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## **Why Kagame Should Not Seek Another Term**

By

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### **Abstract**

*Recent constitutional changes in Rwanda cleared the way for President Paul Kagame to run for a third, fourth, and fifth term. Kagame expressed his interest in running for a third term in 2017 which he won in August. There is hopefully time to convince President Kagame that his current decision is not in the best interests of Rwanda, but merely self-interest. If Kagame stepped aside in 2017 he would have facilitated the country's first peaceful transfer of power, respected the rule of law, and protected his own legacy. With his decision to seek a third term he risks international condemnation and loss of foreign aid.*

**Keywords:** Rwanda, Kagame, constitution, regime, rule of law

### **Introduction**

In 2016 the Rwandan parliament and voters approved a constitutional amendment that would allow current president Paul Kagame to stay in power for another seventeen years. In a New Year's address to the country, Kagame expressed his desire to seek a third term (BBC News 2016). His term as president was scheduled to end in 2017 after serving his constitutionally proscribed two terms. In his address to the people of Rwanda, Kagame said that the Rwandan people 'requested me to lead the country again after 2017. Given the importance and consideration you attach to this, I can only accept' (BBC News 2016). He continued by noting that 'I don't think that what we need is an eternal leader' (BBC News 2016). Whether Kagame means what he says about an eternal leader is unclear but perhaps he is open to persuasion not to run for another term. Should Kagame be looking for reasons to step down he need look no further than facilitating the country's first peaceful transfer of power, respecting the rule of law, and protecting his own legacy.

Paul Kagame's rise to power in Rwanda is well documented. He was raised as a refugee in Uganda, trained in military fighting in Uganda and the United States, and led the Rwandan Patriotic Front (RPF). After President Habyarimana's death and genocidal killing began spreading throughout the country, the RPF entered Rwanda and is credited with ending the genocide (Twagiramungu 2015). After the genocide ended the RPF came into power in a devastated country—nearly one million were killed, two million refugees in neighbouring countries, one million internally displaced (Reyntjens 2004). In addition, the infrastructure of the country was annihilated, the criminal justice, health care, and education systems were demolished as well as crops and livestock (Reyntjens 2004).

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Kagame and the RPF were seen by many as the saviours of Rwanda when they defeated the Hutu extremists leading the genocide. Together, Kagame and the RPF became the 'best hope for democratic and peaceful change' (Twagiramungu 2015). The RPF entered government and took control from the previously Hutu-dominated regime. In an initial attempt to create a power sharing government between the Hutu and the Tutsi, Kagame took a position as vice-president and minister of defence (Twagiramungu 2015). The other major positions were filled by Hutus.

As the country was rebuilt, the new government passed a constitution in 2003 to replace a transitional constitution put in place following the genocide (Iaccino 2015). Part of the new constitution included presidential term limits. The president could be elected for a term of seven years renewable only once (Government of Rwanda 2003). Article 101 states that 'Under *no circumstances* shall a person hold the office of President of Republic for more than two terms' (Government of Rwanda 2003, emphasis added). Kagame won his first term as president in 2003 following passage of the new constitution with 95 percent of the vote (Reyntjens 2004).<sup>i</sup> In 2010, Kagame was re-elected with 93 percent of the vote and 98 percent voter turnout (Reyntjens 2010).

As Kagame's constitutionally limited terms were about to expire, there had been much action allowing him a third (and fourth and fifth) term. It now seems that 'no circumstances' does not mean no circumstances. The process began with a petition to the parliament from an estimated 3.7 million Rwandans. While this number represents close to 70 percent of registered voters, it is less than one-third of the 12 million inhabitants of the country (Winsor 2015; Iaccino 2015). *The New Times*, a Rwandan newspaper, reported finding only ten people opposed to allowing Kagame a third term (Quartz Africa 2015). The most commonly cited reasons were the country's economic development and Kagame's role in ending the genocide (Iaccino 2015).

The Democratic Green Party challenged the proposed changes in the Supreme Court asking the Court to block any proposed changes offered by the parliament (Winsor 2015; Aljazeera 2015a). Judge Immaculee Nyirinkwaya of the Supreme Court said that the court 'found every reason to hear this case' (Winsor 2015). However, when the case made its way to the court, the Supreme Court ultimately dismissed it saying the case had no merit (Iaccino 2015). The court said that the ultimate decision on whether to allow Kagame a third term was for the people to decide.

