Sequences of presidential-term-Limit reforms: Latin America and sub-Saharan Africa

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ABSTRACT

In this article we take a longitudinal view on presidential-term-limit reforms in Latin America and sub-Saharan Africa since the third wave of democratization. Many countries in the two regions (re-)introduced term limits at this time as a democratic safeguard against personal rule and power abuses. Since then, term limits have been contested by a plethora of reform attempts. Such reforms are commonly seen as a risk to democracy since stable institutions are considered essential for democratic consolidation, while term-limit eliminations are associated with processes of autocratization. From the literature on democratic consolidation, institutionalization and presidential-term-limit reforms we distil theoretical expectations on term-limit-reform paths across time and examine how they relate to the evolution of the political regime. To empirically investigate reform paths across regions we apply the research method of sequence analysis. We find that the stability of term-limit rules is more prevalent than expected, but that this stability sometimes masks institutional ineffectiveness under authoritarian regimes. Rule instability induced by frequent reforms can be part of a piecemeal path towards autocratization, but it can also reflect an open-ended tug of war between authoritarian tendencies and democratic resistance.

Introduction

At the beginning of the third wave of democratization many countries around the globe adopted or resumed presidential term limits in their constitutions. The choice for term limits came together with the choice for democracy itself.[1] In theory, a presidential term limit is an institutional device that is meant to prevent personalism and power abuses through the limitation of the executive's time in office. As such, it is regarded as an institution that strengthens liberal democracy. In recent years, however, the presidential term limit has probably been the most prominent rule that people have in mind when talking of constitutional change, particularly in

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unconsolidated democratic contexts. In fact, term-limit abolition is regarded as a good indicator of executive aggrandisement leading to a democratic backlash.[2]

The prominence of the term-limit rule and the notorious reforms associated with it is reflected in a continuously expanding literature on the latter. These works have contributed enormously to our understanding of the topic, both in single-case and comparative analyses. Yet, until now, the focus has been on the cross-country comparison of individual reforms. In this article, instead, we propose a novel approach that compares the *paths* or *sequences* of term-limit reforms that individual countries have pursued since the third wave of democratization. We look at the sometimes multiple attempts at term-limit reform occurring in a country as a whole, instead of analysing reforms as isolated events. This longitudinal perspective allows us to investigate to what extent term-limit rules have been institutionalized over time, as well as to point out different forms of weak institutionalization.

Our empirical analysis focusses on the term-limit-reform attempts that took place in two world regions, Latin America and sub-Saharan Africa, as occurring during the third wave of democratization, which began in the late 1970s and 1990s respectively. More than 40 years in Latin America and approximately 30 years in sub-Saharan Africa have now passed since the beginning of the third wave. This period is sufficiently long to observe what kind of paths regarding term-limit-reform attempts have evolved in these two regions. Latin America and sub-Saharan Africa together include 58 (semi-)presidential countries, or 55 % of the world total: some 19 are located in Latin America, the region with the longest spell of term-limit rules in history (despite many amendments and suspensions), and 39 in sub-Saharan Africa, where rule adoption came mostly with the semi-presidential constitutions taken up in the 1990s.[3]

Despite differences in rule longevity, both regions inaugurated the third wave of democratization with constitutionalized term limits in most of their respective countries; they equally experienced numerous attempts to change the rule too. Our research collected data on 117 such attempts: this represents an average of 2.02 reforms per country and 1,82 reforms per year from transition up until 2019. Around 80 % of these attempts were successful. Yet, 85 % of the countries involved maintain some form of term limit today. Contrasting with the expectations that linked term limits to democracy, today this rule coexists with a wider range of political regime types in fact.

In this article we are interested in the overarching trends regarding presidential term limits, and in the outcomes of different pathways towards institutionalization and democracy. From this perspective, term-limit-reform attempts – mostly initiated by incumbents for their own political convenience – constitute the steps forming a particular path or sequence. A sequence without such steps denotes rule stability, regardless of the actual number of years that the rule prevails, which could vary considerably across countries, as we later explain. During each reform attempt the fate of the term-limit rule is on the table. We focus on the *direction* – either more or less constraints on the executive – and the *outcome* – whether rule changes were enacted or not – of these reform attempts. The direction and the outcome hereof provide a bird eye's view that allows us to explore levels of institutionalization through particular reform patterns, for example those combining frequent changes with the successive relaxation of term limits.

To capture the high number of reforms spreading across time and two regions, and to be able to find patterns within and between paths, we draw on the tools provided by sequence analysis.[4] Despite the variety within and almost idiosyncratic nature of each country's reform path, we were able to find patterns that refine our knowledge on

term-limit reforms and which, more generally, contribute to our knowledge on the strength of institutions. Interestingly, most of the reform attempts accumulated in a few countries – most of Latin America and a portion of sub-Saharan Africa. Despite the regional divide, sequences in these countries look similar, thus speaking of a more general trend that can potentially be found in other world regions as well. Where reform is recurrent, the last prevailing rule represents more a snapshot than a fixed result, confirming that the study of the term-limit rule requires a longer-term perspective being taken – particularly in those cases that are unstable. Additionally, we learnt that rule stability is more prevalent than previously thought. However, stability is not necessarily a positive feature here: one-third of the countries approved rules restricting the presidential term in one-step paths that are often ineffective.

The article is organized as follows. First, we connect our sequence-analysis approach to the existing literature, from which we derive expectations on the configuration of term-limit-reform paths. The third and fourth sections then explain our definition of term-limit-reform attempts and the method used to build the sequences. The fifth section builds six clusters of sequences. The sixth discusses how rule stability and political-regime dynamics interrelate in these six clusters of reform sequences. The last section concludes.

Theory

Although the flourishing literature on presidential term limits has not explicitly addressed the study of paths or sequences of term-limit reforms as such, it has provided us with detailed explanations of reform processes leading to the elimination, relaxation or circumvention of the rule. We distil from this literature, and from the one on institutionalization, theoretical expectations about what potential term-limit-reform paths look like. We further reflect on how the level of rule stability in these reform paths relates to political-regime evolution.

