



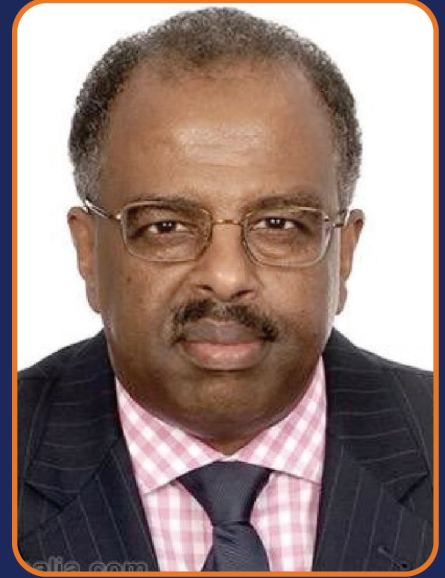
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**RETHINKING SOMALIA'S
PRESIDENTIAL TERM LIMIT:
THE 'SPECIAL CASE' FOR A
SINGLE-TERM LIMIT OF SIX
YEARS**

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Introduction

This policy brief aims to examine how a single presidential term limit of six years can aid in Somalia's political recovery and stabilization. It also discusses that reformist politics based on mutual respect and dialogue are crucial for the country's long-term recovery and prosperity. Rather than assisting the government in achieving its reform objectives, the disagreement over presidential power has wholly shattered the country's reform agenda and veered it near collapse lately. To begin with, due to the complexities of the recently concluded parliamentary elections, Somalia has attracted international

attention. Every election season is a source of consternation. It plunges the country into a state of political crisis, potentially reigniting conflict and violence. One factor contributing to this situation is the incumbent president's overstaying beyond his presidential term limit of four years. More expressively, political elites are constantly competing for presidential power, making no concessions in this regard. When, for example, violence erupted in Mogadishu on April 25, 2021, following the two-year extension of President Mohamed Abdullahi Farmaajo's term by parliament, which came after months of gridlock over holding elections, it served as a perfect illustration of how illegitimately exceeding Somalia's presidential term limit of four years during turbulent political times can undermine the country's peace, stability, and security (Aljazeera, 2021).

However, even though the parliament and the president revoked the extension offer following a clash between opposition and government forces in Mogadishu, we can still argue that the country has borne the brunt of the president's and parliament's power-hungry imprudence. An in-depth examination of the advantages associated with a single presidential term of six years will be provided in this brief, including policy recommendations. Regardless of how political and complex the process of changing or amending the provisional constitution appears to be, it is argued to be possible to accomplish. It says that the new Somalia parliament should undertake this noble initiative to maintain peace and stability. A single six-year term is sufficient time for the current president to put all of his ideas and campaign promises into effect. The fight for presidential power among elites has slowed Somalia's peaceful transition back to normalcy. And in this case, a political solution has finally been found, something that the country has been yearning for a long time. The current parliament should undertake this grand endeavor as soon as possible. The conclusions and policy recommendations in this brief were reached through documents and records analysis.

Arguments for the presidential one-term limit of six years

The following are some of the reasons why a presidential one-term limit of six years is essential:

For starters, the one-term limit will aid Somalia in its efforts to rebuild and strengthen its governance institutions and its economy. The country has a long history of not re-electing the current president to a second term. The basic argument is that a presidential term limit of six years is appropriate for Somalia because incumbents will not be re-elected for a second term and may come after a break. When they return, they will either carry out the policies put in place during their first term of presidency or introduce new guidelines, which will reverse the gains made during their first term of presidency. It is a complete and utter waste of money and public resources.

Also, in this case, a new president will implement his or her policies rather than those of the previous president whenever he or she assumes office. The six-year term will enable the incumbent the implementation of his development policies, which include the reconstruction of the economy and the provision of social amenities. The four-year term has stymied the country's development agenda and, in many cases, has served as a roadblock to the completion of government programs and a recipe for violence, conflict, and clan tensions. For many reasons, anecdotal evidence suggests that a four-year term will not be enough for the government to accomplish its goals.

Second, it prevents the president from becoming autocratic, thus avoiding the personalization of the presidency. The extended one-term limit will help a capable leader to carry out his policies diligently. If this does not happen, the president will attempt to amend the constitution to be president for life. In this case, many African leaders changed the constitution in order to maintain their power indefinitely, resulting in the stunted growth of their countries. President Yoweri Museveni of Uganda is a good example. In 2005, the president removed

the two-term limit from the country's constitution. More than ten African leaders have attempted to overturn their country's presidential term limits since the century (Sithole, 2017).

However, in 2017, the parliament reinstated presidential term limits. Nonetheless, Museveni, who has been in power for 35 years, is eligible to run for re-election. As a result, it is always preferable to have a system that limits the president's term and upholds democratic ideals. Many African despots have used the two-term limit to change constitutions, establishing themselves as sole rulers with no regard for democratic values such as human rights. As a result, we should adopt a six-year term to prevent such events from occurring in Somalia. This will be beneficial to both the country and future generations.

Third, the term mentioned above limit will aid in the peaceful transfer of power. In and of itself, that is an essential measure of democratic development. The country is well-known throughout Africa for its seamless power changes between presidents. Professor Abdi Ismail Samatar expressed similar views in an op-ed for a Daily Maverick, South Africa: "Somalia was not always the hellhole it has been since 1988. It started its post-colonial life as the most democratic country on the continent and remained so for the first decade. It led the continent in holding successive parliamentary and presidential elections, which earned the country the honor of being Africa's first democrats." (Samatar, 2022). However, President Farmaajo, in his attempt to maintain power, on the other hand, has damaged that magnificent political culture, as we have lately experienced.

