

The Pitfalls of Liberal Democracy: Lessons from Electioneering in Democratic Republic of the Congo

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Abstract

Informed by a discursive documentary review, this article first deciphers the pitfalls of post-war DRC's electioneering in the two episodes of 2006 and 2011 general elections. Basing on these two sequential yet profoundly dissimilar electoral experiences in patterns the article maintains that the insistence on the organisation of elections for purposes of legitimisation of power may simply not be very meaningful in the first place or, worse still, may lead to a renewal of violence only capable of worsening an already bad situation. In the final analysis, in view of a looming political-constitutional crisis post-19 December 2016, it is this article's contention that there is no better concretisation of a *politeia* than for a people to govern themselves, as opposed to be merely governed by a hijacking political elite – whether resulting from a ritualised 'free and fair' election or not.

Keywords: Liberal democracy, Electioneering, Politeia, DRC

1. Introduction

In the aftermath of the Cold War – which was paradoxically hot (in the literal sense) and lethal on the African continent – a vast majority of African states still struggle to overcome the challenges characteristic of a post-war context as they strive for political and socio-economic paradigms that would rid them of eventual institutional fragility. The Democratic Republic of the Congo (DRC) is no exception to this trend. Drawing from contemporary events and scholarly literature on scenarios of electoral

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engineering in post-Cold War Africa, this article seeks to illuminate the predicaments (structurally political, social and economic) pertaining to conducting elections after violent conflict as a means to (re)build broken political structures and so restore a democratic political order of the state. Whereas, in essence, a theory and practice of civics in which sovereignty is lodged in the assembly of all citizens who choose to participate in the decision-making processes to shape their own destiny sound a good thing, it is now argued that premature increases in political participation, including events like early elections, have a great likelihood of destabilising fragile political systems.

By way of launching a critique of Western liberal democracy (as now theorised and practised), this article first deciphers the pitfalls of post-war DRC's electioneering in the two episodes of 2006 and 2011 general elections. Basing on these two sequential yet profoundly dissimilar electoral experiences in patterns (although prior to each of which armed conflict had weighed heavy on both state and non-state agencies) the article argues that resorting to the ballots and not to the gun is no guarantee that in the aftermath of nation-wide devastating armed conflicts firm political order will be restored. Put differently, twice after emerging as winner of the yet contested elections, President Joseph Kabila's government has thus far been incapacitated—a heavy engagement of the international community notwithstanding—to consolidate its war-torn political, economic, social and security apparatuses. It is against this backdrop that the article maintains that the insistence on the organisation of elections for purposes of legitimisation of power may simply not be very meaningful in the first place – a hollow ritual and, more so, one that does provide an otherwise autocratic regime with a façade of legitimacy – or, worse still, may lead to a renewal of violence only capable of worsening an already bad situation.

Finally, the article posits that, whereas the desire for free and credible elections may constitute the hallmark of a democratic political order as per the tenets of liberal democracy, the context within which such democratic ideal is pursued serves as a caveat. For a previously war-ravaged state faced with political as well as serious socio-economic challenges as the DRC stood after two episodes of armed conflict, elections – good intentions notwithstanding – may not consist of the immediate vitally necessary steps along the road to a viable democratic political order. Rather, making the post-war society governable (synchronising all different as well as differing social forces for sound civic participation) constitutes a proper sequencing essential to the eventual establishment of political institutionalisation, which is, in turn, a crucial step towards a truly democratic political order

after mass political violence.

2. Liberal Democracy Cum ‘Electocracy’

By the mid-1990s, the momentum for political reforms had effectively become an unstoppable Africa-wide movement. All over the continent, the single-party and military dictatorships that had been erected in the course of the mid-1960s to mid-1970s were giving way – one after the other – to popular domestic pressures for not only liberalisation, but even outright democratisation of the political space. This post-Cold War wave of democratisation ushered in the restoration of multi-party politics, the organisation of elections, the licensing of private electronic and print media, and the removal of the worst restrictions on the organisation of public political meetings.