The idea that the stability of rules is an important feature of institutionalization goes back half a century.[5] Institutionalization requires time, over the course of which the stability of a rule is built and buttressed. Moreover, the survival of a rule under different leaders indicates its level of institutionalization.[6] In a similar vein, the literature concerned with democratization and democratic consolidation also stresses the importance of stable rules. Przeworski argues that rules need to persist for a long period of time so that they become predictable for political actors, who consequently adjust their strategies and behaviour to the incentives that they offer.[7] Thus, if the rules of the game are stable over time, political actors increasingly play along accordingly, and democracy can consolidate.[8]

Despite this extended focus on stability, scholars of institutions have long acknowledged that the latter do not exist in a permanent equilibrium but rather continue to change over time. Thelen and Steinmo saw good chances that political institutions would work with law-like regularity, but also that human agents would interfere with their workings in different ways to distort or change them.[9] Not every change or reform of an institution is necessarily detrimental to institutionalization. Huntington also argued that institutions need to be able to adapt to new circumstances in the process of institutionalization.[10]

In the literature on institutionalization and democratic consolidation, the stability of rules is also closely linked to constitutionalism, the rule of law and to horizontal

constraints on leaders, all positing the idea that the state and powerholders respect the primacy of the constitution.[11] The proximity between these different strands of thought is also reflected in the concept of the "institutionalization of power"[12] that is prominent in the study of term limits in sub-Saharan Africa. This denotes, according to Tull and Simons, "the extent to which government is restrained by formal institutions, including laws and constitutional norms".[13]

From the discussion above we learn that institutionalization requires stability, which in turn only becomes visible over time. In the particular case of term limits, stability means that the rule has to endure in order to have the desired effect on the behaviour of incumbents: the stepping down of the president after the constitutionally allowed number of terms have come to an end. Stability also means the absence of ad hoc reforms to let the incumbent continue ruling. For this reason, we focus here on the frequency of term-limit-reform attempts. In addition, we consider, as noted, two features of these reform attempts essential. The first concerns the reform attempt's direction. Presidential term limits put a *pro tempore* constraint on government, which reforms over time can increase or decrease.[14] In other words, the direction of reform captures whether a given attempt at it allows the president either more or less time in office.

The second feature is the outcome of the reform attempt, which indicates whether it was successful or not in changing the rule. In fact, attempts at reforming the term-limit rule can fail – and, thus, leave the rule intact.[15] We assume, though, that failure may influence the rule's stability in the long run – for instance by encouraging the leader in question to try again. Our analysis brings all these features together and builds reform paths that differ across countries, namely according to the *frequency* with which they occur as well as regarding their direction and outcome.

We derive a first expectation from the literature, which is the *stability path* – a very short one, and actually a non-reform path. This implies that, after the introduction or the resumption of a term-limit rule, it does not undergo reform and powerholders step down. As reforms occur, however, they draw paths in which the frequency and direction hereof make the difference. Baturo describes the *continuismo path*, which is also a short one because it basically contains one reform in which the powerholder gets rid of the rule.[16] Thus the ruler prevails over the rule, and does not accept this constraint on their personal interest in remaining in power.

For their part, Cheibub and Medina portray short reform paths characterized by one or two reforms rather as *efficiency-adjustment paths*, which the authors themselves refer to as a "constitutional adjustment" or an "efficient" way to prolong the presidential term.[17] Their argument is based on analysis of term-limit reforms occurring in Latin America between 1979 and 2016, where there were more changes to allow re-election than to prohibit it; some 42 % of the countries that changed term-limit rules continued to impose a ban on presidential re-election though.[18] Term-limit reforms, in their view, would help to counterbalance the shortcomings of the single and short term in office spelled out in most constitutional designs of the region. A last path – the *high-frequency reform path* – is identified in the literature via case studies or mentioned as an example of weak institutionalization; it is characterized by recurrent attempts at reforming the term-limit rule in both directions, yet without reaching a stable outcome.[19]

This varied landscape of reform paths shows different potential diversions from institutionalization and, thus, from the democratic goal pursued with term limits in

the first place. As argued above, scholarly works have related the institutionalization of term limits to democratization in two respects. First, stable rules are considered to be a feature of democratic consolidation and, second, constrained executives are a core feature of liberal democracy.[20]

Following this scholarly tradition, we expect to find the *stability path* mostly in democratic regimes or in ones moving in the direction of being more democratic. In contrast, the *continuismo path* leading to the immediate removal of term limits should arise most frequently in authoritarian or autocratizing regimes. In fact, scholars studying term-limit contestations in sub-Saharan Africa observe that the rule is more often respected and more stable in democratic countries.[21] On the other hand, the rule stability–democracy connection weakens with cases such as Mexico, where rule stability has coexisted with both democracy and authoritarianism since the revolution of the early twentieth century. More recent scholarship has argued, meanwhile, that constraints on the executive can also be institutionalized in authoritarian regimes under certain conditions.[22]

We do not deem the *efficiency-adjustment path* incompatible with democracy, rather as one that leads to better policy implementation.[23] Meanwhile, our expectations in relation to *high-frequency reform paths* are less clear. On the one hand, frequent rule reforms point to institutional weakness – which is considered harmful for democracy. Levitsky and Murillo argue that rules cannot develop their full effect on political actors if they are frequently reformed.[24] Moreover, institutional instability may be self-reinforcing, as coalitions to defend short-lived institutions are weak and institutions do not have time to develop legitimacy.[25] On the other hand, case studies from Burkina Faso and Senegal found that frequent changes of the term limit reflect power struggles between societal forces advocating for democratic opening and ruling elites attempting to consolidate power.[26]

Broader factors such as world region may constrain these paths. The level of democracy is higher in Latin America, and it can furthermore build on a more extensive legacy of pre-third-wave democratic rule than sub-Saharan Africa. Moreover, long-term rule existence and a larger variety of term-limit-rule types characterize Latin America. In connection, we expect to find the *continuismo path* – which departs from a constraining term-limit rule and ends with the lifting of it – to be more common in sub-Saharan Africa than in Latin America. The *efficiency-adjustment path* seems more consistent with the latter meanwhile, because while it relaxes the term-limit rule it still leaves one in place – in accordance with the history of the rule in the Latin American region. The *high-frequency reform path*, which may end with or without a term-limit rule but is characterized regardless by frequent changes, is likely in both regions.

