

Good Governance in the Eritrean Context:

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Good Governance in the Eritrean Context: What Does It Entail?

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Introduction

Conceptualization of good governance is rather challenging for several reasons. One is that different societies, depending on their levels of socioeconomic development and their political realities, expect governance to attain different goals and to overcome different challenges. African societies, for example, are likely to have different expectations from their governments than societies in advanced economies. Alleviating poverty, transforming nomadic and subsistent communities into an exchange economy, and bringing institutional coherence by reconciling fragmented modern and traditional institutions of governance may constitute critical aspects of good governance in Africa. Such goals, however, are unlikely to be relevant in advanced economies. Differences in ideological orientation also lead to differences in the expected roles and priorities of governments and in the criteria of what constitutes good governance. While the principles of good governance are universal, the specific characteristics are, thus, largely condition-specific. Since societal challenges and goals are not static, the specific contents and indicators of good governance are also likely to be moving targets. Despite such complexities, however, a broad working definition that is widely applicable can be crafted. A number of common criteria that are essential for good governance can also be identified.

For our purposes, a workable definition of good governance would be a system of governance that creates socioeconomic structures and institutional systems that enable society to advance its general economic, political, and social wellbeing and to overcome present and future internal and external challenges effectively and efficiently. Among the generally accepted essential characteristics of good governance include; participation, rule of law, transparency, equity and inclusiveness, consensus, effectiveness and efficiency, responsiveness, and accountability (Moon, 2007).

Most of the above identified indicators are essentially confined to internal conditions and do not address the global context. As a result, the presence of these characteristics, in itself, is not likely to be sufficient to render (successful) good governance. A country or a region that is engaged in a global system that exploits it, for example, is not likely to be well governed even if the identified characteristics of good governance are strictly adhered to at the national level. In other words, as good governance can be undermined by domestic factors, such as the presence of self-serving subversive elite, it can also be undermined by external intervention. Economic policies imposed on African countries as conditions for aid and loans by donor countries and international financial institutions, can for example, undermine good governance. Given the unfavorable power-relations African countries face in the global context, indicators of good governance, are likely to need to incorporate sound foreign policy including regional integration that can potentially help to ward off some of the adverse impacts of the global system.

More importantly, the identified characteristics of good governance do not emerge in a vacuum. It is not even clear to what extent the criteria of good governance can be attained without a simultaneous broad socioeconomic development. In other words, in countries where political and economic institutions are less developed, good governance is less likely to develop and without good governance, institutional development is less likely, producing a vicious cycle. A

combination of organized popular struggle and far sighted leadership is likely to be a precondition for breaking the identified vicious cycle. The rest of the paper is organized into three parts. The first briefly describes the basic preconditions, including state-society relations and external relations, which foster or impede the development of the characteristics of good governance. Taking the identified preconditions and criteria of good governance into account, the second part of the paper examines the nature of Eritrea's crisis of governance. The concluding section makes some remarks as to what avenues are possible in promoting good governance in the Eritrean situation.

Preconditions of Good governance

Many of the characteristics of good governance, including participation, selection of leaders through fair elections, rule of law, transparency, equity and inclusiveness, consensus, responsiveness, and accountability, presume a certain balance of power between state and society that enables society to attain and defend certain citizenship rights. Citizenship is a concept that refers to a status (with specific set of universal rights and obligations) extended to or obtained by members of a given entity, such as a state. Citizenship of a state refers to a formal status that entitles all legally defined nationals of the state to specific universalized rights and obligations enshrined in law (Heater, 1999:6). Such rights usually include participation in the affairs and decisions of the state. The distinction between citizens and subjects of a state is essentially that the former do have the rights of participation in decisions on the affairs of their country while the latter do not. The criteria of good governance, such as participation, accountability, and transparency are not compatible with subjects without citizenship rights. As much as a given population can be subjects of a foreign power, they can also become subjects of their own governments if those governments are monarchical, dictatorial, or autocratic. Colonial or imperialist domination by foreign powers is also denial of citizenship rights. Colonial rule or imperialist domination would also be incompatible with good governance. Since absence of citizenship rights is a major factor in the absence of good governance, good governance requires citizenship rights as its prerequisite. Leaders who provide good governance are also leaders who promote citizenship rights. While dictatorial regimes, by denying citizenship rights are inherently incompatible with good governance.

