

‘THIRD TERMISM’ IN AFRICA AND ITS SOCIO-ECONOMIC IMPACT



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BACKGROUND

Good governance often encourages development. To have the economy perform at its optimum level, there is a need for an enabling political environment which is compounded by a happy, healthy society.

Democracy and governance often thrive if there is respect for the rule of law from the executive trickling down. Any constitutional republic has its soul in the supreme law of the land – the constitution. Respect and upholding the constitution is critical for the healthy functioning of any democratic nation. It is thus detrimental to development and governance of any country to tamper with the supreme law of the nation for the unprincipled benefit of an individual or one section of the population.

Some African presidents have now

made it a habit to subvert and or manipulate – through ‘legal’ channels or otherwise – the constitution. One example is Uganda, where President Yoweri Museveni, who has ruled Uganda since 1986, allegedly “bought” legislators to change the constitution in 2005 in order to remove the presidential term limit, so allowing him to stand for a third term (The Guardian, 2016).

More recently, the cases of Burundi and Rwanda present us with fascinating case studies. These raise the question of whether or not it is justified to extend term limits because some ‘study’ indicates majority support for the incumbent. To put it another way, is it justified to extend terms limits by virtue of the incumbent manipulating majority party dynamics in an attempt to gain votes?

The continental body the African

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Union (AU) has rightly come under attack for its lack of decisiveness or intervention in countries where the bedrock of nationhood – the constitution – is threatened. Although the AU faces limitations due to state sovereignty and shortfalls around capacity and political will, the feeling that member states are not reprimanded hard enough – even in instances where lives, human rights and the law are undermined – seems widely shared.

Third termism is a common cancer that spreads with every election. Unfortunately the consequences of such actions are felt mostly by the ordinary citizens. Third termism decreases investor confidence, increases tension in the country, encourages corruption, militarism and sometimes triggers violence or even civil war. The social and economic implosion that couples bad governance is emblematic of the synergy between governance, development and economics.

'THIRD TERMISM' – THE TREND

Leadership transition is an important feature of any democracy. Term limits in a presidential system act as a method to curb the potential for monopoly

of power. Constitutional tinkering by heads of states clinging onto power is a recurring trigger for political turmoil and violence in many African countries.

This third termism is the greatest setback to democratic transition. In Niger, Zimbabwe, Burkina Faso, Madagascar, Burundi and Rwanda elected leaders have attempted to reverse democratic gains by manipulating their constitutions to stay in power for longer.

The adoption of 'Agenda 2063: The Africa we want' at the 24th AU summit in Addis Ababa in January 2015, as a roadmap to a better African future, highlighted essential aspects of development and governance. Specifically aspiration three ('An Africa of good governance, democracy, respect for human rights, justice and the rule of law'). "While conflict trends in Africa have shown a steady decline over the past two decades, democratic consolidation and governance is subverted by illiberal political practices that undermine popular aspirations for peace and security in a number of African countries," (Hengari, 2015). This acknowledgement is important – third termism as a phenomenon is a selfish individual act and a regression on the gains of democracy and development.

In the first six months of 2015, the presidents of Burundi, Benin, the Democratic Republic of Congo and Rwanda made their intentions clear. Their desire to stay in power meant more than their desire to uphold the constitution.

Third term amendments in sub-Saharan Africa since the 1990s:

- **Constitution does not contain a two-term provision:** Côte d'Ivoire; Equatorial Guinea; Gambia; Guinea-Bissau; Mauritania; Sudan; Zimbabwe (now has two-term limits since 2013).
- **Constitution amendment not attempted:** Benin (President Mathieu Kérékou); Cape Verde (President António Mascarenhas Monteiro); Ghana (President Jerry John Rawlings); Kenya (Daniel Toroitich arap Moi); Mali (Alpha Oumar Konaré); Mozambique (Joaquim Alberto Chissano); São Tomé e Príncipe (Patrice Emery Trovoada); Tanzania (Benjamin William Mkapa).
- **Constitution amendment attempted (without success):** Burkina Faso (Blaise Compaoré); Malawi (Elson Bakili Muluzi); Nigeria (Olusegun Obasanjo); Zambia (Frederick Jacob Titus)

Chiluba).

- **Constitution amendment attempted with success:** Burundi (Pierre Nkurunziza); Chad (Idriss Déby Itno); Gabon (Ali Bongo Ondimba); Guinea (Lansana Conté); Namibia (Samuel Nujoma); Togo (Gnassingbé Eyadéma); Uganda (Yoweri Kaguta Museveni); Rwanda (Paul Kagame).
- **Constitution amendment likely:** Democratic Republic of the Congo (Joseph Kabila); Republic of the Congo (Denis Sassou Nguesso).
(Source, *Opalo*, 2015)

THE AU AND REGIONAL ECONOMIC BLOCKS (RECS)

Third termism has not been unopposed; it has been mostly condemned within the country by opposition leaders. Opposition leaders have been persecuted for their stance against incumbents securing third terms. The AU has also condemned manipulation and extension of terms, but not in a transformative way.

The Economic Commission for West African States (ECOWAS) recently stood against tyranny in a manner far better than just condemnation. Coercive diplomacy backed by formidable action ensured transition of power in Gambia.

While the United Nations (UN) and the African Union urge member states to respect their constitutions and condemn coup attempts, they have done little to limit ‘third termism’ in cases such as Togo and Sudan, and even less so in Zimbabwe, Angola, and Equatorial Guinea, where presidents have held the reins for more than three decades.

Socio-economic impact

The impact of ‘third termism’ in Africa has had varying effects depending on the country and context. In Burundi, roughly 150,000 Burundians were forced to seek refuge in neighbouring countries since the start of the violence on 26 April 2015. This followed a constitutional court ruling that President Nkurunziza could run for a third term (Chatziantoniou, 2016). The mass exodus from Burundi is still being perpetuated by severe security risks, sporadic violence, militarisation and a downturn of the economy.

Burundi is to date standing on the brink of war. Economic life in this country ranks close to the bottom of the human development index; access to basic necessities such as food, medicine and electricity are considered luxuries in a nation where 67% of the people live below the poverty line (World Bank, 2016).

With unemployment rampant among young Burundians, today’s violence stems

from a bleak lack of alternatives. This is compounded by violent unrests in Bujumbura, where 70% of the country’s economic activity is concentrated. The government recently estimated that protests over the president’s third term have cost the country a huge \$33 million (World Bank, 2016).

The uncertainty that comes with ‘third termism’ results in changes in domestic and international investment sentiments, and sanctions from multinational institutions (the World Bank, International Monetary Fund (IMF), UN, etc.). One man’s decision affects the entire look of the country.

The cases of Burundi and Zimbabwe have torn families apart, forced economic migration, led to repressive laws and stifled economic growth. The impact goes beyond nations; civil unrest in one country could have serious implications for regional stability.

To truly uphold democracy and democratic practice, it is important to understand the importance of the constitution and the impact of changing it at a whim. Be it in Rwanda, where there seemed to be support for the incumbent, or in Burundi, where the country has been on the verge of civil war – there is no excuse for extending the term limits for one person to monopolise power. Some critics who argue that term limits stifle continuity and development should submit to the constitution and its laws in respect of extending term limits in general, rather than defend the extension of term limits when an individual who is power obsessed is involved.

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