Methodological approach and operationalization

We apply in this article sequence analysis, a method initially used in Computer Science and Human Genetics to compare large sequences.[27] Sequence analysis allows for the inductive exploration of data, and can be used to represent, compare, classify and identify patterns in sequence data.[28] Sequences are built with categorical data, and consist of a succession of *states* chosen from a finite *alphabet* that covers all possible states in the sample. The states can either be stages that usually persist for long periods of time or events that occur in a given moment.[29] The complete sequence is regarded as a single unit of analysis, as opposed to the approach of other methods

(such as event history analysis) that focus on specific episodes.[30] Then, the tenet of sequence analysis is that single events should not be isolated from each other but have to be understood in their continuity as they unfold over time.[31]

We deem this approach important for the analysis of term-limit reforms, which as we have shown above are prone to reappear with the passing of time and, thus, are difficult to understand if treated in disconnect from each other. Further, this analysis may help us to establish certain patterns of reform. In our study, the sequences are defined at the country level and comprise a succession of reform attempts: the states of the sequence, which vary along predefined categories – or, in sequence analysis terminology, the alphabet. These states refer to events (term-limit-reform attempts) rather than to stages (term-limit-rule types) to facilitate cross-regional comparison. The focus on events allows us to capture well the circumventions of rules and failed reform attempts – two empirical phenomena that form an important part of the universe of term-limit reforms in these two world regions.

Operationalization of term-limit-reform attempts

We define *term-limit-reform attempt* as any endeavour – successful or not – to alter or circumvent the constitutional rule regulating the incumbent's chances to remain in, or return to, power. Reform attempts may go in two alternative directions: making the rule more permissive and making it more restrictive respectively. Circumventions are rule-bending initiatives by incumbents vis-à-vis term limits that, whether successful or not, involve institutional decisions giving the incumbent the chance to stay another term in power. An example would be the reinterpretation of the term-limit rule by a constitutional court.

Empirically, we work with a strict definition of term-limit-reform attempts – according to which one has taken place if we find evidence that institutions dealt with the reform proposal. In other words, cheap talk by elites that does not translate into actual institutional steps towards reform is excluded from our universe of cases. This holds for both successful and unsuccessful attempts, as the latter may involve for example a presidential defeat in a constitutional referendum or a bill to limit presidential time in power that failed in the legislative process.

To identify term-limit-reform attempts, we systematically reviewed the *Latin American Newsletters* or *LatinNews* going back 40 years, and the *Africa Research Bulletin* and *The Economist's Intelligence Unit Country Reports* for sub-Saharan Africa since 1990. Moreover, we scrutinized the constitutions that were in place during our period of analysis in order to detect changes to the rule. The list of reform attempts that we obtained extends throughout the third wave of democratization in the two regions, continuing up until 2019. Latin America first mounted the third wave of democratization in 1978, with transitions in the Dominican Republic and Ecuador. After this date, several constitutional reforms were approved region-wide in the wake of democratic transitions; not all of these touched upon the term-limit rule however, as some resumed with the one that had prevailed in the previous constitution. Other countries transitioned without constitutional reforms, returning to the constitution that had existed pre-dictatorship. We coded as term-limit-reform attempts only those instances that modified the rule. Thus if a previous constitution had already contained a term-limit rule – even if not enforced – or if a new constitution did not alter the rule type prevailing in the previous constitution, we do not count it as a reform attempt. This

holds, for instance, for Ghana and Niger, where the previous constitutions of 1979 and 1989 respectively had already featured term-limit rules.

The specific form that the term-limit rule can take in any given reform attempt varies considerably, but we can categorize term-limit rules according to the level of permissiveness that they grant to the executive.[32] At the extreme ends of the spectrum, there are those rules that prohibit any presidential re-election and alternately those that allow for indefinite re-election; in between, term-limit rules may include the possibility of re-election after a term away from office or limit the total number of terms to two or three (as with the classical case of the United States).

Among the 117 attempts that we analysed, 82 led to changes in the prevailing rule while the rest did not: they were either failed attempts (23) or circumventions (10). When changing the rule, the favourite target was to obtain a two-term limit (45 attempts), of which the majority (38 attempts) occurred in Africa – mostly at the transitional moment. Other typical target reforms were those directed at the removal of term limits, which happened on 17 occasions (10 in Africa and 7 in Latin America). Meanwhile, the adoption of very restrictive rules (that is, no immediate re-election) occurred 12 times, and only in Latin America. In our empirical study, a term-limit-reform attempt's *extension* refers to the proposal of a more permissive rule for the executive than the one in force, such as allowing one immediate re-election instead of a no re-election rule or a three-term limit instead of a two-term one. Table 1

Table 1: Reform Episodes

Reform Direction \ Reform Outcome	Term-Limit Extension	Term-Limit Reduction
Successful Reform Attempt	Argentina 1994; Bolivia 2009, 2013, 2017; Brazil 1997; Burkina Faso 1997, 2005; Burundi 2015, 2018; Cameroon 2008; Chad 2005; Colombia 2005; Costa Rica 2003; Djibouti 2010; Dominican Republic 2002, 2015; DR Congo 2016; Ecuador 1996, 2008, 2015; Gabon 2003; Honduras 2015; Madagascar 1998; Namibia 1998; Nicaragua 1987, 2010, 2014; Niger 2009; Peru 1993, 1998; Republic of Congo 2015; Rwanda 2015; Senegal 1998, 2012, 2016; Sudan 2005; Togo 2002; Uganda 2005; Venezuela 1999, 2009; Zambia 2018	Angola 1991, 2010; Benin 1990; Brazil 1988; Burkina Faso 1991, 2000; Burundi 1992; Cameroon 1996; Cape Verde 1992; Central African Republic 1995; Chad 1995, 2018; Colombia 1991, 2015; Côte d'Ivoire 2000; DR Congo 2006; Dominican Republic 1994, 2010; Ecuador 1979, 2018; Equatorial Guinea 2012; Gabon 1991; Guinea 1991, 2010; Guinea-Bissau 1993; Haiti 1987; Kenya 1992; Madagascar 1992, 2010; Malawi 1994; Mali 1992; Mauritania 2006; Mozambique 1990; Namibia 1990; Nicaragua 1995; Niger 2010; Paraguay 1992; Peru 2000; Republic of Congo 1992; Rwanda 1991, 2003; Senegal 1991, 2001; Seychelles 2016; Sierra Leone 1991; São Tomé e Príncipe 1990; Togo 1992, 2019; Uganda 1995, 2017; Zambia 1991; Zimbabwe 2013
Failed Reform Attempt	Argentina 1999; Benin 2014; Bolivia 2016; Burkina Faso 2014; Burundi 2014; Colombia 2010; Costa Rica 2000; Dominican Republic 2018; Honduras 2009; Malawi 2002, 2003, 2009; Nigeria 2006; Panama 1998, 2011; Paraguay 2011, 2016, 2017; Peru 1986; Venezuela 2007	Benin 2017; Brazil 2015; Venezuela 1992
Stable Rule	Chile, El Salvador, The Gambia, Ghana, Guatemala, Liberia, Mexico, Tanzania, Uruguay	

Note: Authors' own elaboration.

below summarizes the above-presented analytical dimensions and the distribution of reform attempts.

