The Institutionalization of Political Power in Africa

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On May 16, 2006, after months of intense and divisive national debate, the Nigerian Senate voted down a bill that would have altered the country's constitution to permit President Olusegun Obasanjo to seek a third term in office.[1] By asserting the supremacy of the constitution (with its two-term limit) over the desires of President Obasanjo's supporters that the popular leader be permitted to run for a third term, the Senate's vote marked a watershed moment in Nigeria's political history. Even more important than the outcome itself was the fact that the conflict was resolved by the vote of a constitutionally empowered chamber of the legislature rather than through violence or the threat of violence. This represented a major shift in how power has historically been exercised in the country.

Both the outcome of President Obasanjo's third term campaign and the process through which it was reached are indicative of a growing trend in Africa whereby the formal rules of the game are beginning to matter in ways in which they previously have not.[2] Africa has traditionally been depicted in the scholarly and popular literatures as a place where formal institutional rules are largely irrelevant. Although every African country has a constitution and a body of laws and administrative procedures that provide formal limitations on how power is to be exercised, the long-held consensus among observers of African affairs is that these rules play little role in actually constraining behavior. This view is reflected in the dominant paradigm in the study of Africa politics for the past thirty years – "personal" or "Big Man" or "(neo)patrimonial" rule – the foundational idea of which is that personal relationships are more important than formal rules and that a leader's decisions will always take precedence over the

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[1] For a detailed discussion, see Richard L. Sklar, Ebere Onwudiwe and Darren Kew, "Nigeria: Completing Obasanjo's Legacy," *Journal of Democracy* 17 (July 2006).
[2] Throughout the paper, we use the term "Africa" to refer to Sub-Saharan Africa.

laws that those decisions might contradict. The conventional wisdom has been that, in Africa, rules do not shape leaders' behavior; leaders' behavior trumps rules.[3]

The significance of the Nigerian Senate's actions must be viewed against the backdrop of this entrenched understanding of how African politics operates. Contrary to depictions of African politics as "not beholden to formal procedures but to personal decisions," President Obasanjo was forced by the rules of the game (the constitution) to accept something other than his preferred outcome.[4] And contrary to portrayals of political conduct in Africa as "governed by the awareness that constitutional rules or administrative regulations can, and probably ought, to be evaded," both supporters and opponents of the president's bid for a third term sought to achieve their goals by working through, rather than around, formal institutional channels.[5] President Obasanjo's attempt to extend his rule was thus shaped, and ultimately thwarted, by precisely the kinds of formal institutional constraints on power that the literature on African politics has tended to dismiss as irrelevant. These institutional constraints made themselves felt both directly, by providing a mechanism for weighing (and, in the end rejecting) the third term proposal, and indirectly, by shaping the strategies that all of the major political actors in the struggle pursued to bring about their preferred resolution to the controversy.

Our aim in this paper is to provide evidence that across Africa formal institutional rules are starting to constrain leaders' behavior and to shape political actors' strategies in new ways. We present several kinds of evidence to make our case. First we present data that we have collected on how every leader in sub-Saharan Africa since independence exited power. We use

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[3] A useful recent summary of this literature is provided in Goran Hyden, *African Politics in Comparative Perspective* (New York: Cambridge University Press, 2006).

[4] Although Obasanjo never publicly declared his desire for a third term, the effort to extend his tenure was widely understood to have his strong endorsement. The quoted phrase is from David K. Leonard and Scott Straus, *Africa's Stalled Development: International Causes and Cures* (Boulder, CO: Lynne Rienner, 2003), p. 3.

[5] The quoted passage is from Robert H. Jackson and Carl G. Rosberg, "Personal Rule: Theory and Practice in Africa," *Comparative Politics* (July 1984), p. 425.

these data to document that whereas the majority of African leaders in the 1960s, 1970s and 1980s left office via coup, assassination, or violent overthrow, the majority since the 1990 have left office via institutionalized means – chiefly via voluntary resignation at the end of a constitutionally defined term or by losing an election. We then document the growing importance of elections as a mechanism for selecting leaders in Africa, underscoring the increase in both the number of these contests over time and their competitiveness. We note, however, that while African elections are much more competitive today than in the past, they are still overwhelmingly won by incumbents. We therefore argue that the major challenge for limiting presidential power in Africa today is not so much promoting elections as making certain that leaders adhere to constitutional limits on their continued eligibility to contest them.

In the third part of the paper, we review the region's record on this score, concluding that while a number of African leaders have managed to circumvent restrictions on seeking third terms in office, the manner in which they have done so has been through formal institutional, rather than extra-constitutional, channels. We conclude that while institutional rules may thus not yet always determine outcomes in Africa today, they are now consistently and dependably affecting the strategies through which those outcomes are reached. This represents a major change in how power is exercised, and it challenges students of African affairs to rethink their axiomatic application of "personalist" or "neopatrimonial" paradigms in their analyses of the region's politics.

How Leaders Exit Power in Africa

During its first decade after independence in 1960, Benin had no fewer than twelve heads of state, every one of whom was overthrown in a coup d'etat. This striking record of serial

leadership change by force stands in complete contrast to Benin's record over the past ten years, over the course of which two leaders, Matthew Kerekou and Nicéphore Soglo, have alternated in power following victories and defeats in national elections.[6] While Benin provides perhaps the most extreme example of the change that has taken place in how leaders leave power in Africa, it is nonetheless indicative of a broader trend.