There, therefore, seemed to be growing agreement as to how political power should be transferred – the holding of periodical and democratic elections (‘electocracy’) being the *sine qua non* of political stability and of society’s peaceful development. As Lanciné Sylla once posited, if the winds of democracy are blowing over Africa today, one reason may be that democracy provides a rational solution to the problem of succession. Liberalisation of the political regime in a sense, Sylla further maintains, forces a country to establish a rational system for transferring power.

Particularly, in post-Cold War sub-Saharan Africa, there has been a rapidly growing reliance on electoral processes as the principal way to legitimise governance at national, regional and local levels. Coming from the context of a bipolar world where the crisis and the collapse of one side (communism) seemed to have validated the victory and superiority of the other (capitalism), Ernest Wamba-dia-Wamba pointedly noted that the political death of bureaucratic socialism has propelled the parliamentary mode of politics (which includes liberal democracy) to a hegemonic position. Celebrants of capitalism in the West, Wamba-dia-Wamba underscored, have seized the occasion to intensify the propaganda for a free market economy and multi-party democracy. Hence, this Western-induced parliamentary mode of politics has been perceived as an inescapable means for stimulating the development of democratic politics; for choosing representatives; for forming governments; and for conferring legitimacy upon the new political order.

As the most visible feature of liberal democracy, universal suffrage in independent Africa has been treated as democracy’s defining characteristic. Oftentimes, the main answer of the international community to the problem of inertia or systemic dependency in the aftermath of severe conflict

is the rapid organisation of elections, which, it is hoped, will produce a legitimate government with a mandate to shape a new and better society. The post-conflict democracy solution, however, contains major problems. Citing the work of Robert Bates, *When Things Fell Apart* (2008), Straus and Taylor (2012) have reiterated that the early optimism about Africa's democratic transition has met with new skepticism to the extent that political liberalisation (by way of a dispensation of liberal democracy) came to shorten the time horizons of African leaders during the past two decades, increasing the likelihood that state leaders would predate rather than develop institutions for the common good. Furthermore, Uvin (2002) argued that, against a backdrop of extreme poverty due to dilapidated socio-economic infrastructures, disorganisation of the then political scene, and the legacies of violence that continue to suffocate the delivery of public goods, elections might simply not be very meaningful first and foremost.

The debate on electoral systems in post-Cold War Africa has often presupposed that the key institutional players in this process – most notable of which are political parties – do represent the aspirations of the electorate and that the general elections merely come into play to arbitrate over which of the contesting parties is deemed by the voting majority as best at capturing their issues and concerns. Yet, in a post-war setting where violence-ridden states are apt to have stronger patronage networks in comparison to others, the demands of loyalty supersede efficiency, inclusivity and the rule of law; hence, electoral violence is likely because power is sought by any means necessary (Bekoe, 2012). More often than not, therefore, the predominant route to state power in most parts of Africa today has been the orchestration of political violence, of which electoral violence remains a privileged part.

Assessing Africa's new governance models, Olukoshi (2007) notes that where citizen pressure became an exercise in futility under political regimes that were supposed to have derived their mandate from the populace through elections, the essence of governance had not really changed in spite of the framework of electoral pluralism that had been introduced. Furthermore, the cost of getting the elected government to pay attention to domestic concerns has actually been high, involving the organisation of domestic protests, the deployment of a brutal state apparatus, the routine abuse of power in order to undermine domestic political opposition, and the continued rigging of votes to foil the popular will and block the extension of the frontiers of democracy (Olukoshi, 2007). To add to such gloomy stories of suffocated democratic dispensation, Oloka-Onyango (2007), too, realised that only six of Africa's independence leaders were replaced in free and fair elections; the rest were either overthrown, forced to resign, died in office, or were stopped by an

assassin's bullet. That a sheer lack of genuine political pluralism has been conspicuous in post-Cold War Africa is an indisputable fact, the façade of 'multi-partyism' notwithstanding.

