



**EVALUATING THE INFLUENCE OF ELECTORAL VIOLENCE ON DEMOCRATIC
CONSOLIDATION IN SUB-SAHARAN AFRICA: THE CASE OF THE
DEMOCRATIC REPUBLIC OF CONGO FROM 2006-2018**

BY

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DECLARATION

I, Asiphe Mxalisa declare that in accordance with Rule G5.6.3, I hereby declare that this dissertation is my own work and that it has not previously been submitted for assessment to another University or for another qualification.

All sections of the paper that use quotes or describe an argument or concept developed by another author have been referenced, including all secondary literature used, to show that this material has been adopted to support my dissertation.



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ABSTRACT

The democratic legitimacy of African executives has been called into question substantially over the last decade. Using the Democratic Republic of Congo (DRC) as a case study, this evaluative research seeks to analyse how African executives and political elites continue to play a crucial role in inducing civil unrest and electoral violence. For African democracy to develop, there must be enforced resolutions to eradicate issues facing both procedural and substantive democracy on the continent.

This research examined electoral violence and unconstitutional acts that aggravate electoral system abuse and diminish the consolidation of democracy in sub-Saharan African states, in particular the DRC. A specific focus on the leadership of Joseph Kabila in the DRC forms the case study component of this research. In 2016, elections were postponed in the DRC and the DRC's constitutional court interpreted Article 70 and Article 73 of the constitution in a manner that allowed President Kabila to remain in office until a newly elected president was installed. The court's ruling and interpretation of Article 70 and Article 73 was an attempt to avoid a power vacuum.

The study evaluated the components that trigger the escalation of electoral violence in Sub-Saharan African states. The study reports on different contributory factors, including but not limited to, the impact of predatory and rent-seeking leadership towards electoral manipulation; and the effect of patron-client relations on democratic institutions.

Even though elections are not the only indicator of democracy stability in a state, this study demonstrated how electoral violence threatens the consolidation of democracy in sub-Saharan African states, in particular the DRC. In examining electoral violence, a desktop analysis method, which was used in the study, involved the collection of data from existing resources in order to provide a more critical lens to understanding electoral violence in the DRC. The theoretical analysis used in the study is the Höglund (2009) framework on electoral institutions which outlined how political violence remains a pervasive feature in Sub-Saharan countries by linking the framework to patron-clientelism.

Generally, elections serve as the most important dimension for good democratic governance. Post examination of the DRC's elections in 2006, 2011 and 2018 key findings show a gap in equality, which manifests itself through tribalism, patrimonialism and additionally political exclusion. These factors affected the democratic stability of the state severely. Findings suggests that violence of voting resulted in fear of voting by the Congolese people. The study provides recommendations such as (i) the Congolese government has to focus on reforming its democratic institutions for inclusive public participation which is very crucial in democracy, (ii) the DRC needs to reform their electoral laws to reinforce approaches to deepen, consolidate and institutionalise democracy. This study thus contributes to the existing knowledge on electoral violence in sub-Saharan African states by demonstrating a deeper understanding on how the citizens and the government respond to civil protests and electoral violence.

Key terminology: Electoral violence, Patrimonialism, Neo-patrimonialism and Democratic consolidation.

ACRONYMS

AU- African Union

DRC- Democratic Republic of Congo

UDPS- Union for Democracy and Social Progress

NIC- National Independent Commission

CDA- Critical Discourse Analysis

HRW- Human Rights Watch

USA – United States of America

Peace and Security Council (PSC)

UN- United Nations

UNDP- United Nations Development Programme

UNICEF- United Nations Children Fund

CENI- Commission Électorale Nationale Indépendante

ZANU-PF – Zimbabwe African National Union – Patriotic Front

INEC- The Independent National Electoral Commission

CSOs- Civil Society Organisations

EWN- Eye Witness News

CNDD-FDD – The National Council for the Défense of Democracy–Forces for the

Défense of Democracy (French: *Conseil National Pour la Défense de la Démocratie–Forces pour la Défense de la Démocratie*, CNDD–FDD)

EMBs- Electoral Management Bodies

IEC- Independent Electoral Commission

ICD- Inter Congolese Dialogue

SNC- Sovereign National Conference

PPRD- People's Party for Reconstruction and Development

PALU- Unified Lumumbist Party (French: *Parti Lumumbiste Unifié* or *PALU*)

AGI- Global and Inclusive Accord

CEI- Commission Électorale Indépendante

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CHAPTER ONE: INTRODUCTION

1. Introduction and background

In sub-Saharan Africa, democratic development and political violence is an extensively researched topic. The examination of democratisation in Africa by researchers, governmental and non-governmental organisations is present extensively throughout sub-Saharan Africa. Research that focuses on the postcolonial democratic experiences of sub-Saharan African states the political development nexus serves as the dominant context for popular democratic analyses (Huntington, 1991; Fukuyama, 2006; Lindberg, 2006; Cheeseman, 2018). In the literature of democratisation and African politics electoral violence has not received vast research, especially in sub-Saharan African states. Research has been conducted on political violence in Africa but not necessarily on electoral violence. Extensive literature is available on political violence as an umbrella that features electoral violence, however, separate research that focuses on electoral violence was underexplored in the existing literature especially the literature that deals with the grand democratic experiment which began in 1990 on the African continent (Straus & Taylor, 2009). The study of democratisation and electoral violence is key in revealing the result of a complex interplay between democratisation and the patronage-based system of 'Big Man' politics.

