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Protection against autocratisation: how international democracy promotion helped preserve presidential term limits in Malawi and Senegal

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ABSTRACT

This article analyses the conditions under which international democracy support contributes to protecting presidential term limits. As autocratisation has become an unwelcome global trend, researchers turned to the study of the toolboxes of would-be autocrats, including their attempts to circumvent term limits. Through a paired comparison of failed attempts in Malawi (2002) and Senegal (2012), we find that external democracy support can assist domestic actors and institutions in deflecting challenges to term limits. We offer a novel qualitative analysis that posits that international democracy support can only be effective if sustained by popular democratic attitudes and behaviours of actors in the recipient state. On the one hand, a mix of conditioning relations with the incumbent government while capacitating pro-democratic opposition is a successful strategy in aid-dependent political regimes with a minimum democratic quality. On the other, societal attitudes factor into decision-making at domestic and international levels. Our results suggest that popular pro-democratic attitudes encouraged international democracy support during critical junctures in the two countries, ie when incumbents attempted to circumvent term limitation. Donor investments had positive results when donors had directed resources towards building up civil society organisations long before any attempts at circumventing term limits were made.

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Introduction

Much has transpired in global politics since Francis Fukuyama predicted the ‘end of history’, which was to give way to a liberal world order after the end of the Cold War (Fukuyama 1992). In response to the unwelcome global trend of autocratisation, researchers have turned to the study of aggrandising executive powers (Hellmeier et al. 2021). This includes attempts to circumvent presidential term limits, a commonly used tool in the toolbox of would-be autocrats (Dresden and Howard 2016). Since constitutional safeguards, political barriers and public visibility make it difficult to extend term limits, it is unlikely that would-be autocrats

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would select such a tool if they did not believe success was highly likely. However, presidents do frequently fail to extend their terms; 38% of attempts to extend term limits during 2000 and 2018 were unsuccessful (Versteeg et al. 2019). Even so, scholars pay less attention to failed attempts to seize executive power than successful ones, although failed attempts present prime examples of how democratic backsliding can be halted. One part of the explanation for why such attempts fail involves opposition to such attempts by international actors. This is where our empirical analysis begins. We focus on the contributions of international democracy support in instances where an executive seeks – yet fails – to extend power by extending term limits. These moments are important in that they illustrate means by which democracy can survive. As the outcomes result in either the erosion or the continued consolidation of democracy, they are comparable to instances of democratic transition (Bratton and Van De Walle 1997).

Accordingly, we address two specific gaps in the research. First we explore the often overlooked international dimension of attempts to circumvent presidential term limits. Although existing research on the promotion of democracy addresses different reform areas including elections, free media and parliaments, most have paid no special attention to executives' circumventions of term limits, despite the relevance of such to the direction a given democracy takes.¹ The literature on term limits, for its part, focuses on domestic drivers and their varying outcomes (Baturu and Elgie 2019). Scholars have investigated the relevance of specific actor groups, such as the military forces and political parties (Harkness 2017; Kouba 2016); of institutional arrangements such as government capacity or the relationship between the legislature and executive; of ambiguities in the legal interpretations of constitutions (Reyntjens 2016; Vandeginste 2016); and of social factors such as education (Oglesby 2017). Few acknowledge the relevance of international factors such as official development assistance (ODA) (McKie 2019; Baturu 2014; Posner and Young 2007) or donors' responses in specific countries (Vandeginste 2016).

The second gap lies in the lack of qualitative analyses that systematically combine international and domestic factors impacting the success or failure of attempts to circumvent term limits. International democracy support can help prevent term-limit circumvention, and thus hinder autocratisation. However, effective democracy support can be a necessary condition but never a sufficient one (Leininger 2010). What largely determines the effectiveness of democracy support is how it interplays with domestic factors. We focus on two such factors. First, to be effective, democracy support must build on pro-democratic societal attitudes. International actors can ally with pro-democratic domestic actors to foster processes already underway, but they cannot create such processes in the absence of local ownership. Accordingly, most analyses assume that effective democracy promotion requires that the values and attitudes of the given state's political elites converge with those of its overall society (Bridoux and Kurki 2015; Dupuy, Ron, and Prakash 2016). However, there is still a lack of empirical evidence on the relevance of such soft power factors in democracy promotion. In thwarting incumbents' attempts to circumvent term limits, public attitudes play a notable role. For instance, in order to justify their attempts, incumbents often claim that their actions are driven by 'the will of the people'. Yet survey data suggest that popular support for term limits is consistently high in Africa (Dulani 2015).

Second, for public attitudes to matter, they must be translated into action such as through social mobilisation, public discourse and interest aggregation. Social and political actors need organisational resources to translate their attitudes and goals into such political action

(Mueller 2018). Democracy support can make a decisive difference by capacitating social mobilisation and interest aggregation. Against this background, this paper explores the following research question:

How do international support for democracy and domestic attitudes amplify one another to counter incumbents' attempts to circumvent presidential term limits?

This article makes three primary contributions to the study of effective democracy promotion. Theoretically, it contributes to an enhanced understanding of when international democracy support is a necessary condition for societies to protect themselves from auto-cratism. Conceptually, it offers an integration of the interplay between specific international mechanisms and domestic factors; specifically, it analyses the combination of the logic of appropriateness and the logic of consequences, whereas previous studies have focussed on one or the other. Empirically, it reveals factors behind *unsuccessful* attempts by incumbents to circumvent presidential term limits; such unsuccessful attempts have been under-researched in the study of democracy promotion. Overall, our analysis suggests that democracy support can help thwart challenges to democracy by providing organisational resources to unrepressed yet under-resourced civil society actors who need such resources to mobilise domestic attitudes that align with their causes.

Empirically, we focus our analysis on attempts to circumvent term limits in Africa, as such attempts have become a 'foreign policy challenge' (Hengari 2015, 1). Between 1990 and 2016, incumbent presidents in African countries reached constitutional term limits in 59 instances (see Figure 3). Twenty-five such cases were accompanied by an attempt to circumvent term limits, 20 of which were ultimately successful (see Online Appendix I). In addition, Africa receives the highest levels of aid in the world and has a colonial heritage, making targeted international influence on domestic affairs likely. From the universe of cases described above, we selected two, Malawi and Senegal, both of which saw a *failed* attempt at circumventing presidential term limits and had substantial international support in thwarting it. Each case presents distinctive outcome patterns and interactions between international and domestic actors, as revealed by in-depth analysis based on in-country field research and textual analysis of primary and secondary sources. We conducted 217 semi-structured interviews between 2013 and 2017 in Malawi and Senegal,² and we rely on survey data in our exploration of societal attitudes.