It is no exaggeration to posit that the tide of democratisation that swept over Africa in the aftermath of the Cold War brought to the fore a category of elites whom Gros has labelled 'opportunistic democratisers' (Gros, 1998 cited in Berhanu, 2007: 102-3). As Berhanu (2007) further notes, constitutional reforms and the conduct of periodical pluralistic elections alone are actually not sufficient for effecting transformation with a positive bearing on the socio-economic and political life of the citizenry and the good of the entire society (including non-citizens) at large. Hence, replacing authoritarian regimes by seemingly democratic ones rather than making new arrangements in the realm of political governance, which can practically benefit society in socio-economic terms, may turn out to be futile. Despite the fact that elections remain a necessary prerequisite for broader democratic practices, electoral exercises and democratic political order are certainly not synonymous.

3. The Case Of 'Electocracy' In The DRC

Approval of the 2005 constitution, it is reported, would usher in the Third Republic, starting with the elections of 'new' leaders with political legitimacy and so end the otherwise democratic transition which had begun in the early 1990s and had been interrupted by the two wars. Whereas the West, spearheaded by the United States of America, applauded the new DRC constitution as establishing 'a balance of power between the branches of government, ensuring protection and development of minorities, and providing for a limit of two presidential terms', critics did not praise it; they judged it to be 'vague both as regards the form of state (unitary or federal) and the form of governing regime (presidential and parliamentary)' (Turner, 2007: 183-4). For Wamba-dia-Wamba (1994), two dominant historical modes of politics have been specified: the parliamentarian mode of politics – which includes liberal democracy – and the Stalinian or Third International mode of politics. To Wamba-dia-Wamba, however, neither the parliamentarian mode nor the Stalinian mode (which is not the same thing as the Soviet Union under Stalin, i.e. Stalinism) 'support[s] a process of human and social emancipation today' (Wamba-dia-Wamba, 1994: 249). It was against this backdrop and within the contours of this newly promulgated constitution that the general elections of 2006 took place.

The 2006 Election Experience

The holding of the 2006 general elections (both presidential and legislative) – a democratic experiment the country must have enjoyed for the very first time ever since its accession to national sovereignty in 1960 – followed a decade of one of the deadliest internationalised conflicts that made the DRC the theatre of what was called Africa’s Great War (Reyntjens, 2009). Many Congolese, Turner (2007) writes, voted for peace, but their votes led, paradoxically, to a second-round choice between the two leading warlords: Joseph Kabila and Jean-Pierre Bemba. Furthermore, the elections were supposed ‘to put an end to “partition and pillage” but territorial reunification was far from complete when the elections were held, and pillage continued’ (Turner, 2007: 166).

These elections, Prunier (2009) acknowledges, followed the promulgation of the new constitution, which had been submitted to a popular referendum at the end of 2005 and approved by 84.3 per cent of the voters; this signified a resounding triumph for the two-year-long transition process. Almost as soon as the electoral process began to acquire greater credibility, the conduct of elections was called into question. Because the civilian population concurred with the argument of Apollinaire Malu Malu (who then headed the Independent Electoral Commission) about the politicians’ delaying tactics, anti-postponement riots spread very quickly across the major cities of the country. Beyond the vagaries of individual politicians, the main national problem the Congolese state faced during the entire transition period was – and still remains long after the constitutional referendum – security. In the words of Prunier (2009), the bigger problem was how to reintegrate structures of often anomic destruction into new structures of controlled violence – at least in accordance with the classical definition of the state, which is an entity having the monopoly of legitimate violence over a certain territory.

By 2006, election fever had started to grip the country; the looming future was filled with both hope and threats – the elections having turned into a ‘Holy Grail’ (Prunier, 2009: 309). At the time of elections, the then *Mission d’Organisation des Nations Unies au Congo* (MONUC) – the United Nations peacekeeping forces already deployed in the country half a decade earlier – together with the *Comité International d’Accompagnement de la Transition* (CIAT) [International Committee in Support of the Transition] which included the five permanent members of the UN Security Council in addition to Belgium and Canada as well as four SADC member-states (Angola, Mozambique, South Africa and Zambia), struggled against many odds to ensure that the determinant elections epitomised the standardised

norms of a free, fair, transparent as well as non-violent electoral process accepted by the international community. In April, the European Union contributed USD 21 million towards setting up an auxiliary military force of two thousand men under a Franco-German coordinated command.

