In one school visited by the author, on the outskirts of Keren in early 1996, he questioned students in a middle school class about languages spoken at home. Thirty spoke Tigre, 24 spoke Arabic, nine Bileyn, and one Sahho. Although the language of study in middle schools is English and all learn Arabic and Tigrinya, all of the children in that class were from Muslim backgrounds and the vast majority had some passing knowledge of Arabic from studying the Koran in the *khalwa* (Islamic pre-primary school). There is, then, a tension between competing principles: right of language choice, preservation of cultural heritages and educational development criteria. According to one high official in the Department of Education, there have been examples where parental or community choice proved to be to the detriment of children's education. In Gash–Setit, the Nara community chose Arabic but this resulted in relatively high failure rates. To allow total freedom of choice could result in a chaotic education system.

The language of instruction is a sensitive issue and would involve difficult choices and problems for any government in Eritrea. Given the relatively small numbers at present that proceed to middle and secondary school, it makes educational sense that students are taught in their native language and develop some literacy skills. The desire of some Muslim communities to study in Arabic, however, suggests that in the longer term a greater range of publications in languages that have no written literature needs to be developed. As it is, children who are taught in Arabic and Tigrinya will be advantaged. Although the amount of language teaching seems excessive, it reflects a determination on the part of government to use language and education for the purpose of creating national unity and to recognize the diversity of cultures in Eritrea.

Environment⁴⁵

Environmental degradation in the highlands has been one of the factors causing highlanders to move to other parts of Eritrea and, as previously indicated in the section on land, this can have an impact on relations between the communities of Eritrea. In the aftermath of independence, the government quickly took on environmental concerns. Following the referendum, the policies promoted by government have been based on developing those natural resources which are most readily exploitable: tourism and fisheries on the coast, and minerals, all of which have potential to further degrade the environment.

A committee was appointed to draft the *National Environmental Management Plan for Eritrea* (NEMP-E). The NEMP-E was produced in 1995 and is the only such plan to be written by an African government on its own. To build consensus around environmental concerns and to consult as widely as possible, the committee toured Eritrea holding seminars and meeting with over 3,000 Eritreans from all walks of life. As the coordinator of the plan pointed out in an interview with the author, the environmental agenda for Eritrea was not one of preservation but of rebuilding in a context where environmental consciousness was lacking. He spoke of a discussion with some schoolgirls: asked what *akababi* (Tigrinya for environment) meant, they described it as the area around the house. When asked what was outside that, they replied 'the wilderness'. And yet for Eritrea, perhaps more than for many other countries, the poor endowment in natural capital requires, in the words of the NEMP-E:

'All Eritreans to have an obligation to use natural resources frugally; to reuse and recycle resources to the maximum; to minimize the depletion of non-renewable resources.'

Given the numbers dependent on agriculture, the impact of further environmental decline will be catastrophic. As the NEMP-E states:

'Safeguarding the productivity of the land is a major concern. Indeed, Eritrea's pressing environmental problems are directly related to land degradation, deforestation, soil loss and the expansion of desertification.'

Marine resources are also of considerable importance for Eritrea's future development. With its long coastline on the Red Sea, the development of a fishing industry has great potential as a source of protein, as a means of developing food security, as a way of providing employment and as a source of foreign currency earnings from marine exports. The Eritrean government has waited to capitalize on the development of its fisheries until an adequate survey of its Red Sea resources has been completed. The temptation to go for easy earnings through concessions to foreign fishing concerns has been constrained by a resolve to ensure that fishing stocks are not depleted and are sustainable. If Red Sea gas and oil are found in commercial quantities, maintaining such an environmental sensibility will come under great pressure.

Land use and resources, however, are where the main problem lies, and where there is an inevitable tension between the rights of the current generation of rural people and future generations. The removal of natural vegetation for the expansion of farming, for fuel, grazing and shelter has not only created low agricultural productivity and tremendous soil erosion but has been the main contributing factor to the depletion of groundwater. Already, the government has prohibited the use of live trees as sources of energy and instituted fines for those who disobey. A more difficult area of compulsion lies ahead. The resuscitation of the ecosystem will probably mean land being taken into reserves with farming and grazing being prohibited in them. Given traditional practices, farmers are likely to consider such steps an infringement on their rights and it will require considerable efforts to inculcate environmental awareness in a population dependent on land and grazing for their livelihoods. Some, however, argue that farmers and pastoralists are adept at managing a fragile environment and could educate the government on these matters.

With the Land Proclamation the state has the powers to take land into conservation areas. Although the proclamation asserted that traditional tenure systems prevented productive investment, there is a danger that state ownership of land could bring a sense of insecurity of tenure and intensify exploitation without regard to the environment. Similarly, the need to create employment through the development of a manufacturing industry will create environmental dangers in the future. As in most poor countries, there is a strong tradition of recycling paper and bottles in Eritrea. Yet, already, a dairy plant has been built which uses heavy-duty, non-recyclable plastic bags for milk. Although currently only 22,000 half-litre bags are produced, the plant has an annual capacity to produce five times as much.

The Environment Law will involve a compulsory assessment of environmental impact and a role for the National Environment Agency. Units within ministries, or at least one official, have been appointed to take on environmental concerns. Some ministries regularly consult the Environment Agency about the consequences of particular projects. For a poor country whose main priority is reconstruction and development, a sophisticated system has been put in place. It remains to be seen whether ministerial units and the Environment Agency have teeth and what balance emerges between the dual imperatives of environmental protection and developing productivity.

Eritrea, the Horn of Africa and the Red Sea

The Eritrean government's position is that its relationship with states is based on mutual advantage and non-intervention in the affairs of others. If Eritrea is to overcome its current set of problems, it requires peaceful and stable relationships with its neighbours. As previously mentioned, since independence a cooperative relationship based on mutual advantage has developed with the Ethiopian government. Although Ethiopia lost its coastline, its major ports and its oil refinery, agreements were reached over access to Assab port and its refinery. Given the size of the population of Ethiopia, the ability of Eritreans to engage in commercial activities there has provided benefits, in the same way that casual labour in the Eritrean construction sector has benefited Tigrayans from Ethiopia's poor northern province.

