

SAIIA OCCASIONAL PAPERS SERIES

Analysing key policy and governance issues
in Africa and beyond



LESSONS IN EFFECTIVE CITIZEN ACTIVISM: THE ANTI-THIRD TERM CAMPAIGN IN ZAMBIA

Chomba Chella and Simon Kabanda

Number 6, July 2008

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Abstract

In 2001, Zambian President Frederick Chiluba tried to change the country's Constitution to allow him to run for a third term. Chiluba and his supporters used several tactics to drum up public support for the move. For example, an Office of District Administrators was established and staffed with party cadres who were sent out into the districts to make sure no one opposed a third term, even if violence was required to change the minds of opponents. Traditional leaders were lobbied, often gulled into believing they were signing up for an increase in subsidies.

It didn't work. Activists from a range of civil society groups – among them lawyers, religious leaders, women's organisations, youth groups, human rights activists and trade unionists – were joined by individual members of parliament who opposed changing the Constitution to form an umbrella body, the Oasis Forum. Groups mobilised their own constituencies – clerics organised prayer meetings; MPs lobbied colleagues and wrote articles for the independent press; lawyers and others staged debates and discussions. Popular campaigns were aimed at ordinary citizens, who wore green ribbons to show their disapproval of a change in the Constitution, or blew whistles or honked hooters at specified times.

This demonstration of people power was effective. Only weeks after the campaign began, Chiluba announced he would not pursue a third term.

Chomba Chella is executive director of the Zambia Centre for Inter-Party Dialogue; and Simon Kabanda is executive secretary of the Citizens Forum. Chella formerly worked for the Oasis Forum, and Kabanda was one of the activists involved in the campaign against a third term for the president. As field animator with Women for Change, a local NGO, he travelled around the country mobilising and organising campaign activities in 2000 and 2001. An early draft of this paper was presented at the 'APRM and Reform' Workshop held by the South African Institute of International Affairs (SAIIA), at the Birchwood Hotel, Johannesburg, 20-22 November 2007.

The Zambian constitutional struggle

Zambia became a multi-party democracy at independence in 1964. The first generation of its political leaders, under President Kenneth Kaunda, proposed one-party rule as a way of eliminating political conflicts, so they said, to build a united political order. On 25 February 1972, Kaunda announced that Cabinet had decided that Zambia should become a one-party state. A commission of inquiry headed by then-Vice President Mainza Chona (the Chona Commission) was appointed on 30 March 1972 to receive evidence on the form of one-party state Zambia should adopt. The commission was not allowed to consider arguments against the proposition.

The imposition of the one-party state and the challenges arising from it formed the basis for democratic struggle until 1991, when Chiluba and the Movement for Multi-Party Democracy (MMD) successfully ousted Kaunda.

During the 1991 election campaign, the MMD promised to rewrite the Constitution to strengthen civil liberties and ensure the separation of party and state. In power, the MMD government was initially reluctant to embark on this exercise but finally relented after local and international pressure.

In November 1993, the Mwanakatwe Constitution Review Commission (CRC) was appointed. In June 1995 it made far-reaching recommendations, including the adoption of the new Constitution through a constituent assembly. However, the Chiluba administration rejected more than 70% of the recommendations, including the mode of adoption. By and large, the amendments that were made in 1996 were considered to lack popular legitimacy, as they ignored most of the submissions made by the people.

Furthermore, they introduced contentious clauses, one of which was to bar chiefs from politics. The clause – ‘A person shall not, while remaining a Chief, join or participate in politics’ – remains contentious to this day.¹

Another 1996 provision was the controversial ‘parentage clause’. It stipulated that the parents of presidential candidates had to be Zambians by birth or descent. This disqualified Kaunda, who had made a comeback to active politics after his 1991 defeat. His parents were Malawians. The clause caused Kaunda’s United National Independence Party (UNIP), the largest opposition party, to boycott the 1996 polls.

Under the 1991 Constitution, a winning presidential candidate had to garner more than 50% of the votes cast. The 1996 amendments allowed for a president to be elected with a simple majority – that is, more votes than the next most popular candidate. This was contentious as it could result in a president who didn’t command the support of most of the electorate. On the other hand, the 1996 Constitution limited a president’s tenure to two five-year terms, a restraint approved by most Zambians to ensure that political leaders were accountable to the electorate and would not stay in power for too long. But the establishment tried to push through constitutional amendments providing for a third term, which would have made Chiluba eligible to stand in 2001.

