

THE PEACE PROCESS IN BURUNDI:

Beyond Mediation

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Introduction

Burundi will complete its second election cycle this year. It is the first time in Burundi's history that an elected government lasts more than three months. In 1961, Prince Louis Rwagasore of the Union for National Progress (UPRONA) was elected on the 18th September and assassinated on the 13th October the same year. In 1993, Melchior Ndadaye of the Front for Democracy in Burundi (FRODEBU) was elected on the 1st of June 1993 and assassinated on the 21st of October. These two periods have become paradigmatic in the history of Burundi. Not only they led to unprecedented periods of instability and violence, but also, they epitomise the paradigmatic opposition of the power of the ballot to the power of the bullet. Burundi accessed independence on 1st July 1962. The newly independent state suffered instability from 1961 to 1966. This period was characterised by political pluralism as different groups from the "new" Western educated elite formed political parties and competed for power and votes within the context of a constitutional monarchy. This period has left scars in the Burundian political imagination. It shows some conflict between the mythical foundation of a traditional monarchy of divine right and an emerging Western type democratic model that aims at abolishing inborn privileges and instituting an electoral system. From 1966 to 1993 Burundi was under military dictatorships until the "democratic winds" of the 1990's pushed Burundi to experiment again with multi-party democracy. The democratic process of the 1990's led to the electoral victory of the Front for Democracy in Burundi (FRODEBU) on the 1st of June 1993. Unfortunately, history repeated itself and the leader of the FRODEBU and democratically elected President Melchior Ndadaye was assassinated on 21st October 1993.

The death of Ndadaye provoked unprecedented acts of violence and a civil war that lasted for 13 years. Moreover, it inaugurated a long period of transition where politicians and warring parties blamed each other, but also, with the support of the international community Burundians tried to find a lasting solution to the crisis that paralysed their country for almost half a century. The long negotiations between political parties culminated in the Arusha Peace Agreement that was signed on 28 August 2000. The Arusha Peace Agreement created a political and constitutional framework that aimed at ending the cycle of interethnic violence that has culminated in the 1965, 1972, 1988, and 1993 massacres/genocides. The argument in this paper is that although Burundi went through a successful mediation process, this process was not accompanied by a change in political culture to the extent that the peace process amounted to “changing actors without changing actions” and that a national dialogue that goes beyond sharing positions of power between politicians is necessary.

Strengths and Weaknesses of the Post-transition Constitutional Framework

The Arusha Peace Agreement inspired a post-transition constitution which stipulates modalities of power sharing taking into account three factors namely ethnic origin, political party affiliation and gender. The Arusha Peace Agreement aims at political, ethnic, regional and gender balance in post-transition institutions. For instance, the Post-transition constitution stipulates that an elected president has to appoint the Vice-President from a party and an ethnic group different from his. In all institutions, at least 30% of the office holders have to be women. Women have to be represented in the leadership of key democratic institutions such as the government, the parliament, the senate, and territorial administration. In fact, there is an increase in the number of female ministers, provincial governors, and communal administrators. From 2005 to 2010 two women have occupied the post of First Vice-President which is the highest after the presidency and they occupy the vice-presidencies of the Senate and the National Assembly (i.e. the

parliament). In terms of ethnic identity, a proportion of 60% Hutus (an ethnic majority estimated at 85% of the population according to statistics from the colonial administration) and 40% (an ethnic minority estimated at 14% of the population) has been agreed upon in Arusha. There are constitutional provisions to include a limited number of members of the Twa ethnic group who are estimated to be 1% of the population. The Twa (sometimes written and pronounced as *Batwa*) do not have to go through the electoral system. There is also a provision that gives to former presidents the status of senator for life. In the army the proportions would be in principle 50% Hutus and 50% Tutsis. That is why there is an upper limit of 51% for each group and some places are left for the cooptation of the Batwa especially in posts of high command and at entry level of the military academy ISCAM (*Institut Supérieur des Cadres Militaires*).

The post transitional constitution has at its merit the end of the civil war that lasted from 1993 to 2005. It has broken the taboo that surrounded ethnic identity. During military dictatorships, ethnic identity was negated as non-existent but in practice it remained an important factor in social mobility and a great source of conflict and violence. The post-transitional constitution has also pointed to the fact that despite its uniformity of culture and language, Burundi is indeed a pluralistic society with strong sentiments linked with ethnic and regional origin.¹ Furthermore, Burundi is also a society that is modernising itself. There is an emerging dynamic civil society, human rights groups, information and communication technologies and sensitivity to modern values such as gender equality. The post-transition constitution has been criticized on the ground that giving only 60% of the privileges to 85% of the population and 40% to 15% negates the fundamental principle of equality of citizens that is inherent to any modern democracy.² Moreover, the temporal scope of these proportions also can be called into question as they reflect a return

¹ I remember when I worked as a teacher in Bujumbura from 1996 to 1997, some school children who were born in clinics in Bujumbura would mention the „collines“ of origin of their parents as a way of affiliating themselves to the politico-military oligarchy of the Bururi province or the politico-financial lobbies from the Muramvya province given the fact that the two groups used to nick name Burundians from other provinces as those from the “third world.”