In what follows, we outline our theoretical framework, hypotheses, research approaches and case selection method. Empirical analyses of these two cases constitute the bulk of this text. We first assess the effectiveness of democracy promotion in each case. We then address the question of the effectiveness of international interventions in domestic debates on presidential term limits and look at how societal attitudes influence the effectiveness of democracy promotion. We conclude with a summary of the findings and an outlook on the implications for future research.

Theoretical framework: when and how domestic attitudes and organisational resources matter in democracy promotion

Democratisation and term limits

Democratisation is the process of institutional, behavioural and attitudinal changes from an authoritarian to a democratic regime. It is a non-linear, open-ended and reversible process

emerging from the interactions between primarily domestic but also international factors (Whitehead 2009). We conceive of democratisation as a negotiation process (Poppe, Leininger, and Wolff 2019) characterised by the presence of pro- and contra-actor constellations who are defined by opposing political goals on a particular issue and who compete and negotiate to impose their respective versions of political order (Figure 1).

Presidential term limits (usually of two terms) are important for democracy to thrive. They impose constitutional restrictions on how long a president can serve. They are beneficial in (semi-)presidential political systems as they prevent the consolidation and personalisation of political power, particularly in countries where institutional checks and balances are weak (Maltz 2007). Term limits lower the barriers of entry for new candidates, increase political turnover and prevent political competition from devolving into a zero-sum game (Cheeseman 2010). In recognition of the value of term limits, many African countries – with the assistance of external democracy supporters – enacted two-term limit provisions in their constitutions during the 1990s (Posner and Young 2007). From 1990 to 2010, African countries enacted 49 constitutional provisions on term limits. Although several of those have since been rolled back, during that 20-year period, the number of presidents leaving office through electoral means increased by four, and the average stay in office decreased from 13 years to seven (Dulani 2011).

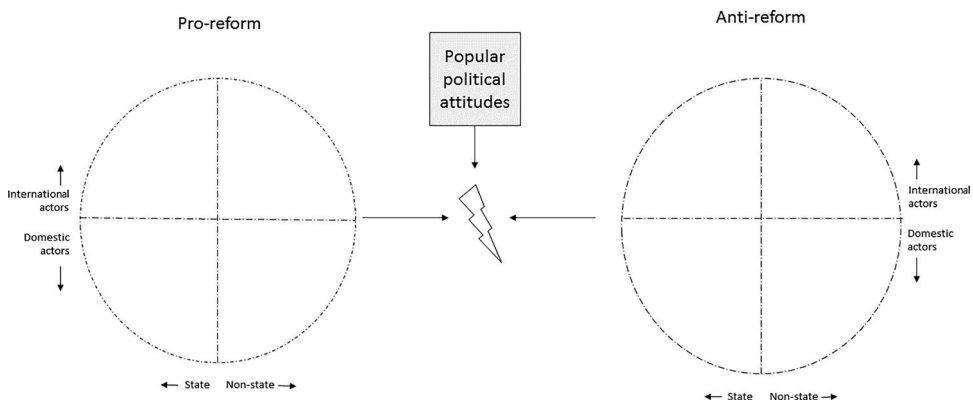


Figure 1. Conceptual model: actor constellations, societal attitudes and negotiations on democratisation.

Note: This illustration of our model can be used to depict actor constellations in any type of political reform.

International support for presidential term limits

International democracy promotion influences domestic democratisation and autocratisation processes, and, accordingly, term limit protection (Burnell 2007; Grimm and Leininger 2012).³ Although usually united in their support of liberal democracy, democracy promoters do not always agree on which strategies to take (Zamfir 2016). Scholars have categorised democracy promotion ‘tools’ according to their respective social mechanisms (Börzel and Risse 2012; Schimmelfennig 2015). Instruments that operate via a logic of consequences – such as sanctions and other legal impositions, financial incentives and (credible) threats – induce behavioural change by appealing to actors’ rational cost–benefit analyses of a given

situation.⁴ It is assumed that targeted actors will weigh options rationally and make relevant decisions based on the expected payoffs (Schimmelfennig and Sedelmaier 2005). By contrast, logic of appropriateness appeals to actors' perceived appropriate responses to a given situation, regardless of material benefit considerations (Checkel 2005; Börzel and Risse 2012). It includes instruments such as long-term socialisation through training programmes, capacity development, etc., of elites and the people. Both logics address the calculations of elite decision makers. However, the literature neglects societal values in recipient countries and how these factor into these logics. The democracy diffusion literature does approach the perspective of the populace, arguing that there is often a gap between the values and attitudes of norm senders and those of norm receivers and that norm receiving countries localise norms to fit 'cognitive priors and identities' in the receiving country (Acharya 2004, 248–249). However, few scholars have investigated whether and how such pre-existing attitudes might condition the effectiveness of democracy support. In the present piece, we integrate consideration of domestic attitudes as mechanisms of democracy promotion into our analyses.

Attitudes and audience costs in (de-)democratisation processes

At the domestic level, negotiating democracy takes place in an arena with prevailing popular political attitudes. An actor constellation that reflects majority views can argue that it defends national values against a less representative opposing group, a point likely to bolster its status in debate. Accordingly, we assume that with strong popular support for term limits, attempts at circumventing such limits are less likely to succeed. Despite presidents' claims that they wish to stay in office due to popular demand, citizen support for term limits is high across Africa, on average 75%, including in countries where term limits had never been enacted or where they were repealed in the recent past (Afrobarometer 2016/2018). That being said, when we juxtapose cases of successful attempts to repeal term limits with cases of failed attempts, marked differences are observed in terms of levels of popular support for term limits. Although support for term limits is high in all cases, it tended to be higher in countries where term limits were maintained after challenge (Figure 2). Although these data are to be regarded with the usual circumspection, we assume here that high levels of support for term limits lessen the likelihood that incumbents will succeed in attempts to circumvent term limits.

In keeping with the logic of consequences, most donors condemn attempts to circumvent term limits. Following research on the effects of foreign aid, we assume here that the more aid dependent a country is, the greater the influence external donors who promote democracy will be able to exert on elites (Mkandawire 1999; Kersting and Kilby 2014). Democracy promoters can therefore help states prevent the removal of term limits by ensuring through conditionalities that the benefits to executives of adhering to term limits outweigh the costs they will accrue in removing or circumventing them (Carter 2016).

