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Constitutional and Succession Crisis in West Africa: The Case of Togo

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Abstract

The politics of succession in post-independence West Africa has left much to be desired and, by extension, has affected the quality of democracy and human security in the sub-region. This article briefly assesses succession politics in Togo, a small West African nation of approximately 5 million people, following the death of President Gnassingbe Eyadema, one of Africa's longest serving dictators. The author describes the military takeover and subsequent election that legitimized the illegal take over of power by Eyadema's son despite sustained domestic opposition from politicians and civil society, as well as sub-regional, regional and international condemnation of a Constitutional "coup d'etat" in Togo. The article concludes that the succession crisis in Togo is far from over, given the continuing manipulation of what the author calls the geo-ethnic divide in that country.

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I. Introduction

Succession is broadly understood to mean the process of changing leadership. It basically involves three stages: the vacating of power by the old ruler, the selection of the new, and his or her legitimisation. Periods of succession are often tense times for all regimes, even where there exists established procedures and easy legitimisation. But times of succession are even more precarious for authoritarian regimes. In the West African sub-region, no country has been spared the tensions and pressures associated with the succession process since the annulment of the 12 June 1993 presidential election in Nigeria.

Articulated in different ways and at different inter-locking levels in each of the West African countries, the politics of succession has, for two basic reasons, clearly become worthy of closer scrutiny both from a policy dimension and the kind of follow-up research work that would need to be undertaken. Firstly, succession politics is, by definition, central to the quality of civil rule and its long-term sustainability. Secondly, the ramifications of the succession process are integral to the apparent disconnect between the actual practice of democracy as experienced across West Africa and the democratic aspirations of the bulk of the citizenry.

As eloquently put by Council for Development and Social Research in Africa ("CODESRIA") and Open Society for West Africa ("OSIWA"), to focus on the politics of succession at this point in the history of efforts to extend the frontiers of political reforms and citizen rights in West Africa represents a concrete contribution to on-going reflections about the long-term health of the polities that make up a sub-region that has only recently begun to recover from a history of post-independence instability and violent conflicts.¹ Furthermore, viewed in a longer historical perspective, one must recall the struggles over succession between and among military officers and civilian politicians that was a key feature of the politics of governance in West Africa. The transition to electoral pluralism which marked the end of single party and military rule foreclosed certain types of succession politics whilst legitimating others. Anecdotal evidence suggests that the management of the multifaceted succession process brought about by the new context has been an issue of growing discontent which will be as critical to the prospects of the democratic project and the overall well-being of the political system as anything else.

II. Background and Context

Beginning with Benin where citizen mobilization against the *ancien regime* of Matthew Kerekou resulted in the convening of a sovereign national conference that paved the way for a new constitutional order, single party and military regimes in the sub-region mostly unravelled and were replaced by various types of electoral pluralism. That process, structured within a multi-party framework,

¹ CODESRIA-OSIWA Advanced Policy and Research Dialogue: Concept Note/Programme Announcement - Theme: The Politics of Succession in West Africa's Democracies, Cotonou, Benin Republic, 24 and 25 September 2007.

produced a variety of elected governments and generalized realignments in politics whose dynamics have been the essence of democratization in West Africa. Most countries have had repeat elections involving transitions from one elected government to another even if those transitions mostly meant the return of incumbents and or ruling parties to power.

The CODESRIA-OSIWA concept note reveals that the transformation that occurred on the West African political topography from the early 1990s were broadly seen as symbolizing a new era in the political development of the sub-region. After all, West Africa, with its succession of military *coups d'état* and the political violence associated with the single party systems that proliferated, had developed a reputation as one of the more volatile and unstable belts on the African continent. While *de jure* and *de facto*, rules of succession were clearly in operation and there were a number of outstanding examples of legal succession, the unpredictability of change, the rate at which it happened, and the resort to illegalities that accompanied it constituted the foundation on which West Africa's reputation for instability was anchored.

Furthermore the re-birth of electoral pluralism was embraced as offering a possibility for a new start in the political development of the sub-region. However, more than a decade after the first reforms were introduced, and in spite of the varying degrees of progress registered, there have been many discontents thrown up both by the practice of the democratic project and the impact it has registered in the lives of the general populace. A central element of the discontents is connected to the organization and conduct of the politics of succession in the sub-region.

