

Presidential Term Limits in Francophone Africa: A Critical Analysis of the Comorian Experience

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Abstract

In Francophone Africa, the limitation of presidential terms has emerged as a central pillar of constitutionalism. This study questions its real effectiveness, asking whether it functions as a binding and widely shared norm or rather as a rule constantly reinterpreted by national contexts. The approach combines a doctrinal analysis covering the period from 1990 to 2025 with a comparative perspective focused on the Comorian case, enriched by fifty-nine interviews conducted with citizens, magistrates, members of parliament, former political leaders, and academics. The findings reveal a strong normative adherence to term limits but a much weaker confidence in their consistent implementation. The referendum appears ambivalent: when framed by robust safeguards, it can legitimize a political compromise in times of crisis; however, in the absence of such guarantees, it may equally serve as a tool for circumventing constitutional constraints. The credibility of the norm depends heavily on clear, stable, and accessible reasoning in constitutional court decisions. The Comorian experience illustrates the stabilizing potential of the rotating presidency while also highlighting its tendency to rigidify the political calendar. Four key levers emerge from the analysis: the precision of constitutional texts and transitional clauses, the adoption of demanding amendment procedures, the strict regulation of referendums encompassing initiative, question wording, campaign rules, and oversight mechanisms, and finally, judicial decisions that are both transparent and enforceable. Overall, the effectiveness of presidential term limits rests not merely on the proclamation of the principle but on the combination of these institutional safeguards.

Keywords: Presidential term limits, constitutionalism, constitutional reforms, Francophone Africa, Comorian experience, constitutional referendum, constitutional court, effectiveness of norms, democratic governance, constitutional amendments.

INTRODUCTION

In Francophone Africa, presidential term limits occupy a central place in debates on constitutionalism and democratic governance. Initially conceived as a mechanism to prevent the excessive concentration of executive power and to guarantee political alternation, term limits gradually emerged as a key benchmark of institutional modernization. In political discourse, the principle appears simple and widely accepted; yet in practice, it encounters tensions between a push for uniformity inspired by

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regional and international standards, on the one hand, and national reconfigurations shaped by political history, social equilibria, and the strategic interests of political actors, on the other hand.

In the aftermath of independence, many constitutions influenced by the French model established presidents with extensive prerogatives, long terms, and few constraints on renewal. The priority was the consolidation of state authority, national unity, and political stability. The question of time in office was not yet singled out as an autonomous constitutional issue. The democratic transitions of the 1990s fundamentally altered this landscape. Driven by national conferences, citizen mobilizations, and demands for the rule of law, they introduced the principle of term limits along with its corollary, political alternation. Benin played a pioneering role by establishing a five-year term renewable only once (Republic of Benin 1990), a model soon replicated in several constitutions across the region.

At the same time, a common normative framework began to emerge. The Bamako Declaration (Organisation internationale de la Francophonie 2000) enshrined regular alternation as a criterion of democratic legitimacy. The African Charter on Democracy, Elections, and Governance (African Union 2007) further elaborated principles regulating unconstitutional changes of government and drew attention to constitutional revisions undermining temporal limits on executive power. Taken together, these instruments fostered the idea of a regional standard built around the two-term limit, demanding amendment procedures, and credible judicial review.

However, behind this apparent convergence lie contrasting trajectories. In some countries, term limits are effectively applied and supported by stabilizing jurisprudence and robust procedural safeguards. Elsewhere, they are circumvented or reset through constitutional revisions, referendums, or transitional interpretations that restart the term count. The tension between formal legality and perceived legitimacy often undermines public trust and the stability of political alternation.

Comoros and Madagascar offer two particularly revealing cases. In Comoros, the rotating presidency introduced in 2001 (Union of the Comoros 2001, 2009) represented an institutional innovation adapted to inter-island balances, reducing the risks of marginalization and political crisis. However, the constitutional revision launched in 2018 (Union of the Comoros 2018) reconfigured this mechanism and reignited debates over the clarity of the rules and the articulation between rotation and temporal limits on power. In Madagascar, the two-term clause (Republic of Madagascar 2010) exists in the texts, yet political alternations marked by conflict and legitimacy crises reveal that the stability sought depends as much on procedural guarantees as on institutional trust, as illustrated by major episodes of political contestation (Congressional Research Service 2012).