Democracy promotion that follows the logic of appropriateness often focuses on long term efforts whereby existing norms are supplanted by democratic norms that are internalised in new generations of leaders. In the short term, international democracy supporters can still intervene in domestic democratisation. Donors' public rhetoric in support or condemnation of domestic political elites' actions often signal whether donors perceive such actions as appropriate, which may alter domestic actors' behaviour or undermine their

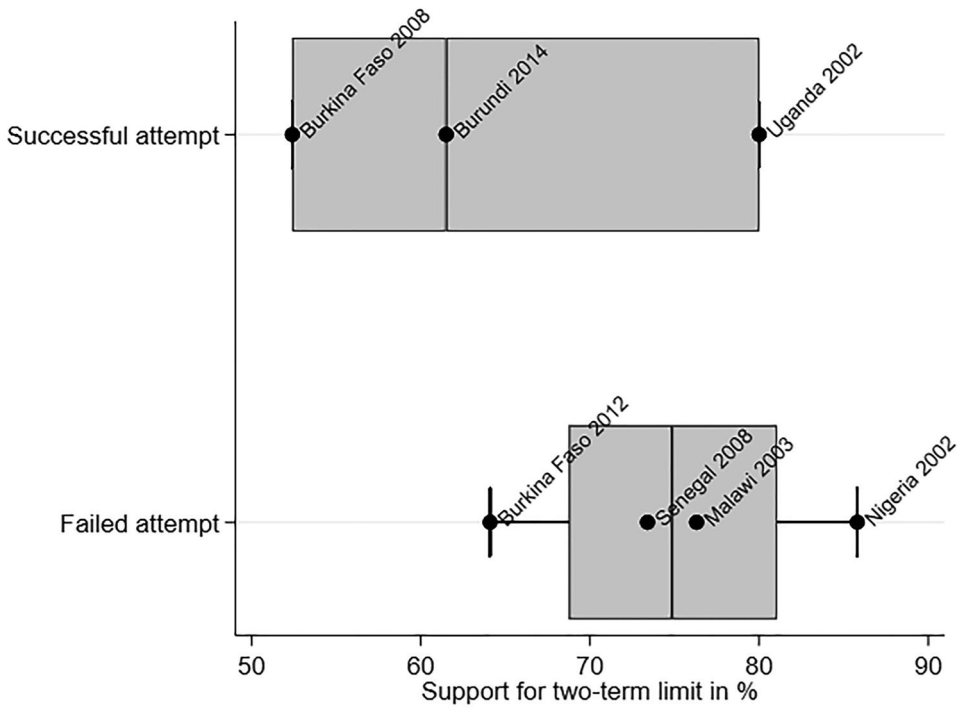


Figure 2. Juxtaposition of successful and failed attempts to remove term limits by level of popular support for term limits prior to outcome.

Data from Afrobarometer (2021). The x-axis reports the sum of the percentages of respondents who agreed and strongly agreed that a presidential two-term limit should remain in place prior to the respective outcomes. Due to a lack of data, not all cases in our universe of cases are included (compare Figure 3). Year figures report the year the respective Afrobarometer surveys were carried out. Source: Authors' compilation.

domestic positions. However, in many cases, neither a country's elites nor its broader population place much stock in the opinions of international actors and dismiss such judgments as foreign meddling. If, overall, society does not hold the given democracy promoters in high regard, then the (dis)approval of such democracy promoters will be inconsequential to domestic elites, who will likewise be less concerned about losing legitimacy or about the risks attending such 'shaming' (Fish 2009).

For the elites shaping democratisation, societal attitudes matter. When faced with a donor intervention, political decision makers such as members of parliament and justices trade off *material* and *immaterial* social costs and benefits based on their understanding of their society's values and attitudes. Based on such calculations, such actors may be willing to support an incumbent seeking another term and incur costs such as aid cuts but only to the extent to which these cuts are perceived as illegitimate by the wider domestic population. Otherwise, such actors would face additional immaterial social costs in the form of lost political support. In this way, societal attitudes can amplify the effectiveness of democratic support.

The above reasoning leads to our first hypothesis:

H₁: The greater the match between international actors' positions and prevailing political attitudes at the societal level, the more likely it is that an (internationally supported) actor constellation will succeed in a debate over term limits.

H₁ factors societal attitudes into an externally supported negotiation process. We reason that both material and rhetorical interventions by external actors are less likely to be effective if there is a gulf between the objectives of external democracy supporters and prevailing societal attitudes in the recipient country. If the attitudes of the population and external democracy supporters converge, then external interventions are more likely to be effective, as international interventions resonate with domestic public opinion, adding domestic audience costs to costs incurred internationally.

However, alternative explanatory factors influence the likelihood of whether certain actors will succeed in their reform attempts. Analyses of the political economy of reforms and social movements highlight the importance of organisational resources for successful social mobilisation (Jenkins 1983; Mueller 2018). The resource mobilisation framework identified in literature on social movements conceptualises how such movements and other civil society actors access resources through mechanisms from which particular exchange relations arise. The donor–civil society exchange relationship builds upon a patronage mechanism that potentially supplies material, human, social-organisational and cultural resources as well as moral resources (Edwards, McCarthy, and Mataic 2019). Such resources – and the exchange relations that provide access to them – are crucial to civil society actors in achieving their goals (Weipert-Fenner and Wolff 2019). This leads to our second hypothesis:

H₂: The more organisational resources an actor constellation controls, the more likely it is to achieve its aims in a debate over term limits.

H₂ does not deal directly with societal attitudes. However, it is important for evaluating the effectiveness of donor interventions, particularly where such interventions focus on supporting non-state actors that oppose the circumvention of term limits. Groups that can draw on greater resources are more likely to mobilise people and influence the reform process. Social mobilisation links up with attitudes because protests and other forms of mobilisation rely on shared attitudes (Scott and Harrell 2019). In turn, societal attitudes only matter for political processes if they translate into political action, such as protesting or voting. Resources supplied by external democracy promoters are particularly important in term-limit debates, as they can be used to counter incumbents' misappropriation of state resources.