While the DRC could not have completed the transition from open warfare to the elections of 2006 without substantial support from the so-called international community, this strong support paradoxically became a political problem: A number of opposing candidates, and people associated with the major non-candidate, Etienne Tshisekedi, “claimed that the international community was imposing its choice, Kabila” (Turner, 2007: 165). Already in the first round of these elections, a post-war DRC “deeply divided between east [Swahili-speaking] and west [Lingala-speaking]” (Turner, 2007: 166) was brought to the fore. Had Horowitz (2001) not persuasively argued that the common tendency of different ethnic groups to support opposing political parties provides a situation conducive to the mingling of ethnic and partisan violence?

Upon collecting the declaration forms of candidacy and the electoral deposit fee (USD 50,000 per candidate), the Independent Electoral Commission published a list of 33 presidential candidates (Turner, 2007). A dozen ‘new political parties’ sprang up; these were, according to Prunier (2009), parties ‘in name only’ since they were mostly tribal or regional gatherings around the name of one or two well-known local politicians. On 20 August, given the stiff competition during the campaign period, none of the contenders had won an absolute majority in the first round; Joseph Kabila (then transitional president) had 44.81 per cent of the vote compared to Jean-Pierre Bemba’s 20.03 per cent. As per the then promulgated constitution of the Third Republic, for a presidential contender to be declared winner s/he must have got an absolute majority, i.e. 50 per cent plus one vote. Subsequently, in the second round of the presidential race, the densely populated Swahili-speaking eastern and southern regions ensured victory for Joseph Kabila who had consolidated his electorate base through a robust political alliance known as the *Alliance pour la Majorité Présidentielle* (AMP) [Alliance for the Presidential Majority] against the Lingala-speaking north-western and western regions which gave solid support to Jean-Pierre Bemba. Kabila was declared winner after the second round of voting which took place on 29 October, with 58 per cent of the vote to Bemba’s 42 per cent; the turnout had been 65.4 per cent of the registered voters (Prunier, 2009). By and large, these elections were said to be free and fair.

The massive clamour that had accompanied the charmed conduct of

the 2006 general elections was soon followed by severe military activism, which terrorised the grass roots both in the rural areas of the eastern provinces and the urban centres of the western provinces. Undoubtedly, this widened the schism between the impatient populace and an incapable elected government, on the one hand, and the poorly esteemed United Nations peacekeeping forces (blue helmets), on the other. In the year following the general elections, the frustrated government called for the withdrawal of these blue helmets, notwithstanding a seriously fragile state security infrastructure, especially in the east of the country (Mbavu, 2011). In the same vein, Tordoff and Ralph (2005) convincingly argue that the holding of multi-party elections is not by itself enough to secure the firm establishment of a democratic political order.

The 2011 Election Experience

Compared to the 2006 experience, the 2011 presidential and legislative elections were conducted in an even much tenser socio-political atmosphere. Willame (2011) reports that more than 18,000 candidates registered for MP-ship, as opposed to 10,000 in the previous elections. Equally shocking, of the 450 political parties from which these legislative candidates ensued, only 417 were acknowledged by the Ministry of Internal Affairs in August 2011, in contrast to 203 political parties acknowledged in 2006. Peculiarly, independent candidates outnumbered candidates claiming adherence to either the ruling party/coalition or to opposition parties. Even the incumbent, President Joseph Kabila, did present himself as an independent candidate.

Nonetheless, contrary to the 2006 presidential vote, there were only 11 presidential candidates compared to the 33 in 2006; one of the reasons for this cutback could be the fact that the electoral deposit fee, which is non-refundable, for presidential candidature had doubled from USD 50,000 to USD 100,000 (Willame, 2011). Of the 11 candidates, four sprang from an almost politics-free background as their personalities had previously never had much impact on the national political scene; three had previously stood in the 2006 presidential race while two were freshly contending for the presidency though their personalities commanded some degree of influence on the national political scene. Unsurprisingly, the incumbent (Joseph Kabila) could only worry much about the latter two, namely, Vital Kamerhe – previously chief campaigner for Kabila in the 2006 race and subsequently President (Speaker) of the National Assembly (Parliament) – and Etienne Tshisekedi, an old emblematic figure of the opposition since the Mobutu era, and who polarised the presidential race pretty in much the same way as Jean-Pierre Bemba had done in 2006.