² Some calculations made by the Council of Patriots (CDP) party show that this pattern of power sharing would lead to a situation where 1Tutsi would be equivalent to 5 Hutus.

to the constitutional legality of 1993 as negotiated by the Union for National Progress (UPRONA) and the Front for Democracy in Burundi (FRODEBU). Moreover, their jurisdiction can be questioned as political parties that dominated the post-transition period such as the National Council for the Defence of Democracy – Forces for the Defence of Democracy (CNDD-FDD) and the Front for National Liberation (FNL) were not part of the Arusha process.

Although, so far, the Arusha mathematics, as constitutional dispositions, have been binding to all political sides and respected by the government, the management of ethnic identity remains ambiguous. On the one hand, ethnic identity is not part of the official identification of people. It cannot be mentioned on one's national identity documents for instance. Moreover, parties that are formed on ethnic grounds are banned by the Burundian law. This law created some tension when the last fighting rebel movement the Palipehutu-FNL (the Party for the Liberation of the Hutu People-Front for National Libération) which had to restrict its name to FNL as a way of conforming itself to the law. The ethnic reference in its name would have made it *de jure* illegal. However, although in the Burundian context no political party is ethnically homogenous some parties can be *de facto* identified as Hutu dominated or Tutsi dominated. This occurs because ethnic consciousness can be reflected in the parties composition, claims, and their “reading” of the history of the country. The post-transitional constitution has been also criticized as a step backward since it institutionalised ethnicity. Ethnicity has been considered by some as a retrograde and divisive aspect that would not be taken into account of in the management of a modern state. Some critiques stipulate that the institutionalisation of ethnic identity leads to the institutionalisation of discrimination. They suggest that Burundians should be considered only as equal citizens of Burundi regardless of their ethnic and regional origins. They suggest that like in the neighbouring Rwanda, reference to ethnic identity should simply be outlawed and severe punishment given to those who fuel divisive sentiments and discriminatory practices.

However, ethnic identity was actually outlawed in Burundi twenty years before it was outlawed in Rwanda. This amounted to moral hypocrisy. While the official discourse put forward the slogan “We are all Burundians,” there were networks of negative solidarity based on ethnic and regional origin. By the 1993 election the army was a 100% controlled by the Tutsi minority. While in an uninfluenced system, laws of random probability would give more presence and visibility to the majority, in Burundi, members of the Tutsi-minority still dominated the territorial administration, the civil service, the modern economy, and higher education. This phenomenon could not be explained by other factors than ethnic discrimination. Tutsi leaders have denied the allegations of discrimination to this day.

The post-transitional constitution also has been criticized as inefficient and expensive. It has created a plethoric executive with one president and two vice-presidents (which is very expensive in terms of maintenance and protocol). Moreover, the limitation of the power of the president such the requirement that his senior appointments be approved by the senate has led to long processes of selection, and sometimes to lack of coherence within the government team. Some appointed individuals maintained allegiance to their political identities of origin and some political parties claimed that they were in opposition while at the same time they had ministers in the cabinet. This led to a crisis of identity in within certain parties since the lack of coherence creates factions depending on their degree of support or opposition to the presidential party. There were also erroneous formulations such as the characterisation of National Council for the Defence of Democracy – Front for the Defence of Democracy (CNDD-FDD) as “the” ruling party, while there was a coalition of four parties depending on the results of the 2005 elections and three parties after 2010. This identity crisis was also manifested at the ambassador level as some ambassadors did not hesitate to denigrate the image of the systems that they were sensed to represent. National events such as independence day were celebrated selectively in embassies and the during the fatidic month of October where Burundi lost its independence hero (Prince Louis Rwagasore on 13th October 1961) and the hero of Democracy (Melchior Ndadaye on 21st October 1993) some

Burundian foreign missions chose to mourn one hero and not the other. In other contexts, some of them did not organize the presidential and legislative elections when their parties withdrew from the electoral race.

On another note, Burundi as a nation lost the services of honest and competent citizens as the later were forced by their parties of origin to resign following internal quarrels within parties without assessing their performance on the job. Instead of promoting constructive criticism and political responsibility, some political party leaders have tarnished the image of the political vocation by becoming ministerial posts brokers and not leaders with a vision and alternative solutions to those the government was providing. Most of the time, opposition politicians limited themselves to criticising the government without making any suggestion of alternative solution as if booting the CNDD-FDD out of power was going to provide a miracle solution to Burundian problems.

