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**A Comparative Evaluation
of the 2006 & 2011 Elections in the DRC**

by

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requirements for the degree of**

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Declaration

I, Johnny Alubu Selemani declare that this dissertation is my own, unaided work. Where secondary material has been used (either from a printed source or from the Internet), this has been carefully acknowledged and referenced in accordance with departmental requirements. This document is being submitted for the Master's of Arts Degree in Public Management and Governance, at the University of Johannesburg. It has not been submitted before for any degree or examination in any other university.

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Abbreviations

ABAKO- Alliance des Bakongo

ACE- Electoral Knowledge Network

ACP- L'agence Congolaise de Presse

AFDL- Alliance des Forces Démocratiques pour la Libération

AU- African Union

CEI- Commission Électorale Indépendante

CENCO- Catholic Church's Observers

CEREA- Le Centre de Regroupement/ African Regroupment Centre

CLCR- Compilation Local Centres

CENI-Commission Électorale Nationale

DFID-Department for International Development

DRC- Democratic Republic of Congo

ECA- Electoral Cycle Approach

EECA - Electoral Evaluation Cycle Approach

EISA- Electoral Institute of Southern Africa

EMB - Election Management Body

EU- European Union

FPTP- First-Past-The-Post

IDEA- Institute for Democracy and Electoral Assistance

IECs- Independent Electoral Commissions

IFES- International Foundation of Electoral Systems

IPU- Inter-Parliamentary Union

LFA- Logic Framework Approach

M&E- Monitoring and Evaluation

MIBA- La Société Minière de Bakwanga/ The mining society of Bakwanga

MLC- Mouvement de Liberation du Congo

MNC- Mouvement National Congolais

MONUC- Mission de l'Organisation des Nations Unies en République démocratique du Congo/ United Nation Mission in the Democratic Republic of Congo

MONUSCO- United Nations Organization Stabilization Mission in the Democratic Republic of the Congo

MPR- Mouvement Populaire de la Revolution

OAU- Organisation of African Unity

OHCHR- Office of the High Commission for Human Rights

OSISA - Open Society Initiative of Southern Africa

POWs- Prisoners of War

PPRD- People's party for Reconstruction and Democracy

PR List- Proportional Representation List

PR- Proportional Representation

PR-STV- Proportional Representation-Single Transferable Vote

PSA- Parti Solidaire Africain

RCD- Rally for Congolese Democracy

RCD-GOMA - Rassemblement Congolais pour La Democratie

RENOSEC - Reseau National pour l'observation et la Surveillance des Elections au Congo

RTNC-Radiotélévision nationale congolaise

SADC- Southern African Development Community

SADC-CNGO- Southern African Development Community Council of NGOs

SITO-States in Transition Observatory

UDPS - Union pour la Démocratie et le Progrès Social

UN- United Nations

UNDP- United Nations Development Programme

UNDR- Universal Declaration of Human Rights

VOICE- Voter Opinion and Involvement through Civic Education



Abstract

The aim of this research is to identify ways of improving the quality of future elections in the Democratic Republic of Congo (DRC). This will be achieved through the use of a monitoring and evaluation (M&E) tool that can assess the entire electoral cycle. A comparison of the 2006 and 2011 elections in the country will shed light on key criteria that need to be improved to achieve a more representative form of democracy.

The notion of democracy is also discussed in the context of elections. Various types of democracies are assessed in relation to the freeness and fairness of elections where these are seen as producing electoral democracy. This is done to understand the kind of attributes that lead to free and fair democracy. M&E is then assessed as a tool for the measurement of elections beyond just election monitoring. The political history of the DRC is discussed before the concepts of M&E are applied to the respective elections.

Electoral evaluation has been found in this study to be a useful tool in the assessment of the kind of resources/inputs, activities and outputs one should focus on to improve the democratic quality of elections. The use of M&E has also been proven useful in breaking down the electoral cycle into phases that makes it easier to objectively assess electoral quality.

Key Words:

Elections, Monitoring & Evaluation tools, Free and Fair, DRC Elections, Democracy

Chapter 1

Research Parameters

1.1 Problem Statement

The DRC held its first democratic elections in 2006. These elections were held against the backdrop of a dictatorship of nearly 40 years. The 2006 election outcomes were viewed as being free and fair by regional and international electoral bodies. In 2011, the country held its second post-dictatorship elections. The results of these elections were contested by opposition parties and some civil society and international organisations as not being free or fair. Incidents of irregularities regarding ballot stuffing, intimidation and other forms of trickery were reported and so the integrity of these elections was compromised. Despite these irregularities and all the fraud which violated the principles of democracy and the integrity of the DRC, these general elections were eventually declared as free and fair by the 'international community' such as the European Union (EU).

The concepts of freeness and fairness and whether these concepts are sufficient to argue and determine that a certain general election will bring about democratic change can be questioned. In the case of the DRC, the pertinent questions are:

- How do we measure the quality of those elections?
- Is the pronouncement of freeness and fairness sufficient for the determination of improved electoral quality?
- How do we establish criteria that need to be present in an election to ensure that future electoral outcomes advance the spirit of democracy?

It can be argued that general elections should improve the quality of democracy in a country. If elections are validly contested then it becomes important to investigate the sources of that contestation. Doing this will improve future general elections and ultimately the quality of democracy in Africa, especially in the DRC.

In order to investigate and find concrete answers to the above important questions, this study will thus reflect on the 2006/2011 general elections in the DRC from a

technical point of view that focuses on the various electoral segments in the hope of ultimately improving the overall quality of the electoral outcomes and democracy.

1.2 The Aims and Objectives of the Study

The aim of this research is twofold: to document and study the conduct of general elections in order to understand the concepts of freeness and fairness, and to identify ways of improving the democratic quality of future elections in the DRC. This will be done through the assessment of the 2006 and 2011 DRC general elections. From this assessment, the notion of democracy through ideas on freeness and fairness will be investigated. The general quality of these respective elections will indicate whether they are in fact advancing the country towards a trajectory that promotes democracy and democratic values as impact goals.

The assessment of these elections also assists in addressing other sub-questions that may arise such as: what is or should be the long term outcome or impact goals of elections? Is it sufficient if an election is pronounced as free and fair to assume that the election has had democratic impact? How is this freeness and fairness of democracy measured? Is freeness and fairness the greater portion of the sum or is it the entirety of the general elections that determine their impact on democracy? These questions will be investigated and addressed by using some of the prominent literature on freeness and fairness of elections (Elklit and Reynolds 2005, Goodwin-Gill 2006). This will assist in providing a list of criteria that can be used to determine the freeness and fairness of an election.

The use of M&E as a tool for the measure of elections will also assist in shedding light on issues of electoral quality. This is most beneficial for the assessment of the entire electoral cycle. M&E tools such as the Logic Framework Approach (LFA) as well as the Electoral Cycle Approach (ECA) will be used to assess the quality of the proposed elections. This will be demonstrated through the adaptation of these approaches in the form of a new approach called the Electoral Evaluation Cycle approach (EECA). This provides a robust, systematic way of monitoring and evaluating not only of the different stages but also the necessary inputs/activities and outputs that form part of the electoral cycle.

The importance of conducting this research can be justified as not only being imperative for the electoral future of the DRC but also for South Africa's foreign policy in terms of its African agenda. This is especially true seeing that South Africa contributes tremendously to multilateral platforms such as the Southern African Development Community (SADC) and the African Union (AU). Beyond this, the development of an evidence based system for the evaluation of electoral quality for the DRC is something that can benefit regional stability.

1.3 Research Design and Methodology

This study adopted a qualitative research approach. This approach is a method of enquiry that utilises questions to derive answers in the form of opinions and views. A literature review was undertaken to identify the current state of knowledge on free and fair elections. This review also assisted in determining best approaches to M&E of electoral events. The collection of empirical evidence was done by way of a series of face-to-face interviews that were conducted with the respective interviewees both in South Africa and in the DRC (Johannesburg, Pretoria- Lubumbashi & Mbuji-Mayi). These interviews were conducted in a semi-structured manner through the use of a questionnaire which posed questions in an open-ended manner. They were conducted in familiar settings that were comfortable to the respective interviewees. Four in-depth face-to-face interviews were conducted in the DRC and one with a former electoral observer from South Africa.

A purposive sampling method was used for the selection of interviewees for this research (see Appendix 1 for the interview question guide). They were selected on the premise that they had been key stakeholders in the DRC electoral process. The categories for these interviews ranged from members of civil society, political party representatives as well as election monitoring officials. Of these, five were selected: two had been election monitoring officials in both elections, two were members of civil society and one was a political representative.

Due to contextual limitations such as finances, logistics and the general spread of the various constituents, the interviewee list had to be reduced but the focus was still placed on who that were involved in both the 2006 and 2011 elections. After conducting the interviews, the information generated was transcribed into documents

that were used to identify key themes that impacted on the freeness and fairness of elections. These same themes were then used to reflect on the theoretical literature in order to identify the root causes of electoral contestation and the issues affecting the general quality of election outcomes.

The selection of the two major cities allowed the research to establish an electoral baseline that was used to deduce whether the minimum standards with regard to free and fair elections had been met. It was of course noted that the selection of Kinshasa instead of Mbuji-Mayi would have been a better alternative because of the cosmopolitan nature and the political vibrancy of the city. Nonetheless, the use of Lubumbashi and Mbuji-Mayi proved equally useful because of the political polarity of these two cities. Mbuji-Mayi is considered an opposition strong hold while Lubumbashi prides itself on being pro-incumbent.

1.4 Ethical considerations

Seeing that the DRC is such a politically sensitive country, the dissemination and publication of information had to be conducted in a very sensitive manner. This was kept in mind while conducting the respective interviews. Despite the fact that these interviews were conducted about five months after the last election, it was evident that there was still some sensitivity around the electoral outcomes.

The information obtained from these different stakeholders was kept strictly confidential. The findings and outcomes of this research can/will be offered to the Election Management Body (EMB) or other electoral representatives in the country. The ideas of consent and anonymity were discussed with the different interviewees before the questions were administered. Professionalism was maintained in relation to the different codes of conduct and with regard to the organisations and their respective members. In cases where individuals chose to speak in their personal capacity instead of an official one, this was permitted.

1.5 Research outline

This study is divided into six chapters. The first chapter is an introduction which strives to help understand the direction and roadmap of this study. This chapter also

consists of the explanation of the very basic objectives and structural considerations of this study. This includes the objectives, design and ethical considerations.

Chapter two focuses on the concepts of democracy and attaining freeness and fairness of elections. The concepts of M&E and the logic framework approach (LFA) are also introduced in this chapter as useful tools in the M&E process. This concept of M&E and elections is elaborated on in the following chapter as a way of linking M&E to the field of electoral studies.

Chapter three explores the measurement of elections. It does this by applying the ECA as a measuring tool for the evaluation of elections. It is at this point that the criteria for freeness and fairness of elections were applied in an attempt to complement this approach. These criteria are systematically applied in this study as indicators for the measurement of different segments of the electoral process. This combination of approaches gives rise to the author's adaption of the EECA to M&E and elections. This is done to improve the systematic measurement of elections at various phases of the election cycle.

In chapter four, this study explained in a nutshell the historical background of democracy in the DRC and discussed the trajectory of the country towards democratisation. This helped to trace the trend of democracy in the DRC in order to understand what the problem could be that has been hindering democratic change in the DRC.

Chapter five entailed the process of comparing and contrasting the 2006 and 2011 DRC general elections. This is done using the EECA approach developed in chapter three. Chapter six contains concluding remarks and general recommendations for all stakeholders both in the country and in the SADC region. These recommendations could make a positive impact on the conduct of general elections in the DRC, in the SADC region, and on the entire African continent

1.6 Conclusions

This chapter set out the parameters for the research through the identification of a problem statement. It then identified the main objectives of the research as well as the design and methodology that will be employed. These are suggested as ways of

identifying and improving the democratic quality of future elections in the DRC. The various ethical limitations and considerations were also discussed in this section of the research study.

The following chapter (chapter two) deals with the importance of elections in attaining a democratic system of governance. It discusses the variations to democracy before delving into freedom and fairness of elections. The chapter then goes on to discuss the importance of M&E as an effective tool for the assessment of elections.



Chapter 2

GENERAL ELECTIONS AND DEMOCRACY

2.1 Introduction

Research increasingly indicates that democracy plays a major role in the restoring of peace and security where there was once war. It also shows that democracy makes people (the governed) feel represented and their voices heard in the conduct of state affairs. It also requires that democratic leaders are accountable and answerable to their people. However, there can be no democracy without free and fair general elections. The aim of this chapter is to investigate the notion of general elections and their effects on democracy. Therefore, the first portion of this chapter starts by introducing the relationship between democracy and elections. This portion of the chapter looks at the definitions of democracy as well as its various characteristics. It then advances to expand on freeness and fairness as prerequisites for democracy. Although complex, this relationship is simplified as being the backbone of any functioning democracy that will lead to good governance and positive change. The chapter then expands on the idea of freeness and fairness of general elections that make democracy credible.

The second portion of this chapter summarises and assesses the idea of M&E tools that will help carry out a credible measurement of freeness and fairness of general elections. The last portion of this chapter introduces a series of other possible tools that play an important role in the process of measuring freeness and fairness of the general elections that lead to credible democracy. The chapter concludes by arguing that in many cases rigged general elections are depicted as free and fair. It is argued that the concept of freeness and fairness has been abused by many African leaders on the continent, especially in the DRC.

2.1.1 Definition of Democracy

There is a general consensus among political science scholars that there is no universal definition of democracy, because democracy comprises different types, forms of representation and other attributes. Beetham (2005:2) simply describes democracy as a procedure for taking decisions within a group, association or society whereby all members have an equal say in the decision-making process. This process of collective decision-making assumes that each voice carries equal value.

Democracy is derived from the Greek definition *demos-kratos* that speaks of the notion of power to the people through a system of self-governance (Ober 2007:2). This system of governance is only possible in cases where popular voice determines how the interests of the majority are met. Beetham (2005:3) expands on five basic ideas underpinning the notion of democracy. They are:

- All members' interests are affected by collective decision-making.
- All members when they reach a voting age are able to decide between good and bad decisions and how they will impact the group.
- The best decisions taken will be ones that have been publicly debated.
- In cases where the process of public debate fails to achieve a common resolution, decisions will be taken through the use of a direct vote by all participating voters.
- Everyone is equal and this is reflected through the process of one person, one vote and one value.

Lindberg (2007:7-8) discusses the idea that democracy can be defined within a continuum with varying degrees, where special emphasis is placed on the fundamental value of representation in democracy. He argues that a system can be seen as democratic once it allows for self-governance and freeness of the individual through a self-concerted collective process.

Despite these definitions, some believe that in order to define democracy one must define what it is not. Schitter & Karl (1991:75) mentioned that this is a good way of isolating certain key elements defining what democracy is and should look like.

2.1.2 Characteristics of Democracy

Democracy is characterised by either direct or indirect forms of representation. Direct representation or direct democracy gives full sovereignty to the people and implies that all citizens have to take a keen interest (take decisions) on matters relating to the state. This national interest is however only debated in large open forums or assemblies; this is generally only possible in small communities and towns. A central shortfall of this idea is that not everyone shares equal interest or knowledge in such matters and their disinterest would ultimately distort the balance of power in favour of orators and mobs.

Conversely, indirect representation or indirect democracy is based on the notion of an elected state representative. This representative, whether part of a group or as an individual is given sovereignty over the collective decision-making process as well as the public good. The appointment of these representatives assure that public agendas and policies reflect the interests of their constituents (Hirand & Tiny: 2012:12).

Representative democracy is not without its challenges seeing that elected representatives can abuse the power and authority given to them for personal enrichment. This then means that representative democracy requires active citizenry to sustain it. The threat of losing a re-election bid is a deterrent against abuse of power. Kizza (2005:03) places special emphasis on the need for an enduring opposition to serve as a watchdog for those voted into political office.

There are various forms of representative democracy. Of these, liberal and electoral democracy are seen as dealing with voting and elections. The distinction between these two approaches will be expanded on in the section below.

2.1.3 Two types of Representative Democracies

Diamond (2008:21) discusses the values needed for a political system to be considered democratic. He highlights that certain rights, freedoms and liberties are prerequisites for citizen participation (whether directly or indirectly) in democratic processes. He also discusses how democracy can generally be split into two

categories or groups: the thin and thick attributes of democracy. On the thin side, democracy is attained through a system of competitive struggle which takes form in the shape of elections. Here eligible citizens are able to cast a vote for their choice of representative (one person, one vote). This produces a system of democratic representation considered to be *electoral democracy*.

Conversely on the thick side, representative democracy is attained when elections take place in the presence of democratic attributes such as freedom (of speech, association etc.), the right to universal suffrage, existence of the rule of law and institutional independence. These attributes form a rights based representative system that is commonly known as *Liberal democracy*. Liberal democracy unlike electoral democracy can also be interpreted as a form of governance that places primacy on the principle of liberalism.