The destruction of indigenous cultural traditions, dislocation of African economy and the enforcement of oppressive laws in the African continent began from what was referred to as the "Scramble of Africa" in 1880s. The history of African states after the Berlin conference in the 1880s has since been blighted by authoritarianism, political persecution and crimes against humanity (Mentan, 2018:9). Congolese people struggled for human dignity and justice during colonialism. Colonialism deeply affected African states and left dozens of legacies. African people advanced independence ideologies and nationalist movements to free themselves from colonialism. Such proindependence movements led to 17 sub-Saharan states gaining their independence in 1960, noting that Ghana was the first sub-Saharan African state to gain its independence in 1957 (Iliffe, 1995:252). The transition from colonialism to nationalism in many African states developed with many prospects. Nationalism had to ensure that the government accrued rapid economic growth to eradicate colonial legacies. The colonial rule during the colonial period affected the resources and

institutional settings for subsequent economic development in sub-Saharan Africa (Walshe, 1970; Coleman, 1994; Okoth, 2006). The growth of Nationalism in many African states was based on reversing the foreign systems of government and colonial economic policies.

Correspondingly, the brief overview of how sub-Saharan African states emerged to democracy begins with the time of independence where many sub-Saharan states struggled economically due to sanctions and due to colonial corruption. The economic independence of sub-Saharan African states, especially from the 1960s onwards, demanded sustainability through the extraction of resources from peasant agriculture and investing them in more modern sectors (Iliffe, 1995:254). Such an economic demand during colonialism preserved by the infiltration of the modernisation era led to many sub-Saharan African states relying on foreign aid for capital. A more humanitarian and community-based nationalism was then adopted by countries like Zambia and Tanzania with leaders like Kenneth Kaunda and Julius Nyerere who introduced policies that employed collectivisation and state-led development in an attempt to produce equality and prosperity in the respective countries (Dillon-Malone, 1989; Kandinza, 1990; Schneider, 2016). Through the examinations of the colonial and post-independence policies in sub-Saharan Africa, Mamdani (1996) outlined the connections between late colonial and post-independence state power on the African continent.

Furthermore, such socialist policies led to many sub-Saharan African states becoming single party states. Single party states in the sub-Saharan region often led to African elites ruling in a paternalistic and clientism fashion instead of emancipating Africans. The one party or single party state had socialist developments that benefited Africans. After independence, the fight against communism became the central focus for Western powers. Post-cold war Western powers demanded political accountability in sub-Saharan African states. The demand for accountability led to sub-Saharan African states like Nigeria having pro-democracy movements (Ihonvbere & Vaughan, 1995:86). The movement was not only forced by the demand from the West after liberal democracy defeated communism but was due to the sanctions that Western powers imposed on any sub-Saharan African states.

Not all sub-Saharan states implemented the same socialist projects as the aforementioned examples. Conversely, what is known today as the Democratic Republic of Congo (DRC) received its independence in 1960 with a ruling coalition of national parties and Joseph Kasa-Vubu became the first Black president in the DRC with Patrice-Emery Lumumba serving as the first elected Congo Prime Minister. Political clashes took place shortly after the DRC gained its independence. Lumumba was then overthrown and assassinated by a firing squad under the command of Katangan authorities in 1961(De Witte, 2001:94). While countries like Nigeria developed pro-democracy movements in the 1990s the DRC was ungovernable due to ethnic clashes, with limited development and power being taken through coup engagements (McLure, 2012:74). In this vacuum, political power was opportunely seized by Mobutu Sese Seko who initially approached governance with a promise to restore democracy and give back the country's power to the Congolese people (Kodi, 2008:6). However, Mobutu led the country autocratically and acted as a pro- United States dictator by maintaining a monopoly of power and even renamed the country Zaire. In 1963 he was invited to the White House by President John F. Kennedy and was effectively recruited to the anti-communism project of the cold war African battleground (Smith, 2015). After his visit to the White House, he developed a far-right totalitarian regime, and amassed vast personal wealth through economic exploitation and corruption.

The DRC was not the only sub-Saharan African state to face a leadership crisis and Coup d'état during independence, but many sub-Saharan African states have had political clashes due to leadership crises. In the hands of Mobutu, the one-party system emerged rapidly, leading to the rise of the opposition party which was called the Union for Democracy and Social Progress (UDPS). The existence of the UDPS forced Mobutu to accept a multiparty system in 1990. The party was formed in February 1982 and that is when Mobutu began to lose his power and support from America. After the fall of the Berlin Wall, his regime was no longer needed as a defensive counter to communism on the continent (Kodi, 2008:7). The US provided foreign aid to all the dictators who had fought against communism. Discussions about the political future of the Congolese people had to be undertaken in order to build a politically stable state. A new constitution was drawn up with the mandate to hold inclusive multiparty

elections, however, constitutional negotiations were dragged out due to political violence which took place in the late 1990s continuing into the early 2000s.

During the desire to democratise in the DRC things turned upside down with the state becoming the battlefield where troops proclaimed themselves as liberators of Congolese people. The Rwandan troops entered the DRC as a result of the refusal of Laurent Kabila to maintain his economic alliance with Rwanda (Bobineau, 2016:26). This was the time when Laurent Kabila became the third DRC president and banned the constitution and all other oppositional political activities. His argument to limiting oppositional political parties was based on needing time to restore order, however, that limited the liberties of many Congolese people. Laurent Kabila and his administration led the country into a Second Congo war (1998-2003) a condition that developed into him being denounced as "another Mobutu". The Second Congo War which began in 1998 was the war between Rwandan troops and the DRC for borders, mines and to solidify control (Copper, 2013). The Democratic Republic of Congo was now engaged in an armed conflict. A historical turning point of the DRC in its postindependence was then marked by the assassination of Kabila in 2001. This historical turning point led to his son Joseph Kabila taking over as the president of the DRC to reunite, rebuild and bring peace to their country. Kodi (2008:11) argues that new political institutions had to be built to foster democracy and promote national reconciliation in the DRC. Electoral democracy was deemed necessary to prevent state collapse and political instabilities in the DRC.