Following the Supreme Court's decision, Parliament acted quickly to amend Article 101 to benefit Kagame. Parliament's lower house offered Article 172 to amend Article 101. Article 172 was supported by all members present for the vote (Reuters 2015b).<sup>ii</sup> The Senate unanimously approved the amendment too (Aljazeera 2015b). The amended constitution would reduce the presidential term from seven to five years and maintain a two term limit (Aljazeera 2015b). However, there is

an exception made solely for Paul Kagame. He would be permitted to run for a third term of seven years, and then he would be allowed to run for two terms of five years each allowing Kagame to remain in power for another seventeen years.

A referendum on the constitutional amendment went to the public on December 18, 2015 (Gaffey 2015). The amendment passed and opened the door for Kagame to run for a third (and fourth and fifth) term as president. While amending the constitution made the third term run legal, it violated the spirit of the constitution and Kagame's own promises.

### ***Peaceful transfer of power***

In 2017, Kagame faced an historic first for the country of Rwanda. If he agreed to step aside and allow a new president to be elected and inaugurated, Kagame would have facilitated the first peaceful transfer of power in Rwanda.<sup>iii</sup> Rwanda gained independence from Belgium in 1962 following considerable bloodshed whereby the majority Hutus took control of the government from the minority Tutsi who had been in power (Guichaoua 2015). Gregoire Kayibanda became the first president of an independent Rwanda. Kayibanda's presidency was dominated by a one-party regime based on ethnicity (Cantrell 2012). Anti-Tutsi massacres occurred under Kayibanda's regime in 1964 and 1966-7 (Cantrell 2012; Guichaoua 2015).

Kayibanda's rule was marked by increasing isolation for the country and exclusion of the Tutsis (Cantrell 2012). His poor performance as leader and administrator ultimately led to a bloody coup d'état. General Juvénal Habyarimana overthrew Kayibanda and took power from the civilian government (Cantrell 2012). Habyarimana executed the entire cabinet and Kayibanda was exiled to house arrest and died of heart failure a few years later (Kambanda 2015; Cantrell 2012). Habyarimana's regime did not fare much better than Kayibanda's. He too mandated a one-party state system and supported a constitution which consolidated power into his hands (Guichaoua 2015). He faced an attempted coup in 1980 and repressed any dissidents that appeared (Guichaoua 2015).

Habyarimana's demise began in 1990 when Paul Kagame and the RPF began invasions into Rwanda from Uganda. These incursions initiated a civil war that culminated in the 1994 genocide, which Kagame is credited with ending (Guichaoua 2015). The transfer of power following the genocide was anything but peaceful. A transitional government entered power in 1994 headed by Pasteur Bizimungu (Reyntjens 2004). By 2003, when the new constitution was ratified, Bizimungu had resigned and was charged with divisionism which prevented him from running for the presidency (Reyntjens 2004).

The election of Paul Kagame in 2003 with a resounding 95 percent of the vote may at first seem like a peaceful transfer of power. However, Human Rights Watch alleged the election was flawed with several irregularities (Reyntjens 2004). Allegations of illegal arrests, disappearances, and intimidation of both voters and

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politicians marred the victory (Reyntjens 2004). As Kagame's two terms neared an end, he had the capability to facilitate the first peaceful transfer of power in Rwanda. This should have been a true victory for Kagame and his presidency if he willingly stepped aside.

The peaceful transfer of power is seen as a hallmark of democracy and free government. Kagame need only look at his neighbours to see what happens when a country's leader attempts to overstay his constitutional limits. In Burundi, President Pierre Nkurunziza decided to run for a third term in violation of his term limits (Reuters 2015b). While many in the public felt Nkurunziza's decision violated the peace deal that ended a civil war in that country, the nation's court ruled he could run again lending some credibility to the decision (Reuters 2015b). Even still, his decision triggered months of violent protests with more than 100 people being killed (Crilly 2015).

In the Congo Republic, voters backed a change that allowed President Denis Sassou Nguesso to seek a third term himself (Reuters 2015a). President Nguesso is constitutionally barred from seeking a third term but has backed a referendum that would eliminate presidential term limits and permit him to run again (Reuters 2015a). Nguesso has ruled the Congo for 32 years. Opposition leaders claimed that 300,000 people attended a rally that challenged the president to step down and not change the constitution (Reuters 2015a). Demonstrations broke out over the president's attempt to remain in power with dozens dead or wounded (France 24 2015).

