

# Why federalism or democratic decentralization in Eritrea?

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## Introduction

The aim of this paper is to clarify the essence of federalism to resolve conflicts of power- sharing in political, economic, social and cultural livelihood of the Eritrean diversity. The Eritrean National Alliance has put two on its charter, “ the principles of federalism or democratic decentralization and the fundamental rights “ of the various communities of Eritrea. But, how are these principles be put in practice are still to be studied. The Eritrean scholars and intellectuals should focus their studies on the realities of Eritrea. In Eritrea, there is an oppressed and oppressor- this has evidenced after Eritrea’s independence. Who is the oppressor, its structure and its functions, and its supporters will be exposed to the Eritrean people.

One cannot bury the facts and build a false history in Eritrea.( See The Agaziaan Movement) The state building in Eritrea must be based on **the diversity of the Eritrean people wishes and aspirations not by imposing assimilative policies of a one- man dictatorship.**

The analysis of issues of conflict in Eritrea has been discussed many times. The long traditions of political, economic and social differences inside the Eritrean socio-economic and socio-politic structures had been neglected and passed by saying , “ We Eritreans are one people and one heart, “ or say don’t speak about our difference, because we can be divided. In the first place, the socio-economic and socio-political structure and its divisive forces – ethnic ( race , language and culture ) religion and political ideology must be addressed properly without fear. Generally speaking , Eritreans have been escaping from the realities, that Eritreans are different in their socio –economic and political structures. Eritrea can be divided into three categories based on its socio-economic and political structures. 1. The west and east lowlanders. 2. The kebesa people- comprising tigrinya speaking christians and jeberti moslems and

the Saho People on the eastern escarpment of the province of Akele- guzai. 3. The Afars of the Red Sea.

The knowledge of these communities' socio –economic and political structures help us understand the contradictions that disunited Eritreans to build a nation. Neither, the colonialists, nor the liberation movements have brought integrative changes , except divisive and polarising politics in Eritrea. The politics of division and polarisation have been inherited by the ruling party of PFDJ, direct after post liberation. The building of a nation in Eritrea by PFDJ/ EPLF.

Nation –building can not be achieved by enforcing/ coercing the various communities in Eritrea , without taking their views and respect their fundamental rights of citizenship. The PFDJ and its proponents , policy of “ tight centralism “ for building a strong government in Eritrea is, indeed a colonial heritage, disregarding the Eritrean diversity. The dream of building a strong nation dominated by one ethnic group- kebesa christians and its aggrandizing politics plunged Eritrea into wars inside and outside. The dream of Issyas still is not materialized. The consequences of tight centralism adopted by PFDJ are clear. The argument for tight centralism, especially advocated by the Kebesa christian intellectuals and intelligentsia had never led to solutions of the Eritrean internal conflicts. The process of unity still is not completed in Eritrea. The government in Eritrea supported by the kebesa christians created a bitter hate against the other ethnic groups. The kebesa christians consciously or unconsciously are still supporting this government, despite its brutality even against them.

The Eritreans still lack an experience and knowledge to find ways and be able to live together under one nation, in equal terms. When a solution to the internal problems be available, then the internal disruptions will be avoided and all Eritreans, regardless of their ethnic, religious and cultural origin will be proud of their Eritreans. As I understand the feeling of hegemony of the christian kebesits in general and their elite power greediness that make the Eritrean people live in misunderstandings and fears of each other.

The Eritrean people need a political innovation- rearranging them to come close together and grasp modern conceptions of organizing political, economic and social activities that promote mutual understanding and satisfaction. For this reason, I have selected today, in this paper to discuss about,

“Democratic Decentralization “and federalism as the only methods of uniting the diversity of Eritreans in Eritrea “

In the first part of this paper I will try to define the terms federalism and democratic decentralization, the territorial characteristics, and the essentials of federalism.

## **2. What is federalism?**

### **The Eritrean state formation re-examined**

**The experience of state formation in Eritrea by the EPLF/ PFDJ was an old method of the Western colonial states by concentration of power to individuals and capital accumulation in the name of the people mainly to control the people and deprive their territories. This is not the traditional African experience at the village level. The league or the idea federalism is not western idea but is African.**

Federalism is a political concept in which a diverse of people are united together by covenant/ constitution with a governing representative. It is when the sovereignty is constitutionally divided between the federal authority and constituent political units.( state, provinces, cantons) It is a system based upon a democratic rules and institutions in which the power is shared between national and the units. It is not the size of the country or the number of the population that decides that one will adopt the federal system of governance but its being the best tool for solving internal problems of power sharing. It is the right formula uniting the diversity under one nation. Most Eritrean intellectuals and political elites relate federalism with separation or secession. Some argue that Eritrea is a little nation and cannot afford economically. Such arguments are the same like those who say that economic development must come before democracy. The idea of federalism came for example in Switzerland when it was poor. It was motivated that the need to accommodate the diverse communities inhabiting the land.