The Democratic Republic of Congo then began a democratic transition process which was completed in 2006. The 2001-2006 period in the DRC was the beginning of the postcolonial democratic experience for the country. 2006 was also the year when multiparty elections were first held in the DRC after the First and Second Congo Wars. Joseph Kabila ran for his first elected term whilst Jean Pierre Bemba ran as the main opposition candidate (Dagne, 2010:4). The 2006 elections heralded a formal end to the democratic transition period which facilitated the introduction of a democratically elected president and his patronage network over the national institutions. However, it is important to note that the DRC experienced a long transition to democracy with continuous reversals back to autocratic rule.

1.1 Problem statement

The focus of this study is to evaluate the existence of electoral violence in African states which influences democratic consolidation. Electoral violence threatens the consolidation of democracy in African states through the role played by political institutions and their failure to ensure accountability and transparency in the electoral process. Political violence due to electoral fraud in the DRC impacts the significance of electoral democracy in the path to democratic consolidation. According to Azikiwe (2009: 29), political instability and electoral violence in countries like Somalia, DRC, Angola And Kenya signifies an era of political crisis mainly when looking into the issue of electoral disputes. Understanding how African governments respond to protests and conflicts that follow elections is crucial to this study. The illegitimacy of power and authority exercised by states triggers the threat of achieving democratic consolidation in Africa. From 2016 when Joseph Kabila postponed the election up to the recent outbreak of electoral violence on the 31st of December 2017 spreading to 2018, the DRC is faced with a crucial time of political instability. The National Independent Commission (NIC) is overpowered by the power-hungry leaders who serve for their own personal wealth.

Correspondingly, rent-seeking politics continues to squash the mandate of a developing democracy with ineffective public service delivery. Socio-economic issues are being neglected because of political instability in the DRC. Moving elections to December 2018 created more political instability and uncertainty in the DRC causing more violence. According to the United Nations Children Fund (UNICEF) annual report (2017), the projected population of people in need of humanitarian assistance in the DRC increased from 6.9 million (January 2017) to 13.1 million people, including 7.8 million children in December 2017. The situation was complicated in 2017 by the new crisis in the Kasai Region, deterioration of armed conflict in South Kivu and inter-ethnic clashes in the Tanganyika provinces. Whilst focus has been placed on electoral violence, more broadly, the DRC under the Kabila has also experienced a crisis of state legitimacy.

The DRC is not the only African state facing the threat to democratic consolidation, many Sub-Saharan countries are faced with issues of political instability and legitimacy crisis before, during and after elections. The crisis of power dynamics in the DRC has

led to anti-government protests by the Congolese people. A problem of consolidating democracy begins when the interest groups who are voted for and have formed the basis of coalitions are small, fragmented, and without substantial legitimacy (Diamond, 1999: 65). The communication from the political leaders to the people is one of the indicators of democracy through public participation. Effective political participation allows for citizens to give feedback on the effectiveness and efficiency of the democratic government. Weak civil engagements are a big sign of authoritarianism within “democratic” states, thus threatening democratic consolidation. Many African countries like the Democratic Republic of Congo are failing to host elections freely and fairly to advance the role civic participation in politics. Rather centralised executive elitism has facilitated the manipulation of unaccountable political systems and the continued undermining of constitutions. Therefore, the guiding problem statement is: *The causal factors that have promoted election violence in the case of the DRC during the latest elections.* A reflection on previous elections and possible violence connected to these factors needs to be highlighted to address why such violence exists. Elections promote democracy, peace and security, which all contribute to socio-economic development which is crucial for many sub-Saharan African countries in order to further development. In answering the problem statement the evaluation of the causal factors that promote electoral violence will serve as a base for further studies on how to possibly create circumstances for more peaceful elections, improve democracies and electoral systems in order to conduct non-violent election processes.

1.2 Research aim and objectives

The main aim of the study is to identify the factors that promote the existence and growth of electoral violence in the DRC. To find the factors that contribute to the fuelling of electoral violence in the DRC, this study aims at evaluating the critical role of weak democratic institutions in promoting democratic consolidation. Even though elections are not the only sign of democracy in a state, this study will seek to provide evidence on how the “hope” of a better free country is squandered due to executive elitism. This study will thus contribute to the existing knowledge on electoral violence in Africa by demonstrating a deeper understanding on how the citizens and the government respond to political encounters of the state. The study evaluates the DRC’s political climate as well as the role played by patrimonial politics in the wake of expanding electoral violence.

The specific research objectives ensuing from the broad aims are:

- To evaluate the components that trigger the escalation of electoral violence in Sub-Saharan African states, in particular the DRC as the case study.
- To examine the influence of predatory and rent-seeking leadership towards electoral manipulation through the understanding of the role played by patron-client relations on democratic institutions.
- Identify the neo-patrimonialism effect on social and economic factors in the DRC leading to electoral violence.

