State and Constitution building in Eritrea
Minority Rights in state building

By Fesseha Nair

How much are the "Brigade Nhamedu" aware about the Eritrean diversity and its future plan in post -dictatorship Eritrea?

How can the oppression of ethnic minorities in post-dictatorship transitions be best addressed through constitution building and state structure? Where constitution building takes place in the aftermath of conflict or after the fall of dictatorship the relationship between different ethnic minorities and dominant ethnic groups within the state are often difficult and headache for the dominant ethnic like that of our tiny Eritrea.

The post liberation Eritrea under the unitary system and one-man rule was dominated by one ethnic group and this system was the main cause of today's crisis in Eritrea. There are many different dimensions to this problem, and these can vary from one context to another. Often, demands by ethnic minorities for power dispersal mechanisms that ensure their participation in political, economic and social decision-making on an equal basis rejected while the interests of a dominant majority that wishes to safeguard supremacy/chauvinism and control over the minority are preserved and respected.

In Eritrea after the independence, the minorities who owned the resources rich areas like the east and west lowlands were expropriated by the dominant group yes-men of the dictatorship. At another level, what might at first appear to be a minority claim can become more complex when historical, demographic and cultural dimensions are taken in totality.
On the one hand is a majority group that conceptualizes the minority rights question in proprietary terms. This group sees itself as 'the chosen ones' with ownership rights over everything in the political community to the exclusion of all those who fall outside that group like that of the Agazian dreams-building Tigrai-Tigrni state.

At this time, the so called Agazian- Tigrai-Tigrni view that they are the only owners of the land called today Eritrea, the others are migrants will disintegrate Eritrea, therefore the forces democratic change must face this strongly based on the historical facts on the ground. The Eritreans for democratic change must be accommodative of all the Eritrean ethnic identities with certain claims. The demands of the Eritrean nationalities are that the nature and character of the state must preserve and guarantee their

cultural and territorial land. The land must belong to its owners not to the state. The state formation must be constitutionally decentralized or be cooperative federalism. Unitary state formation leads to centralism and dominance. The late studies of global institutions on democracy show that even the unitary state structures are to-day decentralized, for example Sweden which is monarchy is decentralized in power sharing, more on this I will write in the coming article on constitutional decentralization.

The Eritrean constitution of 1997 was not accommodative and has limitations in its provisions on fundamental rights it lacks in its framework on devolution of power- sharing and decision making.

Constitution building in post-conflict transitions is very much about state building. Sometimes this involves lumping together different nations to produce a new nation state, while at the same time ensuring that the different nations or ethnicities within the
state, regardless of their size, stay within the resulting constitutional framework, which provides equal protection to all. Achieving such parity is a challenge, especially in the reconstructing the state after the fall of the dictatorship where ethnic identity is strong in comparison to national identity.

Reconstructing the formation of state in Eritrea

Tackling the challenges of integrating the diversity into a larger national whole, in the context of constitutional processes, requires an analysis of multicultural Eritrea and its key demands—The Eritrean forces for democratic change must prepare themselves how to face these challenges. Democracy is not imposed but constructed. No country is fit for democracy but through the process of democratization as professor Amartya Sen and professor Gene Sharp noted in their studies. The Eritrean forces for democratic change will face challenges on the specific historical, geographic and demographic circumstances of Eritrea. For example, those who claim that Eritrea belongs only the tigrai- tigrni or agazian who wants to dismantle the internationally recognized Eritrean Sovereignty and territorial integrity must be faced urgently. We know all that the Eritrean people have all cross border cultural relations, having such relations are available in all countries of the world. Such relations must be respected and be promoted under two sovereign nations by all the bordering nations. (Ethiopia, Sudan, Djibouti and with other overseas countries like SA and Yemen.)

The difficult struggle is the transition from dictatorship to democracy, therefore our experts must give priority to prepare studies and identifying

conflict issues by conducting national dialogues with the wide range of stakeholders. (political organizations, Civil society organizations, Unions and professionals)

It is true that the crisis in Ethiopia influences Eritrea but is not the priority. Our priority is the Eritrean people's situation under a cruel regime of one person's rule. What is going on in the social media by different elements about the political, economic, social and cultural situation are not based on historical facts but exaggerations on false identity conflicts. Let us listen each other and build mutual trust in order to learn each other and focus on "Eritrea" a home for all those who believe on Eritrean nationhood.

.