There was no violence in Rwanda when Kagame ran for a third term, but that does not mean the idea is free of problems. Kagame faced international criticism for changing the constitution to benefit only himself. While he has framed the issue so far as a decision for the "Rwandan people" giving the referendum the veneer of legitimacy and democracy, altering a constitution for the benefit of one person is far from a legitimate democratic decision. For Rwanda to continue on its progression begun after the genocide, it may seem like an authoritative leader who has had success so far should remain in power, but the true nature of democracy means that power can transition without violence and without retarding growth.

As a leader, presidents must make difficult decisions, even unpopular decisions. While the populace of Rwanda may have voted in favour of amending the constitution to benefit one man, it does not signal an overall decision of the people. Rwanda is densely populated with 12 million people (Gettleman 2013). Less than half of the population is registered to vote. Roughly 6 million people are registered to vote with 3.7 million allegedly having signed the petition to parliament favouring Kagame's third term bid (Winsor 2015). While this would be a clear majority of voters, it is far from a majority of the overall population. What has stopped the remaining eligible population from registering is unknown, but Kagame and the parliament should be cautious in assuming that a minority of the population speaks for the "Rwandan people".

Kagame would make a better statesmen by acknowledging the people's vote but still stepping aside. The option to run for president does not mean that Kagame had to do so. The "people" do not always make the best decisions in their favour. Perhaps Kagame could look toward George Washington for some inspiration. In 1796, U.S. President George Washington voluntarily chose to step aside and not run for a third term, which at the time was permitted.<sup>iv</sup> Washington, much like Kagame, had led his country through a difficult time including a revolutionary war breaking ties with Great Britain. Washington too was also very popular and quite possibly could have won a third term as president if he had run.

Until 1951, most U.S. presidents followed Washington's lead and stepped aside after two terms in office. Kagame may benefit from some of Washington's own words when he told the American people that he would not seek a third term. Washington explained that 'I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness, but am supported by a full conviction that the step is compatible with both' (Washington 1796). Similar words could be spoken by Kagame if he exited the presidency and handed the reins to the next democratically elected official. Stepping aside in favour of the peaceful transfer of power is not to disrespect the zeal of the public or to not care about the future of the country, but can be justified for both.

### ***Rule of law***

Kagame decided that facilitating the peaceful transfer of power was not a valid reason to step down; he could still explore how his decision would further support the rule of law. Respecting the rule of law is necessary for any democracy, but for Kagame it may take a special role because of certain accusations against him. Over the years, Kagame has attracted many critics of his regime who highlight complaints that would question his adherence to the rule of law. Taking the bold step of choosing not to run for a third term would have gone a long way toward demonstrating that Kagame is interested in supporting the rule of law (in some circumstances).

Critics point out that the government under Kagame has essentially been centralized into a one-party, one-person dictatorship (Friedman 2012). While this characterization is challenged by Kagame and the government inside of Rwanda, it is a favoured position by outside organizations. As Rwanda has progressed dramatically since the genocide, there are allegations that individual freedoms have not flourished and instead flagged (Friedman 2012). One repeated accusation is Kagame's repression of a free press.

Reporters sans Frontières has called Kagame a 'predator of press freedom' (Reyntjens 2004: 196). Reports from Human Rights Watch and Amnesty International have alleged that several journalists have been found dead in mysterious circumstances (Sundaram 2014). The disappearances and deaths of journalists have led to a self-imposed type of censorship from the press inside Rwanda. This self-imposed censorship seems to be an act of self-preservation on

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the part of many journalists working in Rwanda leading to a stifled role for the press (Reyntjens 2004).

Similar accusations have been raised in terms of how Kagame's government has dealt with other dissidents. Dissidents have claimed that the government operates an intelligence force with assassins (Gettleman 2013). One Rwandan human rights activist living in England claimed to have received a letter from Scotland Yard saying that the Rwandan government 'poses an imminent threat to your life' (Gettleman 2013). A Rwandan Transparency International worker was found dead under mysterious circumstances as well (Sundaram 2014). While an assassination squad may sound extraordinary, the case of General Kayumba Nyamwasa is illustrative. General Nyamwasa is the former chief of staff of the Rwandan Armed Forces. He survived an assassination attempt in 2010 and two additional attempts since then (Gatehouse 2014).