Citizenship rights are a necessary condition but not a sufficient condition for good governance. Other conditions include knowledge and competence. A government that lacks either the knowledge (skill) or competence, for example, would not be able to provide good governance. However, if citizenship rights are in place, such incompetent governments can be replaced through proper mechanisms. In the absence of citizenship rights, which would make possible their replacement possible, however, incompetent governments can cause a great deal of harm for a long period of time.

Other factors that can undermine good governance are internal subversive forces that attempt to occupy state power for self serving purposes. Direct and indirect external intervention and undue influence can also, by weakening the population's self-determination undermine good governance.

The Nature of Eritrea's Crisis of Governance

At the time of independence Eritrea's domestic as well as foreign policy as well as the prospects of good governance appeared promising. The officially declared policy agenda entailed democratic governance with social justice and a self-reliant economic strategy. The progressive rhetoric that was projected, along with the synergy between the population and the Eritrean People's liberation Front (EPLF), which was cultivated during the era of armed struggle, gave the regime a level of popular support arguably unprecedented in the African political landscape. The regime also received widespread praise from outside observers.

Soon after independence, however, citizenship rights of the population were increasingly eroded and poor governance begun to take root. One factor for the erosion of citizenship rights was excessive centralization of the political system. The EPLF, perhaps in part by necessity, was a highly centralized and secretive organization during the armed struggle. Over-centralization and lack of accountability of the leadership caused periodic dissent during the armed struggle (Gaim Kibreab, 2008). The same centralized political structure has continued to shape Eritrean politics in the post-independence era, causing a rapid decline in popular support for the regime and internal divisions within the front. Under the governance structure established by Proclamation No. 23 of 1992, the front's General Secretary, Mr. Isaias Afewerki, became the president of the country and the secretary of the State Council, which, as the executive branch of the new government, was responsible for implementing political, economic, and social policies and for executing foreign relations. The state Council was also entrusted to issue laws, as needed, infringing on the responsibilities of the legislative organ, the National Assembly. The President also became the chairman of the National Assembly with powers to convene/or not convene the Assembly. The political structures of post-independence Eritrea, thus, remained as centralized as those of war time Eritrea. With such concentration of power, along with the complete lack of independence of the judiciary, the

president easily became accountable to no one and to no institution, as Pool (2001) notes. The concentration of power in the presidency was accompanied with the formulation of policy outside of the bureaucratic infrastructure, narrowing the circle of those who influence policy and exposing policy to the traits of personalities. Over-centralization has also hampered the development of institutional and bureaucratic infrastructure in the entire system of governance.

The EPLF's refusal to allow the establishment of political parties was another effect of and a factor to the weakening of citizenship rights. Both during the years of armed struggle as well as the early years of independence, the front was characterized by two incompatible tendencies. One political tendency, which appeared to be supported by a weaker group, pledged commitment to a multi-party democratic system of governance, while the other promoted centralization of power. The National Charter, which was ratified in the 1994 Congress of the EPLF, for example, boldly declares that the formation of political parties should be encouraged since participation of the population in the political process could not be fully realized without political organizations. The declaration is, however, hardly compatible with the concentration of power, which was established by Proclamation No. 23 or with the regime's refusal to allow the remnants of the Eritrean Liberation Front (ELF) the right to operate as political organizations inside Eritrea following independence. This erosion of political rights, especially when these groups were too weak to mount any serious challenge to the hegemony of the EPLF, was a clear indication of the lack of commitment by the leaders of the front to a multi-party democratic system of governance. The absence of the right of political organization dissuaded the various armed groups that splintered from the ELF from terminating their armed struggle, paving the way for some of them to obtain support from external actors, who wanted to destabilize the Eritrean government. Support to such armed groups; the Eritrean Jihadist movement in particular, was, for example, a critical factor in spoiling relations between Eritrea and the Sudan.

