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SECOND - TERM SYNDROME: AN IMPEDIMENT OR A CATALYST FOR AFRICAN DEMOCRATIC GOVERNANCE?

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Abstract

In Africa, second-term seeking by political office holders has become a routine. After a first-term, elected political office holders attempted to re-contest for another term in order to perpetuate themselves in office. However, one of the reasons given for this is to enable them complete projects, which they probably were unable to complete in their first-term in corridor of power. Other reasons could be as a result of their inability to enjoy their stay in political corridor at the expense of democratic governance, which gives room for other players to seek and replace the incumbents from continuing their exploit in democratic space. This trend has become a norm in Africa over-time, with its attendant implication on African democratic governance. Given that politics play a significant role in transition, the recurring decimal of second term syndrome continues to play a critical factor as either an obstacle or catalyst for African democratic governance. To this end, this paper looked at the concepts of democracy, governance and implication of second-term on African democratic governance. This paper also examined the role of election in second-term seeking in African democratic governance. The research paper also made use of relevant qualitative secondary data on the subject matter of discourse. It also relied on available secondary research output from African countries, particularly Nigeria where cases of second-term pattern have been exhibited. The paper recommended a single term of six years against two four - year terms for public officers in order to ease the hostile crisis, political instability, electoral violence and dissention arising from second term bid.

Keywords: Democracy, Election, Incumbency, Transition, Term Limits.

Introduction

The single-term rule by leaders and presidents who hold onto power beyond constitutionally stipulated year has been identified as an inhibiting factor to advancing democratic governance progress in Africa. Africa continent has a high undesirable record of more than half of long-serving political leaders in the world. In post-1990, one of the inventions initiated into constitutional reform era was term limit entrenchment intended to reduce African leaders from perpetuating themselves in power. Hopefully then, this was thought out to be an idea that would form a solid foundation for eliminating autocratic and personal rule in favour of mixed democratic governance that promotes citizens' participation privilege in changing leaders timely and regularly.

Nature of transition, more than any other consideration predetermined consolidation of democratic governance, democracy entrenchment or a political milieu where neo-patrimonial oligarchical rule reign supreme, even since the time democracy was introduced in African

political context (Van *de* Walle, 2002). However, political environments where top-bottom approach to transition that are ruled by an autocratic incumbent mostly are constrained to choose leaders after expiration of first term tenure via election is considered prejudicial. External and internal combination democratic demand is inclined to result in extensive bargaining-like political settlement and later a replacement of full regime.

By analysis, second term quest impliedly raises a question about how political power is institutionalized; that is, the degree of government restraint by formal institution, which includes constitutional and law standard. It corresponds with rule of law and also forms a fundament element of rule of law to the point that the state is subservient to specificity of law in that regard (Versteeg and Ginsburg 2017; Møller and Skaaning, 2014).

Democratic governance importance in search for an integration of African continent and its development continued to be a dominant subject of discussion in the adoption of Cairo Agenda for Action in 1995. In this conference, African leaders stressed the need to ensure democracy, good governance, security, peace, justice and stability among the most critical factors in driving African socio-economic development. They equally believed that lack of peace and democracy will deny the continent of development and lack of development will also deny desirable peace (OAU, 1995).

Conceptual Discourse

Term Limits

According to Comfort (1993) term limits originated from the classical republican thought as an institution setting a maximum number of times a person is permitted to specifically hold the same office. The concept, term limits is quite distinct from a term of office. On one hand, the period that an elected public office holder can work or serve before he or she is required to seek renewal of mandates in new election. On the other hand, term limit aptly describes or set a maximum number of terms that is required of individuals to serve in an elected public office provided electorates are set to have them re-elected.

Term limits has become a phenomenon in global polity and having been extensively argued and applied in ancient Greece, it clearly specifies how elected public officers showed interest in holding the same office again after a term. In the democratic space of Athens, there was wider acceptance and the application of term limits for specific offices as was the case in the Roman Republic. In these two identified prehistoric societies, there was high recognition of intrinsic threat to a democratic ruler or certain officers attempting to consolidate power by wanting to remain in office forever. This subject was further touched on by Aristotle who is considered an authority in politics when he averred that "a man should not hold the same office twice…and that the tenure of all offices should be brief" (Aristotle, 350 BCE). In later years, the concept and practice of democracy reemerged with the beginning of the clarification as well as the subject of term limits. In modern democracies, it is thought that term limits for presidents and public officers underpin the rule of law and good governance (Zamfir, 2016).

