LIBERAL DEMOCRACY CONUNDRUM: EXAMINING THE IMPACT OF TERM LIMIT EXTENSION ON LIBERAL DEMOCRACY IN AFRICA

BY

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UNITED STATES INTERNATIONAL UNIVERSITY -AFRICA

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STUDENT DECLARATION

I declare that this is my original work and has not been presented to any other college, university or other institution of higher learning other than United States International University Africa

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ABSTRACT

The main objective of this study was examined the impact of presidential term limit extension on liberal democracy in Africa. Majority of citizens from most Africa states oppose term limit extension, yet during referendums the same citizen approve this term extensions. This study adopted a mixed methodological approach by utilizing both qualitative and quantitative research design method. Secondary data was used in this study. Data was extracted from previous studies on presidential term limits in Africa; local newspapers and international newspapers, international reports such as UNDP Human Development Index reports; Freedom House Democratization Index reports, Human Rights Watch reports, the Heritage Economic Freedom Index and the Ibrahim Index of Africa Governance for 2017. The major findings show that show that the rationale for term limits is to enhance democratic consolidation and alternation of power. The impact of term limits extension on liberal democracy is democratic recession, autocratism, and personalization of the state by incumbency. The reasons why term limits succeeded in 15 African countries include: (i). Incumbency abuse of liberation dividend; (ii). Fortification and reliance of neopatrimonial systems; (iii). Manipulation and reliance on tyranny of majority both in parliament and ethnic populations; (iv). Ridding on popular demand of the leader as excuse for term extension; (v). Using skewed referendums to legitimize term extensions. The major findings of this study show the following factors as instrumental to failure of term limit extension by incumbents: (i). Strong citizens’ power prevailed against push for term extensions; (ii). Strong civil societies created awareness to expose abuse of power and unconstitutionalism of term limit extensions; (iii). Independent parliaments and judiciary stood up to the incumbency and defeated the push for term limit extensions. All African countries that were bottom ten in governance Ibrahim Index of Africa Governance score notoriously abolished, or extended presidential term limits.
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DEDICATION

I would like to dedicate this research thesis to my friends and family for their encouragement and continuous support
# TABLE OF CONTENTS

STUDENT DECLARATION ................................................................................................................. ii
COPY RIGHT ...................................................................................................................................... iii
ABSTRACT ....................................................................................................................................... iv
ACKNOWLEDGEMENT .................................................................................................................... v
LIST OF TABLES .............................................................................................................................. ix
LIST OF ACRONYMS ........................................................................................................................ x

CHAPTER ONE .................................................................................................................................. 1
1.0 INTRODUCTION .......................................................................................................................... 1
1.1 Background of the Study ............................................................................................................. 1
1.2 Statement of the Problem .......................................................................................................... 4
1.3 Objectives of the Study ............................................................................................................. 5
1.4 Research Questions .................................................................................................................... 6
1.5 Justification of the Study .......................................................................................................... 6
1.6 Scope of the Study ..................................................................................................................... 7
1.7 Chapter Summary ....................................................................................................................... 7

CHAPTER TWO .................................................................................................................................. 9
2.0 LITERATURE REVIEW ................................................................................................................ 9
2.1 Introduction ................................................................................................................................. 9
2.2 Liberal Constitutional Democracy in Africa .............................................................................. 9
2.4 Africa Political Philosophy on Democratization and Third Term Limits ......................... 14
2.6 Theoretical Framework ............................................................................................................ 19
2.7 Chapter Summary ....................................................................................................................... 21

CHAPTER THREE ............................................................................................................................. 22
3.0 RESEARCH DESIGN AND METHODOLOGY ...................................................................... 22
3.1 Introduction ................................................................................................................................. 22
3.2 Research Design ......................................................................................................................... 22
3.3 Data Collection Methods .......................................................................................................... 24
3.4 Research Ethics .......................................................................................................................... 25
3.5 Data Analysis Methods ............................................................................................................. 26
3.6 Limitations of the Study ............................................................................................................ 27
3.7 Chapter Summary ....................................................................................................................... 27
CHAPTER FOUR

4.0 RESULTS AND FINDINGS

4.1 Introduction

4.2 Rationale for Presidential Term Limits

4.3 Impact of Term Limit Extension on Liberal Democracy in Africa

4.4 Reasons Why Term Limit Extensions Have Been Successful

4.5 Reasons Why Term Limit Extensions Failed in Some African Countries

4.6 Influence of Bad Governance on Term Limit Extensions in Africa

4.7 Chapter Summary

CHAPTER FIVE

5.0 DISCUSSION, CONCLUSION, AND RECOMMENDATIONS

5.1 Introduction

5.2 Summary

5.3 Discussion

5.4 Conclusion

5.5 Recommendation

REFERENCES
LIST OF TABLES

Table 4.1: Eritrea's HDI Trends .......................................................... 65
Table 4.2: DRC HDI Trends ................................................................. 67
Table 4.3: Equatorial Guinea HDI Trends ......................................... 69
Table 4.4: Sudan HDI Trends ............................................................... 73
LIST OF ACRONYMS

IIAG  Ibrahim Index of Africa Governance

IMF  International Monetary Fund

SAP  Structural Adjustment Programmes

UNDP  United Nations Development Programme
CHAPTER ONE

1.0 INTRODUCTION

The liberal democratic ideology and constitutionalism define the character of states in international relations (Keohane & Nye, 1989). The ethos and purpose of a liberal constitution are to limit the authority and excesses of government. However, some scholars Wamba (1990); Tangian (2014); Posner and Young (2006) have argued that liberal democracy could be regarded as a dishonest farce, a plutocracy, and a bourgeois democracy where the political elite fundamentally un-egalitarian, operate in a way that to facilitate economic exploitation. They further argue that the fundamentals of liberal constitutional democracy are formulated on universal suffrage, an erroneous assumption that, universal suffrage principle upholds the ultimate ideology of liberalism, and thus, can work in Africa as has in the west.

This thesis is organized in the following manner: First, chapter one presents the background of the study, the problem statement and research objectives the study is seeking to answer; justification of the study, and the scope of the study. Chapter two of this proposal examines available literature by different scholars for each of the research objectives, while at the same time, presents the theoretical framework that supported the analysis of the study. Finally, chapter three presents the study methodology that was adopted, including research design, sampling, data analysis, and presentation

1.1 Background of the Study

Imposing of term limits to constrain autocratic leadership is an ancient idea that formed part of the origins of democracy in Rome and Athens (Klaas, 2016). The intervention of term limits was inspired by Peisistratos, named as the ‘tyrant of Athens’ for overthrowing the existing government and confronting established aristocracy by confiscating property
and giving it to the poor between 546 BC – 510 BC (Tangian, 2014). Subsequently, this was followed by Cleisthenes Constitution of 508 BC-507 BC that established term limits of two separate one year periods. Terms limiting governing Consuls was part of classical Greece design of preventing the possibility of Consuls assuming too much power for monarchical status that had been abolished and abandoned at the founding of the Greek Republic (Article 2, Section 1, 1789. The Constitution of the United States)

As such, the Athenian democratic model was adopted by Roman decades later, spreading into western civilization and influencing what we currently refer to as the modern democracy (Maltz, 2007; Posner & Young, 2006; Tangian, 2014). It was until 1789, when the United States Constitution set the presidential terms to four years, however, at this time, the constitution did not specify the number of terms a president could run (Altman, 2008; Article 2, Section 1, 1789. The Constitution of the United States). The first American president, George Washington stepped down after serving two-four year terms, setting the precedent for presidential term limits. The 22nd amendment of the US constitution in 1951 normalized the democratic framework, that was eventually formed the embodiment of African constitutional reforms in the 1990’s (Posner & Young, 2006; Nyong’o, 1992). Thus, it can be argued, one of the consequences of the spreading western democracy is the triumph of the neoliberal model of term presidential limits (Bratton & Van de Walle, 1997) or, is it?

The advancement of the neoliberal global order, coupled with the whirlwind of democratization in the 1990’s exerted significant pressure on autocratic African governments to institute constitutional reforms that reshaped African political and democratic philosophies (Bratton & Van de Walle, 1997)). One of this reforms included limiting presidential tenure to mostly two terms (Posner & Young, 2006; Tangian, 2014). As would be expected, the ruling political elite vehemently opposed western liberal reform
ideology as foreign, and ‘un-African’, whatever that could mean, it was perceived as an affront to their hold on political power, and therefore, had to be resisted.

The United States and other western countries were not only bent on sharing ideas and experiences on how to develop constitutional reforms, but also were set on reproducing liberal democracy (Gitonga, 1998; Nyong’o, 1992). This was done through bilateral and multilateral agencies such as International Monetary Fund (IMF) through conditionality’s on Structural Adjustment Programs (SAPs), World Bank through aid, trade, and development concessional loan; while United Nations Development Programme (UNDP) development assistance was attached to western style constitutional reforms, mostly, liberal democratic principles and philosophies (Gyimah-Boadi, 1996). It was under this context, that most autocratic African regimes transitioned liberal democratic philosophy, and adopted the presidential term limits

According to Dulani (2015) forty-nine (49) African states adopted the western liberal philosophy of a two-term presidency between 1990-2010 as a constitutional norm, with a presumption that, this, represented the will of the people. However, some African leaders have successfully circumvented imposition of liberal ideological restriction of two terms, by bending constitutional provisions through amendments, and parliamentary legislative processes (Asingo, 2003). As observed by renowned foreign policy scholar Fareed Zachariah:

“…democratically elected regimes…are routinely ignoring constitutional limits on their power and depriving their citizens of basic rights and freedoms” (Zachariah, 1997: 16)

Further, Zachariah argues that constitutional tampering to extend plutocracy is undesirable, and ‘illiberal democracy’. To Diamond, constitutional tampering for extension of terms contributes to democratic recession, which, deconstructs idealist realities and objectives of
liberal constitutional democracy (Diamond, 2015). For instance, in Uganda and Rwanda, President Museveni and Kagame have bended the provisions of liberal democracy to eliminate term limits. President Museveni has been in power for the last 31 years (more than six-terms limits), while President Kagame has been in power for the last 17 years, with the 2015 constitutional amendments allowing him to be in power till 2034. This is contrary to ethos of liberal democratic ideology and intent as subscribed to by this leader. In 2005 President Museveni noted as follows:

…” the problem of Africa in general, and Uganda in Particular, is not the people, but leaders who want to overstay in power…” (Byemelwa, 2016: 5)

On the other hand, president Kagame noted:

… “I belong to the group that doesn’t believe in change of the constitution, but in a democratic society, debates are allowed and they are healthy. I am open to going or not going depending on the interests and future of this country” (Byemelwa, 2016: 5)

Despite the fact that these leaders hold these views as true tenets of democracy, overstaying in power has allowed these leaders to undergo a change of mind regarding their original position on presidential term limits. Thus, democracy as constructed by plebeian theory of western liberal democracy has significant challenges in Africa. Constant changes and attempts to amend the constitution to allow for incumbents to stay in power is an indicator of democratic deficit in Africa. By relying on review of secondary qualitative and quantitative data, this study seeks to explore how widespread term limit extension is perverse across Africa, the justification given for these extensions, and whether, the convergence of good governance and influences presidential term extensions.

1.2 Statement of the Problem

For most African presidents, liberal philosophies remain foreign, illegitimate, and incompatible with their idea of Africa political philosophy on presidential term limits. From decolonization in the early 1960s through the 1980s, most African rulers left office through
a coup, assassination, or some other form of violent overthrow (Posner & Young, 2006). However, since 1990, the majority have left through institutionalized means. Forty-nine (49) African countries adopted new constitutions, the vast majority of which have included prohibitions against a president serving more than two terms. This notwithstanding, some African leaders have managed to circumvent restrictions on seeking more than two terms, and have done so through formal institutional channels rather than extraconstitutional means. A study by Boniface Dulani of Afrobarometer (2015) revealed that majority (75%) of citizens in most (34) African states oppose presidential term limit extensions, yet, out of the twenty-six (26) African states who attempted to change the constitution, fifteen (15) succeeded. This raised the question as to why the 15 countries succeeded in having term limit extensions, while 6 other countries who attempted failed. Equally, this study sought to fill the gap on the impact term limit extensions had on liberal democracy in Africa

1.3 Objectives of the Study

1.3.1 General Objective

The general objective of this study was to examine the impact of presidential term limit extension on liberal democracy in Africa.

1.3.2 Specific Objectives

This study was guided by the following specific objectives

- To examine the rationale for presidential term limit
- To examine the impact of term limit extensions on liberal democracy
- To examine why term limit extensions have been successful while others have failed
- To examine the influence of bad governance on presidential term limit extensions in Africa
1.4 Research Questions

This study was guided by the following research questions

- What is the rationale of term limit?
- What is the impact of term limit extensions on liberal democracy?
- What are the factors that have contributed to the success and failure limit extensions in Africa?
- What is the influence of bad governance on presidential term limit extensions in Africa?

1.5 Justification of the Study

This study is important in that it expands on the body of knowledge and existing literature on how liberal democracy is shaping the term limit extensions in Africa, by providing an explanation on the existing conundrum; the existence strong citizen opposition to term limit extensions, yet, high referendum vote in favor of term limit extensions. This study also contributes significantly to the understanding of factors that precipitated the success of term limit extension for 15 African countries that were successful, and factors that contributed to the failure of term limit extensions for 6 African countries. Equally, this study provides an understanding of the impact of poor governance on term limit extension and on the canon of liberal democracy construction. In the realm of international relations, this study provides an authentic Africa perspective drawn, and formulated from African experiences, on the conundrum of liberal democracy on term limits.

This research paper is useful in that it provides much-needed insight into the thinking of African political elites and the citizens at large on term limit extensions. This study also contributes to the work of scholars such as Posner and Young (2006); Nyong’o (1992), Maltz (2007), Bratton and Van de Walle (1997), and Ake (2002), by expanding on
intersectionality between liberal democratic constitutionalism on African term limit extensions, and their influence on democracy, and international relations as a whole.

By use of secondary data sources, this study has established reasons for approval of presidential term limits extensions despite strong citizens’ opposition to the extensions. Perspectives on factors leading to rejection of term limit extension attempts, and the influence of poor governance term extensions. This study provides data that is useful to policymakers in governments and international relations, international relations scholars and academicians, development agencies who work in Africa on democratization projects, and the larger discourse on liberal democracy in international relations

1.6 Scope of the Study

The focus of this study was to examine the impact of presidential term limit extension on liberal democracy in Africa. This study covers Africa post-independence period: 1960-2017. During this period, all African countries gained independence, with most option for liberal democracy form of governance. During this period, 15 African countries succeeded in changing presidential term limits, while 6 countries failed. This period provided the comparative contrast necessary in explaining not only why some countries succeeded while others failed to extend term limits, but also the impact of this extension on liberal democracy in Africa. This study was conducted in Nairobi between September 2017, and May 2018.

1.7 Chapter Summary

This chapter has presented the background of the study, the statement of the problem, and the research questions the study seeks to answer. The justification and scope of the study are also provided. This thesis divided into five chapters: Chapter one has introduced the background of the study, problem statement, and research objectives; chapter two presents
literature reviews of scholars’ perspectives on the study subject, and theoretical framework adopted for the study. Chapter three presents the research methodology adopted for the study; chapter four presents the results and findings, while chapter five presents the study discussion, conclusion and recommendations.
CHAPTER TWO

2.0 LITERATURE REVIEW

2.1 Introduction

This chapter presents a review of the literature by various scholars on the impact term limit extensions on liberal democracy. It seeks to show how liberal democracy has continued to shape Africa political philosophy around constitutional presidential term limits. This chapter is organized in this manner: First, scholarly arguments on liberal constitutional democracy in Africa is examined first, followed by liberal democracy scholarly perspectives; the Africa political philosophy on democracy and third term limits is also presented, and finally the theoretical framework that guided this study is presented.

2.2 Liberal Constitutional Democracy in Africa

Historically, liberal democracy was perpetuated by scholars such as John Stuart Mill, John Locke, John Maynard Keynes, Giuseppe Mazzini, and Woodrow Wilson. These scholars documented the tenets of liberalism such us universal suffrage and electoral democracy, and, rights and liberties. Posner and Young (2006) have argued that constitutionalism of states may appear universal particularly in establishing political sovereignty and security, but they are not ends in themselves, insofar as establishing the legitimacy of political and social order (Kant, 1957; Posner & Young, 2006). For instance, Kant, and Mill view liberal constitutional democracy as a form of domestic political representation that determines social preferences that dominate a state’s political philosophy and policy, and thus, defines a nation’s interest (Mill, 1999; Kant, 1957). “Preference” in the liberal context means national prosperity, policies, security, national unity, peace, environment among others. However, they argue further that “national interest” does not mean domestic politics
abrogates international system, just as in realism, national security does not abrogate
distribution of coercive power (ibid)

Woodrow Wilson, on the other hand, posits that liberal democracy provides the most
congenial and forceful framework yet, for states interdependence in international relations,
by championing institutionalism and interdependence (Wilson, 1926). To these scholars,
liberal democracy is not utopianism or a reductionist fallacy as argued by (Waltz), but
rather, a triumph of political ideology. In liberal scholarship, states are represented by social
groups, possessing views that constitute a state’s preference, while at the same time,
interdependence among different state preferences, influences international relations and
foreign policy (Przeworski & Limongi, 1997; Weber, 1919;2015)

In post-colonial Africa, the clamor and quest for democratization were informed by
colonialist political philosophy, and neoliberal democratic ideals championed by the United
States (Posner & Young, 2006; Keohane & Nye, 1989). American neoliberalist ability to
export neoliberalism based on individualism, liberty, human rights, constitutionalism,
institutionalism, and representative and participatory governance, saw the rise in the clamor
for presidential term limits in Africa (Gitonga, 1998).

2.3.1 Minimalist Perspective

The scholarship of minimalist democratic theorist is drawn from thinkers such as Joseph
Schumpeter, Adam Przeworski, and Karl Popper, who argue that democracy does not set
conditions for its outcomes, nor does it characterize itself as other than electoral system
that is self-enforcing (Przeworski & Limongi, 1997; Schumpeter, 1950; Popper, 1963).
Simply stated, minimalist view democracy as a conundrum of undesirable electoral
outcomes. To a minimalist, “liberty” and “democracy” strands are not conjoined nor
intertwined. Elections are optimal outcomes, whether human rights, individual liberties,
and freedoms will be actualized or not. Przeworski defines minimalist democracy as a system where parties lose elections (Przeworski & Limongi, 1997), and therefore has nothing to do with democratic consolidation as espoused in liberal constitutional democracy. Schumpeter, on the other hand, argues that contrary to the underpinning liberal democracy, government of the people, by the people and for the people, in a truer sense, the people do not rule. He further argues that democracy is only a machination, where decision making is transferred to political elites who gain power through competitive elections (Schumpeter, 1950).

