

## Third term presidents and first time voters: what Burundi tells us about African political risk

31 July 2015

### Summary

*Investors in Africa routinely worry about the scope for politics to destabilise markets and undermine growth. Last week's election in Burundi was a case in point. President Pierre Nkurunziza claimed an election victory for what many both in the country and outside believe to be an unconstitutional third term amid opposition boycotts, violent suppression of civil society and the flight of over 170,000 refugees. The Burundian crisis is very much a product of its own history and politics, but it also highlights three features which are important for thinking about political risk in Africa: a wave of presidential 'third-termism' animating debates about the democratic process; a strengthening set of formal and informal political mechanisms constraining governments and politicians; and a wave of demographic change that is radically reshaping African electorates.*

Investors in Africa routinely worry about the scope for politics to destabilise markets and undermine growth. Last week's election in Burundi was a case in point. President Pierre Nkurunziza claimed an election victory for what many both in the country and outside believe to be an unconstitutional third term. US Secretary of State John Kerry described the result as "neither credible nor legitimate." Nkurunziza's decision to run fomented a political crisis in the country, with mass protests in the capital Bujumbura and an attempted coup by members of the military in May. The result has been the suppression of civil society and opposition groups by military and security forces loyal to the government, splits in the army, a military incursion in the country's north and the flight of over 170,000 refugees across the borders into Rwanda and Tanzania with potential for knock-on impacts on regional stability. The future for Burundi is now deeply uncertain.

While the Burundian crisis is very much a product of its own history and politics, it also highlights three features with wider relevance for African politics which are

important for thinking about political risk in Africa. First, a wave of presidential 'third-termism' animating debates about the democratic process. Second, a strengthening set of formal and informal political mechanisms constraining - to some degree - governments and politicians. Third, evidence on the ground of a wave of demographic change that is radically reshaping African electorates. These features are now important factors in how to think about both political stability and the ability and willingness of governments to carry out and maintain meaningful programmes of reform.

### One too many

As a result of the crisis Nkurunziza has become the most high-profile exponent of 'third-termism' among the African presidents seeking to extend their term of office beyond constitutional limits. Alongside Nkurunziza and the failed attempt by President Blaise Compaore in Burkina Faso, Presidents Kabila (Democratic Republic of Congo), Kagame (Rwanda), Sassou Nguesso (Republic of Congo), and Boni (Benin) have already either attempted

to breach or alter political term limits or are allegedly considering doing so (figure 1). Nkurunziza has argued that because his first term followed election by the post-civil war transitional parliament rather than by a popular vote he is not barred from running again by the constitution's two term limit. More broadly the arguments of the president's supporters are now familiar among those with third term ambitions: stability, continuity, security.

Significantly in Burundi street protests have been as much focused on the democratic process as on the president himself. In Burundi's case the constitution in maintaining the delicate post-war settlement between the country's ethnic groups is undoubtedly central. But the emphasis on the democratic affront of the third term, reflected also in Compaore's failure to secure a third term in Burkina Faso, hints at a shift in expectations and norms on the continent. Although it is not always explicit, contained within the argument between third termists and their opponents is a more fundamental debate about what their democracy is actually for. The underlying argument of the third termist is that the most important function of democracy is simply to select the best candidate. President Mugabe, himself now in his 28th year as president, argued recently "if people want a leader to continue, let him continue".

But what events in Burundi and Burkina Faso suggest is growing traction for a view which says that rather than the result it is the process itself which is most important outcome. This was brought home in the Nigerian election, with President Jonathan arguing in his concession speech that his defeated People's Democratic Party "should be celebrating rather than mourning" that they had "established a legacy of democratic freedom". This is no 'African Spring', and many of these arguments have already been well rehearsed over the decades in Africa, but on an increasingly physically and digitally connected continent events such as Jonathan's speech, and pictures of Africans defending their constitutions on the streets are resonant and spreading more quickly than ever before.