The post-transition constitution can also be criticized from the point of the view of its context of origin. Its aim was to put an end to an ethnic based civil war and to put in place stable institutions that would be suitable of peace and economic development. One may then ask whether the political and ethnic dosages that are stipulated in the post-transition constitution are necessary in a period of peace. Moreover, while the ethnic proportions of 60% to 40% were based on the 1993 elections, one may still ask whether they are still relevant when, meanwhile, two other elections have taken place in 2005 and 2010 and a third is about to take place in June 2015. The matter becomes more complicated since the exact demographic distribution of ethnic identity is not known. The currently stipulated figures of 85% and 14% and 1% are estimates that are more than 100 years old. Formalising ethnic identity is still problematic. For instance, the last census did not include ethnic identity as a factor in the process of people's identification. There were worries that indicating ethnic identity in official documents would amount to the creation of lists that can be used to carry on genocide as it is suspected that the killing of 1972 and 1993 were carried on following pre-established lists.

Moreover, the post-transition constitution put the paradigm of “power sharing” at the centre as if Burundians are nothing more than greedy brutes who are interested in power and the material and symbolic privileges it brings. No one mentioned other important aspects such as civic education that would promote values such as patriotism, service to the nation and abnegation at the service of a higher cause. This emphasis of “power sharing” put the politician at the receiving end and perverts the image of the political vocation, as if people join politics to have a share in the privileges linked with political power and public office. It contradicts the sacrifices and abnegation that leadership brings and put Burundians in the position of always “asking what their country can do for them without never asking themselves what they can do for their country” following Kennedy’s formulation. This search of power for its own sake was manifested by the ideological void that preceded the 2010 elections. Many political parties had been formed as retaliatory measures by individuals who had been expelled from other parties. Others parties resulted from scissions and internal quarrels within parties leading to a fragmented political landscape. Many other parties were created during the Arusha Peace Process. This process allowed easy political positioning as one could be appointed to the cabinet or in any other position of leadership on the sole ground that his or her party had chosen the person to represent it. Moreover, the *per diem* in Arusha, rated on international standards and the United Nations remuneration system were much more generous than any Burundian salary regardless of what profession one exercised or the position one held in the state system. Therefore, during the peace process from 1996 to 2003, politics has become a lucrative business for some, and a dangerous adventure for others. For instance, leaders of political parties become extremely influential because they are the ones who makes the lists of the delegates to the Arusha peace talks. As urban violence raged, some parties changed the leadership owing to the fact the founder-leaders who had fled the country for security reasons would easily be demoted on accusations of abandoning the militants to themselves and leading a luxurious life with their families in foreign countries.

As some parties did not hesitate to use urban violence as a way of stamping their influence on power sharing patterns, Burundi ended up with a situation where power was left to unruly individuals without

any mandate of the people. For instance, by 1996, parties that have together had less than 2% of the votes in 1993, had the power to appoint a prime minister and to obtain 12 ministerial posts in a cabinet of around twenty ministers! Moreover, the different transitional arrangements and the frequent changes of cabinets made power “accessible” and this demystified or rather devaluated the quality of leadership. With a plethora of former ministers who had on their credit nothing than belong to an influential (one may even say violent) party, almost all the Burundians with a certain level of formal education thought they can lead. It created in certain individuals a certain megalomania that led to contempt for elected officials, on the one hand, and the overestimation of their real abilities on the other. Moreover, some individuals who fuelled fiasco in their own political parties thought of themselves as alternative leaders although they lacked any source of legitimacy be it the political mandate of the electors or the moral authority emanating from their own integrity.

Moreover, although many Burundians seek political power at any cost, very few realize that power is a double edged sword. On the one hand, political power in Burundi brings a lot of economic and social privileges. One can overnight be allocated a fleet of luxury cars, paid accommodation, and many other allowances that in total contrast abnormally with the normal salaries of Burundian civil servants and private entrepreneurs. Furthermore, in addition to economic privileges political leaders enter networks of negative solidarity where they do each other favours according family, ethnic, regional, neighbourhood and acquaintance affinities. These relationships are different to maintain because the favour one gets from one’s position have to be reciprocated. Therefore, power is economically rewarding but also expensive. One has social obligations linked with the extended family but also with power come an increasing number of courtesans and friends of friends who expect contribution in cash or kind at major social events such as weddings and religious celebrations such as communion and baptism of children. Some individuals deliberately delegate functions that are traditionally devoid to their parents to prominent government officials from their region of origin. This is often done especially at weddings when the