Roots of the third term campaign

Chiluba’s manoeuvres towards a third term were cunningly planned. At a press conference on 1 December 1999, he announced the creation of the Office of District Administrators (DAs), and explained what these government functionaries would do. According to *The Times of Zambia*:²

District Administrators ... will manage government affairs at district level ... different ministries, government departments and semi-autonomous bodies were currently working too separately. [Chiluba] said ... that DAs had to be brought in to harmonise operations. The DAs will ... supervise all government departments, work on the political and social mobilisation of the people, look at chiefs’ affairs and know what is happening for democracy to thrive ... They would be in charge of law and order by ensuring that there was harmony between law enforcement agencies and civil society.

This unexpected move seemed like a re-introduction of the Office of District Governor (DG) that existed during the one-party era. DGs were party cadres, and a key task was to ensure the party was strong at district level. When the MMD came to power in 1991 it abolished the office on the grounds that it was partisan, not professional. Many wondered why the MMD was now appointing party cadres, thus embracing the very lack of professionalism in the civil service that it had denounced eight years earlier.

At the same press conference, Chiluba declared that he was not going to run for a third term:³

'I made the decision not to stand on my own without any pressure from anybody. I believe there can be no claim of success without a successor,' the president said. He said there was nothing wrong with people saying he should go for another term [of] office but criticised those advising him not to stand after he had made clear his intentions on several occasions. He said he was a democrat and would not turn himself into an anarchist by going against his well-intended decision to give [a] chance to others with new ideas.

This was a strange announcement considering the Constitution was very clear on the two-term limit. However, his motives became clear when the DAs began to champion constitutional change to allow Chiluba a third term.

What initially seemed a civilised national debate became characterised by violence and insults. Those identified as being against a third term risked being beaten. DAs were in the forefront in mobilising MMD cadres to 'deal with' or 'sort out' dissenters. Their behaviour was a concern to many Zambians, including government ministers, who were being victimised. In Parliament in March 2001, the vice-president criticised the militancy of the DAs. It was reported in the media as follows:⁴

Vice-President Christon Tembo yesterday took a swipe at some district administrators, describing their behaviour as contrary to the purpose of their office. [He] singled out Kitwe District Administrator (DA) Joshua Mutisa who recently punched Agriculture Minister Suresh Desai in Monze, Mumbwa DA for attacking the clergy and Lusaka DA Stephen Bwalya for declaring Lusaka a no-go area for some ministers opposed to President Frederick Chiluba's third term.

In 2001 a clique of DAs and some MMD cadres began to call themselves the 'Ku Klux Klan' advocating violence in dealing with anti-third term campaigners and sympathisers. This prompted the Law Association of Zambia (LAZ) and some trade unions to take the case to court in May. It was reported as follows:⁵

The Law Association of Zambia (LAZ), Zambia Congress of Trade Unions (ZCTU) and the Civil Servants Union of Zambia (CSUZ) have been granted leave to apply for a court order directing district administrators (DAs) not to participate in politics ... LAZ, ZCTU and CSUZ have sued the attorney general on account of the actions of the DAs who as civil servants have continued to engage themselves in politics ... They also claim that provincial permanent secretaries have failed and/or neglected to report to the police the said DAs who are officers under their charge when they committed an offence ... DAs are obliged to dedicate their time exclusively to the service of the government and are not at liberty to employ their time in canvassing political or partisan interests...

Contrary to these facts some DAs are active ranking officials in the MMD party and are not devoting the whole of their working time to public service ... DAs had actively been involved in the canvassing for a third term for the incumbent republican president, participated in the MMD provincial party conferences and repeatedly issued political statements through the electronic and print media. In one statement appearing in the 7 April 2001 edition of *The Post* newspaper, nine DAs threatened violence and uttered racial slurs. 'From now on we shall work like the Ku Klux Klan (KKK) and work to flush out those that are found wanting in order to cleanse our society of such miscreants,' read the statement in part. The DAs were reacting to anti-third term sentiments expressed by Lusaka Central Independent Member of Parliament Dipak Patel.

It was abundantly clear that the campaign for a third term was being driven by a force, presumably within the MMD, intent on mobilising party cadres to endorse the necessary constitutional change. As a result, MMD provincial conventions in four of Zambia's nine provinces endorsed Chiluba's third-term attempt. The party conventions were not without incident, as cadres roughed up dissenters, including government ministers. Below is a press account of events in the Western Province:⁶

Commenting on the just-ended Western Province MMD conference where all opposed to President Frederick Chiluba's third term bid were barred from participating, Harrington [a government minister] said preservation of the Constitution would help maintain President Chiluba's integrity. ... The conference was characterised by intimidation and insults from Lusaka and Copperbelt-based MMD unruly cadres.