1.3 Research Questions

The focus of this study is to evaluate the existence of electoral violence in Sub-Saharan African states which impacts democratic consolidation. Electoral violence has threatened the consolidation of democracy in many African states. The main research question of this study is: *What are the mechanisms that trigger the escalation of electoral violence in Sub-Saharan African democratic states, in particular, the DRC from 2006 to 2018?*

These mechanisms will be discussed by looking at the DRC's 2006, 2011 and 2018 elections and through the two secondary questions which are:

- What is the contribution of social and economic factors in influencing electoral violence in the DRC?
- How does predatory and rent-seeking politics influence electoral democracy, and what is the effect of patron-client relations on democratic institutions?

1.4 Significance of the research

This research is significant in its contribution to the already existing vast knowledge and research on electoral violence in Africa. This research contributes to electoral violence research by looking at the contemporary developments of elections and democracy in the DRC. This is done by looking at the key mechanisms which trigger electoral violence in the DRC and their relationship with democratic development. Elections and democracy as a focus of this study, yields an understanding of how

elections contribute to deepening democracy. In the case of many sub-Saharan African state's elections are a basic process that needs to occur, but little attention is given by states in that ensuring those elections are free, fair and without undue coercion. This research also focuses on evaluating electoral violence and the reason why such violence weakens civil society's ability to form support for the institutional processes of a democratic election as well as the more substantive development of a democratic electorate. The study will be beneficial to electoral policy reform in Sub-Saharan African states and the DRC in particular. The study further seeks to examine the exact role that is played by political institutions in modern sub-Saharan African states to ensure accountability and transparency in electoral processes to achieve a more consolidated democracy.

The study further outlines how patron-client relations lead to particular ethnic groups within the DRC suffering from socio-economic underdevelopment in the existence of the constitution and democracy. Erdmann (2015:60) argues that neopatrimonialism is an economic logic prominent in the recurrent vagueness of public service and private gain impacting economic development. The study aims to then contributes to the body of language on re-imagining democracy in a way that transforms from a neopatrimonial regime to a more democratic state. This study is also important because it seeks to evaluate how electoral violence leads to a crisis of legitimacy by using patronclient theory and Höglund's framework as the key influence. The study further focuses on the unconstitutional acts diminishing democratic consolidation, electoral mismanagement and electoral processes in the DRC. Constitutions in many sub-Saharan African states have become a source of tyranny and thus provoke coup d'états and political instability. The study thus evaluates the use of illegitimate power in the contemporary DRC elections to contribute in the exiting studies of the dysfunctional state power often seen in sub-Saharan African states. In the DRC there has been a significant drop in the exercise of liberties due to the fear of coercive responses from rebel groups and the government. The study contributes to the understanding of how the decline of voting and overall political participation is exacerbated by electoral violence.

1.5 Research Structure

Chapter one – Introduction

The topic of the study is *Evaluating the Influence of Electoral Violence on Modern Democratic State Decline in Sub-Saharan Africa: The Case of the Democratic Republic of Congo from 2006-2018*. Chapter one introduces the topic being researched by focusing on the background and rationale for the research, as well as an introduction to the case study of the DRC's history of electoral and political instability. This chapter further introduces the crisis of governance, tracing it back from the leadership of Mobuto Sese Seko to the Kabila family. The history of the DRC is one surrounded by civil conflicts and electoral conflicts even in the democratic period.

Furthermore, Chapter one outlines the significance of the study in the existing political arena in sub-Saharan Africa. The issues that cause state decline include inadequate governance capacity, legitimacy crisis and administration of political institutions, electoral violence and corruption due to abuse of power. These issues are economically and socially driven. The objective of this research is to examine preelection and post-election violence in the DRC which serves as a threat to democratic consolidation.

Chapter Two- Literature Review

The aim of Chapter two is to review the most relevant literature to frame the topic of the study adequately. A solid literature review allows the study to evaluate the specific issues affecting modern African elections, with a particular focus on the DRC, more deeply. In the literature review electoral violence, electoral processes, substantive democracy concerning elections, patron-client relations, ethnic dominance versus neopatrimonialism and economic components. All the reviewed literature will then be linked to the Höglund's framework in relation to the DRC.

Chapter Three- Methodology

In research planning, methodological issues must be clearly defined and discussed. The purpose of this chapter is then to discuss the methodology which is used in the research process to be undertaken. This chapter begins by explaining the methodology and case selection; research design, data collection method, validity and reliability; and lastly the ethical considerations. To explore the phenomena of electoral

violence in sub-Saharan states the DRC is then the key case study evaluated. This chapter thus articulates the method used as well as the research design for the study.

Exploratory research under qualitative methods vastly contributes to the process of gathering knowledge for a better understanding of the phenomenon studied which is "The diminishing democratic consolidation in sub-Saharan Africa due to electoral violence". Critical discourse analysis is undertaken to evaluate and investigate the effects of electoral violence in government institutions. The other important aspect of this chapter is the data collection method. Data collected using the case study method differs by looking at the research theme focused on by the researcher. The research is based on desktop analysis of literature available on electoral policy analysis, electoral violence, democratic transition and consolidation, texts on neopatrimonialism and constitutional reforms in the DRC. The sources which will be studied range from books, articles and up to date data retrieved from updated global reports and literature. Secondary data analysis is therefore vital to be utilised because documents and literature can be used as a point of critical analysis due to their easy accessibility and for time and money-saving purposes.

Chapter Four - Data analysis and Interpretation

This chapter explores the components that triggered the escalation of electoral violence in the three democratic electoral periods of the DRC, namely 2006, 2011 and finally in 2018. This chapter displays the research findings in depth particularly the traces of neopatrimonialism and clientelist nature of politics which plays a significant role in perpetuating electoral violence in Africa. This chapter will focus on the key data analysis and Interpretation based on the post-independence elections starting from 2006 up to the 2018 elections, the electoral process and power dynamics involved. The important examination of findings, however, is largely based on previous elections that resulted in violence and evaluating the dynamics which were involved in those elections by deploying the Höglund's framework for analysis. This chapter provides a much broader analysis of the key themes and interprets how these themes relate to diminishing democratic consolidation through the Höglund's theoretical framework. Lastly, the chapter thematically puts together the key trends found in the 2006, 2011 and 2018 elections in the DRC to evaluate electoral violence.