Popper rejects the concept of the sovereign rational actor as envisaged in liberal democratic construction, in favor of elections, by arguing that democracies are just systems of transfer of power from one administration to another through elections without bloodshed (Popper, 1963). Further, he contends that the imperfections, inadequacies, and uncertainties inherent within elections, are tolerable and preferable, compared prospects of kleptocracy found within a sovereignty. However, this argument is not entirely accurate, a fallacy of western democratic generalization. Popper fails to quality what he is referring to as “Sovereign”. There exist sovereign democratic states, and also sovereign kleptocracies. In favoring elections, Popper makes the assumption that democratic elections are sufficient panaceas (checks) for tyrants (ibid). However, we can debunk this assumption by examining Zaire, Mobutu Sese Seko’s 30-year rule, which was marked with democratic elections; Côte D’Ivoire, Félix Houphouët-Boigny’s 29-year rule that was marked with democratic elections; or Egypt, Hosni Mubarak’s 30-year rule that was marked with democratic elections, yet these rulers are known to have been tyrants (Diamond, 2015; Dulani, 2015).
2.3.2 Maximalist Perspective

Claude Ake, Larry Diamond, and Robert Dahl are some of the maximalist democratic thinkers that challenge minimalist democratic philosophy and ideological construction (Ake, 1996; Dahl, 1991; Diamond, 2015). Maximalist argue that democratic consolidation has to have both strand of liberal democracy, that is, “liberty” and “democracy” (Zakaria, 2003). Since civil liberties are embodied in a liberal democracy, maximalist contend that elections alone, are not sufficient to constitute a sound democracy. Ake argues that even on gratuitous grounds, relying on elections to guarantee democracy ideals is a fallacy and an indulgence in democratic reductionism (Ake, 1996). Dahl argues for three essential conditions that guarantee multiparty democracy. This includes competition between political groups, parties and individuals; political participation that provides choice, free and fair elections; and finally, civil and political liberties that do enable freedom of choice and expression without fear of punishment or intimidation (Dahl, 1991). Diamond extrapolates Dahl’s ideology further by noting that, a democracy does not only compose of civil, constitutional, and free, fair multiparty politics and universal suffrage, but also extensive civil liberties, organizational and informational pluralism (Diamond, 2008). Additionally, democracy must have functional autonomy for the legislature, adequate power for elected officials, and independent executive and judiciary branches (Nyong’o, 1992). What Dahl and Diamond fail to acknowledge is that their maximalist democratic perspective is still constructions of western democracy. Contextual application of civil liberties differs, and therefore, unreliable as a universal measure of liberal democratic ideology.

A dissection of maximalist and minimalist perspectives leads one to conclude that an effective democracy enhances equity and equality, and liberty for all. However, to a keen
observer, plutocracies in Africa post-1990, have relied on free, fair, elections to create “democratic avenues” that enable political elites to consolidate power, and influence policy at their whims. “Democratic avenues” means, participatory elections, where the majority wins, and cede power to the elite to influence policy and governance. Both maximalist and minimalist scholarship assume that majority of the electorate are well educated to inform choice, which is hardly the case in the majority of African (Ake, 1993, 2002). The paradox in a liberal democracy, or just democracy as constructed, is that it emphasizes that values should not be imposed, yet democratic ideology is western imposed. Secondly, democracy as constructed on liberty, separation of powers, majority rule and sovereignty vested in people, but ignores ideation of electoral authoritarianism, where despotic regimes adopt democratic institutions to further authoritarian rule (Collier, 2007). It is also assumed that democracy gives primacy to moral and political values of reciprocity, equality, and respect for minorities’ views. However, in Africa, plutocratic elites control democratic institutions to reward patronage, and sycophancy, to which minorities are required to pay homage (Diamond, 2005).

2.3.3 Modernization/ Universalist Perspective

Francis Fukuyama’s “The End of History” represents a universalist perspective of liberal democracy, where, he argues that liberal democracy is a universal model of democratic government anywhere, and most desirable compared to other forms like communism or socialism (Fakuyama, 1992). Further, Fukuyama argues that capitalisms are the wheels that drive efficiencies of liberal democracy, in that industrialization has always been tied to western capitalism and that capitalistic economies “guarantee” “homogenization of all human societies regardless of the cultural inheritance of historical origins” (ibid,). Finally, Fukuyama concludes that democracy has triumphed in the struggle between different political and governance ideologies since westernized democracy has been universalized.
over any other alternatives (ibid). Dahl, equally argues that liberal democracy it a universal attraction since it helps prevent autocracy, guarantees liberties, freedoms, and self-determination (Dahl, 1982). By extension, one could argue that Marxist socialism and communist revolutions have failed to offer a credible and sustainable challenge to liberal democratic ideals.

Just like the minimalist and the maximalist perspectives, the universalist scholarship fails to distinguish evolving dynamics of emerging economies and democracies, particularly in Africa. Liberal democracy is ideally western, champions not only electoral democracy and liberties but capitalism as an end to sustaining the democracy. As argued by Ake (2002), a hybrid contemplation of African values, in addition to the progressive import of liberal ideals, would not only be necessary, but essential for the establishment of a democracy for Africa, and by Africans. Fayemi posits that the universalist presentation of liberal democracy a messianic rescue of Africa from multifarious proclivities is a reinvention of neocolonialism (Fayemi, 2009). Equally, Fukuyama’s thesis that liberal democracy is the end of ideological human history, does not hold since humans and humanity are progressive, and we are not at the end of human reason and intelligence.

2.4 Africa Political Philosophy on Democratization and Third Term Limits

Africa political philosophy is not only as an epistemological challenge towards liberal democracy but equally, an ontological conundrum (Gyimah-Boadi, 1996; Dulani, 2015). This study adopts Taiwo (2004) definition of African political philosophy to mean the distribution of power, politics, and how people are governed. Equally, Appiah’s definition of Africa political philosophy as primarily concerned with the nature and justification on power in Africa is adopted for this study (Appiah, 2004). In as much as these definitions do not completely satisfy critical questions such as the legitimacy of those who govern, and
means through which power was acquired, and for what purpose, and how those in power govern. However, the distribution of power, politics, and governance is significant to define Africa political philosophy.

To effectively study Africa political philosophy, one must study different African states and do a comparative analysis since Africa is not homogeneous, and African states are in themselves, not homogeneous (Ake, 2002). However, Roddick (2016) and Diamond (2015) argue that most African states share similar democratic processes, governance structures, and power distribution structures. Coupled with a divergent history of ideas, civilization, and Africa, fundamental pillars such as slavery, the slave trade, colonialization, and finally emancipation and globalization have emblemed Africa political philosophy differently, however, ontological perspectives are strikingly similar (Nyong’o, 1992).

Conversely, in the deeply contested scholarship of African political philosophy, Hellen and Shodipo argue that before one can enunciate and elaborate on African political philosophy, one has to define “who is an Africa”, and what substantiate Africa authenticity? Is the blackness of the skin color? Geographical location? Or traditional cultural practices? (Hallen & Shodipo, 1986; Gitonga, 1998; Sklar, Onwudiwe, & Kew, 2006). It becomes even more complex when the intellectual interest of African in the diaspora is brought into the mix (Banjo, 2004). One of the other challenges with Africa political philosophy is that few African states have practiced democracy smoothly without reverting to autocracy, kleptocracy, or plutocracy, which makes it difficult to establish a standard bearer for what can be referred to as “African political philosophy” (Ake, 2002; Opalo, 2015).

Feyemi notes in pre-colonial years, African chiefdoms like Yoruba’s of Nigeria; monarchies like Kabaka’s of Uganda, and Zulu’s of South Africa relied on patrimonial structures to govern. However, post-colonialism presented Africa with a major dilemma on
what to adopt as a political ideology: neo-patrimonial chiefdoms, Marxist-Lenin socialism or western democracy and capitalism ideology (Hellen & Shodipo, 1986; Fayemi, 2009; Kasanda, 2004).

Most African states chose to be fashioned after their colonial masters. For some African leaders, socialism presented best political ideology compliant with African culture. Leaders such as Kwame Nkrumah of Ghana, Julius Nyerere of Tanzania, Tom Mboya of Kenya, Patrice Lumumba of DRC, Sekou Toure of Guinea supported adoption of socialism ideology. This was a syncretic attempt to bring together Christianity, Marxism, and modern economic theories to form African socialism, based on African values. The ideology was communal, not individualism (Appiah, 2004)

On the other hand, leaders such as Ahidjo (Cameroon), Mobutu Sese Seko (Zaire), Omar Bongo (Gabon), and Eyadema (Togo) were champions of capitalism ideology. However, in as much as various African countries subscribed to western ideologies, they developed a philosophy of political power based on a single party rule (Nyong’o, 1992). Nyerere and Nkrumah abolished other political parties to form a single party rule, a concept that was adopted by most African states (ibid). To Nyerere, multiparty was western capitalist ideal that had no place in Africa, since it could destroy African humanitarianism at the altar of individualist propensity for exploitation and gain. Most African political and independence liberators wanted to formulate a political ideology and philosophy that was pragmatic, and tailored to the African context (Potter, 2004; Nyong’o, 1992; Chengeta, 2016).

Fast forward, the whirlwind of democratization in the 1990s dramatically changed Africa political landscape and political philosophy. The collapse of communism, end of Cold War, precipitated a change in Africa political stratosphere that depended heavily on western development aid (Fayemi, 2009; Nagel, 2010). Aid was attached to structural economic
and political changes, in line with the western liberal democracy of multiparty politics, liberalized markets, good governance principles, and constitutionalism, which presented a major challenge to Africa political philosophy (Dahl, 1982; Ake, 2002; Appiah, 2004).

Universalistic perspective equally pushed globalization and technological import, that continued to reshape, and redefine what liberal democracy meant (Fakuyama, 1992). Most African kleptocracies like DRC, Togo, Egypt, had not learned the ideas of democratic elections, extension liberties and freedoms, and civil society space. This was equally the situational state for most African countries who would have preferred transnational progressivism. To most of this states, the term democracy was foreign, western, and “in conflict” with African culture. Other scholars such as Wiredu posits that democracy was a transplanted western political ideology to Africa, that had little, to no institutions necessary for sustaining a democracy. Addition, this approach failed to consider African particularity (46). Ake equally argued that in transforming Africa political philosophy, liberal democracy protagonist ignored contextual relevance, to which he further notes:

“...in order for African democracy to be relevant, and sustainable, it will have to be radically different from liberal democracy. For one thing, it will have to de-emphasize abstract political rights and stress concrete economic rights, because the demand for democracy in Africa draws much of its impetus from the prevailing economic conditions within” (Ake, 1993: 241)

In arguing against the evolution of African political philosophy to democratization, Joseph noted that:

“...Democratization was not supposed to happen in Africa, it had little of what seemed necessary for constitutional democratic politics. African countries were poor, too culturally fragmented, and insufficiently capitalist...Africa middle class were usually a week, bureaucratic...and often co-opted into authoritarian political structure...” (Joseph, 1997: 363)

Diamond equally notes that majorization through ethnicization of liberal democracy is one of the major challenges Africa states are contending within the evolving democratic political philosophy (Jerry, 2008; Potter, 2004). The continued dominance of one ethnic
community in many African democracies as has been the case in Nigeria, Kenya, South Africa, Mozambique, Zimbabwe, and recently South Sudan to name but a few, challenge the authenticity of liberal democracy in a heterogeneous environment (Schedler, 1998). Abuse of liberation dividend and weak uncoordinated opposition has also given rise to poor constitutional designs that allow plutocracy to thrive. As a result, Collier argues that low efficiencies in constitutional structure give way to poor legislatures that display pathological sycophancy and dependency on the president and his/her patronage (Collier, 2007). This means poor oversight of the executive, the creation of citadels of corruption. Though in recent times, few African states parliaments have stated pushing against executive overreach like in South Africa (Roddick, 2016)

To this end, Ake argues that a close examination of Africa power structures and distribution, one discern the kind of democracy, political prevalent, or emerging within Africa (Ake, 1993). However, Chabal notes that African states are facing challenges in building liberal democratic ideology:

“First, there is a persistent claim that multiparty states are controlled and distorted by political elites; where not rigged by incumbents. Secondly, democratically regimes have every intention of subverting...political liberation by ruling as the previous one-party regimes did...finally, and most ominously, there is the unavoidable fact that were multiparty elections have failed to bring about genuine improvements, Africans have begun to lose faith in democracy” (Chabal, 1998: 209)

Some regimes in Africa are achieving democratic consolidation, but though illiberal means, despite exhibiting feature of democracy (Diamond, 1988). Posner and Young have argued that significant changes in the political landscape since the 1990s have constrained African rulers to competitive elections, democracy, and independent institutions than they faced both in politics and policy (Posner & Young, 2006). As such, some of the African rulers are circumventing and abrogating constitutional provisions through legal means to stay in
power. Therefore, one can only to conclude that African transition to democracy has led to unstable, and mutational political ideology, a far cry from ideals of western liberal democracy.

Despite the term limit extension grievances raised by opponents, term limit extensions have proponents. In most instances, proponents argue that curtailing term limit extension is undemocratic and infringes on people right to elect who they want, and for as long as they want (Mann, 1994). Equally, as noted by Doron and Harrison, proponents argue that curtailing presidential term limit extensions is discriminatory, restrictive to democratic choice. If the democracy is about the will of the majority, then, the majority should be allowed to determine who they want as their president, and for how long (Doron & Harris, 2001). The argument by proponents has merit to the extent that, if democracy is the expression of the will of the people through free elections, then curtailing people choice, undermines democracy itself. To this Zacharia (2003) responds by noting that one cannot wish away or dispel the incumbency advantage, or relegate it to electoral institutions that are already compromised through fear and intimidation. Africa has demonstrated that the longer a leader remains in power, the more democratic consolidation and fundamental freedoms and liberties are eroded (Meredith, 2005; Wamba, 1990; Collier, 2007; Opalo, 2015). Therefore, striking a balance between people’s choice, and liberal democratic consolidation on presidential term limits remains a challenge.

2.6 Theoretical Framework

This research paper was guided by the elitist theory of democracy. Various scholars including Wright C. Mills (1956), Floyd Hunter (1953), William Domholff (1970) have written extensively on elitist theory. The elitist theory of democracy perspective by Wright C. Mills was therefore adopted for this study. In international relations, a liberal theorist in argues that democracy has universally triumphed over other governance and political
models (Dahl, 1991; Potter, 2004). However, according to Wright Mills, at the heart of the elitist theory, there is a clear presumption in a democracy that the average citizen is inadequate. As a consequence, this means that most democratic liberal systems rely wisdom, skills, and loyalty of elite political players to advance their course, and not on the wisdom, loyalty or skill of the general population (Mills, 1956). At the heart of elitist democratic theory, the political system is divided into two: The elite and the political entrepreneurs. The elite possesses ideological positions and manipulative skills; while the political entrepreneurs are the general citizens that are usually passive and with little knowledge of politics or public affairs, and in other instances, less interested (Mills, 1956). Schumpeter (1950) notes that elitist theory functions by enabling the political elite to manipulate public policy to fit public desires. Ideally, the political elite anticipates the public reaction to political or policy decisions, by granting citizens some form of indirect access to decision making, but, the decision receiving participation have already been predetermined for the masses. The canon of traditional liberal democracy holds that the prerequisite for stable democracy is political class adopting a public consensus, however, in reality, what constitutes policy or what legislated in political or electoral laws is a construction of the political elite (Putnam, 1976). To this end, Robert Dahl argued that political elites in the democratic system are the true democratic legitimists (Dahl, 1971). Since democratic procedures do regulate and protect elites privileged positions, political leaders are usually counted on to defend democratic ideology in as much as the public majority might prefer a different set of ideologies (Bottomore, 1993). In as much as elitist democratic theorists note that average citizens are politically passive and uncreative in political matters, Dahl argues that over time, as the elite continue to rue and manipulate the society, the likelihood of anti-democratic outburst usually arise to challenge the dominance of the elites (Dahl, 1971). One of the critics against the elitist theory is that it does not
provide objective boundaries to separate powerful and non-powerful institutions (Higley, 2010). According to Dahl (1971), political elites are pluralistic, and democracy is a set of elites bargaining power towards agreements or conflict within a political culture. Dahl further argues that decision-making processes tend to extend complex bureaucratic political networks through constitutional channels, democratic institutions, and other sets of technical elites.

The elitist theory was essential to this study in that it provides a background for examining whether constitutional term limit extensions by both the political class and the citizens are driven by mutual consensus, self-preservation. Further, this theory helped in examining whether citizen approval term limit extensions is an elitist delusion of the public, and whether, public participation in constitutional changes is significant or merely tokenism that helps to advance the wishes and desires of the ruling elite political class.

2.7 Chapter Summary

This chapter has highlighted the historical construction of liberal democracy in Africa. Similarly, this chapter has presented arguments by different scholars on liberal democracy arguments including the minimalist perspectives, maximalist perspectives, and the universalist perspectives. This chapter has also presented on democracy and third term extensions in Africa by examining countries that have extended term limits, and the mechanisms used for the extensions. Finally, this chapter has presented the theoretical framework upon which this study is based. The next chapter presents the methodology that was adopted to carry out the study.
CHAPTER THREE

3.0 RESEARCH DESIGN AND METHODOLOGY

3.1 Introduction

This chapter provides a detailed analysis of how this study was conducted. The target population for this study has been highlighted in this chapter. This is followed by the study design, and how data was collected, analyzed and presented. This chapter concludes by providing the research procedures adopted by the study.