At Namushakende, the conference venue, some district administrators (DAs) were allegedly brandishing their pistols while the other cadres moved freely with their knives and pangas in full view of the police officers. According to police sources at the venue, four MMD youths were arrested but Home Affairs Minister Peter Machungwa ordered their release.

There were other instances of MMD cadres, mostly organised by DAs, harassing anti-third term supporters. One particularly aggressive grassroots cadre was promoted by the party to a position in which she communicated directly with the president:⁷

Ruling MMD National Secretary Michael Sata has appointed Lusaka District Organiser Esther Nakawala as chief provincial coordinator for Lusaka Province ... Nakawala last month led a group of unruly Lusaka-based MMD youths and stormed Works and Supply Deputy Minister Yusuf Badat's office, demanding to know which side of the current third term debate he was [on]. She later denounced Labour Minister Edith Nawakwi's decision to oppose President Frederick Chiluba's third term bid. Nakawala also showered Agriculture Minister Suresh Desai with racist remarks at Lusaka International Airport. She told Desai to go back to India.

In Chingola, in the Copperbelt Province, a Catholic priest escaped being lynched. The bitterness of a parishioner is evident:⁸

Of late it is disheartening and repulsive to see Christians, soldiers and a lot of cherished Zambians who make up the cream of intellectuals in the southern region to be driven into these turbid, bravy and bosh [sic] cries over the third term issue by a gang of illiterates and non God-fearing tail wagers (district administrators) ... Guns too are being dished out to the MMD party whelps – cadres, like condoms. Brutality and animosity are common amongst DAs like Mutisa of Kitwe with his animal behaviour and the former army Corporal Cosmas Mpampi of Chingola who, a fortnight ago, hired a fleet of buses full of MMD thugs to go and lynch the holy Catholic priest at some parish for condemning these bravy [sic] cries (the vile Chiluba's third term of office) during the last Palm Sunday's sermon. As a result, nowadays the priest cannot even celebrate the holy Mass in the memory of our Lord Jesus Christ for fear of being killed (the police are fully aware of these happenings but they too fear to intervene).

The DA office received substantial funding to carry out the third-term propaganda campaign, allegedly from State House. While Chiluba himself was conspicuously silent, it was evident that he had given tacit approval to the campaign. Various 'rented groups', little-known non-governmental organisations (NGOs) and churches, suddenly sprang up in support of a third term. They said it was to allow the president to continue his development programmes. They were paid for this support. Among them was an umbrella body of small Pentecostal churches called the Independent Churches of Zambia (ICOZ).

Another was the National Organisation for Civic Education (NOCE). At a March 2001 press conference, it proposed an opinion poll with a predetermined outcome:⁹

The General Assembly of NOCE takes full cognisance of the fact that Zambia is a constitutional democracy and the importance of having a constitution that is democratic and which reflects the will of the people ... We would like to agree in principle with all those that argue that there is need to protect national constitutions from manipulation, but unfortunately, we the members of NOCE would like to state that we have found it extremely difficult to defend the current republican Constitution ... There is need to correct all the flaws in the republican Constitution as stated in the Green Paper drawn [up] by civil society in 1996 and other pressing issues in need of attention, primary among them being the proposal for the republican president to run for more than two terms of office and the citizenship clause.

The Office of the President came up with a stratagem to influence public opinion. Among its targets were traditional leaders:¹⁰

An Office of the President scheme to drag chiefs into President Frederick Chiluba's third term campaign has been exposed. According to intelligence sources, under the scheme press statements bearing 'forged' chiefs' signatures and in support of President Chiluba's third term would be issued through government-owned newspapers.

Signatures of some traditional leaders were obtained under false pretences.¹¹ In January 2001, a civil servant in the Copperbelt Province took advantage of a traditional leaders' workshop to attempt to get signatures (in the night) in support of a third term.¹² A minister of the Central Province invited traditional leaders attending a workshop for dinner. There was no dinner, but while they were having drinks one delegate was persuaded to read a statement to government media supporting a third term and purporting to come from all of them.¹³

Fortunately, not all chiefs were passive. Western Province traditional leaders allegedly refused to be paraded at the airport when Chiluba went there:¹⁴

Sources within [the] Barotse Royal Establishment disclosed that all the senior chiefs in the province were rounded up by the DAs with intention of parading them to welcome President Chiluba at Mongu airport. According to sources, the DAs acted on orders from State House so that the local chiefs could be drawn into discussing President Chiluba's third term bid. The chiefs allegedly refused to be paraded at Mongu airport and accepted to meet him at Lealui [their traditional headquarters].