To document this trend, we have collected data on how every African head of state exited power between independence and the end of 2005.[7] Our sample includes some 227 leaders from 46 sub-Saharan African countries.[8] We coded each leader's means of exit from office into one of five categories: coup/violent overthrow (including civil war), assassination, natural death, voluntary resignation, and losing an election. We further grouped these categories into two broader classes of cases: those in which leaders left power via regular means (which includes natural death, voluntary resignation, or losing an election) and those in which leaders were removed by irregular means (coup/violent overthrow or assassination). Figure 1 presents the decade-by-decade averages.

[Figure 1 Here]

As Figure 1 makes clear, nearly three quarters of the African leaders who left power in the 1960s and 1970s did so via coup, violent overthrow or assassination (as depicted by the dashed line). This dropped to just below 70% in the 1980s and, by the 1990s, was surpassed by

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[6] Kerekou first took power following a coup in 1972. After nearly twenty years in power, he agreed to hold an election in 1991, which was won by Soglo. Soglo then permitted elections to take place five years later, as prescribed by the constitution, and stepped down when Kerekou won. In 2001, Kerekou easily won re-election in a run-off after Soglo and Parliament Speaker Adrien Houngbédji decided to boycott the second round, citing irregularities. In 2006, Kerekou stepped down after agreeing not to attempt to change the constitution, which prohibited him from running both because of a two-term limit for the presidency and a maximum age requirement of 70 years (Kerekou was 72). Soglo, who was 71 at the time, also announced that he would abide by the constitutional age constraint and not run.

[7] For a similar recent data collection effort, see Arthur A. Goldsmith, "Predatory versus Developmental Rule in Africa," *Democratization* 11, 3 (June 2004), pp. 88-110.

[8] We exclude Swaziland because it is a kingdom in which all leadership appointments are made by royal succession.

the share of those who left power via natural death, voluntary resignation, or losing an election (as depicted by the solid line). Between 2000 and 2005, the share of leaders leaving power through irregular means dropped to just 19%. Thus whereas the modal means by which heads of state in Africa left office used to be via coup or assassination, it is now via voluntary resignation, in most cases triggered by constitutional term limits (9 of the 17 cases between 2000 and 2005).

Another way of looking at this transformation is by comparing Africa with the rest of the world. To do this, we use data from the Archigos project, which codes the way heads of state in every independent country in the world entered and exited power between 1875 and 2002.[9] This comparison, made in Figure 2, reveals a remarkable degree of convergence. With respect to how leaders leave power, Africa (depicted by the solid line) used to be truly a place unto itself – a place befitting its own theories about politics and power. However, by the first years of the current century Africa had joined the rest of the world. Whereas African leaders were two to three times more likely than leaders elsewhere in the world to leave power by violent means in the 1960s, 1970s and 1980s, they are equally likely – indeed, equally *unlikely* – to do so today.[10]

[Figure 2 Here]

These trends point to the increasing institutionalization of political power in Africa. Whereas political power used to change hands principally through violence, it now changes hands principally in accordance with institutional rules. Whereas leaders used to exit power at a time and in a way of their own – or, quite frequently, a coup plotter's – choosing, they now do so at a time and in a way dictated by a set of impersonal constitutional rules that they do not control.

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[9] Hein Goemans, Kristian Skrede Gleditsch, Giacomo Chiozza, and Jinhee L. Choung., *Archigos: A Database on Political Leaders*. University of Rochester and University of California San Diego. Version 1.4, November 2004.
[10] There is a difference in the share of leaders leaving power via irregular means in the 2000-2005 period in the Archigos data set (5%) and our own (19%), which we attribute to differences in the coding rules applied. However, since the key comparison in Figure 2 is between Africa and the rest of the world (and uses only Archigos data), this difference across data sets is less important than consistency in coding across regions within the Archigos data set, which we assume to be high.

Of course, the manner in which heads of state exit office is only one indicator of how beholden they are to formal constraints more generally. It says nothing, for example, about the extent to which they adhere to objective procedures when they allocate jobs, award contracts, enforce regulations, or exercise other powers of office. Nonetheless, the regular or irregular means though which a leader departs office is critical. For, when regular, it provides a set of fundamental limitations on how long a head of state may stay in power and how those who oppose his leadership may seek to replace him. It therefore marks the first important step toward restraining power and institutionalizing political authority more broadly.

The Institutionalization of Electoral Politics

One of the clearest manifestations of the increasing institutionalization of political power in Africa is the increasing importance of elections. Elections have been held in Africa since the independence era, albeit sometimes only intermittently and with varying degrees of contestation. However, both the total number of elections held per decade and the share of elections that are meaningfully contested have risen over time, particularly since the early 1990s. Figure 3 documents this trend.