The second feature highlighted by the Burundi crisis is essentially the range of mechanisms that were activated to try and stand in Nkurunziza's way, albeit with varying levels of success. In 2014, opposition parties narrowly blocked the president's attempts to remove the term limit

in parliament; civil society groups bridged ethnic divisions in the street protests against his third term; a number of cabinet figures and the head of the country's intelligence services General Godefroid Niyombare - who would later lead the coup attempt - urged the president to step down. While the Constitutional Court concurred with the president, one of the court's vice-presidents subsequently fled alleging pressure and death threats.

Regional and continental institutions have also intervened, although with limited impact. The East African Community (EAC) has appointed President Museveni of Uganda as a mediator between the opposition and the government - although there was some irony in the decision to send Museveni, who himself is currently serving his fourth term as president. This, in combination with fellow EAC member Paul Kagame's alleged ambitions for his own third term, also explains the EAC's unwillingness to object explicitly to Nkurunziza's third term. Elsewhere reactions have been stronger, with both South African President Jacob Zuma, and Chairperson of the African Union (AU) Nkosazana Dlamini-Zuma having explicitly rejected Nkurunziza's ambitions. Such comments from the AU, which for the first time refused to send electoral observers to monitor polling in a member state, marked a notable change from an institution which has historically been reluctant to intervene in its members' domestic politics. It may make it hard not to take a similar line against future third term aspirants.

Success for these actors has been limited to signals that Nkurunziza will now seek to build a government of national unity, potentially including the most prominent opposition leader Agathon Rwaswa. It is uncertain whether the opposition will agree, but it was noted that most opposition MPs, including Rwaswa who has accepted a position as deputy speaker, were present for the first session of the newly elected parliament. The biggest potential check on Nkurunziza has yet to be deployed. The threat of sanctions and the halting of aid - which accounts for half of the Burundian budget - would have a serious impact. For all of the limitations of these internal and external checks on presidential conduct they are nevertheless significant. Other presidents seeking to extend term limits, and those hoping to stop them, will have taken note.

Pierre Nkurunziza	Burundi	Won contested third election
Blaise Compaore	Burkina Faso	Attempted run for third term halted by street protests
Joseph Kabila	Democratic Republic of Congo	Protests erupted in early 2015 over suspicions that Kabila is considering running for a third term
Paul Kagame	Rwanda	National consultation on removing term limits on-going
Denis Sassou Nguesso	Republic of Congo	Parliament has proposed constitutional changes including removal of term limits
Thomas Boni Yayi	Benin	Has denied allegations he was considering a third term run

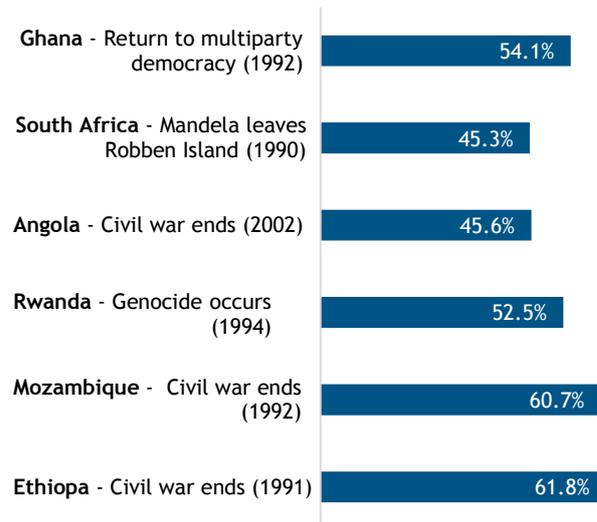
Figure 1: Africa's 'third-termists'

## Young electorates, short memories

The last feature which Burundi has highlighted is the role of Africa's youthful populations in promoting and opposing political change. With almost two thirds of Africa's population estimated to be under twenty-five years old, all African politics is now essentially becoming youth politics and the memories of African electorates are shortening, rapidly. This poses new challenges to parties who have derived much of their political loyalty and legitimacy from revolutions, independence or civil wars a generation or more ago. South Africa's African National Congress (ANC) for example is finding it increasingly difficult to leverage its legacy as the party of the liberation struggle in a political marketplace in which half of South Africans are now not old enough to remember first-hand Mandela's 'walk to freedom'. Across Africa, large parts of the population are now not old enough to remember such defining moments (figure 2). Clearly these parties' appeal is not limited to those saw these defining moments first hand, but there are signs that many of Africa's young voters will not simply follow the instinctive political loyalty of their parents.