Building on these observations, this article addresses a central research question: has the presidential term limit, now a cornerstone of constitutionalism in Francophone Africa, become a genuinely binding norm, or does it remain contingent upon national contexts? To answer this question, the study adopts a comparative approach focusing on Comoros and Madagascar between 1990 and 2025. The empirical corpus comprises constitutional and organic laws, referendum acts, constitutional court decisions, official documents, and scholarly literature, complemented by semi-structured interviews conducted in Comoros to capture the perceptions of key stakeholders. The article first examines the dynamics of uniformity and its normative foundations before turning to the logics of national contextualization.

METHODOLOGY

This article combines a doctrinal review with qualitative fieldwork to assess the effectiveness of presidential term limits in Francophone Africa, questioning whether they function as binding constraints or are constantly reinterpreted by national contexts. The comparative framework relies on a most similar systems logic focusing on Comoros and Madagascar between 1990 and 2025, in order to connect norms, practices, and perceptions.

The empirical corpus brings together constitutional and organic texts, referendum acts, constitutional court decisions, and official documents. Regional normative frameworks structure the analysis: the Bamako Declaration of the “Organisation internationale de la Francophonie” (International Organisation of La Francophonie), which elevates political alternation to a criterion of democratic legitimacy (Organisation internationale de la Francophonie 2000), and the African Charter on Democracy, Elections, and Governance, which regulates unconstitutional changes of government (African Union 2007). National frameworks include Benin as the initial reference for the two-term clause (Republic of Benin 1990), the Comorian rotating presidency and its reconfiguration (Union of the Comoros 2001, 2009, 2018), as well as the Malagasy two-term clause and episodes of political crisis (Republic of Madagascar 2010; Congressional Research Service 2012). For the regulation of referendums, the study draws on International IDEA guidelines on procedural safeguards and oversight mechanisms (International IDEA 2021).

Comoros constitutes the primary fieldwork site. A total of fifty-nine anonymized semi-structured interviews were conducted: twenty citizens, ten magistrates, nine members of parliament (three from each island: Anjouan, Grande Comore/Ngazidja, and Mohéli), ten former political leaders from the 2010–2020 period, and ten academic experts in law, political science, and social sciences at the University of Comoros. The purposive sampling strategy sought diversity in institutional positions and, for parliamentarians, inter-island balance. Informed consent was obtained, and all responses were anonymized.

A thematic codebook was developed by cross-referencing the normative corpus with hypotheses from the literature on term limits and power institutionalization (Baturu and Elgie 2019; Posner and Young 2007). Eight analytical themes guided the coding: normative adherence, implementation distrust, referendum perceived as circumvention, referendum seen as crisis-management tool, confidence in judicial reasoning, need for credible sanctions, utility of the rotating presidency, and its constraining effects. Coding was conducted manually, with systematic triangulation between interviews, legal texts, and jurisprudence. The indicators presented correspond to the proportion of respondents expressing clear agreement by theme, broken down globally, by institutional category, and by island for parliamentarians.

Two main limitations are acknowledged: a localized and purposive sample that sheds light on mechanisms without claiming statistical representativeness; and a small sample size for parliamentarians per island, making percentages sensitive to unit variations. These limitations are mitigated by documentary triangulation, reliance on regional and national normative frameworks, and the use of procedural benchmarks for referendums (International IDEA 2021).

RESULTS

1) Overall Trends: Broad Support in Principle, Limited Confidence in Implementation

The vast majority of respondents approve of the idea of limiting presidential time in office. Specifically, 82 percent believe that this rule promotes political alternation and prevents the personalization of power. In other words, presidential term limits are perceived as a straightforward mechanism that safeguards democratic competition and provides a predictable rhythm to political life.

At the same time, however, there is a notable degree of mistrust regarding implementation (68 percent). This concern does not primarily target the rule itself but rather its practical enforcement. Respondents expressed three main apprehensions. First, the possibility of *ex post* amendments that weaken the rule after its adoption. Second, transitional clauses or interpretations that effectively reset the term count. Third, the use of legal instruments to reprogram the constitutional calendar.