Democracy

The notion 'democracy' has prominently become equivocal in modern political inquiry. Undeniably, there is perhaps no concept that has been subjective as it has been in varying definitions, opposing clarification and practices. Quoted in Schumpeter (1961), Abraham

Lincoln, the former President of the United States of America, in his definition, considered democracy as "government of the people, for the people and by the people". Democracy is seen as a method of governance, which entails good governance, freedom, personal liberty and rule of law.

In contemporary world, democracy has been an ideal system of governance that every nation embraces. Democracy has gained push across the world based on its advantages and impliedly its adverse effect of bad governance (Bello-Imam, 2004). Dahl (1971) expanding on the definition of democracy identified seven fundamental principles for a system to be considered democratic, viz; free fair election, right to vie for public office, freedom of expression, universal adult suffrage, unhindered access to information without denial or its monopoly of such by any group or government, freedom of association (socio or political) among others.

Basically, characteristics of democracy as underscored by Kolawole (2005) is not just about constitutional constancy, free, fair periodic elections, citizens' fundamental human rights, but extensively includes citizens' life and properties protection, freedom of choice of competing political parties, transference of political power peacefully from an administration/government to another by a way of progressive societal social order.

Conceptually, democratization articulates both a distinct direction of variation along the range and political drive or change process, which can be applied to any given system of governance not only transiting from autocratic system of rule (Van de Walle, 1994).

Governance

Kaufmann (2005) defined governance as the institution and tradition through which authority is applied for the common good of all. In his definition, Huther and Shah (2005) considered governance as a multidimensional notion consisting of all facets of the applicable authority via formal or informal institutions in the administration of a country's resources. The effect of this authority expression and exercise of power determines the standard of governance.

There are two scopes to quality governance as bad or good according to Fukuyama (2013). He states that it largely depends on the ability of a country and the government autonomy to operate. They both match each other in that the ability of state to collect taxes depends on the autonomy it possesses to do so because administrators implement activities appropriately in relation to carrying out their duties with lots of detailed instructions. Albeit the idea hinges on certain situations where incapable states require less will and more needed instructions setting.

According to the World Bank (2005), governance is a "set of traditions and institutions by which decisions are made and authority in a country is exercised". The world financial power house extensively sees governance as "the process by which those in authority are selected and replaced". In determining good governance, the World Bank highlighted certain indices that can be used in measuring it.

The indices among others are:

i. voice of the people and accountability;
ii. absence of terrorism/violence and Political stability;

iii. governments' capacity to formulate and implement policies; i.e. institutional efficiency, resource management and regulations;
iv. effectiveness of government;
v. quality regulatory; and
vi. respect of citizens and state for institutions, law and interactions among players in civil society, politics and business, which consists of; rule of law; and control of corruption.

Elections

In democratic institutions, elections are considered the most observable process of changing public officers at the expiration of terms or tenures. Election is a means of providing peaceful democratic process that allows citizens to channel struggle for political power and collectively decide on who eventually gain their confidence as well as mandates. Citizens show preference about policies and programmes each contestant will pursue by casting votes to select who eventually represent them. In some cases, through special elections called referendum, citizens may also make their decisions of who to be voted for (Beetseh, 2008).

Election is the process through which electorates choose, vote public officers to represent or act on their behalf in a government, assembly or elected offices for the purpose of administration or governance. In elections, electorates refer to citizens enabled constitutionally to express their franchise in an election by any given procedure and process of expressing such right. Election is another means of political participation for a vast majority of citizens or the governed that creates a sense of belonging and a mark of responsibility for government decisions in a society (Beetseh, 2008).

Elections in Africa Democratic Governance

In Africa, promoters and observers of democratic governance face a political riddle. Though, elections in vast numbers are being held in the continent more than it had been in time past (Gumede, 2017; African Times, 2019). According to Lührmann & Lindberg (2019), Africa is experiencing a (third) wave of challenge of democratic governance decline. However, since the mid-1990s and in sharp contrast to the military coup experience of the past, erosion of democratic institutions in many African countries has led to authoritarianism. Concentration of power in the hands of rulers weakens fundamental human rights such as press freedom, undermines separation of powers (democratic principles) and constitutional constraints expressed in term limits for presidents.

On a regular basis, virtually every African country holds elections. A handful of documents mostly the African Union's African Charter on Democracy, governance and elections technically constrain African countries to democratic elections. Though African leaders enjoy backing from the citizens, particularly when they demonstrate interchange from not only from the ruling party, but also from the top rulers (Bratton *et al.*, 2019). In this experience, only one in six major elections in Africa leads to a complete power transference to the opposition in case of loss at the poll. This averaged below the world one in three cases (Hausken *et al*., 2014).

