

African publics strongly support term limits, resist leaders' efforts to extend their tenure

Afrobarometer Dispatch No. 30 | Boniface Dulani

Introduction

At the end of the 20th century, many African countries adopted presidential term limits as part of a broader set of constitutional rules that accompanied the transition from personal and authoritarian rule to pluralistic modes of governance. While term limits were widely embraced by the larger African public, these rules have in recent years come under increasing attack from incumbent presidents seeking to extend their tenures. In the first six months of 2015 alone, the presidents of Burundi, Benin, the Democratic Republic of Congo, and Rwanda have either personally or through their supporters expressed the intention to dispense with or circumvent term limits in order to seek additional terms of office.

These quests are often couched in language that portrays a leader's desire for more time in office as a response to popular demands. A striking example was Blaise Compaoré's 2014 attempt to seek a third term in Burkina Faso, which was stopped by popular protests that forced the president not just to back off, but to leave the country. But other leaders have been more successful in their efforts to avoid relinquishing power.

To test the extent to which campaigns to remove or circumvent presidential term limits are in fact a response to popular demand, this paper draws from Afrobarometer survey data to gauge the levels of public support for presidential term limits. Results from 34 African countries show that there is strong support for presidential term limits among citizens across almost all countries. With very few exceptions, large majorities of Africans support the idea of imposing a two-term limit on the exercise of presidential power. This is true even in those countries that have never had term limits and those that have removed them in the past 15 years. Continuing efforts to dispense with term limits thus reveal a major disconnect between African leaders and African citizens on this issue, underlining the lingering legacy of big-man rule on the continent and highlighting the fragility of African democracies.

Afrobarometer survey

Afrobarometer is a pan-African, non-partisan research network that conducts public attitude surveys on democracy, governance, economic conditions, and related issues across more than 30 countries in Africa. Five rounds of surveys were conducted between 1999 and 2013, and Round 6 surveys are currently under way (2014-2015).

In each of the most recent Afrobarometer surveys – Round 5 (2011-2013) and Round 6 – Afrobarometer has conducted more than 50,000 face-to-face interviews in the language of the respondents' choice. The survey protocols require nationally representative samples that yield country-level results reliable within margins of sampling error of +/-2% (for samples of 2,400) or +/-3% (for samples of 1,200) at a 95% confidence level. Afrobarometer results from rounds 5 and 6 represent the views of more than three-quarters of the continent's population.

Key findings

- In 34 African countries, about three-quarters of citizens favour limiting presidential mandates to two terms.
- Support for term limits has been consistently high over time and is the majority view even in countries that have never had term limits or that have removed term limits from their constitutions.
- More-educated citizens tend to express greater support for term limits, as do citizens with greater exposure to the news media.

The evolution of presidential term limits

While term limits date back to classical Greece and Rome, they are a relatively recent innovation in Africa (Dulani, 2011). An examination of 98 presidential-system constitutions enacted in Africa from independence until 1990 shows that only six (South Africa (1961), Comoros (1978), Tanzania (1984), Liberia (1986), Tunisia (1988), and Comoros (1989)) included presidential term-limit clauses. However, the democratic transitions of the 1990s resulted in the popularization and adoption of presidential term limits across the African continent. Out of 64 constitutions adopted or amended between 1990 and 2010, more than three-quarters (49) incorporated tenure limitations. All but one set a maximum of two terms, while Seychelles' set a three-term limit.

Despite the widespread adoption of term limits in the early 1990s, both new and old generations of African leaders continue to seek ways to drop these rules or to identify loopholes that would enable them to remain in power. Across the continent, almost 30 African countries have contemplated the removal of presidential term limits since 1998 (Dulani, 2011). In Eritrea, constitutional term-limit clauses have simply been ignored, and President Isaias Afwerki remains in power after more than 22 years. An attempt by West African leaders in May 2015 to adopt a common position in favour of a maximum of two terms for all presidents in the region failed following disputations from the presidents of Togo (which abolished term limits in 2002) and Gambia.