The commonality between these two representative forms of democracy is the notion of elections. These two types of representative democracies serve as the preamble for the introduction of the importance of elections in attaining a democratic system of governance. Freedom and fairness of such elections is also discussed.

2.3.1 Liberal Democracy

Liberal democracy is said to be the most common form of representative democracy since it involves free elections and civil liberties. Such liberties include things such as: speech (press), freedom of association (both political and non-political), universal suffrage (legislature) and an independent judiciary.

The term liberal democracy can be used to signify both a political principle as well as a political system. In this context, it will be looked at as a political system that is characterised by a balance between popular consent and government intervention. This poise is characterised by a system that weighs formal rules, civil liberties, institutional systems, regular free and fair elections, political pluralism and private enterprise.

The rationale behind liberal democracy is the view that the individual is the starting point of the community. Parekh (1992: 161) refers to the individual as being the 'ultimate and irreducible unit of society'. Thus the individual should be understood as

a sovereign self-seeking being that needs to operate freely, for this reason individualism is understood to be the central concept underpinning liberalism. Individualism is believed to also invoke the fundamental idea of equality, where all individuals are seen as 'born equal' and therefore need to be considered as equal before the law. In order for these individuals to be guided by the state their consent needs to be given. Ironically this same consent is what provides the state its legitimacy. An individual's position to shape the political, legal and economic agenda of the state operates best in a system where rule of law is applied without bias or prejudice.

Miller (1992:54) defines liberal democracy as being a set of institutions that make up political systems and consist of elements such as free elections, freedom of expression (speech) and competing parties. The aims of such a political system are to aggregate individual preference and convey it into a collective choice (voice) in as free and fair a way as possible. This is essential seeing that political choice/preference will generally be conflicting and thus needs to be deliberated on through democratic institutions. In order to have free and fair elections, one needs to ensure that there is participation from citizens.

Liberal democracy can be restricted by the political behaviour of rulers. Diamond (2002:25) cautions against what he refers to as '*Pseudo-democracy*' in which multiparty elections take place with the presence of formal democratic institutions such as an independent judiciary. In such cases people are not able or willing to cast their vote freely due to irregularities such as election rigging. Zakaria (1997: 26) refers to this type of system as '*illiberal democracy*'.

Parekh (1992:164) notes that liberal democracy in essence provides a platform for self-determining agents to pursue their self-chosen goals under conditions of minimal constraints to choice. This platform is in essence a democratic electoral system that provides for regular, fair, equal, majoritarian and participatory elections.

2.3.2 Electoral Democracy

Electoral democracy is in essence a deliberative means 'of deciding who should hold legislative and executive power' within government (Lindberg 2006: 23). Many additional factors are essential for electoral contestation. These include civil liberties,

open and active media, an independent judiciary (which enforces the rule of law), a written constitution and working electoral institutions. This form of democracy is competitive, elitist, minimalistic and is attained through competition between groups. These groups compete in the form of procedural elections that aid in creating, developing and maintaining democratic systems.

An institutional pre-requisite for electoral democracy is that elections are free and fair. It is important to understand the functions of elections and how they produce electoral democracy.

The term electoral democracy is derived from both elections and democracy. This simply means that in this form of representation, elections are central to the functioning of democracy. Elections thus serve as a forum for discussion of public issues through citizen participation and facilitation of the expression of public opinion in the form of a cast ballot. As a procedural act, elections also serve as a tool for the legitimising of state power and for the political integration of communities. They also provide political education to citizens and ensure that there is responsiveness by the government to the will of the people. By choosing to vote, people get an opportunity to have their say on issues pertaining to governance which creates a sense of belonging (nation building).

Elections need to be conducted freely and fairly. Elections cannot be considered as free and fair if people are disenfranchised, the electorate is denied resources and freedoms are restricted or prohibited. According to Elklit & Svensson (1997:32) for democracy to be attained through elections various aspects of the electoral process need to be considered free and fair. These authors relate these criteria as guidelines on freeness and fairness.

The discussion of these aspects or criteria will be looked at below; doing this will assist in highlighting the role and importance of free and fair elections in democracy.

2.2 Free and Fair General Elections

The importance of elections in achieving democracy has created a need to standardise the assessment of electoral outcomes. This has given rise to the notion

of freeness and fairness of elections, which in essence is used as a measure of the quality of an electoral conduct based on a series of standard criteria. These criteria will be discussed below.

Free and fair elections can be defined in terms of processes and can include both electoral practices and the conduct of individuals. Elklit & Svensson (1997:35) describe the term 'free' with provisions to freedom as people having the right to choose one thing over another, which implies the absence of coercion and limitation of choice. In terms of elections, this implies that there should be no restrictions by the state to the access of electoral procedures and processes. 'Fair' or fairness refers to impartiality, where the rules and practices are applied to all without any favour, bias or prejudice irrespective of race, gender, creed or affiliation (Elklit & Svensson: 1947).

In terms of electoral processes, freedom and fairness translate into an unprejudiced application of the electoral laws by the state in accordance with international electoral norms and standards (Goodwin-Gill 2006:113). Rajasingham (2005:4) reiterates this but places special emphasis on the need for absence of fraud and intimidation and that votes need to translate into representative legislative seats. In Rajasingham's view, for an election to qualify as free and fair there has to be constant scrutiny of the entire electoral process (leading up to the elections, on the actual day and after the elections).

States thus need to make the necessary provisions for the effective application of the electoral law during the planning of elections. This application of the law is of concern to actors such as: political parties (their candidates), constituents (voters), EMBs, law enforcement agencies, the media and civil society. The law needs to also encompass both financial and human resources to ensure efficient voter registration systems, voter education programme and facilities, campaign freedom; effective polling systems as well as the fair resolution of electoral disputes.

These elements can improve the conduct, practices and the entire electoral process which can contribute to the overall credibility and fairness of elections. DFID (2010:8) stresses the importance of technical and financial support in the electoral process as crucial elements in developing political systems and deepening democracy.

Elklit *et al* (1997) and Goodwin-Gill (2006) have made reference to the importance of identifying set criteria for the measurement of free and fair elections. These criteria are integral to democratisation. Goodwin-Gill's criteria for free and fair elections are discussed below.

2.2.1 Criteria for Free and Fair Elections

The criteria for free and fair elections have to encompass more than just the happenings of the election day. General elections should be seen as a continuous and cyclical process. Svenson *et al* (2009: 19) suggests that one should study the entire electoral process as a way of determining whether elections are in fact conducted in a free and fair manner. He makes reference to things such as the analysis of: electoral systems, voter registration mechanism and processes, access to the media, campaign rules/regulations as well as the ballot counting process (Svenson *et al* 2009:20).

Criteria for free and fair elections have to be conceived in terms of laws and practices. The electoral law is thus the point of reference for the conduct of elections and works in conjunction with the electoral system in determining the scope of an election. The electoral law encompasses the following aspects: constituency delimitation, electoral commissions (voter rights, registration, education and information), legal mandates for political parties and organisations (Campaigns), the electoral environment (media access, coverage, balloting) and the legal basis for monitoring of elections (results, complaints, disputes).

Goodwin-Gill (2006:113) identifies ten key elements that he sees as essential for the promotion of free and fair elections. Of these, electoral law is seen as most important. These criteria are listed below but will not be delved into in this chapter but rather in the following one seeing that they also tie into the M&E of elections.

1. The electoral law and systems
2. Constituency delimitation
3. Election management
4. The right to vote
5. Voter registration

6. Civic education and voter information
7. Candidates/political parties/political obligations and funding
8. Electoral campaigns, respect and protection of human rights
9. Balloting, monitoring and results
10. Resolution of complaints/disputes

The application of these criteria in terms of freedom and fairness is what would ultimately allow one to speak on the quality of an election. Elklit *et al* (1997:35) place a special premium on the notion of freedom because it primarily deals with the voter's ability to participate in elections without hindrances. Voter participation is thus seen as a precondition to electoral democracy.

The idea of voter participation introduces a rights based approach to the notions of freedom and fairness of elections. Article 21 of the 1948 Universal Declaration of Human Rights (UNDR: 1948) and the Covenants of 1966 on Civil (Economic, Social, Cultural) and Political Rights (OHCHR: 1966), set aside the founding guidelines and principles for the participation of self-determining agents. Three basic rights form the core mandates behind citizen participation:

- (1) "Everyone has the right to take part in the government of his country, directly or through freely chosen representatives".
- (2) "Everyone has the right of equal access to public service in his country".
- (3) "The will of the people shall be the basis of the authority of government; this will/shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures".

The role and responsibilities of the state are to ensure that public participation is guided by the electoral law and that this is done in accordance with international statutes. These statutes are prescribed to governments by international and regional bodies such as the United Nations (UN), the Inter-Parliamentary Union (IPU), the African Union (AU) and the Southern African Development Community (SADC).

As previously mentioned the use of these criteria for the assessment of freedom and fairness of elections is crucial because it allows for the inspection of both the conduct as well as procedures related to the pronouncement of elections as being free and fair. The comprehensive nature of these criteria allow them to also be used as tools for the M&E of elections beyond just the electoral event. This can also include the electoral cycle.

The next portion of the chapter discusses the concept of M&E. This is discussed as a programme management tool that can be used for the assessment of programmes/policies/projects. In this context, it will also be shown as a tool used for the assessment of elections.

2.3 Monitoring and Evaluation (M&E)

The definition of M&E will be discussed in this portion of the research. The reasons for its introduction at this stage of the research was to identify a rubric that could be used to measure the outcome and impact of an election.

2.3.1 Defining Monitoring and Evaluation

Monitoring can be defined as the continuous function that endeavours to provide management and stakeholders of an ongoing intervention's progress or the lack thereof through concise indicators. These indicators assist in checking the conditions of a situation (UNDP: 2002). The earlier the monitoring process begins the better it is for the intended outcome of the intervention. This allows for early warning signs to be identified.

Evaluation: This is an exercise that is designed for the objective and systematic assessment of progress towards the achievement of a set of goals or outcomes (UNDP: 2002). It is useful in the: comparison of results with expectations, identification of drivers and barriers to anticipated performance and conceptualisation of an action plan for change (Guerra- López, 2007a).

According to Scriven (1967), the purpose of an evaluation is to systematically determine the merit or worth of a programme, project or policy. This is done either on a continuous basis or at the completing phase of activity (programme/project/policy).

An evaluation is intended to scrutinise the design, implementation and outcomes of an activity. Doing this assists in providing credible data, that can be used to overcome present shortcomings for the planning of future activities.

The purpose of M&E is to help improve performance and the overall result of programme/projects/policies through data driven decision-making. This is done to effectively manage the performance, outcomes and impact of the proposed tools of change e.g. programme/projects/policies. The use of M&E helps to assess the contribution and influence of various elements (inputs and outputs) towards the development of set outcomes (UNDP 2002:5).

2.3.2 Role and Use of M&E

M&E is a multidimensional management tool that can be used to assess the performance of an activity. There are three core functions for the use of M&E, these are: managing the decision-making process, organizational development and learning as well as to create accountability.

As a management decision making tool, M&E is said to improve the quality of the decision making process through the provision of primary and secondary data (Scriven: 1967). Evidence based decision-making is able to improve the quality of choices and decisions taken throughout the different phases of an activity. At the inception phase; M&E provides a critical foundation for resource planning and allocation. This improves the quality of decisions taken during the planning phases of the activity. At the implementation and review phases, M&E proves useful in providing corrective measures as well as recommendations for future activities. M&E can thus improve the quality and sustainability of results/outcomes achieved.

As a tool for organisational development and learning, M&E is said to provide corrective teaching for both ongoing and future projects. As mistakes are made during the implementation of an activity, learning is said to happen too. This is a form of trial and error where 'learning by doing' happens. At a summative phase of a project, lessons learnt throughout the activity as a result of M&E are useful in providing feedback to decision-makers. This also improves the quality of future decision-making due to previous lessons learnt. It is not a guarantee that lessons will be learnt as a result of findings derived from M&E, but it at least provides a solid

base of information about the nature of the activity undertaken. This in turn serves as a way of developing organisational capacity.

In terms of accountability, M&E assists in providing critical assessments of the activity's impact on its intended target audience. It measures whether the desires and priorities of varying groups were met. This creates a sense of accountability towards the various stakeholders involved in the proposed activity.

At a programme/project and policy level, M&E serves as a vital part of the management cycle. This is possible seeing that the effect of M&E as discussed above improves the clarity, objectives, outcomes and impact of an activity. The lessons learnt and recommendations made from M&E can be incorporated and implemented at the various stages/phases of the programme/project cycle.

This introduces the idea that M&E as a management tool can be utilized to measure the decision-making, learning and capacity building ability of elections. The next section looks at the role of M&E in the conceptualisation of elections where elections are seen as programmes of change created to bring about a democratic system.

2.3.3 M&E and Elections

In the case of electoral studies, M&E is useful in assessing the quality of inputs and activities that are required to ensure that the outcomes of an electoral process results in the establishment of democratic institutions that echo the voice of the people. When talking of electoral processes reference is made to the various elements that contribute to the different stages of the election. These assist in the achievement of free and fair elections. M&E also assists in creating a better understanding of the general performance of an electoral event (beginning, on the day and post-elections).

In established democracies, elections are regularly monitored by independent electoral bodies. In fledgling democracies however where the impartiality of electoral bodies can be questioned, it becomes crucial to conduct a systematic audit of the entire electoral process to determine the quality of those elections. Such an audit allows one to gauge whether progress towards democracy has been made as a result of the electoral exercise/programme. The rationale behind this idea is that an

election can be seen as an exercise/programme of change that is designed to create an effective, efficient, democratic government that abides by the rule of law and respects the sovereign will of its people.

Conducting an evaluation of an electoral event/programme is useful in determining whether the election achieved its short and long term goals of: freedom and fairness, citizen empowerment, good governance, organisational and institutional development as well as a democratic society and government. The achievements of these goals are generally interpreted as signs of an improvement of the electoral quality within a country.

The M&E of an election has to consist of far more than just the level of judgment of the electoral observers and the dynamics involved around that process. Such an evaluation has to include recommendations on how best to improve the electoral processes and activities that are needed to ensure the advancement of democratic principles.

When evaluating the quality of elections in relation to a set of indicators, one has to reflect on whether those selected indicators measure adequately the advancement towards democracy or whether they only serve as indicators that highlight the maladministration and poor electoral practices that occurred. To ensure the suitability of these indicators, the reflection of the above mentioned criteria of free and fair elections needs to be consulted. This will however be done in the next chapter. In the meantime, the importance of M&E in the field of electoral studies will be discussed.

2.3.4 The Importance of M&E in Understanding Elections

In the case of electoral studies, M&E is useful in assessing the quality of inputs and activities that are required to ensure that the outcomes of an electoral process result in the establishment of democratic institutions that echo the voice of the people. When talking about an electoral process, we make reference to the diverse elements that contribute at different stages of the election in the achievement of free and fair elections. M&E also assists in creating better comprehension of the general performance of an electoral event (beginning, on the day and post-elections).

In established democracies, elections are generally organised, run and monitored by independent electoral bodies. In fledgling democracies however where the impartiality of an electoral body can be questioned, it becomes crucial to conduct an audit on the electoral process to determine the quality of those elections. Such an audit allows one to gauge whether progress towards democracy has been made as a result of the electoral exercise. The rationale behind such an assessment is that an election can also be viewed as an exercise of change that is designed to create an effective, efficient, democratic government that abides by the rule of law and respects the sovereign will of its people.

There is a serious need to develop systems for electoral evaluations. The work of Alvarez *et al* (2013:23) confirms this and suggests that the evaluation of elections should be conducted through performance management tools and electoral audits.

Haider (2012:10-13) identifies six prominent tools for the measurement of M&E in electoral support. These include the LFA, Country Impact Studies, Participatory Evaluation approach, Mixed Approach, Social Surveys and Programme Theory Evaluation. These tools are useful in generating data for conducting evaluations. The LFA is the preferred evaluation tool for this research because of its ability to isolate goals, purpose, outputs and activities of projects at different stages. This approach proves useful in systematically observing elections because it isolates the different segments and processes involved during the various stages of the electoral cycle. Below is a graph illustration of the LFA.

2.3.5 Logic Framework Approach

1. Inputs ⇒⇒	2. Activities ⇒⇒	3. Outputs ⇒⇒	4. Outcomes/impacts
What resources go into a program	What activities the program undertakes	What is produced through those activities	The changes or benefits that result from the program
Your Planned Work		Your Intended Results	

Table 1: The Logic Framework Approach (Kellogg 2004:3)

The logic model provides evaluation stakeholders with a comprehensive roadmap that describes the sequences of connected events that are needed to achieve the intended results. The interconnected nature of these events help to paint a picture of how human and financial investments play a role in achieving agreed on or proposed goals. (Kellogg 2004:3). Using this pictorial approach is useful in identifying key areas one can use to improve the impact or outcome of a proposed programme.

