The Electoral Process in DRC. The Case of the North-Kivu Province

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The Congolese people voted on July 30 and 29 October 2006, an exercise which had been denied to them since 1965. The proclamation of the provisional results of the presidential elections in the evening of 20 August 2006 was followed with a pitched battle between the incumbent President Kabila’s guard and Jean Pierre Bemba’s private guard. The Congolese from Eastern Congo had massively voted for Joseph Kabila, whereas those from the West had decided to give him a red card. The verdict of the polls was, in the final analysis, a draw since in spite of 44.8% for Kabila and 20% for Bemba, the counter was set on zero and the second ballot held on 29 October 2006 finally decided between the two candidates. Joseph Kabila emerged as the winner of the polls and the 3-rd Republic was born.

Since then, the democratic game has been launched with its rules, the major one being the power of the majority, that is the power of the big number. A question arises: to know how to fit the democratic logic with a Congo undermined by ethnic logic. To better grasp the new political situation in DRC, let’s limit our analysis to the election of members of the North-Kivu Provincial Assembly and let’s start by what seems to be a positive breakthrough.

For 38 eligible seats by direct suffrage, the territory of Lubero had 7 seats, that of Beni 8 seats, the city of Beni had 2 and Butembo 3, what allowed the Nande community who live in these entities to be the majority, independently from the political tendency of the candidates. And as it was these elected representatives who had to co-opt 4 traditional chiefs to complete the Assembly, they had the means to strengthen this majority, what was eventually the case. In the end, and after the elections, this provincial Assembly of 42 representatives includes 25 Nandes and 10 Hutus. The other communities share out 7 seats, but most of them are simply absent; it is the case of the Tutsis, the Tembos, the Kumus, etc. The most demographically important two ethnic groups, the Nandes and the Hutus are going to function as the majority and as the opposition de facto, what does not exclude periods of negotiations of interests case by case, either in order to try to strengthen the community of origin, or to protect social cohesion in a province with fragile balances. The setting up of the provincial Assembly bureau and the indirect ballots (election of the senators and the province governors) showed to what extent ethnic groups negotiate their interests with subtlety, what sometimes opens up opportunities (or of opportunism?) for certain personal ambitions.

In the new political configuration of provinces, Assembly representatives play a major role. Not only do they elect the governor and his/her deputy but they also ensure the control of the action of his team, with the possibility of dismissing the team by a vote of no confidence. The executive should therefore work under the supervision of the deliberative organ. what is in itself a revolution in the Congolese context where people in power always worked without any obligation of accountability, except towards those who had appointed to their posts. If provincial representatives fully assume their role, by refusing to become subservient to the government, the latter will be forced to work in the perspective of being accountable to someone. The post of President of the Provincial Assembly...
takes on such a major importance from the protocol point of view as he/she who occupies it is the second personality of the province after the governor.

In the subtle political management of Nord-Kivu, from this duality nature at the top, the provincial representatives have ventured a tacit principle according which the same ethnic community could not occupy the two posts. Beyond the setting up of the definitive bureau of the Assembly on January 14, 2007, it was therefore the attribution of the post of governor which was implicit in the negotiations. The protagonists in this game were obviously the Nandes and the Hutus because of their representativeness within the Assembly. And the two communities used the same stratagem: to access to the governorship, it was necessary to support the candidate of the other community for the presidency of the Provincial Assembly. This can clearly be noticed through the scores attained by the competitors for this post: the candidate Kaisavera MbaKe, the Deputy Governor, who is Nande, renowned to be so close to Serufuli, collected votes amounting globally to the Hutu electorate plus his own vote (11 in total) while his opponent Léon Bariyang Abstract Rutuye, elected Rutshuru’s Hutu, swept all the Nande votes and their allies (30 in total) and won the post. The message was clear, the next governor of Nord-Kivu would be a Nande.

This negotiation is in itself a positive breakthrough. On the one hand, the ethnic communities of the province, through their elected members, play the game of sharing responsibilities. On the other hand, there was this emancipation of some personalities, notably two candidates for this post of president of the Assembly, who found other motivations than ethnic affiliation for their action. It is maybe the first important step towards the passage of “ethnicism dictatorship” towards emancipation of individuals and negotiation of interests, which are not simply ethnic. The reconstruction of Nord-Kivu is at such price.

One could notice that the citizens did not use their quite new power by putting into place persons who would be indebted to them and would worry about their welfare. Generally, it is the manipulators of identity-based fears and the extremists who found favor with the electorate. That will certainly have a considerable incidence in the five years to come for the Nord-Kivu province. The strengthening of local power through the provincial Assemblies and the provincial governments is a real opportunity offered by the current legislation. But how to take up this challenge of managing the province if some elected members have neither qualities nor competence required for this exercise?

The ballot of July 30, 2007 was a penalty vote of Eastern Congo against RCD and of the West against Joseph Kabila on a background of a common denominator, the perception by the Congolese of the foreigner who came from another place. The vote of October 29, 2007 was a security vote, but given increasing insecurity in several provinces of the country, Joseph Kabila’s victory has ever become more than an illusion.