Southern Province traditional leaders were also opposed to the third term:¹⁵

The Tonga Traditional Association (TTA) has declared Southern Province a no-go area for MMD members of Parliament and party cadres that support President Frederick Chiluba's third-term bid.

Attempts were made to arrange a meeting of all traditional leaders in the province with Chiluba, so that they could change their stance.¹⁶

Opposing the third term: The broad strategy

When it became clear that Chiluba (through his supporters) was determined to amend the Constitution to allow a third term, and was using the Office of District Administrators to champion the cause, some MPs, churches and civil society institutions began to speak out. During the November 2000 session of parliament, MPs refused to adopt a committee report that seemed to suggest that Chiluba's two-term limit in office should be counted from 1996, when the Constitution was amended.¹⁷

Speaker of Parliament Amusaa Mwanamwambwa yesterday curtailed debate on President Frederick Chiluba's third term of office and advised Members of Parliament that the issue had already been clarified in the last sitting of the House. ... Kapiri Mposhi Independent Member of Parliament MacDonald Nkabika ... observed that the MMD was floating the idea that the two terms for President Chiluba was effective in 1996.

On 23 January 2001, leaders from three church mother bodies met and issued a short but powerful statement opposing a third term, and calling on Chiluba to make his stand on the issue known:¹⁸

Three of the nation's church mother bodies have said they can't advise President Chiluba over the third term issue because his promises can't be trusted and, as a result, it would be an exercise in futility. The Zambia Episcopal Conference (ZEC), the Christian Council of Zambia (CCZ) and the Evangelical Fellowship of Zambia (EFZ) at a press conference addressed by ZEC Secretary General Father Ignatius Mwebe yesterday said they could not think of visiting President Chiluba over this national matter as past experiences have proved that promises for national good and harmony die a natural death ... 'He can promise that something will be done and you leave happily but action will not be forthcoming,' he said. Fr Mwebe said the church was totally opposed to calls for a third term and urged President Chiluba to halt such campaigns if his earlier statements that he would not seek a third term were to be believed.

As the debate gained momentum, the Law Association of Zambia issued a statement on 6 February 2001:¹⁹

... LAZ has stated that the third term issue should be fully discussed by everyone, especially the people who fully understand the implications of tampering with the Constitution.

Meanwhile, a number of CSOs, opposition political parties, individuals and MMD members opposed to amending the Constitution were also raising their voices. In January 2001 an opposition MP stated that it would 'be total indiscipline for President Frederick Chiluba to contest a third term'.²⁰ The UNIP secretary-general urged party cadres to 'be ready to sacrifice blood' over the third term.²¹ The opposition United Party for National Development (UPND) wrote an open letter to the president imploring him not to stand. The letter appeared as a paid advertisement in the print media.²² The opposition Republican Party 'called on the government to explain why [the] Eastern Province permanent secretary, a civil servant, openly supported Frederick Chiluba's third term bid'.²³

The National Youth Alliance (NYA) also condemned Chiluba's manoeuvres. Students from the two major Zambian universities staged demonstrations.

In the midst of all this opposition, Chiluba announced on 11 February 2001 that he would stand for a third term if there was a majority in favour of it.²⁴ This announcement intensified the 'for' and 'against' campaigns. A few days later, the minister of legal affairs issued a statement opposing constitutional amendments.²⁵

Individual MPs were also opposed. The most outspoken was Lusaka Central Independent MP Dipak Patel. He bought space in newspapers for his statements, previous quotes from Chiluba and cartoons. He made a passionate appeal:²⁶

I wish to add my voice to the current orchestrated hysteria concerning the remote possibility of changing the republican Constitution to allow the president to stand for a 'third term' of office. This issue is a non-starter. Zambia is now a modern, democratic nation, not a banana republic. Such thinking is exactly what made people vote against UNIP [that ruled from 1964-1991]. Getting away from such servile flattery gave MMD its landslide victory in 1991. My friend, the president, Mr FJT Chiluba, knows that this is true ... The idea of the 'third term' is one whose time has gone. The hour has past, and must not come back. I appeal to all Zambians to remember that we left this behind 10 years ago. Those who do not remember the mistakes of the past are condemned to repeat them.

Dissenting MMD MPs and ministers also bought newspaper space for their messages.