According to Burnell (2007), the LFA is predominantly quantitative in nature and is generally used for project evaluation where the outputs are clear and able to be identified. Crawford (2001) argues against the use of this approach to the assessment of democratisation. He argues that democracy cannot be tracked in a linear fashion due to its volatile nature. Burnell (2007) and Wong (2008) make a similar argument on the basis that the LFA model does not easily adapt to the externalities and rapid changes presented by the volatility of measuring democracy.

The LFA is however useful for programmes that need constant assessment and review because it is useful in improving the design and implementation of programmes. It is for this reason that the shortcomings of this approach on the measure of democracy can easily be allayed to measure electoral quality. The LFA thus proves useful in the M&E process of electoral support and events

Conducting an evaluation of elections is useful in determining whether the elections achieved short and long-term goals of: freedom and fairness, citizen empowerment, good governance, organisational and institutional development as well as a democratic society and government. These are signs of an improvement in the electoral quality and a positive move towards democratisation.

The M&E of an election has to consist of far more than just the level of judgment of the electoral observers and the dynamics involved around that process. Such an evaluation has to include recommendations on how best to improve the electoral processes and activities that are needed to ensure the advancement of democratic principles.

When evaluating the quality of elections in relation to a set of indicators, one has to reflect on whether those selected indicators measure adequately the advancement

towards democracy or whether they just serve as indicators that highlight the maladministration and poor electoral practices that occurred. This is again yet another reason why the use of criteria on freedom and fairness of elections can and should be used to conduct an M&E exercise of the entire electoral cycle. The use of an M&E tool is thus crucial in the measurement of the credibility of an election. Its ability to systematically break down the election into segments based on set criteria makes it a useful tool in electoral studies.

2.4 Conclusions

This chapter discussed the importance of elections in achieving a democratic sense of governance. It explored the two central forms of democracy as well as the characteristics of these two forms. It then went on to discuss the notion of freedom and fairness with reference to elections and then described its role in the process of democratisation. It then proceeded to discuss the importance of M&E, where M&E is useful as a systematic tool of measurement that can be used in the assessment of elections. The importance of using M&E in the measurement of elections was also discussed and an approach to electoral evaluation using the LFA model was also discussed. This approach illustrated a systematic method for conducting an evaluation at various stages of the programme/projects/policies.

The next chapter (chapter three) looks at the above listed criteria on freedom and fairness as indicators for the systematic M&E of the electoral process. This is done through the introduction of an electoral support tool known as the Electoral Cycle approach (ECA). This ECA isolates the different stages of the electoral cycle into the pre-election, election day (during general elections) and post-election (general elections) period. Within these categories, similar criteria to that of freedom and fairness of elections are easily identified. The synergy between the ECA and the abovementioned criteria make it easy to encapsulate the two into a tool for the M&E of general elections.

Chapter 3

ELECTORAL EVALUATION APPROACH

3.1 Introduction

The second chapter dealt with general elections and their effects on democracy. It was made clear that freeness and fairness in Africa cannot be said to be the attributes of credible elections, because of the frequent abuse of these concepts. This chapter looks at a way of measuring elections using the ECA. This approach is introduced graphically and explained before delving into each segment of this approach using the criteria of freedom and fairness discussed in the previous chapter. The purpose behind this is to introduce a systematic approach to the M&E of elections.

This chapter begins by discussing the ECA in relation to the criteria for freedom and fairness. It will then advance to merge the LFA, ECA and criteria of freedom and fairness to develop a robust technique that can be used for the effective monitoring and M&E of electoral events. The adaptation of these two approaches and criteria creates what this author refers to as the EECA. This approach will be used as a tool to conclude the chapter but will be re-introduced and applied for the evaluation of elections in the DRC. This will be done in chapter 5 after discussing the political history of the DRC in chapter 4.

3.1.1 Electoral Cycle Approach

According to the Electoral Knowledge Network (ACE: 2013) the ECA is a visual planning and training tool that is designed to assist electoral assistance providers and electoral officials to understand the cyclical nature of the various challenges faced in the electoral process. This approach can be used as a results-based M&E tool for the assessment of electoral events.

In 2005, the ECA was jointly developed by the European Commission (EC) and the International Institute for Democracy and Electoral Assistance (International IDEA). It

was designed for the implementation of electoral assistance programmes through EMBs and other operational electoral stakeholders. The ECA effectively gathers and dispenses crucial knowledge on the steps one can take to organise credible and transparent elections (International IDEA: 2006).

The development and implementation of the ECA has signified a paradigm shift in the field of electoral assistance. This approach looks at the electoral process in a cyclical way where the policies and practices adopted in the present also affect the outcomes of future elections. The ECA as an evaluation tool is able to factor in a range of contextual elements such as the legal, organisational and technical aspects to an evaluation. This tool becomes crucial in the measuring of an election throughout the different phases of the electoral process. The comprehensive nature of this approach makes it an essential tool for evaluation of the entire electoral cycle, despite it only being used at the moment to evaluate electoral assistance. Figure 1, below is a graphical illustration of the ECA, it is interpreted in a clockwise fashion from the centre outwardly.

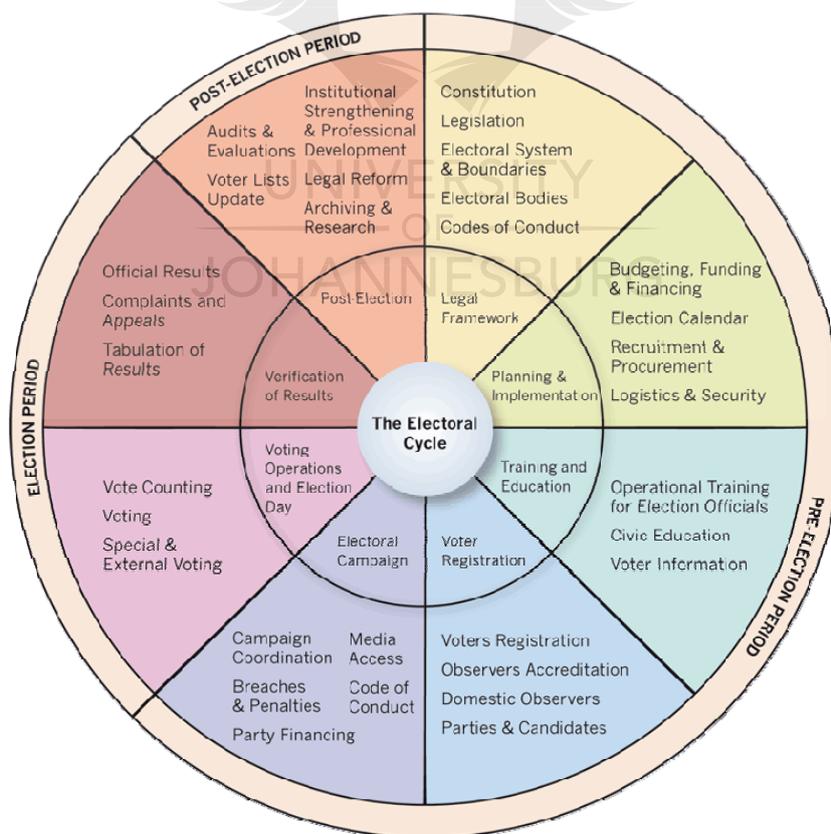


Figure 1: Electoral Cycle Approach (International IDEA: 2006)

A combination of the ECA and the criteria on freedom and fairness can be used to effectively plan a systematic way of measuring an election. The next section looks at the M&E of the three stages/periods of the electoral cycle using both the ECA and the criteria on freedom and fairness.

3.2 Pre-Election Period

The first phase of the evaluation is that of the pre-election period or preparatory phase. This period looks at the following themes: the legal framework, planning and implementation, training and education, voter registration and electoral campaign. By ensuring that the pre-election phase is conducted in a free and representative manner, it improves the overall chances of achieving credible electoral outcomes.

3.2.1 The Electoral Law and Systems (Legal framework)

The first of these indicators focuses on the legal framework in which the electoral law is applied. The guidelines on free and fair elections are conceived in terms of laws and practices because one cannot hope to have democratic elections in the absence of laws. The electoral law of a country is thus the official terms of reference by which elections are managed. It works in conjunction with the country's electoral system in determining the scope of elections. This guides constituency delimitation, electoral commissions (voter rights, registration, education and information), political parties and organisation (campaigns), the electoral environment (media access, coverage, balloting) and election monitoring (results, complaints, disputes). The electoral law and system chosen must facilitate the expression of the will of the people through free and fair elections (Goodwin-Gill 2006: 114).

The selected choice of electoral law and system has an impact on the outcome of elections; hence it is important to engage with the notion of electoral law and the electoral system that is in current use when trying to evaluate elections. Norris (1997:305) makes reference to this by pointing out that a system that promotes proportional representation positively impacts on electoral turnout. Seeing that the legal framework used in the management of elections extends beyond just the pre-election period, it is essential that the interpretation of this framework is done in a free and fair manner. Although only made reference to during the pre-election phase,

the application of the legal framework remains important throughout the entire electoral period. This reoccurrence can be understood as being a crucial input in the electoral cycle.

3.2.1.1 Electoral Systems

No universal electoral system can be applied to all nations by virtue of the fact that a state's historical, cultural, political and religious dispositions vary; there cannot be a universal standard that can or should be applied regarding to the selection of an electoral system. However, there has to be a systematic framework of sorts that is used to guide states when dealing with issues of elections and electoral management. The electoral law is this framework and is in essence viewed as the legal compass used to steer a country's electoral system, this is especially the case for countries that subscribe to what is known as Civil Law.

An electoral system is basically the way votes are translated into seats (Norris 1997:297). These range from votes won in the general election as well as how parties and their candidates are elected. This is done through an electoral formula that focuses on things such as the structure of the ballot and the size of the district. When looking at both the components of the electoral law and systems, it becomes evident that in order for a country's electoral commission to be independent, its other legislative structures and systems need to also be independent.

Electoral systems usually use an electoral formula to categorise the results of an election as either won through a majoritarian system (this refers to a seat won by certain candidates or groups based on the fact that they received more votes than any of the other parties). This system is commonly known as a First-Past-The-Post (FPTP) and is constituency based. This approach tends to favour a two party system. Goodwin-Gill (2006:115) mentions how such a system can prove to be advantageous for older existing political parties because they can easily win off small majorities; but can prove challenging for smaller or newer political parties because of their numbers or lack of popularity.

Conversely, using another electoral formula produces a system of Proportional Representation (PR). This system also operates on a majoritarian basis, but seeks to allocate seats won by a certain party or group of candidates in proportion to the

amount of votes received during that election. It works on a system of electoral strength where PR presents itself in two distinctive forms, PR list and Proportional representation-single transferable vote (PR-STV). PR-list focuses primarily on achieving PR based on a preferentially ranked electoral list, this list is determined by internal dynamics within the party and seats are allocated in relation to the number of seats the party wins. PR-STV on the other hand seeks proportional representation through ranked votes; the votes are ranked according to preferred candidates instead of a party list (Colomer 2006:28).

The choice of electoral system has an impact on the general electoral process. IDEA (2005: 5) mention how an electoral system has the ability to influence the demarcation of district boundaries, how voters are registered as well as the way votes are counted. The choice of electoral system can in essence determine who is elected as well as which party wins the elections. This is because some systems give preference to individual candidates over the political party e.g. PR-STV. Overall the choice of electoral system can reveal the levels of inconsistencies in legislative decisions; this is especially the case seeing that electoral systems are usually a product of past political choices.

An electoral system contributes to the broader political climate of a country and is crucial to the formation of a democratic system. Therefore, the design of an electoral system has to factor in a series of international treaties, covenants and other kinds of legal instruments to ensure that the impact of historical political choices have limited effects on current electoral practices. Ensuring this can impact on the present political competition within a country, which can assist in the holding of free and fair elections.

A successful analysis of the pre-election period can definitely reveal the kind of issues one can expect to arise on the election day. The assessment of the electoral law also becomes essential here as a way of guaranteeing the rights of the elector, such rights include things like freedom of expression, etc.

3.2.1.2 Electoral Law

Elections have to be guided by agreements and standards. These fall under what is commonly referred to as the electoral law and forms part of the official framework for

elections. It is believed that the viability of a country's electoral law serves as a good indicator of the strength of its democratic society (Elisha & Otieno, 2012: viii). This proves again that the legal framework of an election shapes the outcome of that election.

The electoral law encompasses a range of subjects such as: universal suffrage, secrecy of the ballot and voter equality such as that of minority votes. The 1948 Universal Declaration of Human Rights and the 1966 International Covenant on Civil and Political rights (OHCHR; 1966) set the stage for electoral conduct. Below are some crucial elements of these laws that speak directly to electoral practices. Article 21 (1-3) of the Universal Declaration of Human rights sets out a citizen's role in government's activities (UNDR: 1948). These are crucial to understand when conceptualising the evaluation of an electoral event.

1. Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
2. Everyone has the right of equal access to public service in his country.
3. The will of the people shall be the basis of the authority of government; this will/shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

The electoral law can be expanded beyond that of a country. A Declaration on Criteria for Free and Fair elections emanated from the 1994 session of the IPU Council. This delineates both the state's responsibilities and citizens' rights when dealing with voting and elections (Goodwin-Gill 2006:113-158).

These rights and responsibilities are set out as a form of reaffirmation that the role of the government is to govern based on the authority given to it by its people through periodic and genuine elections. This authority is endorsed through equal citizen participation and it is therefore essential that government abides by its commitment to its citizens while they participate without fear and intimidation in periodic free and fair elections. Any deviation from this can serve as an indicator of unequal application of the rules, which can attest to uneven competition within the different groups and be translated to non-free and unfair election outcomes.

Article 13 of The African Charter on Human and People's Rights (OAU: 1981) states that every citizen shall have the right to participate freely in the government of his country. Article 3 (4) of the African Charter on Democracy, Elections and Governance places a mandate on member states to hold regular, transparent, free and fair elections. These guidelines are supported by conventions such as The European Convention for the Protection of Human Rights and Fundamental Freedoms which advocate for states to conduct free and fair elections at regular intervals (Article 3 of Protocol No 1).

On the African continent, the African Union's declaration on free and fair elections is the electoral law that mandates on issues of freedom and fairness in elections (AU doc 1997: 7). Keeping state independence and sovereignty in mind, the AU tries to enforce this mandate by providing assistance to member states that seek to achieve a status of free and fair elections. Although the reasoning behind attaining such a status may vary depending on the type of government in power, electoral assistance can be provided in the form of election monitoring, technical assistance, conflict management and other institutional support mechanisms.

In the region, the SADC principles and Guidelines Governing Democratic Elections sets the framework for the conduct of member states regarding democratic elections. It also sets the guiding principles for electoral observer missions and the observer's conduct and responsibilities (SADC guidelines 2000: 2-9). The role and responsibilities allocated to both the state and its citizens in ensuring that electoral processes are established and abided by are ascribed to by international and regional bodies such as the United Nations (UN), the Inter-Parliamentary Union (IPU), the African Union (AU) and the Southern African Development Community (SADC).

The manner in which the legal framework is applied serves as a useful indicator of the nature of democracy in that country. Inputs and activities linked to externalities such as financial, organisational as well as technical support also play a telling role in the outcomes of that election. It becomes crucial to completely understand the impact of such externalities on the quality of election results when conducting an evaluation.

Constituency delimitation can also be linked to the electoral law and framework of an election. This delimitation prescribes the code of conduct behind election boundaries. This can be used as an indicator for effective conceptualisation of M&E during the pre-election phase.

3.2.1.3 Constituency Delimitation

The legal framework for elections should seek to ensure that the boundaries of electoral units are drawn in such a way as to achieve the objective of according equal weights to each vote to the greatest degree possible to ensure effective representation.(IDEA 2009:27).

Constituency delimitation simply refers to the drawing up of electoral boundaries in different precincts or districts. This allows for people to be represented in different regions during elections. The most pertinent issue that presents itself with this type of districting is how best to allocate/distribute people to ensure fair representation and avoid gerrymandering (Goodwin-Gill 2006:153).

There are no set guidelines on how to guarantee fair representation in different districts, so some prefer to use the guidelines proposed by organisations such as the Commonwealth Secretariat (Good Commonwealth Electoral Practice: A working Document, June 2007), the European Union (Venice Commission: European Commission for Democracy through Law : Code of Good Practice in Electoral Matters, Guidelines and Explanatory Report, Adopted Oct 2002),International Foundation of Electoral Systems (IFES) and the Electoral Institute of Southern Africa (Principles for Electoral Management , Monitoring and Observation in the SADC region, Adopted Nov 2003).