Arguably, the CODESRIA-OSIWA study suggests that succession politics in West Africa's democracies played out on at least six levels. One level has involved the scope which has emerged for the alternation of power within and between political parties/coalitions of parties. Another level has centred upon inter-generational shifts in power crystallized into discourses about the need for the old guard to make way for a younger generation of politicians within political parties and the administrative system. At a third level, the process of governing the succession process between the military and elected civilian government was not always given in all of the countries where prolonged military rule formed a part of the old order, or where politics had become intensely militarised as a result of prolonged armed conflicts. Fourthly, the case has also been made for gendering politics both to increase the participation of women and to assure them a role in the succession process. Fifthly, concern has been raised about the role of electoral agencies and the judiciary as credible arbiters in and governors of the succession process.

But a sixth and much more contested issue in the succession process has been the push on the part of incumbents to amend existing constitutional provisions, alter party rules and procedures, and engage in gerrymandering either to perpetuate themselves in office or anoint a successor whom they hope to control. In some instances, incumbents have positioned their own sons to succeed them and have undertaken repeated reshufflings of the political system to increase their chances of achieving their objectives. This latter component of the politics of succession in West Africa merits closer attention as it has

manifested itself in different ways across the sub-region with adverse consequences for the health of the political order. It is against this backdrop that we will examine Togo as a case study.

III. Togo: The Geo-Political Setting

The Republic of Togo, with a population of 5.5 million, is located between Ghana and Benin in West Africa. After attaining independence from France in 1960, Sylvanus Olympio ruled the country until Gnassingbe Eyadema seized power in a bloodless coup in 1967. Following the coup, Eyadema dissolved all political parties and governed unchallenged through the military, which he kept loyal through a system of patronage, for almost three decades. Torture and extra-judicial killings were common under Eyadema, and an estimated one million Togolese left the country since he came to power in 1967. On the crest of 'Huntingtonian' *third wave* of democratization, political parties were legalized in 1991, and Eyadema won landslide victories in all three of Togo's post-1991 Presidential elections. But accusations of political repression and electoral fraud characterized Togo's weak and corruption-ridden democracy. Human rights activists also estimated that '...Eyadema salted a personal fortune approaching \$3billion in foreign banks'.²

However, Togo's poor human rights record did not go unnoticed. Thus, in 1993, the European Union ("EU") halted its cooperation with the Eyadema regime and cancelled its bilateral agreements with the country in response to the ailing human rights situation and violent crackdown on the opposition. The EU shunned Togo until Eyadema invited the EU for negotiations and a resumption of aid, on the condition of improved human rights profile and political reforms.³ But the EU delegation that visited Togo between 3 and 6 June 2004 concluded that 'it was yet too early to make an assessment of development in Togo.'⁴ The EU's scepticism delayed the lifting of sanctions placed on Togo, which in turn has denied Togo access to over 40 million Euros in investments from the European Development Fund (EDF). The EU's insistence on reforms and Togo's ailing economy forced the Togolese authorities to accept holding elections early in 2005.⁵ This was the state of affairs in Togo until the death of Eyadema in February 2005.

IV. Constitutional Crisis After Gnassingbe Eyadema

On 5 February 2005, Gnassingbe Eyadema, who at 69 years old was Africa's longest serving ruler, suffered a major heart attack. According to Barry Moussa, Special Adviser to the President, he later died of cardiac arrest, as he was being

² Togo bows to Democracy, Rights pressure <<http://www.afrol.com>> (accessed 20 February 2005).

³ Seedem Abassa: President Eyadema's Togo: A Mediating Role? *The West African Bulletin*, no3, June 1995, p.17.

⁴ *Ibid.*

⁵ Editorial, *The Punch* [Lagos, Nigeria] 6 May 2005.

rushed to France for medical attention.⁶ There can be no doubt that Eyadema refracted the trajectories of the destinies of at least two generations of Togolese. Eyadema assumed power on 13 January 1967; was proclaimed president on 14 April 1967; elected president on 30 December 1979; re-elected on 21 December 1986; on 25 August 1993, 21 June 1998 and again on 1 June 2003⁷. But at death, Eyadema left 5 million Togolese deeply impoverished, and with little experience with either opposition politics or true democracy. However, regardless of Eyadema's credentials as a dictator, he may have been mourned or celebrated even in death by the majority of the oppressed Togolese people. This was primarily because of the crude politics and manipulation of the Constitution that characterized the process which led to the emergence of his 39-year old son, Faure Gnassingbe, as his successor.