Chapter Five - Conclusion, Summary of Findings and Recommendations

This section concludes the study by summarising the findings which emerged from the study. Emphasis is placed on recommendations emanating from Chapter four's examination of electoral violence, the electoral process in the DRC as well as the influence of neopatrimonialism and clientelist politics perpetuate violence

CHAPTER TWO: LITERATURE REVIEW AND THEORETICAL FRAMEWORK

2. Literature review

The discussion on electoral violence cannot be separated from the discussion on unaccountable governance in a democratic state. Hence the need to examine the issues leading to electoral violence and how such violence affects the consolidation of democracy as a system. In countries like the Democratic Republic of Congo (DRC), electoral accountability is a big issue resulting in electoral violence before and after elections. Elections are intended to be the central part of healthy political competition and be a building base for good governance since trust has been vested in the elected officials. Legitimacy in governance has consistently been a big issue in African states (Acton, 2013:565). African leaders often exercise bureaucratic authoritarianism and use any means necessary to hold onto power. In sub-Saharan Africa, the differentiation between political, administrative, and economic elites remains far from being manifested (Dalos, 2003; van Cranenburgh, 2008). The consequences of high levels of presidential power in many democratic sub-Saharan African countries has shown that such power has led to the regimes experiencing a democratic breakdown. This has been seen through elections and democracy where electoral violence has been evident in democratic states.

The literature on electoral violence has focused on its causes and its scope, disregarding the entanglement for citizens trying to practice their political citizenship. Participating and informed citizens are an essential part of a functioning democracy. Recently, however, there has been an effort to understand how violence in general influences politics, both at the macro-level and at the micro-level. For example, some sources inspect the history of war and its effect on the ensuing party system; and electoral production of former warring (Ishiyama, 2014; Ishiyama & Widmeier, 2013; Levitsky & Way, 2012; Sindre, 2014). In many sub-Saharan countries, the existence of political violence is traced back to the period before the introduction of multiparty politics.

Furthermore, Mironova and Whitt (2016:2) note that “researchers are increasingly examining the impact of violence on micro-level norms and preferences” but that the impact of violence is mixed. The analysis of the multi-layers of violence by Mironova

and Whitt is crucial in unpacking the influence of patrimonialism and strategic violence in provoking electoral violence. It is important to also note that the political consequences of violence are a new and expanding field of research especially the effects of electoral violence in a democracy. The African democratisation process, since the end of the Cold War, has been the subject of a number of studies (Bratton & Van de Walle, 1997; Diamond & Plattner, 2010; Harbeson, Rothchild, & Chazan, 1994; Lindberg, 2006). Studies focus on the growth of democracies using the analysis of electoral democracies in Africa. While there is frequent acknowledgement that the progressive record on Africa's grand democratic experiment is mixed (Lynch and Crawford, 2011), the significant subject of electoral violence has not been theorized and studied extensively (Basedau, Erdmann, & Mehler, 2007; Collier & Vicente, 2014). The literature reviewed below thus offers a more complete understanding of sub-Saharan democracies and the impact of corruption in the electoral process.

2.1 Electoral Violence

Consolidating democracy is still far from being achieved in African states due to electoral violence which continues to grow especially in sub-Saharan Africa. The system of democracy in a state is firstly affirmed by the existence of free and fair elections. Without free and fair elections, the state can then either be referred to as a monarchy or an authoritarian regime (Kotler, 2016:35). However, it is important to also note that a country can hold elections without democratic traits portrayed by that state. Before discussing electoral violence, it is also important to discuss the reason why voters in sub-Saharan countries stay away from voting polls. Kotler (2016:42) argued that most citizens decide not to vote due to religious reasons, lack of information about the electoral process and due to lack of access to resources. In sub-Saharan states, there is a fear of voting by citizens who are often threatened by the opposition parties not to cast their vote if it is not in favour of a particular political party. Also, the violent outbreak in many sub-Saharan states has developed more fear towards the voting process which means there are issues of trust when it comes to the electoral systems and that affects the consolidation of democracy.

Correspondingly, Omotola (2008) suggests electoral violence as the reason why African states are failing in democratic transitions. Electoral violence results from abnormalities in the electoral processes, the level of legitimacy of the system used and

the response to unfair treatment from oppositional parties. Whilst power becomes manipulated, socio-economic issues lose focus and administration lacks which leads to a negative impact on good governance. The main focus areas in articles such as that of Omotola are on the democratic processes adversely influenced by electoral violence but less focus is given to the effect of the manipulation of electoral rules that govern the conduct of political parties, such as the rule of zero tolerance on political violence.

When analysing good governance, it is also important to define what good governance entails. Good governance, according to the United Nations and the World Bank, is closely tied to the types of structural adjustment policies that these institutions have been trying to implement. The understanding of good governance firmly shows that the shaping of what good governance should look like has been an international discourse on politics and development of the West (Najem, 2003; Maipose, 2009). However, in order to ensure a state of peace and justice good governance should entail a proper democratic system, representation, human rights, the rule of law, efficient and effective public management, transparency and accountability and developmental objectives. Added to the list is also the varying range of specific economic and political policies; fair political processes and the creation of accountable institutions (Sundaram & Chowdhury, 2012:7). The definition and characteristics of good governance as defined by the United Nations is a poorly specified concept; the focus on research should be on the disaggregated components of good governance rather than on the ad hoc macro concept.