Research approach: selecting two cases from Africa

In selecting cases, we first identified all attempts to circumvent presidential term limits in Africa between 1990 and 2016. Building on Posner and Young (2007), we identified instances where incumbents reached the limits of their term and made attempts to prolong it. We classified an attempt as successful when an incumbent circumvented term limits and/or stayed in power. Term limits were reached in 59 instances (see Figure 3). Presidents attempted to prolong term limits in 25 of these cases, and were successful in 20. Of the five unsuccessful cases, we selected two: Malawi in 2002 and Senegal in 2012. Both attempts present the same outcome, failure to circumvent term limits, but the patterns by which the two attempts were carried out present some variety.⁵ Although Malawi's Bakili Muluzi failed to manoeuvre his

Universe of cases: 1990–2016

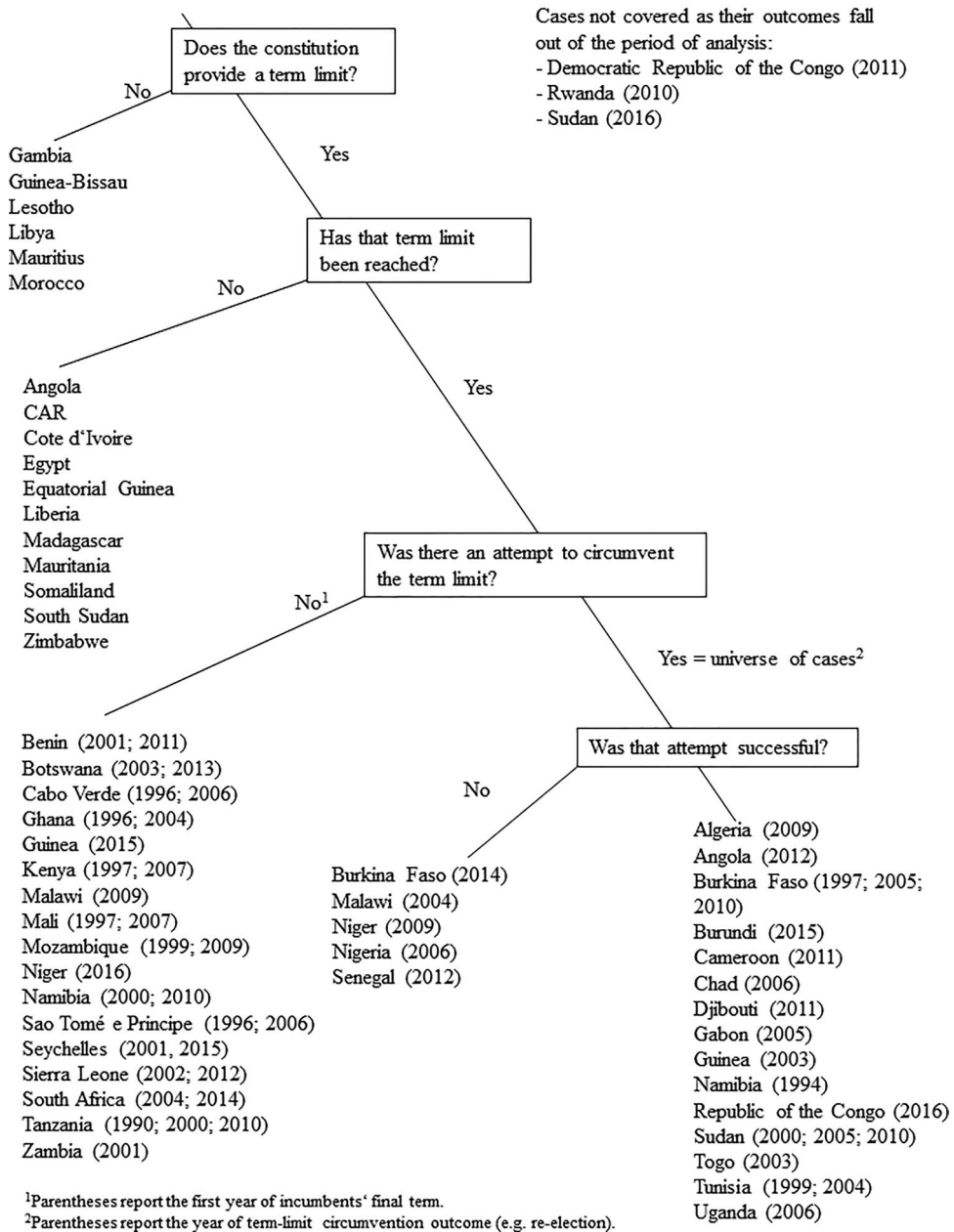


Figure 3. Universe of cases.

Source: Authors' compilation extending Posner and Young (2007). See Online Appendix I for additional information.

CAR = Central African Republic.

bid through institutional barriers, President Abdoulaye Wade of Senegal succeeded in doing so, and he subsequently ran for another presidential term but lost the election.

Concerning our dependent variable, ie the outcome of the circumvention attempt (see Table 1), Muluzi failed to persuade parliament to alter the term limit and did not run for a third term in 2003. Rumours that he would run for a third term began surfacing after his re-election in 1999 (Morrow 2006). These were corroborated in 2002, the last year of his final term, when his United Democratic Front (UDF) party unsuccessfully attempted to change the procedure for making constitutional amendment from two-thirds to a simple majority (Hussein 2004). Civil society organisations (CSOs) mobilised protests against a third term, and the government issued a ban on demonstrations. This was ruled unconstitutional by the High Court, but the ruling was later overturned due to political pressure (Von Döepf 2019). In July 2002, Muluzi's party tabled a bill to abolish the term limit entirely, but it was narrowly defeated. Two months later, the UDF introduced another bill, the Third Term Bill, this one proposing to extend the limit by one term. However, domestic opposition had already gathered momentum, and intra-party ruptures further suppressed support for Muluzi. By early 2003, the Third Term Bill was sent to the parliamentary Legal Affairs Committee for revision, but the committee never revised it, which constitutes a de facto withdrawal.

Table 1. Outcomes of attempts to circumvent term limits and of elections.

	Pre-existing presidential term limit?	Successful bid to circumvent constitutional rules on term limits?	Won subsequent election?
Malawi	Yes Two-term limits; 1994 Constitution	No Parliament does not pass legislation	No Muluzi did not run but suggested presidential candidate
Senegal	Yes Two-term limit; 2001 Constitution	Yes Constitutional Court rules for exceptional third term	No Wade defeated by Macky Sall in 2nd round in 2012

Source: Authors' compilation.

The Senegalese case is more ambiguous. Wade followed a different strategy. Rather than seeking to remove the term limit from the constitution, he sought to legalise his desired circumvention of term limits through Senegal's Constitutional Court using international lawyers. In 2011, nearing the end of his second term, Wade proposed constitutional amendments that would directly affect the presidential tenure, among them the establishment of a presidential election ticket⁶ and the lowering of the threshold for presidential run-offs. His proposals were withdrawn after intense public protests against them in June 2011 (Hartmann 2012; Mueller 2018). Wade nonetheless announced his intention to run for a third term, arguing that the term limit enacted in 2001 did not retroactively apply to his first term, which began in 2000. The Constitutional Council initially ruled in his favour in January 2012 (Heyl 2019), which sparked another round of intense demonstrations. This did not stop Wade from winning in the first round of the presidential election. However, he lost the run-off election and conceded to Macky Sall.