3.2 Research Design

A research design is defined as a framework that guides a researcher in conducting a study (Cooper & Schindler, 2014). Kothari (2004) research design is important in research since it helps a researcher facilitate smooth planning of various study operations, and as such, makes research process efficient in utilization of available resources. This includes procedures on how data is collected, and how it is analyzed to make sense of the study. A research design equally helps a researcher to determine the methodology that will enable the researcher to utilize available resources by allocating the resource to different study components so as to achieve the study objectives (Cox & Hassard, 2005). This study adopted mixed methodology (both qualitative and quantitative study). Qualitative research has five major research designs. This includes grounded theory design, case study design, ethnography design, phenomenology, and finally, biographical study designs (Denzin & Lincoln, 2005; Bryman, 2012). On the other hand, the quantitative study can be descriptive, correlational, or experimental.

The mixed approach ensured that both qualitative data, and quantitative data is captured to answer the study objectives. A qualitative study focuses mainly on words, opinions, experiences, rather quantification in the analysis of data (Bryman, 2012). Qualitative data
is usually either inductivist, constructionist, or interpretivist. Denzin and Lincoln argue that a qualitative study is an interpretive approach that attempts to make sense of information or data collected, or that attempts to interpret phenomena in terms of the meaning that respondents of a study bring on board (Denzin & Lincoln, 2005).

This study is a case study design; a case study is an in-depth analysis of a single element or a number of elements; an individual, group of people, or an organization, institution, a country, or group of countries. The case study in this case if Africa. All 54 African countries were examined, particularly those that have abolished presidential term limits, those that have extended presidential term limits, or those that have attempted but failed to extend presidential term limits. The case study was important to this study since it helped document in-depth situations of what transpired in different African states, which prompted the desire to extend term limits, and the methods that were deployed to extend or abolish the presidential term limits.

A quantitative method was used for research objective one that sought to examine the prevalence of presidential term limit extensions in Africa. This was quantitative since descriptive figures, characteristics and features of this African countries and their leaders are presented. For research objective two, both qualitative and quantitative methods were used. This objective sought to examine citizens’ perspectives on presidential term limit extensions across Africa. As such, to document opinions, aspirations, experiences, and desires, qualitative data was used. On the other hand, to document citizens’ perspectives in terms of what they say on specific issues, for instance, whether they approve or disapprove, the quantitative descriptive approach was used. For research objective three that sought to determine whether good governance influenced presidential term limit extension, quantitative data was used as this enabled the research to provide numbers and descriptive
aspects good governance scores for African countries, and how they measured against term limit extensions.

3.3 Data Collection Methods

Secondary data was used to answer the study objectives. Secondary data is defined as the analysis of data that has already been collected and analyzed by someone else for another primary study purposes (Andrews, Higgins, Andrews, & Lalor, 2012). As such, the utilization of secondary data provides researchers a viable option to credible data at limited resource output or time (Cooper & Schindler, 2014). The analysis of secondary data is equally considered as an empirical exercise that applies similar research principles as primary data, with step followed just as in any other research methodology (Smith, et al., 2011; Cooper & Schindler, 2014).

Secondary data was used in this study. Data was extracted from previous studies on presidential term limits in Africa; local newspapers including the East African, Daily Monitor, the Conversation, African Affairs; and international newspapers including BBC News, Al Jazeera News, The Guardian, the New York Times, and Reuters. Other data sources included international reports such as UNDP Human Development Index reports; Freedom House Democratization Index reports, Human Rights Watch reports, the Heritage Economic Freedom Index and the Ibrahim Index of Africa Governance for 2017. The UNDP Human Development Index was used to establish the values attached to human development in countries that had experienced term limit extensions, yet scored poorly on governance index.

Human Rights Watch Reports were used to examine the human rights perception index in countries with term limit extension, so as to determine whether there existed any link between gross violations of human rights and term limit extensions. Other secondary data
materials examined for this section was the Amnesty International Reports on constitutionalism, rule of law, and political rights index, civil liberties index, and press freedom index.

The Heritage Economic Freedom Index was used to examine the status of economic development in countries with term limit extensions, including poverty prevalence, and access to basic livelihood resources. The Ibrahim Index of Africa Governance (2017) was used to establish the score for bottom ten (poor performing) African countries in governance. This index was important as it provided the basis for establishing the linkage between poor governance and term limit extension.

A study by Boniface Dulani of Afrobarometer (2015) was also used to establish African citizens’ strong opposition for term limit extension, and so as to provide a comparison with reasons and factors provided as a basis for term limit extensions’. Most of the secondary data materials were searched in online journal databases including Jstor journals, Emerald journals, Sage journals, Springer journals among others. The search criteria included typing the keyword that was sought for in the journal for instance, for this first objective, search keywords included: ‘presidential term limits in Africa’, ‘presidential term limits in Africa’, ‘constitutional amendments in Africa’, ‘factors influencing presidential term limit changes in Africa’, ‘extra-constitutional changes to permit term limit extension in Africa’, ‘extension of presidential term limits in Africa’, and ‘prevalence of presidential term limit extensions in Africa’. For supplementary data from newspapers, blogs, and websites, similar criteria were used.

3.4 Research Ethics

Research ethics are the universally accepted conduct of carrying out a study (Cox & Hassard, 2005). This includes objectivity in collecting and reporting data findings, not
manipulating or introducing researchers’ biases in the findings, and seeking research permissions where necessary. For this study, research ethics included providing verifiable sources of data, avoiding research biases, and in case any biases are introduced, reporting on them, and finally reporting data findings without changing material facts.

3.5 Data Analysis Methods

Data analysis method is the systematic examination of raw or secondary data for emerging themes, facts, observations that are used to answer research questions (Saunders et al., 2009). Secondary data analysis method was used to review and analyze data from secondary literature sources. The systematic review was done thematically for each of the specific objectives.

Content analysis was used for data analysis. This involved subjective interpretation on presidential term limit extensions, list of factors as provided in various report, newspapers, professional papers and academic publications. First, African countries with constitutional presidential term limits at independence were identified and extracted. This was followed by identification of a list of this country that had attempted to abolish or introduce presidential term limits was extracted. Once this was done, data was extracted from the list of countries that succeeded to abolish or extend the terms, and those who failed to do so. Finally, the mechanism used by those who abolished or extended term limits were also extracted from the studies.

The next stage of analysis involved conducting supplementary data from online journals, newspapers, blogs, and books using the similar content analysis and thematic group criteria done for the main studies and data sources. These findings have been presented using Tables, and narrative explanations.
3.6 Limitations of the Study

The challenges presented in this study was the broad nature of presidential term limits across Africa, and availability of data on the same. To overcome this challenge, qualitative data was sources from Afrobarometer survey and qualitative data sourced from newspapers, journals, and websites. Secondly, in countries with high authoritarianism, there tends to be minimal dissenting voices on term limit extensions in Africa. This means that citizens’ perspectives were not completely captured for each country in a broad sense. To overcome lack of sufficient qualitative opinion, quantitative data was applied to meet the objectives of the study.

3.7 Chapter Summary

The research methodology has presented in this chapter. A mix of the qualitative and quantitative study design have been presented highlighting how each approach helped realize the objectives of this study. The study population and sampling design has also been presented. Finally, data collection tools, research methods, data analysis methods, and limitation of the study
CHAPTER FOUR

4.0 RESULTS AND FINDINGS

4.1 Introduction

The main objective of this study was to examine within the context of liberal democracy, the factors that have contributed to the success and failure of presidential term limit extension in Africa. The findings are organized and presented in the following manner: The findings on the factors that have contributed to the success of presidential term limit extensions are presented first, followed by the findings on factors that have contributed to the failure of presidential term limit extensions. The findings on the influence of bad governance on presidential term limit extensions are also presented, and finally citizens perspectives on presidential term limit extension

4.2 Rationale for Presidential Term Limits

Since independence to the early 1990s, the majority of African states had increasingly autocratic, unaccountable, and corrupt political leadership, with unlimited term limits (Nyong’o, 1992). Championing democratic ideals clashed with vestiges of colonial rule that had been adopted by African rulers. As such, the rationale for presidential term limits was to reshape the African political philosophy, deconstruct the neo-patrimonial political structures of patronage, and subjugation, with democratic elections, institutionalism, and constitutionalism with presidential term limits (Wamba, 1990; Sklar, Onwudiwe, & Kew, 2006).

In the 1990’s, African states began transforming from authoritarian to competitive and pluralistic democratic governance, by adopting constitutional presidential term limits (Sklar, Onwudiwe, & Kew, 2006; Nyong’o, 1992). These changes prohibited most African presidents from serving more than two terms. As such, incumbents were left with three
options: Abide by the constitutional two-term limit; change the constitution to allow for a third or indefinite limit, or scrap the constitutional provisions, and extend their rule through extraconstitutional means. As posited by (Maltz, 2007; Wamba, 1990) several leaders including Rwanda, Uganda has changed their constitutions to include the third limit, while leaders in Kenya and Tanzania have stepped down at the end of their two-term limits.

To many scholars, political practitioners and policymakers, Africa liberal democracy is still an oxymoron (Roddick, 2016; Dulani, 2015; Diamond, 2008). Ideals and philosophies of liberal democracy, including free and fair elections, adherence to constitutionalism and presidential institutional terms, substantive representation in governance, political processes and decision making, respect for human rights, individual rights and liberties, are either non-existent, subverted, or at the mercy of political plutocrats (Diamond, 2015). To this scholars, it makes sense therefore, as a mechanism of curtailing assault on constitutional democracy, to introduce term limits.

Discourse on Africa liberal constitutional democracy can be traced back to the first 10 years (1960-1970) after Africa emerged from colonialism in what was dubbed the “first liberation period” (Posner & Young, 2006; Keohane & Nye, 1989). Africa constitutions emulated colonial masters’ designs. Francophone African countries adopted semi-presidential French system, whereby an elected president appointed a prime minister and cabinet is drawn from the majority party in the parliament (Barry, 1991). On the other hand, Anglophone Africa (countries colonized by Britain) adopted the Westminster constitutional model, where, political power was vested in the prime minister commanding majority in parliament (Okoth-Ogendo, 1991). The findings of the study show the main rationale for term limits if to enhance democratic consolidation and alternation of power.
Democratic Consolidation

Proponents of term limits argue that term limits argue that there is a correlation between support for democracy and for tenure limits. The finding by Tull and Simons (2017) and Zachariah (1997) show that citizens perspectives show that majority of Africa citizens are do support presidential term limits due to the effect term limits have on democratic consolidation. Democratic consolidation in this regard refers to the incremental improvement in democratic ideals of power distribution, alternation, participation, and constitutionalism. Based on the Afrobarometer survey alone, (78%) of citizens surveyed in 29 African countries show that support for term limits is linked to democratic consolidation. This has been evidenced by citizens protests against any attempt by the ruling elite to extend term limits particularly in Burundi, Senegal, DRC, Malawi, Zambia, Togo, Burkina Faso among others.

The findings also show that that high support for term limits was an affront against one-man-rule as has been the case in several African countries. The rejection of one-man-rule by (78%) of respondents from 29 African countries shows that the need for democratic consolidation is ripe in most African countries.

In Uganda for instance, term limits had been squashed off in 2005, however, the constitutional safeguard against one-man rule was the age limit that was placed at 75 years. In 2017, Museveni’s ruling party started pushing for the constitutional amendments to remove age limits, to allow Museveni to run again. Reacting to these developments, the Anglican Bishop Zoreka noted:

“…I do not support the removal of the age limit…we have been waiting for to hand over power peacefully…” (Ngala, 2017:1)
Equally in Uganda, members of parliament protested in parliament, with some getting in a physical fight and altercations leading to the opposition bench being thrown out of the parliament on several occasions (Ngala, 2017). One of the major issues raised by citizens seeking democratic consolidation is reforms within the electoral system to ensure free and fair elections, and not extension of presidential term limits (Chengeta, 2016). In responding to the recent passage of a bill seeking to remove age limit in Uganda for persons seeking to run for the presidency, Job Kija, the Coordinator of Uganda National NGO Forum registered his disappointment by noting that:

“...I felt defrauded as a Ugandan...these (MPs who passed the bill) were unserious lot...this shows connivance between parliament and executive to disregard citizens’ concerns” (The Observer, 2017: 4)

Ultimately, term limits in liberal democracy are important, necessary and essential since they help to check the executive and prevent abuse of power and personalization of the state (Dulani, 2015).

In DRC for instance, citizens protesting against President Kabila’s quest for third term was based on the fact that allowing Kabila to run, will diminish and undermine democratic consolidation in the country, and result in consolidation of power, and personalization of the state. One of the demonstrators in Kinshasa noted as follows:

“...we came to tell the world that democracy and democratic process in Democratic Republic of Congo has been threatened by Kabila’s desire for a third term...an electoral calendar should urgently be published” (Kowene, 2015: para 2)

**The Need of Power Alternation**

The proponents of term presidential limits argue that this provision in the constitution facilitate power alternation which is essential for a functioning democracy. The findings of a study conducted by Vencovsky (2007) established the existence of a relationship between leadership alternation and term limits in Africa. The study also found that term limits
reduces the uncertainty and discrepancy between the citizens and the leaders. Vencovský has further noted that tenured departures from power are hallmarks of democracy. As such, the concept of term limits helps assert the liberal democratic principle that leadership is shared, participatory, and a transitory function (Ogot, 2012).

The findings of Tull and Simons (2017) among 34 African countries had established that majority of the citizens in Africa are of the view that power alternation is desirable and should be upheld through term limits. Similarly, Afrobarometer survey show that (78%) of citizens from the 29 of the 34 countries argued that upholding term supports alternative leadership which enhances democracy. In some countries, citizens perspectives on term limits has been expressed through the civil society organizations that have championed for power alternations as was the case in Nigeria in 2007, and in Benin in 2015. However, in other instances, the civil society organizations organized massive civil protests forcing presidents to abandon their quest for term limit extensions. To this, Winnie Adong, a twenty-nine-year-old fruit seller in Kampala, when asked about importance of power alternation noted that:

“…it would be good to change the leaders regularly…that way, they will focus on people’s problems such as unemployment” (The Observer, 2017:1)

Ronald Oryema, a thirty-seven-year-old commuter motorcyclist argued that in as much as Museveni had done a lot to keep the stability and prosperity of Uganda, the constitutional system should provide for power alternation, so as to produce other good leaders. Further Oryema notes that:

“…if one (president) stays in power (too long), it means that change may not be peaceful…after 10 years, one must leave power” (The Observer, 2017: 2)

A renown Ugandan researcher and political commentator, Dr. Frederick Mutebi strongly argued that term limits ensure that leaders do not overstay in power. Conversely, he argues that:
“…term limits can in some instances run the risk of forcing countries to discard good leaders” (The Observer, 2017: 3)

Dr. Mutebi extends this thought further by arguing that world major democracies like the US, Germany, France, got it right via experimentation. Each of these countries charted their own course, thus why some of these major democracies have term limits, while others do not. Therefore, Africa should be left alone, and for that matter, each African state should decide what works for them. However, Malawi political scientist Dr. Dulani disagree by arguing that if leaders are good, they will naturally, produce good leaders who will take after them.

“…the argument that removing term limits leaves political power in the hands of voters ignores the reality of incumbency advantage…prevalent on the African continent…without term limits, presidents will remain in power for life” (Dulani, 2015: 36)

4.3 Impact of Term Limit Extension on Liberal Democracy in Africa

In liberal democracy, competitive, free and fair elections are used to enforce presidential term limits. Independent institutions, and political parties. Citizens have inalienable rights to expressed themselves without fear of retribution. On the other hand, Thomas Nagel defines liberal democracy as a state in which the sovereign power of the state whereby individual rights remains inviolable, and where citizens are treated equally (Nagel, 2010).

Ake posits that democratic consolidation has not happened in Africa due to the skewed nature of western liberal democracy (Dahl, 1982; Schedler, 1998; Ake, 1996; Ake, 2002). Further, liberal democratic theory as constructed does not offer emancipatory liberties and freedoms, the notion of choosing through election mostly fraudulent. To this end, Joseph (1997) calls liberal democracy project in Africa as “virtual democracy”, on several fronts: First, it purports to champion majority rule, yet citizens hardly makes governance decisions; perpetuates hegemonic class rule, where ruling class are hardly dislodged from
power since they control economic wealth by controlling instruments of capitalism essential for liberal democracy. Secondly, liberal democracy in Africa is dependent on external pressure, where efflorescence of liberty and democracy are done through external forces not pitched on the rational motif, but rather, western interest. Thirdly, the entrenchment of status quo ensures that those enjoying power manipulate democratization process to legitimize continuous stay in power, and finally, policy and institutional encumbrance are tampered with, such that substantive policy outcomes are ruled out, while those allowed have narrow public participation choices, thus, legitimizing the illegitimate process. On the whole while, the lack of credible institutions, the fulcrum upon which liberal democracy turns, makes implementation of liberal democratic ideals a mirage in the African context.

Not surprisingly, electoral democracy as championed by tenets liberal democracy, became a breeding ground for kleptocratic regimes as observed in Uganda, Zaire, Guinea, and Cote d'Ivoire in the 1980s (ibid). In essence, the perpetual discontent with poor governance, corruption, and plunder of public resources are attributable to liberal democracy, a moronic paradox, when one looks at the spirit and principles of liberal democracy. Huntington noted that in as much as elections, free, fair, open, are the essence of liberal democracy, the inescapable sine qua non (an absolute necessity); elections in Africa, have continued to produce corrupt, inefficient, irresponsible leaders (Huntington, 1991). Therefore, this governments, generally, are undesirable, but, not undemocratic. Stated differently, electoral principles of liberal democracy, procedures and processes sometimes do lead to profoundly undemocratic outcomes, or illiberal democracies, mostly the case in Africa (Zachariah, 1997).
Similarly, (Schedler, 1998) argues that for liberal democracy should and must lead to democratic consolidation. To which Zachariah contends that for democratic consolidation to work, adjectival qualification of “liberal” is essential. Liberal provisions ensure that a state is not only confined to the rule of law and constitutionalism in free and fair elections but also, fortified by bundles of freedoms (speech, religion, property, assembly etc.) As such, the two strands of liberal democracy (liberty and democracy) have to be interwoven in the political fabric of a society as demonstrated in western democratic states (Collier, 2007). In Africa, Ake argues that western-style liberal democracy disregards the complex nature of Africa political fabric interwoven in culture, and social beliefs like patrimonialism, which, discredits liberty and freedom of choice (Ake, 2002)

On examining the question on the net impact of term limit extension on liberal democracy has been, Zachariah (2003) has argued that term limit extensions have eroded the fidelity of liberal democracy. The essence of term limits under liberal democracy was to build and enhance constitutionalism and change of power after the expiry of constitutionally agreed terms. However, when leaders circumvent this provision for whatever reason, they impinge on the fidelity of constitutional liberal democratic tenets. It has therefore become confusing in Africa to determine what true version of liberal democracy is, when are permitted either through fraudulent elections, or patronage parliamentary legislation.