Another policy that weakened citizenship rights was the 1994 Land Reform Proclamation that vested ownership of all land in the state (Proclamation No. 58/1994). The government's inefficiency in the allocation of urban land, along with the scarcity of building materials, crippled the housing industry in the country's urban areas. Housing shortage, sky rocketing rental prices, and underground land market have been among the outcomes of the proclamation in urban areas. Control of land, however, has strengthened the power of the regime.

It has, however, facilitated the appropriation of land from pastoralists, especially in the western lowlands of the country and from peasant farmers in peri-urban areas. Land in the western lowlands is nominally state land (demaniale). The Italian colonial state had essentially declared land in those areas as state lands to allow it unhindered appropriation of land from natives. Pastoralists have, however, maintained their customary use of such lands with little restrictions, since much of the land remained undeveloped. The post-colonial state affirmed colonial policy by keeping these lands as state lands. The land concessions it has begun to give to commercial farmers are resented by local pastoralists. Growing land appropriation for extractive industries and commercial farming with little accommodation of the needs and protection of the interests of pastoralists and peasant farmers brings about the impoverishment of those communities and poses a serious threat to political stability. While the problem is still at the initial stages, evictions from areas suitable for irrigation have already taken place in the lowlands, despite warnings of the risks by observers (Joireman, 1996; Markakis, 1995). Since the inhabitants of the lowland areas are predominantly Moslems, the conflict over land alienation may also take a religious dimension, which can strengthen the ranks of the armed Jihadist rebels.

Another factor that undermined citizenship rights and governance is the government's disregard of the traditional institutions of governance, which had operated rather effectively and empowered rural inhabitants to exercise some control over their local affairs. One of the major structural weaknesses of the African state is that it operates within an institutional framework, which is different from those of its populations. Large segments of the population, especially rural inhabitants, who constitute the overwhelming majority of the population in most African countries, continue to adhere principally to various types of traditional institutions while the post-colonial state operates on the basis of imported institutions of governance. The institutional fragmentation is compounded by duality of modes of production; with the traditional sector operating on a non-capitalist subsistence system while the other operates largely on the rational of a capitalist system.

The fragmentation of institutions and modes of production, which represents different socioeconomic spaces, has created a number of problems, one of which is that the different systems often clash. The fragmentation also impedes the coordination of policy and resources with broad social interests by denying the population, which operates under the traditional systems, influence on decision-making. Marginalization of this segment of the population also represents denial of citizenship rights, while it also weakens the legitimacy of the state. The EPLF, which had cultivated a high level of synergy with the population during the era of armed struggle, was in a good position to bring about a reconciliation of the fragmented institutional systems. Unfortunately, it did not use the unique opportunity that was available to it. Instead, it began appointing its cadres to administer rural communities replacing traditional authority systems, especially the village baito (assembly).

The land proclamation also has the potential to further destabilize rural governance by removing the village, the core unit of rural governance, from its custodianship of land, without which its governance mechanisms cannot work (Mengisteab, 1998). Such measures along with the land takings by the government, in disregard of customary rights to land, are manifestations that the government did not have much respect for traditional institutions of decentralized governance. Commitment to democratization that involves rural inhabitants would not be likely without respecting the traditional institutions. The expected expansion of the extractive industry, along with the land taking and environmental externalities that would accompany it, is likely to generate more hardship and instability in rural Eritrea.