parents of the bride or the groom are illiterate. The public office that one holds influences protocol both in public and private functions, and when one loses power it is difficult to reintegrate one's former profession because one's fast becomes used to luxury and changing one's social class implies other expenses such as getting credit from a bank to build one's own house, a privilege that is difficult to obtain with a normal civil servant's salary. Those who lose power find themselves in a situation where they cannot sustain the standing of life they have become used to with no additional financial backup. Those who go back to their former profession can suffer humiliation and mockery.³ Therefore, when one leaves power, the expectations and the risks are high. People expect him to keep the same social standing and the same network of relations but on his or her expenses because government allowances stop the day a new cabinet is appointed. Moreover, sometimes individuals or groups to whom one has refused favours while in office may take the moment of dismissal from office or end of the term as an opportunity to take revenge especially when they are the one who occupy the place left vacant. This creates a lot of temptation in terms of corruption, embezzling public funds, political and social patronage. One is emotionally bound to reciprocate the privileges that one gets and at the same time prepare for a good exit in case one is dismissed by hierarchical superiors or as one's term comes to an end. This can be done through maintaining a good financial backup (hence the temptation of holder of public office to get rich as fast as possible) or creating a big network of powerful friends who can assist in getting another job comparable in rank and privilege to the one a person has just left. Even people in power remain insecure. This professional insecurity is due to the fact that the Burundian leadership is in general young, and hence the competition for jobs is harsh, but even for those who reach retirement age there are no pension schemes to talk about.⁴ Ways of paving this insecurity are attested by attitudes such as the exorbitant end of term

³ This happened for instance to one university professor who became minister of energy and then the cabinet changed and he was seen waiting for public transport to go and give his lectures. The mockery was total because this person did not even have a car after passing by the cabinet. People expected that as a former minister who would have earned enough money to buy himself luxurious cars similar to the one the government allocated to the position of minister or simply stolen the money.

⁴ I have become across many people complaining about the number of years it takes to get retirement funds one has placed in the National Institute of Social Security (INSS) informally reputed as one of the most corrupt parastatal in Burundi.

benefits that the members of parliament gave themselves at the end of the last legislature including salaries for 3 months, diplomatic passports for themselves and their families, tax exoneration of imports of vehicles i.e. a desire to continue to enjoy state privileges even when one is no longer in office.

Possibilities and Risks of a “Consocial” Democracy in Burundi.

Losing power or failing to get it when one expected it comes a choc for many Burundians. During the municipal elections of 24th May 2010, the ruling National Council for Defence of Democracy-Forces for the Defence of Democracy (CNDD-FDD a former rebel movement and winner on the 2005 elections) came ahead with 64,5% of the votes. The second position was held by the Front for National Liberation (FNL) with 14% while the Union for National Progress (UPRONA) which ruled the country from 1961 to 1966 in a constitutional monarchy and from 1966 to 1993 in a one-party system came third with 6%. The Front for Democracy in Burundi (FRODEBU), winner of the 1993 elections and major partner of the UPRONA during the transition that spanned from 1993 to 2005 came fourth with 5.3% while other parties scored less than 5%, the minimum required for a party to get seat in parliament. Despite the fact that local and international observers have declared the municipal elections "free and fair" some parties rejected the results and even wanted the Independent National Election Commission (CENI) to resign. This was quite paradoxical because, (1) the protests started only when the results had been published; (2) to call for the Independent National Electoral Commission (CENI) to resign came as a surprise as the first electoral commission that the Président had nominated was rejected by the leaders of political parties during political consultations and it was paradoxical that after the results were published members of opposition parties were rejecting even their own CENI. (3) Members of twelve losing parties constituted an Alliance of Democrats for Change (ADC-Ikibiri) whose ideological trend is difficult to retrace given its diversity both in the background and claims. This alliance resorted to using informal means such as press conferences to express their grief and never attempted legal proceedings such as presenting any

evidence of the “massive fraud” it denounced to a court of law. (4) The members of the ADC-Ikibiri could not explain how the “massive fraud” occurred when they had representatives in most voting bureaux. However, they put forwards some elements such as a power cut that occurred when votes when votes being counted (the level of electricity supply in Burundi is so low that a power cut is not an usual event), some polling boxes were allegedly found in schools (most of the schools in Burundi were transformed into polling stations, so the polling boxes were stored there!) and some other parties claims that their representatives at polling stations were bought by members of the CNDD-FDD (this can raise questions about the leadership qualities of a political leader who cannot even secure the loyalty of representatives he or she placed at polling stations). Meanwhile, three opposition leaders have fled the country and the ADC-Ikibiri operates through sporadic communiqués and press conferences.