Diamond, (2015) contends that instruments and institutional reforms of a state will create desirable consolidation of liberal democracy. However, this argument could be invalidated on assumption that democracy, and democratization, that majoritization and representation is a largely a rational exercise. The question on what happens when the majority of citizens support autocratic regimes achieve undemocratic ends through constitutional means is still a conundrum. For instance, constitutional reforms in Uganda Burundi, DRC, Congo,
Rwanda, and Namibia have been very democratic, yet fail in liberal democratic consolidation test. Therefore, adopting Dulani’s (2015) argument that instruments, and institutional reforms do not always create desirable consolidation of liberal democracy in Africa, but rather, illiberal one, is valid. Collier agrees with the assertion by noting that instruments and constitutional reforms which improves democracy will not, on their own liberate a state both economically and politically, but a critical mass of educated people working on reform agenda strategy (Collier, 2007)

The findings of this study show that term limit extension invalidates liberal democratic concept of alternation of power. Vencovksy (2007) has argued that for the tenets of liberal democracy to hold, then power must be alternated every so often. This is not only important because it allows for change of guard, but also, it prevents the incumbency from personalization of the state as was the case in Zimbabwe, Burkina Faso, and Gambia; and as is still the case in Uganda, DRC, Chad, Eritrea, Sudan, Togo, Burundi, Cameroon, and Equatorial Guinea. According to Chengeta (2016), when term limits are not upheld, political corruption, electoral authoritarianism, autocracy, and abuse of human rights ensues. This impact has been documented in Uganda, DRC, Chad, Eritrea, Sudan, Togo, Burundi, Cameroon, Equatorial Guinea, and most other African countries that have circumvented two term constitutional term limits. The resultant negative impact has convoluted what could be referred to as a true liberal democracy in most Africa countries (Kowene, 2015).

4.4 Reasons Why Term Limit Extensions Have Been Successful

The clamor for the democratization of Africa has brought about a mixed bag of fortunes both good and bad. In the period running between 1990 and 2010, forty-nine (49) constitutions in Africa were amended to allow for democratic principle of presidential term limits (Chengeta, 2016; Dulani, 2015). Encapsulating of presidential terms was first and
foremost, a deterrent to personalization of the state by the incumbency (Kowene, 2015). Secondly, the tenets of liberal democracy were to build and enhance democratic consolidation. This meant that term limits were a key driver to the consolidation (Zachariah, 1997). This notwithstanding, most incumbents in (26) Africa have not remained true to the tenets of constitutional democracy on presidential term limits (Diamond, 2008; Namakula, 2016) and either, attempted to abolish/extend the terms, extended term limits, or abolished them altogether. The Afrobarometer study (2015) shows that majority (75%) of African citizens strongly oppose term limit extensions. However, fifteen (15) succeeded in amending the constitution to allow term limit extensions or abolition despite the citizen's opposition.

According to Tull and Simons (2017), different incumbents utilized different channels to accomplish term limit extensions. For instance, Six (6) out the fifteen (15) used the parliament to amend the constitution; eight (8) utilized popular referendum, while (2) incumbents used the courts to extend presidential terms. According to the findings of this study, different factors that explain why fifteen African Incumbents succeeded in their quest for term limit extension. These factors include liberation dividend, weak electoral institutions, the influence of neo-patrimonial systems, and the tyranny of the majority, and skewed referendum.

4.4.1 Liberation Dividend

Liberation dividend is a state the existed in post-colonial Africa in the 70’s and 80’s, where African nationalists, the champions of independence and self-rule, began to centralize political power, abolished multi-parties at the pretext of national security, peace, and stability (Tordoff, 1993). In most instances, the struggle credentials by Africa states founding fathers determined access to power. These leaders (turned presidents) became reluctant to surrender power. State ownership became the reserve of leaders of the
liberation movements (Kew, 2005). Significantly, the post-independence politics revolved around the leadership and personality of first presidents within different African states. For instance, shortly after becoming president in 1960, Félix Houphouët Boigny of Côte d’Ivoire abolished political parties, consolidating authoritarian power that allowed him to rule for more than 32 years:

“With Houphouët Boigny they were no term limits; Boigny created a uni-party state that openly supported his political party, which enabled him to tighten his grip on the politics of Côte d’Ivoire” (Van de Walle, 2002: 28).

Similarly, in Côte D’Ivoire, President Félix Houphouët-Boigny, in his 32-year dictatorial rule once noted that:

“…There is no number two, or three or four in Côte D’Ivoire…there is only number one, that’s me, and I don’t share my decisions” (Roddick, 2016: 14)

This meant that President Félix Houphouët-Boigny could rule with impunity, and not care about presidential term limits since he did not have anyone who could dare challenge him. The pattern of power consolidation by several of African founding fathers (presidents) was therefore characterized by imprisonment of opposition figures, and political dissenters, resulting in executive imperial presidencies across Africa (Tordoff, 1993). Other presidents established pseudo-monarchies and declared themselves presidents for life resulting to the violent usurpation of power through assassination and military coups (Bratton & Van de Walle, 1997; Wamba, 1990).

**Ugandan Case**

In Uganda for instance, President Museveni has been in power for more than 32 years aided by constitutional amendments that allowed him to abolished term limit extension (Issaka, 2016). Since independence, Uganda had experienced multiple autocratic regimes with violent power transitions. For instance, Milton Obote and Idi Amin governments were very
autocratic with no room for political competition or independent institutional development (Moehler, 2006). Museveni led a rebel group called the National Resistance Movement (NRM) that enabled him get into power in 1986. Museveni was regarded a liberator, a hero who had emancipated Uganda from the chains of oppression and dictatorship by Obote and Id Amin. Museveni was keenly aware that the challenge with Uganda was poor leadership and leaders who overstayed their mandate. In an interview with BBC he noted as follows:

“The problem with Uganda is not the people…but leaders who want to overstay in power” BBC News, 1986: 1

During this time, Museveni enjoyed the liberation dividend. He had a clean slate on politics and governance without significant challenge to his power or presidency. In the 1990s, Museveni managed the political space by ensuring that only NRM was the only party politically alive in Uganda. Museveni’s government enacted a Political Organization Act of 2000 that restricted opposition party’s ability to assemble, or mount a significant challenge to his presidency (Van de Walle, 2002). Notably, during his first five-year rule, Museveni did not entertain any dissenter or development of political parties. They were considered a security threat to national stability (Ngala, 2017). In as much as the opposition parties were allowed in the successive years, they were too weak to stand up to Museveni’s government. Meaning, there was no significant challenge or alternative people’s voice to Museveni’s rule (Moehler, 2006). It was until 1996 that internal dissent by civil society, citizens and the opposition, that Museveni allowed for the adoption of a constitution with presidential term limits (Van de Walle, 2002).

It should be noted that in Uganda, provisions to repeal presidential term limits is provided for in article 137 (1) of 1995. The constitutional court is the only with such jurisdiction. However, this was not the case; parliament usurped the constitutional courts mandate to change the rules in Museveni’s favor (Asiimwe & Muhozi, 2005). True to the arguments
by Roddick, Versteeg and Ginsburg, and Ake that, the shortcoming with liberal democracy in Africa is that the incumbency determines and defines what democracy means, or what term limits mean, and who determines those terms (Roddick, 2016; Versteeg & Ginsburg, 2017; Ake, 2002). This sentiments were echoed by Ugandan Anglican Bishop Zoreka who noted that:

“In Uganda, the judiciary, parliament, and other government agencies serve at the whims of the President. When Museveni decides what is to be done…it gets done. No one dares stand in his path or oppose him…Museveni believes that since he is the one who liberated Uganda from tyrants, he has earned a license to do whatever he wants with Uganda” (Ngala, 2017:21)

Similarly, Ugandan President for Opposition Democratic Party Norbert Mao noted that Museveni had turned his liberation heroism into tyranny; wanting to become a lifetime presidency:

“Museveni was quite appealing when he came to power in 1986…because of Uganda’s violent history with previous tyrants, and the challenges Uganda was facing. Museveni was therefore a breath of fresh air…but he has shattered our hopes…he has stayed in power for so long changing rules to serve him and his power interest’ (Gitta, 2017: 1)

Alex Gitta’s assertions were evidenced on September 30, 2015, when Ugandan parliament voted to repeal Article 105 (2) that accorded Museveni a maximum of two-five year terms. Parliament voted to repeal this article because Museveni wanted it repealed. A maximum of two-term did not serve Museveni’s interest in power in Uganda (Barkan, 2015). To ensure the parliamentarians played ball, Museveni parliamentary were paid $ 2, 000 to influence their voting (Moehler, 2006). In the latest term limit extension in 2017, Museveni also paid parliamentarian $8,000 to pass the bill repealing presidential age limit (Gitta, 2017)

Liberal democracy proponents from the west did not castigate Museveni during the term limit amendments. According to Cheeseman (2010), the international community were
willing to let Museveni go through with the amendments as a compromise to the stability of the region. It seems the case that international community and agencies placed much premium on Museveni’s contribution to Uganda’s stability than on regression of liberal democratic space (Roddick, 2016). To this end, Barkan noted as follows in regard to 2005 term limit extension in Uganda:

“…After an extended period of political liberalization…Uganda has slipped back into a period of neo-patrimonial, or ‘big man’ rule” (Barkan, 2015: pg11).

According to Geoffrey Orumuri, Museveni has used his heroism to galvanize power, to the extent that he is the de facto, and only decision maker in government.

“…nothing gets done without Museveni’s nod. Officials in government must travel for hundreds of kilometers from Kampala to his (Museveni’s) farm to seek his blessings for their plans” (Orumuri, 2017: Para 4).

It is evident from this findings that Museveni has utilized the liberation dividend for the heroism accredited to him for liberating Uganda, to personalize the state power, contrary to liberal democratic tenets of democratic consolidation through fixed term limits. In 2005, when Museveni first made an attempt to change the constitution to scrap term limits, he made it so shrewd that even opponents found it difficult to oppose. Paul Nantulya from African Centre for Strategic Studies notes that:

“…in 2005Museveni offered a political sweetener to facilitate amendments to abolish term limits by combining the scrapping of the term limits, by attaching an amendment to introduce multiparty democracy. Museveni tabled the two proposals together which put opponents of term limit extension in an awkward position… opposing the term limits would result in rejecting reintroduction of multiparty politics, a thing opponents did not want to risk” (Nantulya, 2016: para 7)

The political mind games always put Museveni in an advantaged position than his opponents. In as much as there is a growing descent in Uganda concerning Museveni’s heroism and rule, Museveni still relies on his liberation struggle as an excuse for his continuous stay in power. In 2017, despite having ruled for 31 years, Museveni’s ruling
party started pushing for the constitutional amendments to remove age limits, to allow Museveni to run again. The ruling party push was basically the machination of Museveni since nothing gets done in NRM party without his authorization. In reacting to these developments, the Anglican Bishop Zoreka, one of the voices opposed to this extension noted that Uganda has been longing for the day Museveni will hand over power peacefully:

“…I do not support the removal of the age limit…we have been waiting for to hand over power peacefully…” (Ngala, 2017:1)

Following the revelation of plans to abolish age limit to allow Museveni to run indefinitely, public demonstrations against the removal of the age limit took place mostly in Kampala. Students from Makerere University were on the forefront against the amendment. The demonstrations were dubbed “K’ogikwakato”, meaning, ‘don’t dare touch it’ in Luganda language. There were significant protests in parliament in equal measure resulting in physical fight and altercations between opposition members and NRM party members resulting (Ngala, 2017). Opposition members were thrown out of parliament; the amendment passed with NRM majority vote.

In reacting to the bill passage, Job Kiija, the Coordinator of Uganda National NGO Forum registered his disappointment as follows:

“…I felt defrauded as a Ugandan…these (MPs who passed the bill) were an unserious lot…this shows connivance between parliament and executive to disregard citizens’ concerns” (The Observer, 2017: 4)

The Rwandan Case

In Rwanda, President Paul Kagame has been in power for more than 18 years. In 2017, Kagame led a constitutional referendum to allow for the extension of presidential term limits that could allow him to stay in power until 2034 (Guardian, 2017). Just like Museveni, Kagame is Rwandan liberation hero. During the 1994 genocide that killed more than one million Tutsi and moderate Hutus, Kagame (Commander of a rebel group Rwanda
Patriotic Front (RPF)) led an attack against a genocidal government, driving the government forces out of Rwanda, and decisively ending the genocide (Stubbs, 2016). It precisely this event that came to define how President Kagame is viewed by supporters in the Western capitals and at home: “the man who ended unimaginable terror and horror” (Guardian, 2010: para 6).

However, in pushing for the extension of third term limits, some scholars argue that Kagame has debased the ethos that elevated him so highly among his fellow African Presidents who are only concerned with personalization of state power (Stubbs, 2016; Dulani, 2010; Ngala, 2017). The liberation dividend granted Kagame the freedom and leeway to rebuild Rwanda, a job he has done specifically well. The economy has rebound growing at 8% per annum for the last ten years, infrastructure, schools, hospitals, and security. As such, Kagame’s continuous leadership has been a necessity for the prosperity of Rwanda. Thomas Stubbs notes that:

“… For the people of Rwanda…Kagame inspires trust in an otherwise uncertain future…he may be the only person who can hold the country together…it is a boat Rwandans don’t want to rock” (Stubbs, 2016:1)

Equally, attributing Rwandan success to Kagame, Dr. Joseph Karemera argues that Kagame came into power after a decade of civil conflict, assassinations, and tribal wars that culminated into genocide. He further notes that:

“There was no development to be talked about in Rwanda prior to Kagame; but now, Kagame has stabilized the country, pacified it so much it is now an icon of peace and stability” (VIsathan, 2015: 1, Para 6)

Despite the accolades attributed to Kagame, many accuse him of taking advantage of liberation dividend for personal power aggrandizement. Kagame has made it difficult for anyone to challenge him, or stand against him. For instance, while many political parties in Rwanda have been abolished with their leaders being incarcerated, killed, or exiled. Only a few parties do survive in Rwanda, particularly those allowed to operate. Case in point,
Bernard Ntaganda, the leader of Rwanda’s Socialist party was allowed to campaign against Kagame, in 2016, but a few months later, he was arrested for holding an illegal gathering, and planning to kill a political rival. By the time the elections were held, the party had no leader (Barkan, 2015).

Additionally, Visathan (2015) argues that Kagame has established himself as the only sober voice for Rwanda. Any opposition to his leadership should be dealt with ruthlessly. For instance, in June 2010, an exiled former RPF general, Faustin Kayumba was shot in a botched assassination attempt in Pretoria South Africa. Similarly, Leonard Rugambage, an editor of a banned Umuvugizi banned paper was murdered outside his home in Kigali while investigating general Kayumba’s shooting in South Africa (Guardian, 2010). The body of Rwanda’s Democratic Green Party vice-president Andre Kagwa Rwisereka was found decapitated and thrown in Butare River. In 2016, Mr. Nshimiyimana, a resident of Rwamagana district handed to parliament alone petition of disapproval of any constitutional amendment that would grant Kagame a third term. In as much as his petition received a mention in parliament, his actions of daring to stand up against Kagame were not forgotten. Months later, he was arrested, tortured and almost strangled to death (Mupenda, 2016).

Therefore, relying on his icon figure, and heroism statute across Rwanda, Kagame has cultivated a ruthless image that most dares not to cross (Barkan, 2015). Based on the previous history of what had befallen previous opponents of Kagame, no one dared to oppose the presidential term limit extension. Even opposition parties such as the Socialist Democratic Party, and the Rwanda Green Democratic party all supported term limit extension. As such, the success of term limit extensions in Rwanda is by large, precipitated, and championed by Kagame’s desire to remain in power, and using his liberation heroism
stature to condemn opponents, and dictate what he thinks to need to be done with state power, which in most instance, of for personalization of the state, through extended term limits (Stubbs, 2016).

4.4.2 Neo-Patrimonial System

The reshaping the African political philosophy on liberal democracy, particularly presidential term limits meant deconstructing patrimonial political structures of patronage, sycophancy, single parties and citizens subjugation to the whims of the ruling regimes (Wamba, 1990). Ultimately, entrenching a system of presidential term limits for Africa meant developing African states capabilities for democratic elections, institutionalism, and constitutionalism (Sklar, Onwudiwe, & Kew, 2006). However, this has not been the case as African leaders have engaged neopatrimonialism systems to gain leverage over constitutionalism and citizens wishes.

Neopatrimonialism combines a strong incumbent presidency, the clientelistic linkage between politicians and citizens, and how state resources are distributed as patronage reward for legitimizing the system (Bratton & Van de Walle, 1997). It is a systematic concentration of political power in the hands of an incumbency who resists delegating (Lindberg, 2006). Neopatrimonialism also means a condition of state capture, where politicians or those in power treat public office as a private resource (Coppedge et al., 2017). The notion of incumbency using patronage-based resource distribution of resources against constitutional constraints is a highly practiced phenomenon across Africa states, and more so, with term limit extensions, or lifetime presidencies (Lindberg, 2006).

The Case of Chad

Chad is one of the African countries that have successfully conducted constitutional amendments to allow for presidential term limit extensions. In 2005, Chad held a national
referendum seeking the extension of President Idris Deby’s term. The referendum sailed through with a 65.75% ‘yes’ vote amendment to the constitution, which included the removal of the two-term presidential limit. The extension included replacing the Senate with the Cultural, Economic and Social Council in addition to giving the president the powers to amend the constitution (de Waal, 2009). What is intriguing about this amendments is that it was proposed by President Idriss Deby, who has been in power since 1991, despite having declared that he will not vie for another term after 2006 term noting:

“…I will not change the constitution ...what remains to do for me in my last mandate, my job is to prepare Chad for alternation in government” (Debos, 2008: 16)

Few years down the line, Deby galvanized the parliament, to endorse his position on presidential term limit extension. This was by relying on neopatrimonialism structures and systems within Chad (de Waal, 2009). For instance, to ensure that the Senate that could oppose his move was dismantled, while at the same time, rewarding warlord leaders, and clan leaders for their support by appointing them to the Cultural, Economic and Social Council. To which, de Waal noted: “in Chad, patrimony trumps the law” (de Waal, 2009: 105).