Based on the two dimensions of reform direction and reform outcome, we build an alphabet for the sequence analysis that contains four states: term-limit extension; term-limit reduction; failed attempt; and, no attempt (or stable rule). We omitted the distinction between failed-attempt extensions and failed-attempt reductions from the alphabet because we only found three empirical cases for the latter. In any case, the crucial information here is that all those attempts failed. The limited number of states helps channel the variation found in reform processes, thus making the cases easier to compare.

### Time and order of term-limit-reform attempts

For the construction of our dataset, we documented the successive order of the reform attempts in each country. We opted to work with sequences in which events are not organized along calendar years that account for their time of occurrence; rather, we defined a reform attempt as (what we term) a *move* in the post-transitional time span of a given country.[33] There are sequences consisting of no moves, and others containing several different ones. The time dimension represents an important capacity of sequence analysis, but temporal differences in the occurrence of term-limit-reform attempts made it difficult to analyse reform processes with a yearly dataset as the third wave of democratization started at different points in time in the two examined regions. We would obtain sequences of different lengths and asynchronous events that overlooked otherwise comparable trends.[34] Time and duration are important theoretical features of institutionalization, and thus relevant for our study. These are visible in our sequences through the number of moves too. We argue that a higher number of moves, or reform attempts, is a good indicator for the shorter duration of rules.

Figure 1 below shows a small sample of the term-limit sequences detected in Latin America and sub-Saharan Africa. It first displays the reforms as successive moves. In order to illustrate how we obtained the moves the figure also shows the occurrence of the reforms on a calendar axis in the lower part of the figure. We started the calendar axis with the first term limit reform in the small sample.

Take the second line from below in both plots as an example. It shows the sequence for Argentina, which experienced two moves: the first one represents the constitutional reform of 1994, a reform package that, among other reforms, changed the term-limit rule to allow immediate re-election for one consecutive term (with the possibility to return after a one-term break). The second move corresponds to the attempt by President Carlos Menem in 1999 to have the re-election clause reinterpreted in order for him to be able to run for a third term; this manoeuvre was thwarted by the Supreme Court.

Building term-limit-reform clusters

To deal with similarity and difference, sequence analysis provides us with techniques that compare sequences by pairs and estimate their levels of dissimilarity, of which optimal matching is the most frequently used.[35] The optimal-matching algorithm calculates dissimilarities through a state-by-state, left-to-right comparison of pairs of sequences.[36] This it does by using a set of elementary operations (substitutions, insertions, deletions and matches) and associated "costs" or weights.[37]

Reform Attempts: Moves


Reform Attempts Across Time
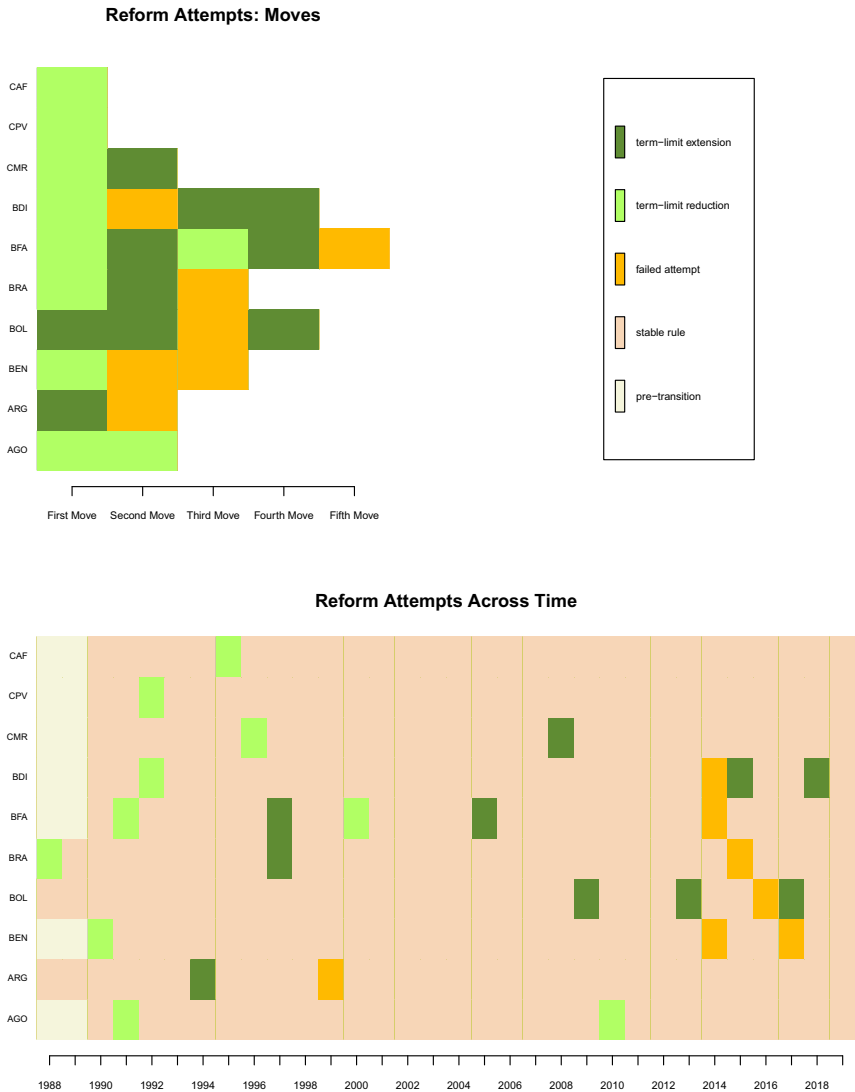
Figure 1. Example of Ten Term-Limit-Reform Sequences. Notes: AGO: Angola; ARG: Argentina; BEN: Benin; BRA: Brazil; BFA: Burkina Faso; BDI: Burundi; CMR: Cameroon; CPV: Cape Verde; CAF: Central African Republic.

We use a theoretically defined substitution–cost matrix that helps to calculate the distances between all pairs of sequences in a meaningful way, one that contemplates not only the length of the sequences but also the direction of the attempts at reform – that is, whether they pointed towards a relaxing or constraining of the executive's time in office.[38] This was the basis for the agglomerative hierarchical cluster analysis that we subsequently performed so as to find the groups of countries that showed similar reform paths. Certain patterns with regard to term-limit-reform paths would consistently reappear in different clustering attempts, thus giving robustness to our conclusions. We comment on these findings in the following section.