General Nyamwasa places the responsibility for his assassination attempts squarely on Kagame. He has said, '[President Kagame] said that Patrick [a fellow Rwanda expatriate] and I are like flies, and if it requires him to use a hammer to kill a fly, he will do it' (Gatehouse 2014). While the veracity of these accusations must be determined, for the purposes here the veracity is less important. The fact that these allegations exist against Kagame distracts from his other successes as president. A decision to step aside in 2017 would have at least added a little protection to Kagame's reputation for respecting the rule of law.

Other allegations of violations of the rule of law with more evidence supporting them include Rwanda's invasion of the neighbouring Democratic Republic of the Congo (DRC). When Kagame and the RPF took control of the capital in 1994 effectively ending the genocide, many Hutu refugees fled to the DRC (then Zaire) (Grant 2010). In 1996 only two years after the genocide ended, Rwanda sent troops into the DRC to fight alongside the M23 rebel group (Gettleman 2013). Kagame initially denied any involvement in DRC (Grant 2010) but was forced to acknowledge the truth when United Nations investigators revealed their engagement (Gettleman 2013). When the information about Rwanda's involvement in the bloody clashes in the DRC was released, many countries cut aid to Rwanda in protest (Gettleman 2013).<sup>v</sup>

In addition to the involvement of Rwandan troops in the DRC, UN investigators have accused Rwanda of pilfering minerals from the DRC. The UN alleges that Rwanda has plundered \$100 million worth of minerals from the war-ravaged neighbour (Grant 2010). These minerals are taken from the DRC and then exported via Rwanda producing a large profit (Gettleman 2013). Being forced to acknowledge Rwanda's role in the DRC was a slight for Kagame who tries to restrict any negative news about his country from reaching outside sources. The loss of aid from the US and other Western nations was also a humbling experience. However, Kagame has been able to downplay the negative aspects of his involvement in the DRC because other African countries have been involved and plundered minerals as well.



There is little debate that Kagame's regime has undermined the rule of law both internally and externally. Even his supporters must recognize that he has been involved in violations of law. The United States has a history of looking the other way when dictators or authoritarian rulers have provided assistance to the US even when human rights violations have occurred. So it is unlikely that the US or other Western nations will turn completely away from Rwanda now that Kagame chose to run for a third term. But the US has made some overtures to Kagame that his choice could affect US-Rwanda relations.

A United States Department of State spokesman expressed concern over the constitutional amendments which would allow Kagame to stay in power (Uwiringiyimana 2015). The US warned of instability and uncertainty if Kagame should run for a third term (Crilly 2015). The State Department said there were no plans to suspend or reduce aid to the country, but that Kagame's decision could affect aid distributions later (Uwiringiyimana 2015). As a final plea, the State Department said that the US does not 'support those in positions of power changing constitutions solely for their political self-interest' (Crilly 2015).

Kagame's decision to run for re-election in 2017 has far-reaching consequences that need to be considered. Much of Kagame's success as president has been due to foreign aid received by the US and Europe. When Kagame ran for re-election he may have placed some of that aid in jeopardy. Without foreign aid, it is unlikely that Rwanda can sustain the changes that have been made under Kagame. If Kagame truly wants to see his country proceed and continue its growth, the best decision would have been to respect the constitution as it was adopted in 2003, step aside for a new leader, and ensure that the rule of law continues for years to come.

Part of the allure of the constitutional amendments voted on in December 2016 is that it was the people of Rwanda asking for these changes. This was used as a justification to defend the amendments even though Article 101 clearly states that 'under no circumstances' may a president serve more than two terms. But looking at how the amendments were approved and adopted raises questions over whether it is truly the will of the people. Following the passage of the amendments by parliament on December 8, a referendum was scheduled a mere ten days later (Lidgett 2015).

Allowing just over a week for consideration of the amendments was criticized by the European Union as not permitting full debate on the issue. While Kagame's potential for a third (and fourth and fifth) term is paramount, there were three constitutional amendments bundled together. The amendments included reducing presidential term limits to five years, changing senator's term limits, and removing references to gacaca courts (BBC News 2015). The amendments were voted on together and no campaigning was permitted by the law (BBC News 2015).



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The Democratic Green Party in Rwanda tried to prevent the referendum by taking the case to the Supreme Court but was turned down there. As an opposition party with no seats in parliament the party had little chance of mounting a successful opposition campaign, even if they were permitted to do so. Without any opposition, the referendum passed easily. Many people chose not to vote saying that they already knew what the outcome was going to be (BBC News 2015). Kagame repeatedly points to the referendum as being a democratic action of the people. But seeing how the amendments were adopted without the opportunity to debate the issue, combining it with other amendments, and outlawing campaigning raises serious doubts about the legitimacy of the amendments.