Relations with Red Sea states, however, have been more mixed since independence. Relations with Saudi Arabia are cooperative, in part due to their mutual antipathy to the regime in Sudan. In December 1995, armed clashes broke out between Yemen and Eritrea over the Red Sea islands of Greater and Lesser Hanish and Jebel Zaqr. Although the international press described this as deriving from a conflict over economic and commercial interests (fisheries, gas, oil and, more ludicrously, the development of tourist facilities to attract wealthy Saudis), the underlying problem is the lack of agreement over territorial boundaries in the Red Sea. It is not impossible that a similar disagreement could arise with Saudi Arabia. In the long term, it is important for the states of the area to come to an agreement on delineating maritime areas. As previously discussed, fisheries, tourism on the Red Sea coast and Red Sea energy resources are areas which Eritrea intends to promote. Despite the rapid militarization of the conflict, its resolution has subsequently proceeded to international mediation.

Eritrea's relationship with Sudan has proved the most difficult and here the principle of non-intervention disappears. Developments since liberation suggest a return to patterns of the 1960s and 1970s, when Ethiopian governments attempted to subvert Sudanese governments through support for the southern Sudanese, and Sudanese governments supported the Eritrean cause. Currently, the National Islamic Front-dominated Sudanese government supports the EIJ and an ELF faction led by Abdallah Idris, both of which are reportedly involved in forays across the porous border in the west. The Eritrean government supports and has hosted conferences by the Sudanese opposition, the National Democratic Alliance, including the Beja Congress representing the Beja people who live in eastern Sudan. Since the break in diplomatic relations between Eritrea and Sudan in December 1994, after the Eritrean government accused Sudan of providing military training for the EIJ, the Sudanese opposition, representing both northern and southern Sudanese political movements, has been based in Asmara and received support from the government.

There is a possibility that the hostilities could affect both refugee repatriation and western Muslims. The former would increasingly become pawns in the conflict and

Eritrean opposition forces could mobilize western Eritrean Muslim forces. Abdallah Idris, an experienced guerrilla commander, despises the EPLF and it is quite possible that he is capable of playing the Islamic card. The more important opposition force, the ELF-RC has remained aloof from both Eritrean Islamic factions and Abdallah Idris's group. At present, it appears unlikely that advocates of an Islamic state could mobilize a mass movement within Eritrea. It is also unlikely that it could pose a military challenge to the battle-hardened Eritrean army. A small and sustained number of Islamicist guerrilla actions across the border from Sudan into the sprawling western lowlands could prove destabilizing, particularly if the land question is politicized. The last thing that Eritrea needs is an internal militarized opposition sponsored by external forces.

Of greater priority for Eritrea are close links with the USA. The US government characterizes the Sudanese regime as a supporter of international terrorism and on this basis a cooperative relationship between Eritrea and the USA has flourished. The US government supports the Sudanese opposition in its goal of overthrowing the regime and, reportedly, provides training through Eritrea.

One other issue which Islamicist opposition forces can use is the developing relationship between Eritrea and Israel. After independence a high level of cooperation in commercial, educational, technical, and, reportedly, military areas has developed. As long as the Arab/Palestinian/Israeli peace process remains precarious, there is a potential for some repercussions on Eritrea's relationship with Arab and Islamic states.

W

Developing a constitution

This section examines the basic political and constitutional principles which set the agenda for the new Eritrea. The former were laid down by the People's Front for Democracy and Justice (PFDJ) in its *National Charter* and the latter by the Constitutional Commission (CCE) in their constitutional proposals. The draft constitution was a hybrid of these. The implications for the rights of minorities and the extent to which they establish a basis for the peaceful coexistence of the diverse peoples of Eritrea warrant examination.

The *National Charter*⁴⁶

At its third congress in 1994, the front was renamed the PFDJ and the *National Charter* approved. The latter established the framework for the political and constitutional system and principles of future economic and social development. The new national programme proclaimed six basic goals: national harmony, political democracy, economic and social development, social justice, cultural revival and regional and international cooperation. They were formulated as six principles, and the assumptions on which they were based, were:⁴⁷

National unity:

Nationhood is a long, complicated historical process ... this process is not yet concluded [so] we should consider the development and strengthening of Eritrean nationalism and the unity of its people ... It is necessary to build a national government which ... rejects all divisive attitudes and activities, places national interest above everything else and enables participation of all sectors of Eritrean society. All sectarian ... tendencies must be ... rejected [as well as] all forms of discrimination and domination, including ethnic and regional.

Active political participation:

Active and organized participation, based on political consciousness, is a basic condition of success ... Participation cannot be successful unless people are organized. People should have the right to establish organizations, they should also be encouraged and assisted to do so.

The human element:

We must realize the decisive role of the human factor ... It is primarily the human aspects by which we build Eritrea: strong will, diligence, efficiency, the work ethic, discipline, ability and skills. Development strategies must be people oriented ... and we should put as many resources as possible into human development.

Linkage between national and social struggles:

'Social justice means narrowing the gap between the haves and the have-nots, ensuring that all people have their fair share of the national wealth and can participate ... creating balanced development ... In the absence of justice, neither prosperity nor stability are attainable ... The movement must provide the most oppressed sections of our society with the means to participate ... as a matter of priority.'

Self-reliance:

'Politically, it means to follow an independent line and give priority to internal conditions; economically, to rely on internal capabilities and develop internal capacities.'

A strong relationship between people and leadership:

'By leadership, we are referring not only to the higher executive body, but ... to the organized broad political force. We must preserve and strengthen our relationship with the people ... through our daily presence among them. Our leadership and cadres at all levels ... must spread to all corners of the country ... Leaders must be free from corruption, refrain from misuse of power ... and be accountable at all times. By clarifying the duties and obligations of leaders, by ... defined accountability procedures ... by constitutionally defining the duration of stay, we must guarantee qualified, accountable and democratic leadership.'