[Figure 3 Here]

In the 1960s and 1970s there were an average of 28 elections in the region per decade. That number grew to 36 in the 1980s and to 65 in the 1990s. With 41 elections having been held in Africa by the end of 2005, this upward trend appears to be continuing . This pattern, seen in the bars in Figure 3, is largely a product of two developments. First, countries such as Gambia and Malawi that did not hold elections in the immediate post-independence period have begun

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holding them. Second, others countries like Togo, which held sporadic elections in the 1960s and 1970s, began regularizing their electoral processes.[11]

Another clear pattern in Figure 3 is that elections are increasingly contested (depicted in the upward trend in the line in Figure 3).[12] In only 2 of the 26 presidential elections held in Africa in the 1960s did the incumbent actually face an opponent. The vast majority of presidential elections during this period were little more than plebiscites or grassroots mobilization exercises in which the head of state stood no risk of losing power. By the 1990s, however, over 90% of presidential elections were contested, and by the 2000-2005 period this share had risen to 98%. This dramatic change reflects the growing recognition by African leaders that, to maintain their legitimacy in the eyes of both their own citizens and the international community, they must subject themselves to elections in which an opponent has at least a theoretical possibility of unseating them. Indeed, by 2005, fully 81% of respondents surveyed in twelve African countries agreed that "we should choose our leaders in this country through regular, open and honest elections."[13]

Permitting a challenger to run in the election is not, however, the same thing as putting oneself at real risk of losing power. In many cases, African leaders who bowed to popular or international pressure to hold contested elections found ways of rigging them so that the contests never brought a meaningful risk that they would be unseated. That said, our data suggest that this is becoming harder to do. When we compare across decades the re-election rates of presidents who permitted challengers to run against them, we find that elections in Africa are not

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[11] A third development has been the increase is in the number of independent countries in Africa, which rose from 36 in the 1960s to 44 in the 1970s, 45 in the 1980s and 47 in the 1990s. However, even if every newly independent country held elections at the same rate as those countries already in existence, these changes would not account for the increase we observe in the number of elections over time.

[12] We define a contested election as one in which an opposition candidate is permitted to run against the incumbent.

[13] Afrobarometer Network, "Where is Africa Going? Views From Below: A Compendium of Trends in Public Opinion in Twelve African Countries, 1999-2005," Afrobarometer Working Paper No. 60, 2006.

only becoming more contested but also more competitive. During the entire period between 1960 and 1990, only one African president lost an election. This was Aden Abdullah Osman of Somalia, who was defeated by challenger Abdirashid Ali Shermarke in 1967.[14] Since 1990, the incumbent loss rate has risen to a modest but nonetheless meaningful 14% (incumbents lost 14 times in 100 opportunities). African presidents today are thus more than twice as likely to lose power if they subject themselves to contested elections than they were before 1990, when the loss rate was just over 6% (1 electoral defeat out of just 16 contested elections).

Despite this trend of increasing competitiveness, however, the more important point to underscore is that African leaders who want to stay in power are usually able to do so, even if they subject themselves to competitive elections. Incumbent presidents in Africa today still win re-election more than 85% of the time. The advantages of incumbency are so great that elections alone – even free and fair elections – are not enough to provide meaningful limitations on presidential power. The institutionalization of political power in Africa today thus depends less on whether sitting presidents are willing to permit challengers as on whether they will agree to stand down (and forego a likely re-election) when they have completed the maximum number of terms that their country's constitution allows. Whereas the leading issue in Africa during the 1990s with respect to constraining political power was whether incumbent leaders would open themselves up to competitive elections, the central question today is whether they will attempt to overturn constitutional limits on their continued eligibility to run in those elections, and what happens when they do.

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[14] Seewoosagur Ramgoolam lost power in Mauritius following an election in 1982. However, Mauritius is a parliamentary system and Ramgoolam lost his post of Prime Minister when his party lost its majority in Parliament rather than through a direct election, so we do not count this as another case.

Third Term Debates

Since 1990, more than three dozen African countries have adopted new constitutions, the vast majority of which have included prohibitions on presidents serving more than two terms in office. Figure 4 sorts the countries of the region into five categories depending on whether or not their post-1990 constitution provides a two-term limit on the presidency, whether at any point between 1990 and 2005 that term limit had been reached, whether, if reached, an attempt has been made to amend the constitution, and whether that attempt was successful.[15] As the Figure shows, eighteen African presidents during this period have found themselves in the position of having completed two terms and being constitutionally barred from seeking re-election to a third.[16] These incumbents had three options: abide by the constitutional term limit and stand down, attempt to change the constitution to permit a third term, or scrap the constitution altogether and prolong their tenure through extra-constitutional means. The fact that no African leader has thus far taken this third course is an indication of just how much has changed in the region. In the 1960s and 1970s, it was commonplace for African leaders who wanted to perpetuate their rule simply to have themselves declared "Life President" – as Banda did in Malawi, Eyadema did in Togo, Mobutu did in Zaire, Nguema did in Equatorial Guinea, Amin did in Uganda, Nkrumah did in Ghana, and Bokassa did in the Central African Republic. Today that option would appear to be closed.

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[15] We exclude Africa's five parliamentary countries – Botswana, Ethiopia, Lesotho, Mauritius, and South Africa – because they do not directly elect their presidents. We also exclude Comoros (because of its rotating presidency), Somalia (because has lacked a clear executive during the period under study), Swaziland (because it is a kingdom), and Eritrea (because it has never held national elections).

[16] President Campaore of Burkina Faso could be argued to represent a 19th case. His opponents called for him to be barred from contesting the 2005 election on the grounds that he would have, by that time, already served two elected terms in office. However, the Constitutional Council ruled that the two-term limit, which had been suspended in 1997 but was reinstated in 2000, did not apply retroactively and that Campaore's term of office should be counted from the time of the most recent amendment. Consequently, we code this as a case where a term limit has not been reached.