Since the amendments only provide an exception for Kagame and not any other president who succeeds him, it is clear that the issue is not really presidential limits, but maintaining Kagame in power. If the amendment eliminated presidential term limits altogether then it might be viewed as a decision of the people to allow for anyone to run for president as many times as they choose. It would be similar to the original US constitution which did not include presidential term limits, which permitted Franklin Roosevelt to run for president four times. But in reality, that is not what the amendment does. It only permits Kagame to remain in power, no one else. This preferential treatment for one man does not bode well for a country seeking to become more democratic.

A constitution can certainly be amended. However, when it is amended for the benefit of one person, the legitimacy of such changes should be questioned. This cloud could have been dissipated by Kagame's decision to not run for another term as president. His respect for the rule of law should have outweighed a decision "of the people" that contradicts a constitution that he helped form initially. This decision would have required Kagame standing on his own initiative to lead the Rwandan people toward a brighter future by allowing new leadership to take charge and build upon Kagame's successes.

***Legacy***

It may be impolitic for a sitting president to be thinking about his legacy after leaving office, but in reality a leader's legacy can never be far from one's mind. Kagame's legacy is currently credited with both great success and great disappointment. The veracity of the criticisms against Kagame is discussed in many places (Reyntjens 2004; Reyntjens 2010). For the purposes invoked here, the veracity of the claims against Kagame need not be addressed because Kagame's decision to retire need not rest on the truthfulness of those claims.

A strong decision by Kagame to step down in 2017 would have undercut the argument against his successes based on extra-constitutional manoeuvres. With Kagame's decide to run for a third term, he further contributes to his critics' arguments that he ignores the laws. As it currently stands, while tarnished, Kagame's legacy is filled with multiple successes helping Rwanda rebuild following the genocide. Even his detractors have to admit that there has been positive growth and development under Kagame's leadership.

One of Kagame's most widely cited successes has been guiding Rwanda's economy on a growth pattern during a global recession (Freidman 2012). This growth has depended vastly on outside financial aid from the United States and Europe. But this aid has gone into expansion of the country's infrastructure, health care, and education (Friedman 2012). Between 2001 and 2014, Rwanda's real GDP growth averaged 9% per year (Quartz Africa 2015). In comparison, between 2000 and 2008, low and middle-income countries saw GDP growth of an average 6.2% per year (World Bank 2015). By 2009, the global economy grew by only 1.2% and in 2010 had declined by 2.2% (World Bank 2015). Rwanda's continued growth and at such levels was a stark contrast to what the rest of the world was experiencing.

Unfortunately, despite the country's GDP growth, Rwanda is still ranked 194 out of 208 on the World Bank's per capita income table (Chu 2009). However, Rwanda has made some great leaps on other World Bank indicators. In 2005, Rwanda jumped from 158 to 52 on the Ease of Doing Business rating (Gettleman 2013). This ranking places the country as the most business friendly in the region (Grant 2010). This business friendly atmosphere has led to some major relationships between Rwanda and large corporations; Costco and Starbucks buy their coffee beans from the country (Chu 2009). These deals were accomplished in no small part by Kagame's strength of personality and ability to make important business contacts (Chu 2009). While Kagame has forged these relationships there is no reason to think that if he were to step down, Costco or Starbucks would terminate their contracts.

Perhaps Kagame's most important success in government has been to turn the country from genocidal devastation to one of the safest in Africa. Rwanda now ranks as the cleanest and safest in Africa (Grant 2010). There are no slums to be found in Kigali and very little begging or street crime in the area (Grant 2010). Life expectancy has grown by 20 years from 36 years in 1994 to 56 years in 2013 (Gettleman 2013). Malaria related deaths have dropped by 85% between 2005 and 2011 (Gettleman 2013). By any measure, Rwanda is significantly better off today than in 1994 when Kagame began his rise to power.

Kagame's government has also made other social advancements benefiting the Rwandan people. Poverty rates have declined 14% between 2001 and 2011 (Quartz Africa 2015). The government outlawed plastic bags for environmental reasons and has the streets of the capital swept each morning (Grant 2010). There is a national health care system and child mortality has dropped over 60% under Kagame's regime (Grant 2010). Pre-school enrolment is nearly universal and the country has better internet service than rural parts of Britain (Quart Africa 2015).<sup>vi</sup> Their students are being raised on the internet with laptops, speak English, and advance to universities and technical colleges (Grant 2010). All of these successes have marked the country as one of the world's fastest growing and best developing in the world.