In the end, the 2011 presidential race almost turned into a two-man show: Joseph Kabila versus Etienne Tshisekedi. The former certainly enjoyed incumbency privileges and took advantage of the state's four estates (the executive, the legislature, the judiciary and the media) as well as the security apparatus over the former. While Kabila's manoeuvres during the campaign resonated with those who had recently shifted to the privileged side of society and thus had a strong hold on the key instruments of power, Tshisekedi took up a grass-roots approach and directed his political discourse towards the have-nots, those under-privileged by hegemonic structures of the state and whom his populist rhetoric enticed. According to Willame (2011), the DRC's godfathers, including the United States of America, the United Nations Security Council, Belgium, China, the World Bank, and the International Monetary Fund (IMF), among others, did not seem to empathise with the many frustrations elaborated during Tshisekedi's campaign.

In the midst of much pressure and tension, both from within and the diaspora, the *Commission Electorale Nationale Indépendante* (CENI) released on 9 December 2011 the final detailed results announcing Joseph Kabila winner of the presidential vote with 49 per cent against 32 per cent for his main challenger, Etienne Tshisekedi (Stearns, 2011; Willame, 2011). This was taken to be a constitutional win as both the Senate and Parliament had already passed in January 2011 an amendment to the 2005 constitution including (i) a one-round plural majority win; and (ii) the president's prerogative to dissolve provincial assemblies, rescind governors, and call for referenda. Critical analysts of the DRC's political governance system had pointed out that the revision of the constitution should have been much more thoughtful and should have taken into consideration the spirit of the law, not just the letter. This has essentially made the presidency much more powerful while it has caused reluctance to press for an effective decentralisation project as required by the constitution (Stearns, 2011).

Marred by significant irregularities and malpractices that breached acceptable standards (both at national and international levels), the 2011 elections could not have made any significant contribution towards a radical transformation of the nation in view of an already existent shaky status quo pointing to a failed state. The otherwise hard-won precedent of the 2006 elections was simply erased by the 2011 elections. One is left to question pessimistically the DRC's capacity to address its shortcomings of governance and consolidate structures for a democratic political order with such (i) a political elite deeply involved in cancerous deals of corruption which robs its citizenry of the basic expectations and the subsequent sheer lack of fight against it; (ii) a quasi-absence of state institutions (especially

security and judicial apparatuses) to protect the inalienable freedoms of the citizenry; (iii) a continuous tendency by the so-called international community to unquestionably embark on massive support for periodical general elections in the midst of the sheer manifestation of abject poverty and human insecurity devouring the citizenry in the context of state inertia/indifference. After all, for more than 30 years, Mobutu had monopolised political space in Zaire/DRC such that the renewed multi-party competition in the 1990s had led to the emergence of two vast, ill-defined political tendencies: ‘the presidential tendency and the “sacred union” of the opposition’ (Turner, 2007:170).

Van Reybrouck (2014) painstakingly demonstrates that it was an illusion to hope that proper elections would immediately lead to a proper democracy; ‘the West has been experimenting with forms of democratic administration for the last two and a half millennia, but it has been less than a century since it has started putting its faith in universal suffrage through free elections’ (Van Reybrouck, 2014: 512). With these two periodical experiences of ‘electocracy’ the result seems to be the same: elections in the post-war context of the DRC are but a political mechanism to deal with structural issues pertaining to the country’s governance through the use of unbalanced procedures administered in confused and unprofessional manners. The holding of general elections, Van Reybrouck (2014) further posits, should not be the kickoff to a process of national democratisation, but the crowning glory to that process – or at least one of the final steps.