All eighteen presidents who faced term limits received strong calls from their supporters to find a way to return to power. Nine of them – Presidents Kerekou of Benin, Monteiro of Cape Verde, Rawlings of Ghana, Moi of Kenya, Konaré of Mali, Chissano of Mozambique, Trovoada of Sao Tome & Principe, René of Seychelles and Mkapa of Tanzania – resisted these appeals and announced that they would abide by their countries' constitutions and refrain from seeking a third term.[17] It is not clear whether this was because these leaders did not think they could muster the necessary votes to change the constitution, were disinclined to mount a fight against what would have been a concerted opposition, or simply believed that abiding by the constitution was the right thing to do. The answer almost certainly lies in a combination of these considerations, and it undoubtedly varies from case to case. Whatever the rationale, however, the outcomes in these cases run contrary to the assumption of the personal rule literature that formal institutional limitations do not matter. These nine presidents did not decide to forego a third term because stepping down was necessarily their most preferred option. In at least some – perhaps most – of the cases, they agreed to relinquish power because the constitutional prohibition on extending their rule raised the cost of achieving their preferred outcome beyond a level that they were willing to bear. This directly challenges the caricature of Africa as a place where "abstract constitutions and formal institutions exist on paper, but they do not shape the conduct of individual actors, especially those in power."[18]

The nine leaders who agreed to step down, however, represent just half of the universe of sitting presidents who faced term limits. The other nine tried to change their respective constitutions to make a third term possible. Presidents Chiluba of Zambia, Muluzi of Malawi,

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[17] President Mogae of Botswana also refrained from seeking a third term, and President Mbeki of South Africa has indicated that he will do the same when his second term expires in 2009. We do not include these leaders in our list because neither is directly elected. Nonetheless, their decisions to forego third terms can be interpreted in much the same way as the decisions of the leaders we list.

[18] Goran Hyden, summarizing the personal rule paradigm, in *African Politics in Comparative Perspective*, p. 98.

and, as we have seen, Obasanjo of Nigeria were rebuffed in their efforts. Chiluba's attempt to secure a third term was undermined by a groundswell of public opposition from civil society groups and a deep split within his own party.[19] Fifteen senior members of the National Executive Committee of the ruling Movement for Multiparty Democracy (MMD) publicly opposed his bid to amend the constitution, and 59 MMD MPs, including several cabinet ministers and Chiluba's own Vice President, signed a document in which they pledged to block any effort to allow him to run for a third term. In the face of such concerted opposition, Chiluba ultimately backed down. Muluzi also faced strong public opposition to his bid for a third term. Even so, he very nearly succeeded in altering the constitution to extend his tenure. The amendment that would have permitted him to run for another term fell just three votes short of the necessary two-thirds majority in parliament. As discussed earlier, Obasanjo's bid for a third term was blocked by the Nigerian Senate.

In six other cases, leaders facing term limits were able to change the constitutional provisions that prevented them from continuing their rule. Presidents Deby of Chad, Bongo of Gabon, Conte of Guinea, Nujoma of Namibia, Eyadema of Togo, and Museveni of Uganda all succeed in changing their constitutions to allow themselves the ability to compete for third terms, and all seven won their ensuing elections handily. In Gabon, Namibia, Togo, and Uganda, the constitution was amended by an act of parliament; in Guinea, the amendment came via a national referendum (which third term supporters won with 98% of the vote). In Chad, the change was achieved via both mechanisms: a two-thirds parliamentary vote in favor of the amending the constitution triggered a national referendum on the question, which carried by a two-to-one

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[19] For a discussion of these cases, see Peter VonDoepp, "Party Cohesion and Fractionalization in New African Democracies: Lessons from Struggles over Third-Term Amendments," *Studies in Comparative International Development* 40, 3 (Fall 2005), pp. 65-87 and Bruce Baker, "Outstaying One's Welcome: The Presidential Third-Term Debate in Africa," *Contemporary Politics* 8, 4 (December 2002), pp. 285-301.

margin. Superficially, at least, these cases remind us that many African leaders still possess the power to shape outcomes to suit their preferences, even when those preferences conflict with formal limitations on what they are legally permitted to do. These leaders wanted to stay in office but a constitutional rule prevented them from doing so, so they changed the constitution. Presidents Deby, Bongo, Nujoma, and Eyadema were able to accomplish this by taking advantage of the fact that their parties controlled more than two thirds of the seats in parliament. President Museveni lacked the supermajority required to change the constitution but was able to use his control of state resources to buy the parliamentary votes he needed to pass the third term amendment. In contrast to the cases described earlier, these examples would appear to vindicate the view of Africa as a place where leaders monopolize political and economic power so completely that their preferences do, in fact, take precedence over the formal rules of the game.

This conclusion, however, ignores the fact that these rulers decided to use their considerable powers to work within, rather than around, institutionalized channels. All of these leaders were probably strong enough to have simply voided their constitutions and declared themselves president for life. The fact that they felt the need to lobby for (and even buy) the votes to change the constitution demonstrates the extent to which the rules do matter. Even when the limitations that the rules provided were ultimately circumvented – as they were in these seven cases – the presence of the rules shaped the strategies that the leaders pursued to achieve the outcomes they most desired.