These complex social, economic and political projects raise a number of general questions. To what extent is a commitment to pluralism and freedom of expression and assembly compatible with the stress on national unity? To what extent is social justice, balanced regional development and an emphasis on empowering the most oppressed, compatible with a macro-economic policy 'framework designed to stimulate private investment' which gives the 'private sector the lead role in the economic activities of Eritrea'?⁴⁸

There have already been political strains arising from the weak financial position of the government and an incident of discrimination against a minority. Immediately after the referendum, fighters took over parts of Asmara and the airport in protest against the continuation of the no-salary policy. Subsequently, a protest of disabled fighters ended in a chaotic confrontation with an army unit and several of them were shot. According to insider accounts, the shootings were accidental rather than by order. Both of these incidents highlight the urgent need for economic development and the connection between economic growth and political stability. A similar, albeit political, overreaction took place in 1994, when the Jehovah's Witnesses, with very little following in Eritrea, were

denied citizenship rights. They had refused to back the liberation struggle, participate in the referendum and honour the flag.

The new Eritrean state, nevertheless, has an opportunity to make a fresh start and develop a formula for peace, development and stability which incorporates a concern for social justice and human rights. As illustrated above, the PFDJ has set the agenda for the new state. After a prolonged history of internal conflict, at times between communities, at times between organized political forces and at times manipulated by external forces, it is important to examine whether the stage is being set for a period of peaceful development and, to quote the title of the PFDJ's *National Charter*, 'a democratic, just and prosperous future'.

The emerging political system

Although the final form of the Eritrean political system has yet to take shape, it is already clear that it will be presidential with a dominant party. Almost all key positions have been taken by former EPLF members. At the apex of the system is Issayas Afeworki, Secretary-General of the front since 1987, the dominant figure in the Ala group and in the foundation of the EPLF. He is President, Commander-in-Chief of the Armed Forces, Chair of the National Assembly, Secretary-General of the PFDJ and chairs ministerial meetings. He has wide-ranging powers of appointment: ministers, heads of commissions (like the constitutional and land commissions), provincial governors, High Court judges and ambassadors.⁴⁹ It is unclear how wide the consultations on appointments and policy decision-making are, however, ultimate decision-making lies with the President, assisted by an increasingly powerful presidential office which has functions paralleling economic, foreign and security affairs. All top ministerial positions are held by former EPLF political bureau or Central Committee members. Many of the other positions in the ministries, commissions and provincial administration are held by EPLF personnel.

The internal workings of Eritrean politics reflect the rather secretive nature of the front, deriving from its guerrilla origin. Broad policies were formed through debate at front congresses aimed at generating consensus. Within the EPLF, however, there was a secret party, the Eritrean People's Revolutionary Party, and this organization remained active until 1989. According to some reliable accounts, membership was around 2,000 in a front which had a membership of tens of thousands. How close the secret party was to EPLF security, and the extent to which it controlled nominations to the leadership and the congress agendas of 1977 and 1987, is not known. Although observers attended debates at front congresses and attest to their frankness,⁵⁰ after independence, National Assembly debates have not been reported in the official media. The press generally presents government news and decisions but provides little political analysis. Controversial policy decisions do surface tangentially through interviews with ministers and officials. On many key issues ministers face frank and vigorous questioning in public meetings. A greater degree of openness would give

greater confidence in the development of pluralism and public accountability.

An intrinsic part of the new political structure is local administration, which is a cornerstone of its new democratic system.⁵¹ Building on the system of peoples assemblies established in liberated areas, after independence the EPLF established a system of elected provincial assemblies from which half the members of the National Assembly are elected. It is through this mechanism that the Eritrean nationalities and minorities are represented at the national level; similarly for women, who have a 30 per cent quota in provincial assemblies. In the National Assembly, nationalities, minorities and women have a say on government proclamations, laws and the draft constitution. Elections to provincial assemblies appear to have been competitive and PGE guidance limited to specifying representation for women, minorities and EPLA provincial units. In Akalai Guzai in 1993, for example, 575 candidates sought the votes of 56,228 voters for 67 seats with six seats reserved for fighters. The chair of the assembly was elected from the Tigre minority of the assembly and the secretary from the Tigrinya majority.

At the base of the local government system was the village committee or *baito*, a traditional forum for grass roots decision-making on community issues. Although provincial affairs were under the guidance of centrally appointed governors, provincial assemblies were directly elected and had the power to formulate local development priorities, albeit within a framework of national priorities. They had the power to tax specified economic activities and promote particular projects. In practice, a limited amount of funds was provided by the centre with shortfalls made up through local taxes or contributions.

In 1995, the local government system was radically transformed. The old provinces were abolished, as were the village *baitos*. The latter were replaced by another traditional village structure, the *megaba'aya*, a meeting of the whole village community. According to the Deputy Minister for Local Government, the previously elected village leaderships promoted prestige projects which did not benefit the community, an indication of the difficult balance between grass roots participation in development, and state guidance and national priorities. In line with the resolutions of the EPLF's 1994 congress, which resolved to abolish the old provinces on the grounds that they were a legacy of colonial rule, the Ministry of Local Government delineated new provinces on the basis of development criteria and resources. According to the Minister, breaking down traditional regionalist sentiments and mixing different ethnic groups in the new provinces was a derivative, albeit beneficial, consequence. The new provinces were: Dubub (South) bringing together parts of Akalai Guzai and Serai provinces, with Mendefera as capital; Centre (Asmara and 20 km surroundings); Southern Red Sea from Ras Andasai to the Djibouti border, with Assab as capital; Northern Red Sea incorporating parts of Samhar and Sahel, with the capital at Massawa; Gash Barka formerly Gash-Setit and southern Barka, with Barentu as capital; and Anseba incorporating northern Hamasein, Senheit and northern Barka, with Keren as the capital. The administrative changes were very radical and a degree of disquiet was expressed by some Eritreans.

Unlike the process of constitution-making, there was limited popular consultation on this radical change.