Although by the 24th of May 2010, 18 people had announced that they would contest the Presidential elections of 28 June 2010, the CENI had registered only 7 candidates as the deadline closed, but then the list was reduced to two candidates and later on President Pierre Nkurunziza has to run for the presidential elections *in solo*. The opposition parties gathered in the ADC-Ikibiri called for a boycott of the election. It is difficult to determine to what extent they have succeeded. Their figures of a 30% participation rate contrasts with reports from non-political local and international observers. The figure of 30% seems to be stereotyped since it was put forwards by observers of the presidential election at the Burundian embassy in Brussels, at the presidential and the legislative elections and the suburb (*colline*) election. This cannot be a random coincidence. In the international press, there are some quick generalisations linked with a general afro-pessimism. There is a trend to portray the Burundian system as dictatorial (‘*dérive dictatoriale*’) and the CNDD-FDD as a one party regime. This negative image is fuelled by some disgruntled Burundians with personal links in the international community. Either these Burundians reside in the diaspora or they work for international news agencies and NGOs. In other context they have personal relationship such as marriage and courtship with foreign journalists, NGOs workers or

professionals of international organizations. The promoters of this negative image reject in block the changes that took place in Burundi from 2005 and try to portray Burundi as a country that is going to the dogs. However, there are a lot of details and nuances that go unsaid. Sometimes, there is an amalgamation of the Burundian and Rwandese situations given the good audience that Rwanda has in some international circles and the vivid images of the Rwandese tragedy that people still have in their imagination.

In the Burundian context, the municipal elections of May 24th 2010 constituted a test for many parties. With internal dissensions within parties, the birth of new parties, repeated strikes by civil servants, a difficult economic conjuncture linked with Burundi's lack of precious natural resources, its position as a landlocked country which makes international trade difficult especially during these times of an international economic crisis, drought and famine linked mainly with climate change and the exiguity of the Burundian territory (27000 km²), its demography (8 million people), and an economy based essentially on subsistence agriculture (with 90% of the population in this sector), the lack of an entrepreneurial culture that makes the government the major employer of the educated population it was difficult to make prognostics. Urban populations who are integrated in the cash economy suffered most the consequences of the economic difficulties Burundi. An outright victory of the CNDD-FDD was made doubtful by rough criticism from the opposition, a strike by teachers only a few weeks for the elections, and international reports of human rights violations that were conveyed to the international media in a fanatical way by organisation such as Amnesty international and human rights Watch. Some of the reports were so hostile that the Burundian government decided to expel the representative of Human Rights Watch and two United Nations representatives.⁵ However, even opposition political parties did not push the debate deep in enough. Instead, they limited their programme to criticizing the CNDD-FDD and hence failed to emerged as the alternative voices that they claimed to be. Moreover, the choc was as big

⁵ There is a suspicion that leaders of opposition parties used informal means to influence Western diplomats such as dinners, social occasions even sometimes concubines...

as some individuals who had already created circles of friends and courtesans in anticipation of access to power were very disappointed. There are talks of women who had already been learning how to walk on the red carpet in anticipation of their husbands' access to power. Some politicians had established links with networks of business people who may be interested in using the Burundian territory to access the precious minerals in the Democratic Republic of Congo.

The failure of certain political party leaders to be elected in their constituencies of origin attested to an increasing gap between the interests of political leaders in the capital city and the "ordinary" people they claim to represent. This failure also was a harbinger to the fact that political leaders who failed to be elected in the municipal councils of their constituencies of origin would not have any hope to winning a seat in parliament and much less hope of winning the presidential election. This choc explains why the allegations of "massive fraud" came out when the results had been published instead of other elections where irregularities are denounced from the beginning of the process to its end. The meagre hope of winning the presidential election was coupled with the financial risk of losing fifteen millions Burundian Francs (BIF 15 M = US \$ 15 000) of caution, an amount that is equivalent to a yearly salary of a university professor in the best paying universities in Africa and that very few Burundians can earn easily. Very tactical, the Union for National Progress (UPRONA) had managed to save its US \$ 15000 by withdrawing from the presidential elections and yet asserted itself as the major opposition party by participating in the legislative elections while some for unclear reasons the Front for National Liberation (FNL) that had come ahead of the UPRONA in the municipal elections had withdrawn for the electoral process. The dichotomy between the interests of political leaders in Bujumbura, the capital city, and the people they are sensed to represented has been singled out by the Belgian journalist Colette Braeckmann and Burundian political scientist Dr Julien Nimubona as a major contributing factor to Pierre Nkurunziza' electoral victory. Although, the two "experts" seem not to have the CNDD-FDD at heart given their previous writings, they have pointed out that free primary education, free health care for children up to 5

years and freed childbirth in government hospitals for expecting mothers have greatly contributed to the sweeping victory of President Pierre Nkurunziza and his National Council for the Defense of Democracy – Front for the Defense of Democracy (CNDD-FDD).

