



# AFRICAN VOICES

A NEWSLETTER ON DEMOCRACY AND GOVERNANCE IN AFRICA

USAID Bureau for Africa, Office of Sustainable Development Vol. 6, No. 3 Fall 1997

## USAID Supports Liberia’s Democratic Transition

*Activities foster democratic governance and political participation*

**O**n July 19, 1997, Liberia successfully held competitive multiparty elections, ending a seven-year cycle of violence and uncertainty from a civil war that began in 1989. The elections, which brought victory for Charles Taylor and his National Patriotic Party (NPP), were considered credible and fair by both international and domestic observers. Moreover, leaders of the warring factions involved in the civil war and opposition political parties publicly expressed support for the election results.

The strong support for Charles Taylor and the NPP in the elections, according to many analysts, reflected Liberians’ desire for peace and their high level of dissatisfaction with the Liberian National Transitional Government, the coalition responsible for the political administration of the country from March 1994 until the July elections.

To promote the democratic transition in Liberia, USAID will build on its election assistance program with activities that foster favorable conditions for good governance, includ-

ing the establishment of a legal basis for a decentralized public sector and a viable local government with the ability to tax and incur debt. In this way, USAID’s assistance, along with that of other donors, will contribute to the revitalization of Liberia’s political system at both local and national levels.

### Ongoing and Planned Activities

USAID’s post-election assistance program, which is designed to enhance democracy in both the private and public sectors, includes civic education programs, capacity building for human rights groups and civic organizations that promote political participation, radio programming, and training for newly elected legislators.

The National Democratic Institute, NDI, will continue its work to strengthen civil society that it began in the pre-election period. Through its civic education program, Civic Forum, small discussion groups will be held throughout Liberia

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## Strengthening Local Government and Building Public-Private Partnerships in South Africa

by *Chris Whatley*

**A**s South Africa enters its fourth year of majority rule, there is a growing consensus that local government is the key to the country’s future. National and provincial leaders increasingly recognize that to address the country’s problems of massive unemployment, nearly bankrupt municipi-

pal administrations, and a spiraling crime rate, local government will have to become an engine for growth and development. At the same time, South Africans are increasingly turning their attention toward the one group of elected leaders who still live in their neighborhoods—local government councillors. The International Republican Institute’s (IRI) South Africa program works to help councillors confront this challenge by providing important governance training and by facilitating public-private partnerships.

Since 1995, IRI, with support from USAID, has helped councillors in the strife-torn province of KwaZulu Natal develop the skills they need to govern effectively, balance

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## Strengthening Local Government and Partnerships in South Africa

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photo: IRI

*A budget exercise during a local government training workshop in KwaZulu Natal*

their budgets, and stimulate economic growth. IRI's local government program has provided training to over 30 local authorities throughout the province in councillor orientation, strategic planning, financial management, and local economic development. In March 1997, this training effort received a tremendous boost when IRI and the National Business Initiative (NBI), a prominent South African business association, initiated a training partnership. The partnership combines IRI's field-tested curriculum and training materials with NBI's intricate knowledge of public-private partnerships, cutting edge research, and private sector expertise. In addition, NBI's member companies are providing thousands of dollars of in-kind support including paying venue expenses for workshops, sponsoring the printing of training manuals, and providing experienced auditors and other skilled staff to serve as trainers.

IRI's financial management training has received particular attention given the grave difficulties that many

South African cities have had balancing their budgets and maintaining effective financial controls. In September ABSA Bank distributed copies of a new IRI/NBI training manual, *Financial Management for Local Authorities: A Handbook for Local Government Councillors*, at a conference for all of South Africa's 1,000 municipal treasurers. In addition, municipal auditors from the consulting firm Deloitte & Touche have served as trainers for nine IRI/NBI financial management workshops for councillors from Gauteng, KwaZulu Natal, and the Western Cape provinces. The in-kind support that ABSA Bank, Deloitte & Touche, and many other South African companies are providing, combined with the expertise and assistance of the NBI staff team, are transforming a one-province program into a nationwide training effort.

The IRI/NBI training program is about more than developing good governance skills, however. It is also about the role that public-private partnerships can play in meeting the pressing needs

of constituents by improving the efficiency and effectiveness of municipal services such as fire fighting and refuse removal, and by building community coalitions to support economic development efforts. IRI is currently facilitating efforts in KwaZulu Natal to establish local economic forums that will provide mechanisms for direct participation by civil society and the general public into public decisions on development planning, land use, local by-laws, and other issues. In addition, NBI has completed a study on local economic development, sponsored in part by President Nelson Mandela's office, which provides unique insight into how local authorities and community stakeholders can work with the private sec-

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# The Challenges of Constitution-Making in Eritrea

*Constitution ratified on eve of anniversary of independence*

by Michael R. McCord

On the eve of the sixth anniversary of its liberation, Eritrea entered a new phase in its quest to establish a democratic and economically self-reliant state. A constituent assembly ratified Eritrea's first constitution on May 23, 1997, bringing to closure a three-year process involving extensive public participation and consensus-building.

