

*Eri-Platform*

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**A Possible Way to  
Achieve a  
Constitutional Government**

# ታሪኻዊ ድሕረ ባይታ

- ✓ መበገሲ ናይ ግዝኣተ-ሕጊ ናይ ግሪክን ሮምን ፖለቲካዊ ስነ-ሓሳብ ኪኸውን ከሎ፣ ፕላቶ ከምኡውን አሪስቶትል ድሒሩ ድማ ሲሰሮ፣ ንፈለማ ጊዜ ምእንቲ ሓባራዊ ጥቕሚ ደቂ ሰብ ተባሂሉ፣ “ሕጊ” ልዕሊ ናይ ሰባት ድሌትን ስምዒትን ኪስልጥን ከምዚግብኦ ይጠቐሱ።
- ✓ ምስ ምፍራም ውዕል ማግኛ-ካርታ ኣብ መንጎ ንጉስ ዮሃንስ ናይ ኢንግላንድ ከምኡውን ራእስታት ናይታ ሃገር፣ ሕጊ ከፊላዊ ስልጣን ኣብ ልዕሊ ነገስታት ኪህልዎ ከኣለ።
- ✓ ቶማስ ኣኳይናስ ኣሪስቶትል ካልኣት ሓያሎ ፈላስፋታትን ናይ ሕጊ ተመራመርትን ንልዕልና ሕጊ ኣመልኪቶም ሓያሎ ረቂቕ ስነመጎት ኬቐርቡ ከኢሎም።
- ✓ ጆን ሎክ “ማሕበራዊ ውዕል” (ሶሻል ኮንትራክት)፣ ናይ ሓንቲ ሃገር ማሕበራዊ ውዕል ኣብ መንጎ ውልቀሰባትን መንግስትን ዚግበር ስምምዕ ምዃኑ፣ ውልቀሰባት ድማ ሓደ መንግስቲ ንሰብኣዊ ሓርነቶም ከምኡውን ብሕታዊ ንብረቶምን ኪሕልወሎም ኢሎም ፈትዮም ዚመሓደሩሉ ውዕል ምዃኑ ይገልጽ። ስለዚ እዞም ክልተ ኣካላት ነቲ ውዕል ክሳብ ዝተማእዘዙ እቲ ማሕበራዊ ውዕል ጸኒዑ ይነብር። ሓዲኦም ነዚ እንተኣፍረሰ ግን ክልተ ነገር የጋጥም። እቲ መንግስቲ ቦቲ ውዕል (ሕጊ) እንተዘይተቐየደ፣ ኣብ ልዕሊኡ ዓመጽ (ሪቮልዩሽን) ይለዓል። ውልቀሰባት ቦቲ ውዕል እንተዘይተቐየዱ ድማ ብሕጊ ይቐጽዑ።

# Definition of Constitution

- One of the definitions concerning constitution is “a charter of government driving its whole authority from the governed”.
- Constitution sets out the procedure of the government.
- Constitution define the nature and level of power government.
- Constitutions regulate or divide power between institutions of the state, such as between the executive, legislature and judiciary etc.
- Constitution as a set of rules and principle defines the state society relationship.
- Furthermore, in most of the cases particularly in countries who have codified constitution the constitution has supremacy and plays a guide for legislation and for the interpretation of legislation.

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- Constitution can also be viewed as the fundamental part of the social contract.
  - There the people of a nation as a whole hire some officials to administer the government for public good, and the constitution is the employment contract and job description.
  - The constitution binds not only the government but also the people.
  - Through the constitution the people collectively commit to certain institutional procedures for managing public affairs and resolving social conflicts.
  - Constitution not only limits the arbitrary power of the government it also prevents public administration from being poisoned by people's short-term temper and passion.

# Summary

Supreme law of a country

Constitutionalism is a system of governance under which the power of the government is limited by the rule of law

# Facts on the ground about the constitutional making process in Eritrea

**Public participation in constitution building; an effective strategy for enhancing democracy?**

The work of the Commission was guided by a ten-member Executive Committee (drawn from the larger membership)

Commission members represented a cross-section of Eritrean society, including 21 women, the majority of whom had been liberation fighters

Each of Eritrea's nine ethnic groups was represented, as were the business and professional communities

Popular participation in constitution making was regarded by the Commission as a strategic point of reference

On May 23rd 1997, a 527 elected member Constituent Assembly comprised of the 150 ...

# What is the way forward?

- Understand in depth that the only common factor is constitutional governance
- Everything else is just a side effect of absences of rule of law
- Establishing a Eritrean block for Eritrean sovereignty
- Advocating for constitutional government and protecting the Eritrean constitution



Thank You!