Furthermore, the DRC was in a predicament where they could not hold the deferred 2016 elections until December 2018. However, the process that led to the elections was intense and burdened by manipulation. The DRC's opposition leader Moise Katumbi decided to run as a presidential candidate for the 2018 elections but he was blocked at the borders and could not return to the DRC (Eyewitness News, 2018). Moise Katumbi had been living in self-imposed exile in Belgium from May 2016 after falling out with President Joseph Kabila. The supporters of Katumbi barricaded the streets and burned tyres protesting that their presidential candidate be allowed to cross the DRC borders so that he could hand over his bid to run for the presidency (BBC News, 2018).

The political violence that took place during the preparations for the 2018 elections showed there was a great possibility of political violence during the elections. The political power dynamics leading to the electoral uncertainty in the DRC was sharpened by the Geneva talks that took place on the 11th of November 2018. All oppositional parties signed an agreement to elect one leader as a representative to contest the elections against the regime's candidate, Emmanuel Ramazani Shadary (News24, 2018). Ironically the same oppositional candidates who attended the Geneva talks separated themselves yet again and ran as independent candidates leading to the DRC having three convincing candidates namely, Felix Tshisekedi, Martin Fayulu and Kabila's successor Emmanuel Ramazani Shadary.

Furthermore, it is important to note that electoral violence does not only become visible during the election period. It can be before the elections, during and after the election results are announced. It may take place in all parts of the electoral cycle: in the runup to elections, on the day of elections, and in the immediate post-election period (Fjelde and Höglund, 2014). It is also significant to note that electoral violence is not limited to physical violence but includes other intimidating means, such as the threat of violence and harassment. The weak link between the democratic processes and electoral fairness becomes a threat to democratic consolidation once a state is defined by political instability due to electoral violence. Basedau et al. (2007) indicated clearly that African states have created policies that monopolise the power of a selected few rather than political institutions to ensure legitimacy. Electoral violence is not the outcome of the electoral process it is a result of the breakdown of the electoral process. Electoral violence results in human rights violation due to the use of force during protests. According to Human Rights Watch (2017), government officials and security forces repeatedly banned opposition demonstrations, fired teargas and live bullets at peaceful protesters, shut media outlets, and prevented opposition leaders from moving freely. Such illegitimate authoritarian actions serve as one of the many indicators of a decline in democratic consolidation in African states.

Moreover, one of the reasons why Africa often fails to have stable democracies is due to electoral violence which is manifested in various forms. The force from both the civilians and the government results in physical assaults, arson and murder (Mentan, 2014:221). Such a violation of human rights impacts on the stability of democracy as

a system in an African country. The recent outbreak of electoral violence in Zimbabwe following their 2018 elections is a climax of political instability in Africa. In Zimbabwe, many people were injured, and some died during the 1st of August 2018 protest against the Zanu- PF win in parliament. The police invoked the Public Order Security Act and live ammunition was used to disperse the protesting civilians (EWN, 2018). Electoral systems have a consequential impression on when, where and how violence is used in an election. The effect of electoral systems has been analysed in the work of Lindberg (2005) through the discussions on the potential role played by electoral systems on the use of violence and how violence influences elections. Elections legitimise the government of the country and should there be electoral violence, signs of state collapse and a crisis of legitimacy emerges. Hickman (2009) assessed the impact of violence on voter turnout and concluded that violence is executed by individuals linked with one political party, which leads to a decline in turnout for the opposition in that country. However, the electoral results outcomes do provoke electoral violence in many instances and that violence breaks out when some civilians oppose the results. The huge impact of voter turnout is also another crisis of governance in a state as it signifies the failure of civilians to freely participate in politics.

Furthermore, electoral violence can be viewed as an extension of political violence in African states. Khadiagala (2008:17) suggested that electoral violence radiates from broader political conflicts within societies with different ethnic groups, communal and sectarian fissures. The weak electoral rules and processes in a state result in the existence of electoral violence. The theory of patrimonialism and clientelist politics seeks to examine how elections become manipulated through discrimination of the minority groups and are shifted to operate through ethnic lines (Leighley, 2001:3). Electoral violence takes place due to multiple structural factors including exclusionary politics, poor governance and economic uncertainties. These factors and others will be evaluated further in this chapter.

2.1.1 Causes and consequences of electoral violence

Elections dictate the democratic legitimization of the utilization of public authority. Once elections do not yield the legitimised outcomes needed then violence usually breaks out in a state. Such violence can be an intended strategy used by political actors as well as opposition parties to achieve their political agenda in the electoral marathon.

The causes of electoral violence are multi-layered and can be separated into two comprehensive classifications. The first category is associated with the fundamental power structures prominent in emerging democracies, which are (i) patronage systems, (ii) poor governance and (iii) ethnic politics (Fjelde, Höglund and Opitz, 2013). When politics is structured in patronage and ethnic systems then there will be a centralisation of power within that particular state. When power is centralised, the president (patron) perpetually relies on his/her clients in order to maintain the status quo. The head of states in Africa go to the extent of frequently manipulating the constitution to continue their stay in office. Mbaku (2007:113) maintains that few African leaders have made efforts to develop institutions of popular participation. Instead, participation is centred on those groups that hold ethnic power; and resources have largely been devoted to the consolidation of institutions with highly politicised systems.