In an efforts or process of re-electing the incumbent for second term and beyond, elections are sometimes stage-managed, thus the infamous African leaders' permanence in power: of the

world longest serving Presidents, six are in Africa and are domiciled in less than three countries as Africans (Appiah-Mensah, 2019).

Certainly, a number of reasons are adduced for African strongmen resilience, but most importantly, opposition and incumbent usually compete on uneven terms. In most cases, more elections are holding as much as more elections are being rigged (Cheeseman & Klaas, 2018). Those who hold elective offices for a long time are more likely to subvert the will of the people by rigging elections as a result of their enduring connection to corrupt practices and flagrant abuse of human rights. While public officers or African leaders are susceptible to tendency of being killed, jailed or exiled at the expiration of terms in office than their counterparts in other parts of the world, staying long in power is considered both a source and result of election rigging (Cheeseman & Klaas, 2018).

In election process, day of election is the most evident part. On this day, experience of activities before, between, during and after elections taking in a bid to manipulate outcome according to V-Dem report 2019. More report by V-Dem (2019) showed a data on elections, which found that influencing elections, particularly denying media freedom and coverage has often been on the increase as much prevalent over the past elections period in Africa continent. V-Dem (2019) cited manipulation of media by government, rule of law, civil society, and elections as number one and predominant challenge (VDem, 2019). Challenge bedeviling elections in African democratic governance go beyond breaches and the rule of elections, but the nature of the rules and how incumbents shape them unrestrained.

Second Term, Election and Democratic Crisis: A Case of Nigeria

Second term bid of general elections of past, present Presidents, past and presents Governors and politicians seeking re-election in Nigeria usually take a violent turn and syndrome of win-at-all cost attitudes. Consequently, arms and classy weapons are imported into the system for war as part of the usual preparation for Nigeria's election via leaky borders, unsecured brooks, and watercourses without checks on goods being imported into the country, particularly dangerous weapons (Adebanjo, 2003).

President Olusegun Obasanjo's do or die affairs during his second term bid marked a flaw in 2003 general elections. African Elections Database (2003) recorded cases of multiple voting, discovery of 5 million fabricated ballots electoral fraud by Police in Lagos. Various irregularities were uncovered by international observers, particularly the European Union in 11 states out of 36 including Federal Capital Territory. Cases of amended votes were evident as a result of those who did not fulfill democratic elections minimum standard. Though what preceded the election were cases of killings, political killings and marring of opponents of the political divides. Reported cases among others include killing of Funsho Williams (political gladiator and party stalwart in Lagos State), Bola Ige (Former Minister for Justice), Harry Marshall (ANPP party heavyweight), Moshood Gidado, Rasaq Ibrahim (Supporter of Former Governor Mohammed Lawal in Kwara State), Ogbonnaya Uche (Senatorial candidate of ANPP's in Imo State) (Adebanjo, 2003).

Accusation of manipulation and flagrant abuse of power filled the political atmosphere as opposition political parties (APGA, ANPP and AC) frowned at the government for using the Nigerian Police as tool to rig and closely monitor the rigging process in favour of the ruling

party (PDP). The president did not only confirm the rigging, but mounted a podium in Ekiti State loudly singing a song that soldiers will be deployed to monitor 2003 general elections. Police that were supposed to be the mechanism for lives and properties protections as well as the Nigerian Army that should be defending the country from external aggression became instruments for ballot boxes snatching in the country (Ariyo, 2010). Many states witnessed a rising spate of killing, freely-operating gunmen clipping down influential and masses recklessly. Death became cheap, residents became unsafe, helpless and vulnerable because security agents in the country were unable to tame the blood - letting situation thus allaying the fear of the people.

In most elections which Nigerian politicians contest to seek second term re-election, many observers (local and international) including European Union and ECOWAS observers acknowledged varying shortcomings such as irregularities and periodic violence, and logistic failure as major factors that characterized elections in Nigeria. The legitimacy of the elections is thus challenged by these factors (Ujo, 2012). From election observers' view, it is usually conspicuous that elections marred with irregularities do not gain world acceptance as in the case of 2007 general elections in Nigeria. International organizations and governments criticized the elections to the point of considering option of sanction and other punishment measures on Nigeria. Elections results flowing from rigging were questioned by civil society groups as they called for its annulment. They equally mobilized people to protest against the government of Yar' Adua (Ujo, 2012).