Eyadema seemed to have chiselled a well-oiled path to continue the domination and subjugation of the Togolese people even in death. Though Eyadema's son served in his government as a minister in charge of Equipment, Mines, Posts and Telecommunications and on this account may be described as an actor in Togo's national politics, it was constitutionally impossible for Faure to have succeeded his father.

In most contriving of circumstances, as soon as Eyadema's death was confirmed, Togo's military high command reportedly announced Faure as his father's successor to the presidency. The military elite, led by Army Chief of Staff General Zachari Nandja, achieved this feat by immediately suspending the constitution and swearing allegiance to Faure as the president. General Nandja claimed that the decision had been taken to 'avoid a power vacuum'. Furthermore, and in a quick move to undercut diplomatic pressure and to give their illegal political manoeuvrings a semblance of fair political game, efforts were made to 'legitimize' the process. Probably worried that military intervention in African politics has become old fashioned and unacceptable to the African Union (AU), the Togolese National Assembly immediately convened and began the process of retroactively legitimizing the installation of Eyadema's son.

The Togolese Parliament, made up of 81 deputies (of which 72 were members of Eyadema's political party, the Rally for the Togolese People ("RPT")) held an extraordinary session on 7 February 2005. In that session, they passed an extraordinary resolution that dismissed the Speaker of Parliament, Fambare Natchaba Ouatarra, with immediate effect. Curiously, given his profile, Ouatarra did not seem to deserve such political betrayal as he was a prominent member of the ruling RPT. He had held many prominent positions in the Togolese government before his election as speaker of the National Assembly. He was first elected to the National Assembly in 1994 representing the Oti prefecture (Savanes region) and was re-elected in 1999 and 2002. He served as its speaker for well over four years, beginning on 3 September 2000 until his dismissal in early February 2005.⁸

⁶ Togo Dictator Dies, Son Takes over < <http://www.afrol.com> > (accessed 10 February 2005).

⁷ Pierre Englebort, 'Togo' in *Africa South of the Sahara*, 2005 edition, p.1176.

⁸ <<http://global.factiva.com/togo/>> (accessed 20 February 2005).

However, by a vote of 67-14, which satisfied the constitutional requirements for simple majority, the deputies also moved quickly to change Article 65 of the Constitution. In its old version, Article 65 provided that:

In case of vacancy in the presidency of the republic by death the president's function is exerted temporarily by the president of the National Assembly and the organization of a presidential election within sixty days of opening of the vacancy.⁹

But the new Article 65 removed the word “temporarily” and does not mention or require that a presidential election be held. After this move, the constitutional heir to the throne suddenly became exiled in neighbouring Benin. Speaker of Parliament Ouatarra, who was returning to Togo from France where he was seeking to unfreeze EU aid money by pledging democratic reforms, was not allowed into Togo. As if to confirm the conflict generating role of Africa's extractive elite, the Prime Minister, Koffi Sama, kept the airwaves and television screens busy with warning to all the country's political, social and religious groups and leaders to avoid acts likely to plunge the country into anarchy and confusion. Ironically it was the National Assembly itself that had acted against the letter and spirit of the Togolese Constitution when it disregarded Article 76, which states that ‘the office of member of the government shall be incompatible with the performance of parliamentary duties’. Further, the National Assembly violated the fundamental law when it ignored the provision of the Constitution which confirms that no revision procedure may be initiated or continued during an interim period.

V. The Reaction of the International Community

Regardless of Prime Minister Koffi Sama's threat at home, regional and international actors condemned the constitutional somersault in Togo. At the continental level, the AU immediately declared the imposition of Eyadema's son on the Togolese a *coup d'etat* and further that it will not permit the new Togolese leader in any of its summits. The leaders of the Economic Community of West African States (“ECOWAS”) also issued various statements of disapproval and demanded the re-establishment of constitutional order in Togo. The West African leaders also threatened to apply sub-regional sanctions, including travel bans and the freezing of assets of the new leaders, if the changes in Togo's constitution aimed at legalizing the military's selection of a new leader was not reversed. For its part, the EU urged Togolese authorities to comply with the country's constitution and warned that any other initiative may undermine stability, political dialogue and prospects to improve relations with the EU.