Eritrea emerged from its 30-year war with Ethiopia with the desire to establish a constitutionally-based democratic government. The then-provisional government was concerned with maintaining the sense of nationalism and unity that had been forged among nine different ethnic groups during the war; thus, the constitution would have to be drafted in such a way as to preserve these ideals while establishing and protecting individual freedoms and liberties.

## Emphasizing Education and Participation in the Constitution Process

The process of developing Eritrea's constitution fell upon the Constitutional Commission of Eritrea (CCE), which was formed by government proclamation in March 1994 with the mandate to develop a constitution as the basis for which "a democratic order would be established, and which, as the basic law, shall be the ultimate point of reference for all the laws of the country." The CCE was determined that the constitution reflect the needs and desires of Eritreans and be rooted in the Eritrean social and historical context. And for the constitution to be truly viable, the CCE knew that it would have to be developed with the active input of all Eritreans, including the diaspora.

The CCE was headed by Dr. Bereket Habte Selassie, a professor of

political science at the University of North Carolina at Chapel Hill and considered by many to be Eritrea's foremost senior statesman. It is perhaps significant that an Eritrean living abroad was selected to lead the constitution-making effort. The commission, as an independent body, was authorized to obtain financial and other assistance, including outside expert technical assistance, and USAID/Eritrea provided financial assistance through a grant to the United Nations Development Program.

The CCE followed a four-phase plan that focused first on educating the public about the importance, meaning,

*The constitution should reflect the needs and desires of Eritreans and be rooted in the Eritrean social and historical context.*

and purpose of a constitution and the development of institutions that will emerge as a result. The commission also encouraged popular participation and debate over the issues relating to constitution-making and the institutions and form of government that would follow.

During Phase One (April-November 1994), the CCE formally organized itself into committees, formed national and international boards of advisors, and located and moved into its headquarters. The commission also began a public information campaign to acquaint the public with its planned activities.

Phase Two (November 1994-May 1995) was a period of civic education and issue framing, which involved na-

tionwide public discussions, seminars, and lectures while also collecting popular opinion and feedback on the constitutional process and what the constitution should contain. Nearly 400 grassroots trainers were mobilized and trained to conduct civic education at the village level. Committees and seminars were also conducted among the diaspora in North America, Europe, the Middle East, and Africa. In all, an estimated 500,000 people actively participated in the civic education activities. During this phase, issues papers were developed on topics such as fundamental rights, governmental checks and balances, and the role of the judiciary, which were used to shape debate among the public and within the committees of experts. In addition, several international legal instruments, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Convention on the Elimination of All Forms of Discrimination Against Women, were translated into both Tigrinya and Arabic and distributed publicly.

During Phase Three (June 1995-February 1996), a pamphlet, *Constitutional Proposals for Public Debate*, was published in Tigrinya, Arabic, and English, which explained the meaning of the constitution and how it would be structured.

The CCE made clear its view that the Eritrean constitution should not merely imitate foreign constitutions and political systems but should, instead, reflect the "historic realities and bear the imprint of the generation that brought about national independence." The constitution must also reflect a "national character both in letter and in spirit." The commission, however, recognized

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## The Challenges of Constitution-Making in Eritrea

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the limitations in human and institutional capacities in Eritrea and the importance of developing and strengthening those institutions necessary to implement governance under notions of constitutionalism. The resulting political system, then, according to the CCE, must be based on the principles of nationalism, secularism, and democracy, and provide for equal participation and recognize fundamental human rights and liberties while promoting political diversity.

Underlying this was the desire that the Eritrean constitution reflect the country's social and economic goals—a written manifestation of the unwritten social contract developed by the liberation front during the war for independence. Therefore, not only were political and civil rights established, but also rights to equitable economic, social, and cultural development.

### Developing a Uniquely Eritrean Government

Once the underpinnings and the basis for constitutional government in Eritrea were established, the drafters set about to propose a model of government for consideration. They sought to develop a model that would draw the best features of the various systems developed in North America and Europe, while allowing for the development of a uniquely Eritrean system of government consistent with Eritrea's capacities and goals. The CCE recognized the need to encourage popular participation through a system that would respect fundamental rights, the rule of law, freedom of the press, political parties, and popular and professional organizations.