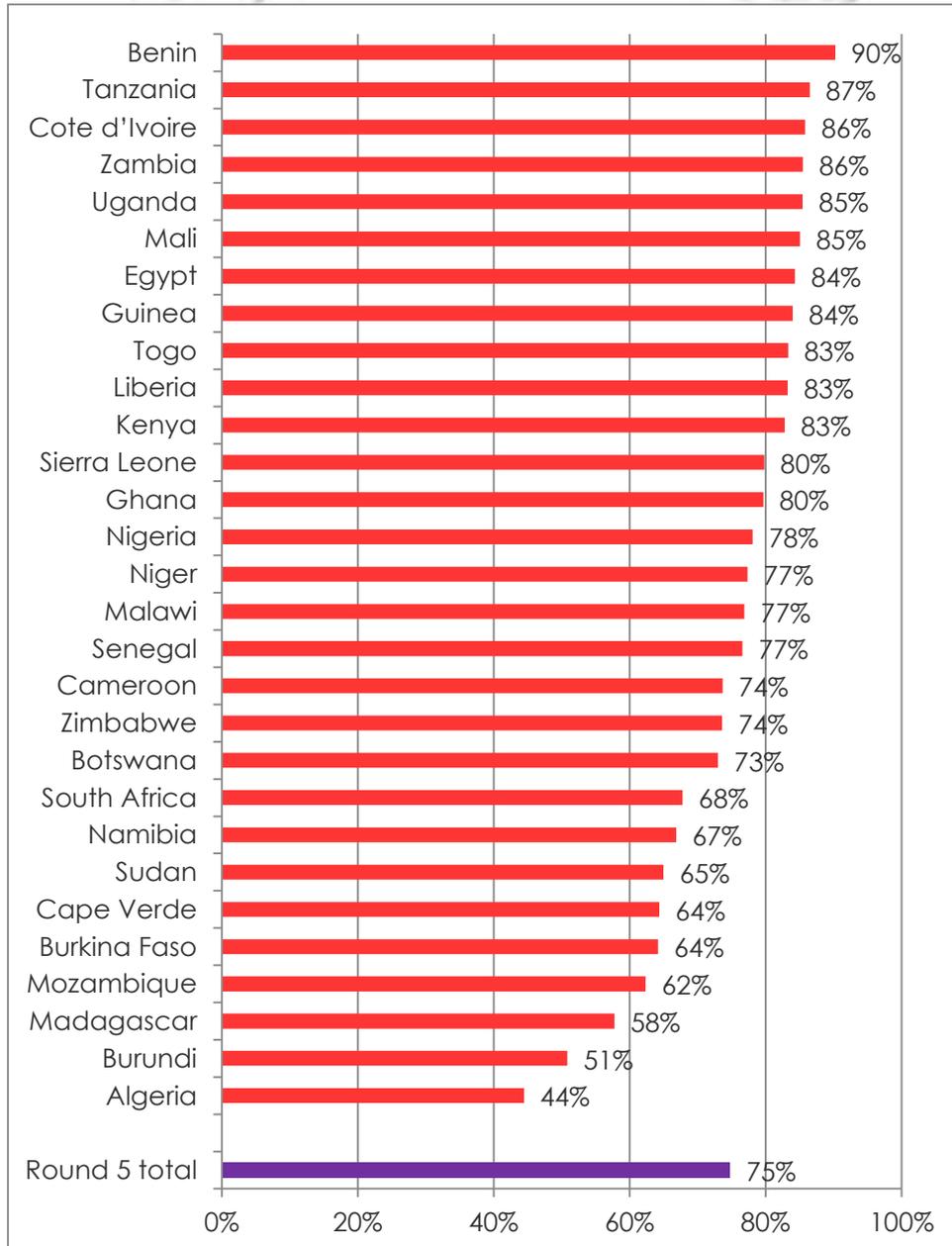
Support for presidential term limits

A frequent claim by African leaders seeking to abolish term limits is that their campaigns reflect popular demand (Baker, 2002). The fact that all incumbents who have removed presidential term limits have gone on to win subsequent elections is presented as *post-facto* evidence of citizens' preference for the stability that comes with leadership continuity rather than rotation (Blunt & Jones, 1997). Yet rarely are ordinary African citizens allowed formal space to make their voices heard in these debates. Instead, term-limit advocates fight for space, often in the streets and sometimes at great risk to their lives.

To gauge levels of public support for presidential term limits in Africa, we look at responses to an Afrobarometer survey question that asks whether respondents support the imposition of a constitutional rule limiting presidents to a maximum of two terms, or whether they instead prefer leaving their presidents to enjoy unlimited tenure. A variant of this question has been asked in Round 2 Afrobarometer surveys (2002-2003), Round 4 (2008-2009), Round 5 (2011-2013), and Round 6 (2014-2015). This paper draws mostly from Round 5, which covered 34 countries, and focuses mostly on the 29 countries that are either presidential or semi-presidential systems, since the question on term limits does not carry as much weight in parliamentary systems where the tenures of prime ministers are tied to legislative support. Where possible, we also include more recent Round 6 data.