The referendum vividly illustrates this ambivalence. For 60 percent of respondents, it can become a tool of circumvention if used mainly to extend an incumbent’s tenure. Conversely, 55 percent believe that a referendum can be useful as a conflict-resolution mechanism following political crises. Confidence in the reasoning of the constitutional court remains moderate (42 percent). Finally, there is a strong demand for credible sanctions in cases of circumvention (74 percent).

Regarding mechanisms specific to Comoros, the rotating presidency is considered useful by 63 percent of respondents, though 47 percent view it as overly constraining (see Figure 1)



Figure 1. Overall Results (in %).

Source: Author, based on semi-structured interviews conducted in Comoros (2024–2025, n = 59).

2) Variations by Category: Converging Expectations, Divergent Emphases

All respondent groups support the idea of limiting the number of presidential terms. The divergence does not concern the principle itself but rather the means of ensuring its effective and consistent implementation in practice.

Among the general public and within academia, support is particularly strong, accompanied by a clear demand for sanctions in cases of circumvention. Legal professionals emphasize the need for precision in constitutional drafting, especially regarding transitional provisions, which they identify as the most vulnerable area for the rule’s effectiveness.

Elected officials adopt a pragmatic view of the referendum: it can be a legitimate conflict-resolution tool if tightly regulated, but otherwise carries significant risks. Experienced political actors highlight that behavior follows incentives; without

real costs for violations, the temptation to bypass constitutional limits remains strong (see Figure 2).

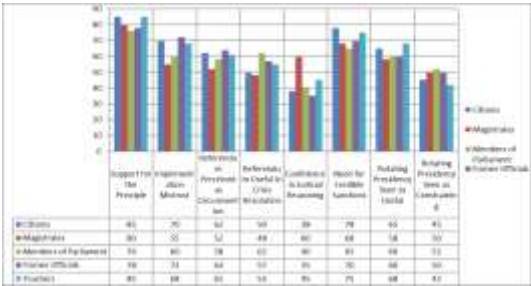


Figure 2. Variations by Category of Indicators (in %).

Source: Author, based on semi-structured interviews conducted in Comoros (2024–2025, n = 59).

3) Members of Parliament by Island: Strong Support in Anjouan, Caution in Ngazidja

Support for presidential term limits among members of parliament shows notable variations across islands. In Anjouan, adherence to the principle is particularly high, reflecting both the island’s historical demand for political alternation and its sensitivity to issues of executive overreach. By contrast, in Ngazidja (Grande Comore), respondents adopt a more cautious position, emphasizing the need for political stability and warning against reforms perceived as overly rigid or potentially destabilizing. Mohéli stands in between these two poles, combining support for term limits with pragmatic concerns about institutional feasibility and inter-island balance (see Figure 3).

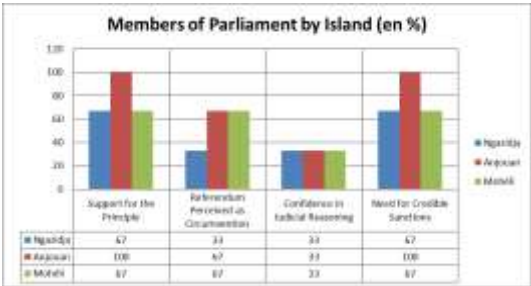


Figure 3. Members of Parliament by Island (in %)

Source: Author, based on semi-structured interviews conducted in Comoros (2024–2025, n = 59).

DISCUSSION

The findings highlight a significant gap between the broad consensus on the principle of presidential term limits and the weaker confidence in their practical implementation. At the normative level, term limits have become a shared benchmark of constitutionalism in Francophone Africa, consolidated by regional instruments such as the Bamako Declaration (Organisation internationale de la Francophonie 2000) and the African Charter on Democracy, Elections, and Governance (African Union 2007). Yet comparative research has shown that the real effectiveness of this principle depends

less on its formal proclamation than on the establishment of concrete institutional safeguards (Baturu and Elgie 2019; Posner and Young 2007).