Handley (2007) discusses the neglected fundamental principles that underlie international standards for delimiting electoral boundaries. Five crucial elements are identified and discussed, these are: Impartiality, equality, representativeness, non-discrimination and transparency. It is important to note that in an African context, delimitation can occur in terms of geographic location, tribal, ethnic, as well as religious lines, but must not result in deliberate impartiality.

Handley (2007:59) also mentions that those responsible for setting up boundaries (boundary authorities) should be independent and non-partisan. Anything beyond this can compromise the legitimacy of the electoral outcomes. The separation of boundary authorities from things such as the legislature or the executive can play a major role in ensuring impartiality. In terms of equality, Handley (2007:62) makes reference to the UNDR (Article 21, 3) to substantiate equal weights in votes. Public consultation of constituency boundaries aids in ensuring transparency. Effective voter education is also seen as crucial to ensuring better constituency delimitation (Handley 2007:68).

By using constituency delimitation as an indicator of free and fair elections, one can easily evaluate the way in which the electorate are grouped into different constituencies. Any indication of discrimination, impartiality or inequality can serve as an indicator of a deviation from democracy. One has to proceed with caution regarding the application of these to the legal framework.

The next indicator in the pre-election period is that of the planning and implementation stage. This consists of: budgeting and financing, electoral logistics and security, as well as the planning of the electoral calendar. Although it is possible to group these in the election day portion of the electoral cycle, voter training and education, voter registration and electoral campaign can also form part of the planning and implementation phase of the election. Hence the decision to discuss them here.

3.2.2 Planning and Implementation: Election Management

“The consolidation of democracy requires that the institutions that manage the electoral process be independent, competent and perceived as completely fair by all the candidates and parties participating in the process” (Carter Centre 1990: 20)

Elections should generally be administered and supervised by an electoral commission. The oversight of election campaigning, voting and counting is also held within the scope of election management bodies. In most democracies these electoral commissions are organised in a tiered structure where regional and district branches report to a national body. In post-conflict societies however this type of division usually does not happen, hence the importance of setting up an election

management body is paramount to the aspiration of successful free and fair electoral outcomes. Goodwin-Gill (2006: 120) considers this as being even more important for countries coming out of one-party rule or authoritarian systems.

In countries where the rule of law holds, it is the EMB that is mandated to conduct the election (IDEA 2005: 176). In fledgling democracies it is important to however have a balance in representation between the ruling and opposition party; where each party has a minimum stake or representation within the independent electoral body. Although this detracts from the idea of non-partisan representation, it does however improve the general transparency levels of the competing interest groups.

Another important element that is touched upon in many observer reports is that of the need for continuous dialogue and consultation between political parties and the EMB (EISA: 2003). This dialogue is what assists in tackling issues of electoral contestation before they become a problem. The EMB or the Independent Electoral Commissions (IECs) as is known in most SADC countries are, not only charged with preparation of the elections but also ensuring that the electoral conduct holds. The intervention of the EMBs is required at every stage of the electoral cycle.

In a pre-election phase, its purpose is in the assistance, planning, coordination as well as implementation of the electoral programme. In post-conflict situations, the role of the EMBs is to establish the legislative framework, investigate irregularities (registered candidate lists and other constituency delimitation issues), the establishment and monitoring of standards regarding the ballot and other documents, as well as the prevention and management of conflict (EISA 2003:11-13).

From an internal point of view, the composition, method of appointment, public perception, political affiliation and impartiality of the IECs greatly affects the outcome of the election process. The autonomous nature and separation of EMBs from the incumbent is often looked at as a strong indicator of the impartiality of the electoral process. Having an independent electoral body is therefore crucial to the successful evaluation of the electoral process. The level of independence and impartiality of this body can be used as an indicator of the extent to which electoral outcomes will be viewed as free and fair.

3.2.3 Voter Registration

Suffrage has to be facilitated by the right structures and systems, otherwise this process can frustrate and distort the electoral process. Voter registration has to do with much more than just the process and structures that are needed to successfully vote. Having the will and desire to participate in elections is made redundant if things such as polling stations, voter rolls/electoral list and electoral monitoring bodies do not exist or are not favourable to the electorate.

Voter registration is subjected to a series of contextual conditions like those mentioned in the sections of constituency delimitation and election management. The experiences and historical background of a country have a great impact on the voter registration process. Goodwin-Gill (2006:130-131) points out that countries that have sought the help of political parties and other interest groups in the promotion, monitoring and appraisal of the voter registration process have managed to improve the quality of their voter registration process. Having extensive voter training and education programmes is also highlighted as a key indicator in the successful implementation of voter registration. These can improve the general quality of the electoral outcome.

The funding associated with voter registration has to be independent seeing that it impacts on the impartiality of the electoral process. The effective training of electoral personnel such as poll workers plays a crucial role in ensuring that the electoral ecosystem is balanced. This ultimately ensures that elections are conducted in a free and fair manner. Having a non-independent source of funding can also jeopardize the voter registration process. Butler (2010: 222) refers to political financing as being complex seeing that it encompasses both the electioneering as well as party organisational costs of which voter registration forms a part. Thus it becomes crucial to look at voter registration as a process and action facilitated by electoral laws and systems.

On the polling day, it is essential that the voter registration process translates to aspects such as: Impartial access to the polling station, secrecy of the ballot and general protection of the electorate. Voter registration can be evaluated before as well as on the polling day through the participation of those registered to vote.

Reports from poll workers as well as opposition political parties provide useful indicators that can shed light on the quality and overall freedom and fairness of the electoral process. Alvarez (2013:29) refers to the use of poll worker surveys as good indicators of the difficulties faced during the voter registration and Election Day.

3.2.4 Voter Education (Voter Information)

Voter Education is essential to the management of elections and the voter registration process. Voter education generally encompasses the dissemination of election information, material to eligible voters on how, and where to register to vote. The checking of voter lists and knowledge of candidates also forms part of the voter education and information process. As illustrated above, the right and desire to vote is ineffective unless one is fully equipped and understands how to exercise one's vote.

The importance of voter education programmes forms one of the core responsibilities of the state to its constituencies; unless people are fully equipped they cannot play an active role as civic agents. It is thus imperative for government to introduce voter education programmes as early as possible.

The setting up of the respective voter learning and training facilities has to be structured in a non-partisan, unbiased manner so as to preserve the integrity of the electoral process. This integrity is what is seen as essential in attaining freedom and fairness of an election especially during this segment of the electoral process. Elklit & Svensson (1997:43) note that elections need to serve as learning opportunities for both the voters as well as the electoral candidates. This implies that the exercise of registering and casting one's vote during the election phase (the experience) needs to be viewed as a learning curve.

When analysing or evaluating the freedom and fairness of electoral outcomes, one has to ensure that civic education and voter information exists in a non-discriminatory manner. The use of independent, non-partisan bodies such as churches and NGOs has often been suggested as ways in which to ensure a democratic society formed through civic education. Solidarity Peace Trust (2005: 35) stresses the importance of taking stakeholder ownership in the voter education process, by saying that voter education is in the interest of all civil society.

The reflection of voter education and voter information processes can serve as great indicators of the extent to which the electoral process can contribute to democracy through its freedom and fairness. This is particularly crucial when conceptualising an evaluation during the formative stages of the electoral cycle.



3.2.5 Electoral Campaign (Candidates/Political Parties and Political Organisations)

Goodwin-Gill (2006:134) sees these three elements as falling more under the rubric of freedom than fairness of an election seeing that he classifies them as being about human rights. The freedom to take part in public affairs is seen as the essence of freedom and fairness. There would naturally be limitations to these freedoms due to contextual factors such as electoral funding and resources. Such should not be the product of state manipulation in any form, whether directly or indirectly as a choice of an electoral system.

As previously stated, the ability to present oneself as a candidate in an election does depend on more than just the choice of current electoral system. It also depends on things such as the degree of control the state exerts on basic amenities such as: Funding (finances), print press, public media (space), meeting places (freedom of association), and the established threshold requirements for the presentation of candidates as well as the formation of political organisations (Elklit *et al* 2005:152-154). In terms of political parties, the rule behind the formulation and recognition of political entities has to be such that they do not present barriers to entry to new political parties and their candidates.

The Inter-Parliamentary Union's 154th session which adopted the Declaration on Criteria for Free and Fair Elections (IPU: 1994) present candidature, party and campaign rights and responsibility that are essential for achieving free and fair elections. This advocates for equal opportunity to become a candidate in an election. The right to also freely express one's political opinion, to mobilise or campaign in different parts of the country are things that should not be prohibited. A deviation from this can result in the impartiality and credibility of the election being called to question.

The sources, contributions and limits to election funding also have a crucial impact on the control and outcomes of elections (Buttler: 2010) especially in cases where public resources are monopolised by the incumbent. Restriction and overregulation of external electoral funding are factors that can impact on the formation of political

parties. One has to remember that these factors have a crucial role in the balancing of political power as well as the general participation in elections.

The clear separation of power between the state and political parties is imperative in evening out the political playing field. This also speaks to the quality of electoral outcomes.

3.2.5.1 Electoral Campaign (Respect and Protection of Human Rights -HR)

This indicator provides for greater scrutiny of the procedures and practices applied throughout the electoral cycle. This is possible via the evaluation of the electoral campaign and the actions relating to the legal framework as well as the protection of basic HR. Poll worker reports taken from feedback sessions with stakeholders such as opposition and other party members can be used to shed light on issues pertaining to electoral campaigning.

A deliberate or poor application of the electoral law or restriction of certain groups can also serve as interesting indicators of foul play during the evaluation of the pre-election cycle. The freedom of communication through access to media resources is also a crucial indicator of the level of impartiality present in that election. The ability to cast a vote without fear or intimidation also says a lot about the respect for fundamental HR. It is unrealistic to expect that every law will be upheld during the electoral process, especially in fledgling democracies that have recently come out of conflict.

It however becomes essential to have trained evaluators that are focused on permissible variations from fundamental electoral law as opposed to having observers who are merely obsessed with technical infringements and isolated occurrences of HR violations. Goodwin-Gill (2006:144) states that “just as democracy is not founded on a single ballot, so an election does not become *unfree* or *unfair* solely by reason of one or more breaches of international standards”. The next step in the electoral evaluation approach is the election period or the election day. This segment deals with issues relating to the voting day operations and the verification of electoral results.

3.3 Election Period (Operations Period)

The assessment of an election needs to rely on more than just the activities of the election day. There needs to be consideration of factors linked to aspects such as the voting process, tallying of votes as well as the verification of counted votes.

An evaluation of the electoral period has to consist of election day voting operations as well as the result verification process. When referring to the voting operations, the author encompasses both the actual casting of the ballot and the vote counting process. The verification of the electoral results on the other hand includes things such as the announcement of the official results, the tabulation of those results as well as addressing the various complaints and appeals that may arise.

3.3.1 Voting Operations and Election Day (Balloting, Monitoring and Results)

Part of the management and organisation of the election day voting operations include the balloting process. This process ignites other discussions that include both the balloting as a process, as well as the different stakeholders involved with this process.

The location of the polling station in relation to the constituents, the opening and closing of polling stations (the start and end of the day; this is usually 'agreed on' by EMB before the start of the elections) as well as: Accessibility of those polling stations, the secrecy of the ballot, the management of electoral booths, verification of voters (to prevent double voting), the competence of officials manning those electoral polling stations and the counting of the ballot also comes to mind. Alvarez *et al* (2013:47) mention that studying reports on these aspects of the electoral process can go beyond determining the freedom and fairness of an election but also provide insight into the quality of that election.

The pre-and post-vote counting periods also form part of the balloting process. The various aspects linked to this period also prove useful in deriving the necessary input indicators for the evaluation of this portion of the electoral process. When it comes to the M&E of the balloting and results process, reported incidents on fundamental

human rights issues can serve as indicators on the general quality of the balloting, monitoring and results process of elections.

Goodwin-Gill (2006:152) mentions the importance of non-discriminatory behaviour during the balloting, monitoring and results process. Although this is not exclusive to this portion of the electoral cycle, the importance of the concept of universal suffrage where each cast vote carries equal weight is stressed. This is particularly sensitive seeing that access to the polls and the secrecy of the ballot has to express the sum total of the will of the people, anything contrary to this implies discrimination, irregularity and impartiality to the freedom and fairness process which can have damaging consequences to the integrity and quality of the electoral outcome. Alvarez *et al* (2013:24) suggest the use of a residual vote system in utilising uncounted votes to ensure that cast ballots do not get wasted. This would further improve the quality of the electoral process as well as the quality of democracy.

The counting of ballots is the next step of the electoral cycle and can be used to reflect on the integrity and quality of the electoral outcome. The evaluation of this stage assists in improving voting operations as well as the cooperation between the different stakeholders involved in the electoral process. Improvements in cooperation and collaboration within this segment of the electoral cycle will result in better scrutiny of the electoral process and an improvement in the overall quality of representative democracy.

3.3.2 Verification and Resolution of Complaints/Disputes

“Challenging an election, its conduct or its results, should however not be perceived as a reflection of weakness in the system, but as proof of the strength, vitality, and openness of the political system... (Petit: 2000)”.

The statement above illustrates that electoral contestation is something that is inevitable and should generally be seen as positive. However, in fledgling democracies where legal and administrative systems are weak, electoral contestation can either be a product of corrupt behaviour or violations of electoral rights (Petit 2000:5). When conducting an evaluation at this stage, it is important to see such occurrences as ways of addressing other irregularities that have occurred

during the electoral cycle. The tabulation of results, complaints and appeals should thus form part of the indicators lists used for the evaluation of electoral quality.

The unpredictable nature of electoral complaints and disputes means that they need to be handled in a non-partisan, independent and free manner. Matters relating to these disputes can be useful in developing indicators that are linked to the various stakeholders involved during the result verification process. The assessment of the interaction between these stakeholders further assists in developing other indicators, which could be useful in the measurement of the level of freedom and fairness of the electoral outcome.

When conducting an evaluation of the electoral cycle, the verification of results; allegations of: Intimidation, suppression of voter turn-outs, violation of electoral laws and other human rights infringements; have to be taken into serious consideration. The use of voter and poll worker surveys can be useful in generating additional data for the establishment of effective post-election audits. Alvarez *et al* (2013:26-30) advocate the use of such surveys in the measurement of electoral quality beyond just the freedom and fairness of the election.

3.4 Post Election Period (Strategy)

This phase of the electoral cycle is characterised by audits, archiving and research, legal reforms as well as institutional strengthening and professional development. These elements are useful in improving the general quality of the electoral process. This post-election evaluation commonly referred to as Election Forensics, includes post-election audits or vote tabulation audits. Alvarez *et al* (2013: 21-22) also attributes the need for a post-election evaluation to the rise in demand for electoral integrity which is sparked by the use of new statistical techniques to generate electoral data.

Election forensics through a set of indicators is a useful tool in the performance diagnostics of an electoral cycle. A well designed and properly performed post-election audit can have tremendous benefits for the entire electoral event beyond just that of the processes followed. These benefits include things such as: The promotion of public confidence, deterrence of fraud and assistance in the isolation of errors discovered throughout the electoral cycle (Election Audits: 2008). Audits and

evaluations at this stage of the electoral cycle are useful in ensuring that a healthy election ecosystem is attained and maintained.

During the post-election period, one of the first things that needs to be evaluated is the way in which the electoral framework, financial and organisational resources have impacted on the entire electoral cycle. Successfully doing this can assist in introducing the necessary reforms to ensure that future elections are not jeopardised by recurring problems or limitations. Understanding these consequences effectively ensures that adequate preparation is taken during the conceptualisation of the pre-election of the next election.

The following are crucial elements to consider during the post-election phase; institutional strengthening and development, updating of voter lists, legal reforms as well as audit mechanisms. These can be used as indicators for the effective M&E of this last segment of the electoral cycle. The use of voter and poll worker surveys are also suggested as being useful indicators for the understanding of voter experiences throughout the various phases of the electoral cycle. Alvarez *et al* (2013:26) talk about the importance of these respective surveys because of their ability to provide hidden data of the electoral process beyond what is currently available.

By delving into poll worker experiences and their incident reports, other indicators can be developed to improve the level of efficiency of post-election evaluations. This is particularly decisive since these reports address the various issues faced by stakeholders and beneficiaries of the electoral process.

The combination of the ECA and the criteria on freedom and fairness create a structured way of Monitoring and evaluating elections as illustrated above during the respective periods of the electoral cycle. This synergy can be further fortified by merging it with the LFA. Doing this can provide a robust systematic method of Monitoring and evaluating of elections beyond just freedom and fairness. The combination of these approaches introduces a logical, systematic and comprehensive solution to the shortfalls of M&E in the field of electoral studies.

This new approach is adapted and pioneered by the author of this research and is called Electoral Evaluation Cycle Approach (EECA).