The Front's direct participation in economic activity by owning various firms is another major factor in undermining good governance along with the economic and political rights of the population. During the liberation struggle, the EPLF established several business firms. With independence it kept these assets as exclusive property of the front separate from those that were under state ownership. The front (ruling party), which changed its name to Popular Front for Democracy and Justice (PFDJ) at its third congress in 1994, has since expanded its business ventures and has established a near monopoly control in certain areas, such as construction, import-export, and tourism.

The party sector of the economy has created several economic and political problems. With respect to the economy, it crowds out resources, such as capital and foreign exchange, from the private sector. The party sector's access to free land and even the free labor of the conscripts for national service (Warsay-Yikeallo) also give it an unfair advantage over the private sector. Such privileges of the party sector, along with various regulatory restrictions, imposed upon it have severely hampered the growth of the private sector.

The open ended national service, with nominal pay, which has been imposed on people between the ages of 18 and 40, also represents denial of citizenship rights and gross mismanagement of the country's human resources. While the party and state sectors obtain free labor, the private sector has faced severe labor shortage. The subsistence sector in rural Eritrea in particular is devastated by labor shortage. More importantly, the conscripts are frustrated by the open ended service and Eritrea has seen an exodus of its young people to neighboring countries. While there are no reliable estimates of the number of these new refugees, it is likely that the ratio of the refugees to the total population is very high. It is also likely that the country is losing a significant portion of the remittances from its diaspora, which has been crucial in keeping the country's economy afloat. Part of that remittance money is increasingly redirected to neighboring countries to support the new refugees.

Another manifestation of the erosion of citizenship rights and absence of good governance is the failure of the regime to implement the country's constitution which was ratified in 1997. The regime blames the border war with Ethiopia and the non-resolution of the border problem for suspending implementation of the constitution. The border issue can hardly be a reasonable justification since active war stopped more than eight years ago. Eritrea is now one of the few African countries that is ruled without a constitution, political parties and a free press. A border conflict can, however, hardly justify the denial of citizenship rights of the population of over a decade.

In the absence of citizenship rights and any credible institutions of governance, policy making in the country faces no checks by any institution or constraints of acceptability by the populace. The regime's excessive centralization of political power, along with its domination of the economy, leaves little political or economic space for civil society to have any significant influence on either domestic or foreign policy. It also closes any input for correcting erroneous policies and there by closes all openings for democratization. The regime, as a major employer and supplier of resources, can easily strangle any opposition or any demands for change.

How Do We Explain the Betrayal?

There are many factors that explain why and how the EPLF that struggled for over thirty years to liberate Eritrea ended up subverting the population's citizenship rights. One explanation relates to the two competing political tendencies that characterized the front throughout its existence. The competing tendencies were the centralizing and democratizing tendencies, which came to a head on collision in the aftermath of the border war with Ethiopia. The forces opposed to concentration of power, who attempted to bring about the implementation of the constitution, elections, and the right to establish political parties, were able to influence the National Assembly in its 13th session held in September 2000 to form a committee to draft laws on formation of political parties and to schedule elections for December 2001. The group, which is known as G15 was, however, rather easily crushed. The closure of the private press and the detention of the members of the G15 along with the editors of the private press in September 2001 sealed the fate of the democratic tendency within the front. The draft laws governing the formation of political parties and the election, which was scheduled

for December 2001, were scrapped. Soon after the detention of the G15, the National Assembly, in its fourteenth session held in January 2002, suspended indefinitely the formation of political parties, claiming that the overwhelming majority of the Eritrean people did not support formation of political parties at that time.

The Eritrean regime has now distinguished itself for its highly repressive rule with little pretense at democratic process. The country is ruled without a constitution and neither political organizations nor free press are allowed. Long term imprisonment of political dissidents without trial and persecution of religious minorities are also common occurrences, as documented by various human rights organizations (Amnesty International, 2007; Human Rights Watch, 2005, 2007; Reporters Without Borders, 2003, 2007, 2008).