In 1995, when a government White Paper rejected the Mwanakatwe CRC recommendation for a constituent assembly, members of the Catholic Commission for Justice and Peace (CCJP), Zambia Civic Education Association (ZCEA), Women for Change (WfC), the NGO Coordinating Committee (NGOCC) and others came together to call for such an assembly. In many instances, their actions brought confrontation with government, and led to arrests and detentions in police cells.

The struggle for a new Constitution and a constituent assembly forged relationships between individual activists. It was these same people and organisations who, in 2000/2001, were at the forefront of opposition to a third term for Chiluba. They could see that the cause had not changed, and began to strategise together. Notable individuals involved were Fr Joe Komakoma (CCJP), Emily Sikazwe (WfC) and Grace Kanyanga (NGOCC).²⁷

The Law Association of Zambia, a statutory body of legal practitioners, had also initiated discussions on the third term. They joined forces with civil society groups to maximise impact. Individuals from LAZ who were initially involved were Mundia Sikatana, Christopher Mundia and George Kunda. Dipak Patel, the independent MP opposing a third term, was part of the group. Leaders of the three church mother bodies had also come out strongly in opposition to a third term. Its leaders – Rev Sampa Bredt (CCZ), Fr Ignatius Mwebe (ZEC) and Bishop Paul Mususu (EFZ) – were co-opted.²⁸

This group developed a broad strategy to defend the Constitution, and this became a simple rallying call for a diverse range of participants. The strategy was designed to prevent a repeat of 1996, when government tampered at will with the Constitution to suit its political agenda. In a notice in the press, LAZ defended its active participation as being 'pursuant to Section 4(b) of the Law Association of Zambia Act Chapter 31 of the Laws of Zambia, which exhorts lawyers to participate fully and effectively in the development of society and its institutions'.²⁹

This resistance movement culminated in a public meeting on 21 February 2001 at the Oasis Restaurant in Lusaka, and gave the group its name: the Oasis Forum. Participants included traditional leaders, MPs, senior citizens, church leaders, political activists, civil society militants, human rights activists, students, trade unionists, and members of the public from various walks of life.

Roles were clearly defined. The LAZ was the legal mind applied to amending the Constitution; the church mother bodies gave the campaign moral authority. The CCJP and the NGOCC mobilised grassroots participation; the WfC mobilised traditional leaders;³⁰ Patel mobilised MPs and ministers.

Stakeholder took care of their own costs, including advertisements, paying for venues and providing refreshments.

The public meeting gave momentum to the anti-third term campaign. Newspapers (especially the independent *The Post*) had a field day (see box). The headlines reflect the impact created when respected figures from all walks of life speak out strongly:

Hands off our Constitution!

Newspaper headlines from The Post on 22 February 2001, the day after the Oasis Forum's first public anti-third term meeting, captured the mood:

- 'KUYA BEBELE, ZAMBIANS TELL CHILUBA' (main headline in The Post)³¹
- 'Mwanakatwe sheds tears over Chiluba's trickery' (John Mwanakatwe was the chairman of the last Constitution Review Commission of 1993-1995)
- 'Dipak calls for secret voting in Parliament' (Dipak Patel, Lusaka Central Independent MP)
- '3rd term debate ill-founded, says Archbishop Mazombwe' (Archbishop Mazombwe, chairman of the Zambia Episcopal Conference, a policy body of the Catholic Bishops in Zambia)
- 'Don't amend Constitution, LAZ appeals to MMD MPs'
- 'Chiluba will never be president again' (said by Prof Hansungule, a Zambian law lecturer based in Sweden)
- 'Government risks losing HIPC status over third term' (said by Fr Pete Henriot, Director of the Jesuit Centre for Theological Reflections)
- 'UNZASU warns Chiluba over third term' (said by Alex Simumba, the secretary general of the University of Zambia Students Union)
- 'Aka urges Zambians to resist changes to the Constitution' (said by Akashambatwa Mbikusita Lewanika, president of the opposition party Agenda for Zambia)
- 'Chief Nalubamba urges LAZ, ZEC, NGOCC to fight Chiluba's third term' (a traditional leader from the Southern Province)

The Oasis Forum was required to provide leadership and galvanise the country. As an alliance of five bodies it had no secretariat, but chose the NGOCC secretariat as a meeting place for strategising. Resources to mobilise people throughout the country came from alliance members.

Within two months of its launch (March and April 2001), the Oasis Forum was reaching out countrywide and holding public debates on the third term. It became clear that most Zambians were opposed to amending the Constitution to allow Chiluba another term. Impetus increased when 59 MPs, including Cabinet ministers and other political heavyweights, signed 'The Cathedral Declaration' at a prayer meeting at the Cathedral of the Holy Cross on 11 April 2001. (see box below).