Accompanying the redrawing of the old provincial boundaries was a policy of devolution. The intention was to develop and strengthen provincial capitals through devolving administrators and technicians away from the central ministries based in Asmara. When this process is put into operation, it will give a boost to underdeveloped towns like Barentu, the urban centre for the Kunama minority and the new capital of Gash Barka.

The political dominance of the EPLF is hardly surprising given that it liberated Eritrea, had been running a statelet in the liberated zones, had skilled administrators and technicians and the basis for a national army. Although the officers of the PFDJ became separate from governmental positions as the front was revitalized, again unsurprisingly, many leading members of the PFDJ Central Council were ministers, governors or army officers. Given this overlap in personnel, it is important to establish constraints against arbitrary and unaccountable power by government and front. The provisions of the constitution and the process of party/government separation are crucial in this regard.

Constitution-making

Pre-independence EPLF leaders gave commitments to establishing the rule of law on the basis of constitutionalism. A Constitutional Commission (CCE) was established in 1994 consisting of a 10-member Executive Committee and a 50-member Council.⁵² The Executive Committee was drawn largely from Eritreans with a legal background and included former ELF members. The Chair was Dr Bereket Habte Selassie, former Attorney-General of Ethiopia, academic, and writer on Eritrea and the Horn of Africa; the Vice-Chair was formerly a leading ideologue of the ELF; and the Secretary a former leading cadre of the Sagem faction of the ELF and currently a senior official of the PFDJ. The Council members were mainly EPLF, with women, members of minorities and some ex-ELF who had joined the EPLF before independence or returned shortly after, also represented.

There were four *ad hoc* committees: Economics, Governance and Related Issues, Governmental Institutions, and Social and Cultural Affairs. There was one standing committee: Civic Education and Public Debate. While the *ad hoc* committees were involved in shaping the constitutional proposals, the latter had a major role which it played in the old EPLF style, sharpened during the referendum process, of propagating, publicizing and 'making the public conscious' of what a constitution involved. A 15-member Advisory Board of Foreign Experts was established, its role was to help the CCE benefit from the experiences of other countries. They were drawn from parts of Africa, Europe, the Middle East and the USA. Provision was made for the consultation of minority and community views through an Advisory Board on Customary Laws 'representing the community elders from the various ethnic groups and the administrative regions in the Eritrean society'.⁵³ This Advisory Board was of some importance given the likely tensions between constitutional law, *sharia* and the customary

laws of both the Christian and Muslim communities; 13 of the 45 members were women. There will inevitably be contradictions between and inconsistencies within the emerging national civil and constitutional system and the long-established religious courts and customary systems.

The ELF-RC opposition has argued that the constitution was formulated by the EPLF/PFDJ rather than the nation. From interviews in Asmara in 1995, it was very difficult to determine the balance between government and CCE in the emergent proposals. According to Dr Bereket, there was no government intervention and the CCE had a free hand. Both before *Constitutional Proposals for Public Debate*⁵⁴ and in the period between this document and the draft constitution, however, there were various government proclamations which dealt with issues like the freedom of the press and rights to land. Should anomalies occur between government proclamations and the constitution, it will be necessary to develop clear procedures for resolving them. Some leading PFDJ members expressly opposed mentioning women's rights in the constitution and were in favour of a strong presidency. While the draft constitution did affirm a strong presidency, it also made strong statements on women's rights.

Insofar as the draft constitution was to be discussed and amended by the PFDJ-dominated National Assembly, it would have been foolhardy for the CCE to present a draft constitution widely divergent from views expressed by leading PFDJ and government members, albeit in an informal and unofficial way. Dr Bereket asserted that in the Executive Council discussions there was no apparent PFDJ line. Minority representatives, through the Advisory Board and through their representatives in the National Assembly from the provincial assemblies, were given opportunities to comment on the constitution alongside the PFDJ leadership. In many ways the constitution-making process was a rather unique and participative process. Political education and information about the constitution was provided and serious debates and seminars were held throughout Eritrea, as well as in other countries where there were Eritrean communities. According to one CCE member, who led discussions in small towns like Agordat, Barentu and Naqfa, members of the public asked why Eritrea could not have direct presidential elections and two chambers. Others wanted Arabic and Tigrinya as official languages as was the case during the BMA and the federation periods. However, none of these were specifically proposed by the CCE.

The making of the constitution was given a great deal of publicity in Eritrea. With an illiteracy rate of 80 per cent it was no easy task to gain participation. A particularly innovative component of the process was the recording of questions posed by the public. At the time of writing this Report, however, there has been no CCE publication analyzing questions posed in the seminars. Reports in the Eritrean press of public discussions of the draft constitution indicate that questions about citizenship, language and presidential elections continued to surface. Although they have yet to be analyzed, their publication would certainly satisfy those who were curious about whether the seminars were truly consultative, and the opinions expressed taken into account, or whether they were simply civic education campaigns.

Subsequent to the campaigns and seminars, the CCE drafted *Constitutional Proposals for Public Debate*, following which further debates and seminars took place. The Legal Committee of the CCE presented a rough draft to the Executive Council and a first draft was presented to the National Assembly in July 1996. Modifications were taken into account and a final draft again presented for public discussion. It was planned that the constitution would be ratified by a new constituent assembly elected solely for ratification purposes in mid-1977, and a new government formed and the constitution in operation by January 1998.