Across 34 countries in Round 5, average support for presidential term limits was 73%. When the parliamentary-system countries are removed from the analysis, the average increases by 2 percentage points to 75% (Figure 1). The only country where term-limit supporters were not in the majority was Algeria (44%), where terms limits were removed through a constitutional amendment in 2008.

Figure 1: Support for presidential term limits | 29 countries with presidential or semi-presidential regimes | 2011/2013



Respondents were asked: Which of the following statements is closest to your view? Choose Statement 1 or Statement 2.

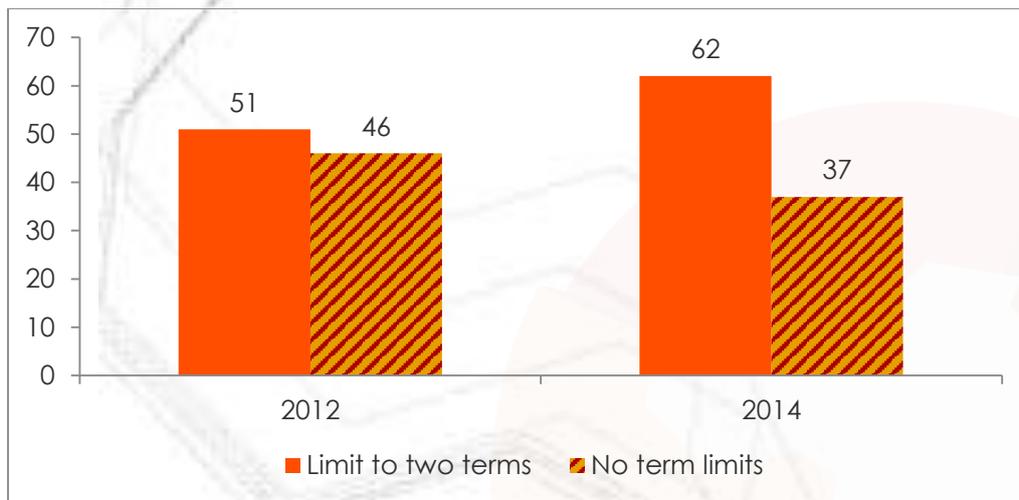
Statement 1: The constitution should limit the president to serving a maximum of two terms in office.

Statement 2: There should be no constitutional limit on how long the president can serve.

(% who "agree" or "agree very strongly" with Statement 1)

Support for term limits was highest in Benin (90%), making it all the more surprising that President Yayi Boni is reportedly contemplating removing them. In Burkina Faso, nearly two-thirds of the country's citizens (64%) expressed support for term limits – a harbinger of the protests that ended Compaoré's reign. In Burundi, barely half (51%) of citizens supported term limits in 2012, but that proportion had jumped to 62% by 2014 (Figure 2) – another precursor to the widespread protests that have erupted since President Pierre Nkurunziza announced his intention to seek a third term despite the two-term limit set by the country's constitution.

Figure 2: Trend in public opinion on presidential term limits | Burundi | 2012-2014



(% who "agree" or "agree very strongly")

Two other countries where presidents appear eager to challenge term limits have not been part of the Afrobarometer surveys: Democratic Republic of Congo (DRC) and Rwanda. Under Article 220 of the Congolese constitution, the president is limited to serving a maximum of two five-year terms. A similar provision is contained in Article 101 of the Rwandese constitution, which states that "The President of the Republic is elected for a term of seven years, renewable only once. Under no circumstances shall a person hold the office of President of the Republic more than two terms." Despite the fact that both countries' constitutions are categorical in banning a third term, there have been open agitations for constitutional change to allow presidents Joseph Kabila (DRC) and Paul Kagame (Rwanda) to seek third terms.