Togo's former colonial ruler, France, also demanded respect for democratic/constitutional power transfer in Togo. The United States endorsed a call by the AU and ECOWAS to bring about peaceful resolution in Togo through

⁹ European Parliament 2005 Resolution on Togo
<<http://www.europarl.europa.eu/sides/getDocs/pubref>> (accessed 20 February 2005)

free and fair elections to select a new president. The British Foreign and Commonwealth Office also denounced the handover of power, urging Togolese authorities to arrange for early, credible and democratic presidential elections. The La Francophonie, an organization of French-speaking states, instantly suspended Togo for its 'repeated violations' of the constitution's provisions.

However, in all these the focus of regional and international disapproval was on the method of transition and not necessarily about the particulars or the candidature of the man. Efforts were made to indicate that the attack on the unorthodox method of regime change (with the character of a coup) which attended the succession politics was not an evidence of hate for the Eyademas (both Gnassingbe and Faure), but as hallmark of respect for due constitutional process, in an emerging democracy like Togo. In fact the international/regional rejection of Eyadema's son had nothing to do with his personality, qualifications or age but everything with the method and process of ascension to power.

Arguably the local opposition, the regional and international condemnation of the constitutional illegality seemed apt and timely especially because it became clear within few days in power that the new government may not offer anything better than the experiences of Togolese people under Eyadema. A closer scrutiny of his first 21 days in power which preceded his election has thus become imperative in the next section of the article.

VI. As It Has Been, So It Is: New Man, Old Style

Rather than seeing the local and international opposition to post-Eyadema development in Togo as a genuine concern for Togolese people and their future, the new government thought otherwise. The first twenty-one days of the presidency was characterized by one step forward and two steps backward in relation to how the regime handled the opposition. Faure's profile and style seem not to be different from his father's approach to democratic governance, with specific reference to freedom of expression and alternative views from civic associations. The promise of an open door policy toward all Togolese opposition for consultation soon proved to be an empty promise. There was neither space for holding of national dialogue to move Togo forward, nor evidence of any upholding human rights and individual liberties. It is against this background that Faure's relations with the media and the broader spectrum of opposition deserves closer scrutiny.

Faure vs. The media: Under Eyadema, independent newspapers and electronic media were not allowed to operate freely, if permitted to operate at all. In fact, Togo has only one national television station (*Television Togolaise*) which operates under strict state control. As noted by Pierre Englebert in 2005, legislation providing for the liberalization of radio broadcasting was ratified in November 1990. However, no definitive licenses for radio stations had been issued by mid-2002, when 11 private stations were, nevertheless in operation.¹⁰

¹⁰ Pierre Englebert, 'Togo' in *Africa South of the Sahara*, 2005 edition, p.1176.

In the footsteps of Eyadema, on 11 February 2005, Togolese authorities shut four media stations that had protested the military appointment of Faure. By 15 February, two more had been shut. A few days later, the Faure government shut two more media houses, Radio Carre Jeunes and Television Zion, citing alleged unpaid administrative fees.¹¹

Media sources reported that security forces accompanied by representatives of Togo's Telecommunication and Postal Services regulatory agency went to the offices of private radio stations *Nana FM*, *Kanal FM*, and *Radio Nostalgie*, as well as to the private television station *TV7* and *Frequence 1*, a radio station with the same owner, and ordered them off the air. The regulatory agency claimed that the stations owed the equivalent of thousands of dollars in unpaid broadcasting fees.¹²

Faure vs. opposition/civic associations: Though the opposition in Togo was expected to take up the gauntlet and confront the state over the illegal assumption of office, as president, it was initially doubtful if the opposition alone could do the job. A cursory reflection on the State-opposition relations in Togo shows clearly that the opposition has virtually been decimated over the years. More so the opposition-state relations had assumed the character of inter-ethnic and intra-elite contestation for power since the 1960s.

This reality is deeply rooted in the political history of the country. Togo under Eyadema can simply be described as a 'police state', where disagreement with the incumbent has always been seen as political vice or crime since the country's flag independence. This has made violence omnipresent in Eyadema's Togo, and by implication succeeded in undercutting the activities of groups and individuals with anti-establishment or alternative views. But to give a semblance of legitimacy to his dictatorial regime, the late leader had attempted to placate opposition by offering cabinet positions to a few prominent civilians.

