

THE PROSPECT OF A PRESIDENCY FOR LIFE IN CAMEROON: FACING THE REALITY OF THE NEO/MINATD CHARADE

Eric NGONJI NJUNGWE*

1. Introduction

There is a growing call for the implementation of the law creating Elections Cameroon (ELECAM). Amazingly, this call is most heard among opposition political parties. While some are adamant about having this new electoral institution put in place before the July 2007 Municipal and Parliamentary elections, others have gone beyond the request for the establishment of ELECAM to the postponement of the July elections if ELECAM is not the official body to organize and supervise these elections.

2. NEO and MINATD

However, this relentless call by major opposition parties is baffling. It appears they are now convinced that ELECAM could do a better job than the National Elections Observatory (NEO) and the Ministry of Territorial Administration and Decentralization (MINATD). Opposition parties had opposed the establishment of an electoral body as weak as ELECAM, and rightly so because ELECAM is a farce. But more surprising is the fact that the government seems frightened to set in motion the steps needed to get this new electoral body in place before the June elections. Whatever the outcome of this wrangling, the government has until June 2009 at the latest to get ELECAM operational, according to Law No. 2006/011 of 29 December 2006 creating ELECAM.

Section 42 (3) of this law states that:

“As and until Elections Cameroon is effectively put in place, over a period which should not exceed 18 (eighteen) months, the National Elections Observatory

* LLB (Buea), LLM (Pret). Human Rights and Social Justice Advocate; President/Executive Director – PICAM.

(NEO) and other relevant electoral state bodies shall continue to carry out their respective electoral duties”.

If effect, this law, which was drafted by the government and rubber-stamped by the country's docile and applauding parliamentarians, bestowed upon the government the latitude to legally manipulate the organization, management, and supervision of the July 2007 elections without having to set up ELECAM.

Meanwhile, in spite of the fact that ELECAM falls far short of the Independent Electoral Commission Cameroonians had called for, it seems preferable to the nightmare of again having the NEO/MINATD squadron oversee the conduct of elections in Cameroon. NEO is highly dependent and manipulated by the government while MINATD is directly answerable to the chairperson of the ruling party who is also the President of the country. Under such circumstances, it is doubtful how these institutions could ever organize even the semblance of a free and fair election in Cameroon. They are in existence to serve the President and his ruling party and have always achieved their fraudulent objectives with distinction.

Whatever the case, Cameroonians may have to wait until after the July 2007 elections for the government to begin the process of getting ELECAM operational. By that time, NEO/MINATD would have given the President and his ruling party victory in the Municipal and Parliamentary elections with complete control of the National Assembly. With a majority in parliament, the other elements of the “Grand Agenda” will then be set in motion. This will include an amendment to the country's constitution to satisfy President Biya's insatiable quest for power.

3. Issue of Constitutional Amendment

Part XI of the Cameroon Constitution (Law No. 96-6 of 18 January 1996) deals with amendments. Article 63 states as follows:

(1) Amendments to the Constitution may be proposed either by the President of the Republic or by Parliament.

(2) Any proposed amendment made by a Member of Parliament shall be signed by at least one-third of the members of either House.

(3) Parliament shall meet in congress when called upon to examine a draft or proposed amendment. The amendment shall be adopted by an absolute majority of the members of Parliament. The President of the Republic may request a second reading; in which case the amendment shall be adopted by a two-third majority of the members of Parliament.

(4) The President of the Republic may decide to submit any bill to amend the Constitution to a referendum; in which case the amendment shall be adopted by a simple majority of the votes cast.

Article 64 states that:

“No procedure for the amendment of the Constitution affecting the republican form, unity and territorial integrity of the State and the democratic principles which govern the Republic shall be accepted”.

According to Article 6(2) of the constitution:

“The President of the Republic shall be elected for a term of office of 7 (seven) years. He shall be eligible for re-election once”.

In sum, article 63 gives the President or the Parliament the power to propose an amendment to the constitution. Such an amendment could include anything not prohibited under article 64, including an amendment to extend the term of office of the President. Any proposed amendment would just require a majority vote of the Members of Parliament (which is dominated by the President’s party). The fact that the July 2007 Parliamentary elections will be organized by NEO/MINATD almost certainly guarantees victory for the President’s party. With their Parliamentary majority maintained, an amendment to article 6 of the constitution becomes easy. The term of office of the President of the Republic will be extended and Paul Biya will legally have the opportunity of running for office at the end of what is supposed to be his last term in 2011. This prospect

leaves open the possibility of him becoming “President for Life” (King Biya) of Cameroon.

The feasibility of this prospect lies in the fact the survival of most corrupt politicians and pro-ruling party business persons is highly dependent on maintaining the status quo. Their whole machinery will crumble in the absence of the Paul Biya apparatus. Accordingly, they may proactively engage in getting him to stay longer than required because it is their interest to do so. Therefore, the struggle for democracy in Cameroon should not be limited to getting one person out of the way of development and progress of the country. It should be holistic and focused on dismantling the entire corrupt autocratic apparatus that has been sinking the country into despair for the past quarter century. This should then be followed by the delivery of justice, which must involve holding people accountable for their actions through appropriate legal channels.

4. Conclusion

The road to genuine democracy in Cameroon is at stake of being prolonged. There is an exigency to put a stop to the move towards "president for life" in Cameroon. Cameroonians may have waited too long to get over the words “President Biya”, but certainly, they do not want to learn the new words - “King Biya”. It is time for positive action from every segment of the population. Education is the key in this effort. I implore every Cameroonian to be his neighbor’s teacher. Information sharing and communication on issues of concern to our country should dominate all other discussions. Civil society organizations, the clergy, intellectuals, students, and every concerned Cameroonian must make a concerted effort towards making Cameroon a just and democratic society.

Cameroonians have the right to a government that works for their best interest. The regime of Paul Biya will absolutely fail any test of a good government and it is just sensible and ethical for this government to relinquish power as soon as possible, if feasible, before the expiration of its term in 2011. For the past 25

years, the Biya regime has failed to meet the aspirations of Cameroonians and any move towards the institutionalization of a presidency for life will not only agitate Cameroonians further, but will actually aggravate the already rickety socio-political situation and possibly provoke unforeseeable and regrettable consequences.