Foreign aid, our independent variable, is relevant to the economies of Malawi and Senegal. Although ODA is lower in Senegal, it is still one-tenth of the gross national income (GNI). In 2002, Malawi was highly aid dependent, with ODA making up almost a quarter of its GNI. Democracy support, an element of ODA, played a relevant role in both countries

at the time the respective incumbents attempted to seek a third term.⁷ Popular support for term limits is high in both countries (Table 2), as is the case across Africa. However, each case presents distinct socio-economic structures and political regimes. For example, where Malawi is a predominantly rural society, a large segment of Senegal's population (45% in 2012) lives in cities. This has implications for peoples' capacity to mobilise, which is higher in cities (Fox and Bell 2016). Senegal is the more democratic and open regime (Table 2). Corruption, however, is endemic and strong in both cases. For ease of comparison of all failed attempts to supplant term limits in our case universe, we offer the data on Nigeria (2006), Niger (2009) and Burkina Faso (2014) in Table 2. Although an in-depth assessment of these cases is beyond the scope of this article, we briefly present them vis-à-vis our theoretical framework and the implications for our findings in the conclusion.

Malawi and Senegal represent two 'typical' cases in the context of our theoretical expectations of the relationships among aid dependency, regime characteristics, domestic attitudes and donor preferences (Gerring and Cojocaru 2016). In 2012, Senegal was the more open society, was less dependent on foreign aid, and presented high levels of support for term limits. This combination of factors would theoretically result in less pressure on the

Table 2. Comparison of African cases failed attempts to circumvent presidential term limits, by characteristics.

	Malawi (2002)	Senegal (2011)	Nigeria (2006)	Niger (2009)	Burkina Faso (2014)
Economic					
GDP per capita in 2010 US dollars ¹	361 (↓27)	1264 (↓1)	1910 (↑245)	456 (↑9)	1827 (↑52)
Under-five mortality ¹	144 (↓37)	63 (↓12)	151 (↓16)	131 (↓29)	104 (↓13)
Urban population as % of total ¹	15 (0)	44 (↑1)	40 (↑3)	15 (0)	27 (↑2)
Development					
Cooperation					
Net ODA received, % of GNI ¹	11 (↓12)	6 (↓<1)	5 (↑4)	6 (↓5)	8 (↓1)
Net ODA dollar received per \$1 of government revenue ³	30 (↑7)	32 (↓3)	22 (n.a.)	54 (↓44)	47 (↓12)
Democracy aid per capita in 2011 US dollars ⁴	7 (↑2)	4 (↓3)	1 (↑<1)	2 (↓2)	9 (↓1) ⁺
Political (min: 0, max: 1)					
Electoral democracy ²	0.48 (↓0.05)	0.74 (0)	0.44 (↓0.02)	0.62 (↓0.07)	0.64 (↑0.04)
Freedom of expression ²	0.65 (↑0.02)	0.83 (↓0.01)	0.81 (0)	0.86 (↓0.03)	0.88 (↑0.05)
Political corruption ²	0.62 (0)	0.62 (↑0.02)	0.85 (0)	0.64 (0)	0.4 (↓0.12)
Civil society participation ²	0.71 (↓0.03)	0.8 (0)	0.89 (0)	0.89 (↓0.01)	0.93 (↑0.08)
Political attitudes					
% of citizens supporting principle of term limits ⁵	76	73	86	-	64

Dark grey: greater similarity to Malawi than to Senegal; light grey: greater similarity to Senegal than to Malawi; white: no sufficient similarity to Malawi or Senegal. Data are for the year given in the header row, except 'Political attitudes'; see Figure 2 for the respective survey years. Figures and arrows in parentheses indicate the increase or decrease in one specific year compared to the arithmetic mean of the preceding five years. ⁺Data for democracy aid in Burkina Faso are for the period 2008–2012 (mean) and 2013; no data were available for 2014. GDP = Gross Domestic Product; ODA = Official Development Assistance; GNI = Gross National Income.

Sources:

¹<https://www.data.worldbank.org>

²v-dem.net

³<https://www.wider.unu.edu/project/government-revenue-dataset>

⁴<http://aiddata.org> (version 3.1)

⁵Afrobarometer (2021)

incumbent from international actors but higher domestic audience costs, which are more salient than in a less democratic case. We would not, accordingly, expect a third-term bid to be successful. The actual outcome only partly conforms to our expectations. In 2002, Malawi was less open than Senegal but still presented high levels of support for term limits. Nonetheless, as it is highly aid dependent, we would expect a third-term bid to have both high international audience costs and high domestic audience costs, and we would not expect a third-term bid to be successful.

To show that our two selected cases are typical for countries with failed attempts in our universe of cases, we depict their similarities in [Table 2](#). Malawi resembles Niger in the economic context, while Senegal shares more similarities with Nigeria and Burkina Faso, in terms of the selected indicators. Comparing aid dependence yielded mixed results. Nigeria presents an odd case because it is a regional power with substantially higher economic independence, but its patterns are similar to those we see in Senegal. In contrast, Niger and Burkina Faso share characteristics with both Malawi and Senegal, but they stand out regarding the ratio of ODA to government revenue. Concerning political space, Senegal is more generally representative of the other three cases than Malawi. Support for term limits is high in all countries, but the Malawi case is somewhat closer to the Nigeria case, and the Senegal case is somewhat closer to the Burkina Faso case.

Empirical analysis

We base the comparative analysis on two case studies that trace democracy support in Malawi and Senegal in-depth.⁹ These qualitative analyses have allowed us to better understand how the instruments of democracy promotion interact with domestic attitudes to produce particular outcomes.

Democracy support – a general assessment

In both cases, the major Organisation of Economic Development and Cooperation (OECD) donors – and in Senegal a regional organisation as well – were opposed to extending presidential term limits, and they intervened in the domestic process to varying degrees.