Under Faure civil society-state relations deteriorated rapidly as soon as Pan African press reported that Francis Akila Eso-Boko (the Interior Minister) energetically condemned the demonstrations, 'which brought innocent people into the streets at the time when Togo was involved in the mourning of the passing away of the father of the nation'.¹³ The opposition, which includes a number of political parties led by Union of forces for Change (UFC), called a sit at home strike, otherwise known as 'ghost town operation' in the week following the unconstitutional take over of government by Faure. But the general strike that was called thereafter was met with maximum state violence. The Minister also praised police professionalism, which had averted tragedy. And while acknowledging instances of police brutality, which led to the death of only three, the Minister insisted that these cases happened when protester attempted seizing the weapons of security forces who had to fight back in self-defence.¹⁴

¹¹Committee to Protect Journalist[CPJ], Press Release, CPJ Condemns Government crackdown on private broadcasters <<http://www.allafrica.com/stories>> (accessed 20 February 2005).

¹² *Ibid.*

¹³ Togo president ignores the world's condemnation <<http://www.mg.co.za/article>> (accessed 21 February 05).

¹⁴ <<http://www.mg.co.za/article>- -21 February2005>

Most observers actually believed the Togolese police and the army will not hesitate to use force to support Faure Gnassingbe, in order to maintain the dominance of his father's minority Kabiye ethnic group. As the Associated Press Ebou Godwin reported 'the army move and the parliament's endorsement reflected the determination of Eyadema's minority Kabiye ethnic group, which dominates the army, to hold onto power along with ruling party members who have benefited from decades of Eyadema's patronage'¹⁵

Faure Steps Aside: From Regional Sanctions to Presidential Elections: In addition to strong statements of disapproval, ECOWAS leaders during an emergency summit quickly appointed Nigeria and four other states (Benin, Niger, Ghana and Mali) to meet with a Togolese delegation in Niamey. But to show its contempt for the ECOWAS pressure on the need for Togo to revert back to the democratic path, the Togolese authorities slipped into diplomatic row with regional powerhouse, Nigeria, by refusing to grant landing rights to the plane bearing President Olusegun Obasanjo's advance party for an ECOWAS delegation's meeting with Faure. Following another ECOWAS mission to Lomé, Eyadema's son in a brief broadcast on state television and radio, agreed that, it was in the best interest of the nation, to hold elections within 60 days as stipulated in the country's constitution, and to guarantee the transparency of the election fixed for 24 April 2005, he decided to renounce the post of president of National Assembly.

His decision to step down paved the way for the appointment of Abass Bonfoh, the vice-president of the National Assembly, as the interim president. The choice of Bonfoh was contested by the opposition, arguing that the return of the ex-speaker was relevant to the process of restoration of the constitutional order. The opposition leaders led by Professor Leopold Messan Gnininvi of the Africa Peoples Democratic Convention (CDPA) actually protested to the visiting ECOWAS Chair, President Mamadou Tanja, and the Executive Secretary of ECOWAS, Dr. Mohammed ibn Chambas, insisting on the desirability of erstwhile speaker to take up the position vacated by Faure instead of Bonfoh.¹⁶ Dr Chambas, the ECOWAS scribe, however stressed the need to advance the electoral process forward in order to have presidential elections within 60 days as required by the Togo constitution. The opposition feared that the refusal to reabsorb Natchaba and the installation of Abass Bonfoh as the interim president was orchestrated by the RPT, with the intention of manipulating the process to the advantage of Eyadema's son.¹⁷

But Faure's decision to step aside was not anyway indicative of the end of his political ambition to succeed his father as well as rule Togo. In yet another contriving circumstance, Faure in tandem with Togolese elite quickly engineered a special congress of the ruling RPT. During the congress in Lomé, he emphasized the need to silence the quarrels between the older members of the party, known as barons, and the youth. He warned that 'a great party like the RPT

¹⁵ *The Independent* [Banjul, The Gambia] 14 February 2005, "That's our West Africa".

¹⁶ *This Day* [Lagos, Nigeria] 6 March 2005, "Togo: Eyadema for Burial March 13".

¹⁷Togo's Opposition parties strategies for elections <<http://www.ghanaweb.org>> (accessed 7 March 25).

cannot cope with electoral setbacks; therefore RPT must not be dislocated.¹⁸ He also ensured that the over 3,000 delegates also endorsed him unanimously, by a show of hands, as the party's candidate during the presidential election.