### **Why federalism in Eritrea**

Eritrea is a nation with peoples of diverse languages, culture and religion. Power over resources and identity often shaped by the powerful is the root conflict in Eritrea. Historically, from the early birth of Eritrean nationalism the politics that dominated and still existing is the zero-sum game where the winner takes all. The nation that will be built after post dictatorial Eritrea must first adjust the state structure where the politics of zero-sum games abhor and the politics where all the Eritreans win. In the next following section I will discuss decentralization which was adopted previously by the EDA and later by the ENCDC in its charter, comparing it with unitary system of governance.

## **What is democratic decentralization?**

Decentralization refers to any arrangement by which the responsibilities of the central government for the direct provision and administration of services are reduced by allocating to co-ordinate authorities enjoying some measure of discretion. There are two kinds of federalism, administrative and democratic federalism. Administrative federalism is accountable to the central government but democratic is accountable to the people. The term, federation is a type of polity/ government operating constitutionally and works on two levels of government: as a nation and as a collection of related but self-standing units.

The objective of federation is a form of government for the people by the people. That is to say it is inherently democratic. It seeks on the one hand to create and maintain a nation, on the other hand to preserve the integrity of the units, their identity, culture and tradition. The objective of building and maintaining of Eritrea as a nation need a unity of all the communities living in different regions in Eritrea based on equality and justice and no dominance of one ethnic group on the others. In federation, no level of government is dominant over the other. The rights of all units should be guaranteed in the constitution.

Some Eritreans argue for decentralised unitary democracy in Eritrea. But there is fundamental difference between decentralised unitary democracy and federation. In a federation the rights of the people living in the regions are guaranteed by the constitution, while in the decentralised unitary democracy, lower level governments are merely statutory, they could be swept away by the central government at any time. In a federation. The central government has no constitutional relation, any influence is regarded as an illegitimate encroachment on the units rights. But additional contributions or funds for development of the unit are welcome.

The term centralism refers to a polity operating a constitution which works on one level government as one unit. It is inherently undemocratic and leads directly to dictatorship. The objective of building and maintaining of a nation is exclusive and is realised by dominance and force. This system of centralism is not accepted by the modern world, because it is a failed system. Nowadays, it is practised by some undeveloped countries, like that of Eritrea.

Arguments in favor of centralism is that Eritrea is inhabited by diversities of people, the only method to hold these diversities by is tight centralism. The

second argument is that Eritrea is so poor that it cannot maintain or finance its units as federal states. The third argument is that it can lead to internecine wars , because of territorial boundaries.

We have defined the concepts of decentralization and federalism in contrast to centralism and unitary democracy, we will now proceed to its natural governmental organs:

1. Elected Assembly representative of all units / states with fixed terms of years, related with the number of population decided by rules of election. It can be adjustable with the changing of population movements.
2. An elected Senate of a fixed and limited number with equal representation of all states. Through this mechanism a weaker state feel that it can make a positive contribution to national policies.
3. A Federal government capable of taking decisions quickly, preparing the draft of national budget, introducing new legislation, and suggesting constitutional amendments.
4. Supreme Court or the Judicial administration is the watchdog of the constitution

The Federal government in Eritrea, should be better in a form of committees instead of president like that of the USA, because a president in a society like that of Eritrea can neglect the interests of the many units. A federal government led by committee ( Parliamentarism) elect a chairman from itself for a limited time. The president is not executive and has no outstanding importance.

### **3. What are the geographical characteristics in Eritrea ?**

Essentially, Eritrea have had 8 territorially and culturally administratively functioning provinces, during the Italian colonial period , federal period with Ethiopia and under Ethiopian occupation. These territorially divided provinces have their historical characteristics- the Lowlands of West and East Eritrea comprising the provinces of Senhit, Semhar, Sahel, Barka , and the Highland Region- comprising Hamasien, Seraye and Akele-Guzay and the Denkel- Assab region.

After independence, the regime in Eritrea has changed the structure of the past political organization and constituted Eritrea with 6 administrative regions without no studies and consultation of the people. The existing association of the people and territories is not consistent. The territorial adjustments, bringing or

merging the people from different regions has only fomented conflicts of land appropriation between the various people in Eritrea.

The present division of Eritrea into 6 provinces is artificial to strengthen the power of the authoritarian ruling party of PFDJ. The ruling party has neglected the historical, cultural and geographical identities of the various Eritrean people.

In the federal form of government in Eritrea , the division of units/ states will be based on the historical, cultural and geographical identities. The states can show some variations, but all will abide under the constitutional law adhering to the parliamentary form of government. The differences in culture and religion should be respected.

#### **4. What are the essentials of federalism?**

I attempted to define the essentials of federalism, now I will be dealing with the functions and structure of the federal government. Any attempt to analyse or create , a decentralized system of government , whether federal or not, one must pay attention to the political and legal aspects. If the future governing structure is federal or unitary. The institutions of government and the party system should be devised clearly without causing obstacles to the functioning of the government. Procedures and institutional forms based on the constitutional rules must be established and maintain the federal ruling system viable. Political parties can compete through the machinery of federalism for their interests without state restrictions. The role of the party system within the federal system should be clear. The function of the political parties in a federation should bridge the gap between the Federal and State governments and bring the two levels of government into harmonious relationship. If political parties do not cut across boundaries, but perpetuate local level and sectional loyalties, then the danger of civil war is enhanced, and the functioning of federation disrupts. Political parties must provide the mechanism of co-operation - by bringing the different opinions closer together until political compromise is reached. Political parties that have the ability of drawing support based on linguistic, racial, and religious factors can challenge the work of the government and make it unable to conduct its policies.