The patronage in Chad is very high. Parliamentarians pay homage to Deby as a way of remaining in his ‘good books’, and thus, being favored during the distribution of national resources (Tubiana, 2008). According to Debos (2008), the constitutional changes that were introduced in May 2004 by Deby’s through his Patriotic Salvation Movement (MPS) were merely for rubber stamping by the parliament. The MPS had 113 parliamentarians out of 115. The vote and passage of the amendment were unanimous after opposition walked out in protest. This paved the way for a popular referendum to endorse the term limit extension, to which the exiled opposition leader noted:
“The referendum on presidential term limit extension is a plan to offer life presidency to president Idriss Deby by those he has cajoled, bribes, and rewarded” (Soubiane, 2008: para, 15)

To ensure the opposition gained zero mileage in their quest to resist term extension, Deby used the national broadcast regulator to black out community based radios from airing any opposition messages for the entire campaign period, while at the same time using state radio to air freely in support of Deby’s term extension bid (Tubiana, 2008). The use of national resources to reward pro-government populations while punishing opposition population is the high of neopatrimonialism that played a big role in the passage of presidential term limit extensions in 2005 (May & Massey, 2007). According to Hansen (2011), the fluidity of loyalties and neopatrimonialism, and the blurred boundaries between changing values of the elites, and democracy.

In a liberal democracy, the judiciary and the parliament are supposed to offer check and balances to the executive, but when the executive controls the other two arms through corrupt reward systems, then the executive gets to reap all the benefits of such arrangements. This was the case Chad parliamentary endorsement of term limit extension, and the subsequent passage of the referendum vote allowing the constitutional amendment and passage of the bill. The constitutional amendments were successful not based on merit or prolific political debate of merits and demerits, but because of clientelistic linkage between President Deby, politicians and citizens in sharing state resources as a way of achieving patronage that legitimized the system and the term extensions.

The Case of Djibouti

Ismail Omar Guelleh has been the president of Djibouti since 1999 and has been in power since despite the constitutional provision for a two-term presidential limit. In 2010, Djibouti parliament passed a constitutional amendment allowing President Guelleh to extend a third term that was running from 2011 to 2016 (Reuters, 2011). The amendments were passed
by 59 members of parliament out of 63. The four other members were absent. The main channels of political power are through loose political personalized tribal factions or Afar and Somali that dominate the National Assembly, and serve at the whims and control of the president (BBC, 2016). In 2016, when Guelleh was supposed to step down, he ignored the constitution altogether (Aljazeera (2016). According to Africa Intelligence, Djibouti presidency runs majorly on neopatrimonialism system. President Guelleh has built his core political power base around his Issa Mamassan clan. The community holds significant positions in government. Allies from each ethnic groups in Djibouti are also represented in upper echelons of power within the government making it easy and possible to adopt any recommendations or power wishes by President Guelleh (African Intelligence, 2016).

“...Guelleh relied on his closest partisans and more particularly his family connections to abolish two-term limits, and in 2016, to extend his rule despite the third term limit... this blatant disregard for the law is necessitated by patronage system that supports and doesn’t question the presidents quest for absolute power” (Africa Intelligence, 2016: 2)

To ensure Guelleh remains in control of what goes on in the country, any protests against the government are not allowed. The government uses the security personnel and structured to intimidate and inflict violence on any opposition protests. For instance, during the February 18 and 25 2016 protests, the government brutalized the demonstrators, rounded up more than 100 people and charged them for disturbance of peace and demonstrating without a permit (Human Rights Watch, 2016). On February 27, about 80 of the demonstrators were brought to court, however, after the judge dismissed the cases, the judge was dismissed by the Justice Minister, Mohammed Barkat, who serves at the pleasure of President Guelleh. A new judge was appointed who convicted the demonstrators. It is therefore evident that the judiciary by large, serves under the pleasure of the president. Those who work within the clientelistic system are rewarded, while those who deviate are punished. According a study by Staffan Lindberg on neopatrimonialism and democracy,
term limit extensions and their success are linked political regimes neopatrimonialism practices (Lindberg, 2017). For instance, the study documented Africa neopatrimonialism index score for 2015, with a score range of (-1.5 as least neopatrimonial; 1.5 as most neopatrimonial). Most of the countries that scored highly on the index have term successful limit extensions including Chad, Guinea, Eritrea, Burundi, Cameroon, DRC, Congo Brazzaville, and Djibouti. Chad and Eritrea were the most neopatrimonial states with a score of 1.5. Djibouti had a score of 0.9. The least neopatrimonial states such as Cape Verde, South Africa, Botswana, Seychelles, and Sao Tome. Therefore, one of the major findings of this study is that neopatrimonialism influences success of term limit extensions in Africa.

4.4.3 Tyranny of Majority

Majority of parliamentarians of the ruling party plays a significant role in determining the success of term limit extensions across different African states. According to Dani Roddick (2016), African countries that have circumvented presidential term limits have done so on the strength on their numbers in parliament. Incumbency relies on this numbers to push its agenda. For instance, Cameroon parliament is composed of the 180 members. In 2008 when Cameroonian parliament voted to extend president term limit for President Paul Biya, the president’s party, Cameroon People’s Democratic Movement (CPDM) had the majority in parliament holding 153 seats out of the 180. During the vote, all the CPDM members voted to extend Biya’s presidential term limit. The opposition had a paltry 47 members and could not marshal enough resistance to defeat the bill (Reuters, 2008).

In Uganda, the National Resistance Movement (NRM) party has a majority (293 members) in a parliament of 426. When the bill to lift term limits came for a vote, Museveni Marshalled his NRM party members to support the bill. The bill passed with 317 votes (The Observer, 2017). In 2002, Togolese parliament voted unanimously to extend presidential
term limit for President Eyadema, who by then, had been in power for more than 35 years. The ruling party Rally for Togolese People (RTP) commanded the majority (82) out of the 92 member parliament (CoolBen, 2010). In fact, the majority of ruling party parliamentarians also voted to reduce the age at which one could become president in Togo from 45 to 35. This was done at the behest of Eyadema, who was paving way for his son to take over should he die in office.

In Rwanda, before the popular referendum was held in 2015, a term limit amendment bill had to go through parliament. The Chamber of Deputies has 80 members, out of which, Kagame’s RPF party controls 37 seats plus 27 seats appointed from youth, women, and special groups. This makes a total of 64 members affiliated to Kagame’s majority in parliament compared to 16 member opposition. When the bill came up for a vote, all the 75 members present unanimously voted for the amendment. According to Clement Uwiringiyimana, Kagame’s majority in parliament enables him to get what he wants. The main opposition party, Democratic Green Party (DGP) is too small to stop him, and too intimidated to stand in Kagame’s way (Uwiringiyimana, 2015). The tyranny of majority does not only refer to incumbency’s numbers in parliament, but also in ethnic support as has been evidenced in Uganda, Rwanda, Sudan, and DRC among others states with term limit extensions (The Guardian, 2016).

4.4.4 Popular Demand
One of the major findings of this study on the need to extend presidential term limits is pegged on the popular demand of the leader. This is based on the precept that a leader who is popular and has done well for the country’s population social development, economic growth and development, and good governance deserve to be given to lead the country for longer. As such, to allow such leaders the opportunity to continue with their good work, presidential term limits are either abolished, or extended. For instance, in 2015,
approximately 3.7 million Rwandans petitioned parliament to have the existing two-term term limits extended to allow President Kagame to run for the third term (IFES, 2016). This was based on the fact that Kagame had brought much economic growth, stability, and security to a once conflict-prone state that almost suffered extinction through the 1994 genocide. To this end, the Guardian noted that:

“… (Rwanda) economic growth (under Kagame) has averaged 8% per year. Maternal mortality fallen by 60%...country is considered one of the safest and least corrupt in Sub-Saharan Africa…and percentage of people living in poverty drop from 44.9% to 39.1% in 2014” (Guardian, 2017: 4)

As such, based on the Rwanda sterling economic performance, political stability, safety, and health under Kagame, a referendum was conducted to ask citizens to allow for the presidential term extension for Kagame to continue leading the country. An overwhelming majority, (98%) of citizens (voters) voted to extend presidential term limits in Rwanda. This was followed by an (99%) vote for President Kagame’s third term. In response to this endorsement and reelection, Kagame noted that:

“…you have requested me to lead the county again after 2017; given the importance and consideration you attach to this, I can only accept” (Guardian, 2017: 4)

The inference made in this quote by Kagame is that there was a popular demand for his leadership style, to the extent that Rwandans had place an important consideration on having him to continue to lead, and he could only oblige. Rwandan case could be explained by the fact that Kagame rescued the country from the precipice after the 1994 genocide, and has established stability, peace and security and a thriving economy, and as such, citizens ten to associate this success to Kagame, and equally, the future posterity of the country to his long-term continuous leadership.

According to the Guardian, Kagame supporters are least concerned third term extension preoccupation as the West, but rather, are focused on economic development and peace
that Kagame has brought to Rwanda. As such, Kagame’s continuous leadership is a
necessity for the prosperity of Rwanda. Thomas Stubbs notes that:

“… For the people of Rwanda…Kagame inspires trust in an otherwise uncertain
future…he may be the only person who can hold the country together…it is a boat
Rwandans don’t want to rock” (Stubbs, 2016:1)

The findings of this study show that Rwanda is an outlier in this category. Popular demand
does not hold for all other African countries such as Zambia, Nigeria, Malawi, Senegal,
and Burkina Faso where presidential term limits extension was rejected by citizens through
massive street protests and through the defeat of the extension measures in parliament.

### 4.4.5 Skewed Referendums

In Africa, referendums have been used by incumbents to advance their quest for term limit
extension. Since 1997, nine (9) successful referendums have been used to abolish
presidential term limits, or to extend term limits by incumbents (Tull & Simons, 2017).
This study sought to examine the existing conundrum where citizens from majority African
states disapprove term limit extensions, yet vote to approve this extension during
referendums. A study conducted by Boniface Dulani of Afrobarometer (2010) revealed
that seventy-eight percent (75%) of citizens surveyed in 29 African countries do not support
term limit extensions. This notwithstanding, eighty-seven (87%) Ugandans voted for 2005
referendum scrapping term limits (The Guardian, 2016); yet (85%) strongly support term;
in Guinea a 2009 referendum about ninety-three (92.3%) voted to abolish term limits
(Africa Affairs, 2011); yet (84%) strongly support term limits; in Burundi 2018 referendum
seventy-three (73%) of registered Burundian approved introduction of term limit extension
(East African, 2018), yet (51%) strongly supports term limits.

The prevalence of a conundrum on strong approval for referendums scrapping term limits
and strong support for term limits formed the basis for this study, particularly, to determine
why this was the case. According to the study findings, several factors do explain this conundrum. First and foremost, the findings of this study show that term limit extension referendums are propelled on patronage distribution and control of resources. This strongly influences voter behavior who seeks to oppose the vote, yet feels constrained by a series of strategic dilemmas that compels the voters to remain loyal to the incumbency (Stubbs, 2016). For instance, the opposition leader for Burundi FRODEBU party, Leonce Ngendakumuna in responding to citizens dilemmas noted that:

“...This referendum is organized in extreme intimidation and total opacity...a referendum organized in such a manner will definitely result in a biased outcome, yet, citizens can not dare oppose due to related consequences” (East African, 2018: Para, 6)

Similarly, citizens faced checkpoint intimidation, where they had to show their voter cards to prove they will participate in the referendum and will vote for the incumbency:

“...Checkpoints have been set up throughout Burundi...likely by youth from the ruling party to check evidence of voter registration. Even students who have not registered are sent back to registration centers to do so” (The East African, 2018: para, 8)

Therefore, the fear of not participating in the referendum, and voting for the incumbency drives dissenting voices to vote for incumbency term extension despite their wishes and conviction not to do so.

One of the other major findings concerning the existing conundrum between citizens strong support for term limits and approval of term limit extensions was based the system of patronage. The electoral playing field is so skewed in favor of the incumbents, making it difficult for citizens to dissent. The incumbency usually has the monopoly of state resources and use of force compels citizens to vote for incumbents despite their preferences. For instance, in Uganda:
“...the opposition parties’ view referendums as a means through which incumbent distributes patronage resources and money to influence election outcomes” (African Affairs, 2011: Para, 11).

The patronage systems play a major role in creating compelling citizens to vote for the incumbency, in as much the extent to which this is the case is not clear since it is difficult to measure how many citizens switched their vote, or whose life is endangered for opposing term extensions. On the other hand, Van de Walle (2006) also notes that citizens with strong dissenting voices against term limit extension may end up voting for the incumbency due to what he refers to as the ‘tipping game’, arguing that when citizens are convinced that others will vote for the incumbency, they will do so despite their misgivings.

Functional autocratism is another major finding as to why citizens support term limit extension despite inert contradiction not to do so. Functional autocratism fall under what is usually referred to as ‘benevolent dictators’; leaders who use their authority to suppress dissent, and opposition as a mechanism of having their agenda implemented (Zachariah, 1997). In as much this leaders are autocratic in nature, they are also beloved at home for their social progressive their countries growth, economic development zero tolerance to corruption. Such is the case with Kagame, the president of Rwanda. Since 2004 when he took over Rwanda, a country ravaged by atrocities of genocide, Kagame rebuilt Rwanda to one of Africa’s fastest-growing economies with thriving infrastructure, decreased poverty, maternal mortality, free primary education, increased access to free health care, and decent livelihood for Rwandans. Notably, this is some of the reasons why (98%) of Rwandans voted to extend Kagame’s presidential term. However, this notwithstanding, critics of Kagame’s government point to the fact that human rights abuses and authoritarianism is rife in Rwanda (Cheeseman, 2010). Referendum is viewed as a machination of the state, to which, the Rwandan people cannot dare disobey (Byemelwa, 2016). Muthoni Wanyeki, Amnesty International regional director for East and Great Lakes region notes that:
“...Since the ruling RPF party took power 23 years ago, Rwandans have faced huge, and often deadly obstacles to participating in public life and voicing criticism of government policy” (Wanyeki, 2017: pg2)

As such, the (98%) referendum approval of presidential term extension was granted, critics like Wanyeki argue that this is a façade. Fear, and intimidation of is rampant for those who dare oppose Kagame. Opposition figures have been jailed, assassinated, exiled. Citizens cannot therefore stand up to the government. On the other hand, the development record for Kagame and his ability to have presided over a period of political stability, economic development, and prosperity of Rwanda has also presented Rwandans with a dilemma; seeking to oppose term extension, yet, desirous of continuous stable, peaceful, prosperous Rwanda; mostly, they chose the latter (Cheeseman, 2015; Barkan, 2015; Roddick, 2016).

4.5 Reasons Why Term Limit Extensions Failed in Some African Countries

The second liberation of 1970 and 1980s in Africa resulted in significant internal revolt against personalization of political power by incumbency in several African states (Roddick, 2016). This revolt was particularly pointed towards opposing presidential term limit extensions. Some of the countries where term limit extension attempts failed include Nigeria, Burkina Faso, Malawi, Zambia, and Senegal (Namakula, 2016). The proponents of term presidential limits argue that this provision in the constitution facilitate power alternation which is essential for a functioning democracy (Cheeseman, 2015). According to Ogot (2012), the concept of term limits helps assert the liberal democratic principle that leadership is shared, participatory, and a transitory function. Therefore, opposition of failure of presidential term extension is the evidence of maturing democracies, where the citizenry, parliament, civil society and judiciary are bulwarks of democratic consolidation. This study findings established three main reasons that explains why attempts at term limit extensions have failed in some African states. This includes strong civil society, citizen’s power, strong and independent parliaments, and strong functional opposition.
4.5.1 Strong Citizens’ Power

Strong citizenry stands as a vanguard of constitutionalism against personalization of state, abuse of power, more so, presidential term limit extensions (Byemelwa, 2016). One of the ways through which citizens have expressed their voices has been through persistent demonstrations against one-man-rule, and against term limit extensions. Burkina Faso, Sierra Leone, Senegal, Malawi, Benin, and Zambia among others.

The Case for Burkina Faso

In 1991, internal strife within Burkina Faso forced President Blaise Compaore to allow for adoption of a new constitution with a provision limiting presidential term limits to two terms of seven years each (Dulani, 2010). However, in 1997, Compaore abolished the term limits. In 2000, the term limits were reinstated again, however, the presidential terms were amended to two-five year terms. This meant that Compaore was eligible for first five year term in 2005 elections, and reelection in 2010 for a final term, which he successfully contested. However, 2010 was supposed to be his last term a per the constitutional term limit mandate (Roddick, 2016). In 2009, Compaore’s ruling party and supported began the clamor for abolishing of term limits to allow the president unlimited terms at the presidency. Despite the national outrage at this proposal, Compaore’s government went ahead to call a national referendum on term limit extension. Protestors took to the street to oppose such a move. One of the protestors, Seydou Kabre noted:

“…We are going to march to the presidency itself…we want president Compaore to leave… We are protesting because Blaise is trying to stay too long… we want change. He must go” (The Guardian, 2014: Para, 22)

However, unperturbed, Compaore’s government went ahead with the amendment to pass the amendment bill on October 30, 2014, that would have given space to the national referendum. Before the parliament could convene for the debate, protestors descended on
the parliament, blocked it, and set it on fire. In as much as Compaore withdrew the bill, and dissolved parliament, citizens protect continued to grow, forcing Compaore to flee from the country. Attempts by the military to appoint a military leader as interim president were rebuffed by who refused to leave the streets, until Michel Kafando a civilian leader was appointed as an interim leader (Byemelwa, 2016).

Burkina Faso is one of the best examples of citizens’ power against autocratic leadership and failure of term limit extensions. Lieutenant Col. Zida, one of the junior highly trained military personnel in responding to the Burkinabe’s people power noted:

“…Power belongs to the valiant people of Burkina Faso…and no one takes that away from you” (Bonkoungou & Penney, 2014: Para, 15).

As noted by Col. Zida, peoples power, when harnessed can play a significant role in safeguarding democratic consolidation against the single individual rule, or stated differently, against term limit extension. The Burkinabe people through massive street protest yielded a decisive failure to attempts for presidential term limit extension in Burkina Faso.