Malawi's relations with major donors had been worsening throughout Muluzi's run-up to a third-term bid for the presidency. Multiple donors, namely the EU, the US and the UK, had already cut budget support in response to allegations of corruption in the state (*Africa Research Bulletin 2001*). The country was also facing a food crisis (*Africa Research Bulletin 2002*) and as Muluzi's intentions to circumvent term limits became clearer, economic and financial pressures on the country were increased. The most powerful democracy promoters, especially Norway and the UK but also the US and the EU, publicly condemned Muluzi's actions multiple times, both individually and jointly. The four donors had taken on leading roles in Malawi's large-scale Democracy Consolidation Programme, with Norway in particular being strongly represented as a democracy promoter. The first phase of this programme had ended by 2000 and was under evaluation. A second phase, in the form of the Democracy Consolidation Programme II, which came under the aegis of the United Nations Development Programme (UNDP) and Norway, was about to begin (*Scanteam 2010*). Other donors that were either not particularly strong democracy promoters, such as Germany, or that had a

middle-sized presence, such as Italy, joined the condemnations. For instance, in September 2002, Norway, the UK, the US, the EU and Germany coalesced in a joint statement to 'strongly urge' Muluzi to consult the electorate 'in accordance with democratic principles' and noted with 'regret' the rise in political violence associated with Muluzi's bid to hold onto power (Agence France Press 2002a). An EU spokesperson castigated Muluzi for making a 'useless bid [...] to remain in power' (The Chronicle 2002). In addition to rhetorical condemnations and appeals, donors and international financial institutions also made credible threats to further cut aid (Resnick 2013). Specifically, the International Monetary Fund (IMF) and the World Bank asked Muluzi to clarify his position on term limits before they entered into negotiations on Malawi's forthcoming aid programmes. Bilateral donors' decision to make future aid to Malawi dependent on the IMF and World Bank's assessment lent additional gravity to the pending negotiations (Gama 2002). It is telling that with the onset of talks among Malawi, the IMF and the World Bank, and shortly after the joint statement of major bilateral donors issued in September 2002, the term-limit issue was scrapped from the October parliamentary session agenda (Agence France Press 2002b). According to triangulated interviews with opposition politicians, representatives of civil society, Malawian academia, and journalists, international pressure coupled with civil society's opposition to Muluzi's bid was the main reason for the gradual erosion of parliamentary support for Muluzi's bid over the course of 2002 (The Chronicle 2003).

Senegal's donor relations, like Malawi's, were already deteriorating in the period leading up to Wade's attempts to extend his hold on the office. Despite being celebrated as a democratic reformist at one time, Wade had fallen out of favour by the late 2000s (Kelly 2012; Mbow 2008). Although most OECD donors had shied away from criticising electoral irregularities or political corruption, including Senegal's strategic ally France, such actors increasingly perceived Wade's actions as threats to democratic consolidation (Fiedler et al. 2020). When Wade announced that he would run for a third term and effectively legalised his candidacy in 2011, donors – particularly the US, the EU, Germany and the UK – aimed to dissuade him (Africa Research Bulletin 2011). France, the EU and the US brokered solutions but negotiations failed, and they publicly condemned his bid (Mission d'Observation Electorale 2012; Interviews (2 and 4 June 2014), demanded a change in the country's leadership, and warned that a third term for Wade would be 'a danger to democracy and political stability [...]'. (Jeune Afrique 2012). France and the EU negotiated a security zone for protests in Dakar, the Senegalese capital. Moreover, the Economic Community of West African States (ECOWAS) closely followed political events (Hartmann and Striebinger 2015). In this pre-electoral period, donors combined informal talks with the government and opposition leaders with public condemnations and weighty contributions to electoral management (Interviews 31 May 2014).

Donors pivoted to the 'carrot and stick' strategy when Wade officially launched his electoral campaign. On the one hand, the US, the EU and Germany applied a logic of consequences by sanctioning government officials for corruption and threatening the government with cutting budget support. This could have led to a breakdown of the Senegalese state budget (Interviews 27 and 29 May; 3 June; and 5 November 2014). On the other hand, donors supported Senegal's electoral process – eg the EU's electoral observation mission to Senegal during the period – and actively supported civil society in its opposition role. When violence escalated in Dakar prior to the election, donors raised their concerns publicly. For instance, France announced its anxiety about such instability and emphasised its commitment to freedom of speech and assembly (Ambassade de France 2012); likewise, the United Nations

Secretary-General 'raised concerns [...] and called for peaceful elections' (Voice of America 2012a). ECOWAS deployed an AU/ECOWAS electoral observation mission (African Union 2012). The mission called for a compromise between the government and the opposition (Voice of America 2012b).⁹ Overall, this was an uncommonly risky donor strategy for use in Senegal, and it seemed at times likely that urban protests would further escalate into violent conflict. In that case, donors could have been accused of fuelling domestic conflict. However, Wade lost the run-off and conceded power. Wade accepted his defeat because of the high legitimacy in the Senegalese electoral process, the state's bankruptcy, and pressure from donors and ECOWAS peers (Reuters 2012).

Overall, we conclude that democracy supporters have effectively contributed to preserving term limits in Malawi and Senegal. They successfully combined logics of appropriateness and of consequences to preserve term limits.

Domestic attitudes and audience costs

To gauge attitudes and the role of organisational resources in the two cases in the context of challenges to term limits, it is useful to group the actors involved in the negotiations into competing constellations: those in favour of the attempts and those opposed. Those in favour typically comprise the incumbent president, Members of Parliament (MPs) of the ruling party, captured state institutions, and certain societal actors. Those opposed typically comprise opposition MPs, civil society groups and non-governmental organisations (NGOs), and external democracy promoters (see Online Appendix II).

External democracy support interacted with domestic opposition and political attitudes to amplify negative audience costs for incumbents. Over three-quarters of Malawian and Senegalese citizens supported presidential term limits, an attitude in line with donor preferences. In theory, democracy promotion efforts to prevent the removal of term limits should amplify such attitudes and sufficiently pressure incumbents from above and below. In Malawi and Senegal, external democracy support did amplify domestic attitudes and did raise audience costs for Muluzi and Wade, respectively.

In Malawi, CSO and donors' negative stances aligned with popular attitudes not only regarding term limits but also regarding Muluzi and democracy in general. The proportion of respondents who (strongly) disapproved of abolishing elections and the parliament stood at around 80% from 1999 to 2014 (except for 2005 at 65%) (Afrobarometer 2021). Muluzi was not popular with the electorate at that time; only half of the Malawians surveyed reported that they trusted the president (Afrobarometer 2002/2003).¹⁰ The aforementioned food crisis played a large part in Muluzi's low popularity. It came about because the government sold off the nation's entire reserve of maize; consequently, allegations of corruption ran high (Africa Research Bulletin 2002). Some 68% of Malawians opined that the government handled corruption very badly or fairly badly (Afrobarometer 2002/2003). Popular attitudes against Muluzi's third-term bid were met with mobilisation efforts by CSOs. Externally funded NGOs and church organisations were key in mobilising protests as well as in sensitising the population to the issues at hand. This concerted action eventually swayed political elites, such as MPs, who began withdrawing their support for Muluzi's plans when protests intensified (Dulani and Van Donge 2005; Nowack 2020b). It is unlikely that CSOs could have garnered the same levels of public attention without the donor resources provided. CSOs also drew support from their historical roles as 'democratic watchdogs' in Malawi; they earned

legitimacy of such CSOs placed them centre stage in guarding the new political order (Ihonvbere 1997).