In the first part of this article, I shortly defined the meanings and the essences of decentralisation. In this part, I will deal with the issues ( geographical, cultural and religious ) that must be considered , when building and maintaining a state.

- 1. What type of state can mitigate or help solve the internal conflict in Eritrea ?**
- 2. Have the various Eritrean Political Opposition a common map of building a state?**
  - A. Unitary state with tight centralism ? Why ?**
  - B. Unitary democratic state with decentralisation ? Why ?**
  - C. United federal democratic state ? Why ?**

**Each and every political or civic organisation should have a vision for future Eritrea. The most difficult issue is not the removal of the dictatordictators decay themselves and die by their actions. But , what is your proposal on building state ? Saying , democratic Eritrea itself is not enough. Say something tangible. Choose one of the above and argue , which is the best device to settle conflicts of power and build peaceful and stable Eritra.**

The centralised and one man rule is the source of all evils with rigid attitude of arrogance neglecting dialogue of resolving the endemic conflicts in Eritrea. Neither , the ruling dictator, nor those who are crying for salvation are no reliable in solving internal conflicts in Eritrea. Because they own no culture of dialogue.

Nation –building and state, where people’s rights are violated or neglected never achieve sustainable development. Why do conflicts flare up always between Eritreans ? . Does the origin of the conflicts depend on the socio-economic and political organisation ? In this part of this article, I would like to explore the dynamics and inclinations of the Eritrean political activities and organisation

This attitude of arrogance and dominance welcomes always dictatorship and totalitarian politics with a maxim, “rulers never make mistake, “ and its attempt of establishing a strong and militaristic government in Eritrea couldn’t solve the substantial differences between the various of the Eritrean people. A way in which the fundamental issues are presented and resolved- thus creating national unity, where the rights of the people respected and political participation guaranteed were neglected by the party that has taken power after independence.

The experience of the ten years' of independence marked by its atrocities and its failed policies, and the distortions that occurred should be examined and be acknowledged by the regime and its accomplices not to be repeated by next generation. The tension is between those who admired and supported the brutal regime and those who were victims of this regime since independence.

#### **4. State Structure and power-sharing**

Given the Eritrean communities diversity in culture , religion and region , restructuring the state power reflecting this diversity is of great importance. A state structure which accommodates the heterogeneous people of Eritrea , where power should be decentralised equally to all regions and each region should have its identical relationship with federal government. Models of unitary government more or less lead to centralism and never help solve internal conflicts. A federal device in terms of the division of powers and the structure of institutions enables various kinds of accommodation to be made. It is more hospitable to compromise, based on discussions , mutual respect and thereby reinforce these qualities. The advantages of federalism exceeds its disadvantages.

The counter arguments of federalism are those presented by the leaders of majority because they lose power. They fear that it can trigger to secession. These fears can solved by arranging the system of governing so that maintaining the unity of the nation, on the one hand, and preserving the integrity of the units / states / regions, their identity, culture and tradition, on the other hand. The objective of state building and maintaining a nation implies that the free movement of labour , capital and the unity of commercial and financial policy from one region to another must be ensured. The units never be allowed to secession or violate the rights of the other region. This should be guaranteed in the Constitution.

Territorial nationhood/ regionalism is one of the elements which constructs the country. It is one of the markers of nationalism. Regionalism as a policy is the device of decentralisation for effective and accessible administration. The people living in that region take the responsibility for good governance and maintain their own culture and identity. Therefore, regionalism has nothing to do with segregation , or divisions , it contributes more to Eritrean nationalism and unity. Eritrea is a composition of the various geographical and cultural identities.

This distinct geographical and cultural identities must be viewed from the Eritrean historical importance. The attempt of nation –building by the regime in Eritrea has not taken , in consideration , the cultural and territorial distinction of the people in one region. For example, the redrawing of the provincial boundaries , the land belongs the state, proclaimed by the PFDJ is a direct deprivation of the rights of the people of their land and identity. This policy was to settle the highly populated tigrinya –speaking christians to the less populated lowlands. This has only brought conflict between the new settlers and owners. The existing pattern, internal relationships, history, degree of autonomy and organisational structure of the region is dependent on the decision of the people. The self –appointed regime of PFDJ has changed the existing pattern in the name of unity.

The re-mapping of the provinces and the proclamation of the land as of state is one of the root causes of the conflicts in Eritrea. This is one of the area of conflicts concerning disputes over territory. For example, the government in Eritrea has been selling land to those who have money by taking the land from landowners. Territorial disputes have taken place between the state and the people. A viable nation- building in Eritrea requires the use of innovative institutional arrangements that deliver equitable economic resource allocation for all the citizens without segregation. Such arrangements can dampen calls for secession. Eritrea , with its diverse people needs institutions that promote conflict management. This arrangement can be federalism or other decentralisation of power.