Obviously, the energy of youth voters can be channelled in multiple ways. The Y'en a marre ('we are fed up') youth movement was much celebrated in its key role in blocking the attempt of Senegal's President Abdoulaye Wade to secure a third term in 2011. More recently in Ghana the opposition New Patriotic Party's (NPP) primary elections to select parliamentary candidates has seen the emergence of a new youth generation at the expense of party incumbents. The news is not all good however. In Burundi the Imbonerakure - the youth faction of the president's CNDD-FDD party - appears to have been central in perpetrating violent acts of recrimination against the opposition. The most optimistic hope for the role of the young is that those seeking to go beyond identity politics may instead demand performance in job creation, service delivery and equitable distribution of resources as the price of their vote.

If this materialises, it could provide something of a governance and policy delivery 'demand shock'. For now this is mostly speculation, but the emergence of such a 'politics of performance' could be a major driver in improving business and investment climates. Akin to the much-discussed economic 'demographic dividend', there is potentially a political demographic dividend in entrenching expectations of democratic process, rule of law and accountable forms of government in young cohorts across the continent. For example, although it returned to multiparty democracy in 1992, half of Ghana's population have now only ever known democracy. This positive impact will however be reliant on credible political alternatives, and indeed on whether young voters see the ballot box as an effective medium for political expression.



**Figure 2: Share of population born after key events**  
Source: UN Population Division (Global Counsel calculations)

The dangers of generalising across Africa from events in a single country are significant. The three political features highlighted by Burundi will manifest themselves differently across the continent, but for inward investors those countries which distinguish themselves as investment destinations in coming years will be those which: sustain democracies which elevate process over outcome; strengthen the multiple actors putting pressure on governments and channel them in favour of reform; and entrench among new cohorts the basic electoral bargain of economic performance and good governance in return for votes cast. While the resultant outcome of these features in Burundi is now a cause for concern, there are reasons to hope that the same may not prove true elsewhere.

*This Global Counsel Insight note was written by Matthew Duhan, Adviser.*

To contact the author, email: [m.duhan@global-counsel.co.uk](mailto:m.duhan@global-counsel.co.uk)

The views expressed in this note can be attributed to the named authors only.

5 Welbeck Street  
London  
W1G 9YQ  
info@global-counsel.co.uk  
+44 (0)203 667 6500

© Global Counsel 2015

Although Global Counsel makes every attempt to obtain information from sources that we believe to be reliable; we do not guarantee its accuracy, completeness or fairness. Unless we have good reason not to do so, Global Counsel has assumed without independent verification, the accuracy of all information available from official public sources. No representation, warranty or undertaking, express or implied, is or will be given by Global Counsel or its members, employees and/or agents as to or in relation to the accuracy, completeness or reliability of the information contained herein (or otherwise provided by Global Counsel) or as to the reasonableness of any assumption contained herein. Forecasts contained herein (or otherwise provided by Global Counsel) are provisional and subject to change. Nothing contained herein (or otherwise provided by Global Counsel) is, or shall be relied upon as, a promise or representation as to the past or future. Any case studies and examples herein (or otherwise provided by Global Counsel) are intended for illustrative purposes only. This information discusses general industry or sector trends, general market activity and other broad economic, market or political conditions. This document has been prepared solely for informational purposes and is not to be construed as a solicitation, invitation or an offer by Global Counsel or any of its members, employees or agents to buy or sell any securities or related financial instruments. No investment, divestment or other financial decisions or actions should be based on the information contained herein (or otherwise provided by Global Counsel). Global Counsel is not liable for any action undertaken on the basis of the information contained herein. No part of this material may be reproduced without Global Counsel's consent.