4.5.2 Strong Civil Society

Civil society organizations play a significant role in democratization and constitutionalism. According to O’Donnell (1999), strong civil societies are important in upholding of presidential term limits since they do exert pressure on the state and the incumbency to uphold constitutional provisions on presidential term limits, and not seeking to extend them for individualized power reasons. Strong civil society’s efforts in demanding accountability and good governance matter most when they empower both the state and the citizenry particularly in upholding checks and balances to the executive. In most instances, civil society work is to expose abuse of power with incumbency seeking term limit extensions
against the constitutional provision, and bringing political pressure to bear by supporting independent institutions to act against any political machinations, power grab, or abuse (Ake, 2004). Civil society is also essential in strengthening electoral democracy through monitoring of elections including referendums used for term limit extensions, and independent media that is used to promote awareness of incumbency excesses or abuses on the constitution in seeking term limit extensions (Wilmont, 2016).

The Senegal Case

In 2012, incumbent President Abdoulaye Wade of Senegal who had served two terms attempted to extend term limits and failed (Wachira, 2018). President Wade had made the first attempt at term limit extension in 2008 when his ruling party, Senegalese Democratic Party (SDP) changed the constitution to return the seven (7) year presidential term that had been scrapped in 2001 to a 5-year term. In 2009, President Wade announced that he was going to seek a third term in office in 2012. This resulted in violent mass protests in Dakar organized by the citizens, and a civil society group dubbed Y en a Marre – meaning ‘fed up’ in French (created in 2011, composed of students, journalists, and rappers) (Amnesty International, 2016). This group ability to mobilize Senegalese youth to protest against the incumbency played a great and significant role in the defeat of Wade. The group was also instrumental in providing civic education to the grassroots against incumbency’s quest for the third presidential term (Amnesty International, 2016). According to Freedom House:

“…Y en a Marre succeeded in defeating President Wade’s third term at the polls in 2012 because they were effective in mobilizing youth voters and the entire population during the country’s get-out-to-vote drive, particularly using the pop culture, art, and inclusiveness” (Freedom House, 2014: para, 4)
As such, the *Y en a Marre* case provides significant evidence that well-organized civil society can be effective in checking the excesses of the incumbency against the quest for third term limit extensions.

Similarly, another civil society group dubbed M23 that was composed of ordinary citizens, civil society groups, and opposition parties also laid out well-orchestrated demonstrations against President Wade’s quest for third term extension. The Group had initially protested against any constitutional reforms for third term extensions. The group took to the streets on the 23rd of every month as a way of sustaining pressure against what they term Wade’s potential constitutional coup. Through the group’s concerted pressure, President Wade was defeated (Wachira, 2018)

**Burkina Faso Case**

In 2013, when President Blaise Compaore attempted to change the constitution and run for a third term, a civil society grouped dubbed *Balai Citoyen*- meaning ‘citizens broom’ mobilized citizens the move (Chouli, 2015). In July 2013, *Balai Citoyen* civil society group mobilized reggae musician Sams’K le Jah group and rapper Serge Bambara as point men for the *Balai Citoyen*. The aim was to use the popularity of the musicians to mobilize citizens against Compaore’s third term extension. The group adopted rhetorical themes of the late President Thomas Sankara who was much beloved in Burkina Faso for reforming the country. The broom was symbolic to sweep out Compaore and his ruling elite, and also a tribute to Sankara who had organized weekly cleaning sessions while he was president (BBC, 2014)

The push by *Balai Citoyen* in addition to massive youth street protests led to the defeat and failure of Compaore to institute a third term rule in Burkina Faso. The civil society group did not just stop at the ouster of Compaore, but rather, reorganized into a formidable
governance watch group, mobilizing youth people for accountability of elected officials. The group also mobilizes and organizes public forums, and conferences on various subjects of interest to the citizens including governance, transparency, accountability, and political reforms (The Dawn, 2018).

Other civil societies group such as Filimbi (meaning whistle in Swahili) in DRC protesting against Kabila’s term limit extension did not succeed for their weakness in the formulation, and lack of popular political and cultural leaders support. This group was brutally repressed by government forces, and as such, did not have an impact in stopping Kabila’s quest for term limit extension (Cheeseman, 2015). Equally, in Burundi, a group entitled Halte au troisieme mandate was brutally repressed by government forces as they protested against Nkurunziza’s quest for term extension. Ultimately, the citizens’ quest for as expressed through demonstrations and protests by these groups was to ensure there was power alternation as guaranteed in their countries constitution.

4.5.3 Independent Parliament and Judiciary

Parliamentary supremacy over the executive branch can play a major role safeguarding constitutional provisions of governance for the executive, while on the other hand, independent judiciary that is a task with the constitutional and legal application and interpretations can stand as bulwarks of constitutionalism against term limit extensions (Cheeseman, 2015).

The Nigerian Case

Olusegun Obasanjo was the Nigerian president from 1999 to 2007; however, in 2006, when his two-five-year term was coming to an end, he started the process of constitutional amendment to allow for a third presidential term (The Guardian, 2016). The Nigerian Senate is vested with the powers to make such determinations on whether the constitution should undergo amendments for any matter that be. When the third limit constitutional
amendment bill was presented before Senate, it was voted defeated, permanently squashing any chance for Obasanjo’s third term quest. The amendment needed a two-thirds majority to pass, to which Obasanjo’s party couldn’t marshal. Reacting to this defeat, Ken Nnamani the Senate President noted that:

“…the Senate has resoundingly, clearly and eloquently said that we should discontinue any other proceedings on presidential term limit extension” (New York Times, 2006: Para, 6).

This meant that the legislative bill seeking to introduce constitutional amendment was officially out of the Senate. On reacting to the defeat, and in affirming the power of the independent legislature, an opposition law marker, Sule Yari-Gandi noted that:

“…Today, Nigerians through the Senate have spoken and resoundingly defeated the monster called third term extensions” (New York Times, 2006: Para, 8)

This finding shows the power of an independent legislative unit against incumbency on third term extensions. In as much as Nigerian National Assembly members were subjected to intense bribery pressure, blackmail, and threats, their allegiance to the rule of law and constitutionalism prevailed (The Guardian, 2016). Following the defeat, Obasanjo surprisingly welcomed the Senate’s rejection of the third term quest, calling the legislature's decision a victory for democracy (Vanguard, 2006). From the Nigerian experience, we can learn that with a little more courage, determination and resilience of independent parliament can make a big difference in overcoming capricious desires for third term extensions.

**The Malawi Case**

In Malawi, Bakili Muluzi had been president for 10 years (1994- 2004). However, in 2003, through the ruling party United Democratic Front (UDF), Muluzi started pushing for a constitutional amendment for a presidential third term (BBC, 2004). The UDF party Members of Parliament tabled a constitutional amendment bill seeking to abolish term limits for Muluzi. This was followed by massive civic protests demanding Muluzi to step
down at the end of his second term. When the bill comes for a vote, it was narrowly defeated, with some UDF party members siding with the opposition to defeat the bill. The attorney general who had attempted to take the case through the courts withdrew that case permanently defeating the Muluzi’s third term extension quest (Dulani, 2015).

The case for Nigeria and Malawi have demonstrated that a string and independent legislature is one of the formidable factors that have been used to defeat presidential term limit extensions in Africa. When the legislature is independent and works within the confines of its constitutional mandate, term extensions are defeated (The Dawn, 2018). Burundi is an outlier in this case. In 2015, Burundian parliament voted to defeat the constitutional amendment bill for third term extension. However, Nkurunziza took the matter to the constitutional court, which granted him the power run for the third term. This extension was later approved through a popular referendum in 2018 (Al Jazeera, 2018).

Based on this finding, it is possible to conclude that independent parliaments and judiciary are a significant deterrent to limit extension. However, they two must work independently within their constitutional mandate, without capitulating to the incumbency. Otherwise, a situation like Burundi, where one constitutional body defeats a term extension, while another approves can still occur.

4.6 Influence of Bad Governance on Term Limit Extensions in Africa

Bad governance has been noted by various scholars as the cause for fledgling democracies in Africa (Zachariah, 1997; Roddick, 2016; Tull & Simmons, 2017; Van de Waal, 2002). The challenge of Africa states in democratic consolidation and more so, in upholding the constitutionalism of presidential term limits has been fulcrum on relics of bad governance and authoritarianism (Wanyeki, 2017). Similarly, personification of political power creates pervasive situations for rent-seeking behavior by the incumbency and the citizens alike. As
long as the patronage benefits keeps flowing, both the citizenry and the incumbency develop a culture of loyalty and dependency which enables them to see nothing wrong with bad governance (Byemelwa, 2016)

A study conducted by Ibrahim Index of Africa Governance (IIAG) 2017 report is used to rank top performing and bottom performing Africa countries in governance based on four parameters namely: Safety and rule of law, participation and human rights; sustainable economic opportunity and human development. According to the findings, Eritrea is ranked number 52 with a governance score of (29%); Central Africa Republic was ranked 51 with an average governance score of (31%); Sudan was ranked 50 with a score of (33%); Libya was ranked 49, because it lacked recent data, it was eliminated from the table; Democratic Republic of Congo was ranked 48 with a score of (35%); Chad was ranked Equatorial Guinea was ranked 46 with a score of (37%); Angola was ranked 45 with a score of (39%); Burundi was ranked 44 with a score of (40%); Guinea Bissau was ranked 43 with a score of (41%); while Congo was ranked 42 with a score of (43%) (IIAG, 2017)

This study sought to establish whether there existed a linkage between the bottom performing countries in overall governance in Africa, and term limit extension. The findings show nine out of the bottom ten countries on the IIAG governance score have either changed presidential term limits of ignored them altogether. For instance, Congo changed term limits through referendum (2015); Guinea amended the constitution to allow for term limit extension through referendum in 2001; Burundi amended the constitution through the court in 2015 and later through a popular referendum in 2017; Angola did not have term limits until 2017 when Dos Santos decided to leave power; Equatorial Guinea did not have term limits 1979 until 2011 when they were introduced through a popular referendum; Chad amended its constitution in 2005 through referendum. Similarly, in
DRC, President Kabila defied the two-term limits that came to an end in 2016, by choosing to remain in power. Sudan on the other hand amended the constitution through a referendum in 2005; while Central Africa Republic (CAR) did not have term limits until a popular referendum was conducted in 2015 establishing a two-term five-year tenure. On the other hand, President Isaias Afwerki chose to ignore the term limits all together despite having been in power for the last 25 years (Tull & Simmons).

**Poor Governance in Eritrea**

According to UN Human Rights Council (2016), Eritrea is one of Africa’s poorest countries and with bad governance under the authoritarian regime of Isaias Afwerki. One of the parameters for measuring poor governance is the poor score of a government on issues like safety and the rule of law. The UNHRC report notes that Eritrea government has been notorious for violating human rights and subjugating its citizen’s repression, arbitral detentions, torture, enforced disappearances, rape, in addition to extrajudicial Killings. According to the New York Times, more than, 400, 000 Eritreans have been forced into vast conscription program in the army or government bureaucracy for close to nothing in payments (New York Times, 2016). The UNHRC report shows that Eritrean constitution that was drafted in 1997 is yet to be implemented 20 years later. There are no national elections in Eritrea, while opposition political parties have been banned. Internal deficits, lack of constitutional implementation and autocratic regime undermines public voice and creates an environment that perpetuates human rights violations and abuse of law (Przeworski, 2009). A large number of Eritreans continue flying from the country for a better life elsewhere. In 2015, 47, 025 young Eritreans sought asylum in Europe, which was the approximately similar case in 2012, and 2013, and 2014 (Eurostat, 2015). No wonder, the incumbent, Isaias Afwerki can circumvent constitutional provision for presidential terms without any consequences.
One of the other parameters examined for Eritrea’s bad governance is the Human Development Index (HDI). According to United Nations Development Program (UNDP) 2013, in 2012, Eritrea HDI value was 0.351, which is in the low human development category globally, being ranked 181 out of 187 countries. Eritrea had mean years of schooling in 2012 was 3.4 years, with a Gross National Income of US $ 0.531 way below the SSA average of US $ 2, 010 as summarized in Table 4.1

Table 4.1: Eritrea's HDI Trends

<table>
<thead>
<tr>
<th>Year</th>
<th>Life Expectancy at Birth</th>
<th>Expected Years of Schooling</th>
<th>Mean Years of Schooling</th>
<th>GNI Per Capita (2005 PPP$)</th>
<th>HDI Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1980</td>
<td>43.9</td>
<td>34.0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1985</td>
<td>44.9</td>
<td>3.4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1990</td>
<td>48.2</td>
<td>3.4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1995</td>
<td>52.5</td>
<td>3.4</td>
<td></td>
<td>0.639</td>
<td></td>
</tr>
<tr>
<td>2000</td>
<td>56.2</td>
<td>4.6</td>
<td></td>
<td>0.575</td>
<td></td>
</tr>
<tr>
<td>2005</td>
<td>58.8</td>
<td>5.4</td>
<td></td>
<td>0.590</td>
<td></td>
</tr>
<tr>
<td>2010</td>
<td>61.2</td>
<td>4.6</td>
<td>3.4</td>
<td>0.487</td>
<td>0.342</td>
</tr>
<tr>
<td>2011</td>
<td>61.6</td>
<td>4.6</td>
<td>3.4</td>
<td>0.509</td>
<td>0.346</td>
</tr>
<tr>
<td>2012</td>
<td>62.0</td>
<td>4.6</td>
<td>3.4</td>
<td>0.531</td>
<td>0.351</td>
</tr>
</tbody>
</table>

(Source: UNDP, 2013)

As indicated in Table 4.1 above, when a state has 3.4 mean years of schooling, it cannot produce enough skilled labor force, or informed citizenry who can start demanding for a change in governance, or in the abolition of life term presidency. According to Dulani (2015), citizens in repressive regimes like Eritrea are oppressed to raise a protest against incumbency. As such, the incumbency would prefer to perpetuate this repression and citizen’s ignorance so as to remain in power.

On Eritrea’s public participation in governance and decision making, the findings of this study show that Eritrea is an authoritarian state (Vanguard, 2006). Despite the attributes and semblance of a democratic country with a judiciary, parliament, regional governors,
and assemblies, political decisions and power are concentrated in the hands of one man, 
Isaias Afewerki, who had a patronage loyalty from the military and party politicians.

**Poor Governance in Democratic Republic of Congo (DRC)**

According to USAID Democracy, Human Rights and Governance Fact Sheet (2016), DRC is one of the SSA countries which have poor governance deeply rooted in every sector of society. Corruption in DRC has been one of the most pervasive vices that have contributed to poor governance. According to Transparency International Corruption Index 2017 report, DRC was ranked 161 out of 180 with a score of 21 out of 100 (Transparency International, 2017). According to Human Rights Watch, hundreds of millions of dollars from vast mining revenues have been siphoned by Kabila, his family, and cronies, immersing great wealth at the expense of impoverished citizens. Equally, revenues from investment projects do not trickle down to the citizens in service provision as this money ends up in the pockets of Kabila and his cronies. Further, the Human Rights Watch notes that:

“…the incumbent (president Kabila) has presided over a treacherous system of patronage that has entrenched impunity in which those who perpetrate corrupt abuses are rewarded with government positions, power and wealth. The DRC security have been used to carry out orchestrated violence, and in some cases, creating and arming local militia groups against dissenting citizens as a way of creating strategic chaos, that will allow Kabila to postpone elections and justify his stay in power” (Human Rights Watch, 2016: para,

The justice sector in DRC has repeatedly failed to enhance safety, rule of law, accountability, transparency, and human rights protections due to internal government weaknesses and lack of resources. On Safety and rule of law, DRC scored 28.3% and was ranked 49th in Africa (IIAG, 2017). According to Dani Roddick, absence of safety and rule of law in any regime is a recipe for authoritarianism and autocracy, since the law cannot be implemented effectively. Autocratic regimes thrive on inadequate provisions for law and order to militarize the state, and as such, simple protests against the regime ends up in
massive repression and brutalization of citizens by the state (Roddick, 2016). This was very evident in DRC when civilian demonstrations organized by the Catholic Church in Kinshasa turn violence with scores of people being killed, with others were arrested and brutalized by Kabila’s forces (Reuters, 2016). Kabila has relied on the relied on state instigated violence to silence any dissenting voice against his quest for term limit extension. Despite the fact that in DRC, six out of seven people live in abject poverty, while thousands of refugees have fled the country into Angola, and more than 3, 000 people losing their lives, Kabila’s quest for power grab is undeterred (The Conversation, 2017)

According to UNDP (2013), the HDI value for DRC in 2015 was 0.435, which puts the country among the lowest ranked in human development category, holding position 176 out of 188 globally. DRCs mean schooling years in 2015 was 3.8 years, which was still below the SSA average of 4.7 years. The Gross National Income (GNI) per capita has decreased by 46% from 1990 where it stood at US$ 1, 260 to US$ 680 in 2015. Table 4.2 summarizes the findings on how poor governance has affected human development categories in DRC.