State–building in Eritrea has run into aground and provoked an opposite reaction among many influential linguistic and religious and cultural groups : the emergence of rival ethnic and religious movements at this time are apparent evidences of the failure of state-bulding in Eritrea.

Language and religion, however , are identity markers that are shared by all Eritreans, irrespective their origin, basing national identity on a particular language is an essential political concept which is invoked frequently in Eritrea. The language policy adopted by the current regime in Eritrea is one of the main issues of conflict in the building of the state. This policy has secondary effects on the ability of the people to seek employment: those whose language is chosen for official use have an obvious advantage over others. For example, in Eritrea , those who speak arabic language has no opportunity to get employment, because arabic language has no official use in Eritrea at this time. Language policy is one of the factors used in building a state.

The role of religion in Eritrea :religion in Eritrea tends to be part of our human experience and is by any means indispensable for the Eritrean society. Eritrean identity is sometimes described by moslem/ christian national identity since the inception of Eritrean nationalism. During the Federal period ( 1952 -1962 ), both arabic / tigrinya and moslem /christian were declared to define Eritrean national identity. The post-liberation period of nation –building in Eritrea has not given respect to these identities , when adopting a particular language policy in Eritrea.

A viable nation –building in Eritrea need a language policy that accommodate the diverse ethnic groups integrated, but not assimilated. Language pluralism is not disadvantage but is advantage. Language conflict can be managed by providing the minority languages freely used and giving incentives to learn the official languages, ( Arabic and Tigrinya ) because people have the advantage to learn many languages. To day it is a common to speak more than one language in many countries. Switzerland is a classic example of how culturally diverse groups can coexist peacefully, rather than melting ethnic groups into a new culture. A nation is not necessarily have one language to be or to share a sense of belonging. “Can’t you speak tigrinya? Aren’t you Eritrean ? “ are the modern times , explicit or implicit ideas of assimilation.

To-day , it is only the tigrinya language, used in schools, administration, the army, and public life in general. Even the names of the places and villages settled by the newcomers are given the names of tigrinya. This is a deliberate action of tigrinyatisation. Despite, many protests, the policy assimilation of the ruling party has gone beyond correction.

The mother tongue education policy is only sham and pretentious. Those who attended or mastered the mother tongue are considered as illiterates. They have no opportunity of employment and other professional rewards and promotion. Even , they are not allowed to sign or write their names in their languages. Then , what is the use of learning mother tongue for five years ? Isn’t that squandering with national resources ?

## **5. The Current Situation in Eritrea**

The ruling party in Eritrea with its ten years’ experience of hostility, bloodshed and civil war under unworkable constitution and a tight centralism has never provided an appropriate solution to the internal conflicts in Eritrea. The ruling party in Eritrea has the same policies as that of the former imperial powers. Many proponents of the tight union, either members of the ruling party , or in

the opposition believe that the diversity in Eritrea must be brought by force to build a nation in Eritrea. The Eritrean diversities of race, culture and religion are so strong that a strong government with no autonomy of these peoples' rights is not viable.

Today, the devout supporters of the ruling party even pronounce that Constitution is not necessary in Eritrea. They repeatedly argue that ,what the Eritrean people need is food, but deserve no rights. The need for food and its acquisition is one's civil right. Food , housing and other necessities of life are the natural fundamental rights of the human being. They are not granted by the rulers of the country. A government that deprives these rights is not the people's government. A country that neglects these rights is doomed to fail.

The post –independence period and its devastating wars with neighbouring countries would have been avoided if Eritrea has adopted a democratic device to build a democratic state. The main cause of all these horrors is the wrong path of building a nation adopted by the ruling party in Eritrea.

The ruling party ( PFDJ ) vested all power to one man in order to build a strong government without no institutions and constitution. This was the main factor leading the country in spiral of conflicts and wars with all internal an external forces. To prevent recurrent dictators and the tight centralism that breeds disunity among Eritreans, it is time to search a device that unites all Eritreans to build a viable nation.

In part one of this article, I have discussed the organs of federal government, and part two has discussed the Eritrean distinct geographical, cultural and religious identity that must be respected and maintained to build a viable nation. In this part of my article, I will be concentrating on , why the major characteristics of the Eritrean territorial components and integrity are important in building a state in Eritrea.

## **6. Historical Overview**

The present Eritrea is born from the distinct territorial components determined by the time of colonial and internal actions in the period of 1890 – 1991. The zones of occupation were first known as , Highland Eritrea ( Kebesa ), East and West lowland Eritrea ( Oriental and Occidental Eritrea ) and the Land of the Danakil ( Afarlands ). This division was the first path of shaping Eritrea as a colonial nation. It was of practical, cultural, economic and geographically satisfying the colonisers and the local people. These regional administration has

historical bases. Out of these three regions, the occupiers constructed the later administrative provinces. It was an effective reorganisation of the Eritrean territorial and political life that took around 1908. The country was divided into provinces and districts.