But even within the exceptional wish that fundamental values of political legitimacy and accountability could have been attained through the holding of democratic elections, a crucially important yet taken-for-granted question still lingers: Should the holding of democratic elections actually be at the pinnacle of a post-war political agenda? Put differently, what pertinent priority is being realised by the *raison d’être* for elections in a post-war scenario? Equally important is the concern about substantial grass-roots civic education prior to, during and even after the holding of these elections. The case of electioneering in post-war DRC reveals that the practice of universal suffrage for the presidency and the legislature was but a wrong prioritisation of items on the political to-do list of an extremely fragile country following devastating armed conflicts. Will the continued conduct of such periodical general elections bring about a truly democratic political order in the body politic of an ill-governed citizenry still grappling with socio-economic woes amidst state absenteeism? These two instances of both the presidential and legislative elections have come to expose not only the extent to which Congolese state institutions are feeble,

but also the utter lack of political will (nationally and internationally) to restructure and reaffirm these state institutions already submerged by both *agentification* (proliferation of non-state agencies in the delivery of public goods) and *donorisation* (excessive flow of foreign aid to the government).

That a post-war country has resorted to the ballots and not to the gun is actually no guarantee for peace and stability thereafter. Political institutionalisation in terms of organisation and procedures of political action encompassing not particular but all social forces across the governed territory is ‘the foundation of political stability and thus the precondition of political liberty’ (Huntington, 1996: 461). Holding free elections, an exercise that falls within the purview of political liberty, should logically never precede the realisation of political institutionalisation – the bedrock of any political order, democratic or otherwise. This less-trodden road (political institutionalisation and political consciousness-raising) is more crucial than the quick fixes of electoral engineering in the quest for a democratic political order in the aftermath of mass political violence.

In quintessence, the various predicaments of social existence in today’s Africa – most of whose nation-states are emerging from bloody conflicts – including abject poverty, systemic corruption, and political violence arising from the militarisation of society, and almost non-existent legitimate as well as accountable state structures, are not just incidental problems which the conduct of elections can easily fix. These structural pitfalls are sustained by a kind of imagination deeply entrenched in a seemingly pre-ordained mode of politics for social and economic governance. Of the English Parliament – alluded to as the Mother of Parliaments – M. K. Gandhi, in his seminal book, *Hind Swaraj*, levied a poignant critique against this parliamentary mode of politics in the following terms:

[...] The Parliament is without a real master. Under the Prime Minister, its movement is not steady, but it is buffeted about like a prostitute. The Prime Minister is more concerned about his power than about the welfare of the Parliament. His energy is concentrated upon securing the success of his party. His care is not always that the Parliament shall do right. Prime Ministers are known to have made the Parliament do things merely for party advantage. All this is worth thinking over...

This is why, unless another sort of political *modus operandi* is envisioned and deployed, and then institutionalised by way of organisation and procedures of state and society, post-war democratic political order would remain elusive. Such *modus operandi* would insist in setting the right priorities – setting up and applying political arrangements of rule in

accordance with the consensus of members of the political community. Yet, it can be argued that the disintegration or destruction of a society through political violence results from the inability of all social forces to balance out.

Logically, therefore, in the aftermath of political violence, the daunting task of re-wiring the politics – admittedly the glue that ensures that all social forces are balanced out – is what is required to bring about order in a previously broken society. In this scheme of dispensing a dependable political order, the holding of general elections cannot be conceived of as primary. The pursuit of democracy through universal suffrage in a multi-party electoral system (for which the term ‘electocracy’ sounds appropriate) simply tends to reduce politics to a matter of numbers. Yet, politics, and especially in the aftermath of political violence as in the case of the DRC, is too serious a matter to be limited to the counting of votes alone. In fact, Gyimah-Boadi (2007) has cogently argued that many a political party in post-Cold War Africa are largely conceived and organised as vehicles for capturing the state; they are hardly conceived and developed as institutions for representation, conflict resolution, political opposition and accountability, or institutionalisation of democratic behaviour and attitudes in the first place. Little wonder, then, that ‘there tends to be very little party activity between elections’ (Gyimah-Boadi, 2007: 25). At any rate, the organisation of elections under a multi-party system would not suffice to induce the emergence of political consciousness capable of a socially emancipatory politics and thus a truly democratic political order.

