DEMOCRACY AND ITS DISCONTENTS: TERMS LIMITS IN AFRICA

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TERM LIMITS: THE MOST IMPORTANT ISSUE IN AFRICAN ELECTORAL POLITICS?
OUTLINE

• What are term limits?
• Why are term limits important?
• Term limits in Africa: Where do desires and reality meet?
• Looking to the future: What makes term limits more robust?
WHAT ARE TERM LIMITS?

Term limits are laws that restrict the number of years that someone can serve in an elected office.
WHY ARE TERM LIMITS IMPORTANT?

• Ensure turnover of leadership
• Strengthen democratic institutions
• Weaken sense of impunity
• Particularly important in presidential systems
“The people of Rwanda have a say in whoever has to be the leader and also what the constitution should look like.”

– Claver Gatete (Finance Minister, Rwanda)
TERM LIMITS IN AFRICA...

• From independence until 1990 only six out of 98 presidential-system constitutions have term limits

• In the wave of democratisation in the 1990s, 49 out of 64 constitutions amended or adopted have term limits

• Nearly all term limits that were enacted were two-term limits
CITIZENS IN AFRICA PREFER TERM LIMITS

• “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.”

(Afrobarometer Report, May 2015)
SOME LEADERS HAVE ADHERED TO TERM LIMITS...
BUT ARE THEY INCREASINGLY UNDER THREAT?

• Since 1998: nearly 30 countries have thought about weakening term limits

• This year there has been talk of such moves in Benin, Burundi, DRC, Congo and Rwanda
IGNORING RESTRICTIONS: ERITREA

- 1993: President Isaias Afewerki was appointed President
- 2008: Postpone elections for ‘three or four decades’ as they ‘polarise society’
LOOKING FOR LOOPHOLES: NIGERIA

- 2010: Goodluck Jonathan came to power when Umaru Musa Yar’Adua died in office
- 2011: Jonathan won normal round of elections
- 2015: Disagreement over whether Jonathan could run. High court ruled in his favour
- 2015: Muhammadu Buhari wins election and Jonathan steps down.
Sam Nujoma gained credence in Namibian independence struggle.

1998: Constitutional reform passed for another term with possibility of further referendum.

Minimal defections within the ranks of SWAPO.

2004: Retired, stating that he was too old.
1986: Yoweri Museveni comes to power with the National Resistance Movement

Museveni (1986) ‘the problem of Africa in general, and Uganda in particular, is not the people but leaders who want to overstay in power

2000: Vote for ‘Movement Politics’

2005: Parliament changes constitution to abolish term limits

2015: Museveni remains in power attempting to secure future term
REPEALED BY REFERENDA: GUINEA

- 1984: Lansana Conte came to power as a military rule
- 1993: Conte oversaw the transition to civilian rule, which included adoption of constitution limiting presidents to two terms.
- 1998: Conte wins a second five-year term
- 2001: Referendum to extend presidential terms from five to seven years. Reported 98% of voters approved, with an alleged 87% turnout (opposition boycott)
WHAT LEADS TO TERM LIMITS BEING MORE ROBUST?
OPPOSITION PARTIES AND POPULAR PROTEST: BURKINA FASO

• 1989: Blaise Compaore comes to power as part of a military coup.

• 1991: Burkina Faso adopted a new constitution, limiting presidents to 2 x 7 year terms.

• 1997: Compaore temporarily abolishes term limits.

• 2000: Term limits reinstated, with presidents now limited to 2 x 5 year terms. Compaore insist that his terms start from the date of the next election.

• 2009: Compaore’s supporters begin to argue for removal of term limits.

• 2014: Compaore call for a referendum on term limits, and protestors hit the streets. Eventually, Compaore flees the country.
Olusegun Obasanjo was President from 1976 to 1979, and then came back to lead Nigeria as an elected president from 1999 to 2007.

2006: He sought to amend the constitution so that he could stay in power and serve for a third term.

This provoked resistance, not just amongst opposition parties and civil society, but also within his own party, the People’s Democratic Party.

Ultimately, his proposed amendments were rejected by the Nigerian Senate.
INCENTIVES AND INITIATIVES

• International Criminal Court and Sudan
• Mo Ibrahim Leadership Fund
• West African leadership initiative
RECOMMENDED READING