The *Constitutional Proposals for Public Debate* give a fairly clear idea of the assumptions underlying the constitution and these are summarized below. The CCE emphasized that:

‘Our constitution has to be based on the history, political circumstances and experience, social structure and culture, level of development and in general on the special conditions of the Eritrean society; and its contents have to serve the basic aims of nation building, equitable development and stability, the building of democracy, the protection of human rights and the assurance of popular participation.’⁵⁵

The political system was to be founded on the principles of nationalism, national unity and secularism, based on the separation of religion from politics. The CCE also stressed the need to balance the rights of citizens with their duties to national unity and that basic freedoms had to be guaranteed by a ‘democratic political culture’ and economic and cultural development. Further emphasis was placed on the need for strong government and governmental institutions in order to create the social, economic and cultural foundation for the growth of democracy which ‘has to develop gradually, taking root through a process of struggle and change’. A multi-party system and competitive elections were viewed in a rather negative light and were described as a ‘procedural as opposed to an essential’⁵⁶ aspect of democracy. As to the specific institutional recommendations, the CCE proposed a separation of powers between the legislative which would be able to hold the executive body accountable, an executive with a ‘strong leadership with clear vision for development’⁵⁷ and an independent judiciary. The specific recommendations of the CCE were:

Institutions

The legislative: Elected for five years; the assembly to elect the President by a two-thirds majority; powers of impeaching the President by three-quarters of the votes;

The executive: The President to have executive power for five years with a limit of two terms of office; presidential appointment of cabinet ministers and ‘high governmental officials’; the elected Chair of the National Assembly to replace the President in case of illness or other causes.

The judiciary: To be independent, qualified and accountable; the judicial body, composed of a Supreme Court and lesser courts, to have the power to interpret national law, adjudicate cases and the Supreme Court to determine the constitutionality of law and government actions.

Rights

Human rights require social justice; civil and political rights and ‘the interpretation of such rights should take into account the social, economic and political conditions of our country’;⁵⁸ rights must be associated with duties and apply equally regardless of religion, nationality, social status or gender; there should be a balance between individual rights and community rights; there are some rights which cannot be violated even during a national emergency. Social, economic and cultural rights include rights to education, health, balanced development and the development of culture and languages, but such rights which cannot be accomplished given the present circumstances should be mentioned as goals.

Public administration

A balance must be maintained between centralization and decentralization.

Elections

These are excluded from the constitution save that the electoral system should provide fair representation and full participation.

Languages

An emphasis should be placed on nation-building, the equality of all languages, and the right of all citizens to use the language of their choice; there should be no designation of any official or working language.

The military

The armed forces should be free from any affiliations with any political party.

The draft constitution⁵⁹

The draft constitution closely followed the CCE’s proposals. The preamble stressed the centrality of the liberation struggle for building the future Eritrea:

‘It is necessary that unity, equality, love for truth and justice, self-reliance ... which helped us to triumph must become the core of our national values.’

Article 2 asserted that the constitution was the source of governmental legitimacy, the guarantor for the protection of rights, the supreme law of the country and the source of all state laws. All laws, orders and acts contrary to both its letter and spirit should be null and void. Article 3 assigned citizenship rights to anyone born of an Eritrean mother or father. This provision followed the earlier nationality proclamation which had been opposed by conservative circles favouring citizenship for those born only of an Eritrean father. Chapter 2 dealt with national objectives and principles. First mentioned was the guiding principle of ‘unity in diversity’. Article 7, on

democratic principles, stressed equality of participation but also stated that:

The organisation and operation of all political and public associations and movements shall be guided by the principle of national unity and democracy.

Although the party law has not been promulgated, this provision indicates state supervision of political parties and their activities, confirming the prohibitions against parties which represent particular ethnic and tribal groups or religions.

Article 7 contains a strongly-worded clause concerning women: 'Any act that violates the human rights of women or otherwise thwarts their role and participation is prohibited.'

All of Chapter 3 is devoted to fundamental rights, freedoms and duties. It provides for equality before the law, and comprehensive prohibitions against discrimination, torture and degrading treatment. Article 7 details the due process of law regarding arrest, detention and trial, including *habeas corpus*. However, there is a disconcertingly broad limit to the right to a public trial for reasons of 'morals, the public order or national security'.

Article 9 of Chapter 3 lists comprehensive freedoms of thought, conscience, belief and religious practice, as well as rights to assemble, demonstrate peaceably and form organizations. Property, other than land, water and natural resources, can be owned, disposed of and bequeathed. Article 26, dealing with limitations on rights and freedoms, states:

The fundamental rights and freedoms guaranteed ... may be limited only in so far as is necessary in a just and democratic society in the interests of national security, public safety, or the economic well-being of the country, health or morals, for the prevention of public disorder or crime or for the protection of the rights and freedoms of others.

Although there are no limitations on equality before the law, freedom from discrimination and the practice of religion, this Article sets out some very broad and ill-defined constraints. The general phrasing of the circumstances of limitations on fundamental rights and freedoms leaves considerable interpretive scope for the Supreme Court which has the sole jurisdiction of interpreting the constitution and the constitutionality of all laws. The discrimination against Jehovah's Witnesses that has taken place raises questions about how 'practising religion' will be interpreted once the constitution is in operation.

Chapters 4, 5 and 6 deal with state institutions: the National Assembly, the executive and the judiciary, respectively. Following the CCE's proposals, provision is made for a separation of powers. The key institution is the presidency nominated and elected by the National Assembly. The President has extensive powers of appointment and public guardianship and is head of state, government and army:

The President shall ensure the respect of the constitution, the integrity of the state and the efficiency and effectiveness of the public service, the interests and safety of all citizens, including the enjoyment of their fundamental rights and freedoms.

Cabinet ministers are accountable individually to the President and collectively to the National Assembly but through the office of the President. The President, then, acts as a buffer between ministers and the National Assembly.

It is understandable that, given Eritrea's past history, there is a stress, as in the party programme, on national unity. However, defining threats to national unity and the national interest is a notoriously dangerous area for governments and provides opportunities to crush dissent and opposition forces. Given the strength of the executive, there needs to be provision for strong and independent countervailing institutions and civil associations in the more detailed laws on non-governmental associations. As it is, the youth, worker's and women's organizations are led by PFDJ members. On the other hand, there is a stress on an array of human, civil and political rights and the duty of government to empower individuals to participate in the political system. The CCE's Chair stated clearly to the author that as long as these rights were asserted in the constitution and there was a system of separation of powers and checks and balances, it was up to the Eritrean population to struggle for these rights. It is, therefore, of great importance that the judiciary, particularly in the early stages of the operation of the constitution, pursues those provisions of the constitution which guarantee its independence and ensures that threats to national unity and public disorder be clearly and publicly defined and proven. There are, however, very few Eritreans with any legal training, let alone in constitutional law.