Using the EECA allows for an in-depth understanding of how elections can be better monitored as well as better evaluated. Doing this will not only improve the assessment of the entire electoral process but also improve the way it is managed. As pointed out previously, the bulk of literature on electoral assessments only focuses on electoral assistance and support as components of electoral monitoring. It neglects the importance of electoral evaluation. An improvement in this type of assessment does definitively provide useful insights for the field of electoral studies. The application of the EECA in the M&E of elections proves extremely useful because it interrogates the use of resources within an election.

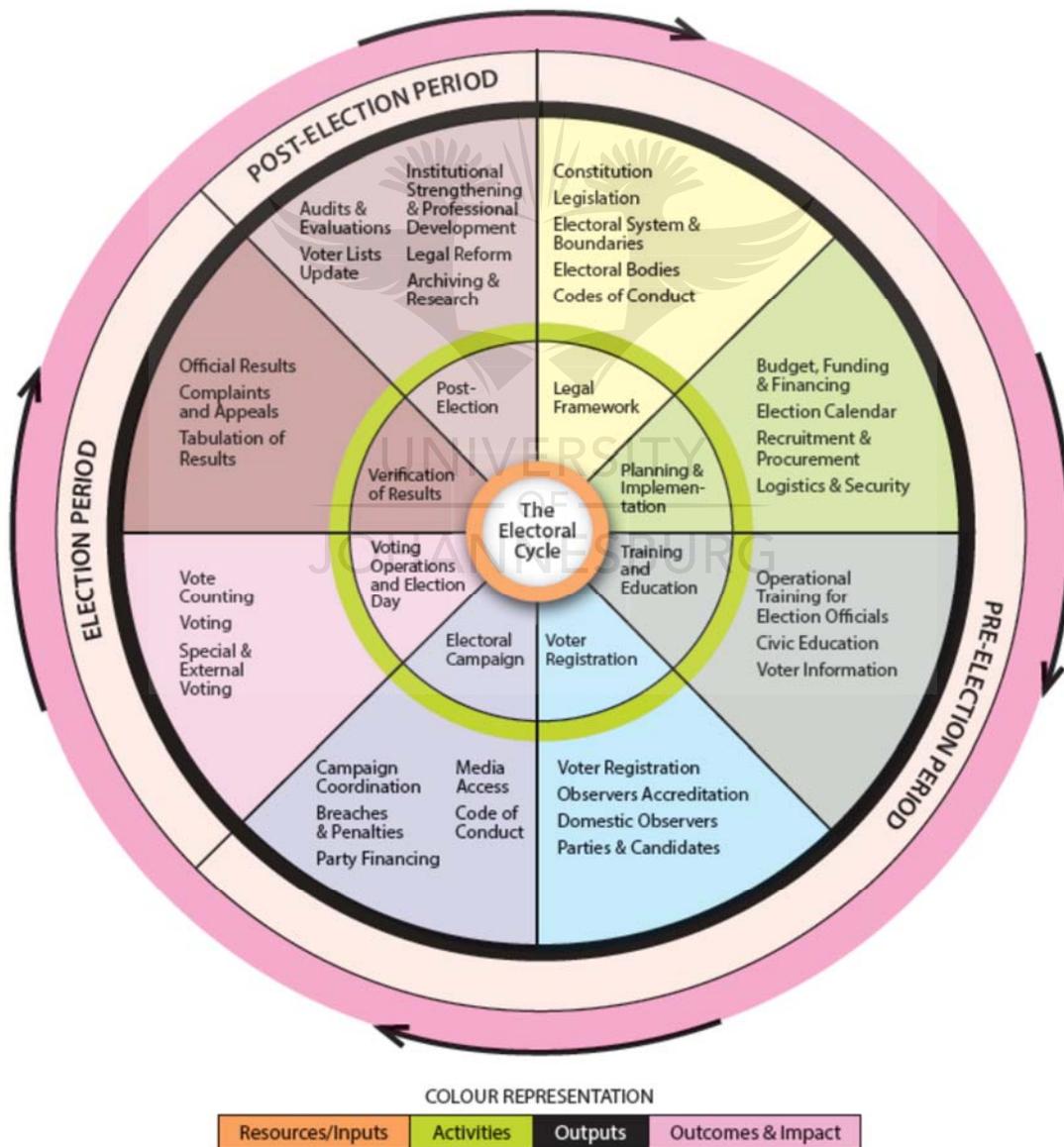


Figure 2: Electoral Evaluation Cycle Approach (Author's own adaption)

The use of the EECA allows for the M&E of an election to be conducted at both the formative and summative phases of the electoral cycle. The assessment of electoral stages within the backdrop of the various resources/inputs and activities allows for better comprehension of the challenges faced throughout the election. The interrogative nature of this approach does improve the overall quality of elections beyond the simple pronouncement of freeness and fairness.

The work of Alvarez *et al* (2013) comes in handy again at this stage when these combined approaches are used, especially seeing that it provides a multitude of techniques that can be used to generate both qualitative and quantitative data from the identified electoral indicators.

3.5 Conclusions

This chapter focused on the investigation of the different approaches that are used in the process of measuring elections. It consisted of a comprehensive discussion of the ECA which is currently used for the measurement and implementation of the strategies and methods around electoral assistance programmes. It then proceeded to unpack the electoral cycle using the guidance of the ECA and the criteria of free and fair elections. This along with the LFA discussed in the previous chapter, introduced a new systematic M&E approach to elections known as the EECA. This approach provides the stages, sequence and types of indicators that need to be used in M&E of electoral cycle. The robustness of this approach will then be used as a measurement tool for comparison of the two most recent elections in the Democratic Republic of Congo (DRC). This will be done in chapter five seeing that chapter four will serve as an introductory platform for the historical and political analysis of factors that led to the respective DRC elections. The following chapter consists of an investigation of the democratic general elections in the DRC. It will include the discussions and examinations of the events leading to the first democratic elections after 40 years of dictatorial regime.

Chapter 4

DRC AND DEMOCRACY

4.1 Introduction

The third chapter summarised and assessed several electoral approaches. This chapter investigates the democratic elections process in the DRC and the concept of democracy in the DRC. It focuses on the political history of the DRC and its transition towards electoral democracy in order to create a deeper understanding of challenges to democratisation in the DRC. In order to do that, it is important to understand the historical context of the current political upheavals there.

The chapter therefore starts by looking at the colonial legacy of the country. This includes the system of governance in place during Belgian colonial rule. It then proceeds to discuss the independence process and the teething struggles experienced during the early days of post-colonialism. The Mobutu Sese Seko regime is discussed before moving to the leadership of Laurent Désiré Kabila the father and then later Joseph Kabila the son. These successive eras of leadership will be referred to as the First, Second and Third Republics. The chapter concludes by introducing what is known as the 'Fourth Republic', which constitutes a post-transitional form of government.

4.2 Historical Legacy

The Democratic Republic of Congo or DRC, as it is commonly known, is the most populous and fragile state in the SADC region (Lodge et al 2002: 91). Resurrecting from years of civil war and close to 40 years of dictatorship, the DRC has inherited a legacy of inequality, poor electoral systems and institutions as well a lack of rule of law. For a country so rich in natural resources, the DRC is plagued by famine and disease. The extractive impact of its colonial infrastructure is still visible to this day and still impacts the country negatively

Figure 3, below shows a geographical illustration of this vast, and multifarious country's position on the African continent.



Figure 3: African Map showing DRC (World atlas)¹

The Kingdom of Kongo or Wene WA *Kongo* gave birth to the modern day Congo. This kingdom consisted of what is now known as Angola, the Republic of Congo as well as the DRC (Thornton *et al* 2007:57). Lukeni lua Nimi (circa 1380-1420) ruled this region as unopposed chief and ruler until the arrival of Portuguese settlers in the region. The discovery of these territories inspired the likes of Henry Morton Stanley and Belgian king Leopold II to venture beyond Europe.

At the Berlin Conference of 1885, Belgian King Leopold II was allocated territory that was previously known as the Congo Free State. In 1908, King Leopold II transferred the country to the Belgium government and it became known as the Belgian Congo. The Brussels Roundtable in January and February of 1960 facilitated dialogue between Congolese leaders and local Belgian authorities. This dialogue put to the

¹<http://www.worldatlas.com/webimage/countrys/africa/cd.htm>

forefront matters such as that of Congolese independence as well as the formation of a Congolese government.

In May the same year (1960), the adoption of the Fundamental Law (*La loi fondamentale*) was established. This in essence became the first legal framework that was formed in the Congo and subsequently led to the formation of a new state. The newly formed federalist Congolese state comprised of six provinces, a government, legislation and representation within senate (87 seats) (Lodge *et al* 2002:63). A form of limited suffrage where only male citizens aged 21 and above could cast a vote existed and, members of parliament (MPs), national assembly and provincial councils were elected. These elected members formed what later became known as *The First Republic*.

The birth of the First Republic can also be understood and interpreted as the first real act of suffrage that took place in the DRC. Despite this act of '*popular suffrage*', one could not really expect the DRC to be considered a democratic country. Yet in the greater scheme of things, this step is seen as a crucial contributor towards the development of a democratic state.

4.3 The First Republic

This period can be viewed as characterised by the conscientisation of the Congolese people and the development of a distinct Congolese state. It came about as a result of an unequal and limited level of political suffrage.

A coalition between parliament's majority seat winner Patrice Emery Lumumba's party, the *Mouvement National Congolais* (MNC) and two other parties, the *Parti Solidaire Africain* (PSA) and *Le Centre de Regroupement* (CEREA) allowed for the formation of the First Republic. Lumumba served as this government's prime minister and through a cooperative initiative, leader of the *Alliance des Bakongo* (ABAKO) Joseph Kasavubu became the head of state (Kadima, Leonard & Schmidt 2009:15). This was possible because the Congo operated on the French model of a semi-presidential system; where the president and the prime minister shared executive power (the president is elected through universal suffrage and the prime minister through a parliamentary majority).

On 30 June 1960, independence was formally declared as a result of the Congolese refusal of the Belgian proposed Four Year transition plan and the relinquishing of power by Belgian King, Baudoin the First. Although this presented great prospects for the transformation of Congolese politics and potentially a democratic revolution; this impending nation building was short-lived due to national mutiny and secession (Enough 2007:1). Different segments of the country attempted to declare themselves independent and sovereign entities. The Katanga and Kasai provinces led by Moïse Tshombe and Albert Kilonji respectively attempted to secede.

The secession attempt by the mineral rich Katanga province marked the beginning of the first Congolese civil war. This war brought about the first attempt of foreign intervention in the country post-colonial independence (Lodge *et al* 2002: 64). Belgium troops were called in by Tshombe to assist in the expulsion of units of the Congolese army and the protection of persecuted Belgium nationals. In response to this, Lumumba beseeched assistance from Soviet troops to contribute to the reunification of Katanga to the rest of the country.

The uncoordinated military intervention as a result of this secession dispute led to the schism between the country's highest leaders. Subsequently, this led to Kasavubu dismissing Lumumba as Prime Minister. Kasavubu infuriated Lumumba who in turn dismissed Kasavubu as head of state. This bizarre sequence of events sent the country spiralling into political turmoil and a constitutional crisis. The sequence of these 'two key events' led to the birth of the *Second Republic*.

In September 1960, the then army chief of staff Colonel Joseph Désiré Mobutu seized military power due to the political vacuum created by the dismissal of Belgian officers from the Congolese army by Lumumba. The suspension of both Kasavubu and Lumumba gave Mobutu the authority to establish a provisional government known as the *Collège des Commissaires Généraux (College of General Commissioners)*. This was a temporary government established and operational from 19 September 1960 to January the following year. This temporary government was led by young Congolese students who Mobutu identified and gave power.

After the death of Lumumba in 1961, Mobutu re-instated Kasavubu (as state president) and in 1964; the *1964 Constitution*, also commonly known as *the Constitution of Luluabourg* was adopted. Lodge *et al* (2002:65) discuss how this

Constitution established a federalist system as the official system of rule in the country. It also saw the end of a system where state power was shared between the prime minister and the president (*bicephalisme*). This new Constitution also allowed for the instant dissolution of parliament at the request of the president and in the event of this happening, the government in place would be forced to organise elections within six to nine months.

In accordance with the *Luluabourg constitution*; elections were scheduled to take place in 1964. In light of the vastness and divisions within the country, talks of organising elections implied that the ruling party would find itself remaining in power beyond its appointed mandate because of both weak oppositions and unequal resource allocation. Despite these concerns elections took place and the *Second Republic* was born.

At this stage, a weak legal framework was in existence and contained very poor planning and virtually no mechanisms for the adequate assessment of electoral outcomes and impacts. The inequality in the political playing field resulted in the disenfranchisement of eligible constituents and tilted the political scale even more towards Mobutu's government.

4.4 The Second Republic

Mobutu's rule marked the beginning of the Second Republic (Nzongola 1979:609). In November 1965 Mobutu banned all political parties and related political activities. In May 1967 he founded his political party the *Mouvement Populaire de la Revolution* (MPR) and later that year installed a unitary state system with a president and a chamber legislature (National Assembly). In 1970, Mobutu organised the first presidential elections under the new Constitution and stood as the only available member to run from his political party. Once elected Mobutu proceeded to abolish all forms of political pluralism. In 1971 he established a one party system under a new nation which he named Zaïre.

Zairianisation was Mobutu's first attempt towards creating a national identity that revolved around his personality. This movement extended beyond the political spectrum and encompassed both the business and civil society. As early as the mid

70 the new *Zairian* economy began to collapse due to poor management and devastating economic policies that turned a blind eye to *Kleptocracy* and *Nepotism*.

Mobutu then proceeded to establish a centralised state where everything was coordinated from (the capital city) Kinshasa. He then continued further to nationalise the various police forces from the previously segmented parts of the country. According to Schatzberg (1997: 73) this move for centralisation was done to try to remove all forms of political autonomy from the smaller provinces. All political liberties were frozen; the media came under state control and was reduced to singing the praises of Mobutu as the president/Commander in Chief/The Father of the Nation.

All these elements clearly illustrated the complete removal of the elector from the electoral picture and the creation of a practically non-existent electoral system. Political power rested in the hands of the elite and social activism was oppressed. This had dire consequences on the Constitution and the electoral framework. The EMB and civic groups ceased to formally operate. The entire country became under the administration of Mobutu and his selected cronies.

The monopolisation of key sectors of the economy under the Mobutu regime saw the collapse of commerce and agriculture. Resources started being channelled from basic utilities to the presidential coffers; the president's budget grew at the expense of the population. In 20 years (1972-1992) the presidential budget grew from 28%-95%, the agricultural budget decreased from 29.3% to 4% (Reno 1997: 2). As a potential breadbasket of the region, the country started to experience food shortages and poverty started to increase.

Things worsened as the country became further indebted. Mobutu's tool for building an active middle class (*Zairianisation*) saw the nationalisation of foreign owned businesses (Ndikumana & Kisangani 2003: 17). These businesses were handed over to Mobutu's cronies. This signified the start of the collapse of local enterprises. Senior MPR loyalists these companies were handed to were not business savvy. The collapse of these enterprises led to loss of jobs.

On the international front; the oil price crises exacerbated the economic situation. Zaïre's reliance on copper export proved problematic. A fall in the price of copper, an

increase in transportation costs and a loss in foreign revenue further worsened the situation. Inflation rose and economic activity decreased while the remaining public enterprises became conduits for wealth accumulation by the elite. The economic collapse pushed the country into recession and caused loss of public confidence in Mobutu's leadership.

The late 80 and early 90 saw the hype of the collapse of the *Zairian* state. The visible disparity in wealth grew and different segments of society began to rebel, looting by soldiers and student uprisings became the general characteristics of this period. The economic failures of the state can be interpreted as watershed moments towards the collapse of the dictatorship and the transition towards democratisation. The economic plight of the masses became the perfect catalyst for a change in leadership.

4.5 The Third Republic and Democratisation

This period is characterised by the political demise of Mobutu's dictatorship and the end of the second Congolese civil war. The Third Republic as it is known (Reno 1997) covers the Congo's evolution towards democratisation, starting from the post-cold war period and extending towards the first transitional government. This will be explained in detail below.

4.5.1 Period 1990-1997 (Mobutu's Demise)

The period of political activity from 1990-1997 is referred to by Schartzberg (1997: 74) as the 'Hijacked Transition'. Schartzberg sees this as the period Mobutu lost his despotic grip on the country through the arrival of Laurent Kabila. There is a series of external factors that can be said to explain the loss of power of the former dictator.

The collapse of the Soviet Block in the early 1990s and the rise of local opposition such as that of the UDPS (*Union pour la Démocratie et le Progrès Social*) started tightening the noose around the dictator's regime. The circumstances behind the execution of Romanian President Nicolae Ceausescu, a close and personal friend of Mobutu, further entrenched fear of the potential revolution looming against his government.