Furthermore, the second categorisation is related to the electoral process and the electoral competition itself. In this categorisation, flawed elections, weak institutions and weak institutional rules governing the electoral process are critical in determining the causes of electoral violence (Khadiagala, 2008). An election that is viewed as fraudulent, meaning it is not free and fair, is more likely to attract electoral violence. The states in Africa are relatively new democracies. Democratic institutions and procedures, including elections, have been introduced while the fundamental structures of power in society and the norms governing the political system have often not yet been transformed.

The continent has a long history of one-party and dominant political party states where politics and economics are often conflated. As a result, politics is often exclusive, intolerant of opposition and sometimes militarized. Furthermore, many of the socioeconomic and political benefits of democracy have yet to be fully realised among large sections of the population, with corruption taking a large portion of the African states' capital.

2.1.2 The effects of Violence on Voters in sub-Saharan Africa

Political violence in Africa has been an ongoing phenomenon, however, for the purpose of analysing electoral violence in sub-Saharan African states, the focus is on

multiparty elections which are relatively new for many African states. In the early postindependence era, African states were ruled by dictatorships and one-party systems.

Kuhn (2015:94) argued that many sub-Saharan African states made the transition towards more competitive electoral regimes in the early 1990s. The period of the 1990s in democratisation theory is regarded as the third wave of democratisation by Huntington (1991). Haerpfer et al. (2009:51) further argued that the period of the third wave of democratisation introduced a new chapter of democratic regimes being installed. The theory of democratisation by Huntington, however, failed to account for those countries that were characterised by inclusive suffrage and open competition but at the same time lacked a fully developed system of civil liberties (Doorenspleet, 2000). The wave theory treated the institutionalisation of electoral competition as sufficient to consolidate democracy. However, a democracy is a compound of institutions of a modern state and institutions of mass participation and representation (Rose & Shin, 2001). Holding free and fair elections in sub-Saharan Africa became a victory that did not last long due to adopted colonial tactics and legacies, executive power hunger and corruption. There is still a huge gap on understanding the relationship between electoral and liberal democracy in sub-Saharan Africa.

Correspondingly, in countries like Uganda particularly the recent 2016 elections have yet again suppressed the notion of elections being the cornerstone for African democracies. In February 2016 Ugandans went to the polls yet again trying to rewrite their democracy. However, the 2016 Ugandan elections resulted in political violence with the government harassing, intimidating and arresting potential voters backing the opposition candidates. The electoral violence in Uganda was not a unique case even in 2001, 2006 and 2011; Museveni and Besigye have been in the political battlefield for power at the expense of Uganda's civilians (Branch & Mampilly, 2015). Strategic violence theory is, therefore, an analysis suitable to discuss the trend in Ugandan elections starting from 2001. Such strategic violence can, therefore, be referred to as the Spoiling Strategy. Reiter (2016:6) argued that spoiling is a term coined by researchers to define the process of leaders and political parties who use violence so as to run away from sustaining peace, negotiations and to protect their power. This is further affirmed by Boyle (2014:77) who argued that the spoilers look into which side

is the peace process aligned with. It is evident that a peace settlement reorders the structure and benefits the armed groups, groups who hold power and those benefiting from that power. When looking into elections as a free, peaceful and fair process it can then be evaluated that when one party wins or loses then there is a reordering in terms of power, social and economic benefits hence violence breaks out when elections are about to take place and even after the electoral process.

Moreover, Burundi is another African country that has a postcolonial history filled with political instability, military interference in politics and ethnic violence. Burundi has a historical ethnic rivalry between the Tutsis and the Hutus with power being seized from a Hutu leader to another Hutu leader except in 1993 when Pierre Boyoya seized power through a military coup. Ndadaye who was the president of Burundi from 1993 was then assassinated together with several other Hutu leaders during a military coup in 1996 (Young, 2012:205). This led to Burundi descending into turmoil of civil friction that continued for years until 2003 when the governing power fell back into the hands of the Tutsis. The 2010 elections in Burundi legitimised a quasi-return to single-party rule with CNDD-FDD obtaining a three-quarters majority in the National Assembly (Colombo, D'Aoust and Sterck, 2014:7) In 2015 leading up to the preparations for the 2020 elections Burundi still faced deepening ethnic divisions as the president, a Hutu, exerted control over power-sharing institutions that had managed the Hutu/Tutsi divide since the end of the civil war in 2005. The issue with many African states, especially those affected by ethnic conflict, is that they have many political actors which are former combatants.

2.2 Electoral Process and the Role of Electoral Management Bodies

In order to grasp the challenge of systematising elections in the DRC, it is vital to take into consideration the country's political and constitutional history. In this regard, it is interesting to see how DRC's history has swayed the current electoral system as well as the influence of political, economic, social, cultural and religious factors. The electoral process is the overarching system that establishes political parties to be voted for, voter registration, the voting process, counting of votes, and the announcement of election results. African leaders have a very self-centred desire to retain power at all costs. The inevitability that they will retain power has an impact on the actual management of the electoral process

The electoral process safeguards the management of elections in a country. Any deviating conduct from that set through the electoral phase is a violation of people's right to vote and therefore serves as an attack on democracy. Miezah (2018) outlines the most crucial focus in the electoral process as the initial planning phase, coordination, organising and controlling of elections. The crafting of appropriate electoral systems is one of the key factors shaping democratisation and political conflict in Africa (Reynolds, 2009). Electoral processes are comprised of a set of rules which governs the conduct of a governing candidate, voter eligibility criteria, political parties and political right (Lindberg, 2005). Inequality, ethnic group dynamics, corruption and electoral manipulation threaten the integrity of electoral processes in African states. The intimidation of electoral participants deeply affects the successful outcomes of elections. For instance, it is evident in the DRC where Kabila had threatened oppositional candidates like Moise Katumbi from submitting their bids to run for the presidency in 2018 (Mukoka & Molobi, 2018). The manipulation and intimidation tactics used during the electoral process result from an outcome of the intense nature of the competition for power in a state which creates a violent contestation of power.