The provinces of Hamasien, Seraye and Akele Guzzai are located in the Eritrean Highlands. The provinces of both East and West Lowlands are Semhar, Sahel, Senhit and Barka. Assab is the province of the Afarland. The various communities living in these regions and provinces had their own way of associations. They formed their own village and territorial rules and laws under the colonial rule. These three territories were separately administered.

The three regions / territories or the provinces vary widely in population, area and resources. The largest in area is the Western Lowland and the smallest is the Highland. (Kebesa) Population-wise, the Eritrean highland is more densely populated, while the Eritrean Lowlands are scarcely populated. The people living in the former territories were dependent on agriculture and herdsmen. The various communities living in the three regions had their own basic laws as a form of governing at the chief level. Some have written constitutions that were formidable and detail. They have a system of judicial administration through their own constitutional courts. These land laws still work in the villages. The Eritrean post-liberation nation-building has never taken these historic characteristics that were established many years ago. The differences in culture and religion which distinguishes the Eritrean communities from one another should not be neglected. A nation-building that does not include these regional identities is doomed to fail.

The current unimplemented constitution of the current regime in Eritrea did not provide any vertical and horizontal division of power and function. Even the organs of the government and their authority is not clearly defined. All power lies on the president. There are no defined basic laws, except decrees. The 6 administrative zones have no autonomous administrative authority provided by the constitution. This is one of the main problems in the state structure in Eritrea. The unimplemented constitution in Eritrea is not because many Eritreans had not participated in it, but because it produces a situation of tight power concentration within the system of governing. This model is obviously dysfunctional in Eritrea. The view of those who support this Constitution is only the view of those who want to build the Empire of Eritrea under one king

The people living in the Highlands of Eritrea, except the Saho and the Jeberti, had strict and more centralised way of ruling at home. The Saho people had more liberal and decentralised way of life. The people living in the West and

East Lowlands , and the Afar people were following more decentralised way of life. These two aspects of civilisation ( culture ) the tight centralism under one feud , practised in the Eritrean Christian Highlanders , and the decentralised one practised by the other Eritrean people should be noted. The later politics pursued by the Eritrean political elites emanated from the attitude of centralism with desire of power or prestige , and decentralisation with power -sharing. The military and dictatorial regime in Asmara has abolished the former regional and provincial boundaries and replaced them with its own scheme under a “ Unification Decree” favouring one segment of the Eritrean people at the expense of others. This new boundaries never forged harmony and unity between the Eritreans but greatly served to intensify the inequalities between the new settler and the former natives. Given the paralysis of centralism, it is essential to discuss the issue, what type of government is appropriate in Eritrea after the removal of the dictatorial regime in Eritrea ?

It should be clear by now that the method of organising a government with equal distributing of power and wealth in Eritrea in the future must rest on the claims of the Eritrean people maintaining the distinct regional differences and diversities. A governmental organisation operating as a safeguard against the concentration of too much authority at the centre and its calamities is important in Eritrea to hold the diversity in unity.

## **7. The root cause of the conflict**

The internal conflict in Eritrea is rooted in the ideas of identity based on race, religion, culture, language and so on, plus the distribution , or sharing of the economic, political and social resources. The combination of this identity- based factors with its wider perception of unjust distribution of resources fuels the deep rooted conflict. The opportunistic leaders of Eritrea manipulated this identity and distributive policies and make the conflict insoluble. The internal conflict in Eritrea involves claims of rights: ethnic rights , religious rights and cultural rights. The conflict in Eritrea is where one community dominates , and others are deprived their fundamental rights. It is a conflict threatening the existence of others. An enduring settlement to the internal conflict in Eritrea depends on building an appropriate democratic political structure.

This appropriate democratic political structure can keep the country from splitting. This political structure can be instituted as a federal governing system that can keep the Eritreans united , where power is devolved equally to all regions and each region has an identical relationship to the central government.

For example, the adoption of federalism in Switzerland and Canada were motivated by the need to accommodate the diverse communities. Many Eritreans have negative perception of federalism. They relate this idea as divisive and disuniting. But, in contrary federalism is a device to unite and get together for mutual defence and advancement.

In this part 4 of the article, I will deal on the origin of the theory of federalism and its practices in the world.

## **8. Theory and origin of federalism**

The ancient Greeks were the first who theorised and practised federalism. Their experiment can be traced from the fifth century B. C. At an early stage the Greeks have two types of alliances thus called *symmachia* and *sympoliteia* meaning , “ leagues “ in english language. *Symmachia* is a military alliance while *Sympoliteia* is sharing of political life or political power at that time. This political life implies that there was a central government and local governments. At that time control of the army, foreign affairs and jurisdiction in case of treason belonged to the central government , while other matters belong to the federating communities. Such federal states were mostly developed during the Hellenistic period. There were other classical leagues such as the Peloponnesian, Aetolian, Achaean and Boeotian. This earliest and long-lived leagues / federations had been flourishing until 336 B.C.