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Outlook

It is clear that a political system which permits organized opposition will not emerge until after the beginning of 1998, at least. Even then it is unclear what mechanism will operate for the registration of organizations autonomous of government. Party law, electoral law, the internal rules of the assembly and the Judicial Service Commission, which deals with the terms and conditions of service of the judiciary, will further flesh out the operations of the new system. Certainly, political parties which are based on religion, region or tribe will not be permitted. The PFDJ will remain the leading political force, dominate the National Assembly and provide the recruiting ground for the executive and the judiciary. Minority representation in powerful party and state institutions will come through either the elections to the National Assembly (for which PFDJ members will have to stand when the constitution is finally ratified, in contrast to the automatic representation of half the members) or through the PFDJ itself.

In the brief period since liberation Eritrea has come a long way. It is perhaps too short a time to put the government under the scrutiny of a Report dealing with its practices, particularly one which emerged from a liberation movement which was repudiated by the international community for almost 40 years and out of necessity based its struggle on self-reliance. The consequences of the latter have created a marked scepticism with regard to external criticisms and a robust nationalism which is confident and yet sensitive. The political system which is emerging provides opportunities for innovation and for avoiding political decay which African states of an earlier period fell into after throwing off the yoke of colonial control. Eritrea became independent at a time when poor states were under pressure to democratize their politics, liberalize their economies and be more transparent in their domestic and economic policies. The transition to statehood and the realization of a democratic and just system for the Eritrean people is a fraught process. Guaranteeing civil and human rights can conceivably collide with economic development and rapid growth. Unrestrained freedom and rights can spiral into ethnic and sectarian conflict, both of which have occurred in the past. The development of an opposition Islamic movement, supported by neighbouring Sudan, raises the spectre of the sectarian divisions of the 1940s and 1950s.

The constitution provides a framework for social, economic and political development as well as respect for diversity and both individual and community rights. The provision of the incontrovertible right to practice religion and the strict separation of religion and politics is an internationally acceptable means of balancing religious diversity with nation-building. The recognition of majority and minority cultures through the rights of nationalities speaks a different language to the conventional Western one of minorities. It is one which has not been found acceptable

by some representatives of the Jiberti community resident in Saudi Arabia. After independence, they campaigned for recognition as a nationality. Insofar as nationalities are recognized on the basis of culturally-based language communities, this request was rejected by the government. The only way in which the Jiberti are distinct from other Tigrinya-speakers is religion, and there has been no restriction placed on the Jiberti in their practice of Islam. Religion is taught in Eritrean state schools and there are non-governmental schools which, as long as they follow the national curriculum, give greater attention to Islam. The request for recognition by the Jiberti exiles highlights a distinction between the Eritrean government's concept of nationalities, based solely on the criteria of language, and a concept of minorities based on broader criteria.

Given the limited resources available to the government, the stress on the development of languages and cultures of minorities meets a major provision of the UN Declaration on the Rights of ... Minorities. Similarly, Article 14(1) and (2) of Chapter 3 of Eritrea's draft constitution forthrightly prohibits discrimination on the grounds of race, ethnic origin, language, colour, sex, religion, disability and political belief or opinion. Only when the constitution has been ratified and is operational will it be possible to fully assess whether the constitutional provisions for cultural, linguistic and religious rights are comprehensively implemented and whether the legal framework for their protection has any teeth. Specific provision was made for the representation of the opinion of ethnic minority groups through an Advisory Board of their elders in the making of the constitution. The provision for the participation of communities, minorities and majorities, at both the national and provincial levels, is provided for through elections.

Although this Report has alluded to the discrimination against the Jehovah's Witnesses and the banning of a Roman Catholic newspaper, once the constitution is established as the 'supreme law of the country and the source of all laws of the state' there is a framework for challenges to government acts. It is important that, on the path from constitution-making to constitutionalism, institutions and practices develop which do not deify national unity at the expense of Eritrea's diversity.

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Recommendations

The international community

After 30 years of war, Eritreans are striving to build a sustainable independent state. It might be argued that the international community has not done enough to assist Eritreans during their struggle for independence. Now is the time for the international community, including governmental and non-governmental aid organizations, to support the Eritreans in their important work of the advancement of education and health, the demobilization of former fighters, and the repatriation and integration of refugees. In this task it is important to ensure the participation of all the different groups of society, including ethnic, religious and linguistic minorities, in the decisions taken.

The Eritrean government

1 International human and minority rights standards

The Eritrean government has the responsibility of meeting international human rights standards. MRG welcomes the fact that Eritrea has already signed and ratified the International Convention on the Elimination of Discrimination against Women and the Convention on the Rights of the Child. Further the government should accede to other international and regional human rights and humanitarian treaties, as well as become party to the International Labour Organization's instruments.

2 Recognition of minority rights

The government should recognize and respect the rights and freedoms of ethnic or national, religious and linguistic minorities as outlined in the UN Declaration on the Rights of ... Minorities.

3 Constitutional provisions

The government should make sure that the constitution is in conformity with internationally recognized human rights standards including the provision regarding the incontrovertible nature of certain rights. The constitution might also provide for the safeguarding of human rights through the creation of the office of an ombudsman or independent national human rights commission.

4 Development and role of civil society

The government should commit itself to developing civil society and assist the formation of independent

NGOs and cultural or community associations. These might include a bar association, a journalist's union, independent trade unions, and academic and teacher's associations.

Further, the government should promote human rights by allowing domestic human rights organizations to promote and monitor human rights, and it should permit international and regional human rights organizations to visit freely and liaise with local organizations, among others.

5 Participation in decisions

The government has the responsibility to create a political atmosphere that is conducive to encouraging minorities to organize so that they may effectively participate in decisions that will affect them.