In April 1990, the political landscape in Zaïre started to change as a result of global geopolitics and greater civic involvement from the Catholic Church and other actors. The local clergy began to pressurise Mobutu to unban political parties and improve political transparency, this led to the creation of the first multiparty state system since the 1960s (Kabungulu 1995: 18). The populist democratic wave that swept through neighbouring Congo Brazzaville and other parts of the continent such as Benin further weakened Mobutu's regime. The loss of military support by Mobutu's government was said to be as a result of the poor wages offered to soldiers (Ngonzola-Ntalaja 2004:14). At times, it was only the highly ranked in the army that received their wages. This resulted in pillaging by soldiers (Ngonzola-Ntalaja 2004: 14). Mobutu's popularity and political loyalty dwindled drastically. These factors paved the way for a political system that would be characterised by popular inclusion, deliberation and democratisation.

In 1993, Mobutu embarked on an ethnic cleansing mission that saw the forced relocation of settled Luba residents from the Katanga province to their original homestead in South Kivu. This presented issues of great concern at a later stage to the South Eastern region seeing that it had become inhabited by a large neighbouring Rwandese population. Among these were perpetrators of the Rwandese genocide (*Interahamwe militia*) who were apparently sheltered by Mobutu, this saw a further influx of refugees into the South East region. The tension between Mobutu and neighbouring presidents Paul Kagamé (of Rwanda) and Yoweri Museveni (of Uganda) escalated. This tension proved favourable for the backing of a non-Mobutu opposition.

The pro-Lumumba Congolese rebel leader Laurent Désiré Kabila began to grow in popularity. His long standing opposition to Mobutu dates back as far as the mid 1960 through his association with the youth wing of Lumumba's party. The tension between Mobutu and his neighbouring presidents Kagame and Museveni made the timing of his overthrow ideal. In 1996 Kagamé's government decided to remove the Hutu refugee camps that besieged in Zaïre and this offered tactical and military support to Kabila's *Alliance des Forces Démocratiques pour la Libération* (AFDL). Kabila's party captured Kisangani (formerly known as Stanleyville) and proceeded towards Lubumbashi, then south west to Kenge and finally to Kinshasa (Schatzberg 1997:80). Mobutu fled the country and Kabila succeeded him.



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4.5.2 Period 1997-2003 ('President' Laurent Désiré Kabila)

The arrival of Kabila brought about mixed sentiments for Congolese of different ethnic groups. Kabila promised to form a working transitional government that would see the inclusion of both opposition and minority groups. He promised a government where the prime minister would come from the opposition (Le Soir; 1996/11/23-24), which was unlike the previous system in which appointments were made based on ethnicity.

Kabila proceeded to remove all traces of the former Mobutist regime. He started by expelling all political personnel and 'changed' the name of the country from Zaïre to the Democratic Republic of the Congo (DRC). The change of the political slate presented new opportunities for democratic transition but unfortunately Kabila's party (AFDL) was not very organised and did not seem to have thought through the political strategy it would employ after it settled into power (Nzongola- Ntalaja 2004:15). Conversely, the belief by some was that Kabila's government was controlled by tribalists cum nepotists averse to negotiations and democracy (Kabamba 2005:34). They sought to run the government through repression. Nzongola-Ntalaja (2002:243) makes reference to this by mentioning how president Kabila's relative Gaetan Kakudji was placed in charge of the ministry of Justice.

In 1998, all attempts at internal cohesion and democracy were swiftly halted by strained relationship between Kabila and his former political backers when he ordered the immediate removal of Rwandese and Ugandan troops from the DRC. In retaliation the Ugandan (Movement for Liberation of the Congo- MLC) and Rwandese (Rally for Congolese Democracy-RCD) governments respectively backed rebel groups operating in both the North and Eastern parts of the country. Countries such as Zimbabwe, Namibia and Angola sent troops in aid of the DRC and a civil war broke out (Carayannis 2009:7). This left pertinent issues of constitutional reform and the establishment of a democratic legal framework by the wayside.

The pressing need to cease the civil war resulted in the signing of a military stalemate through the Lusaka Peace Agreement in 1999. This agreement saw three main aspects: the deployment of a United Nations peacekeeping mission in the country (MONUC), the release of Prisoners of War (POWs) as well as an immediate

cease fire after the signing of the treaty. This agreement was signed by the heads of state of Zimbabwe, Zambia, Uganda, Rwanda, Namibia, DRC and Angola.

In January 2001, Laurent Kabila was assassinated by one of his bodyguards and his son Joseph Kabila rose to power. The succession moved the country further away from a democratic electoral transition.

In 2003, the Sun City Agreement was signed in Johannesburg between a number of the parties at war; Ugandan backed Mouvement de Liberation du Congo (MLC) (translates to Movement for the Liberation of Congo) RCD-GOMA (Rassemblement Congolais pour La Democratie) (Union for Congolese Democracy) which are Rwandan backed. A series of other smaller parties also took part in the process but not all became signatories to this agreement, the most important of these was the main opposition UDPS. This agreement led to the creation of a transitional government with power sharing agreements between various opposition groups.

4.5.3 Period 2003-2011 ('President' Joseph Kabila Kabange)

The Sun City agreement signified the end of the war and the potential for real multiparty democracy. Having a Congolese transitional government that encompassed political parties forged from the main armed groups, representatives from segments of civil society as well as other smaller factions of the opposition forces, gave precedence to a new political dispensation. The "1+4" system of rule was adopted; where one president led the country with four vice-presidents. These vice-presidents were tasked with the establishment of a democratic system that would promote free, competitive and fair elections (Kalombo 2006:3).

A new Constitution was passed through referendum in 2005. In 2006 the first multiparty presidential and legislative elections were held in the country since independence in 1960 (Freedom House 2011:2). With a population of over 68 million, 25 million registered voters, 63 independent candidates and 67 'member coalitions the DRC ballot was large and the elector's choices were very difficult. This posed challenges for the achievement of free and fair elections. A series of other challenges presented themselves in the form of poor resource planning and implementation, logistical difficulties due to the vastness of the country, poor civic

and voter education as well as the issuing of ballots. These posed serious challenges for the establishment of the necessary mechanisms to effectively evaluate the quality of the electoral event.

The formation of a Congolese electoral management body (Commission Électorale Indépendante- CEI) became crucial to the successful organisation of these first national elections. The collaboration and assistance from both regional and international partners such as the SADC, AU, EU and the UN was crucial for the successful scheduling of the 2006 elections (Zeebroek 2008:5). The financial, technical as well as human resource contributions from these partners ensured the relatively smooth transition of Kabila into power.

Kabila's political party (The People's Party for Reconstruction and Democracy-PPRD) won a majority in the National Assembly yet narrowly missed it in the Legislative one. As the winner in the first round of votes, Kabila went on to defeat transitional Vice-president Jean-Pierre Bemba (MLC) in the run-off elections and was pronounced president. The following year fighting broke out between Bemba and Kabila loyalists, this led to the exile of Bemba to Europe and the start of Kabila's unopposed rule as believed by some (Freedom House 2011:2).

These events were the most significant attempts in the country's history towards the achievement of electoral democracy. The boycott of the elections by the Union for Social Democracy and Progress (UDPS) as a result of its disapproval of the constitutional referendum is seen as a crucial example and indicator of limited political inclusion. Issues such as voter registration irregularities, campaign disruption, vote buying and media repression were also reported as further reasons behind challenging the authenticity of electoral democracy (Freedom House: 2011). Despite these shortfalls, the election outcomes were deemed free and fair by both national and international actors.

In August 2010 the then Electoral Commission (CEI) announced the electoral calendar for elections the following year. In November 2011, the second post-transition elections took place. This signified great potential for electoral democracy; which unlike the previous election received considerably less funding from international partners and was left largely in the hands of the Congolese nation. With an estimated 31million people registered to vote; issues of rising costs and logistical

shortfalls began to creep up. Costs rose to an estimated \$ 1.2 Billion of which the Congolese government only managed to raise 70% of the proposed initial budget of \$ 700 million (Githaiga 2012:4).

Logistical shortfalls in the form of transport delays caused a delay in the delivery of things such as ballot boxes and booths as well as other voting material. The size and constituent spread within the country made the dissemination of electoral material even more challenging. Voter and civic education programmes suffered due to these budgeting restrictions. Despite these apparent challenges and disputes raised throughout the electoral cycle, the elections were eventually pronounced as free and fair.

4.6 The Fourth Republic

The next period of the Congolese transition towards democracy needs to be characterised by electoral freedom and social justice. There needs to be a focus on a rights based approach to governance that is centred on both the political and economic freedom of the people. A series of mechanisms needs to be put in place to ensure that this republic favours the vote of the people; caution would need to be taken to ensure that the electoral process does not create what Diamond (2002: 21) calls an *electoral authoritarian system*. Ensuring this would definitely propel the country on a path towards democratic sustainability.

The investment and mobilisation of social capital is said to be an obligatory step towards holding government accountable through elections (Adebajo & Laker 2010:3). Thus civil society needs to be empowered despite the changing socio-economic conditions presented in the country. This would assist the government in fulfilling its mandate. There needs to be greater civic engagement programmes before the elections. The importance of reform of the electoral legal framework, the training and implementation of various logistical solutions as well as the improvement of existing voting procedures, are also prerequisites to credible elections.

4.7 Conclusions

This chapter summarised and assessed the historical background of different successive regimes that commanded political power in the DRC. It investigated the period when democratic governance was introduced after a long period of war which involved Laurent Kabila and many other leaders in the regions of the Great Lakes and the SADC. The next chapter applies the technique proposed in chapter three for an comprehensive electoral evaluation. The EECA is applied to segments of the 2006 and 2011 DRC elections. As an effective M&E tool, it looks into evaluating the entire electoral cycle so as to determine the quality of those elections. The key indicators identified in this model allow for an in-depth basis for the comparison of these elections. Keeping in mind the contextual nature of the two respective elections, by comparing and contrasting them we can make clear inferences about what improvements or setbacks occurred between the two elections, and the extent to which these changes have impacted on the quality of democracy in the country.

This will be done by using the three-staged approach to the electoral cycle approach in both the 2006 and 2011 DRC elections. The purpose of this exercise is to try to understand the fundamental similarities and differences between these respective elections. This will identify and isolate key elements that can be improved on to achieve more credible and transparent future elections. Understanding these differences allows for better identification of what needs to improve in the trajectory of electoral democracy as well as the general democratic quality of the country.

In light of the fact that in 2016 the DRC will host a number of foreign observers for what is said to be a watershed presidential election because the current president is constitutionally not allowed to stand as a candidate, lessons need to be learnt from previous voting cycles because the upcoming elections carry promises of greater democratic fairness and freedom for the country.

The following chapter will deal with the pre-election period of the 2006 and 2011 elections. A special focus will be placed on key elements of the electoral cycle such as the legal framework, planning and implementation, training and education, voter registration and the electoral campaign. These cover a comprehensive list of factors such as electoral codes of conduct, the electoral legislation, budgeting and financing, voter education as well as voter registration. This will assist in drawing conclusions about the elections.

The second phase will focus mainly on voting operations and election day, as well as the verification of results. These will shed light on issues such as vote counting, the tabulation of results and the complaints and appeal mechanisms used. The third phase or post-election period will look at the audits and the evaluation periods of both the 2006 and 2011 elections. It will assess the reformation and archiving processes that were followed during both these elections. These are useful in shedding light on the post electoral resolution processes.

The purpose of such a comparative basis is to isolate key elements or criteria that would need to be improved on for future elections. Understanding this would assist in better planning and conceptualising future elections in the country. The *Fourth Republic* is expected to be characterised by growth and development. This is only possible if the will of the people is adequately conveyed through the casting of an impartial, unbiased, free and fair election. The fifth chapter is a survey of the entrance of democracy in the DRC and different leadership regimes that have so far exercised political power in the country.



Chapter 5

ELECTION EVALUATION IN THE DRC

5.1 Introduction

This chapter evaluates the 2006 and 2011 general elections in the DRC. This survey will consist of comparing the general elections that have taken place since a multiparty democratic system of governance was established in the DRC. This comparison of the previous two DRC elections uses the set of indicators identified in the third chapter. This is done to systematically illustrate the similarities and differences between the 2006 and 2011 DRC elections. This chapter, unlike chapter three, explores the assessment of elections beyond just the three historical periods. The application of the EECA introduces further rigour to the assessment by Monitoring and evaluating of the resources, activities, outputs, outcomes and impacts of each criterion within the different periods of each election.

5.2. Pre-Election Period

As mentioned in the previous chapter, the first part of the electoral cycle looks at the pre-election period or preparatory phase of the election. This period explores the following themes: the legal framework, planning and implementation, training and education, voter registration and the electoral campaign. These serve as effective indicators for the M&E of both elections.

5.2.1 Legal Framework

The promulgation of the Constitution of 4 April 2003 as a result of the Inter-Congolese Dialogue gave rise to the organisation of free and fair elections based on the notion of an All Inclusive Agreement. This earlier Constitution was later annulled due to the new Constitution of 18 February 2006; the creation of this new order gave rise to a series of regulations that would govern the organisation of the country's first democratic elections. One such law was, Law No 06/006 of 9 March 2006; which

made provision for the organisation of presidential, legislative as well as local elections.

Resolution No DIC/CPJ of 18 April 2002 gave rise to the *Commission Electorale Indépendante* (CEI). This commission was the central administrative body responsible for the management and administration of the 2006 DRC elections (Kalombo: 2006). Conversely, in 2011 this body was replaced by the *Commission Électorale Nationale* (CENI) and became the new EMB which set the stage for the national elections. CENI's tasks became the management of general election administration through the voter registration process, publishing of the voter registry, as well as the dissemination of electoral outcomes.

In January 2011 there were eight major amendments to the country's Constitution. Among these was Article 71 of the legislature that saw the amendment of the 2006 electoral system. This resulted in the abolishment of the majority vote system in favour of a single round plurality vote (SITO: 2011). What this basically meant was that in the 2006 elections, presidential candidates had to win with a majority in the first round otherwise a second round would have to take place to determine the winner. However in 2011, the candidate with a simple majority could be declared president. The main justification for such a shift in the electoral system was said to be based on the principle of alleviation of the financial costs of holding two separate elections during one period.

This sudden change was viewed with extreme pessimism by many and was believed to be a tactic used by the incumbent to secure power. This is illustrated by the response of the interviewee below:

“If the constitution is not right, then you are going to face trouble. Six month before the elections, the constitution was changed. When someone changes the constitution, it is generally not in the general interest of the population but of the incumbent. Changing it from two rounds to one round is not in the interest of the population. The alleged reason for this was due to a lack of funds, yet more was spent in organising one round instead of two. When the rule of law is changed like that, it is an indication that something is wrong” (Kalombo Interview 2011).

The European Union's Electoral Observation Mission's report shared similar sentiments about the change in constitutional mandate in the year of the election especially for a society marred by ethnic and regional tensions "... la revision constitutionnelle de janvier 2011 qui a introduit un seul tour pour l'élection présidentielle, un système qui est généralement déconseillé dans des sociétés domniées par des tensions ethniques ou regionales ..." (EU report 2011:17). "The above translates to the constitutional revision/amendment of January 2011. The amendment introduced a single round for presidential elections which is generally not advised in societies dominated by ethnic or regional tensions".

The changes in the EMB and electoral system are believed to have been made to favour the incumbent. This earlier claim is supported by claims and allegations that the head of CENI was appointed by the president because of kinship and party affiliation (EURAC: 2012).

Despite this, the amendments of the earlier Constitution have created room for the positive transformation of different segments of the electoral landscape. This has created a double edged sword effect for the legislative future of the country because; greater legislative accountability has the potential of steering the country in a positive trajectory. At the same time, the ability to change things so rapidly without greater consultation leaves much to be desired about the state of democratic consolidation in the country.

5.2.2 Planning and Implementation

The budgeting and financing of an election form the core parts of the planning and implementation processes of that election. HR management in terms of polling and security personnel goes a long way towards ensuring the success of any election. In the previous two elections these elements presented some serious challenges to the integrity and quality of the pre-election period.

The vastness of the DRC and volatile nature of politics in the country meant that electoral budgeting, funding and financing were going to have to be spread out even thinner to incorporate both the electoral procedures and support. When referring to electoral procedures, we make reference to the procurement of relevant material and

correct use of systems to ensure electoral success, whereas when referring to support, we include the recruitment of the right personnel for the electoral operation as well as the manpower to ensure the security of the elections.

The budgeting situation for the respective elections had significant implications on both the procedures and support of the planning and implementation phase of the election. This can be illustrated and serves as a comparison for both elections. In the 2006 elections, the DRC received a significantly larger budget from the international community as compared to 2011. This is justified by the fact that the country had just come out of a civil war and was in a state of political transition that required greater assistance to ensure that the country did not relapse into a civil war. Kalombo (2006) reports that in 2006 more than \$400 million was added to MONUC's electoral budget despite the fact that it already had a support budget of \$1.3 billion allocated for military operations. DFID (2006) mentions that despite this external contribution from the international community, the DRC itself only contributed \$40 million to its own election. At the time, MONUC's involvement in this election was said to be the largest and most expensive peace keeping mission undertaken by the UN. These measures were taken to ensure electoral integrity and success.

