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## POLICY BRIEF N°5



**IS THE ENACTMENT OF A NEW CONSTITUTION BY  
PARLIAMENT A SOLUTION TO CHAD'S POLITICAL  
INSTABILITY?**

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**In this policy brief, the Global Emergency and Counterterrorism Institute provides some insights to the recent political developments, leadership and system of governance in Chad and proposes some suggestions that may help to bringing more stability in a country often subject to terrorist attacks and attempted coups. We hope that our insights will be useful to officials, policy and decision-makers, law enforcement agencies as well as civil societies.**

Members of parliament in Chad recently enacted a new constitution instituting a presidential regime in the country and allowing the president of the republic to be vested with more extensive powers. In addition, the post of prime minister has been removed. The enactment of a new constitution by parliament has strongly been criticised by the civil society and the opposition that boycotted the vote. The capital N'djamena was crowded by security forces to prevent people from demonstrating. It is within this atmosphere that in parliament, the new constitution was approved by a vote of 132 in favour, 2 against and no abstention. Civil societies, the opposition as well as the church previously required that a new constitution had to go through a referendum, but the government ignored this demand.

**THE ENACTMENT BY PARLIAMENT OF A NEW CONSTITUTION  
INSTITUTING A PRESIDENTIAL REGIME**



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The episcopal church observes that the adoption of the constitutional bill by parliament can seriously hamper the rules of democracy. Indeed, the enactment of a new constitution that is destined to change the rules of the game in a country is a crucial development, especially within Chad context where the ruling party has an overwhelming majority in parliament.

The adoption of the constitutional bill by parliament can seriously hamper the rules of democracy

The establishment of a new constitution should not have been a matter of executive decision only as in the current situation. It would have been reasonable to allow the citizens to express themselves on this important matter. The current president Idris Deby Itno came to power in 1990 following a coup d'état. Since then he has been re-elected four times in 1996, 2001, 2006 and 2011. The new constitution has extended the presidential term from 5 to 6 years renewable once. This constitution reintroduces a two-term limit removed in a referendum in 2005. This provides an opportunity for president Deby to stay in power until 2033



since the two-term limit (re)introduced is not applicable retroactively. The issue is to know whether these new developments will contribute to stabilise the political and security situations across the country.

## **A LONG HISTORY OF INSURGENCIES, TERROR ATTACKS AND ATTEMPTED COUPS**

Chad has a long history of insurgencies, terror attacks and coup attempts. With regards to attempted coups, the most recent can be traced back in February 2008 when rebels entered N'djamena, surrounded the presidential palace in a demonstration of force that aimed to forcefully remove president Deby from office. These rebels were headed by former senior officials of the Deby's government who have been dismissed. The issue of governance and leadership was at the basis of their arguments for overthrowing the president who, according to them provide too many privileges to the members of his clan, the Zaghawa to the detriment of the major portion of the population. The attempted coup resulted in hundreds of dead and injured, with thousands fleeing the country. A curfew was enforced, and a state of emergency declared allowing security forces to infringe upon public liberties, restrict the movement of people, various requisitions and house search. Some newspaper such as Abba Garde were prohibited, journalists and oppositions leaders were arrested. The



state of emergency that was declared on 7 February 2008 was lifted in March of the same year.

In 2015, the Deby's government said it has successfully derailed another attempted coup planned for three years since 2012; an attempted coup that was supposed to take place on 1 May 2015. There were no further details regarding this announcement, except that the culprits were under arrest and to face justice. Whether this information was genuine or not, it depicts the state of the malaise that prevails in the country.

Chad has been subject to the incursion of the extremist movement Boko Haram from the neighbouring countries

Concerning terror attacks, Chad has been subject to the incursion of the extremist movement Boko Haram from the neighbouring countries. Boko Haram which rose and developed in Nigeria has crossed into Cameroon, Chad, Niger and has been the key element of insecurity, spreading death, organising suicide attacks, kidnappings and recruiting militants and theft of livestock. The consequences for peace, human security, socio-economic and political life of region are appalling. Despite the



establishment of the Multinational Joint Task Force (MNJTF) combining military units from Cameroon, Benin, Chad, Niger and Nigeria to counter Boko Haram, the struggle against terrorism is yet to be won.

## RECOMMENDATIONS

The quest for a sustainable peace and security must be coupled with democratic rules, responsible leadership and good governance

The quest for a sustainable peace and security must be coupled with democratic rules, responsible leadership and good governance. It is counter-productive in this era to bypass the people and allow for a new constitution, supreme law of the state to be enacted by a political party who hold an overwhelming majority in the national assembly. If democracy can sometimes be perceived as the dictatorship of the majority, it must nonetheless consider the aspirations of the minority; otherwise it will no longer be a democracy.

There is an urgent need for a genuine dialogue and political reconciliations between the different stakeholders. Civil societies, the church, opposition leaders and the government must work collaboratively to bring tensions to



an end and reach a common compromise about the supreme law of the state.

Authorities in Chad should consider that people and not the government need more powers to engage with various challenges. A constitution enacted without people's will and participation may not have the expected legitimacy but could be subject to ceaseless contestations, source of more insecurities and damages at the political, cultural and socio-economic levels.



**About the author:**

Gerard Emmanuel Kamdem Kamga was trained in law and political science, human rights, critical theory, security and gender analysis. Holding a doctoral degree in laws with focus on emergency regimes from the University of Pretoria, he has over the years, developed a sound expertise in emergency and security issues. Gerard is the Executive Director of the Global Emergency and Counterterrorism Institute.