Three main mechanisms shape the credibility of this rule. The first concerns transitional clauses, since it is here that the actual counting of presidential terms takes place. When such provisions are ambiguously drafted, they open the way for interpretations that “reset” the constitutional clock and extend incumbents’ tenure. The second mechanism involves the referendum, an ambivalent instrument which, if carefully regulated, can legitimize political compromise and bring closure to a crisis, but if poorly designed, can be used to alter the constitutional calendar in ways that undermine its credibility (International IDEA 2021). The third mechanism relates to the reasoning of constitutional court decisions: clear, consistent, and accessible rulings reinforce the authority of constitutional norms, whereas poorly justified reversals feed public mistrust (Hourquebie 2018; Rotman 2004).

A regional perspective helps to explain these dynamics. In several countries, constitutional revisions or even entirely new constitutions have been used to neutralize term limits, as in Cameroon in 2008, Congo-Brazzaville in 2015, and Rwanda in 2015. In Côte d’Ivoire in 2020, oversight bodies validated interpretations allowing the resetting of previous terms, thereby permitting incumbents to extend their tenure. By contrast, popular mobilizations have at times imposed political costs on attempts to prolong mandates, as occurred in Burkina Faso in 2014 and Senegal in 2011–2012 (Reuters 2008; Al Jazeera 2015; The Guardian 2015; ConstitutionNet 2020; Al Jazeera 2020; Brookings Institution 2014; Carnegie Endowment for International Peace 2018; Genova 2012; Enonchong 2022).

Within this broader context, the Comorian case illustrates the tension between contextual innovation and fragile implementation. The rotating presidency established by the Fomboni Accords and the 2001 Constitution contributed to easing long-standing inter-island tensions by institutionalizing a power-sharing arrangement recognized by political actors. However, subsequent constitutional revisions reignited debates about the clarity of the rules and the counting of terms. Evaluations indicate that while the rotation ensured relative stability, it also introduced rigidity into the political calendar, underscoring the need for clear communication about its implications for electoral timing and the interaction between rotation and term-limit clauses (Amani Africa 2021; IMF 2004; The New Humanitarian 2009).

Taken together, these findings point toward several operational priorities for strengthening the credibility of presidential term limits in polarized contexts. Constitutional provisions should be drafted with clarity, particularly regarding transitional clauses; amendment procedures must be sufficiently demanding to deter opportunistic reforms; referendums require strict procedural safeguards to prevent manipulation; judicial decisions should be clear, consistent, and accessible to strengthen institutional legitimacy; and violations of term limits must carry effective sanctions and tangible political costs. These recommendations combine a shared normative framework with adaptation to national realities, consistent with the spirit of the Bamako Declaration, the African Charter on Democracy, Elections, and Governance, and the lessons drawn from comparative constitutional scholarship (Organisation internationale de la Francophonie 2000; African Union 2007; Baturu and Elgie 2019; Posner and Young 2007).

CONCLUSION

This article set out to examine whether presidential term limits in Francophone Africa, exemplified by the Comorian experience, function as genuinely binding constitutional norms or remain dependent on national political contexts. The findings reveal a near-unanimous consensus on the principle of limiting presidential mandates but highlight persistent uncertainties regarding its implementation.

The analysis demonstrates that the effectiveness of term limits depends less on the formal adoption of the rule than on the quality and coherence of the institutional safeguards surrounding it. Clear transitional clauses, demanding amendment procedures, impartial and well-regulated referendums, consistent judicial interpretation, and credible sanctions emerge as essential mechanisms for ensuring both legal certainty and public trust.

The Comorian case illustrates the tension between regional convergence around democratic norms and the contextual reinterpretations shaped by local political dynamics. It shows that the same constitutional principle can stabilize political life when supported by robust procedures but can also lose credibility when applied inconsistently or opportunistically.

Ultimately, the study suggests that strengthening presidential term limits in Francophone Africa requires not only constitutional reform but also the consolidation of judicial independence, the institutionalization of democratic practices, and the promotion of a political culture that values alternation as a cornerstone of legitimacy. These findings open avenues for further comparative research on the interaction between regional democratic norms and national political trajectories across the continent.

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