Table 4.2: DRC HDI Trends

<table>
<thead>
<tr>
<th></th>
<th>Life Expectancy at Birth</th>
<th>Expected Years of Schooling</th>
<th>Mean Years of Schooling</th>
<th>GNI Per Capita (2005 PPP$)</th>
<th>Per Capita (2005)</th>
<th>HDI Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990</td>
<td>49.0</td>
<td>6.8</td>
<td>2.3</td>
<td>1,260</td>
<td>0.356</td>
<td></td>
</tr>
<tr>
<td>1995</td>
<td>49.1</td>
<td>6.6</td>
<td>2.9</td>
<td>675</td>
<td>0.331</td>
<td></td>
</tr>
<tr>
<td>2000</td>
<td>50.0</td>
<td>7.0</td>
<td>3.3</td>
<td>545</td>
<td>0.331</td>
<td></td>
</tr>
<tr>
<td>2005</td>
<td>53.7</td>
<td>7.5</td>
<td>4.3</td>
<td>577</td>
<td>0.364</td>
<td></td>
</tr>
<tr>
<td>2010</td>
<td>56.9</td>
<td>8.8</td>
<td>5.4</td>
<td>568</td>
<td>0.398</td>
<td></td>
</tr>
<tr>
<td>2011</td>
<td>57.4</td>
<td>9.1</td>
<td>5.6</td>
<td>584</td>
<td>0.407</td>
<td></td>
</tr>
<tr>
<td>2012</td>
<td>57.9</td>
<td>9.0</td>
<td>5.8</td>
<td>604</td>
<td>0.412</td>
<td></td>
</tr>
<tr>
<td>2013</td>
<td>58.3</td>
<td>9.1</td>
<td>6.0</td>
<td>616</td>
<td>0.419</td>
<td></td>
</tr>
<tr>
<td>2014</td>
<td>58.7</td>
<td>9.1</td>
<td>6.1</td>
<td>650</td>
<td>0.425</td>
<td></td>
</tr>
<tr>
<td>2015</td>
<td>59.1</td>
<td>9.8</td>
<td>6.1</td>
<td>680</td>
<td>0.435</td>
<td></td>
</tr>
</tbody>
</table>

(Source: UNDP, 2015)
The significant drop in the GNI per capita from $1,260 to $680 is an indication of lack of sustainable economic mechanisms in DRC due to prevailing conflict, autocracy, and poor governance. Lack of sustainable economic opportunity is one of the hallmarks of poor governance. This study is able to establish a link between poor governance and third term limit extension, since the current ranking by Transparency Corruption index (21%), II AG score of 28.2, and poor citizens participation in governance and human rights is an indication of poor governance influences third term tendencies in the incumbency. President Kabila was supposed to step down in 2016, however, he refused to step down, and is planning for a constitutional referendum to extend a third term despite worsening inter-ethnic conflict and food insecurity in DRC (The Guardian, 2016).

**Poor Governance in Equatorial Guinea**

For more than two decades, Equatorial Guinea has experienced political lawlessness, personalized single-party regime, bad governance and autocratic leadership that has left the country politically muzzled, with an immobilized population stuck in generational poverty (BBC, 2014). According to Human Rights Watch report (2017), corruption, and poverty are the embodiment of bad governance in the 39-year rule of Teodoro Obiang Nguema Mbasogo, who has been at the political helm since 1979. This is despite the fact that Obiang introduced term limit extension in 2016, to keep him in power even longer (African Affairs, 2011). Rampant mismanagement of public resources, high level corruption, human rights violations, arbitral detentions, and repression of the civil society and opposition are frequent (Visathan, 2015). Equatorial Guinea is among the top five oil producers in SSA, with a population of only 1 million people, yet, the UNDP HDI show Equatorial Guinea ranked 138 out of 188. Despite this resources, President Obiang and his cronies use the vast oil resources for personal enrichment, while large proportions of the population live in
poverty (Human Rights Watch, 2017). Table 4.3 provides the summary findings on how human development has been affected by poor governance.

### Table 4.3: Equatorial Guinea HDI Trends

<table>
<thead>
<tr>
<th>Year</th>
<th>Life Expectancy at Birth</th>
<th>Expected Years of Schooling</th>
<th>Mean Years of Schooling</th>
<th>GNI Per Capita (2005 PPP$)</th>
<th>HDI Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990</td>
<td>48.2</td>
<td></td>
<td></td>
<td>1,466</td>
<td></td>
</tr>
<tr>
<td>1995</td>
<td>50.3</td>
<td></td>
<td></td>
<td>2,120</td>
<td></td>
</tr>
<tr>
<td>2000</td>
<td>52.1</td>
<td>8.0</td>
<td>5.4</td>
<td>13,116</td>
<td>0.527</td>
</tr>
<tr>
<td>2005</td>
<td>53.6</td>
<td>9.0</td>
<td>5.4</td>
<td>24,479</td>
<td>0.569</td>
</tr>
<tr>
<td>2010</td>
<td>55.9</td>
<td>9.2</td>
<td>5.5</td>
<td>20,649</td>
<td>0.580</td>
</tr>
<tr>
<td>2011</td>
<td>56.4</td>
<td>9.2</td>
<td>5.5</td>
<td>20,695</td>
<td>0.582</td>
</tr>
<tr>
<td>2012</td>
<td>56.8</td>
<td>9.2</td>
<td>5.5</td>
<td>21,385</td>
<td>0.586</td>
</tr>
<tr>
<td>2013</td>
<td>57.2</td>
<td>9.2</td>
<td>5.5</td>
<td>18,145</td>
<td>0.582</td>
</tr>
<tr>
<td>2014</td>
<td>57.6</td>
<td>9.2</td>
<td>5.5</td>
<td>16,944</td>
<td>0.582</td>
</tr>
<tr>
<td>2015</td>
<td>57.9</td>
<td>9.2</td>
<td>5.5</td>
<td>21,517</td>
<td>0.592</td>
</tr>
</tbody>
</table>

(Source: UNDP, 2016)

One of the major findings concerning poor governance in Equatorial Guinea is that it has the highest GNI per capita, for instance, $21,517 in 2014 in Africa, yet the country has the majority of its population leaving in poverty (UNDP, 2016). This is indicative of poor governance and management of resources. Despite being endowed with vast resources, Equatorial Guinea has among the world lowest vaccination rates at 25%. Worse still, according to Human Rights Watch 2016 report, 42% of children in Equatorial Guinea were not registered in basic primary schools, with half of the children who begin primary school being able to finish (Human Rights Watch, 2016).

Obiang’s son is reported to own a US$ 196 million mansion in France, a private jet worth US$ 38.5 million; an art collection worth US$ 24 million, and a US$ 30 million mansion in Malibu USA (Reuters, 2016). Such obscene plunder from national coffers, while children can’t afford to go to school, depicts the autocratic nature of the government, and how the
citizens are subjugated to the whims of the family repressive regime (Ibid). Equatorial Guinea is one of the most repressive regimes, therefore, safety and rule of law are only meant to serve the ruling elite. According to the Ibrahim Index of African Governance, Equatorial Guinea has a score of 40.7% on safety and rule of law, being ranked 40th out of 55 countries; on sustainable economic opportunity it had a score of 28.3% and ranked 50th out of 55; and on citizen participation Equatorial Guinea had a score of 22.8% and ranked 51st out of 55 (IIAG, 2017). The poor ranking on citizens’ participation and human rights means that the ruling government hardly involves citizens in governance and decision making, in autocratic regimes like Equatorial Guinea, elections, and other decisions such as term limit extension is usually predetermined, and any elections are just mere rubber stamping the wishes of the regimes. As posited by Stubbs (2016), in repressive regimes, citizens do approve term extensions of support the regime due to strategic dilemmas; supporting the regimes means more oppression, however, failure to support the regime could mean complete cut off from current resources of patronage support they are receiving from the regime.

Poor Governance in Sudan

Omar Al-Bashir has been the president of Sudan since 1989 when he comes to power through a military coup (Tull & Simmons, 2017). In 2005, Al-Bashir changed the constitution through a referendum abolishing presidential term limits. According to IIAG 2017 report, Sudan is among the bottom ten African countries with poor performance in governance. The objective of this study was to establish whether there is a link between poor governance and term limit extension. The findings of this study show that Sudan poor governance has contributed to term limit extension. To examine the extent of poor governance in Sudan, various parameters were examined including economic freedom, rule
of law, corruption levels, citizens’ participation in governance, and human development index.

According to Heritage 2018 Economic Freedom Index, Sudan had an economic freedom score of 49.4 and ranked 161 in 188 countries, and 37 out 47 African countries surveyed by the study. Sudan has a major challenge with the application of the rule of law and administration of justice to the citizens. Access to justice and judiciary effectiveness is ranked at 21.4% after years of political conflict destroyed legal frameworks, to which the current regime has done very little to rebuild (Heritage Economic Freedom, 2017). As such, the purveyance of injustice, cruelty, arbitral arrests and detentions serve to entrench fear in the citizenry to remain subservient to the incumbency and the ruling regime (Wanyeki, 2017). According to IIAG (2017) Sudan has the poorest score in Africa at 21.6 in rule of law and citizens’ safety, and ranked 52nd out of the 52 countries surveyed in the study. Freedom House Survey on the other hand notes that Sudan one of the most repressive regimes with a Political Index score of 7.0 (least free society); Civil Liberties Index score of 7.0 (least free society) and a Press Freedom Index score of 73 (least free – on a scale of 0 being most press free society, and 100 being least press free society)

The findings of this study also show that Sudan is one of the most corrupt countries in the world, ranked at 170 of 176 countries surveyed by Transparency International in 2016 (Transparency International, 2017). The high level corruption is spent on government cronies and neopatrimonial structures, which enable the incumbency to fasten its grip on political power. Autocratic regimes thrive in a culture of high corruption, repression, and patronage, which Al Bashir has succeeded by using the Islamic-oriented military to drive Sudanese politics and to plunder oil resources (Roddick, 2016)
On the issue of citizen participation in political processes and human rights, Sudan had an IIAG score of 26.1 out of 100, and ranked 49th out of 52 African countries surveyed (IIAG, 2017). Political repression against the opposition and civil rights activists thrives perpetuated by Al-Bashir’s regime, as a mechanism of silencing the dissenting voices to the incumbency. According to Amnesty International, activities of Civil Society Organizations (CSOs) and opposition parties are heavily restricted in Sudan:

“…The National Intelligence Security Service has prevented numerous CSOs form holding any public events. For example, on 17 February 2018, it banned a meeting between Teachers Central Committee and Umma Party…18th March 2018 prohibited Umma Party from holding any public meetings…4th April prevented Sudanese Dramatists from holding public events to address lack of dramatic art in Sudan…8th April stopped Sudanese Congress Party from holding any memorial service brutally killed by the regime…on 6th May, NISS declared a symposium on Sufism as illegal and cancelled altogether” (Amnesty International, 2018: para, 4)

Such arbitrary power excesses are characteristic of autocratic regimes bend on ensuring the wishes of the incumbency in terms of resource distribution, corruption, patronage, and absolute power control are realized, including term limit extensions (Tull & Simmons, 2017). On the subject of poverty and regimes mismanagement of resources, Borgen Poverty Project notes that resources distribution in Sudan is structured on clientism. A circle of close military has resulted in rampant poverty even in the capital city Khartoum:

“…Khartoum is notorious for poverty and destitution…the population has continued to increase over the last 20 years, yet the government cannot show what it has done with vast oil resources to combat the poverty” (Borgen Project, 2016)

According to UNDP (2015) Sudan HDI value is 0.490, which puts that country in the low human development category globally, while the average years of schooling is 3.5 years, extremely abysmal compared to SSA average of 4.7 years. Similarly, due to poor governance, Sudan had above average GNI per capita of $ 3, 846 compared to SSA average of $ 2, 010, yet, Sudan is ridden in poverty compared to similar African countries with approximately similar GNI. This is summarized in Table 4.4
Table 4.4: Sudan HDI Trends

<table>
<thead>
<tr>
<th>Year</th>
<th>Life Expectancy at Birth</th>
<th>Expected Years of Schooling</th>
<th>Mean Years of Schooling</th>
<th>GNI Per Capita (2005 PPP$)</th>
<th>HDI Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>1990</td>
<td>55.5</td>
<td>3.9</td>
<td>1.5</td>
<td>1,602</td>
<td>0.331</td>
</tr>
<tr>
<td>1995</td>
<td>56.5</td>
<td>4.8</td>
<td>2.0</td>
<td>1,792</td>
<td>0.365</td>
</tr>
<tr>
<td>2000</td>
<td>58.0</td>
<td>5.6</td>
<td>2.4</td>
<td>2,084</td>
<td>0.399</td>
</tr>
<tr>
<td>2005</td>
<td>59.8</td>
<td>6.2</td>
<td>2.9</td>
<td>2,436</td>
<td>0.430</td>
</tr>
<tr>
<td>2010</td>
<td>62.1</td>
<td>7.0</td>
<td>3.1</td>
<td>2,994</td>
<td>0.463</td>
</tr>
<tr>
<td>2011</td>
<td>62.5</td>
<td>7.0</td>
<td>3.2</td>
<td>3,336</td>
<td>0.468</td>
</tr>
<tr>
<td>2012</td>
<td>62.9</td>
<td>7.0</td>
<td>3.3</td>
<td>3,675</td>
<td>0.478</td>
</tr>
<tr>
<td>2013</td>
<td>63.2</td>
<td>7.2</td>
<td>3.4</td>
<td>3,701</td>
<td>0.485</td>
</tr>
<tr>
<td>2014</td>
<td>63.5</td>
<td>7.2</td>
<td>3.5</td>
<td>3,756</td>
<td>0.488</td>
</tr>
<tr>
<td>2015</td>
<td>63.7</td>
<td>7.2</td>
<td>3.5</td>
<td>3,846</td>
<td>0.490</td>
</tr>
</tbody>
</table>

(Source: UNDP, 2016)

The trend of human development in Sudan has been below global average for the last 28 years that Al–Bashir has been in power. However, as the findings indicate, the main objective for Al-Bashir has not been to institute good governance frameworks that could help alleviate poverty and destitution and a freer society, but rather, the obsession has been an extension of his grip on power through machinations of patronage, cronyism, and state capture.

4.7 Chapter Summary

The main objective of this study was examined the impact of presidential term limit extensions on liberal democracy in Africa. To answer this objective, the following specific objective were examined: To examine the rationale of presidential term limits; To examine the impact of term limit extension on liberal democracy; To examine why term limit extensions have succeeded while others have failed; and finally, to examine how bad governance influences term limit extensions: The major findings show that show that on rational for term limits, the need for democratic consolidation, and need for power alternation were main reasons for implementing term limits under liberal democracy. On the impact of term limit extension on liberal democracy, the main findings show that term
limit extension invalidates liberal democratic concept of alternation of power. The resultant effect is a negative impact on liberal democracy since leaders are not changed when they are supposed to, and democratic recession ensues instead of democratic consolidation. On the objective on reasons why term limit extensions have succeeded, the main findings show this to be the case for the following reasons: (i). Incumbency abuse of liberation dividend; (ii). Fortification and reliance of neopatrimonial systems; (iii). Manipulation and reliance on the tyranny of majority both in parliament and ethnic populations; (iv). Ridding on popular demand of the leader as an excuse for term extension; (v). Using skewed referendums to legitimize term extensions.

The following reasons were advanced as reasons to why Africa counties that attempted to extend term limit failed: (i). Strong citizens’ power prevailed against the push for term extensions; (ii). Strong civil societies created awareness to expose abuse of power and unconstitutionalism of term limit extensions; (iii). Independent parliaments and judiciary stood up to the incumbency and defeated the push for term limit extensions.

Finally, the last specific objective examined the influence of bad governance on term limits. The findings show that there is a direct link between term limit extensions and poor governance. All African countries that were bottom ten in governance Ibrahim Index of Africa Governance score have notoriously abolished, or extended presidential term limits. These findings have revealed the prevalence of poverty, high-level state corruption, lack of rule of law, rampant repression and violation of human rights, poor human development, and finally limited sustainable economic growth and opportunities.

The next chapter presents study summary, discussion, conclusion, and recommendations.
CHAPTER FIVE

5.0 DISCUSSION, CONCLUSION, AND RECOMMENDATIONS

5.1 Introduction

The study discussion, conclusion and recommendations are presented in this chapter. This chapter is organized in the following manner: Discussion on the factors that have contributed to the success of term limit extensions despite citizens’ objection has been presented first, followed by discussions on factors that have contributed to failure of term limit extensions in Africa, and finally, discussions on how bad governance has influenced term limits in Africa. Conclusion and recommendations are also presented in a similar order.

5.2 Summary

The main objective of this study was to examine the impact of term limit extension on liberal democracy in Africa. This study was guided by the following specific objectives: (i). To examine the rational for liberal democracy term limits; (ii). To examine the impact of term limit extension on liberal democracy; (iii). To examine why term limit extensions have succeeded while others have failed; and finally, (iv). To examine the influence of bad governance on term limits extension in Africa. The findings show that there is a direct link between term limit extensions and poor governance.

This study adopted a mixed methodological approach by utilizing both qualitative and quantitative research design method. Secondary data was used in this study. Data were extracted from previous studies on presidential term limits in Africa; local newspapers including the East African, Daily Monitor, the Conversation, African Affairs; and international newspapers including BBC News, Al Jazeera News, The Guardian, the New York Times, and Reuters. Other data sources included international reports such as UNDP
Human Development Index reports; Freedom House Democratization Index reports, Human Rights Watch reports, the Heritage Economic Freedom Index and the Ibrahim Index of Africa Governance for 2017. Data was analyzed using deductive content analysis approach, on the thematic basis for each objective.

The major findings show that that on rational for term limits, the need for democratic consolidation, and need for power alternation were main reasons for implementing term limits under liberal democracy. On the impact of term limit extension on liberal democracy, the main findings show that term limit extension invalidates liberal democratic concept of alternation of power. The resultant effect is a negative impact on liberal democracy since leaders are not changed when they are supposed to, and democratic recession ensues instead of democratic consolidation. On the objective on reasons why term limit extensions have succeeded, the main findings show this to be the case for the following reasons: (i). Incumbency abuse of liberation dividend; (ii). Fortification and reliance of neopatrimonialism systems; (iii). Manipulation and reliance on the tyranny of majority both in parliament and ethnic populations; (iv). Ridding on popular demand of the leader as an excuse for term extension; (v). Using skewed referendums to legitimate term extensions. Similarly, the following are main reasons why attempts at term limit extension failed in some African countries failed (i). Strong citizens’ power prevailed against the push for term extensions; (ii). Strong civil societies created awareness to expose abuse of power and unconstitutionalism of term limit extensions; (iii). Independent parliaments and judiciary stood up to the incumbency and defeated the push for term limit extensions.

Finally, the last specific objective examined the influence of bad governance on term limits. The findings show that there is a direct link between term limit extensions and poor governance. All African countries that were bottom ten in governance Ibrahim Index of Africa Governance scores notoriously abolished, or extended presidential term limits.
These findings have revealed the prevalence of poverty, high-level state corruption, lack of rule of law, rampant repression and violation of human rights, poor human development, and finally limited sustainable economic growth and opportunities.