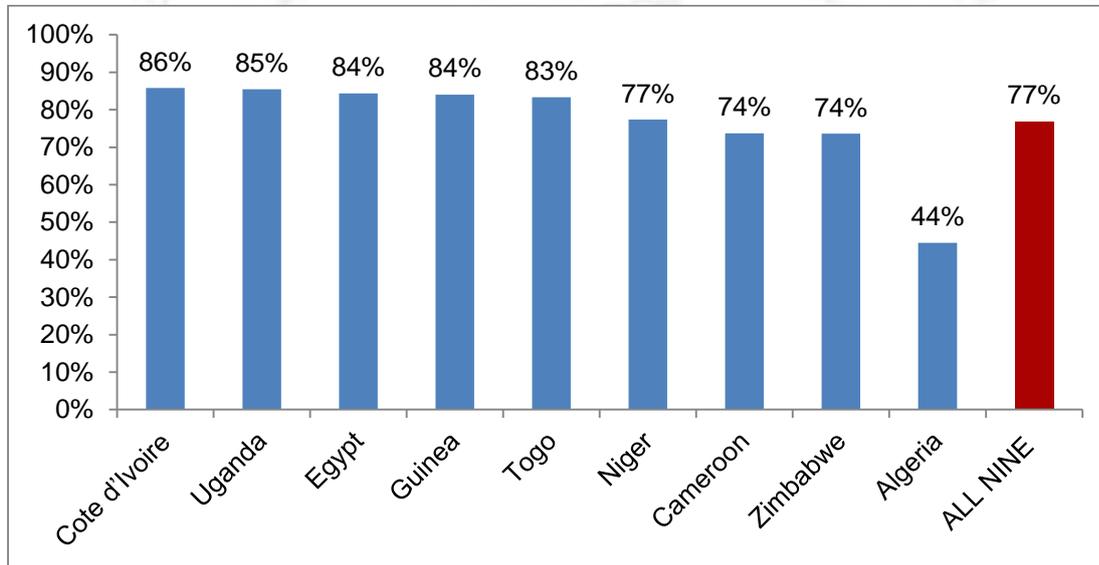
Togo provides an interesting case study. The country adopted a two-term limit in its constitution of 1992, but this was removed through a constitutional amendment in 2002, allowing the late President Gnassingbé Eyadéma to successfully stand for re-election in 2003. Ten years after Togo removed term limits, more than four in five Togolese express support for term limits (83% in 2012, 85% in 2014). Yet in April 2015, they re-elected President Faure Gnassingbé to a third term. Support in principle for a two-term limit apparently does not automatically translate into rejection at the polls for those who run again anyway.

Support for term limits in countries without them

Among the 29 presidential and semi-presidential countries surveyed in Round 5, nine had either never had presidential term limits (Côte d'Ivoire, Egypt, and (at the time) Zimbabwe) or had removed them in the recent past (Algeria, Cameroon, Guinea, Niger, Togo, and Uganda). Despite the absence of term limits in these countries, there is strong support for limiting their presidents to a maximum of two terms. In fact, the average support for presidential term limits in these countries was 2 percentage points higher than the 29-country

average (Figure 3). The average increases further to 80% when the outlier case of Algeria is excluded from the calculation

Figure 3: Support for term limits in nine countries without them | 2011/2013



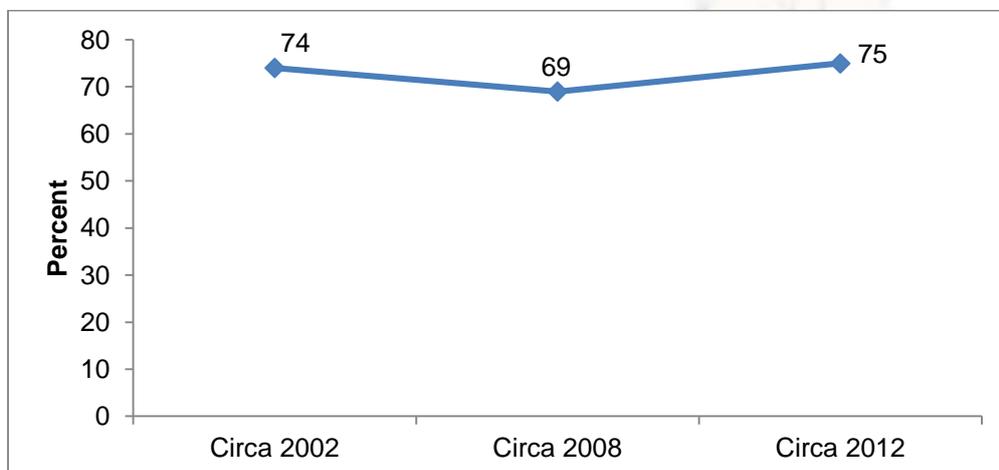
(% who "agree" or "agree very strongly" with term limits)

Although constitutions are meant to embody the aspirations of entire nations, the high level of support for term limits in countries that do not have these rules shows the chasm that exists between popular wishes and constitutional reality. This finding reinforces the argument advanced by Moehler (2008) that constitution-making processes in Africa provide very limited opportunities for meaningful input by ordinary citizens.