Six Clusters of Term-Limit-Reform sequences

Building on the literature on institutionalization, democratization and term-limit contestation, we were expecting four different types of term-limit-reform paths in our empirical analysis. In fact, we found six clusters of reform paths (see Figure 2 below); we discuss here in which respects they differ from those we had identified in the literature, and what they teach us about the institutionalization of term-limit rules in Latin America and sub-Saharan Africa.[39] First, Cluster 1 represents the path that has dominated in the literature: the *continuismo path*. It gathers short sequences moving in the direction of less temporal constraints on the executive, the reason why we call those concerned "Relaxers." Interestingly, less than one-fifth of our countries
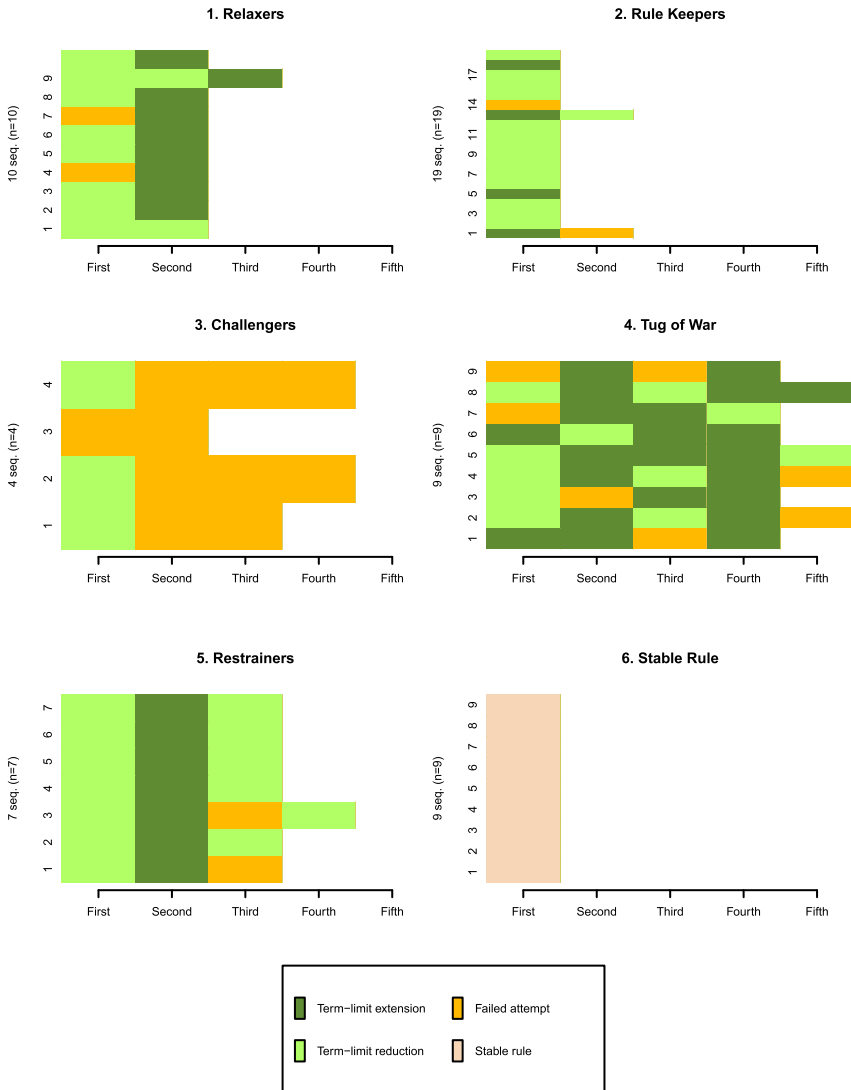
Figure 2. Clusters of Term-Limit-Reform Attempts

(17 %) belong herein. In addition, we do not have anything as an *efficiency-adjustment path*, probably because there are not many cases of the rule being adjusted efficiently.

Second, we have two clusters that resemble the *stability path*; we learn that the stability of term-limit rules is more prevalent than the commonly held wisdom suggests. This is above all apparent in Cluster 6, which gathers together countries that already had term-limit rules in their constitution (except for The Gambia) when the third wave of democratization started and which did not experience attempts to change the rule since. Rule stability is also a feature of Cluster 2, whose members we call "Rule Keepers" because most of these countries adopted presidential term limits either during democratization or afterwards (and then kept them). These two clusters with relatively stable term-limit rules comprise 28 sequences: that is, almost 50 % of the countries studied.

Third, we learn that most attempts occur where reforms have previously already happened. In fact, we have three smaller clusters (of four, nine and seven sequences each, or a share of 34 % of the total countries studied), which comprise long sequences that together include 75 reform attempts – that is, the majority (64 %) of the attempts making up the sample. These three clusters differ in the length of the sequences and regarding the outcomes of those moves.

In fact, we name members of Cluster 3 "Challengers" because these sequences show repeated unsuccessful tries at changing the term-limit rule. In these cases the rule remained stable, but it is uncertain whether it will also prove resistant in the future. Each failure was followed by further efforts regardless, but, as can be seen in Cluster 4, failed attempts may one day be followed by successful endeavours. Both Cluster 4 and Cluster 5 depict high-frequency reform paths, but they differ on the outcome and the number of moves. Cluster 4 approximates the expected *high-frequency reform path*; we observe there a "Tug of War" that includes between four and five moves, in which the last one may either restrain or relax the presidential term. When it comes to these sequences, we adjudge that presidents have been more successful in getting their way – though this outcome may be challenged. We label the members of Cluster 5 "Restrainers" because the rule was changed over time, but the last and third move represents either the reimposition of a restrictive rule or a failed attempt to relax one. In other words, these are countries where strong executives gave impulse to and mostly managed to relax the term-limit rule, but where these were not strong enough to impede a last movement in the counter-direction.

The empirical analysis depicts, then, the different facets of rule stability and instability. However, we need to contextualize the clusters to properly interpret how the different levels of rule stability relate to the type of political regime. We also need to fine-tune our learnings about institutionalization.