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These successes are part of the reason offered for why the Rwandan people want Paul Kagame to remain in power. And in this context it becomes understandable why the people might wish their current president to stay past his constitutional term. But that does not mean that Kagame needed to accede to this alluring power grab. In cases of revolution, there is often one person who is placed at the forefront of history (Friedman 2012). For Rwanda, that person is Paul Kagame. But what Kagame must remember is that a leader sets a precedent and allowing democratic transition to occur with the success he has been a major part of he is cultivating a better future for the country (Friedman 2012).

A decision to step aside for a new leader in 2017 would have cemented Kagame's legacy in a positive light. And it seems that Kagame has at least been thinking somewhat about his legacy during this process. The dialogue started back in August 2016 when the talk of constitutional amendment was beginning. One Twitter user from Kenya tweeted to President Kagame, 'I really hope sir, you will not ruin your legacy by being President for life' (Mungai 2015). In response the account @PaulKagame, the official Twitter account for the president, responded, 'worry more about your own legacy...if you got any at all to think about!!' (Mungai 2015). While it is unlikely that Kagame writes his own tweets, and this response may have been from a zealous presidential official, it makes Kagame appear more likely to violate the constitution when it benefits him.

The initial tweet which sparked Kagame's official rebuke was followed by a series of tweets from Kenyans using the hashtag #SomeoneTellKagame (Mungai 2015). This hashtag was used by dozens of Kenyans pleading for Kagame not to run for a third term. Responses from Rwandan twitter users were to criticise Kenyans for commenting on issues outside of their own nation. This defensive position has been popular for Kagame and other Rwandans who claim the constitutional changes are a democratic act of the people. Kagame has turned against his critics more vocally recently.

Just a week after the constitutional amendments were approved, Kagame was speaking at the National Dialogue Council. There he said that 'For foreign critics, they can continue being unhappy with what Rwandans chose to do. We have the right to choose how we live as a nation, society and individuals' (Mugisha 2015). Kagame reiterated that his third term bid was a decision of the Rwanda people and not his own personal agenda. While attempting to undercut attacks against him, Kagame said, 'If producing security, stability, women empowerment, peace, progress and food security amounts to dictatorship, what can I say?' (Mugisha 2015). However, this could be read to imply that these successes would not remain should Kagame be replaced as president.

This interpretation though would go against what Kagame himself has said multiple times. In one interview, Kagame predicted what would happen if he were no longer president, 'And if Kagame, for one reason or other, is no longer there, people can look back at everything that has been done in 16 years, and they can feel a part of it, and be reassured that this stability will continue' (Grant 2010). This

President Kagame needed to reappear as he decided what is best for Rwanda and himself in 2017. President Kagame spoke those words in 2010 not long after winning re-election when a third term was probably not even a distant thought. As time has gone by and Kagame's tone on a third term has changed it raises questions over whether power does corrupt.<sup>vii</sup>

### **Conclusion**

President Kagame faced a difficult decision; for the past two decades he has reshaped and rebuilt Rwanda. He has earned international praise from luminaries including former U.S. President Bill Clinton, former British Prime Minister Tony Blair, and Microsoft's Bill Gates (Sundaram 2014).<sup>viii</sup> He has enjoyed the trappings of power since being credited with ending the 1994 genocide. He has transitioned from a revolutionary to a leader. And now comes his toughest decision to date, whether he will voluntarily choose to step down as president in favour of the peaceful transfer of power.

Kagame represents the revolutionary cum president much like United States president George Washington. Kagame could have furthered this connection with Washington by following his lead and choosing not to run for a third (or fourth or fifth) term. In Washington's farewell address, he asserted that he did so 'that the free Constitution, which is the work of your hands, may be sacredly maintained' (Washington 1796). These words may just as easily be uttered by Kagame. While "the people" have altered the constitution to Kagame's benefit, the true notion of presidential term limits initiated in the original version could be and should be upheld.

If Kagame does not desire to be compared to Washington, he need only look to his own words; Kagame has said, 'In Rwanda there is a constitution. There are term limits' (Wallis 2011). Here Kagame recognizes the importance of the constitution and the necessity of term limits. While his more recent tone has been more sceptical about term limits, his own words should echo in his head.