The constitution calls for a tripartite system of government divided into legislative, executive, and judicial branches. The legislative branch—the National Assembly—will be a unicameral body given authority to enact laws,

approve the national budget, and elect the president from among members of the assembly. Members will hold office for five years.

The executive branch will be headed by a president, elected from among the members of the National Assembly, with a five-year term of office and a two-term limit. Though the National Assembly will resemble a parliament, the president—once elected—cannot be removed from office during his tenure except for violation of law or incapacity. The president will be responsible for forming a cabinet, with ministers selected either from the National Assembly or from outside the legislature.

The judicial branch will be headed by a Supreme Court, newly created under the constitution, and will have sole jurisdiction for interpreting the constitution. All courts will be “free from direction, control, and supervision of any person or authority.” Judges cannot be removed from office, except on grounds of incapacity or violation of law or the judicial code of ethics.

In the last phase, following a final vetting of the draft constitution, a constituent assembly was formed in May 1997 to deliberate and ratify the constitution, with members from the regional assemblies, the ruling party (the PFDJ), and from the diaspora. The debate that ensued reinforced the concerns of the drafters—that the constitution be secular and that it be unifying. Two of the more contentious issues concerned oaths of office and whether the constitution should identify an official language. The oath requires that the taker “swear in the name of the Eritrean Martyrs,” rather than in the name of God, and after much debate, the secular argument prevailed. The CCE also felt there was no compelling reason why language should be a political issue and that all languages should be regarded as equal, and this view prevailed during the assembly debates.

When considering the human and institutional deficits faced by Eritrea, coupled with a history of colonial and federated rule overcome by a liberation movement literally from the bush, the ratification of a constitution, just one day before the sixth anniversary celebration of Eritrea's independence, was indeed a momentous occasion.

Eritreans understand that building a democracy is an uphill struggle. Ratification of the constitution means that laws must be harmonized and both citizens and government officials must be educated on the rights and obligations created. Poverty that ranks among the worst in the world poses a challenge to democracy as well as to a government trying to fulfill the social contract developed during the war. And the lack of a vibrant civil society and strong middle class impede the development of an accountable pluralistic political system.

The single greatest admonition, then, to those watching Eritrea's transformation is that the transition to democracy and its consolidation take time, even a generation or two. Eritrea has witnessed the mistakes of failed democratic movements and development models. Its ambition is to foster sustainable economic growth and democratic governance with an emphasis on preserving its strong attitude of self-reliance. As a new regime forging new solutions for its development, mistakes may occur as Eritrea and its people learn a whole new way of governance. Yet we should also keep in mind the incredible accomplishments Eritrea has experienced on its own thus far.

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## Organizations

# CHRRD Promotes Human Rights Awareness in Nigeria

*Organization targets rural areas to enhance community awareness and support*

**H**uman rights issues in rural areas of Nigeria have generally received very little attention from Nigerian human rights organizations, most of which are located in Lagos. To address this issue, The Centre for Human Rights Research and Development (CHRRD), a non-governmental, independent organization based in Ibadan, in southwest Nigeria, was created in 1992 to promote and protect human rights and monitor their violations in Nigeria, especially in rural areas.

CHRRD operates through target groups that catalyze its programs into action at the grassroots level. CHRRD has received program support from a number of local and international organizations including the Friedrich Ebert Foundation, CUSO (a Canadian development organization), and the Canada Fund. CHRRD also maintains working relationships with number of local and international development groups such as the Nigeria NGO Consultative Forum, Human Rights Network (NURINET), the Nigeria Participatory Action Research Network, the Development Network (DevNet), and the Free Africa Foundation in Washington, DC.

Some of the issues CHRRD seeks to address in Nigeria include the lack of a human rights culture, the increasing incidence of human rights violations at the community and grassroots levels, the lack of democratic governance at both the local and national levels, cultural practices that inhibit the active participation of women in the political process, and the low level of awareness about human rights issues and support among the rural-based population.

Some of the ways CHRRD has addressed these issues include developing local capacity to facilitate human rights awareness and leadership training sessions within communities; sensitizing communities and community leadership on human rights issues, the violation of which are often taken for granted; and providing information and resources that contribute to awareness of human rights.

In the last five years CHRRD has organized or participated in numerous

years of military rule in Nigeria. According to Erubami, the international community must more decisively support its calls for the restoration of basic human rights and fundamental freedoms, which include the return to democratic rule, the release of political prisoners, the restoration of press freedoms, the lifting of travel restrictions, and the respect of trade union rights.