Moreover, the personal attitude of Pierre Nkurunziza is iconoclastic. Every weekend, the president of Burundi participates in community development works that include construction of schools and health care centres and general cleaning in cities. This attitude is hailed by “ordinary” citizens because in Burundi as in other African countries I have visited the modernisation of an individual (through formal education) is always a process of estrangement. If successful, formal education leads to the adoption of urban life that brings the risk of developing contempt of rural life, rural people and manual work. Pierre Nkurunziza, in this context becomes a rare symbol as an intellectual who does not forget the rural folks. His behaviour contrasts with the cliché of the African/Burundian successful intellectual who develops contempt for rural folks including (sometimes) members of his/her family who remained in the village. Unlike other intellectuals who eat “good food” in the city and drive big vehicles in the tarred roads in the city, Pierre Nkurunziza fascinates peasants as the young president who works for them but more importantly with them. He puts his hands in mud to make bricks for schools, and unlike other presidents who kept a certain distance from the people even during official visits in the provinces, peasants are fascinated by that president (a big fish) who shakes their “dirty” hands and eats boiled beans with them after spending long hours with them on construction sites. For the urban youth, especially those from poor suburbs in Bujumbura, Pierre Nkurunziza does not inspire awe and fear with an ever closed face like authoritarian leaders. He is young and like the urban youth themselves he share their interests (like football) and can have fun by playing football with them or dancing in the church.

Therefore, the criteria of evaluation of the educated elite in Bujumbura, who focus on questions of governance, human rights, economic indicators and long term economic and social development are

different from those of rural folks and poor people in urban suburbs. The former suffer directly of international financial and energy crises given their integration in the cash economy and the fragility of Burundi at that level. They consider Pierre Nkurunziza and members of his party as competitors for “office” jobs given the fact the civil service is the main employment option for university graduates. The rural people perceive Pierre Nkurunziza as an intellectual who did not forget his roots. Moreover, his visits to homes of the poor and the marginalised in the margins of his official visits in the provinces creates an image of a compassionate president who has first-hand experience of the fact that in the 21st century there are still Burundians who cannot afford school fees, basic health care, and a decent habitat. Moreover, by participating to manual work he gives a strong signal as the “working-president” (*le president-travailleur*) and, for a big fish, not only a big fish but actually the biggest since he is the President himself Pierre Nkurunziza, through working with the peasants, he gives them a sense of restored dignity. This image of the “working-president” contrasts to certain assumed laziness of “sitting in an office.” (as sweating manual labourers may think). Pierre Nkurunziza’s attitude has the advantage of creating a “psychological contract” between the Burundian people and its leaders. It also creates a precedent for potential successors limiting the desire of adventurous and greed individuals to seek public office only for prestige and material comfort. The relationship between Pierre Nkurunziza and his system with rural and ordinary people is different from their educated urban counterparts. The latter prefer heads-on collusions and have sometimes to face the wrath of legal proceedings that they find repressive. Nkurunziza supporters charge that the fact that legal proceedings take place is a sign of the fact that freedom of expression and the rule of law have increased in Burundi since people are tried and not simply executed as it used to happen during military dictatorships. Pierre Nkurunziza critiques are of the view that his frequent visits in the field are costly and obscure the work of technical ministries.

The withdrawal of opposition parties from the last electoral race has demonstrated that few Burundian politicians understand or are ready to adopt the paradigm changes that the long transition period has

brought. For instance, the withdrawal of the Front for National Liberation (FNL), a party that had an honourable score of 15% in the municipal elections shows that despite the pattern of power sharing that written in the constitution, many political leaders still have a mentality of “the winner takes it all” that only works in a “first past the post” system. However, Burundi operates in a “proportional representation system.” For instance if the FNL had managed to keep a similar score during the legislative elections, that would have made the FNL the main opposition with the possibility of negotiating all the vice-presidencies (at the national level, in the senate and in the parliament for instance), a constitutional right to three ministerial posts and fifteen seats in the parliament. Moreover, the interdiction of local elects by leaders of political parties at national level to take parts in the post-election institutions raises the question of democracy within political parties. While democracy is supposed to be a bottom up process where people elect their representatives and ask for accounts, leaders of political parties sometimes coerce their members to follow decisions that are made in luxurious offices and homes in the capital city without proper consultative mechanisms that includes the view from the grassroots. Within the political parties themselves, sometimes dissenting voices are simply expelled while other parties find themselves with many wings. Moreover, although the CNDD-FDD can be credited for having taken the arms to heroically face the Tutsi-dominated army that had rejected a democratic alternative and constitutional legality by assassinating an elected president, Burundians still have to learn that military solutions are (and should be) last solutions. There is a need to strengthen constitutional and legal processes as a way of accessing and leaving power. There are currently rumours of a new rebel movement in formation and that attitude confirms my early hypothesis that from the early 1990, when urban violence established itself as an easy way of accessing political power, there has been a constant trend within unpopular political parties to use extra-legal means such as intimidation, acts of violence, although they accuse of government of using these methods.