The Fears of Togolese Opposition: The Evidence From Previous Elections: The opposition were not just crying wolf. The history of previous elections in Togo provides enough insights into how the 'Eyadema syndrome' has impacted negatively on the electoral process and outcomes. As Victor Oshisada points out, 'elections in Togo since 1990 has been a charade, a farce and sham, designed to emasculate true democracy.'¹⁹ For example, the 1998 presidential election would have been lost by Eyadema to Gilchrist Olympio – but for manipulation during the vote counting process and direct violent intimidation of the opposition. Again, in 1999 during the legislative election, which was announced in January to take place on 21 March 1999, the opposition also had reasons to complain. The opposition had invited the government to a dialogue on the disputed presidential election, stressing the need to resolve the crisis generated by the presidential election of 1999. But the government insisted on the need to hold the election, taking constitutional provision into consideration. The government rejected the opposition's suggestion and the elections take place on 21 March 1999. The 2002 legislative election was also held without the participation of main opposition parties. There were 126 candidates, comprising 118 candidates nominated by 15 parties and eighteen independents candidates, although RPT was the sole party to contest every seat. It also contested the 81 seats of the *Assemblée Nationale*.²⁰

From the foregoing it has become obvious that the main opposition in Togo have not been actively involved in a fair electoral contest since the late-1990s. The reasons for the boycott range from state-induced violence, to intimidation and fraudulent handling of the entire processes. The opposition and many of the defeated candidates complained that the 2003 presidential election, in particular, had been conducted fraudulently. Media report also indicated that the election was a one-sided contest, and was stage-managed with president Eyadema deploying a combination of constitutional subterfuge, black-mail and intimidation to impose himself on the people of Togo. Eyadema's re-election in 2003 was also described as an assault on the integrity of the democratic process, a sham of an election, an embarrassment. His victory lends credence to critics of African democratic practice who are wont to dismiss the system as an institution of traditional rulers where sit-tight is a normal syndrome²¹. It is against this backdrop that the opposition's struggle to ensure a level-playing field should be understood in the 24 April 2005 presidential election in Togo.

¹⁸Togo: Gnassingbe acclaimed head of Ruling party, but expected to step down <<http://www.allafrica.com>> (accessed 21 February 2005). See also, *The New York Times*, 19 February 2005, Togo President Installed by Army, Agrees to an election.

¹⁹Victor Oshisada – Resolving Togo's Problems <<http://www.odil.net/news/source/2005/May>> (accessed 11 May 2005).

²⁰ Pierre Englebert, 'Togo' in *Africa South of the Sahara*, 2005 edition, p.1176.

²¹ *The Guardian* [Lagos, Nigeria] Eyadema-President for life? 13 June 2003, p.16.

VII. Election 2005: The Dossier of Principal Contenders

Before a detailed analysis of the conduct and outcomes of the election, it is pertinent to briefly examine the profile of the principal candidates and how this relates to the root of the succession crisis in Togo.

[i] Faure Gnassingbe was born Kara, Northern Togo and is reportedly to be a man of few words, like his father. After his university studies in France and United States, Faure soon became his father's financial adviser and formally found his way into politics in 2002. He won an election into the country's parliament and, before long, his father appointed him head of the most lucrative ministry as the Minister for Mines, Telecommunication and Equipment. It should be noted that since independence from France, Togo's major sources of revenue have been phosphate mineral exports and the transit trade to and from the West African hinterland through the relatively efficient port of Lomé.

However, it is very doubtful if the foundation of the February 2005 transitional crisis was not laid few years earlier, due to the fundamental constitutional restructuring that took place in December 2002. Pierre Englebert has observed that at the end of December 2002, the national assembly approved several constitutional amendments regarding the eligibility of presidential candidates. The restriction that had limited the president to serving two terms of office was to be removed, and the age of eligibility was to be reduced from 45 to 35. According to Englebert, it was widely believed that these measures were intended to permit Eyadema to serve a further term of office, and also to permit the possible presidential candidacy of Eyadema's son. Local and international condemnation of the development was however discounted.

According to one political commentator, 'December 30, 2002 has been regarded as a black Monday in Togo for all believers in democracy. It was the day the Togolese parliament dominated by Eyadema's party, RPT, changed the two five year term provision in the constitution to allow Eyadema to rule for life...it is wrong to build the image of indispensability around one man whose rule since 1967 has not necessarily moved Togo forward any bit.'²² Thus it is possible to conclude that the agenda for 'Eyadema Dynasty' may have been in the pipeline longer than the political events and succession tension of February 2005.