The Greek leagues have similar patterns to the modern federation: there were two government organs- the Council and the Assembly , and two level governments: the central and local governments. There are no tangible evidences, if there were federated city-states during the Dark Ages ( the early Middle Ages ) The famous Lombard League was only a temporary alliance of the cities around Milan against the attacks of empires of France.

In the thirteenth century, the Swiss have attained a form of confederation before they formed a nation. The interest and relevance of leagues has been considered by the Hanseatic League of north German towns. Lubeck and Hamburg joined together to protect the gulfs of the North and Baltic Seas. All the leagues / federations at that time were engaged in sea trades. As we see, the idea of federation is an ancient , but later on developed as a means of drawing the diverse citizens for the common benefit for building a nation. Federation is the propensity to live together for mutual defence and development. It is a method of governing. Successful federations are those that satisfy all citizens and build up a nation without disruption , where citizens are proud of their nation and feel

more to protect it. For example, these are true today in Switzerland, Germany, USA, Canada, Australia and India except some troubles.

Federalism like democracy has its origin from the ancient Greeks but has changed gradually. The federal system of the modern times is different from that of the ancient Greeks. The features that make a particular political system federal is:

1. A constitution which guarantees to each of the two levels of government an independence of each other sufficient to enable them to engage the continuing support of significant elements of the political system,
2. A constitutional and political system which links the two levels with a significant degree of interdependence, such that neither level can subordinate the other to it, nor act wholly independently of the other across the whole range of government functions.

It is this combination of genuine independence with genuine interdependence which distinguishes the federal State from decentralised State. In decentralised State, the central authority may delegate power and authority and draw it at will. The lower government seems have a degree of independence, but if the forces that support it are unable to influence the decisions of the upper level, then it is not genuine. Genuine constitutional safeguards not only in paper but enforced by courts, where the two levels of government work together financially, administratively and organisationally giving them a continuous significance.

The nature of the theory of federalism of the ancient and the nineteenth century are different as clarified above. The nineteenth century federalism is more concerned with the values of representation, democracy and national feeling. The twentieth century federalism adds to these values – social justice and legislative policies and finances.

What is the relationship between federalism, democracy and nationalism? A representative democracy based upon the nation building with a strong sense of national unity depending on mutual trust elects its representatives. If the representatives use their authority against the interests of some citizens, then the problems of unity be complicated and as a result nation building is not safe. If the representatives use their authority in a way which broadly recognises the common interests and aspirations of all, then sense of unity exists and nation building be strong. The emergence of sense of community is eased when people share common traditions, common language, religion and economic interests. When they do not, the problems of unity are difficult to achieve. The

acceptance of nation building requires years of struggle, development of symbols like the flag, or anthem. Many aspects of nationalism are historically related in the process of nation formation and national identity based on participatory democracy. A community excluded from this participatory democracy loses the sense of citizenship.

Federalism was adopted by some countries during the nineteenth and early twentieth centuries. For example, the Balkan system of small states. These federalism contained two principles: first, the modern federal State responding nationalistic aspirations-widening the sense of community in each of the units which was being federated; second, the federal State involved at one and the same time attempts to strengthen national unity and democracy in nation building including all communities. Thus federalism asserts the rights of the minority and limits the dominance of the majority.

A working constitution of a federal system must met three major conditions to be successful: first, it must provide division of power in a federal sense. Second, it must establish institutions and constitutions of certain political, economic and social actions. Third, there must be a set of mechanism for the dynamics of the rules concerning the division of powers so that changes in technology, social values and government functions in a federal system are accommodated and respected in the country.

With these points in mind, the idea of federalism is not the twentieth century phenomenon but ancient, later developed as a system of government. Today, Switzerland, Germany, USA, Canada and Australia are the highly developed federal democracies in the world. India and Nigeria are also ruled by federal system of governing. There are many quasi-federal states in Africa, Asia and Latin American countries. The Arab Emirates in the Gulf are federal kingdoms.

### **9. The Role of the parties in federalism**

Having discussed the idea and nature of federalism, we must now proceed, how the institutions in the government and the party system interact. In the past, during the communist era, the federal idea was weakened by former socialist countries. To understand the collapse of the socialist federations one can not judge it from the historical speculations about the supposed incompatibilities but rather see the structural, behavioural and the normative weakness of the socialist model applied to the federal idea.

These countries have adopted an asymmetric federal structures, where the dominant chose to battle the non-dominant, for example, the Serbs in

Yugoslavia. More complications for continuance of the federal idea can be also, when federations are based on ethnic and religious national principles, endangering the very survival of the nation. Another factor that can hinder federalism is the one party authoritarian rule.

The seventy- five year period of communist rule destructed the idea and role of federalism. Socialism has weakened the processes, institutional , and public and elite linkages with the federal idea so that no one came to defend it when communist regimes collapsed. Institutionally, the structures were not designed for conflict resolutions but for to express support for party program.

Economically, it was closely linked with plan economy, increasingly ineffective and wrong allocation of resources. Politically, under socialism, federalism was a bureaucratic-administrative tool and has not served the rights of the people ; but used as a means of control and oppression.