Lessons on autocratization and institutionalization

In this section we relate the country sequences to variables measuring the dominant type of political regime, regime evolution (autocratization), the final term-limit rule prevailing at the country level and whether the term-limit rule has already been tested. Table 2 below summarizes the results of these cross-tabulations for the six clusters.[40] We aimed at discovering cross-regional patterns of term-limit-reform paths, indeed finding cases in all clusters for both regions. Certainly, there are more sub-Saharan African than Latin American cases in the sample, and therefore an even

Table 2: Cross-Tabulation of Covariates

Cluster	Region (SSA)	Dominant Regime Type (Electoral Autocracy)	Autocratizing Countries	Last Rule (Indefinite Re-Election)	Untested Rule
1.Relaxers N=10	8	6	1		1
2.Rule Keepers N=19	17	13	7	1	6
3.Challengers N=4	2	1	2	0	0
4. Tug of War N=9	3	2	8	3	0
5.Restrainers N=7	5	5	4	0	1
6.Stable Rule N=9	4	2	4	1	0
Total N=58	39	29	26	9	8

Notes: Authors' own calculations. SSA = sub-Saharan Africa. Dominant regime type: based on the V-Dem Regimes of the World Index (V10), this assessment identifies the regime type which is attributed to the respective country for the highest number of years in our period of analysis.[46] Autocratizing countries is a measurement based on Lührmann and Lindberg's concept of "episodes of autocratization" using the V-Dem Electoral Democracy Index (V10). It counts the countries that until 2019 had experienced an episode of autocratization, thus a decline in their values.[47] Last rule counts the countries that had in 2019 had the term-limit rule removed. Untested rule counts the countries that in 2019 had still not tested the term-limit rule.

distribution vis-à-vis the two regions across clusters would be difficult to achieve. In addition, regional variation was a prior expectation despite the shared experience with reform and third-wave democratization, as Latin America and sub-Saharan Africa considerably differ with regard to their respective democratic legacies and levels of socio-economic development. The results show that three clusters are dominated by sub-Saharan African cases: the "Relaxers" (Cluster 1), the "Rule Keepers" (Cluster 2) and the "Restrainers" (Cluster 5). Latin American countries prevail in the "Tug of War" (Cluster 4) and "Stable Rule" (Cluster 6) groupings meanwhile, while the "Challengers" (Cluster 3) show an equal regional composition.

Stable formal rules and institutional constraints on the executive were often jointly considered crucial for democratic consolidation at the beginning of the third wave of democratization. Moreover, research on term limits in sub-Saharan Africa has shown that term limits are more often respected in democratic regimes than in authoritarian ones.[41] Taking this perspective, we were expecting to find a higher level of democracy in the two stability clusters and of autocracy for the "Relaxers" respectively. Regarding the instability clusters, we only expected that these paths would emerge under higher levels of democracy than in the "Relaxers" cluster.

However, our empirical evidence ultimately only partly confirms all these expectations. We learn from closer analysis of the stability clusters that rule stability is not necessarily a good thing: it can also mask the ineffectiveness of institutions. Cluster 6 ("Stable Rule") is indeed one of the two clusters with the highest levels of democracy in our sample. Yet, in the second cluster displaying rule stability (Cluster 2 – "Rule Keepers"), 13 countries out of a total 19 were electoral autocracies during most of the post-transitional period.

This puzzling deviation can partially be explained by a specificity of the sub-Saharan African sample, one which predominates in Cluster 2. As shown in the last column of Table 2, in six countries the term-limit rule had still not been tested – that is, the term

limit had not been reached by the end of 2019 for various reasons.[42] Among these cases are Zimbabwe, which introduced the term-limit rule only in 2013, and the Central African Republic as well as Guinea-Bissau – where in both instances no president had reached the end of the term limit due to the high political instability induced by civil war and/or coups d'état.

Yet, reaching the end of a term limit is a crucial test in which it is decided whether powerholders will comply with the rule and remain "Rule Keepers", or seek rule reform to stay in power.[43] Thus, before this test we do not know whether the term-limit rule is only a cosmetic one or in fact an effective one. All countries with untested rules in this cluster were electoral autocracies during the last decades. However, Cluster 2 also assembles several sub-Saharan African countries that have already tested and respected the term-limit rule. Among them are countries where the respecting of the term limit paved the way for electoral turnovers (e.g. Kenya, São Tomé and Príncipe, Sierra Leone) and ones where the ruling party stayed in power but another person became president (e.g. Mauritania, Mozambique, Nigeria).

In contrast, Cluster 1 ("Relaxers") matches well our expectation of the authoritarian *continuismo path* because it not only brings together a high number of autocracies (six out of ten regimes were classified as electoral autocracies within the period of analysis) but also the highest number of indefinite re-elections at the end of their sequence (four out of nine term-limit-rule removals in the sample belong in this cluster). Thus, one reform can be highly efficient in de-institutionalizing constraints on the executive and laying the grounds for the further consolidation of power. However, the cluster adds a new note on "Relaxers" who, in search of *continuismo*, may still leave a term-limit rule in place, thus preventing autocratization: in democratic Costa Rica, the rule changed from a prohibition on re-election to the permittance of non-consecutive re-election, an apparently minimal but controversial move that allowed President Oscar Arias (1986–1990, 2006–2010) to return to power 15 years after his first mandate had come to an end.

Our expectations on frequent reform attempts (as in Clusters 3, 4 and 5) and democracy were less clear. While the literature associates rule instability with low levels of institutionalization and democracy, we noted that rule instability may also point to democratic forces that are strong enough to even advocate for reform (but not sufficiently strong to maintain it).[44] In fact, our multi-reform clusters differ with regard to the number, direction and outcome of reforms as well as concerning their levels of democracy.

In the small Cluster 3, made up of countries where the term-limit rule was repeatedly challenged without eventually being reformed, electoral democracies are the dominant regime type (three out of four). Even Malawi – predominantly an electoral autocracy – has almost a stand-off between years as electoral autocracy and electoral democracy. Thus, despite the rule being challenged, democratic checks were still strong enough to keep it stable. However, we were puzzled by the high share of electoral autocracies (five out of seven) among the "Restrainers" of Cluster 5 – thus the cluster in which the term-limit rule was first challenged but then ultimately strengthened in the last step of the sequence – and by the high number of democracies (seven out of nine) in Cluster 4 ("Tug of War") – in which seven out of nine countries moved towards less constraints on the executive in a long row of reforms.

In Cluster 5, the only four-move sequence corresponds to democratic Colombia, a real "Restrainer" case, where successful reform allowed President Álvaro Uribe to remain in power for one more term. His ambitions were cut short, though, with his

failure regarding the third such attempt made, as well as with the most recent reform enacted that prohibits any ex-president from returning to power. Electoral autocracies prevail among the sub-Saharan African cases, but actually Chad, Togo and Uganda suited for a long time the storyline of the "Relaxers" of Cluster 1 – only recently reintroducing term limits as a concession to calm opponents within one's own party and/or the opposition. Uganda, for example, introduced a two-term limit in 1995 during the democratic transition; Yoweri Museveni got rid of the rule in 2005 though, when he approached the testing moment. However, the idea of a term limit did not disappear; in 2017, Museveni had to offer members of parliament the reintroduction of a non-retroactive term limit in exchange for the lifting of the constitutional age-limit for presidents that would have prohibited his candidacy in the 2021 election.