The most challenging yet far more rewarding task relating to the question of a democratic political order, therefore, is to specify the needed steps (of which the holding of general elections is one – and certainly neither the first nor the only one) and determine the process and operationalisation of a quintessentially democratic dispensation. Good intentions of or pressures both from within and outside a post-violence country such as the DRC should not have shied away from this hard task; in this respect, the pursuit of electoral engineering sponsored by the so-called international community ought to have been reconciled with the pragmatic necessities of a previously war-ravaged state and society. Yet, taking his readers through the story of the origin of Western democracy as practised by classical Athenians, Ake (2000) reiterates that ancient Athens was just as precise about what the rule of the people means as it was about who the people are:

It stuck uncompromisingly to direct rule by the people and shunned notions of consultation, consent and representation... All citizens formed

the sovereign Assembly whose quorum was put at 6,000. Meeting over 40 times a year, it debated and took decisions on all important issues of public policy including war and peace, foreign relations, public order, law making, finance and taxation. The Assembly was regarded as *the incarnation of Athenian political identity and collective will*. To underline this, it preferred to take decisions by consensus rather than votes. The business of the Assembly was prepared by a council of 500 which had a steering committee of 50 headed by a President who held office for only one day. The executive function of the polis was carried out by magistrates who were invariably a committee of 10 usually elected for a non-renewable term of one year. (Ake, 2000: 8; italics added for emphasis)

As Ake (2000) convincingly argues, humanity today cannot complain of not knowing what the meaning of democracy was to those who invented it and to the only people who have tried to practise it without trivialising it. Lumumba-Kasongo (2005) emphatically demonstrates that the political system of governance that has been adopted in most parts of Africa since the early 1990s is that fragment of liberal democracy known as multi-partyism. Anchoring his critique of liberal democracy in a paradox between what is expected of liberal democracy and its implications for social and economic progress in Africa, Lumumba-Kasongo (2005) posits that while post-Cold War Africa is adopting liberal democracy as the most promising formula for unleashing individual energy and generating political participation, at the same time post-Cold War African social and economic conditions are worsening. This paradox seems to suggest a crucial invitation to post-Cold War Africa to search for another kind of democracy in theory and in practice.

4. Conclusion

Even after a government is established it remains more the guarantor rather than the maker of the law. The structure of order in any society is a rather elaborate affair. It is the result of long-time adjustments between man and man and between man and the environment

(MacIver, 1965: 47).

Though not yet over, 2016 arguably presages a looming crisis of legitimacy of power on the political tapestry of the DRC. Joseph Kabila, at the country's helm since 2001, will have exhausted his constitutionally legitimate hold onto power on 19 December 2016, following his previous and constitutionally last re-election for a five-year term of office in 2011. For the body in charge of the organisation of the elections – *Commission Electorale Nationale Indépendante* (CENI) – as well as for the ruling party

and its political coalition (*Alliance pour la Majorité Présidentielle* [AMP]), the holding of this year's presidential and legislative elections will squarely hinge on reviewing and updating the 2011 voter register – an exercise which calls for a new population census, taking at least 16 months (overlapping into August 2017). For the political opposition as much as for the so-called international community (self-assessed democracies from the geopolitical West), the holding of the elections within the previously agreed timeframe – before the end of the constitutional mandate for the incumbent president and legislators – remains a *sine qua non* for putting the DRC back on the increasingly elusive democratic path.

A close reading of the political history of most of post-independence Africa, and the DRC in particular, seems to suggest that very little progress has been made in terms of strengthening the institutional capacity to build viable governance structures for conflict management – political or otherwise. Sadly, it is as though the DRC is either bereft of any significant lessons from its own past experiences recorded in its socio-political annals (oral and written) or immune to learning lessons (whether classical or much more contemporary) from the available literature recorded from its neighbours (in both historical and contemporary contexts). It is no exaggeration to assert that on a balance sheet of political governance, owing to this lack of historical lessons-learning, the DRC (and the continent at large) still registers more liabilities than assets. And this is truly reflected in the disillusionment with the ways in which the performance of liberal democracy through emphasis on periodical general elections is now akin to an attempt at squaring circles. In his reflections on the ideal type of a political community, Jean-Jacques Rousseau pondered:

If Sparta and Rome have perished, what state can hope to last for ever? If we want the constitution that we have established to endure, let us not seek, therefore, to make it eternal... The political body, like the human, begins to die as soon as it is born, and carries within it the causes of its own destruction. But the one and the other can be more or less robustly constituted, so as to be preserved for a longer or shorter time.