Trends in support for presidential term limits

In the 15 countries (listed in Table 1 below) where Afrobarometer has been asking respondents about term limits since Round 2 (2002-2003), support for presidential term limits has been similarly high and relatively stable over time (Figure 4). Although support dipped below 70% in 2008, it rebounded to three-quarters (75%) by 2012.

Figure 4: Trends in support for term limits | 15 countries | 2002-2012



(% who "agree" or "agree very strongly" with term limits)

While the aggregate numbers give a picture of stability, a close analysis of the data reveals some important changes within countries (Table 1). Support was high and steady across six countries, while another six saw significant increases of 5 percentage points or more, led by Tanzania and Mozambique (13-point increases in each), Mali (+8 points), and Senegal (+7 points). In sharp contrast, support dropped precipitously in Lesotho (by 26 percentage points), although term limits are less relevant there given the country's parliamentary system of rule. Declines in Nigeria (-8 points) and Cape Verde (-12 points) were smaller, but they are perhaps more worrisome in these presidential and semi-presidential political systems. Should these trends continue, the leadership in these countries might feel emboldened to consider the removal of presidential term limits with minimal public backlash. The decline in Nigeria, however, might also be explained by internal political manoeuvring, suggesting that political events can potentially strengthen or undermine support for term-limitation rules.

Table 1: Trends in support for presidential term limits | 2002-2012

Country	2002/2003	2011/2013	Net change, 2002-2012 (percentage points)
Lesotho	85	59	-26
Cape Verde	76	64	-12
Nigeria	86	78	-8
Zambia	86	86	0
South Africa	67	68	+1
Malawi	76	77	+1
Botswana	71	73	+3
Kenya	80	83	+3
Namibia	63	67	+4
Ghana	75	80	+5
Uganda	80	85	+5
Senegal	70	77	+7
Mali	77	85	+8
Mozambique	49	62	+13
Tanzania	74	87	+13
All 15 countries	74	75	+1

Effects of debates over removing term limits

Among the 15 countries where the term-limit question has been asked since 2002, six countries (Namibia, Zambia, Malawi, Uganda, Senegal, and Nigeria) have contemplated the removal of term limits and gone through a series of national debates on the issue. These debates led to the tabling of parliamentary bills seeking to alter or remove term limits in five of the six: Namibia, Malawi, Nigeria, Uganda, and Zambia. In Namibia and Uganda, the proposals were passed, and the presidents successfully sought an additional term in office. In Malawi, Nigeria, and Zambia, similar amendments were rejected in the legislatures.

Notwithstanding the different outcomes of the amendment efforts, one question is whether such third-term campaigns undermine or strengthen support for presidential term limits. This question becomes particularly important as more presidents contemplate the removal of term limits.

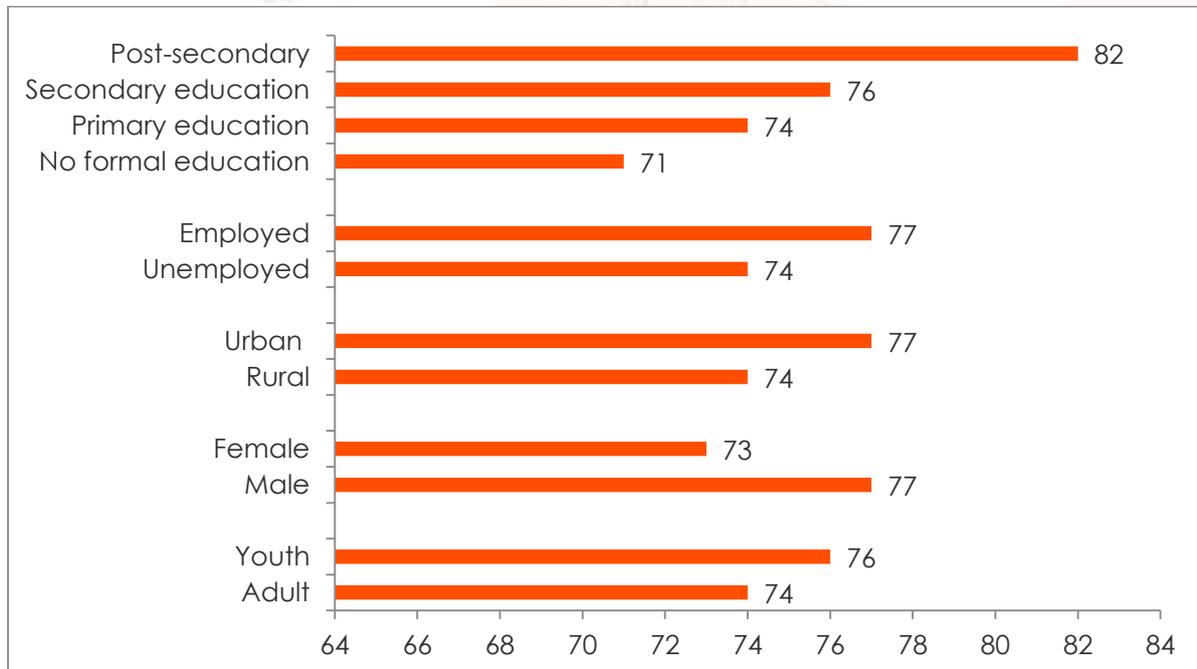
The results in Table 1 suggest that public debates about whether to remove presidential term limits had little effect on citizen support for tenure rules. With the exception of Nigeria, where support declined by 8 percentage points, support for presidential term limits in the other countries that debated their removal either remained the same or increased marginally. In some circumstances, these debates might actually be self-defeating for sitting African presidents, as such campaigns can serve to galvanize public support for term-limitation rules. The breadth and consistency of support for term limits in most countries reflects widespread acceptance of the idea of leadership rotation. Although term limits still face many challenges, the fact that a large majority of the African populace backs this position provides a strong positive marker for democracy on the continent.