The Cathedral Declaration

We, the undersigned Members of Parliament, categorically state that we are opposed to any attempts to confer a third term of office on the President, Dr FJT Chiluba, however contrived. We will use the mandate given to us by the people to do all things possible within the law to ensure that the Constitution of Zambia is upheld for the benefit of the future generations.

The Cathedral Declaration, with the signatures, was published in *The Post* on 12 April 2001. Notable signatories:

1. Leader of the House and republican Vice-President, Christon Tembo;
2. Chairman of the Parliamentary Committees, Frederick Hapunda;
3. Minister of Environment, Samuel Miyanda;
4. Minister of Education, Godfrey Miyanda;
5. Mines Minister, Syamukayumbu Syamujaye;
6. Information Deputy Minister, Fidelis Mando;
7. Commerce Deputy Minister, Jazzman Chikwakwa;
8. Finance Deputy Minister, Newton Ng'uni;
9. Environment Deputy Minister, Gibson Nkausu;
10. Local Government Deputy Minister, Dominic Musonda; and
11. Education Deputy Minister, Bertam Mmembe.³²

The declaration dealt a serious blow to the chances of amending the Constitution. Parliament at the time had 150 elected and eight nominated members. Constitutional amendments required 106 votes. If the 59 held firm, there were more than enough votes to block change.

Single message, multiple methods

The message was simple: Our Constitution is sacrosanct, and should not be amended for expediency's sake. Varied methods were used to disseminate this simple message. Civil society adopted broad-based strategies aimed at creating awareness of Chiluba's intentions and the implications for democracy in Zambia. Ordinary Zambians were given the opportunity to show their defiance in practical ways. Much of the success of the campaign came from the tactics: using independent and private media; wearing green ribbons; honking hooters and blowing whistles; providing platforms for public dialogue and debate; arranging meetings to lobby MPs and Cabinet ministers; devising alternative strategies such as church meetings. These are explained below.

Packaging the message: It was easy to transmit the message as it was a one-issue campaign and could be simplified for diverse audiences. The message was packaged so that people linked rising poverty and unemployment with MMD policies. Therefore success for the third-term campaign would mean more suffering for the people.

Utilising independent media: This was the sort of story that sells newspapers. Space was provided for civil society and political activists/politicians to propagate their messages on the folly of a third term. Individuals like Patel bought space to propagate their message. Groups of opposing politicians sprung up, included 'NEC Members Opposed to the Third Term' and 'Anti-Third Term MMD Members'. These groups bought space, with messages like: 'Don't make Chiluba president for life, defend the hour'.³³ The media themselves joined in, providing coverage of events and activities against the third term (see box above). Journalists travelled with the Oasis Forum on outreach trips. Readers' letters and columnists kept the flame burning.

Wearing green ribbons: An advocacy campaign was hatched. Those opposed to a third term wore a green ribbon at work and elsewhere. Some wore 'anti' T-shirts, caps and chitenge (wraps worn by women from waist to feet). All

this was a form of civil disobedience and was meant to be a 'show of numbers' from the Zambian people. Precise estimates are difficult to make, but the use of protest apparel was widespread.

Honking hooters, blowing whistles: Another form of civil disobedience. The Oasis Forum advocated that every Friday at 5pm, all motorists should blow their car hooters and pedestrians their whistles. It was an audible and visible symbol of public outrage which occurred weekly from early March to early May 2001, when Chiluba gave up the fight.

Providing public platforms: The public was engaged through comprehensive public discussions and debates, which led to public rallies and peaceful demonstrations. The police made things difficult for the protestors, but readily permitted meetings and demonstrations by third-term advocates, even when convened in clear violation of the Public Order Act, which required seven days' prior notice. The use of excessive force by police in dispersing 'anti' meetings was in marked contrast to the softly-softly approach for illegal pro-third term gatherings. But many people publicly condemned police actions and protestors were not deterred. To avoid clashes with the police, the Oasis Forum deliberately held some meetings and rallies on church premises. One Catholic-run community radio station in the Copperbelt Province, Radio Icengelo, carried a public meeting live on the airwaves. Fortunately, the sanctity of churches provided protection, unlike in Kenya of late, and Rwanda during the 1994 genocide.