In federalism , Constitutional rules are not enough to give life and vigour to the political system. The two principles of federalism- interdependence and independence of the two level governments must be devised and remain distinct and perform the necessary functions without collapsing the whole system of federal governance. The constitutional and institutional structure of federalism is important to keep power balance between the Federal and State. Power separation between the Federal and State facilitates the operation of compromise and co-operation , balancing the various interests at regional, provincial and local level in all the Eritrean Communities.

We will now argue , how political parties function in federal system of governing.

The role of the parties in a federal governing system is to bridge the gap between the Federal and State governments , to cut across sectional and regional loyalties, and to bring the two level governments into a relatively harmonious relationship. When disputes evolve between the Federal and the State governments, the parties must provide the mechanism through which the points of view of both levels are brought closer together until a political compromise is reached. If political parties do not cut across boundaries, do not create national system, but perpetuate local and territorial loyalties, then the danger of disintegration or the disruption of the federation is increased. This has been experienced in the past socialist federations. The American and Australian parties have performed this function well.

Federal institutions with highly decentralised political institutions can provide a power base for the State or local politicians to build upon. Such institutions are a

desirable for a successful federalism. Local political parties are able to call upon a very high degree of support and loyalty from the people in their particular State or locality and they can draw upon linguistic, racial, religious or other kinds of emotions disabling the central government to conduct effectively the required national policies.

Federal institutions in socialist federations were highly centralised and did not behave as federal consultative bodies. They were rather mechanisms for party control. There were no political parties that can communicate, bargain and compromise upon the problems evolved in the political affairs at the different levels of governments. In the socialist federations, political power flowed from party institutions to federal structures , which meant that the communication – authority flow among federal institutional levels had little significance for policy makers. Communism was intolerant towards free expression, unanimity but not diversity was the celebrated value. In all the socialist federations, party organisations and leaders were not federalist but anti- capitalist movements. There were no mutual trust and confidence and the party did not provide mechanisms of negotiations and compromise. The party platform , and the role of the ethnic or republic delegates at the national level was only to endorse and support the party program. Those who did not support , or criticise were severely repressed or labelled simultaneously anti- communist or antinationalists.

In the Western Federal systems of governing, political parties fight their battles through the machinery of federalism without being committed to States' Rights or the Federal Government. They are only concerned to promote their political interests and ideologies.

Federal Governments in the Western Countries maintain a two-party system or multi-party system. The federal politics provide the parties free and competitive rights.

Federalism has been misconceived by many Eritreans as divisive and disassociative , but in contrary it is unitary and creative if it develops gradually and entail the necessary conditions related with its development.

The character of the regional units- the way in which the boundaries of the federating states are drawn is the most complicated issue. The financial and administrative issues, the separation of powers and the judiciary will be the next issues to be discussed.

## 10. Drawing boundaries of the federating states

In the previous series of articles I tried to illustrate the main ideas and elements of federalism. I will now try to shed light on the importance of drawing boundaries between the states. Adopting federal form of government needs an appropriate planning of mapping so that unnecessary incompatibilities be avoided.

The organisation of the State and Local Governments is the most interesting aspect of federal politics. The objective of this organising is to see that no State should be in a position of dominating others. The State should be compact in its administrative, territorial, cultural historical association and respect the wishes of the citizens. Each State should carefully select its capital supposed to be convenient and accessible for all residents in that area.

The path of federalism is never smooth regarding drawing boundaries between States. Drawing boundaries based on regions or based on administrative provinces have their advantages and disadvantages. For example ; the first experience of Nigeria is interesting in this respect. The Nigerian federation was first based on regions- three state regions from the British period. The desire for a greater number of states was refused because on non-viability. But the decision was disastrous. Friction between the regions has arisen; and further complicated by the larger regions. The incompatibility is that putting people to live together in a large area which is not possible to work smoothly.

The first experience of drawing boundaries regionally in Nigeria has resulted in regionalism and infighting ( Ex ; the case of Biafra ) In January 1966, immediately after the civil war a new boundary was redrawn, avoiding the incompatibles yoking people together. Regions have been replaced by a number of states. Today, there are 19 states in Nigeria , entirely secular with freedom of movement. Complete equality before the law, free press and all occupations open to all religious and tribes. This new reorganisation of boundaries strengthened the federal politics in Nigeria.

The Swiss experience, from the thirteenth century consists a number of separate sovereign states called cantons , which joined together to secure certain common objectives, especially defence, foreign policy and large public works. The first three original Forest Cantons made their first treaty of alliance in 1291. The alliance of these three cantons was the cradle of the Swiss Confederation. This alliance has endured through all the changes and troubles and is one of the successful federations in the world. The arrangement of the boundaries of the

cantons differed from time to time , however over the past years a steady expansion of cantons had appeared. The number of cantons has now grown to twenty- five.

The Confederation was not safe, to some extent some infighting were taking place. There were quarrels and even infighting between the rural populations. Inspired by the French revolution, individual cantons began gradually to get rid of their oligarchies and move towards democracy. The young began to orient themselves with the ideas of democracy. People began to come together closer into the government. Continual contacts between people and governments have been promoted. The devices of initiative and referendum has become popular. The cantons were successful helped by their decentralised way of governing.