As President Nkurunziza seeks a third term in office, some of the weaknesses of the Burundian system are coming in the open. Supporters of President Nkurunziza show a level of fanaticism that disregard

constitutional and legal processes. Moreover, despite President Nkurunziza populism and personal “charisma”, the expelling from the CNDD-FDD and from employment of all members of his party who opposed his seeking of a third term put into question his qualities as a leader and a democrat but also his level of integrity as a human being despite his overpublicized commitment to Pentecostal evangelism. It is paradoxical that someone who took arms to fight a dictatorship is turning into a dictator and using both guerrilla and dictatorial tactics despite dissenting voices from both within and outside his party and from influential voices such as the Roman Catholic Church, former presidents, international organisations and civil society. Pierre Nkurunziza paranoid reactions are accentuated by the fact that his mentor and then rival Rujabur Hussein has escaped from prison (he was sentenced to 13 years after being accused of attempting to overthrow the government) showing loopholes and disloyalty among security forces. The first official opposition to Nkurunziza’s third term came from an influential army general who was then chief of the secret service who in an intelligence brief pointed to the president that seeking a third term of office would result in violence. This brief was followed by a petition by Nkurunziza’s spokesperson and the spokesperson of the CNDD-FDD. All the people who have signed this petition country-wide have lost their jobs and expelled from the party. The constitutional court has endorsed President Nkurunziza’s third term candidacy but the announcement of his candidacy by his party was met by protests in the street in three districts while police patrols prevented demonstrators to reach Bujumbura’s Central Business District. The international community such as the European Union and the Belgian government have reacted by withdrawing their financial support to Burundi’s electoral process.

Conclusion

Although Burundi experienced a successful mediation process which brought together leaders like Nelson Mandela, Julius Nyerere, Bill Clinton, Thabo Mbeki, and Jacob Zuma, Burundi still has serious weaknesses especially in respecting constitutional and legal processes. The constitutionality of Pierre

Nkurunziza's third term is debatable despite its endorsement by the constitutional court. This shows a grip of the executive on the judiciary. Moreover, the Burundian political culture shows weaknesses in the quality of political leaders who seek office without seriously debating national issues or presenting programmes. Opposition parties seem to take the ousting of the CNDD-FDD from power as a goal in itself. Public office is considered a source of personal enrichment, and in a country where most senior government officials earn less than US \$ 1000, there is a huge suspicion that state funds are being embezzled given the level and standard of construction going on in Bujumbura and other cities with preference for multiple story buildings. International NGOs and civil society organisations (CSO) oppose openly police brutality, arbitrary detention and other social ills. The activities of CSO are perceived as part of a broadening democratic space and an increase in freedom of expression. Nkurunziza's supporters sometimes perceive CSO as dishonest people who misrepresent (dramatize) facts in order to access foreign funding even if that means tarnishing the image of their own country. International NGOs and CSO are also perceived as providing alternative employment to graduates especially members of the Tutsi-minority since they do not apply the Arusha quotas. For some of the Nkurunziza's support the harsh criticisms by NGOs and CSO are tribally motivated. Criticism from the international community is also sometimes perceived as part of an imperialist regional agenda led by the United States. The current US ambassador Samantha Power has been vocal against Nkurunziza's third term but given the fact that Samantha Power supported the creation of the most vocal opposition radio station, the Radio Public Africaine (RPA), Nkurunziza's circles blame an imperialist agenda which includes an international plot to oust him and put into power a leader from the Tutsi minority who would unconditionally support USA's imperialist interests in the Democratic Republic of Congo especially the illicit exploitation of precious mineral using Bujumbura as a harbour and a connection to the international community given the increasingly trashed of the USA unconditional ally, Paul Kagame of Rwanda. The streets protests in Nyakabiga, Musaga and Cibitoke suburbs (which are predominantly inhabited by Tutsis) are perceived in Nkurunziza's circles as a resurgence of youth street violence which brought the country to its knees from 1994 to 1996 and which led to the ethnic balkanisation of Bujumbura. The official discourse from

Nkurunziza's circles is that those protests are acts of insurrection that are punishable by the law. Another opinion simply consider them as irrelevant given the fact that they took place "only" in three districts when Burundi has 119 districts. Actually, Tutsi students have been protesting in front of the USA embassy in Bujumbura following rumours that Ambassador Samantha Power has promised to facilitate their asylum applications and resettlement to the USA.