In his *Politics (Book III)*, Aristotle describes three forms of government and the three corruptions of them – 'tyranny' as a deviation from kingship, 'oligarchy' from aristocracy, and 'democracy' from polity (*politeia*). Aristotle posits that tyranny is rule by one person for the benefit of the monarch while oligarchy is for the rich, and democracy is for the benefit of the poor. Hence, none of these forms of government (constitutions), according to Aristotle, is for their common profit. But when the multitude

governs for the common benefit, it is called by the name that is common to all constitutions, i.e. *politeia*. Remarkably, as the past two experiments with elections in the DRC have shown, resorting to the ballot rather than the gun is no guarantee that the restoration of firm political order will be achieved – let alone a *politeia*.

Huntington has told us that when an American is asked to design a government, s/he comes up with a written constitution, bill of rights, separation of powers, checks and balances, federalism, regular elections, competitive parties – all excellent devices for limiting government. The Lockean American, Huntington further points out, is so fundamentally anti-government that s/he identifies government with restrictions on government: her/his general formula is that governments should be based on free and fair elections. Perhaps a pertinent question worth our considered reflection is whether this formula is truly relevant from the vantage point of the DRC's historically peculiar political circumstances today. At least the previous two experiments with elections in the DRC (the latter more so than the former) lucidly demonstrate that the practice of universal suffrage for the presidency and the legislature was but a wrong prioritisation of items on the political to-do list of an extremely fragile country following devastating armed conflicts, coupled with glaring state absenteeism in the dispensation of public goods.

Indeed, Western political experts, as Van Reybrouck eloquently puts it, often suffer from 'electoral fundamentalism' in the same way macroeconomists from the IMF and the World Bank not so long ago suffered collectively from market fundamentalism: They believe that meeting the formal requirements of a system is enough to let a thousand flowers bloom in even the most barren desert. For a country hitherto torn apart by insurgencies and that was on the brink of utter collapse and limping from decades-long fragility and pockets of political strife and civil destabilisation, the organisation of general elections per se in the quest for a democratic political order ironically suffocates all opportunities for a 'democracy-from-below', for an establishment of a *politeia*.

The characteristic winner-takes-all kind of elections (as has been witnessed in previous Congolese elections) could only contribute towards worsening an already bad post-war situation; the pursuit of liberal democracy (reduced to 'electocracy') becomes a matter of life and death, a zero-sum game whereby the elected government will focus on a systemic annihilation of the defeated elite together with the constituencies (real or perceived) that support them. In the final analysis, therefore, the script of liberal democracy is ironically performed against the grain of a truly democratic order: the

hunger for free and fair elections only ends up producing a power-hungry political elite characteristically hostile to the notion of democracy as once practised by ancient Athenians. This, in a sense, becomes the greatest paradox of liberal democracy, now consistently coaxed by its Western proponents.

To conclude, there seems to be no better window of opportunity for a real pursuit of ‘democracy from below’ – the establishment of a *politeia* – in the DRC than today as the current political debate over a constitutional crisis unfolds. A dichotomous reasoning vis-à-vis the eventual constitutional crisis that looms large only limits the true potential of this auspicious opportunity for a better governance compact. Even more than ever before, in the face of this trial epitomised by a looming political-constitutional crisis post-19 December 2016, the onus squarely rests on the Congolese people to transform this challenge into an opportunity ‘to govern themselves’. After all, there is no better concretisation of a *politeia* than for a people to govern themselves (as opposed to be merely governed by a hijacking political elite) – whether resulting from a ritualised ‘free and fair’ election or not.

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