Explaining support for term limits

Political values are not inborn; they are learned through processes of political socialization. In order to understand the determinants of support for term limits, we examine the relationship between various social characteristics and support for term limits (Figure 5). While this preliminary analysis does not suggest causality, it can provide pointers for a discussion of likely factors contributing to support for presidential term limits and the kinds of interventions that would be required to build this support.

The demographic factor most strongly correlated with support for term limits is education: More-educated individuals tend to favour such rules more than less-educated people. Men are also somewhat stronger supporters than women. Younger (ages 18-35), urban, and employed individuals also show slightly stronger support for term limits, but the differences in these cases are quite small.

Figure 5: Social attributes and support for term limits | 29 countries | 2011/2013

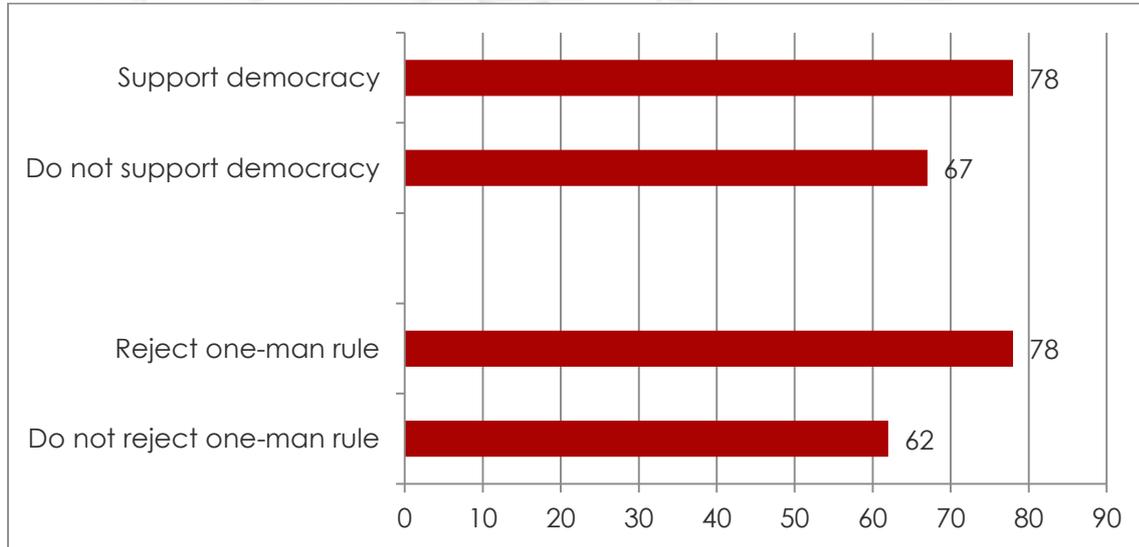


(% who express "agree" or "strongly agree" with term limits)

The fact that the large-scale adoption of presidential term limits in Africa coincided with the third wave of democracy also suggests a likely correlation between support for democracy and support for tenure limitations. The data appears to confirm this prediction: Individuals

who express strong support for democracy and reject one-man rule are more likely to support the imposition of term limits for their presidents (Figure 6).