5.3 Discussion

5.3.1 Impact of Term Limit Extension on Liberal Democracy

This study sought to examine the impact term limit extension has on liberal democracy in Africa. The findings of this study show that term limit extension invalidates liberal democratic concept of alternation of power. This is in line with the argument by Vencovsky (2007) who had argued that for the tenets of liberal democracy to hold, then power must be alternated every so often. This is not only important because it allows for change of guard, but also, it prevents the incumbency from personalization of the state. Chengeta (2016) had also argued that when term limits are not upheld, political corruption, electoral authoritarianism, autocracy, and abuse of human rights ensues. This means that there is a link between term limit extension and negative impact on liberal democracy. The main tenets of liberal democracy are term limit constitutionalism, free, fair and credible elections, a rule for the people, by the people and of the people. However, when leaders circumvent these provisions through term limit extension, then, liberal democracy cannot exist in its truest form in most African countries.

Secondly, term limit extension ensured the entrenchment of status quo, which ensures that those enjoying power continue manipulate democratization process to legitimize continuous stay in power. This is a negative impact liberal democracy, particularly, liberal democracy rationale of alternation of power. In most instances, when term limit extension are entrenched, sound government policy, and institutionalism are tampered with, leading to situations where government and institutions exists to fulfill the wishes of the incumbency, and legitimizing the illegitimate process such as referendums on term limits
extensions. This has been demonstrated by the findings of this study on various countries such as Uganda, Burkina Faso, Equatorial Guinea among others. Therefore, the argument that term limit extension is an assault on liberal democracy and leads to democratic recession is valid.

5.3.2 Why Term Limit Extension Have Succeeded

This study sought to examine factors that have contributed to the success of term extensions despite strong citizens’ opposition. This study found that thirty-three (33) out of the 54 African states (61%) have attempted constitutional changes to permit presidential term limit extensions; however, only fifteen (15) have succeeded, which makes it (31%), or slightly more than a third have succeeded. This study further established that more extensions have been done through a popular referendum, than through parliamentary legislative amendments or constitutional court amendments.

These study findings are in line with arguments by Ake (2002), Roddick (209), Dulani (2015), Zachariah (1997) and Asingo (2003) who noted that that liberal democracy in Africa has been circumvented, particularly, on presidential term limits. Majority of the African states adopted a western liberal constitutional two-term presidential limits with the assumption that since this had worked well in the West, it will be the best model to represent the wished and aspirations of the African citizens. However, as has been noted by the findings of this study, mostly, the founding fathers, an in other cases, revolutionary leaders who fought civil wars to gain power, soon used their liberation dividend to circumvent the term limits through extra-constitutional means. The main reason channels these leaders used to eliminate the term limit imposition as a constituent of liberal democracy, was through popular referendum, parliamentary legislative amendments, and constitutional court.
In as much as these leaders have succeeded, it was mostly to serve personal power aggrandizement, rather than the will of the people, or socio-economic development of their countries. This study also confirms Mills elitist theory propositions that the elite possess ideological positions that they use to manipulate the political entrepreneurs (general citizens) who are usually passive and with little knowledge on constitutionalism and political affairs. For this study, this, the manipulation of the political entrepreneurs was done by politicians who championed for term limit extensions in the various constituencies, and through debates in the parliament. In other instances, potential suspected intimidation of the judiciary has resulted in an interpretation of the law in a manner that granted the political elite their wish on presidential term limit extension, particularly in Burundi, DRC, and Congo among others. Therefore, in as much as citizens approved term limit extensions, coercion, and manipulation of general citizens by the political elite played a major role.

The findings of this study equally revealed that skewed referendums were used to approve presidential term limit extensions. Since 1997, nine (9) successful referendums were used to abolish presidential term limits or to extend term limits by incumbents. The conundrum that exists between citizens’ approval for the referendum and strong opposition for the same, is based on several factors. First, most of the referendums are subjected to massive manipulation, citizen intimidation, the arbitral arrest of opposition figures and proponents in addition to the use of government resources for patronage reward. This finding is in line with the study by Zachariah (1997) who argued elections/referendums are a machination of the state, an illiberal electoral autocracy used by incumbency to extend term limits. Zachariah also noted that cronyism, neopatrimonialism, intimidation are used to galvanize citizens support, even from most dissenting voices. This finding is also in line with arguments by Stubbs (2006) who also argued that citizens who would otherwise oppose this term limit extensions find themselves exposed to strategic dilemmas. For instance,
going with their conviction and opposing the incumbency term limit drive carries significant consequences in terms of access to resources, oppression and severe subjugation, or going against their conviction and supporting referendums as a means to appeasing the incumbency so as to continue having access patronage trickle down resources, to which they chose the latter. Such referendums are skewed, and not free or fair.

This study found that tyranny of the majority has been essential for incumbents successfully extending or abolishing term limits. The question of what happens when the majority of citizens support autocratic regimes achieve undemocratic ends through constitutional means is a conundrum that has been demystified. Majority support is based on patronage neopatrimonialism and system of cronyism. This is in line with Collier’s (2007) argument that instruments and institutional reforms do not always create desirable consolidation in a liberal democracy if cronyism, patronage, and autocracy are legitimized systems of the state. Incumbents will always rely on their strength in ethnic majority numbers or majority parliamentarians to enforce incumbency’s bidding. The elitist theory has been validated by this study in that majority of the ruling parties are the ones that made push term limit extension. Their proximity to the executive means they enjoy the fruits of autocracy at the expense of the citizens. The exclusive club out of cronyism and patronage have continuously championed for term extensions, particularly, when they are the beneficiaries of the system.

5.3.3 Why Term Limit Extensions Failed

The second specific objective sought to examine factors that have contributed to the failure of term limit extensions in Africa. The major findings of this study show strong citizens’ power have been instrumental in prevailing against the push for term extensions. This means that citizens organized themselves to become a formidable force that stood up to the
incumbency seeking term limit extensions. This finding confirms arguments by Byemelwa (2016) and Diamond (2015) who have argued that a strong and informed citizenry can compel and stand up against autocratic regimes seeking term limit extensions. However, they equally argued that in most African states, autocracy overwhelms and crowds out citizens voices forcing them into conformity and subjugation. Therefore, empowering citizens to be informed on matters of constitutionalism enhances opposition to term limit extensions. One of the important information responsibility of citizens is an active evaluation of ruling government ability to deliver services. Most incumbents seeking term limit extension have been in power for more than two decades, with other serving more than three decades, yet there is nothing to show for socio-economic development and prosperity of their countries. The empowered citizenry will be able to reject patronage and desire adherence to constitutionalism and accountability (Roddick, 2016).

Secondly, term limit extension proponents have argued that term limit is undemocratic and infringes on democratic choice. This argument is partly true, however, when subjected to the findings of this study, particularly finding by Afrobarometer (2015) that surveyed 34 African states, the argument does not hold. For instance, the findings if this study shows that majority of citizens prefer term limits. This means that they prefer choices to be expressed through different candidates, and not one single candidate with incumbency advantage and state resources and machinery. The Argument by Zachariah equally has merit in that most African presidents who seek term limit extension are not doing so to promote democratic ideals, but to stifle citizens’ voices and choice, and thus why citizens have rejected such term extension push by various incumbents in Africa. Zachariah’s argument has been validated by the findings of this study.

The finding of this study revealed that strong civil societies are essential in opposing and defeating term limit extension in Africa. This is the case since strong civil society’s civil
liberties that are the embodiment of liberal democracy. Civil societies push for democratic consolidation, which is in line with maximalist perspectives by Claude Ake, Larry Diamond, and Robert Dahl who have argued that civil society help create a space that guarantees multiparty democracy; competition between political groups, parties and individuals, political participation that provides choice, free and fair elections; and finally, civil and political liberties that do enable freedom of choice and expression without fear of punishment or intimidation. Diamond had also argued that a democracy does not only compose of civil, constitutional, and free, fair multiparty politics and universal suffrage, but also extensive civil liberties, organizational and informational pluralism, tenets that are jealously safeguarded by strong civil society groups (Diamond, 2008).

Based on these findings, independent parliament and judiciary have been essential and successful in opposing and defeating incumbents term limit extensions. In as much as the majority of extensions have been made by citizens and through parliament, independent parliament can stall such endeavors. However, when parliaments are not free and independent, they serve at the whims of the executive like was the case in Uganda. Independent parliament and judiciary are important to democratic consolidation, which in turn, champions for adherence on term limits while opposing any attempts to alter or circumvent term limits to suit aggrandizing and insatiable incumbency appetite for lifetime presidency in most African states. Maximalist thinkers, Claude Ake, Larry Diamond, and Robert Dahl argued that parliament and judiciary can uphold constitutionalism despite assault from the incumbency. Under maximalist perspectives, independent institutions are vanguards to liberal democracy, and respect for constitutionalism of term limits.
5.3.4 Influence of Bad Governance on Term Limit Extensions in Africa

This study sought to determine whether bad governance within African states has an influence on presidential term limit extensions. The findings show that there is a direct link between term limit extensions and poor governance. All African countries that were bottom ten in governance Ibrahim Index of Africa Governance score were equally have notoriously abolished, or extended presidential term limits. These findings are in line with the argument by Diamond (2015), and Tull and Simmons (2017), and Zachariah (1997), who had noted that poor governance incubates autocracy that relies on corruption, patronage, abuse of power, to remain in power. The influence of bad governance is manifested in lack of transparency in allocation of resources, lack of accountability, electoral authoritarianism, and rampant human rights abuses. This study established that countries with a poor score on safety and rule of law had circumvented presidential term limits through extra-constitutional means, including a referendum, parliamentary means, and through constitutional courts. This is also in line with the arguments placed by Roddick (2016).

This study found that countries with low scores on the sustainable economic opportunity, participation and human rights, and human development, have also undergone presidential term limits. This finding validates Roddick (2016), Dulani (2015); Cheeseman (2015) and Opalo (2015) who have vigorously argued that poor economic opportunities are mostly a result of poor management of resources and corruption in Africa. Autocratic regimes thrive in this environment. Poor economic opportunities keep citizens dependent on paltry tokenism received from ruling regimes and rewards for continuous support of this regimes. There has been nothing tangible to show for Africa strongmen who have been in power for more than two decades, other than subversion of justice, impoverishment, human rights violations, and underdevelopment (Collier, 2007).
Poor human development has also been a characteristic of poor governance and term limit extensions in Africa as revealed by the findings of this study. All the bottom ten African countries in governance index have had term limit extension. Prevalence of poverty, poor education, and low GNI per capita are equally characteristics of not only autocratic regimes, but also regimes that have term limit extensions in Africa, and performing poorly in governance index. This is in line with Huntington (1991) who argued that perpetual discontent with poor governance, corruption, and plunder of public resources are attributable to term limit extension, autocracy, and rogue regimes.

5.4 Conclusion

5.4.1 Impact of Term Limit Extensions on Liberal Democracy

The findings of this study have revealed that term limit extensions have had significant impact on democratic recession in most African countries. This study concludes that attempts at term limit extension erodes liberal democratic tenets particularly, democratic consolidation, and alternation of power which impacts negatively on liberal democracy. Most African countries that have implemented term limit extensions also have serious cases of electoral malpractices, human rights abuses, and personalization of the state by the incumbency.

5.4.2 Why term Limit Extensions Have Succeeded

This study sought to examine factors that have contributed to the success of term limit extensions despite citizens’ objection. The major findings show that the success of term limit extensions despite strong citizens objections was influenced by five main factors: (i). Incumbency abuse of liberation dividend; (ii). Fortification and reliance of neopatrimonial systems; (iii). Manipulation and reliance on tyranny of majority both in parliament and ethnic populations; (iv). Ridding on popular demand of the leader as excuse
for term extension; (v). Using skewed referendums to legitimize term extensions. This study concludes that successful term limit extensions against strong citizen opposition were facilitated by a culture of impunity, citizen subjugation, neopatrimonialism, and skewed referendums.

5.4.3 Why Term Limit Extensions Have Failed

The second specific objective of this study was to examine factors that have contributed to the failure of term limit extension in Africa. The major findings of this study show the following factors as instrumental to failure of term limit extension by incumbents: (i). Strong citizens’ power prevailed against push for term extensions; (ii). Strong civil societies created awareness to expose abuse of power and unconstitutionality of term limit extensions; (iii). Independent parliaments and judiciary stood up to the incumbency and defeated the push for term limit extensions. This study concludes that strong, resilient, informed and politically active citizens; strong civil society organizations, and independent constitutional institutions such as parliament and judiciary are essential for failure of term limit extension quests.

5.4.3 Influence of Bad Governance on Presidential Term Limit Extensions in Africa

This study sought to determine whether bad governance influenced presidential term limit extensions in Africa. The findings show that there is a direct link between term limit extensions and poor governance. All African countries that were bottom ten in governance Ibrahim Index of Africa Governance score were equally have notoriously abolished, or extended presidential term limits. This findings have revealed prevalence of poverty, high level state corruption, lack of rule of law, rampant repression and violation of human rights, poor human development, and finally limited sustainable economic growth and opportunities. Therefore, this study concludes that poor governance has a direct link with
term limit extension. Poor safety and rule of law, poor participation and human rights, poor sustainable economic opportunity, and poor human development are recipes of poor governance that is precipitated by cronyism and patronage the cushions, breed, and facilitates term limit.

5.5 Recommendation

5.5.1 Recommendation for Improvement

5.5.1.1 Impact of Term Limit Extension in Liberal Democracy

Since this study has established democratic consolidation, and alternation of power are casualties of term limit extensions, this study recommends as follows: To strengthen liberal democracy in Africa, independent institutions such as electoral bodies, the judiciary, human rights organizations, should be strengthened. Stronger independent bodies tend to enhance liberal democracy than weak institutions working at the behest of the incumbency.

5.5.1.2 Why Term Limit Extensions Succeeded

Since this study has established that the success of term limit extensions despite strong citizens’ objections was influenced by incumbency abuse of liberation dividend, fortification and reliance of neopatrimonial systems, manipulation and reliance on tyranny of majority both in parliament and ethnic populations, popular demand of the leader as excuse for term extension and using skewed referendums to legitimize term extensions. This study recommends as follows:

I. To safeguard on abuse of liberation dividend by African states liberation heroes, transitional governments should institute absolute terms and constitutionalism that cannot be changed without supermajority parliamentary approval, and citizens’ approval, based on specified criteria. To discourage the autocratic regimes tendency
for personalization of the state and power aggrandizement, incumbency seeking term extensions while in office should not benefit from the extension, but rather, their successors. This will discourage incumbents from seeking to abuse their liberation dividend as an emblem, that the nation should be eternally be indebted to them. Eliminating the benefit for individual personalization of power, will cripples incumbents desire for term limit extensions

II. Criminalization of neopatrimonial systems that breeds high level cronyism, nepotism, patronage, and abuse of state resources. This will eliminate the support system that is usually essential in pushing for term limit extensions

III. Establishing elections laws that safeguard oppositions right demonstrations, picketing, boycotts, and fair and competitive campaigns. Use of state resource as patronage reward in elections and referendums should be criminalized. Arbitral arrests, detentions, and harassment of opposition political parties should also be criminalized. Voter registration, registers, electronic voting systems should also be adopted to enhance transparency and verifiability of votes casts in referendums on term limit extensions.

5.5.1.3 Why Term Limit Extensions Failed

One of the major findings of this study is that failure of term limit extension six (6) African states were precipitated by the following factors (i). Strong citizens’ power prevailed against push for term extensions; (ii). Strong civil societies created awareness to expose abuse of power and unconstitutionalism of term limit extensions; (iii). Independent parliaments and judiciary stood up to the incumbency and defeated the push for term limit extensions. Based on this finding, this study recommends as follows:
I. Informed citizenry is a precursor to enhanced liberal democratic consolidation. Citizen groups should partner with non-governmental organizations and the private sector to ensure civic education on term limits and constitutionalism is well-trained and informed. An informed citizenry has the capacity and knowledge on how to safeguard democratic gains, and how to champion for accountable leadership that obeys the rule of law.

II. Civil Society Organizations have proved to be the essential and valued vanguard of liberal democracy and constitutionalism. Investing in healthy, robust, and free civil society would guarantee sufficient monitoring of democracy and governance within African states. Civil Society Organizations have the capability to mobilize the citizens, provide governance and democracy training and funding that is essential in liberal democratic consolidation.

III. Training parliamentarians of good governance and independent functions of parliament would enhance their check and balance role on the executive. In as much as training is not a panacea to inoculate the parliamentarians from cronyism, patronage and executive sycophancy, training goes a long way in entrenching knowledge on constitutionalism and separation of powers, that when effectively safeguarded by parliament, prohibits the incumbency from vagaries of term limit extensions, and personalization of the state.

5.5.1.4 Influence of Bad Governance on Term Limit Extension in Africa.

The findings of this study have established a direct link of between bad governance influences presidential term limit extensions. All African countries that were bottom ten in governance Ibrahim Index of Africa Governance score have notoriously abolished, or extended presidential term limits. These findings have revealed the prevalence of poverty, high-level state corruption, lack of rule of law, rampant repression and violation of human
rights, poor human development, and finally limited sustainable economic growth and opportunities. Based on this findings, this study recommends as follows:

I. Legal frameworks on the criminalization of high level should be established in all African states with higher Corruption Perception Index. This will ensure high-level corruption incidences are punished to the fullest extent of the law. However, implementation of legal frameworks on the criminalization of high-level corruption political goodwill must be established by the judiciary and the parliament, who are the equal but separate branches of government that offer check and balances, particularly to the executive. Such safeguards will help protest African weak states from incumbency resource vandalism and plunder, state capture, and machinations of incumbents’ vagaries and abuse of state resources.

II. To enforce fair administration of justice, the rule of law and adherence to the provision of human rights are essential. Africa states performing poorly in the governance index should adopt and accede to international law and regimes on Africa Peoples and Human Rights, International Covenant on Political Rights; and also strengthening local judiciaries for effective application and administration of justice. This will include training of judges, magistrates, lawyers, and paralegals.

III. For sustainable economic opportunities, investing in infrastructure will enhance economic and development sustainability. However, development of legal safeguards against plunder and economic crimes will ensure states resources and revenues are invested in outcomes that benefit citizens and not cronies around the incumbency
5.5.2 Recommendation for Future Studies

This study focused on examining the liberal democracy conundrum, particularly, examining factors that have contributed to the success of term limit extension despite strong citizen opposition, and factors that have contributed to the failure term limit extensions in Africa. Future studies should focus on a comparative study between African states and Asia, Europe, Middle East and South America so as to establish global or regional blocs’ trends on term limit extension and their facilitation and mitigation factors.
REFERENCES


Article 2, Section 1, 1789. The Constitution of the United States. (n.d.).