In an even more direct interview, Kagame insisted that he would step down in 2017 and said that 'if there is no peaceful democratic transfer of power in 2017, his presidency will have been a failure' (Grant 2010). While Kagame often eschews critiques from foreign nations, his judgment about his failure as a president when he failed to step down will most certainly be confirmed by foreign diplomats and donor nations. There is little doubt that the U.S. and Europe were displeased when Kagame sought re-election and they may even threaten to cut the much-needed financial aid to the country. This should play a part in his consideration but there are other factors to guide his decision-making process.

Facilitating Rwanda's first peaceful transfer of power should weigh heavily upon Kagame's thoughts. He has rebuilt a nation nearly totally destroyed by genocide and decades of fighting. He has begun the process of democratization helping make Rwanda one of Africa's success stories. Kagame himself has said that

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Rwanda will continue to become a greater democratic society because ‘fundamentally we believe in it, because these values are universal and we share them, and because it is good for us’ (Grant 2010). Once again the Kagame of 2010/11 rises to offer sage advice to the Kagame of today.

Respecting the rule of law will also contribute to Kagame’s reputation. If he chose to step aside, he would have recognized that the constitution may have been changed exclusively to benefit him, but he has decided to conform to the original intent of the constitution. A decision to not run for a third term would have conformed to the original constitution that said ‘under no circumstances’ could a president serve more than two terms (Government of Rwanda 2003). This decision would have also confirmed to the amended constitution which maintains the two term limit for all presidents except Kagame. Kagame’s desire to return to Rwanda began when he and his family were exiled due to the violation of the rule of law by the government. There is little better fitting tribute to himself and his desire than to step aside and allow new leadership to emerge, perhaps even leaders influenced by Kagame’s work.

The future for Kagame will be filled with both supporters and detractors. While any illegal actions should be investigated fully and adjudicated, this should have little influence on Kagame’s ultimate decision on whether to stay in power. By running he will be labelled a dictator, but if he did not run, he will still face serious criticism of his reign. It may have appeared to Kagame as a no-win situation. But there are long-term consequences for Kagame to consider including the growing transition toward democracy, the rule of law, and Kagame’s own personal legacy as he retires.

Kagame may see this intervention as outside foreigners interfering with internal Rwandan issues and decisions. But sovereignty should not act as a shield behind which any action can occur and be justified. Kagame must consider the precedent he sets for future leaders to abuse or amend the constitution for their own purposes and ushering in a long-serving dictator or tyrant. He must listen to the voices of foreign investors and critics within his own country. He must not think of what is best for himself but what is best for the Rwandan people, even if that means telling the people no.

If Kagame made the decision not to run for re-election he would have followed in the path of George Washington as he voluntarily stepped down from power when he is not legally required to do so. Kagame could even borrow from Washington’s farewell by recognizing his limitations while at the same time preserving a legacy for himself. As Washington said, ‘Though, in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of defects not to think it probable that I may have committed many errors . . . I shall also carry with me the hope that my country will never cease to view them with indulgence’ (Washington 1796). Rwandans tend to do what their leaders tell them to; if Kagame were to have said no to a third (or fourth or fifth) term, the people would accept his decision and honour any request to view his

errors with indulgence. Hopefully Kagame will make better decisions for the Rwandan people and for Rwanda's future trajectory as an emerging democracy.

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<sup>i</sup> The 2003 election was observed by international monitors and declared to be flawed including issues of fraud and ballot stuffing.

<sup>ii</sup> The lower house consists of 80 members, but only 75 were present for the vote which was approved unanimously.

<sup>iii</sup> The United States has said that "The peaceful transfer of power from one leader to another is the hallmark of stable, prosperous democracies" (Lidgett 2015).

<sup>iv</sup> The United States did not introduce terms limits for the presidency until 1951 when the Twenty-second amendment was ratified. U.S. Constitution, Amendment 22 (1951).

<sup>v</sup> Countries cutting aid included the United States, who cut \$200,000 in military aid to Rwanda.

<sup>vi</sup> Nineteen out of twenty children are in school.

<sup>vii</sup> The phrase 'Power corrupts; absolute power corrupts absolutely' is credited to Lord Acton.

<sup>viii</sup> President Clinton has called Kagame 'the greatest leaders of our time', Blair has labeled him a 'visionary'.