A national debate should be open. This debate would not aim at politicians sharing power as it happened in Arusha. Some opposition leaders cannot claim to represent the people when they have even failed to get elected in the district councils of their constituencies of origin. Withdrawing from an election does not imply necessarily that one was going to win it. Moreover, so far, the "massive fraud" alleged by opposition parties has not yet been proved before a court of law. International observers are of the view that the irregularities observed were not of the nature that can change the results. The national debate would aim at gathering expert and national opinion of the following issues that are, in my view, urgent:

1. **Land and agriculture.** The exiguity of our territory has serious economic, social and security implications such as a low level of agricultural produce due to the overuse of soil, assassinations (sometimes in the same family) following land disputes, and environmental degradation. There is a need to put in place clear land policy and to modernise agricultural methods in order to achieve food security, social stability and sustainable environment protection.
2. **Education.** While the sweeping victory of the CNDD-FDD in the 2010 elections can largely be attributed to the policy of free primary education, free health care for children up to five (5) years, and free childbirth for expecting mothers, and the image of Pierre Nkurunziza as a "school-builder," our education system continues to train bureaucrats despite the fact that the civil service is no longer enough to accommodate all our educated population. There is a need to adapt our education system to our needs (by promoting technical and entrepreneurial skills) and preparing our graduates to face the challenges of globalisation and regional integration.

3. **Employment.** Linked to the question of education is the question of employment. Not only the civil service can no longer accommodate all our educated population but there is a need to create structures and institutions that accommodate our uneducated population. Substance agriculture is no longer a possible option for all uneducated Burundians given the fact that some of them lack both farming land and skills that would allow them to integrate themselves in the cash economy. There is a need to reform the civil service and establish clear criteria of performance management and career advancement, to align remuneration to qualification, experience and performance as a way of preventing waste of the already insufficient financial resources. Establishing clear rules and respecting them would prevent strikes, on the one hand, and promote a culture of excellence in the public service. In addition to the public service there is a need to promote the development of small and medium sized enterprises (SMEs) as a sector of activity that can accommodate Burundians who cannot find employment in the civil service. Small and Medium-Sized Enterprises would have a cultural impact of promoting market-oriented training and behaviour unlike the current situation where the majority of educated Burundians depend on state resources and are consumers of imported products and services.
4. **Mobilisation of local resources.** In addition to promoting the creation and the development of Small and Medium-Sized Enterprises (SMEs) there is a need of embarking on the recapitalisation of state-owned enterprises that have been registering losses during the time of conflict. Professional audits need to be done, instead of the current tendency to politicize the issue. Two extreme options have been either the closure or the total privatisation of the enterprises. However, there is a third way that would imply promoting partnerships between local economic actors and foreign investors giving preferential options to local capital. This strategy would promote the growth of local capital and employment creation and would attract foreign investors because of the shared risk. Burundians should also explore the possibility of creating new industries as a way of reducing our almost total dependence on foreign imports and facing the competition that will be brought inevitably by globalisation and regional integration.

5. **Justice.** There is an urgent need to look at distributive justice given the gap between the allowances of public office holders (currently called “*dignitaires*”) and the increasing poverty of Burundian households given the low earnings of civil servants and a hostile environment to private entrepreneurship. Moreover, legal justice should be given priority. There are reports of crowded prisons, court cases that have dragging for years and lack of personnel and equipment in the legal system. The process of professionalizing the law enforcement agents should continue.
6. **Infrastructure.** Although Pierre Nkurunziza has been hailed for his personal involvement in building schools, there is a need to modernise our transport and communication infrastructures as a way of integrating ourselves into the regional and international networks. These infrastructural developments should be coupled with works of sanitation, refuse collection at the household and city level, and promotion of decent accommodation and personal hygiene. Sustainable solutions should be found for the settlement of the landless and those who lost their homes during the period of hostilities.
7. **Reinforcing state authority.** There have been times in the 1990’s where urban violence and pressure from the streets have influenced state decisions even at the highest level of the state system. This extralegal way of putting pressure on elected officials through threats and intimidation was disguised into negative solidarity in the parliament as elected representatives of the people spent months politicking instead of voting laws. The state authority should be reinforced in a way that institutions and legal procedures control individuals and groups instead of the previous situation where some powerful individuals and groups could interfere with the functioning of the state system. Moreover, there should be systems of performance management to make sure that state agents through their work deserve the respect that public office has entrusted in them.