[ii] Emmanuel Bob-Akitani: He was born in Aneho, in the South of Togo and comes from the Mina ethnic group. He studied Petroleum Engineering in France and between 1961 and 1969 served as deputy Managing Director of Togo's Department of Mines and Geology. It was during his active days in France in the 1950s that he emerged as an active force that pivoted the Black African Student's Union. He joined the Unity Party of Togo's independence leader Sylvanus Olympio in 1961. Bob-Akitani is regarded as a veteran of Togo's opposition politics. Until he picked the coalition ticket mid-April 2005, he was the vice-president of Olympio's Union of Forces for Change (UFC) party. He had earlier

²² *Daily Champion* [Lagos, Nigeria] The Coup in Togo, 7 January 2003, p.10.

braved the odds and contested against late Eyadema in 2003 elections, coming second with 34.1 percent of the vote.²³

The Pre-election Ecology

There was tension and political uncertainty; in addition to fear of violence in the days preceding the presidential election fixed for April 24 2005. As expected, street violence and politically motivated killings were reported in many parts of the country before the election, especially in the south, the stronghold of the opposition. The campaign period saw the escalation of violent confrontations between the ruling elites, led by Faure, and the opposition led by Bob-Akitani.

The stage was therefore set for campaign and sensitization of the electorate. Regarding the campaign, much of Togo's five regions (Maritime, Plateaux, Central, Kara and Savanes) were festooned with billboards and posters of Faure Gnassingbe, except for Maritime region, where his posters were defaced. The reverse was the case for the opposition candidate, who enjoyed scant presence in most areas except for the opposition strong-holds in the South. The opposition campaign messages focused on reconciliation, freedom, while Faure's campaign slogan tilted towards nationalism and stability with messages such as *Nord or Suid C'est Faure* (North or South is Faure).

Closely associated with this has been the pro-Faure camp insistence on national security, which arguably can only be guaranteed with Faure as president. On why the son should mount the saddle soon after the father, pro-Faure supporters were quick to make reference to George W. Bush, the U.S. President, the country regarded as bastion of democracy. They also noted that, even in India, the world's largest democracy, the Ghandi family has produced a number of Prime Ministers. Therefore, what should be of interest to everyone according to Togolese Ambassador to the U.S. is whether Faure can deliver. Is he capable of leading the country to the Promised Land? What is the general disposition of the people towards him? Is the security of the Togolese people sure under his leadership? The ambassador insisted that these are the questions that should bother those who love Togo and not what his father did, or fail to do.²⁴

From Ballot to Riot

The election finally got underway on 24 April 2005, and on 26 April, provisional results were announced: Eyadema's son won with 60.22% of the vote, with Bob-Akitani coming second with 38.6%. Harry Olympio received only 0.55% of the vote, while Lawson took 1.04 despite having withdrawn from the race. The Electoral Commission announced that 63.6 of registered voters participated in the election. The constitutional court confirmed a victory for Eyadema's son on 3 May 2005, when official results were released²⁵.

²³ <<http://www.irinnews.org/webspecials/togo/candidatepro.asp#edekod>> (accessed 20 June 2005).

²⁴ *Daily Champion* [Lagos, Nigeria] Togo: Bright chance for Faure, 7 March 2005, p.8.

²⁵ Tight Security ahead of Togo results <<http://www.mg.co.za>> (accessed 4 May 2005)

Official Results: Presidential Election held on 24 April 2005

Election Data

Registered Voters.....	3,599,306
Total Votes.....	2,288,279
Invalid/Bank.....	88,005
Total Valid Votes.....	2,200,274

Election Results

<u>Candidate/Party</u>	<u>% of votes</u>
Faure Gnassingbe[RPT]	60.15%
*Emmanuel Bob-Akitani-Coalition Parties	38.25%
Nicolas Lawson [PRR]	1.04%
Harry Olympio [RSDD]	0.55 %

* Member parties of the coalition supporting Emmanuel Bob-Akitani are:

Union of Forces for Change [UFC]
Alliance of Democrats for Integral Development [ADDI]
Action Committee for Renewal [CAR]
Democratic Convention of African Peoples [CDPA]
Socialist Party for Renewal [PSR]
Union of Socialist Democrats of Togo [UDS-Togo]