6 Freedom of the press

Well-informed people can play an active and constructive role in the process of building a sustainable state. Free media can foster useful debate in sensitive cultural issues such as nomadism and gender as well as promoting cultural development among different communities. The government of Eritrea should ensure the freedom of the press and use the mass media for promoting cultural diversity in this domain.

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- 1 See Yohannes, O., *Eritrea: A Pawn in World Politics*, Gainesville, University of Florida Press, 1991.
- 2 See Pool, D., 'Ethiopia and Eritrea: the pre-colonial period' in *The Eritrean Case*, Rome, Research and Information Center on Eritrea (RICE), 1982.
- 3 In 1995 the provinces mentioned here were abolished. Since the former are referred to in all the literature on Eritrea, their earlier names have been retained here. The administrative changes will be dealt with below.
- 4 The most useful, if outdated, overview of Eritrean ethnography is Nadel, S.F., *Races and Tribes of Eritrea*, Eritrea, British Military Administration, 1944. EPLF fighters have undertaken a great deal of research on this topic which awaits publication.
- 5 For further details, see note 15.
- 6 Cited in Joireman, S.F., 'The minefield of land reform: comments on the Eritrean Land Proclamation', *African Affairs*, no. 95, 1996, p. 270.
- 7 Classic Ethiopia Geez today is only used in Orthodox Christian liturgy.
- 8 *Op. Cit.*
- 9 See Ghaber, M., *The Blin of Bogos*, Iraq, 1993.
- 10 Public Records Office, Foreign Office, 371/131298, 24 April 1958.
- 11 *Eritrea: Basic Educational Statistics 1994–5*, Asmara, Ministry of Education, November 1995.
- 12 See Kibreab, G., *Refugees and Development in Africa: The Case of Eritrea*, Trenton (NJ), Red Sea Press, 1987.
- 13 See Leonard, R., 'European colonization and the socio-economic integration of Eritrea' in *The Eritrean Case*, *Op.Cit.*; and for an opposing view Negash, T., *Italian Colonialism in Eritrea*, Uppsala, 1987. For a recent well researched and balanced account, see Killion, T., 'The Eritrean economy in historical perspective', *Eritrean Studies Review*, 1996.
- 14 See Trevaskis, G.K.N., *Eritrea, A Colony in Transition: 1941–52*, Royal Institute of International Affairs, OUP, 1960; Gebre-Medhin, J., *Peasants and Nationalism in Eritrea*, Trenton (NJ), Red Sea Press, 1989, part III.
- 15 A detailed account of the two commissions can be found in *UN Documents on Eritrea 1948–52*, which includes *Report of the Four Power Commission 1948*, *Report of the UN Mission to Eritrea 1950*, *Report of the UN Delegate in Eritrea 1951*, and *Final Report of the UN Delegate in Eritrea 1952*.
- 16 A particularly good account of the ELM can be found in Iyob, R., *The Eritrean Struggle for Independence: Domination, Resistance, Nationalism 1941–1993*, CUP, 1995, pp. 98–107. See also Faddab, T.H., *Harakat Tahrir Iritiriya wa Masiratiah al Tarikhiyya*, Cairo, Sharuf Press, 1994. Also author's interview with Muhammad Sa'id Nawad, Asmara, April 1993.
- 17 For the formation of the ELF and subsequent development of the liberation movement, despite a few mistakes of analysis and fact, the most thorough account is Markakis, J., *National and Class Conflict in the Horn of Africa*, CUP, 1987. The Eritrean sections of this book are the main source of almost everything written on the two liberation fronts and follow the views of ELF reformers and the EPLF leadership. See also Iyob, *Op. Cit.*, chs 7 & 8; author's interviews with various founders of the ELF and EPLF between 1977 and 1995, including Osman Saleh Sabbe and Idris Galewdewos, founder members of the ELF.
- 18 An interesting account by a participant, who was a founder member of the PLF, and EPLF leader and, in 1996, Secretary of the PFDJ, al-Amin Muhammad Sa'id, *al-Thawra al-Iritiriya* (The Eritrean Revolution: A Story of the Internal Divisions of the Eritrean Revolution) in Arabic, Asmara, 1992. A Tigrinya edition was also published.
- 19 See the fascinating personal account by Connell, D., in his *Against All Odds*, Trenton (NJ), Red Sea Press, 1993.
- 20 From the Tigrinya word for bat, after the habit of the movement's leaders of campaigning against the existing leadership among fighters after dusk.
- 21 There is an official EPLF version, translated as *The Destructive Movement of 1973* produced in Tigrinya for internal purposes. This does not deal with the judicial process within the EPLF at that time nor with why some were executed and some were not. There are brief accounts by al-Amin, *Op. Cit.*, and Iyob, *Op. Cit.*, pp. 116–7.
- 22 See Connell, *Op. Cit.*, for an account of these.
- 23 For an uncritical account but with some interesting interviews, see Wilson, A., *Women and the Eritrean Revolution: The Struggle Road*, Trenton (NJ), Red Sea Press, 1991.
- 24 The following account is based on interviews with villagers in 1977, 1992 and 1993 and with fighters and administrators involved in both urban and rural reconstruction and rehabilitation in 1992 and 1993. See Pool, D., 'The legacy of the derg and the politics of reconstruction', *African Affairs*, vol. 92, 1993.
- 25 See Pateman, R., 'Drought, famine and development' in L. Cliffe, & B. Davidson, *The Long Struggle of Eritrea for Independence and Constructive Peace*, Trenton (NJ), Red Sea Press, 1988.
- 26 Leeds, 1992.
- 27 See Kibreab, *Op. Cit.*, ch. 2 for the historical background to the refugee situation.
- 28 ELF leaders claim that the joint EPLF/TPL offensive against them in the early 1980s seriously affected their military capabilities.
- 29 Much of the research for this section was undertaken in visits to Eritrea in 1992, 1993 and 1996 thanks to the generosity of, respectively, the Nuffield Foundation, the University of Manchester and MRG, and is based on a wide range of interviews in addition to issues of the government Arabic newspaper, *al-Iritiriya al-Haditha* (Modern Eritrea) 1991–6.
- 30 The author observed the referendum in Asmara and Serai provinces.
- 31 The following is based on interviews with Yemane Ghebreab and Zemheret Yohannes responsible for PFDJ political affairs and research and documentation, respectively.
- 32 Based on interviews with Drs Beyene and Habte in Bonn, April 1996, and various editions of the ELF-RC's *The Eritrean Newsletter*, P.O. Box 200434, Bonn.
- 33 See the report on Eritrea in Amnesty International's *Report 1996*, London, 1996.
- 34 *Macro-Policy*, The Government of the State of Eritrea, Asmara, November 1994.