Lobbying MPs and Cabinet: Anti-third term campaigners lobbied MPs and members of Cabinet to put pressure on the president to abandon his plans. Patel was instrumental in mobilising fellow MPs. The signing of the Cathedral Declaration by some senior MMD members in April 2001 was a significant setback for the Chiluba faction. (see box, above).

Devising alternative strategies: Where permission for public gatherings was denied by police, prayer and reflection sessions were arranged through the church mother bodies. As the only way to meet without police permission, the strategy worked very well. Confrontation with the police was avoided and the reverence associated with religion won the confidence of the people. It also made it easier to collect signatures from MPs when they were invited for prayer. On the whole, the mobilisation of a critical mass played a vital role. And the involvement of political leadership (Cabinet, MPs), traditional leadership, union leadership, student leadership, civil society leadership and church leadership gave credence to the campaign.

Challenges

Because of the political stakes, the campaign created considerable risks. Polarisation between government and civil society grew. Civil society and church leaders were accused of opposing a third term because of their own political ambitions. Individual members of society were subjected to personal attacks, including attempts to create fake road accidents, and some activists were tailed as they travelled the country. Some DAs threatened to deal with civil society leaders if they continued distributing green ribbons. One of the authors, activist Simon Kabanda, was 'ordered' out of Serenje district by a DA, who had mobilised his people to collect green ribbons from anyone wearing them.

Chiluba abandons the third term bid

As the pressure mounted, Chiluba announced to the nation on 4 May 2001 that he was not going to seek a third term, and called for an end to all debate on the subject. In desperation, he quickly appointed Levy Mwanawasa as the MDD's official presidential candidate. The intention was to appoint a protégé who would do his bidding while Chiluba became the power behind the scenes as party president. This stratagem ultimately backfired, as the Mwanawasa regime prosecuted Chiluba once the former president was out of office.

Chiluba's capitulation was a triumph for civil society. It demonstrated what could be achieved by a vigilant community which speaks with one voice on crucial issues. Politicians and government officials alone cannot ensure good governance, democracy and respect for human rights. Civil society needs to watch, encourage and cajole them constantly.

Lessons

- **Build coalitions:** The strategic engagement of opposition political parties and parliamentarians was useful. Although there may have been different agendas among them, all stakeholders worked as strategic allies on this issue. For example, Chiluba had secretly promised several individuals in his Cabinet that each would be his successor, but that he needed the third term to groom them. He swore each to secrecy. When they uncovered this chicanery, they decided to collectively oppose the third term. Of course they were interested in the presidency too.
- **Keep the message simple and strong:** The anti-third term campaign was based on issues with which people could identify. Increased poverty and high unemployment levels made people susceptible to the campaign's message. Unions were motivated to join by their weakened trade union movement.
- **Leadership matters:** The Oasis Forum offered well-defined leadership. Its members added strong, clear values. The church gave credibility to the process and its structures made country outreach easier. While the law association provided the legal expertise, the women's movement facilitated women's activism.
- **Religious leaders add moral weight:** The role of the church in such a struggle cannot be underestimated. It is an important and reliable ally. The church and civil society groups worked closely together in both Malawi and Zambia. Just as church mother bodies kick-started the campaign in Zambia through a joint statement, so the Catholic Bishops' Conference of Malawi played a similar role, issuing a pastoral letter condemning the third term.
- **Mobilise the masses:** A critical factor was the mobilisation of people across the country. It was not just a few NGOs based in the capital city. Countrywide outreach contributed to the credibility of the campaign. Others in the region also learnt from the success story. For example a CSO team from Malawi came to Zambia to learn how they could prevent their own president from running for a third term.
- **Get and keep the media onside:** The strategic involvement of independent and vibrant media was significant. The media's role is key for the success of such a campaign.

Food for thought

Finally, this experience offers valuable tips for CSOs contemplating involvement in processes such as the African Peer Review Mechanism (APRM).

- Insist that NGOs make up the majority of the APRM National Governing Council (NGC) that drives the national process. Civil society should hold the chair, and ensure that the process has clear written rules and principles. Push for the NGC to be genuinely inclusive, representative and participatory; its composition should be broad and include representatives from business, trade unions, farmers' associations, gender/women's groups, students' organisations and youth groups, organisations for the physically challenged, churches and other religious organisations. Civil society representation is crucial, although experience from Mauritius, Kenya and South Africa shows that mere representation is not enough. More needs to be done to achieve the objectives of the APRM. [NOTE: Like what? Again, an unfinished thought.] Ideally, the NGC should be led by an independent chairperson.
- Lobby politicians to take the APRM seriously and ensure that all the country's problems are candidly highlighted. Engage opposition parties through their secretariats and parliamentary caucuses, taking a leaf from the Ghanaian experience. In Ghana, government reached out to opposition political parties to avoid suspicion that it would manipulate the governing council. It briefed them on its plans, and discussed possible choices for membership of the NGC. CSOs could use existing dialogue platforms such as the Zambia Centre for Interparty Dialogue to reach consensus on the way forward on peer review and build confidence in political players.
- Allow for country-wide consultations by providing platforms for public engagement, dialogue and debate and the use of media. To run an effective APRM public consultation, it is not enough to appoint representatives