Figure 6: Support for presidential term limits | by support for democracy
 | 29 countries | 2011/2013



Results reflect the percentage of respondents who “agree” or “strongly agree” with term limits.

Respondents were asked:

Which of these three statements is closest to your own opinion?

Statement 1: Democracy is preferable to any other kind of government.

Statement 2: In some circumstances, a non-democratic government can be preferable.

Statement 3: For someone like me, it doesn't matter what kind of government we have.

Those who choose Statement 1 are recorded as “Support democracy,” and those choosing statements 2 or 3 are recorded as “Do not support democracy.”

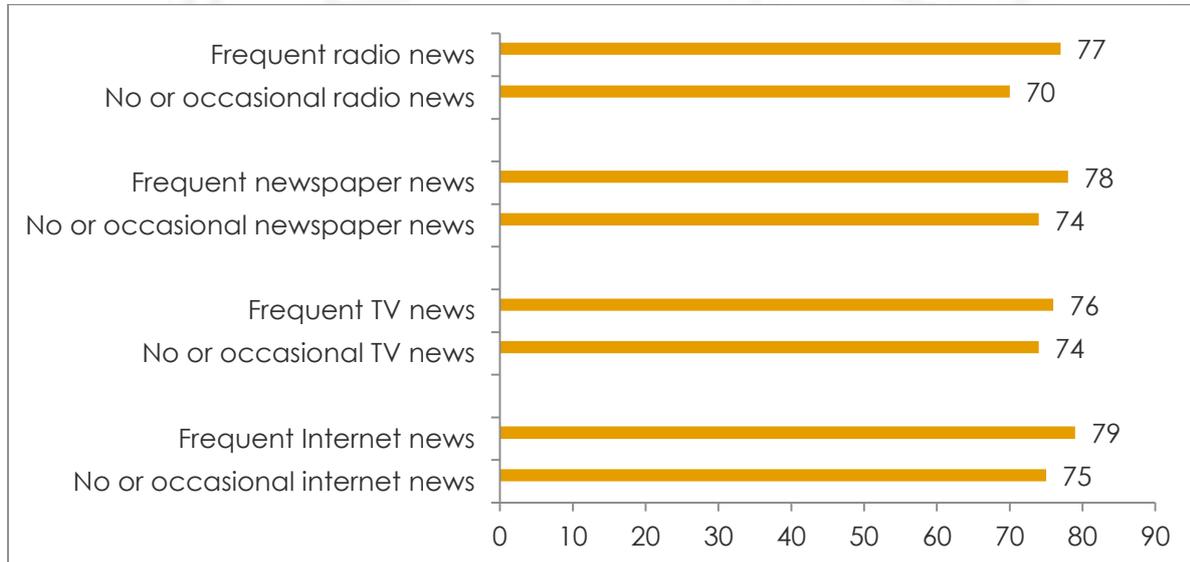
Respondents were asked:

There are many ways to govern a country. Would you disapprove or approve of the following alternatives: Elections and Parliament are abolished so that the president can decide everything.

Those who “disapprove” or “strongly disapprove” are recorded as “Reject one-man rule,” and those who “approve” or “strongly approve” are recorded as “Do not reject one-man rule.”

Lastly, we looked at the effects of media access and news consumption on support for presidential term limits. The results show that heavy consumers of news from various media, particularly radio and newspapers, tend to express greater support for presidential term limits than non-consumers (Figure 7). The media may thus play an important role in building support for presidential term limits on the continent.

Figure 7: Media consumption and support for presidential term limits | 29 countries
 | 2011/2013



Results reflect the percentage of respondents who “agree” or “strongly agree” with term limits.

Respondents were asked: How often do you get news from the following sources?

Frequent = “Every day” or “A few times a week”

Third-term protests and the fate of African democracy: Evidence from Burkina Faso and Burundi

What happens when clear public support for term limits collides with powerful elites unwilling to relinquish power? The two recent cases of Burkina Faso and Burundi provide some insight into how this confrontation can either strengthen or undermine democracy in Africa.