The finding that the restrictions on seeking a third term caused African leaders to alter their behavior flies in the face of the conventional wisdom that political power in Africa is unconstrained by formal institutional rules. In 1982, Jackson and Rosberg wrote that "the inquiring student of African politics may be better advised to read Machiavelli or Hobbes than

the 'constitutions,' official plans, or party programs of most African governments if he wishes to understand their central characteristics and dynamics." They saw "little sign that the drama of personal rule will soon give way to more settled institutional forms of conducting the affairs of states."[20] Nearly 25 years later, Hyden maintains the same position when he writes that, in Africa, "the notion that constitutional norms and principles are binding on political leaders is still very much in doubt."[21] Yet the evidence summarized here suggests that such a position may no longer accurately reflect the facts on the ground. While Machiavelli and Hobbes will no doubt remain important sources of insight into African politics, the formal institutional constraints embodied in constitutions are beginning to shape behavior in Africa in ways that the personal rule paradigm would not have predicted. Those who seek to understand the "central characteristics and dynamics" of African politics can no longer focus their attention *purely* on the preferences of leaders and ignore the rules of the game that impose costs that constrain them and shape their actions.

Conclusions, Cautions, and Future Directions

Our main aim in this paper has been to present evidence to suggest that the well-worn personal rule paradigm that has been used to understand African politics for the past 30 years may need to be rethought. To make our case, we have highlighted the dramatic change that has taken place in the last four and a half decades in the way African leaders exit power: whereas African heads of state used to relinquish power via coup or assassination, they now overwhelmingly leave office by voluntary resignation or by losing an election. We have also reviewed the record on how African leaders have responded to the constitutional term limits that,

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[20] Robert H. Jackson and Carl G. Rosberg, *Personal Rule in Black Africa* (Berkeley and Los Angeles: University of California Press, 1982), p. 266.
[21] Hyden, *African Politics in Comparative Perspective*, p. 111.

since the late 1990s, have restricted their ability to stay in office beyond two terms. We note that none of the sitting presidents who have faced such limits have responded by abolishing their country's constitution or seizing power through force, and we suggest that this provides evidence for the gradual displacement of violence by rules in African politics. Half of the leaders who faced term limits have stepped aside peacefully, while the other half have attempted to change the rules to make a third term possible. However, even when attempts to amend the constitution have been successful (which they were 6 times out of 9), the very efforts to change the rules represent a decision to work within the institutional framework rather than to ignore or override it. Taken together, we suggest that these trends point to an increasing institutionalization of political power.

In focusing our attention on the growing formal constraints on African political leaders, a secondary aim has been to shift the emphasis of research in, and debates about, African politics. Throughout our discussion of changing political trends in the region, we have deliberately avoided using the word "democracy." In the past twenty years, much emphasis has been placed on categorizing African regimes in terms of their degree of democracy. Such efforts, we believe, have diverted attention from the more fundamental changes that have been taking place in the region with respect to the institutionalization of political power. Whether a country has formal democratic rules, and whether those rules should lead the country to best be characterized as a "quasi-democracy," a "pseudo-democracy," or in terms of some other label is less important than the more basic question of whether or not those rules bind actors' behavior.

A few cautions about our argument are in order. First, it is important not to read too much into the mere fact that leaders such as Museveni or Nujoma sought to extend their rule by working through parliament or institutional means. After all, the declaration of a one party state

in Ghana (and effectively, a life presidency for Nkrumah) was achieved through a national referendum. Kamuzu Banda was named life president in Malawi in 1970 by an act of Parliament. What distinguishes these earlier examples of (what looks superficially like) working through the system from the present examples is the answer to the counterfactual question: what if the leader had not won the referendum or been able to win the necessary supermajority in parliament? In the former cases, this question is unthinkable; in the latter, the question is not only a reasonable one to ask but also one whose answer is, in most cases, that the leader would have accepted the rebuke and resigned. Indeed, it was precisely the anticipation of such a rebuke that prevented leaders like Chiluba and Muluzi from pushing the issue further, and that led Obasanjo to respond to the Senate's vote by declaring that he would respect its verdict and expressing his hope that the constitution "would be strengthened by the process and the exercise that have just been concluded."[22] The roles played by referenda and parliaments in sanctifying life presidencies in the 1960s and 1970s must be viewed as formalizations of the facts on the ground rather than, as we argue is the case in the more contemporary examples, a means of establishing *new* facts.

We should also not read too much into the frequent invocation of "constitutionalism" and the "rule of law" by third term opponents.[23] While we do not wish to discount these leaders' true commitment to limited government, it is evident that in many cases their motivations lay more clearly in a desire to have their own chance at acquiring power than in defending abstract principles of constitutionalism. It is the outcomes we observe, and the processes through which they were reached, not the rhetoric that surrounded them, that we take to be indicative of the growing institutionalization of political power in Africa.

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[22] "Obasanjo accepts third term defeat," *Vanguard* (Nigeria), 19 May 2006.
[23] The ostensible commitment to these ideals was often reflected in the very names of the groups that emerged to oppose the third term, such as Malawi's "Forum for the Defense of the Constitution."

It is also important to underscore that our argument is not about cultural change. We do not claim that African leaders today have any less desire to stay in power than their predecessors. Our claim is simply that leaders today are more willing to acquiesce in institutional limitations on their ability to achieve their most preferred outcomes. Sometimes this acquiescence takes the form of standing down in the face of a two-term limit, and other times it takes the form of trying to change the rules so that their preferred outcome no longer violates them. Even then, today's leaders tend to try to change the rules through legitimate channels (even if in corrupt ways).