In Senegal, attitudes towards term limits and Wade's candidacy aligned with the democratic norms of donors and ECOWAS. Although silent diplomacy did not persuade Wade not to run, the 'carrot and stick' approach amplified domestic attitudes and raised Wade's domestic audience costs. International audience costs within West Africa and the donor community added to the total. Public opinion against his third-term attempt was very strong. By 2012, social movements had already built a social base for a new social contract against corruption and poor services delivery (*Mouvement Y'en a Marre* 2011). Bilateral donors and ECOWAS reinforced this pro-democratic discourse. Domestic and international demands were connected to broader attitudes, which showed massive support for the 'more active citizen' (71%, Afrobarometer 2008/2009). Meanwhile, mistrust in Wade increased from 20% in 2005/06 to 49% in 2008/09. Seven in 10 Senegalese people surveyed reported that Wade performed poorly as president, 79% that he and his government managed the economy very badly or fairly badly, and 53% that he disregarded Senegalese law (Afrobarometer 2008/2009). Wade's supporters tried to counter these opposition movements. For instance, one influential religious leader emphasised Wade's support for Senegalese values to his followers and asked them to vote for him. The religious message was disseminated repeatedly via state-owned radio in March 2012 (Loum 2013). Wade decried Western interference and argued that Senegal would not let external powers 'dictate' to the country (Arieff 2012).

External support to protect term limits and provide organisational resources for relevant actors

The extent to which *domestic* opposition actors are organised, mobilised and resourced varies between the actor constellations in Malawi and those in Senegal. In Malawi, domestic opposition to Muluzi's bid was well mobilised. Most religious leaders expressed their opposition and were joined by human rights NGOs and other CSOs such as the Law Society and the Malawi Association of Lawyers. Despite the government's protest ban and other political repression, civil society actors formed the Forum for the Defense of the Constitution – an umbrella organisation – and organised multiple protests that resulted in clashes with police. Media coverage of the issue was generally high, with Malawian newspapers including the *Nyasa Times*, the *Daily Times* and *The Nation* frequently publishing on the topic. Moreover, as the country's literacy rate was low, radio programmes played a paramount role in disseminating information. Such programmes were often broadcast by NGOs. External support was critical here, too; for instance, the Democracy Consolidation Programme included funding from Norway for capacity-building for the media in general and for radio broadcasting in particular (AidData 2017; Tierney et al. 2011).

In Senegal, the M23 movement, the grassroots *Y'en a marre!* ('We had enough') movement, and the human rights NGO the African Meeting for the Defense of Human Rights (RADDHO) spearheaded the opposition. Economic grievances had begun earlier and were only amplified when Wade attempted to circumvent term limits. Despite their 'spontaneous birth', movements in opposition to Wade's attempt soon grew well organised and were effectively mobilising the population (Diome 2013, 366). Although protests were strongest in Dakar, the presence of M23 and *Y'en a marre!* extended to all major cities in Senegal. Oppositional political parties that had joined the movement after the first round of elections facilitated

this decentralisation.¹¹ Wade's regime, supported by a militant branch of his party, reacted by suppressing civil society through the banning of protests and arresting protesters (Mission d'Observation Electorale 2012, 13). Wade's regime refrained from more extensive repression, ostensibly because the international community was observing the situation closely (Sy 2012).

In both cases, incumbents misappropriated state resources, which provided them with substantive advantage over opposing domestic actors. In Malawi, opposition MPs were bought off with cash, land holdings and promises of political positions in the next government (Morrow 2006), and some traditional leaders supported Muluzi after their stipends were raised (IRIN 2002). In Senegal, Wade used state resources to increase the salaries of members of the Supreme Court, the Constitutional Council and the Court of Auditors and also outfitted them with luxury cars (Heyl 2019; Kelly 2012). A pro-Wade group was accused of paying voters around €50 to vote for Wade (Alakhbar 2012), and Senegal's state-owned television reported in favour of Wade.

External democracy support provided important organisational resources to the extra-parliamentary opposition in this respect. In Malawi, funding and capacity transfers provided the necessary organisational resources for mobilising civil society. The budgets of the organisations that constituted the core opposition were mainly foreign-funded. Interviewees from these organisations doubted that they would have been operational without foreign funding (Interviews 13, 14, 21 April 2017). Funders included the EU, the UK, Norway and Denmark (Interviews 20 and 25 April 2017). Malawian CSOs raised awareness 'so that people would know the real agenda behind this [Muluzi's third-term bid]' (Interview 24 April 2017). In that respect, donor support was crucial: 'For us to carry out the awareness campaigns, they [the donors] were pumping financial resources, so that we keep on going [raising awareness]' (Interview 24 April 2017).

In Senegal, donors – excluding ECOWAS – supported M23 as long as their protests were peaceful. Additional funding was sent to local NGOs for electoral observation. For example, whereas the EU's previous support was focussed on sector-oriented NGOs, such focus shifted to political CSOs during protests against Wade (Caffin and Zarlowski 2016). The EU-funded RADDHO¹² held a meeting with the relevant opposition groups to advise on organising peaceful demonstrations (Interviews 5 June 2014). According to interviewees, *Y'en a marre!* received support from France and UNDP, and the Open Society Foundation for West Africa (OSIWA) invested in capacity-building for M23 (Interview 30 May 2014).¹³ Generating international attention to increase pressure on Wade was one goal of the opposition. First, they opted for violent action such as vandalism to raise media attention and foreign interest (Demarest 2016, 71). Second, they travelled abroad to gain pro-democracy support from OECD governments and the diaspora (Diop 2013).

Support from donors against Wade's candidacy as well as the critical stand by ECOWAS were important to the successful social mobilisation of civil society. According to an interviewee, 'international financial support from donors is vital for the survival of civil society, which makes NGOs generally vulnerable' (Interview 5 June 2014); this corroborates the statement that 'civil society in Senegal is not known for its strong organisational capacities [...]' (Afrimap/OSIWA 2013, 74–75). The donors' strategy of providing long-term support to pro-democracy NGOs prior to any specific perceived threat allowed NGOs to oppose Wade's

third term. Additional targeted support provided to social movements fostered oppositional activities during the electoral period.

Conclusion: empirical findings and outlook

This analysis aimed at understanding conditions under which international democracy support contributes to protecting presidential term limits. This question is relevant because attempts to circumvent term limits are critical junctures that can determine the direction a political regime will take. Identifying strategies that help protect political regimes from democratic backsliding not only contributes to theory-building but can also inform policymaking.