In the 2006 national elections, the involvement and support of the international community could be seen as crucial to the success of those elections. The availability and visibility of security forces throughout the different stages of the electoral cycle contributed greatly towards building local confidence in the electoral process.

In 2011, \$ 700 million was initially budgeted for the election and about 70% was to be raised by the Congolese government. This already placed great strain on the upcoming election. This budgeted amount later rose to about \$1.2 Billion and later changed to an estimated amount of roughly \$ 6 Billion (SITO 2011). The international community's contribution was still significant in this election but took the form of a collaborative initiative as opposed to a funding of the entire process. Partnerships with CENI and the UN were forged to focus on the improvement of the electoral procedures. This unfortunately reduced the emphasis placed on the electoral support and resulted in poor logistical assistance. When asked in an

interview about the impact of funding on the 2011 DRC elections Mr Mutshibe (2013-03-16; Mbuji-Mayi Province) stated the following:

“The biggest failure in 2011 was related to issues of electoral funding. The international community didn’t give us funding on time, because of this we were forced to only conduct presidential elections and not the legislative ones. Also because there were no funds, we had to run one turn instead of two. In my opinion, the lack of contribution from the international community is what caused the failure of the 2011 DRC elections”.

The UN and The United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) respectively invested \$108 million and \$74 million on the assistance of the electoral procedures (EU report 2011:31). In cases where some of this money was used to assist with logistical issues, it was limited to mostly urban areas. The poor planning and rushing of the electoral calendar also exacerbated the impact of poor electoral budgeting, procurement, logistics and overall implementation of the electoral processes”.

As illustrated above, beyond the financial contributions received to ensure that an election goes as scheduled, there are a series of elements that need to be considered while planning and strategizing around the implementation of the various elements of the electoral cycles. Linked to each segment of this electoral phase is the notion of timing. It thus becomes essential to allocate enough time towards the planning and implementation of the aspect of the electoral cycle. This has to be expected during the conceptualisation of the pre electoral period.

5.2.3 Training and Education

The voter training and education process is an essential element in the development of an informed electorate. This segment of the pre-electoral period focuses on the operational training and education of both electoral officials as well as civic actors. It also focuses on the dissemination of voter information to the general public. During the previous election, a variety of tools were used to ensure that dissemination of information occurred efficiently and that those responsible for training and monitoring

the elections were fully equipped. Due to some of the elements raised above, this was not the case in 2011.

In the 2006 elections, the assistance and deployment of both international and regional observers in the training and education of the various electoral stakeholders contributed to the success of those elections. EISA's assistance with both technical and financial aspects of the voter training sessions and the supply of electoral material for both the observers as well as civil society groups also contributed tremendously to this success. The IEC was reported to have begun a campaign to circulate legal texts relating to the elections, registration of laws and the Constitution throughout the country before the election period (Freedom House: 2006). Training sessions were held in partnership with local representation such as the *Maison des Elections* (Election House), civil society groups and institutions of learning.

During the month of July alone, 1600 observers were trained in various hubs of the country (EISA 2006:5). Approximately 8 500 national observers were trained leading up to the elections (EISA 2006:5). Civic education as well as voter education programmes were organised by the CEI, IFES, MONUC as well as faith-based organisations. Civil society groups like National Network for the Observation of Elections in the Congo -*Reseau National pour l'observation et la Surveillance des Elections au Congo* (RENOSEC) made a great effort to recruit electoral observers to ensure that voters knew how to vote so as to prevent a recurrence of blank votes during the constitutional referendum voting period (SADC 2006: 20).

The various voter education programmes were predominantly conducted in urban areas due to resource shortages and poor infrastructure. This disparity caused what is commonly known as Rural-Urban Bias. This bias also infiltrated the training of electoral personnel. In the 2006 elections, it was believed that this was well managed. CEI president Malumalu claimed that “despite claims of lack of voter education funds for the training of electoral personnel, an adequate effort was made towards the education of the Congolese population on electoral practices” (EISA 2006:10).

Conversely leading to the 2011 elections, training and education seemed to have taken a back seat. The apathy towards training and education in this election seemed like it originated from a lack of electoral funds. The task of organising and

coordinating such related efforts was placed in the hands of the CENI. As the electoral management agency responsible for this, CENI claimed that lack of funds made it difficult for it to implement various civic education strategies. The EU's 2011 electoral report makes mention of the fact that because of the high illiteracy and complexity of the electoral system in the DRC, more resources should have been invested in the DRC's electoral education process (EU 2011: 38).

The inadequate training and education that took place was a result of CENI's collaboration with local NGOs and MONUSCO. The biggest of these were IFES' Voter Opinion and Involvement through Civic Education (VOICE) programme, this was rolled out in September 2009 and sought to educate and improve the capacity of the Congolese people to participate in issues of decentralisation and elections (IFES 2012). Independently CENI failed to implement its own programmes and initiatives.

The operational training of election officials needed to take place on a grand scale for it to be considered effective. The lack of trained personnel leading up to the elections had visible impacts in the major cities but the spill-over effects of these were even greater in the smaller towns. In an interview conducted with an anonymous source who works as a senior manager for one of the government parastatals (La Société Minière de Bakwanga -MIBA), it was revealed that little to no real voter education sessions were conducted in his home town in 2011 as compared to 2006.

“In 2006, there were many sessions on voter training for the elections as compared to 2011. I was even a chief at one of the voting stations in (X province). I attended many training sessions and workshops on how to promote and mobilizing the masses to go and vote. I even trained people. In 2011, there were one or two”.

Another interviewee stated that despite being told that in the major towns electoral education took place,

“... Although we were told that many attempts to educate the population on issues of elections were done, the access to this education was limited to the big cities. There was no real access in the smaller towns. All we were told was

that access to vehicles to begin voter education was limited...” (Mr Mutshibe: 2013-03-16; Mbuji-Mayi Province).

The training and education of both the electorate as well as the election officials need to be conceptualised before the inception of the election. One has to keep a close watch on funding choices, logistical limitations as well as the electoral calendar. As electoral planning and learning is a cyclical process, preparing for initiatives linked to election training and education soon after the completion of an electoral cycle can present greater opportunities for equipping observers even in the remotest parts of the country.

Keeping in mind financial limitations, by better planning and management of these two crucial elements of the training and education processes. One can hope of achieving a more politically conscious society owing to effective civic education.

5.2.4 Voter Registration

In this context, the issue of voter registration encapsulates more than what the title suggests. In this case it also deals with observer’s accreditation, domestic observers and the process involved in getting the various candidates and their respective parties on the voter or polling list.

The voter list effectively reflects the names of all the candidates that are vying for a position in the election. This can be for either legislative or national elections like has been the case in the previous DRC elections. An accurate voter registry is vital for creation of public confidence. It should thus be the case that voter registers are accessible and available to the general public. The responsibility of identifying and registering voters in the country has been charged to the EMB by the Congolese Constitution (Law No 4/028 of 24 December 2004).

In 2005 the IEC organised a national campaign in accordance with the laws on eligibility (Article 5 of the electoral law) to register as many eligible voters as possible on the voter’s roll. A total of 25 712 552 voters were registered out of an estimated population of 60 million (SADC 2006:38) using biometric electoral cards. This voter registration initiative started in June 2005 and ended in February 2006, thus giving the CEI enough time to prepare for the upcoming election. In the 2011 on the other

hand, the allocated time for this process was much shorter seeing that the electoral calendar scheduled the election for March 2011.

Equally disturbing was the decision to establish a new biometric voter registration system despite the fact that in 2005 and 2009 the existing systems had been reviewed (EU 2011:32). This decision was motivated by CENI's decision to outsource the voter registration process to a company known as OLOGRAM (SITO 2011:5). Potential voters were requested to register themselves using one of the following forms of identification: a birth certificate, student card or even electoral cards from the previous elections. The decision to agree to the compilation of a new voter's roll instead of salvaging the old one shows that CENI lacks the necessary skills to fulfil its mandate. This is especially crucial in light of the many financial and administrative challenges faced by the country.

Despite these issues in 2011 approximately 32 024 640 people were registered to vote (Carter Centre 2011: 28) and the number of polling stations rose from 49 746 in 2006 (SADC 2006:40) to 62 000 in the 2011 elections to accommodate the increase in registered voters. Even with this increase in prospective voters, there were only 168 compilation centres as opposed to the 2 528 centres in 2006 (Ogude: 2012). The devastating drop in these figures illustrates a clear indication of the problems to come during the post-election period. The increase in voter registration during that election also came with an increase in allegations of data inaccuracies and duplications of voters on the voting roll.

During both elections observer accreditation was attained through the cooperation of regional and international partners. In 2011 due to the decreased contributions from foreign partners, the numbers of observers were also reduced. Only 148 EU observers were dispatched for the 2011 elections, this was less than half of those present for the 2006 elections (Ogude: 2012).

The credibility and impartiality of observers is often believed to be linked to their affiliation to the existing incumbent. The largest deployment of observers came from the Catholic Church (30 000); while other regional groups such as the SADC Council of NGOs (SADC-CNGO) and Open Society Initiative of Southern Africa (OSISA) also contributed to the deployment of short and long term observers. Despite these

numbers, observer presence in the 2011 election was insignificant as compared to 2006

It was reported in a series of interviews that the credibility of the voter registration process as well as the accreditation of local observers came into question due to the decrease in external funding. This decreased assistance gave rise to all kinds of irregularities throughout the entire electoral cycle (Darnof: 2011). These irregularities were experienced at a grander scale where issues of rural registration are concerned.

Overall, the voter registration process is supposed to be inclusive and transparent. Any deviation from this as a result of either financial or other contextual limitations presents challenges for the democratic nature of the elections.

5.2.5 Electoral Campaign

This is the period extending from the end of candidate nominations to the actual day of the election. It is a period of political competition between the various political parties for the support of numerous constituents. The code of conduct governing this period of political competition is located in the electoral law (Article 32). The campaign is supposed to start 60 days before the voting day and closes 24 hours before the voting day starts.

The freedom to campaign contributes to free and fair elections (Goodwin-Gill 2006:134). In the DRC however, the nature of the electoral campaigning process was subjected to a series of challenges and limitations. These ranged from financial to systematic ones, in some cases issues of electoral foul play were identified as being sources of limitations to electoral campaigning.

In 2006 there were 19 radio stations in the DRC, 52 television stations and 176 newspapers and magazines. The majority of these mediums of communication operated from Kinshasa (EISA 2006:12) and were affiliated to political élites. In 2011 these numbers grew to 250 radio stations, 80 television stations and over 100 newspapers and magazines. Of these, only two are national broadcasters (RTNC- Radiotélévison nationale congolaise and L'agence Congolaise de Presse- ACP) that broadcast in the 11 provinces of the country (EU 2011:45). Despite the increase in

the number of radio and television networks, the media sector still remains very politicised. The bipolarisation of the media can be seen through the illustration provided in Figure 4.



Figure 4: Television channel RTNC- Time allocated to candidates in the running of presidential elections Source: (EU 2011:67)

The coverage of the various political parties by the press is illustrated in Figure 5 below.

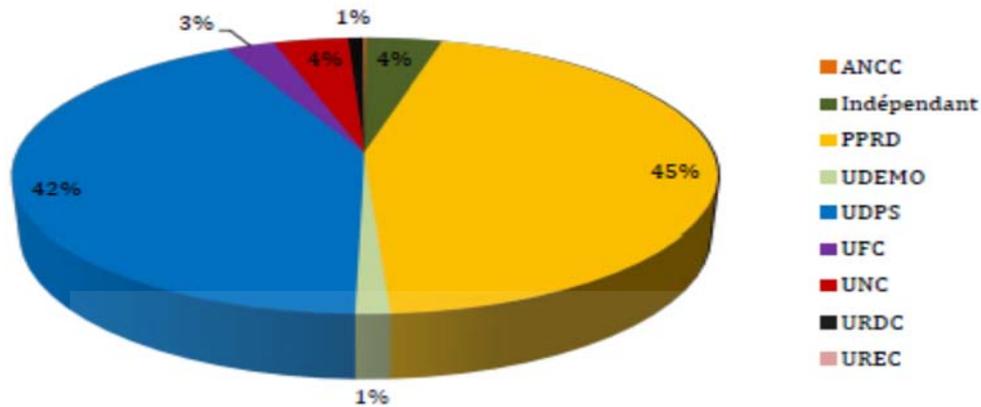


Figure 5: Written Press: Time allocated to political parties Source: (EU 2011:66)

The information asymmetry created through such state control creates blind spots for the monitoring of the various segments of the electoral campaigning and coordination processes. This includes issues of party funding, breaches of electoral code of conduct and other campaign related issues.

The nature of electoral campaigning in 2006 was considerably different from that of 2011. In 2006, there were 33 registered presidential candidates and 269 political parties. Political consultation between the various groups and oppositions ensured that there was more representative access to the media, better overview of issues of party funding as well as campaign coordination. In 2011 however, there were only 11 presidential candidates and of these the incumbent enjoyed the most benefits of incumbency through control over key governmental institutions as well as state coffers (Githaiga 2012:3). In terms of legislation, the public financing regulations for political campaigns although adopted in 2008 only came into effect in 2012 (Law 08/005). This meant that the scrutiny on abuse of state resources for personal gain could not be easily assessed during the election. Such disparity greatly impacted on the campaigning ability and voter information sharing for opposition parties.

Issues of party financing or party funding as it is commonly referred to, presented a series of disparities in each segment of the electoral campaign process. In terms of:

- Campaign coordination: 2006 was significantly more structured because of international resource provision. In 2011, this was more restrictive and this limited party mobility as well as overall cohesion of the opposition.
- Breaches and penalties: In 2006, this was greatly monitored and observed by the large international contingency of observers. Contrarily, in 2011 such were easily excused and poorly reported on due to reported limitations of the EMB.
- Code of Conduct: In both elections, the code of conduct was present but the level of enforcement between these respective elections varied. In 2006, any divergence from the code of conduct was easily observed and reported on, while in 2011 the code of conduct was not as religiously observed due to limitations in human resources linked to financial shortcomings.

Overall, the electoral campaign process lacked the necessary support to ensure credibility was maintained. This situation was aggravated in rural areas as reported through various interviewed sources. Increases in government control of the electoral campaign process further decreased the quality and credibility of the electoral outcomes during the pre-election phase.

Any hopes of improving the quality of the pre-election phase would only be possible through redress of the five abovementioned points in a direction that decreases the role/ importance and control of the state in these respective functions.

5.3 Election Period

As mentioned in the previous chapters, the election period encompasses the following essentials: the voting/polling process, vote counting, special and external votes, vote tabulations, announcement of official results, complaints and appeals. In order to better manage this portion of the research, the voting period will be broken down into two distinct phases. The first being voting operations and the election day, the second being the verification of results.

5.3.1 Voting Day Operations

The events of the voting day varied significantly between the two respective elections. As previously highlighted, the 2006 elections operated on a two rounds system whereas the 2011 elections only operated on one round. Issues such as the increase in registered voters in 2011 as opposed to 2006 made a noteworthy difference to the voting day operations. The difference in contributions by the international community also played a major part in defining the outcomes of both these elections.

Voting operations and counting are also governed by the electoral code of the country. In this case, Article 42 of the electoral law is guided by 003/CEI/BUR/06 of March 2006. This basically stipulated that voting operations were to take place on an arranged day of the electoral calendar for a period of 11 hours (06:00-17:00).

The voting process in 2006 and 2011 varied to a large extent. Voting, vote counting as well as special votes were accommodated in both elections

- In 2011 unlike in 2006, the voting day was stretched out to two days to accommodate some of the presented logistical shortfalls (EU 2011:39). The absence of ballots, voter lists, election ink and stamps resulted in delays in the opening of certain voting stations. About 15% of the polling started on time. 79% of voting stations reported a number of procedural irregularities in the smaller towns/districts that were not strictly manned due to poor capacity.
- In both the 2006 and 2011 elections special votes were granted. In 2006 a total of 1 103 041 people voted using these votes, whereas in 2011, this number practically tripled to 3 262 725 (EU 2011:40). These votes assisted people who were not able to vote in their respective districts and people with special needs such as, the elderly, the sick, pregnant nursing mothers as well as the handicapped. This was done in accordance with the stipulations of Article 5 of the electoral law that prescribe the conditionality behind voter eligibility. Special note needs to be taken of the fact that the amount of female participation in the electoral process ameliorated in 2011 as opposed to 2006 and the ability to accommodate the electorate was enriched.

Vote counting usually starts immediately at the close of the voting day/operation. The polling stations are transformed into counting stations and the electoral officers begin to count the ballots (Article 62 of electoral law) in the presence of a number of witnesses such as: journalists, election observers and representatives from the various political parties. In cases where there are shortages in finding the categories of witnesses, five designated voters can be used to oversee the ballot counting process.