- 35 This section has benefited greatly from discussions with Lionel Cliffe.
- 36 Hansen, A., *Final Report to the GTZ Integrated Food Security Project Gash–Setit*, Eritrea, April 1994.
- 37 Interview with the Deputy Commissioner of CERA, Asmara, March 1996.
- 38 See Woldegabriel, B., 'Eritrean refugees in Sudan', *Review of African Political Economy*, no. 67, 1996.
- 39 See Wilson, *Op. Cit.*
- 40 Eritrean Women's Association, *Women and Revolution in Eritrea*, June 1979.
- 41 See Silkin, T., 'Changes in the negotiation of marriage in areas controlled by the EPLF', M. Phil., University of London 1990.
- 42 For an account of women and customary laws see Naib, K., 'Women's rights and their challenging struggle' in *Images of African Women: the Gender Problematic*, Occasional Paper no. 3, Centre of Commonwealth Studies, University of Stirling.
- 43 Cited by Iyob, M. and Jaber, Z., *Social and Cultural Rights*, CCE Issue Paper no. 6.
- 44 *Basic Educational Statistics*, Department of Education, Asmara, 1995.
- 45 Much of the following is based on an interview with Naigzy Gebremedhin, head of the national Environment Agency, March 1996, and the *National Environmental Management Plan for Eritrea*, Asmara, January 1996.
- 46 *A National Charter for Eritrea: For a Democratic, Just and Prosperous Future*, Approved by the Third Congress of the EPLF, Naqfa, February 1994.
- 47 *Ibid.*, pp. 12–19.
- 48 *Macro-Policy*, *Op. Cit.*
- 49 The author interviewed Afeworki in 1977 but was not granted an interview for the purposes of this Report.
- 50 See Leonard, R., in Cliffe and Davidson, *Op. Cit.*, p. 122.
- 51 Most of the following is based on interviews with Habtab Tesfazion, Deputy Minister for Local Government, in April 1993 and March 1996.
- 52 The following is drawn from *Constitutional Commission for Eritrea: Strategies, Plans*, and interviews with Dr Bereket Habte Sellasie, Chair of the CCE, and other members of the CCE in March 1996.
- 53 *Ibid.*, p. 5.
- 54 CCE, *Constitutional Proposals for Public Debate*, August 1995.
- 55 *Ibid.*, p. 6.
- 56 *Ibid.*, p. 11.
- 57 *Ibid.*, p. 20.
- 58 *Ibid.*, p. 24.
- 59 *Draft Constitution English Version*, Constitutional Commission of Eritrea, Asmara, July 1996.

W

- Cliffe, L. and Davidson, B., *The Long Struggle of Eritrea for Independence and Constructive Peace*, Trenton (NJ), Red Sea Press, 1988.
- Connell, D., *Against All Odds: A Chronicle of the Eritrean Revolution*, Trenton (NJ), Red Sea Press, 1993.
- Firebrace, J. and Holland, S., *Never Kneel Down: Drought, Development and Liberation in Eritrea*, Nottingham, Spokesman Books, 1984.
- Gebre-Medhin, J., *Peasants and Nationalism in Eritrea: A Critique of Ethiopian Studies*, Trenton (NJ), Red Sea Press, 1989.
- Habteselassie, B., *Eritrea and the United Nations*, Trenton (NJ), Red Sea Press, 1989.
- Iyob, R., *The Eritrean Struggle for Independence: Domination, Resistance, Nationalism 1941–43*, Cambridge, CUP, 1995.
- Kibreab, G., *Refugees and Development in Africa*, Trenton (NJ), Red Sea Press, 1987.
- Lewis, I.M., (ed), *Nationalism and Self-Determination in the Horn of Africa*, London, Ithaca Press, 1983.
- Longrigg, S., *A Short History of Eritrea*, Oxford, OUP, 1945.
- Markakis, J., 'Eritrea, the transitional period', *Review of African Political Economy*, 1993.
- Markakis, J., *National and Class Conflict in the Horn of Africa*, Cambridge, CUP, 1987.
- Nadel, S.F., *Races and Tribes of Eritrea*, Asmara, British Military Administration, 1944.
- Papstein, R., *Eritrea: Revolution at Dusk*, Trenton (NJ), Red Sea Press, 1991.
- Pateman, R., *Eritrea: Even the Stones are Burning*, Trenton (NJ), Red Sea Press, 1990.
- Pollara, A., *Le Popolazioni Indigene Dell'Eritrea*, Bologna, Capelli Editore, 1935.
- Pool, D., 'The legacy of the derg and the politics of reconstruction', *African Affairs*, vol. 92, 1993.
- Trevaskis, G.K.N., *Eritrea: A Colony in Transition 1941–52*, London, OUP, 1960.
- Trimingham, J.S., *Islam in Ethiopia*, Oxford, OUP, 1964.
- Wilson, A., *Women and the Eritrean Revolution: The Challenge Road*, Trenton (NJ), Red Sea Press, 1991.
- Woldemikael, T.M., 'The cultural construction of Eritrean nationalist movements' in C. Young, *The Rising Tide of Cultural Pluralism*, Madison, University of Wisconsin Press, 1993.
- Yohannes, O., 'Eritrea, a country in transition', *Review of African Political Economy*, 1993.
- Yohannes, O., *Eritrea: A Pawn in World Politics*, Gainesville, University of Florida Press, 1991.

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