A second explanation relates to the subordination of the civic struggle that secures citizenship and democratic rights to the nationalist struggle for independence. The EPLF during the armed struggle claimed that it struggled with the dual purpose of national independence and liberation (empowerment) of citizens. Despite the claim, suppression of democratizing tendencies was often tolerated during the armed struggle in order not to weaken the nationalist struggle. Even in post-independence Eritrea and with the border dispute with Ethiopia, the priority of national security is given as a justification for suspending the implementation of the ratified constitution. Why national security and constitutional governance cannot be attained simultaneously is hardly addressed by the regime.

In any case, during the armed struggle all civil organizations in the country were organized by the front and were accountable to the front and not to citizens. By the time Eritrea became independent there were hardly any independent civil organization operating in the country. The situation has remained unchanged since the regime did not allow the formation of any independent civic organizations. In the absence of institutional arrangements that enforce accountability of the government and civic organizations that protect the population from potential excesses of the government, it is safe to say that the EPLF brought independence but not liberation that empowers citizens.

A third factor is too much trust placed upon the EPLF by the population. The Eritrean population prior to 1991 had been subjected to successive colonial rule for centuries. The national focus during the armed struggle was thus on national independence. The popular attitude towards the liberators was that they are our sons, daughters, brothers, and sisters. They can make policy mistakes, which can be corrected as they gain experience. They will not, however, harm their own population. On the basis of this widespread attitude born out of lack of experience and nationalist fervor, there was little meaningful effort to form independent civic organizations for the protection of citizens' rights. It can be said that the Eritrean population is in reality experiencing for the first time that governments do not have to be foreign to be repressive.

Conclusion

Governments are not always committed to advancing broad social interests. Often times they can be self-serving. Even when they are not self-serving, they are not always wise in the selection of policy or effective in implementing them. Citizenship rights, which include a constitutional governance and participation of the population through various means in the affairs of the state, are some of the mechanisms by which self-serving tendencies can be curtailed and policy errors and incompetence can be remedied.

Eritrea's governance crisis, as argued in the paper, is three dimensional. Policy problems are rampant, mismanagement is widespread, and absence of citizenship rights does not allow input to correct the problems. The crisis is further compounded by external threat making the country's situation precarious. Over-centralization of decision making has deprived the country of the resourcefulness of its population by making initiative-taking too risky. The frequent purges and freezing of people occupying any notable civil service or military positions has made any initiative taking too risky. Over-centralization of power has also undermined policy by hindering the development of institutions. A careful selection of policy involves, at the very least, a thorough assessment if the expected gains from a given policy exceed the potential direct costs as well as opportunity costs, both in the long run as well as in the short-run. It also involves assessing whether or not the likelihood of attaining the desired outcomes exceeds the likelihood of the negative consequences materializing. In Eritrea, due to the absence of institutions, policy is often characterized by imprudent choices, which are made without careful analysis of implications and sober assessment of capabilities. There is also little mechanism by which input from civil society or other segments of the population can serve as a corrective mechanism.

The strangulation of the private sector of the economy through various regulatory mechanisms, put in place on ad hoc basis, has led to economic stagnation. Severe shortage of labor, due to the open-ended conscription for national service of the most productive segment of the workforce, has contributed in driving the Eritrean economy to the

ground. Misguided or self-serving objective of strengthening the party sector of the economy and managerial incompetence seem to be the sources for these policies. It is hard to understand otherwise why the national service, cannot be managed properly. A time limit on the national service can be implemented without undermining the country's security needs. Those who served their time could be placed on reserve, from which they could be recalled when needed while in the meantime they work and support their families. Such measures could easily avoid many of the problems generated by the open-ended national service.

The regime's failure to accommodate even such modest reforms suggests that the Eritrean population, despite its long and hard won struggle for independence, has yet to win citizenship rights that would allow it to influence policy. Securing such rights and developing a strategy that can deliver Eritrea from its present crisis require peaceful popular struggle through civic organizations along with broad based dialogue. Facilitating the development of these conditions is the primary goal of CIDRie.

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