The German federalism boundary drawing was based on territorial components determined by the actions of the Western occupying powers in the period of 1945 -49. The zones of occupation were divided into provinces, partly because of practical and convenience matters. Some of them had a historical basis such as Hamburg and Bavaria. The Federal Republic of Germany was constituted in 1949 original containing 11 states excluding West Berlin.

The provinces vary widely in population , area and resources. The present shape of the German federation stems from the decisions taken when the country was divided and was in difficulties. After so many years in federation , with differences in culture and religion , the states today are more homogenous and united.

When the monopolistic dictatorial regime in Eritrea collapses , what is the kind of government the Eritrean Opposition in mind is not clear. Politically centralised framework providing monopolistic rule is not acceptable. The main point in this article is that the Eritrean political Opposition should have schemes for configuring Eritrean state-building along a political structure that accommodate Eritrea's various communities.

The idea of federalism provokes serious discussion, its utility as a viable tool or process of peacemaking need thorough study.

The recently formed movement , called Eritrean Federal Democratic Movement has declared that a federal arrangement is an appropriate to Eritrea's configuration of ethnically and religiously interwoven or mixed communities and its traditional politics of polarisation.

The present discussion, what is the appropriate state structure following the fall of the dictatorial regime is the main issue of the Eritrean Federal Democratic Movement. The transition to democracy in Eritrea after the fall of the

dictatorship should facilitate conflict resolution and conflict prevention. The Eritrean internal conflict stems from the strong competition for control over the state power. This conflict can be managed by restructuring the state and powersharing. Federalism as a model of conflict settlement provides the instruments of distribution, division and separation of authority and power based on the people's will and desires.

## **10. The Principles of Federalism**

The Eritrean people cannot rest content until they have a genuine structure of government expressing their will and wishes in all vital matters. The Eritrean people is in a situation that is intolerable charged with hatred, filled with misfortune and pain- wars , hunger and aids. Reverting this situation need hope and positive reaction. Hope followed by action would bring the reasonable settlement in Eritrea. Out of this suffering , we must fashion a new Eritrea free from prejudices and barriers. How can we create a true unity in Eritrea ? By devising the principles and foundations of unity leading to peace and stability in the country.

In this part of the article, I will deal with the principles of the method of unifying( federalism ) Eritreans, ie the principles of federalism.

The principles of federalism evolve from the historical and different experiences in the past. Out of these experiences, there are three main principles that distinguish the federal system of government than the national government system. Thus, they are : the constitutional distribution of power, the separation of the legislative and executive power and the division of legislative power into two powerful chambers.

## **11. The constitutional distribution of power between the federal and state governments**

The relationship of the Federal , State and Local governments depends on the competence within their own domain and subject to the constitution. The federal constitution provides each government with significant decision making power, administrative responsibility and operational influence. The federal Constitution provides a vertical distribution of authority and functions between the federal government and the federating states, according to which each state is a *co-ordinate but not subordinate* with the others. Some powers lie with

the federal authority and some with member states, and each domain has scope for independent action within its power. The principle of co-ordinate and independent powers plays a big role in strengthening the relationship between the federal government and the states as provided in the basic law.

The basic principles should be expressed in the articles of the basic law. The exercise of state powers and the distribution of state functions and competence rests with the states. The states are responsible for establishing their own administrative services and procedures. The federal government cannot promulgate decrees without the consent of the state representatives. The principle of administration by the states should be qualified within the area of its competence.

So far we have been dealing with principles of autonomous states' administration and their legal qualifications, the subsiding will be on the legislative and executive powers.

## **11. The principles of federal legislatures**

In a federal form of governing, there are two-chambers ; the **national assembly** consisting of the popularly elected national assembly and the second chamber representing the states , known as the **senate or state council**. The members of the senate are all members of their respective state governments.

The functions of the government are divided between the legislature which has power authority over the whole nation and those legislatures which have authority over their own territories. The relationship between these two legislatures is not like the relationship between superior and subordinate as in a unitary government of the current and dreamers of the future in Eritrea , but is a division of governmental functions between one authority, usually called federal government and the state government. In federalism , there is no such relationship. The division of functions of government are embodied in the written federal constitution which is the supreme law of the land. In unitary constitution, all power is concentrated in the centre- in the executive organ.

The motive of the principle of separation of power is to restrain the tyranny in governments and work transparently under the law of the constitution.

## Conclusion

The Eritrean political conflict is based on the role of the state structure and organization. The state is the most powerful organization. Control of the state usually provides access to economic power. What the Eritrean people experience and see is that the regime in power is today dominated by one sector of the Eritrean people. There is a strong competition for control over the state apparatus and this will be the main cause of post dictatorial Eritrea. The Eritrean Oppositions thorny issues are the issues of state structure and the kind of covenant/ constitution building process. If the Eritrean opposition for democratic change wants to prevent this conflict it must restructure the state and have a new constitution that can solve the internal conflicts of power sharing and redistribution of economic resources. A more productive strategy is to look at tools devolving power via federalism.

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