Source: National Independent Electoral Commission, April 2005

However, the opposition insisted that Faure cannot win any free and fair election in Togo. Bob-Akitani rejected the results, declared himself president and called for an armed insurrection against the RPT government. As expected, Bob-Akitani's treasonable action led to the escalation of violence in the Togolese capital Lomé and other opposition strongholds, from Be, to Atakpame and Aneho. Although obviously aggrieved, the opposition initially remained recalcitrant and some what implacable. It insisted, ironically, on a *loser-takes all* stance rather than accepting the ruling party's olive branch.²⁶ The reaction of regional actors, Nigeria in particular, to Akitani's declaration must have been very disappointing to the opposition. Nigeria's Foreign Affairs Minister's rejection was unequivocal; Ambassador Olu Adeniji stated that 'It cannot stand... because an election has been held and someone has been declared winner.'²⁷ Thus in the interest of political stability in the sub-region, ECOWAS condoned the election results and the associated brutal persecution of opponents. About 700 people died and some 40,000 fled to neighbouring Benin and Ghana in fear of reprisals.²⁸ But Togo temporarily avoided sliding into the level of chaos already

²⁶ *Daily Trust* [Abuja, Nigeria] Abdulfatai Olajide, Togo's Rough Ride to Democracy, 8 May 2005.

²⁷ *The Punch* [Lagos, Nigeria] Togo: 22, Killed, ECOWAS okays poll, 28 April 2005.

²⁸ Dirk Kohnert, *Togo: A Didactic Drama of Misedemocratisation*, in Africa, No1, June 2005, Institute of African Affairs, Hamburg, Germany, pp. 1-12. Available online at <<http://mpr.ub.uni-muenchen.de/pdf>>

seen in some other West African states with similar successions crisis, for example, Côte d'Ivoire, Sierra Leone and Liberia.

As a way of breaking the political logjam, Faure offered to re-appoint Ambassador Edem Kodjo as his Prime Minister. Kodjo is a former senior member of Eyadema's RPT, who left the party to form the Togolese Union for Democracy in 1991. To Faure, Kodjo represented a credible choice within the ranks of the opposition, while the six-party coalition of the 2005 election opined that Kodjo has to be rejected for several reasons.

Firstly, Kodjo has always been part of the establishment led by the Eyademas and does not represent the popular choice, nor an offer of olive branch to the opposition and other aggrieved actors.

Secondly, the mainstream opposition rejected the type of olive branch offered in the appointment of Kodjo because they claimed they cannot be a junior partner in an illegitimate and fraudulent government.

Thirdly, the opposition saw Faure as a political green-horn, with no experience in democratic governance. The tendency in its view was that within a short term, power may corrupt him and cause the state to falter.

The fourth reason was that the opposition feared that if it coalesces with the Faure government, it will share in the blame of eventual misrule.

Fifth, the opposition perhaps felt that a government of national unity, with derelict political institutions of nearly 40 years inherited from President Eyadema, could emasculate them, and worse still, that a government of national unity promotes a one-party system and dictatorship in which Togo is already enmeshed.

From the foregoing, the end of the presidential election of 24 April 2005, rather than signalling the end of a succession crisis, actually marked the beginning of a low-level, non-violent battle of attrition over the soul of national politics in Togo. That politics has all the trappings of an intra-elite contestation for power and is manifested through the manipulation of ethnicity and the north-south dichotomy prevalent in many West African states.

VIII. Summary and Conclusion

By way of conclusion, this study did reflect on the need to push the concerns about politics of succession to the front burner in West Africa, and after a brief analysis of the historical root of the post-Eyadema succession crisis in Togo, the article highlighted the constitutional summersaults which bear all the hallmarks of what ridicules Africa before the world. Thus, in death as in life, Eyadema still controls the affairs of Togo. This is because the seeds of lawlessness and military adventurism which he sowed have sprouted yet again to truncate orderly succession. Regardless of intense pressure from regional and international actors as well as opposition from within the ranks of the civil society, the Eyadema dynasty is in the making in Togo Kingdom. It is a safe bet that in the next presidential election, Faure will get another lease in mock elections and the country may flounder. However, if the conduct, management and results of the October 2007 Parliamentary elections in Togo are anything to go by, there is therefore hope that the Togolese people may be closer to a new possibility of

transparent electoral process in the near future. The 2007 elections were lauded as free and the results seen as indicative of the peoples political preferences. In conclusion, Togo may currently typify the poverty of quality democratic leadership in West Africa, with specific reference to peaceful transfer of power, yet there is the possibility that democratic principles may be internalized over time. This may continue if Togo's political elite aspires towards this goal in tandem with regional actors and the international community.