The evidence on which we have based our conclusions comes from an analysis of general trends, and it goes without saying that there are important exceptions to the broad tendencies. There have been recent coups in the Central African Republic, Mauritania, and Sao Tome and reversals in the institutionalization of political power in Gambia and Zimbabwe. Leaders who have ruled for decades remain in power in Equatorial Guinea and Gabon. Furthermore, one could make a compelling case that reversals are not out of the question in a few countries that fit the trends we have described – including Nigeria, the country we highlighted to start our discussion. So it is important to temper whatever optimism might rise from the evidence and arguments we have presented with the recognition that, despite the general trends, not every African country is moving in a direction of greater institutionalization of political power, and reversals remain possible in some of the countries that currently appear to be.

Those cautions made, we have presented substantial evidence to show that long-held assumptions regarding the necessarily greater strength of personalism than formal rules may no longer be the best way to understand African affairs. The frequency of coups d'etat may again rise, but the lines in Figure 1 will never re-cross. So what lens should researchers use to understand political power in the region? The idea that "formal rules trumps personalism" is

probably not a suitable lens either, and any analysis of leadership in Africa should continue to look at leaders' personal motivations. Indeed, it is obvious that the preferences of African presidents shape the transfer of power, or lack thereof. However, we suggest that preferences now shape outcomes through a more narrow set of channels. These channels are increasingly legitimate, in the sense that they are governed by impersonal rules. They are also increasingly regular, in the sense that they are less likely to be ignored or suspended while a leader's tenure continues. Therefore, the lens we recommend is one that recognizes these channels and problematizes the assumption that African leaders simply get what they want. This suggests a new area for research that looks carefully at the support coalitions that presidents need to build to win elections, as well as to pass crucial bills like constitutional amendments.

Figure 1: How African Leaders Have Left Power, By Decade
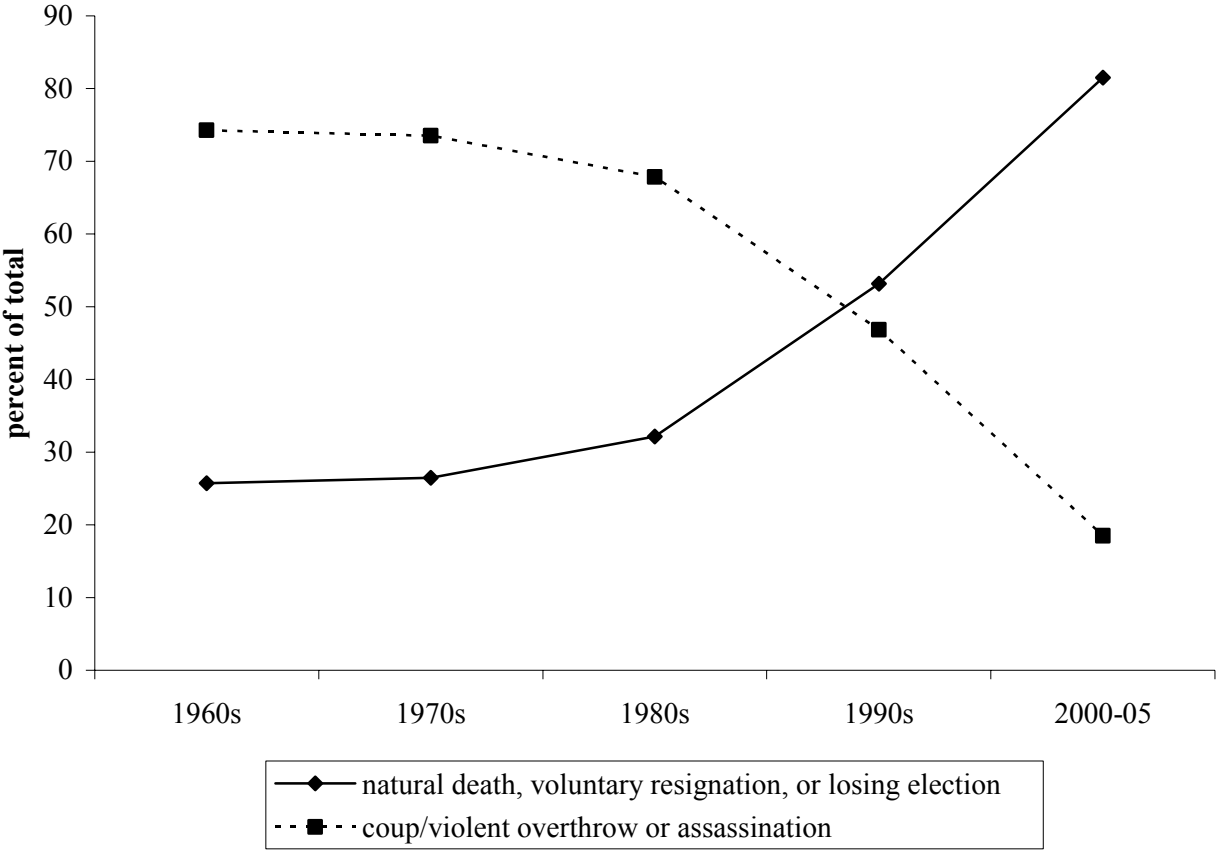
**Figure 2: Leaders Leaving Power via Irregular Means,
Africa vs. the Rest of the World**
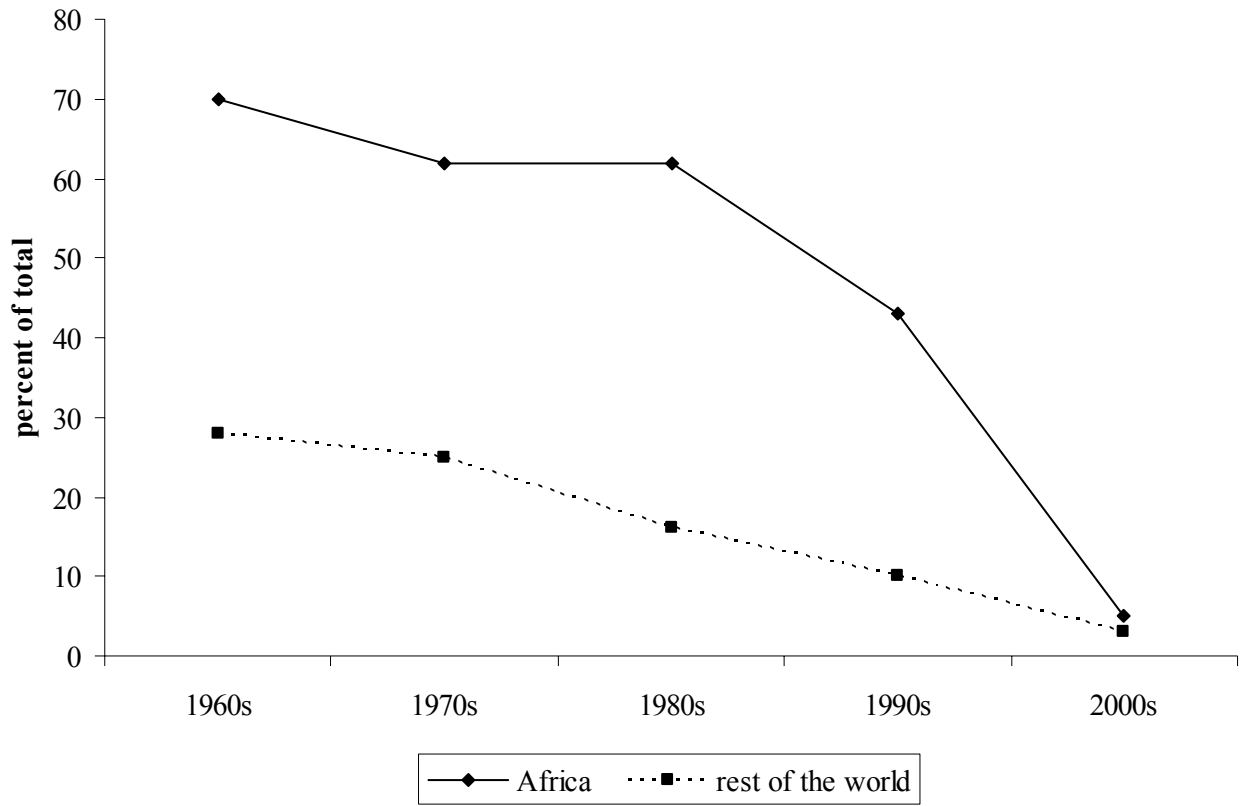
Source: Archigos data set