Overall, the results of our empirical analysis support and refine findings of previous studies. Our paired comparison constitutes one of the first steps towards research that aims to analyse the effect of democracy support in combating democratic backsliding and even autocratisation (Niño-Zarazúa et al. 2020). It supports findings from cross-national analyses indicating that democracy support made a difference in protecting term limits in certain cases (Dietrich and Wright 2013). While those studies presented the effects of democracy support, they did not analyse *how* such support made a difference in the cases in question. Our paired comparison refined such findings by demonstrating that actions based on a mix of the logic of consequences and the logic of appropriateness can prove successful in political regimes where certain democratic qualities are present and where foreign aid is critical for the state budget. More specifically, conditioning relations with the incumbent government while capacitating pro-democratic opposition turned out to be effective strategies for preserving presidential term limits in Malawi in 2002 and Senegal in 2012. This supports previous findings that social protests rather than courts (Versteeg et al. 2019) are important drivers in protecting term limits. In addition, as reflected in the international donor perspective, opportunity structures, which foster high levels of public awareness, increase the likelihood of international support being effective. For instance, the elections in Senegal made political struggles around term limits more visible, and the corruption scandal coupled with Malawi's aid dependence presented an opportunity for international democracy support to assist in effectively protecting term limits.

Second, domestic attitudes matter greatly for international democracy support when they are translated into action such as social mobilisation. Popular attitudes factor into the decision-making of the recipient country's political elites and of the donors, who seem to take cues from domestic dynamics (H_1). In Malawi and Senegal, pre-existing attitudes favouring term limits amplified donors' support for opposition groups and condemnation of the respective incumbents. Regional pro-democracy norms matter as well. We observed that ECOWAS regional norms reinforced societal attitudes in Senegal and legitimised the strategies of other international donors.

Our findings furthermore highlight how the standing of an issue in civil society and strategic framing influence an incumbent's chances of success. Social movements and NGOs in Malawi and Senegal used framing that resonated with attitudes in the broader population in their campaigns. For instance, the calls for a new, more active citizen reflected the attitudes of a majority group in Senegal. In Malawi, the opposition of the church organisations was most crucial in civil society, as such organisations are held in high regard by many Malawians and have played a prominent role in the history of Malawi's transition to democracy.

Third, we showed that the organisational capacity of the opposition matters (H_2). Where donors have invested in contributions to build up political CSOs prior to the attempt to extend term limits, their investments tend to play out positively. In Malawi and Senegal, NGOs and social movements became crucial during protests against incumbents' seeking third terms. Most interviews with members of relevant organisations indicate that they survived only because of international funding. In Malawi and Senegal, the alignment of an established political class further fostered opposition success. In Malawi, MPs dropped their support for legal reform due to public pressure, and in Senegal political parties supported the social movements rhetorically and provided infrastructure for protests outside Dakar. Nevertheless, from a counterfactual perspective, we can confidently conclude that in both cases opposition could not have delivered the same impact without reliable donor funding. Accordingly, we argue that international democracy support for civil society is a necessary condition in more democratic regimes where civil society is not co-opted or repressed by the government, and where the state is nonetheless dependent on external funding.¹⁴

Our findings do present limitations when set against the other three failed term-limit extension attempts in our universe of cases (Figure 3). In Niger, international actors were absent, and it was the military that eventually prevented the incumbent from taking a third term (Baudais and Chauzal 2011). In Burkina Faso and Nigeria, civil society and social movements played decisive roles, despite the absence of strong international public response (Moestrup 2019; Gillies 2007). Looking beyond our universe of cases, strong international public pressure as well as domestic civil society opposition were crucial in averting Kabila's third term in the Democratic Republic of the Congo in 2018 (Reyntjens 2020). Against this background, we suggest assessing additional cases with more outcome variation. More particularly, to better understand the circumstances in which international support to protect democracy is effective, more attention should be paid to the different levels of aid dependence among civil society actors. This would be an important contribution to further theory-building on necessary conditions for effective international democracy protection.

Several research gaps remain in the study of international dimensions of term limits. First, there is a need to link up micro perspectives and macro dynamics. How are democratic norms diffused through, for instance, democracy promotion among elite political decision makers such as MPs and justices? In turn, how do individual attitudes influence international support for democracy? Although we can rely on representative data for the nations in question, we know little about the attitudes of the international and domestic elites who make decisions and shape support for democracy. Surveys of such elites could improve our understanding of the relevance of attitudes in these processes. Second, the funding of watchdog organisations and movements such as CSOs can make democracy 'fitter' for times of crisis. However, further evidence is needed on what allows CSOs to endure long term without donor funding and how donors can support civil society in autocratic contexts. Third, we must not overlook the private funding of pro-democratic social movements by diasporas and other like-minded groups.

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Notes

1. One exception is Dietrich and Wright (2013).
2. Detailed information on interviews is available upon request.
3. We conceive of democracy promotion as 'the intended – violent or non-violent – effort of international and transnational actors to proactively support the opening of authoritarian regimes, transitions to democratic order, and the deepening of democratic regimes' (Leininger 2019: 448). We use the terms 'democracy support' and 'democracy promotion' interchangeably.
4. Military intervention as a democracy promotion tool has been largely discredited after unsuccessful campaigns in Iraq and Afghanistan. Coercion is presently rarely used, and most tools in this category are sanctions and conditionality.
5. For a chronology of events in each country, see Online Appendix III.
6. The president and vice-president would run together on that election ticket – an attempt to install Wade's son Karim Wade as his successor.
7. Democracy aid does not seem very high at first glance. Compared to other types of aid (such as infrastructure investments), democracy support has low material costs (Leininger 2019).
8. See Nowack (2020a) and Fiedler et al. (2019).

9. ECOWAS proposed that if Wade won, he should only stay in office for two years and step down after that period. Neither the opposition nor Wade agreed.
10. We use data on trust in the president as a proxy for data on the president's popularity in recognition of the phenomenon that although citizens may support the abstract principle of term limits, they may be willing to make exceptions for popular presidents.
11. Some groups opted out of M23 because they were afraid to be captured by political parties (Demarest 2016, 69).
12. According to interviewees, the EU stopped funding RADDHO when they were part of protests that turned violent during the election period of February and March 2012 (Interview, June 2014; Interview, 4 November 2014).
13. According to *Y'en a marre!*, most of their funding stems from private donations and private fundraising in rap circles in the United States (Awengo-Dalberto 2011).
14. This is corroborated by cases where the regime was autocratic and the domestic civil society was not strongly supported by the donor community – either through diplomatic rhetoric or organisational resources – and incumbents successfully abolished term limits, as in the case of Uganda (Hulse 2018).

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