Erubami is calling on the international community to halt all “constructive engagement” with Nigeria’s government until it agrees to speed the transition to democracy—including respecting the 1993 election results—and improve respect for human rights. He is also calling for the convening of a national conference, such as those held in Benin and other West African countries in the early 1990s, to write and approve a new national constitution and plan elections. If the government does not comply, Erubami suggests banning all bilateral aid to Nigeria and imposing economic sanctions, such as an international embargo of Nigerian oil.

Finally, Erubami is suggesting that the international community work more closely together, through diplomatic as well as aid channels, to devise a comprehensive program for the development and support of civil society organizations in Nigeria.

*The international community must more decisively support its calls for the restoration of basic human rights and fundamental freedoms in Nigeria.*

projects in and around Ibadan, such as organizing democratic round tables for non-governmental organizations (NGOs); organizing a quarterly social advocacy round table for the media; hosting training seminars on human rights and democracy for members of labor organizations; and organizing “Freedom Square,” a quarterly forum to enhance community awareness about human rights among the informal sector.

CHRRD’s executive director, Mashood Erubami, who has been a labor activist for nearly 20 years, has criticized the international community for failing to take stronger steps against Nigeria’s military regime after it annulled the June 1993 presidential election results, which would have ended

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on a variety of democracy-related topics to promote citizen education at the grassroots level and increase democratic participation. NDI will also provide orientation and training programs for newly elected Liberian legislators on the role and function of a legislature in a democracy.

The International Foundation for Electoral Systems, IFES, is planning to work with the permanent Elections Commission to preserve and strengthen the electoral infrastructure established during the elections. IFES will also create a Governance Resource Center to provide civil society groups, newly elected officials, government institutions, and the media with information on such topics as civic education, human rights, conflict resolution and mediation, and good governance. The Resource Center will organize regular forums on topics of national interest and will serve as a location where Liberians can discuss and debate vital issues on democracy and governance. In addition, IFES is planning to conduct public opinion research to assess public attitudes in order to assist civic groups to build constituencies and develop targeted civic education programs.

Through subgrants of USAID funding from IFES, several U.S. and international organizations will support a variety of democracy-related activities in Liberia. Search for Common Ground's independent radio studio, Talking Drum, is currently supplying programming to numerous Liberian radio stations. Programs focus on news and social issues, with an orientation towards promoting "common ground" between differing sides of issues, and emphasize themes of reconciliation, democratization, and civil society. These programs are produced as social dramas, news magazines, short spots, and round table discussions, and all are in English or local Liberian languages.

The Swiss NGO Fondation Hironnelle will continue operating Star



photos: Karen Lange

*Supporters of Charles Taylor celebrate at a rally*

Radio, an independent radio station established in Liberia in July to provide impartial and factual information to Liberians living in-country and in neighboring regions, with broadcasts in English, French, and 14 local languages. Star Radio's programming emphasizes the search for peace and the promotion of human rights in Liberia, and in addition to daily news broadcasts, the station airs special programs from the Talking Drum studio, the United Nations, and Save the Children, among others. As the result of a message broadcast in August by Save the Children, 22 lost children were reunited with their families.

Another IFES subgrantee, the Carter Center, will continue to work with the Liberian government and NGOs to strengthen protection for human rights. Previously, the Center tutored local human rights organizations in fact-finding and monitoring, and in documenting and disseminating information on human rights. The Center will maintain a field office to monitor developments and to coordinate activities, including the organization of a consultation on the structure and functions of

the planned human rights commission. The Carter Center will also work with the Ministry of Education to incorporate human rights and democratic citizenship education into school curriculum.

### Upcoming Assessments

To enhance USAID's support for democratic institutions in Liberia, the agency will conduct a comprehensive democracy and governance assessment in early 1998 to update its current strategy and finalize decisions about upcoming activities. The assessment will examine the new Taylor government and its priorities as well as constraints on Liberia's democratic transition, including obstacles to the rule of law. In addition, the assessment will examine progress made by the new Human Rights Commission. Two narrower assessments will also be conducted, one looking at the institutional capacity of the newly elected national legislature, and the other examining local and county governance.

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**Liberia**, *continued***Other U.S. Government Support**

Other U.S. government activities in Liberia include the Department of Justice's International and Overseas Prosecutorial Development Assistance Training and Criminal Investigative Training Assistance Program (OPDAT/ICITAP), which has provided police as well as judicial training. Prior to the July elections, 500 policemen were trained on how to provide a secure environment for the elections, and additional civil police training activities are planned. Training was also provided to judges on how to arbitrate disputes related to the elections. Future activities will focus on training and staffing members of the courts in order to strengthen the rule of law.