The fact that reforms moving in contradictory directions happen recurrently in "Tug of War" Cluster 4 implies that a certain level of contestation is taking place in the country at hand. This contestation hinders the powerholder from continuing without temporal constraints on their time in office. In Burkina Faso, for instance, Blaise Compaoré was forced to reintroduce the term-limit rule in the year 2000 to appease the heavy protests witnessed against the murder of journalist Norbert Zongo. After a circumvention of the term-limit rule in 2005, Compaoré also failed to eliminate it once again in 2015 due to street demonstrations and to splits within his ruling party. Instead, he was ousted from office via a military coup.[45]

In Cluster 4 reform attempts take place at a higher level of democracy, but this cluster also contains a high number of episodes of autocratization (twelve episodes in eight out of nine countries) – marking the major difference between this and the other clusters. There is a lot of tinkering with the rule as well: for example, through circumventions (Bolivia 2013; Burkina Faso 2005; Peru 1998; Senegal 2012) or a new trial after a failed attempt (Bolivia 2016, 2017; Burundi 2014, 2015; Venezuela 2007, 2009). To the three countries in the cluster that had removed the term-limit rule by 2019 (Bolivia, Nicaragua, Venezuela) others can also be added that kept a rather permissive rule allowing for additional non-consecutive terms (Burundi, Senegal).

To sum up, we learn, first, that the association between rule (in)stability and autocratization is not a straightforward one. Not only did we find different levels of rule instability, all involving certain levels of contestation – a major feature of democracy – in society, but also our research showed that rule stability can mask ineffective institutions. Second, term-limit relaxation has been achieved following two paths: one that accomplishes power consolidation with only one relaxation-oriented reform and another one that requires several reforms to win the tug of war. For both of these paths, the process of autocratization moved forwards when the reform attempt ended up lifting the term-limit rule. These findings suggest that the meaning of institutional stability may have changed with time, from the initial hopes that it aroused in the literature on democratic consolidation to its current coexistence with both autocracies and democracies alike. The negative association of rule instability with less democracy should also be better qualified henceforth.

Conclusions and outlook

Even though the term-limit rule prevails today in most (semi-)presidential countries of Latin America and sub-Saharan Africa, rule persistence is far from indicative of institutional strength. The current coexistence of the term-limit rule with different types of

political regime is thus far away from the aspirations that initially accompanied its adoption at the beginning of the third wave of democratization. Over three to four decades the rule was amended and twisted, with rule persistence not always meaning rule effectiveness. Even in those cases where the rule remained stable, it may have been circumvented – or simply not tested yet.

We took in this article a novel bird eye's view on the paths of term-limit reform that emerged after the third wave of democratization in Latin America and sub-Saharan Africa. We were motivated by the flourishing literature that analyses term-limit reform in one or the other region, but without much intercommunication. Yet these two world regions both have considerable influence on broader debates on democratization and autocratization, as well as on institutional stability. By looking at both and by applying sequence analysis, we were able to specify the reach of these previous findings and add our own assessments to them. The two main cross-regional tendencies that we found concern, first, rule stability, which is more common than expected in the literature, and, second, the clustering of a high number of reforms in a medium-sized group of countries. By analysing the conditions under which these reform paths occur, we move a step forwards in the building of a theory of term-limit change that is a better fit across world regions.

In fact, even though the removal of the term-limit rule has been present for a while now in the literature as an indicator of an authoritarian path, we still found cross-regional variation to exist: while in sub-Saharan Africa the *continuismo* path prevails, the tug-of-war path is more common in Latin America. The former involves just one move – one by which powerholders either relax or circumvent the rule, and remain unconstrained by it. De-institutionalization upholds the authoritarian trend in these regimes, although things may change if presidents face pressure to reintroduce the rule. The latter involves the gradual and progressive relaxation of the rule in a chain of reforms, continuing until its final lifting. It is unleashed in countries which started with a higher level of democracy in comparison to the first authoritarian path. In these cases, autocratization meets more societal resistance and is not a straightforward development. In fact, our data shows that while autocratization is a possible end it is not inevitable, as we have also seen that many countries with term-rule instability did not subsequently evolve towards authoritarianism.

While in theory rule stability is highly valued as a condition for democracy, rule instability does not preclude democracy. In democracies, the term-limit rule may be debated and even reformed but democratic forces can still be strong enough to bring it to the forefront of discussion and to revive interest in keeping it working. In contrast, we found that rule stability can also mask ineffective rules when the overall regime is not stable enough to let presidents reach the end of their term limit.

In sum, overcoming regional borders in institutional analysis is a crucial step towards understanding global reform trends. We hope that our two-region analysis will be useful in laying the fundations for the closer and more nuanced assessment of institutional change in other presidential regimes of the world, as well as when it comes to refining our existing theoretical knowledge on presidentialism and presidential term limits. We also hope that further research can build on our empirical contribution, for example, by digging into the sequential exploration of the causes and consequences of term-limit reforms or by combining our dataset with effective presidential mandates.