to the NGC. The council itself must dedicate staff and time to develop a database of key organisations and individuals and details for a mass mobilisation exercise. Both the Kenyan and Ghanaian APRM councils hired dedicated staff. Where necessary, employ pressure activities such as rallies, although this has to be a sustainable campaign enjoying mass support. Package the message simply to appeal to ordinary people and use indigenous languages.

- Mobilise other NGOs to participate and to make written submissions on their key issues.
- Organise events to solicit input or demonstrate interest or dissatisfaction.
- Get the media interested, publicising principles and highlighting key governance issues, not just set-piece events.
- Stamina and commitment are important. The process can be drawn out for months or years.
- Link proposed policy changes to constitutional promises or standards that the country has committed to internationally.

Endnotes

1. Constitution of the Republic of Zambia, Article 129.
2. *Times of Zambia*, 2 December 1999, p.1.
3. *Ibid.*
4. *The Post*, 14 March 2001, p. 2.
5. *The Post*, 14 May 2001, p. 8.
6. *The Post*, 15 March 2001, pp. 1,4.
7. *The Post*, 3 April 2001, p. 3.
8. Comment by Angel Mumba, *The Post*, 25 April 2001, p. 12.
9. *The Post*, 9 March 2001, p. 11.
10. *The Post*, 8 February 2001, p. 5.
11. For example, Chief Kanyesha of Mkushi district in the Central Province told one of the co-authors, Simon Kabanda, that the DA had visited him the previous night to get his signature, as a way of accepting the decision by government to increase the monthly subsidy of the chiefs.
12. Kabanda was with the traditional leaders on the Copperbelt Province for a workshop on human rights, democracy and development on behalf of the NGO Women for Change (WfC). Unfortunately for the civil servant collecting signatures, only one chief signed. The second one refused, and kept the paper, saying he wanted clarification from the workshop organisers. During breakfast the next morning, the chief asked Kabanda why he had sent someone in the night to collect signatures. This was how the WfC got to know what had transpired.
13. This was during another workshop organised by the WfC for traditional leaders in the Central Province. Kabanda attended the 'dinner'.
14. *The Post*, 15 March 2001, p. 4.
15. *The Post*, 15 February 2001, p. 7.
16. *Ibid.*, 19 February 2001, p. 6.
17. *Ibid.*, 15 November 2000, p. 3.
18. *The Monitor*, 26 January – 1 February 2001, pp. 1-2.
19. *The Post*, 7 February 2001, p. 7.
20. Said by UNIP MP Lucas Phiri in January 2001, and reported in *The Monitor*, 26 January – 1 February 2001.

21. *The Post*, 13 February 2001, p. 3.
22. *Ibid.*, 15 February 2001, p. 2.
23. *Ibid.*, 8 February 2001, p. 6.
24. *Ibid.*, 12 February 2001, p. 1.
25. *Ibid.*, 15 February 2001, p. 1.
26. *The Monitor*, 26 January – 1 February 2001, p. 21.
27. The NGOCC was an umbrella body for women's organisations. It is renowned for its grassroots outreach, with a membership of both NGOs and community-based organisations.
28. The three church mother bodies represented the majority of the Christian churches in the country: ZEC for Catholics, CCZ for Protestant churches and EFZ for the fundamentalists. ICOZ, the new church mother body that was created during the third-term campaign, represented the Pentecostal churches.
29. *The Post*, 20 February 2001, p. 2.
30. Although the WfC was a member of NGOCC, its role in the anti-third term campaign stood out independently because of the way in which it mobilised traditional leaders and grassroots communities.
31. Kuya bebele is local slang adopted during the campaign for multi-party democracy in the early 1990s. It sent a message to President Kaunda that his time was up. It combines two verbs, to go and to say. Literally translated, it means 'People have said it is time to go'.
32. *The Post*, 12 April 2001, p. 1.
33. The Hour - a slogan used by the MMD since its inception in 1991 to symbolise time for change: 'The hour has come'.



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