The U.S. Embassy in Monrovia has requested support for several possible projects under the joint Department of State and USAID Democracy and Human Rights Fund (DHRF), which supports activities to promote civil and political rights. Possible DHRF activities

include workshops on issues related to women's and children's rights and the development of curriculum materials on conflict resolution.

In addition, the U.S. Information Service, the overseas branch of the U.S. Information Agency, will support training programs and consultative visits by human rights activists and legal experts from the United States, and implement exchange programs focusing on the rule of law, human rights, and civic education.

As a country recovering from years of civil war, Liberia will need continued support for its efforts to rebuild democratic institutions and strengthen the democratization process that has begun, if it is to find lasting peace. But the success of the July elections and the growth of democratic institutions pave the way for the establishment of viable, democratic governance in Liberia.

—*Patricia Mantey*

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tor to help deliver efficient municipal services and build momentum behind economic development efforts. IRI/NBI training sessions utilize the lessons learned through these efforts to offer practical guidance to communities interested in forming their own public-private partnerships.

Although the IRI/NBI training partnership is only six months old, the benefits are already visible. In Durban, after taking part in an IRI/NBI financial management workshop, the North Local Council implemented three major reforms outlined in the training: department heads are now required to submit business plans with policy objectives and performance indicators; constituent input is sought on land use decisions and other issues; and a major municipal service has been privatized.

In Port Shepstone, the council has begun efforts to establish a local economic forum for citizen input into development decisions, streamlined its personnel structure, and established a broad-based committee to promote tourism. In the words of Port Shepstone's mayor, Pauline Duncan, "Before IRI's training, we were dealing with issues on a day-to-day basis. We did not have a long-term vision or plan for our town. We are now operating as one unit with a vision, and plans to achieve that vision."

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*Casting a vote in Bong County, Liberia*

## Publications on Democratization

**Discourses on Democracy: Africa in Comparative Perspective**, edited by Julius E. Nyang'oro. Available from Africa Books Collective Ltd., The Jam Factory, 27 Park End Street, Oxford OX1 1HU, United Kingdom. (\$30.00)

**Democracy in Africa: The Hard Road Ahead**, by Marina Ottaway, 1997. Available from Lynne Rienner Publishers, 1800 30th Street, Suite 314, Boulder, Colorado 80301. (\$45.00)

**Managing Ethnic Conflict in Africa: Pressures and Incentives for Cooperation**, by Donald Rothchild, 1997. Available from The Brookings Institution Press, Dept. 029, Washington, DC 20042-0029. (\$19.95)

**Citizen and Subject: Contemporary Africa and the Legacy of Colonialism**, by Mahmood Mamdani, 1996. Available from David Philip Publishers (Pty) Ltd., P.O. Box 23408, Claesmont, 7735, South Africa. (R79.95)

**Corruption and the Global Economy**, edited by Kimberly Ann Elliott, 1996. Available from the Institute for International Economics, IIE Distribution Center, P.O. Box 361, Annapolis Junction, Maryland 20701-0361. (\$20.00)

**The Media in Africa and Africa in the Media: An Annotated Bibliography**, by Gretchen Walsh. Available from Hans Zell Publishers, R.R. Bowker, 121 Chanlon Road, New Providence, New Jersey 07974. (\$100.00)

**Unshackling the Media in Nigeria: An Agenda for Reform**, by Article 19/International Centre Against Censorship and Media Rights Agenda, 1997. (\$6.00). Also, **Media Law and Practice in Southern Africa Series**. Available from Article 19, 33 Islington High Street, London N1 9LH, United Kingdom. (\$6.00)

**State, Society, and Development: An Assessment of African Experience**, by Seyoum Hameso, 1997. Available from TSC Publications, P.O. Box 12789, London W13 8WS, United Kingdom. (£45.00)

## Training Opportunity

### Advocacy Training Workshop

The Global Women in Politics Program (GWIP) of The Asia Foundation and Women in Law and Development in Africa (WiLDAF) will conduct an **Africa Regional Advocacy Training of Trainers Workshop** in Harare, Zimbabwe, December 5-16, 1997. The workshop, which is supported by USAID, is designed to strengthen national and regional training capacities to assist African NGOs to be more effective advocates and citizen organizers, and it will provide an opportunity for colleagues across Africa to build their skills together and contribute to the creation of an important set of training materials on advocacy.

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