Notes

1. Baturo and Elgie, The Politics of Presidential Term Limits, 14.
2. Bermeo, "On Democratic Backsliding".
3. Elgie, "List of Presidential, Semi-Presidential, and Parliamentary Countries".
4. Abbott, "Sequence Analysis".
5. Huntington, Political Order in Changing Societies, 12.
6. Ibid., 13–14.
7. Przeworski, "Some Problems in the Study of the Transition to Democracy".
8. Linz and Stepan, Problems of Democratic Transition and Consolidation.
9. Thelen and Steinmo, "Historical Institutionalism in Comparative Perspective", 2.
10. Huntington, Political Order in Changing Societies, 13.
11. Elster, "Consequences of Constitutional Choice: Reflections on Tocqueville"; O'Donnell, "Human Development, Human Rights, and Democracy", 32.
12. Posner and Young, "The Institutionalization of Political Power in Africa".
13. Tull and Simons, "The Institutionalisation of Power Revisited", 81.
14. Linz, "Democracy's Time Constraints".
15. Versteeg et al., "The Law and Politics of Presidential Term Limit Evasion".
16. Baturo, Democracy, Dictatorship, and Term Limits.
17. Cheibub and Medina, "The Politics of Presidential Term Limits in Latin America: From Re-Democratization to Today".
18. Ibid., 529.
19. Heyl, "Senegal (1970–2016): Presidential Term Limit Reforms Never Come Alone"; Moestrup, "Presidential Term Limits in Burkina Faso"; Brinks, Levitsky, and Murillo, Understanding Institutional Weakness.
20. O'Donnell, "Horizontal Accountability in New Democracies"; Munck, "What Is Democracy?"
21. Reyntjens, "A New Look at the Evidence"; Tull and Simons, "The Institutionalisation of Power Revisited".
22. Meng, Constraining Dictatorship.
23. Cheibub and Medina, "The Politics of Presidential Term Limits in Latin America: From Re-Democratization to Today".
24. Levitsky and Murillo, "Variation in Institutional Strength".
25. Helmke, Institutions on the Edge.
26. Heyl, "Senegal (1970–2016): Presidential Term Limit Reforms Never Come Alone"; Moestrup, "Presidential Term Limits in Burkina Faso".
27. Gabadinho et al., "Analyzing and Visualizing State Sequences in R with TraMineR".
28. Blanchard, "Sequence Analysis".
29. Gauthier, Bühlmann, and Blanchard, "Introduction", 3.
30. Billari, "Life Course Analysis: Two (Complementary) Cultures? Some Reflections With Examples From the Analysis of Transition to Adulthood"; Studer et al., "Discrepancy Analysis of State Sequences".
31. Aisenbrey and Fasang, "New Life for Old Ideas".
32. Heyl and Llanos, "Presidential Term Limits in Africa and Latin America"; Baturo, Democracy, Dictatorship, and Term Limits; Negretto, Making Constitutions.
33. Casper and Wilson, "Using Sequences to Model Crises".
34. Consequently, it was not possible to build cross-regional clusters. We also conducted sequence analysis with Latin American sequences only starting in 1990, but we did not obtain clusters that allowed for meaningful cross-regional comparison and we also lost reform events happening in the 1980s.
35. Abbott, "Sequence Analysis".
36. Sankoff and Kruskal, Time Warps, String Edits, and Macromolecules: The Theory and Practice of Sequence Comparison.
37. Blanchard, "Sequence Analysis". Researchers can use standardized methods to calculate the substitution costs or they can establish their own, which they define according to the theoretical principles that guide their research.
38. A theory-based substitution–cost matrix punishes the substitution of states that in theory strongly differ from one another by assigning high substitution costs to this action. In our

theoretical framework, stability of rule differs from reforms that destabilize rule. Therefore, the substitution costs between stability and any kind of reform are the costliest ones. Reforms to extend or to reduce term limits still substantially differ but substituting these reforms with each other is nevertheless a little less costly than substituting stability with any reform. The same applies to the substitution between reforms to extend the term limit and failed reforms. The less costly substitution in our substitution–cost matrix is the one between a reform attempt to tighten rule and a failed one.

39. On a technical note, we tried different configurations of the substitution–cost matrix and divisions of the clusters, and we opted for the six-cluster solution because it offered the best fit of the cases and theoretically meaningful clusters. We acknowledge that the clusters may contain one or two sequences that do not perfectly fit. For instance, Cluster 1 ("Relaxers") contains one sequence with two successful restrictive term-limit reforms (Angola) while Cluster 2 includes one sequence in which the term-limit rule is eliminated (Djibouti) – which is obviously not indicative of rule keeping. This is due to the variety of sequential paths that we obtained (24 distinct sequences out of 58 total sequences), most of which could, however, be clustered convincingly.

40. A number of additional, complementary variables can be found in the Appendix. They confirm the trends shown by the selected main variables.

41. Reyntjens, "A New Look at the Evidence"; Tull and Simons, "The Institutionalisation of Power Revisited".

42. These cases are the Central African Republic, Côte d'Ivoire, Equatorial Guinea, Guinea-Bissau, Seychelles and Zimbabwe. Other non-testers until 2019 were Angola (Cluster 1) and Madagascar (Cluster 5). In contrast, the term-limit rule has been tested in all Latin American countries.

43. Hartmann, "The Bifurcation of Presidential Term Limit Trajectories in Africa: A Path-Dependent Analysis".

44. Brinks, Levitsky, and Murillo, Understanding Institutional Weakness.

45. Moestrup, "Presidential Term Limits in Burkina Faso".

46. Coppedge et al., "V-Dem Dataset V10".

47. Lührmann and Lindberg, "A Third Wave".

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Annex I : Countries Included in the Cluster Analysis

Clusters	Countries
Cluster 1 "Relaxers"	Angola, Cameroon, Costa Rica, DR Congo, Gabon, Honduras, Namibia, Republic of Congo, Rwanda, Zambia
Cluster 2 "Rule Keepers"	Argentina, Central African Republic, Côte d'Ivoire, Cape Verde, Djibouti, Equatorial Guinea, Guinea-Bissau, Haiti, Kenya, Mali, Mozambique, Mauritania, Niger, Nigeria, Seychelles, Sierra Leone, São Tomé and Príncipe, Sudan, Zimbabwe
Cluster 3 "Challengers"	Benin, Malawi, Panama, Paraguay
Cluster 4 "Tug of War"	Bolivia, Burkina Faso, Burundi, Dominican Republic, Ecuador, Nicaragua, Peru, Senegal, Venezuela
Cluster 5 "Restrainers"	Brazil, Chad, Colombia, Guinea, Madagascar, Togo, Uganda
Cluster 6 "Stable Rule"	Chile, El Salvador, The Gambia, Ghana, Guatemala, Liberia, Mexico, Tanzania, Uruguay

Annex II : Cross-Tabulation with Additional Covariates

Cluster	Level of Democracy, 1979/1990–2019 (average)	Level of Democracy, 1979/1990–2019 (median)	Number of Autocratization Episodes	Median Magnitude of Autocratization Episodes
1.Relaxers N=10	0.41	0.34	4	0.227
2.Rule Keepers N=19	0.423	0.4	12	0.146
3.Challengers N=4	0.54	0.52	2	0.149
4. Tug of War N=9	0.55	0.58	12	0.182
5.Restrainers N=7	0.42	0.37	6	0.165
6.Stable Rule N=9	0.52	0.48	4	0.13

Notes*:* The calculation of the average and median level of democracy is based on V-Dem's Electoral Democracy Index. For Latin America we calculated the measures since 1979 and for sub-Saharan African since 1990. In the fourth column we count the total number of autocratization epiodes that occurred in the cluster; the last column indicates the median of these episodes.