Fourth, to curb the expenses of huge elections after every four years and electoral malpractices. The constitutional amendments would make politicians less focused on re-election and more concerned with governance. They would reduce the costs incurred by-elections (Onuah, 2011). Similarly, a single term would benefit Somalia by avoiding the distractions, manipulations, and divisiveness of re-election campaigns while allowing for a faster circulation or rotation of power among the various political groups (Metro, 2017).

Fifth, limiting the president to one term will address the issue of the president's supremacy. Simply put, the presidency's power is limited. This, on the other hand, will contribute to the expansion and development of other state-run enterprises. The glorification of the president must be consigned to history, and Somalis must embrace a liberal democratic ethos for the country's prosperity and growth.

Sixth, smooth power rotations among elites. The opposition parties or figures will have a chance to become the country's government. Many people, including young people, will be able to organize and mobilize to win the presidential elections. As a result, a capable leader who will catalyze the country's development will emerge. Furthermore, as demonstrated, authoritarian tendencies will not manifest themselves in this manner. Democratic ideals will flourish, while repressive ideologies will be crushed.

Arguments against the presidential one-term limit of six years

Although there are many strong arguments and support for the presidential one-term limit of six years, critics counter that arguing a single term will limit the accountability and transparency of the presidency (Moestrup, 2017). This is because the president will not face the electorate again. This could, they argue, be an incentive for single-term presidents to favor their interests over that of the public. Moreover, opponents of the single-term limit express concern that a single mandate provides a political leader with insufficient time to fully realize his or her leadership potential.

A president might be tempted to encourage the rise of a dominant political party to maintain its ability to influence politics after leaving office. Besides that, opponents argue that changing presidential term limits will open the door for subsequent presidents to tinker with term limit provisions in the same manner. They also pointed out that amending the constitution will be a time-consuming and expensive for the

incoming parliament and the government. And finally, some observers believe a one-term presidency is a "fantasy" in Africa (The Africa Report, 2011) and will limit a democratic choice (Wilmot, 2015).

The case for politics of reform and constitutional change (amendments)

So far, we have seen both arguments in favor of and against a one-term six-year presidential term limit. The issue of presidential term limits is an essential topic of discussion on the African continent. This is whether it is a one-term or two terms of eight or ten years. For example, due to the wave of democracy that swept across Africa in the 1990s, term limits have become standard. Following pressure from the United States and African democracy activists, most countries incorporated them into their constitutions (The Economist, 2017). Similarly, Wiebusch and Murray, 2019 argue, "a growing number of states have modified constitutionally determined presidential term limits..." And this case demonstrates Somalia, which is currently undergoing a comprehensive reform process in all sectors, particularly politics, should amend the constitution to support the one-term presidency. As a result, this brief makes its arguments through the lens of reform politics. Somalia's peace and stability are dependent on a stable political system, and the one-term presidential limit of six years will help to ensure that the country maintains that stability. According to this logic, the constitutional change or amendments are justified. In particular, article 91 of the Provisional Constitution needs to be revised or repealed. It states: "The President of the Federal Republic of Somalia shall hold office for a term of four (4) years, starting from the day, he takes the oath of the president of the Federal Republic of Somalia, in accordance with Article 96 of the Constitution." (Provisional Constitution, Federal Government of Somalia, 2012).

Generally, the transition from a two-term presidency to a single six-year term is a contentious and complex political issue that will engender a slew of challenges involving debates, negotiations, and trade-offs. Likewise, the constitutional amendments proposed by the parliament must be subjected to extensive deliberation by representatives of both the major political parties and the minor political parties before being adopted. At the same time, however, this brief suggests that freshly sworn legislators should change the provisional constitution to eliminate the current presidential two-term maximum of eight years and replace it with a single six-year term. It is a reasonable and realistic plan. According to many political observers, an unfinished constitution, constant political infighting between the president and prime minister, and regional government presidents are contributing to Somalia's current political impasse. In this context, a single six-year presidential term is the panacea to all problems.

Conclusion and Recommendations

Throughout this policy brief, we have evaluated the arguments in favor of and against a presidential term limit of six years. One criticism leveled at the single-term limit in its current form is divisive and politically and constitutionally challenging to implement. On the contrary, we believe that a single-term presidency in Somalia is feasible since it would be advantageous to the country's overall stability and cohesiveness and would also benefit its economic development. The practice of having a president serve just one term is an essential component of the democratic process in rebuilding Somalia.

As a result of this policy brief's key argument and recommendations in this regard, the current parliament should amend the constitution for the country to have a single term. The struggle between political elites over presidential term limits and the extension of presidential term limits will be consigned to the annals of history as a footnote. The single-term limit plays a stabilizing role by leveling the playing field in politics, and it will aid in the development of Democratic institutions. It is a highly effective antidote to many issues that contribute to political violence in Somalia.

These are the policy recommendations

This brief urges the Somali parliament, international partners, and civil society to mobilize and advocate for a six-year presidential term limit and a change to the provisional constitution. This is a critical step in restoring good governance and ensuring the country's smooth reconstruction.

The political leaders, starting with the president, prime minister, and regional states' presidents, must be willing to adhere to and uphold the country's constitutional amendments instituting a six-year presidential term limit once approved by parliament.

The presidential term limit enforcement should extend beyond entrenched constitutional provisions or amendments to empowered citizens and strong state institutions such as courts and electoral commissions.

The Somali people must reject the leader's justifications for illegally extending his mandates while ignoring the frameworks to protect the principles of good governance, human rights, and the rule of law.

The succeeding president should adopt the policies and programs of the previous president. This reduces the president's chances of remaining in power for an extended period of time. The new administration should prioritize the continuation and credit of previous government policies.

The retired president must be accorded the respect he deserves.

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