Burkina Faso

In 1991, Burkina Faso adopted a new constitution that included a provision limiting the president to a maximum of two terms of seven years each. In 1997, the term-limit provision was temporarily removed at the instigation of President Compaoré, who had assumed power following a military coup in 1989. In 2000, the provision was reinstated, and the length of a single term was reduced to five years. Compaoré was subsequently elected to a five-year term in November 2005. He was re-elected to another five-year mandate in November 2010, which was supposed to be his final under the constitutional term-limit clause.

However, by 2009, Compaoré’s supporters had begun to call for the removal of the term-limit provision. Civil-society organisations spoke out against the proposal, arguing that the constitution should not be changed to serve the interests of one individual. In mid-2014, the ruling party called for a national referendum on whether to keep or remove the term limit clause, and protesters took to the streets.

Undeterred, Compaoré’s government pressed ahead with plans to remove term limits. Parliament was expected to debate and vote on the proposal on October 30, 2014, but before Parliament could convene, protesters descended on the National Assembly, setting fires and looting several offices. Compaoré announced that the proposed constitutional changes were being shelved and that he had dissolved the government and declared a state of emergency. However, the protesters remained in the streets and called for Compaoré’s resignation.

In the ensuing crisis, Compaoré fled to Côte d'Ivoire, and the head of the armed services, Gen. Honore Traore, declared himself president. Traore's declaration failed to assuage the protesters, who remained in the streets and called for a civilian transitional leader. Subsequently, Lt. Col. Yacouba Zida announced that he had received the blessing of the military to take over as interim head of state. Still, protesters refused to let the armed forces usurp their uprising. Zida was forced to stand down and hand over power to a civilian leader, Michel Kafando. Kafando then formed a government that brought in members from civil-society organisations and opposition political parties, which was tasked with preparing the country for elections in October 2015.

Burundi

After more than a decade of civil war, Burundi adopted a new constitution in 2005 that states that the president is "elected, by universal suffrage, for a period of five years, which can be repeated once." Nkurunziza, was elected by the National Assembly in 2005 to serve as president for five years. He was re-elected for a second, and potentially final, five-year term in 2010.

In early 2014, Nkurunziza announced that he would seek a third term in the May 2015 elections. He argued that since his initial election in 2005 was not by direct universal suffrage, he was eligible to stand for another five-year term, and the Supreme Court subsequently backed his position. In making this argument, Nkurunziza was following in the steps of other African leaders, including Sam Nujoma in Namibia, who looked for loopholes to seek a third term without actually removing the term-limit clause.

As in Burkina Faso, Burundian civil-society organisations and opposition leaders took to the streets to protest Nkurunziza's third-term bid, arguing that it went against the spirit of the two-term limit.

On May 13, 2015, while Nkurunziza was attending a meeting in Tanzania, a former army general, Godefroid Niyombareh, declared that the president had been deposed and the army had taken over. The protesters took to the streets to celebrate. But troops loyal to Nkurunziza fought back and arrested the putschists. Nkurunziza was able to return to the country a day after the abortive coup. Although the protests have continued, they have been more muted, and the government has dealt with them in a heavy-handed manner. Although neighbouring countries and the international community have been putting pressure on Nkurunziza to delay the June elections, he remains determined to press ahead with the vote.

Lessons?

The differing outcomes of the third-term protests in Burkina Faso and Burundi suggest two possible paths when term limits are being contested. In Burkina Faso, protesters stood up to the president, then insisted on civilian rather than military rule, pulling the country's democracy back from the precipice.

In Burundi, there was a risk that the protests might result in the installation of a military dictatorship. While the Burkina case demonstrates the power of the masses against entrenched leadership, the Burundi case shows that public protests in favour of presidential term limits do not necessarily lead to democratic outcomes. Like Cameroon, Guinea, and Uganda, where term limits remain popular long after they were removed (and never reinstated), Burundi suggests the limits of public opinion in shaping government action.

Conclusion

Ordinary Africans' strong support for presidential term limits debunks the claims of the continent's third-term advocates – especially sitting presidents – that their campaigns are

driven by popular demand. The fact that a number of leaders have managed to circumvent term-limit rules to extend their tenure should not be interpreted to mean that Africans want a return to the era of presidents for life. Ultimately, the ability of some leaders to push through their self-serving agendas despite strong public opposition highlights what limited space ordinary citizens have to help shape their governance institutions. Little wonder that citizens often see street demonstrations as their only avenue for expressing their views when their leaders tamper with term limits. As in Burkina Faso, this pressure can help save a democracy. But the case of Burundi, where anti-third-term protests were nearly hijacked by the military, suggests that democracy might not always be the winner.

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