The legality and recognition of the government subsided. While the President swiftly moved to assuage the opposing parties/groups, he confessed and apologized that the election that brought him to power was faulty with promise of ameliorating the process (Ujo, 2012).
In 2015, a new experience of general election involving Goodluck Jonathan second term bid showed a dynamic of unusual occurrence in the political space of the country with the opposition party cruising to crucial victory or simply put, emphatically defeating the ruling party to break incumbency jinx as well as putting an end to 16 – year reign of power dominance. Undeniably, transition was made possible through the elections that enabled power to change hands at the Federal level from the ruling People's Democratic Party (PDP) to the All Progressive Congress (APC). This was made possible by the defeat of President Goodluck Jonathan by Gen. Muhammadu Buhari (Rtd). In the other elections categories, especially in the National Assembly chambers (House of Senate and House of Representative), the APC also swept through poll to install their candidates by defeating majority of public office second term re-election seekers in PDP ending the party's 16 – year control.

Implication of Second – Term Syndrome on African Democratic Governance

The most ruthless as effective dictator steals election perfectly well, even prior election-day while the election time approaches and if it appeared that the odds will not be in his favour, such incumbent seeking second term can turn to other last-minutes available options of voters intimidation, manipulation, vote-buying, which include sharing of food items, gift items or money to get the electorates attention and community leaders in give-and-take for group votes at the poll, control of election information that may be coming from the media regarding transparent conduct of the election. More straight than fake news spread, sometimes, incumbents can place a constraint on access to information either partly or totally before

elections; and sometimes completely locking or shutting down the media houses that are ensuring fair coverage, act of keeping opposition voters completely away from the polling stations, claiming victory in advance of election results declaration by electoral management body by falsifying results (Cheeseman & Klaas, 2018).

Filling ballot box is one of the implications of desperate public officer seeking second term bid indulge in and it is seen as the most dishonorable act in elections circumstances. The act is also the most widely condemned by the opposing parties, the media and elections observers. A case of South African election (Times Live, 2019) resonates here where allegations of ballot box filling was recorded in the last general election with related experience in the 2018 presidential election held in Mali (Sabourin, 2018).

After election, contestants against the incumbent usually challenge some phases of the election in court of law provided there is a legal basis on electoral, constitutional and international details and best practices of democratic governance.

Moreover, lack of orderliness and smooth transition of government by the incumbent in case of loss to the opposition when seeking second term bid has a way of extricating, discouraging, African democratic values. Second term syndrome in African democratic governance has often take a negative dimension. The incumbent has been found to deploy state power to win at all cost at the detriment of democratic ethos. Thus, advancing governance for the gain of the masses is often couched in the choice of leaders who fail to relinquish power to the opposition when defeated at the poll. Consequently, development becomes a mirage and unattainable. Attention is now shifted to power tussle as against social gains of democracy. Sometimes, war, conflicts, political turmoil is the order of the day. These vices only impede and immensely contribute negatively to African democratic governance thereby rendering the continent backward instead of onward movement to democratic consolidation and success.

Conclusion and Recommendations

This paper critically appraised the issue of second term in relation to either being a curse or a springboard to African democratic governance. It conceptualized governance, democracy, elections and term limits in consonance to the study area. The paper holistically looked at democracy in Nigeria flowing from second term bids of past presidents in Nigeria through elections. From 2003, the election that saw the re-emergence of the incumbent President Olusegun Obasanjo as the winner of the general elections in his second term bid, the 2007 election and 2015 elections of President Goodluck Jonathan were cases in point. Further African countries, South Africa and Mali cases were also briefly cited and torchlight. Findings showed that second term syndrome in African context has shown relative positive impact on democratic governance due to the desperate approach of power retention and incumbent factor. Incumbent factor has been considered adversative to democratic transition, good governance and democratic consolidation in Africa as a whole. Most leaders use force and state resources to remain in office. The paper found that second term quest of public officers in elongating power has not yielded desired result for which it is usually claimed –completing constitutional tenure provision, in order to fulfill electoral promises. As a control measure to the crisis arising from second term bid, the paper advocates a reform of term limits for political officers (presidents, prime-ministers, governors, political chief executives). It also

recommends a single term of six years against two four – year terms for governors and presidents in order to ease the hostile crisis, political instability and dissention that are caused by factional and bigoted rivalry for public officers in the continent.

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