- In 2006, the vote counting process was seen to be a relatively smooth one due to the assistance of the international community. The level of scrutiny ensured that the publishing of election results outside the counting station was swift and relatively uneventful. In 2011, because of the reduced number of polling workers, counting happened under conditions of fatigue and reduced number of witnesses.
- In 21% of the cases observed by the EU observer mission (EU 2011: 42) it became clear that certain things such as the use of witnesses from both the ruling party and opposition was not possible. Similarly, the publicising of results for public scrutiny was not possible. Other formalities such as issuing of result copies to witnesses by CENI were also omitted.
- In opposition, the Catholic Church's observers (CENCO) reported on a series of irregularities linked to the polling stations. These ranged from the improper setting up of polling booths to the breaking of seals on ballot boxes before the start of the voting process (Free Fair DRC 2011:1).

Overall, the operations and the election day in both elections were characterised by peace and security. Despite the isolated incidences that occurred in remote parts of the country, citizens returned to their daily activities after the elections. The central issues plaguing this portion of the electoral cycle were mainly financial and logistical support.

The last segment of the Election Day period is that of the verification of results.

5.3.2 Verification of Results

The verification of results process consists of: the tabulation of results, official announcement of results as well as the complaints and appeal systems. Vote counting is in essence the final step before the announcement of general results to the public. This step precedes the tabulation of results and then the official announcement of those results.

The tabulation of results is in essence the procedure of transferring all copies of documents such as ballot papers from the results counting at the polling station to the EMB for consolidation and safekeeping (IDEA unknown:78). This has to be done in a table format for easy tracking by political parties, candidates and other observers. The tabulation should provide details such as the number of spoilt, invalid and blank ballots. It should also provide the number of votes received by each candidate or political party. The detailed data presented through tabulation should be posted at election offices as well as in public mediums as soon as the results are certified by the EMB.

Between 30 July and 19 August 2006, compilation and tabulation from the different polling stations were being done. On 20 August 2006, the IEC announced the provisional results of both the parliamentary and presidential elections. Below is the number of:

- Registered voters: 25 420 199
- Voters who voted: 17 931 238
- Void votes: 870 758
- Blank votes: 122 946
- Votes counted: 16 937 534
- Voters who voted: 70.54%

In 2011 the announcement of the provisional results was a little more challenging than that of the 2006 elections despite the change of political system to a single round system. Instead of announcing the outcomes of the elections shortly afterwards, CENI delayed the announcement of initial results to 6 December 2011 as a result of technicalities and logistics. This date later shifted to 9 December and

finally results were announced on the 26th January 2012. In smaller towns, allegations spread of CENI's contravention of the electoral code by it asking certain local results compilation centres (CLCR) to send their results without first displaying them at the polling station (EU 2011:43).

A series of discrepancies between CENI's provisional results and other observers such as the EU mission team gave rise to allegations of CENI's bias towards the incumbent. Data collected from 126 polling stations in Lubumbashi gave an indication of the distortion of information by CENI. CENI recorded 38 206 votes for Kabila while the EU mission recorded 24 423 from the same polling station (EU 2011:44). In the end, the results below were the official polling results posted by CENI

	Candidate	Votes gathered	Percentage (%)
1.	Kabila Kabange Joseph	8 880 944	48.95
2.	Tshisekedi wa Mulumba Etienne	5 864 775	32.33
3.	Kamerhe Lwa-Kanyiginyi Vital	1 403 372	7.74
4.	Kengo wa Dondo Leon	898 362	4.95
5.	Mbusa Nyamwisi Antipas	311 787	1.72
6.	Mobutu Nzanga Ngbangawe Francois	285 273	1.57
7.	Andeka Djamba Jean	128 820	0.71
8.	Bombole Intole Adam	126 623	0.70
9.	Kakese Malela Françoï Nicéphore	92 737	0.51
10.	Mukendi Kamama Josue Alex	78 151	0.43
11.	Kashala Lukumuena Oscar	78 151	0.43
Total		18 143 104	100.00

Table 2: CENI official results (source)²

² <http://www.ceni.gouv.cd/resultats.aspx>- accessed 30 December 2013

A series of complaints were made by independent sources about CENI's breach of electoral conduct. 500 appeals were made to the Supreme Court of Justice against the national assembly results. CENI also cancelled 17 of the 500 seats in the national assembly on the basis of claims of fraud and violence involving these seats (Githaiga 2012: 8). This indicated an attempt of usage of the various electoral channels to address issues of electoral contestation.

The results verification process was riddled with procedures and technicalities that were filled with loopholes. These were magnified and easily overlooked by the fact that the country is so vast and that CENI was crippled by a series of logistical and financial limitations. The next step in the electoral cycle looks at the impact of the current election and makes further recommendation for the future of the electoral process. This post-election audit is commonly referred to as the Election Forensics period (Alvarez 2013: 25).

5.4 Post Election Period

The post-election period consists of a series of criteria that are used to evaluate the present situation and then to discuss the necessary steps that need to be taken to ensure the success of future elections. The electoral cycle approach suggests: the auditing and evaluation of the electoral process, the updating of voter lists, the strengthening of institutional mechanisms and professional development as well as legal reforms. Archiving and research are also recommended as ways of tracking electoral progress towards a democratic trajectory.

1. Although the electoral culture of the DRC is growing, it is not a stage where electoral audits and evaluations form part of the norm. Despite the complaints and appeals raised during both the 2006 and 2011 elections, it is evident that much more needs to be done to breed a culture that questions the existing status quo beyond just the pre-election and election day.
2. The updating of voter lists needs to be looked into immediately after the closure of one present electoral cycle. As mentioned previously, in 2006 one voter list was used yet in 2011, another was created. If the resources used during the 2011 elections were used to ameliorate on the data set retrieved during 2006,

things might have been different. Issues of population census were also raised during both elections as an element distorting the exact nature of voter demographics in the country.

3. Strengthening of institutional mechanisms and professional development: the 2006 DRC elections experienced a greater sense of institutional and professional development as compared to the 2011 elections. In 2006, voter and poll worker education and training benefited the entire electoral process. Having the right budget and international assistance also played a major role in improving the various institutional apparatuses. In 2011 on the other hand, poor planning as a result of budget constraints led to the weakening of institutional and professional mechanisms. When evaluating this component of the electoral cycle, it becomes crucial to focus on elements of the pre-election phase that contribute towards the strengthening of the overall election.
4. Legal reforms like institutional mechanisms need to be carefully observed during the pre-election phase to ensure that the preparation of the election is based on a strong legal basis. In 2011 unlike in 2006, there were stronger breaches of the electoral law that were disregarded as a result of poor logistical planning as well as resource limitations. Despite the cases noted and reported, implementation of some of these reforms were just beyond the capacity of the CENI. When preparing and forecasting for the 2016 presidential elections, the proposed legal reforms from both the previous elections need to be used as baseline studies. This is particularly important during the conceptualisation of the pre-election phase.
5. Archiving and research are essential for the creation of a long-term, sustainable democratic system. They also provide a reflective lens on lessons learnt and create room for new best practices. After the 2006 elections, more could have been done to ensure that archiving and research played a role in the successful implementation of strategies for the 2011 elections. A clear example of this failure was the lack of learning by doing that was displayed throughout the electoral cycle. Elections are cyclical and procedural, attempts to have re-utilised the established networks from the 2006 elections would have improved the overall quality of the 2011 elections.

When evaluating the principal divisions of the electoral cycle approach; the legal framework, planning and implementation, training and education, voter registration, electoral campaigning and the voting day as well as the results verification process, it becomes clear that most of these elements are procedural. Despite the slight changes as a result of contextual issues such as time and money, most of the sub-elements of the electoral cycle still remain the same. Thus preparation for an election can and should begin immediately after the completion of the post-election day period. Generally, the post-election day evaluation is concluded after the next election calendar day has been announced. Therefore, the lessons learnt from the evaluation can begin to be conceptualised to ensure that they are not repeated in the following electoral cycle.

5.5 Conclusions

Chapter five comprised an assessment of the democratic elections in the DRC. It explained in a comparative form the general elections that took place in the DRC. It also highlighted the similarities and differences between the 2006 and 2011 DRC elections. It explained the application of the EECA which introduces further rigour to the assessment by Monitoring and evaluating of the resources, activities, outputs, outcomes and impacts of each criterion within the different periods of the election.

The next chapter of this study consists of concluding remarks and recommendations for both policy-makers and future research projects. It will make clear why there is a need for serious reforms that would advance the DRC in a direction that not only promotes electoral democracy but also electoral quality through efficient management of resources as well as civic representation.

Chapter 6

CONCLUSIONS AND RECOMMENDATIONS

The problem statement of this research centred on the measure of electoral quality in the DRC. It further interrogated the pronouncement of freeness and fairness of elections as adequate assessments of democratic quality. This assessment brought to light a series of criteria that need to be present in an election to ensure that electoral outcomes advance the spirit of democracy.

The objectives of this research were to address the problems of the quality of elections in the DRC. It further investigated whether freeness and fairness of general elections in this country were sufficient indicators of good democratic governance as well as whether these ensure the improvement of electoral quality proved. It then discussed the kind of criteria that could be used to improve electoral quality of future elections. This was done through the assessment of the 2006 and 2011 DRC elections.

The research illustrated that in order for the quality of future elections in the DRC to improve, there needs to be a systematic and rigorous process of Monitoring and evaluating the current state of elections in the country. These were effectively illustrated in both chapter three and five of the research. These assessments shed light on key areas that need to be addressed and improved to effectively achieve greater representation in future general elections and democratic quality.

Chapter one summarised the nature of the research, its design, the methodology employed as well as the structure of the research. The idea of democracy as an end goal to elections was discussed in chapter two. This chapter concluded that there is a correlation between democracy and elections where democracy cannot exist without elections but elections can take place in the absence of a representative democracy. This association was further expanded on using the criteria on freedom and fairness of elections. These criteria were then expanded on as being useful indicators for the M&E of elections. This was illustrated in chapter two through the introduction of systematic M&E as an important tool for the assessment of projects and programmes. This allowed for the explanation of the role of M&E in the field of

electoral studies and the ways in which it can be used to systematically measure elections.

The Logic Framework Approach (LFA) was then introduced in the latter parts of chapter two as a systematic method for conducting assessments. This led to the overview of the current methods used for measuring electoral assistance and support ECA. This approach broke down the electoral cycle into three distinct periods containing various segments that proved useful in understanding the complexities of the electoral cycle.

The combination of the above approaches gave rise to the EECA, this approach suggested that for further rigour on the assessment of electoral quality, one must monitor and evaluate the electoral cycle with a focus on set criteria in a cyclical manner. What this meant was that electoral M&E process is most effective when one looks into the resources/inputs that have gone into the various segments of the electoral periods. These inputs require a range of activities at the various segment levels to achieve the desired outputs. These outputs will then lead to a range of outcomes and impact goals that are necessary for the promotion of democracy. This entire process was observed in a clockwise manner from the pre-election phase and right through the electoral cycle.

One of the major constraints to this approach that were identified by this research, is that the necessary resources/inputs and outputs are not clearly specified. Improving this can further inform the kind of output one hopes to achieve as well as the medium to long term outcome goals of that election. The length limitations presented by this minor dissertation meant that the various issues raised above regarding resources/inputs and outputs could not properly be explored at this stage. This however does provide room for further investigation seeing that each segment evaluated is influenced by these elements.

Chapter four identified the political history of the DRC. It discussed the historical factors that led to both the 2006 and 2011 elections. This chapter introduced the reader to the political challenges faced in the by the country in the wake of both elections. Chapter five reflected on these elections to identify similarities, differences and shortcomings that presented themselves throughout the electoral process. These were accentuated through the use of quotes derived from interviews

conducted in the DRC. The findings revealed that past general elections have been characterised by a series of logistical, political and historical irregularities that impacted on the quality of electoral outcomes. Despite these many external observers seem to discount these factors in their declaration on freeness and fairness of these elections.

This chapter summarises the main conclusions of the study and highlights some of the things that needs to be done in order to improve the electoral quality of future DRC elections beyond just free and fair elections. The outcomes from the application of the EECA model is also discussed in this chapter. It indicates some of the issues that can be improved on during the various electoral periods. These can be discussed and expanded on for the purpose of further studies. These include:

6.1 Pre-Election Period:

6.1.1 Legal framework

- Recommendations can be made on the improvement of the current Legal Framework
- Amendments to the country's constitution need to be prevented prior to elections
- Campaigning rights need to be observed and respected by the incumbency
- The Electoral law & system must not be amended leading up to elections
- EMB: Impartiality/ non- partisan.

6.1.2 Planning and Implementation

- Budgeting and Financing is essential due to the demographic complexities within the country.
- EMB: require financial autonomy, Impartiality and need to be non- partisan.
- Dialogue and consultation with various stakeholders including EMBs is essential for democratic quality.

6.1.3 Training and Education

- Civic education and Voter Education need to be budgeted and provided for.

- Voter training and Staff deployment is crucial for civic education.
- Poll workers, CBOs and NGOs are essential in this development.

6.1.4 Voter Registration

- Rights Based approach should be seen as essential to democratisation.
- Women, the disabled and the elderly should be given better access to registration facilities.
- Impartiality and trained voter registration staff is essential.
- Cooperation with political parties in the voter registration process.
- Voter lists should be made public at an early stage of the election.
- Voter registration and the use of Technology (Biometric systems).

6.1.5 Electoral Campaign

- Needs to be approached from a Rights based approach and needs to be constitutional.
- Free from intimidation and be respected by all involved stakeholders.

6.2 Election Day:

6.2.1 Voting Day Operations

- Vote counting and counting stations need to be secure from tampering.
- EMB and other observer groups need to remain accountable and respectful of the electoral law.

6.2.2 Verification of Results

- Use of Independent bodies such as the church in the vote counting and tabulation process.
- Cross checking of results by other involved electoral stakeholders.

6.3 Post Election Period:

- Auditing and evaluation of the entire electoral process.

- Evaluating of resources, inputs and activities involved in the election.
- Monitoring of outputs, outcomes and impacts of elections
- Strengthening of institutional mechanisms for future elections

Despite the shortcomings presented above, this study revealed the complexities behind the assessment of an election. Due to such, it is crucial for the early development of the electoral calendar to begin immediately after the end of the post-election evaluation. Planning an election with these elements in mind will definitely improve the robustness and overall quality of future elections.

6.4 Conclusions

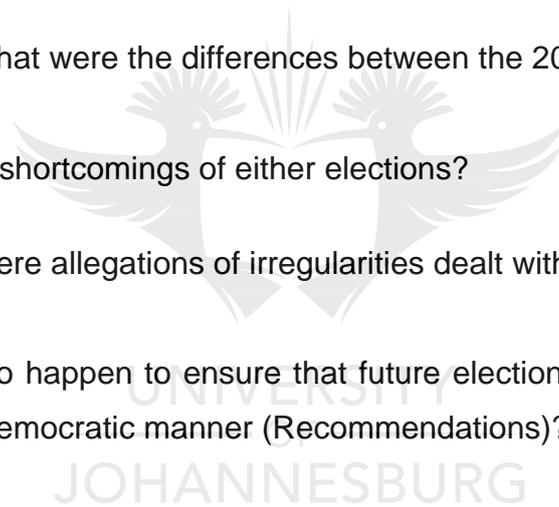
This study concludes by appealing to local as well as regional electoral observers such as the AU, SADC and general civil society to closely apply the rules of M&E to general elections in the DRC. Doing this would not only improve the general state of democratic quality and governance in the country but also affect regional peace and stability.

The case of the DRC, clearly shows that the successes of many African elections are still subjected to a range of both internal and external issues that greatly impact on the quality of basic principles of democracy. It is therefore admitted that free and fair general elections in their true meaning can help a state reach good democratic governance but is null and void if it ignores the basic elements that contribute to this freeness and fairness.

It thus becomes essential to adopt a holistically approach to M&E of an electoral cycle if one hopes to achieve a democratic state of governance that promotes the views and interests of the general population. In cases where certain resources, inputs and activities are lacking, one needs to invest in these prior to the announcement of the launch of the electoral calendar.

Appendix 1: Pilot questionnaire used for interviews

1. What is your definition of Democracy, Free and Fair elections?
2. In your view; were the 2011 or 2006 DRC elections free and fair (Explain your answer)?
3. What according to you would ensure that elections in the DRC are conducted in a Democratic way?
4. Is Democracy something that can be realized in the DRC? If so what is needed for this to happen? (Institutions, Systems & processes)
5. In your view, what were the differences between the 2006 & 2011 elections?
6. What were the shortcomings of either elections?
7. In your view, were allegations of irregularities dealt with correctly?
8. What needs to happen to ensure that future elections in DRC take place in free, fair and Democratic manner (Recommendations)?



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