Figure 3: The Number and Competitiveness of Elections in Africa, 1960-2005
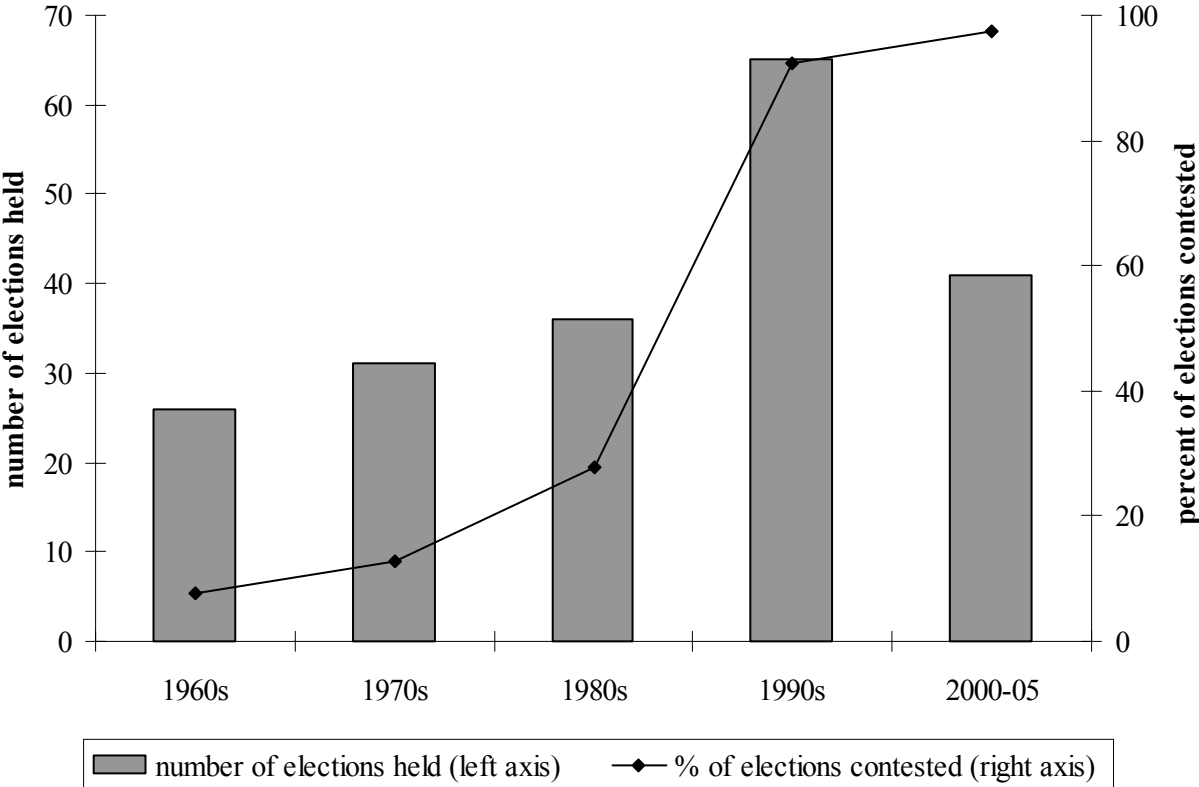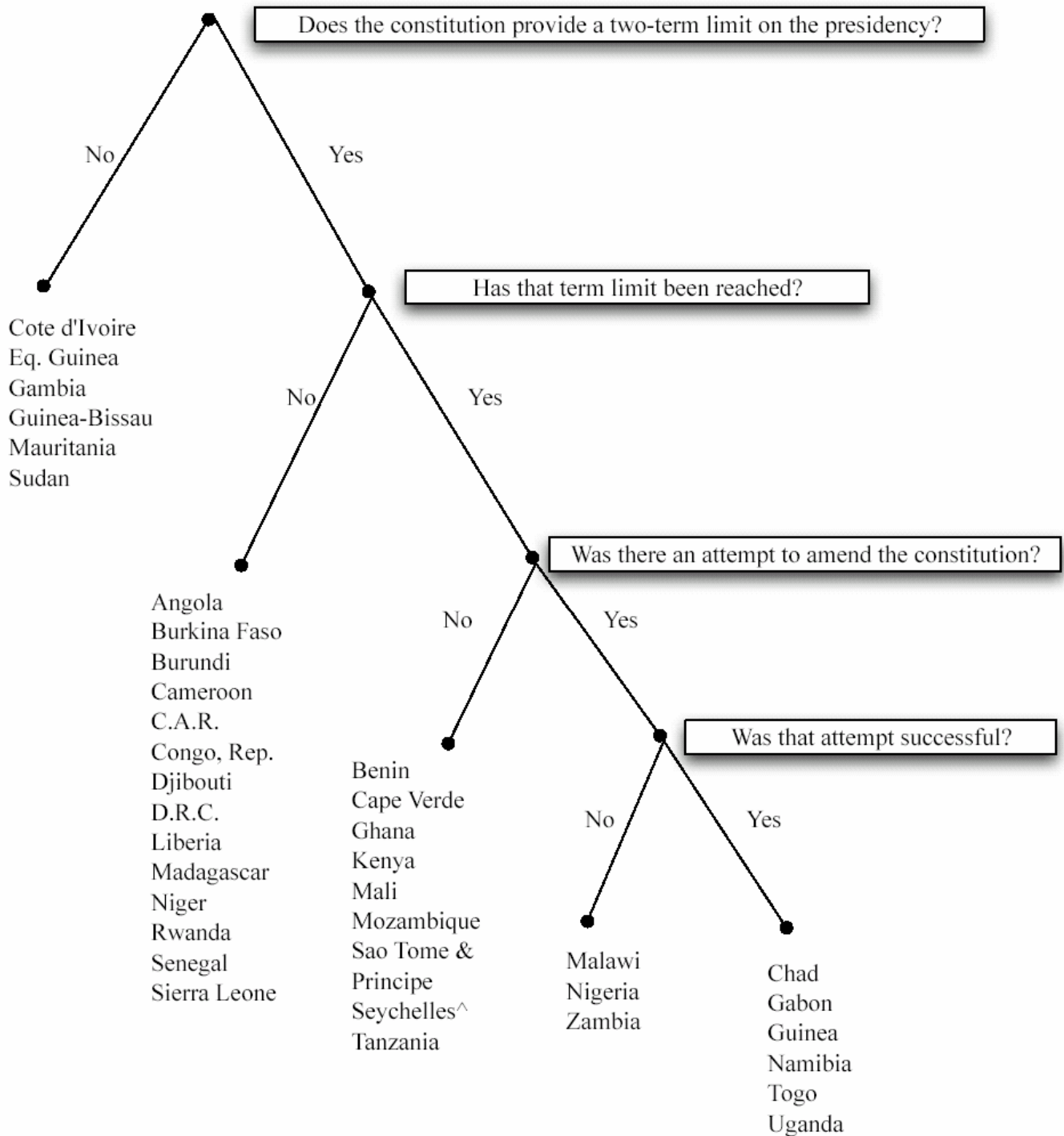
Figure 4: Presidential Term Limits in Africa: 1990-2005

Does the constitution provide a two-term limit on the presidency?

No

Yes

Cote d'Ivoire
Eq. Guinea
Gambia
Guinea-Bissau
Mauritania
Sudan

Has that term limit been reached?

No

Yes

Angola
Burkina Faso
Burundi
Cameroon
C.A.R.
Congo, Rep.
Djibouti
D.R.C.
Liberia
Madagascar
Niger
Rwanda
Senegal
Sierra Leone

Was there an attempt to amend the constitution?

No

Yes

Benin
Cape Verde
Ghana
Kenya
Mali
Mozambique
Sao Tome &
Principe
Seychelles^
Tanzania

Was that attempt successful?

No

Yes

Malawi
Nigeria
Zambia

Chad
Gabon
Guinea
Namibia
Togo
Uganda

^Seychelles has a three-term limit