Furthermore, numerous features contribute to the success of the electoral system in a state. Intimidation of electoral participants as a manipulation factor directly and indirectly, contribute to electoral violence and are fundamentally political and economic. The electoral process of African states has been typified by violence in various states which are, pre-election, during elections and post-election. The electoral process crisis in African states serves as a threat to civilians' security, development and peace. The Peace and Security Council had its 758th meeting in Addis Ababa in 2017 focusing on discussions about the way forward in ensuring free and fair elections in the DRC. The council warmly welcomed the decision and commitment of the DRC to finance the electoral process with its own funds, further calling for the international community to support the electoral process of the DRC financially. However, political party funding can serve as a threat to transparency for a democratic state. Eme and Anyadike (2014) argued that the relationship between party funding and corruption is so significant that if ignored then the door for corruption will be opened. It is thus important to consider the interplay between political party financing regulation and democracy.

Moreover, the mandate of delivering and ensuring quality elections in a state is the duty of the Electoral Management Body (EMB). The electoral management bodies are the electoral commissions that contribute to the electoral process. In the DRC the Electoral Management Body, the Independent Electoral Commission (IEC) was created shortly after the Inter Congolese Dialogue (ICD) held in Sun City in South Africa in 2002 was concluded (Hengelela, 2016:75). The creation of the IEC was due to the calls upon an evolution of the successes and failures of the Independent National Electoral Commission, which serves as the key electoral democratic supporting institution in the DRC (Haskin, 2005:140). The same institutions designed to strengthen democracy are overpowered by corruption and manipulation which are the root causes of electoral violence. Although, Kodi (2008:53) states that some African countries do have institutions in place to deal with issues that fuel violence especially vote manipulation, in the DRC there existed the Congolese Electoral Commission (CENI) which was later transformed to Independent National Electoral Commission (INEC).

It was one of several institutions supporting democracy during the transitional period of 2003–2006. This Commission was tasked with identifying and registering voters, and with organising the 2005 constitutional referendum. Hengelela (2016:75) further argues that the National Independent Electoral Commission (NIEC) or CENI as per its French acronym), created by the constitution of 18 February 2006, replaced the IEC in 2011.

The EMBs are central in ensuring that the electoral process is followed and that the design of the electoral process is conducive and serves as a democratic procedure for free and fair elections (Osisa, 2017). The EMBs effectiveness in strengthening democracy has been a debatable issue. Although EMBs are expected to be independent in nature with the support of the constitutions in African states, the politics within the management bodies adversely affect the progress of democratic procedures rather than advancing democracy. For example, the establishment of the NIEC and its predecessor the IEC has not solved the problems related to holding free, democratic and transparent elections in the DRC.

Moreover, the debate surrounding the independence of EMBs, especially when considering political influence, is crucial. The idea of creating an independent

institution responsible for organising elections in the Democratic Republic of Congo (DRC) dates back to the Sovereign National Conference (SNC), which took place from 1991 to 1992 (Hengelela, 2016). It was a key outcome of the work conducted by the National Electoral Commission (NEC) and once established the planned institution could not organise elections because of the frequent cases of government intrusion that occurred until the end of the regime of President Mobutu. The 2006 elections in the DRC were to signal a new decade of peace and the escape from the Mobutu legacy of “Kleptocracy” and authoritarianism. However, the victory of such international financially supported and celebrated elections was diminished by the failure of the elected government in breaking down the Mobutu’s authoritarian regime and state failure (Kammerud, 2011:148). Instead, the state appointed another electoral management body to deal with the issues of elections but still adopting the same systems which were used by the IEC.

2.3 Development of Democracy: Third wave of Democratisation

Samuel Huntington analysed the process of democratisation in African states using the third wave of democratisation analysis. The process of democratisation is the process of replacing authoritarian regimes with democracy. In the African regional context, the third wave of democratization was the second independence for many African states. The period between 1974 and 1990 was viewed as the continuing and ever expanding of the global democratic revolution that also reached the African continent (Huntington, 1991). The third wave of democratisation in Africa was confronted by many factors including the deepening legitimacy problems of authoritarian regimes and the inability to maintain performance legitimacy due to economic failure. Third wave" transitions in sub-Saharan Africa in the early 1990s were expected to usher in a new era of liberal democracy but it vanished fairly quickly when new forms of liberalized authoritarianism emerged (Noor, 2016). The third wave of democratization in sub-Saharan African states intended to replace authoritarianism has been challenged by the rise of authoritarianism within democracies.

To understand the transition process, it is important to outline what an authoritarian regime is. In an authoritarian regime, there is a single leader or group of leaders with either no party or a weak party and limited political pluralism (Ezrow and Frantz,

2011:3). An authoritarian regime and its dictatorship government represent only a selected group that the leader is ethnically part of. In an authoritarian regime, the establishment of the government is either military inclined or through the elimination of competitive politics. Post-independence African states entered the phase of oneparty dictatorships during independence from the 1960s onwards. Ezrow and Frantz (2011:6) further argue that many researchers like Samuel Huntington based their studies on looking at the dictatorship phase of African states post-independence and not the effects of colonialism. The period of 1990 and 1993 put pressure on authoritarian leaders and single-party regimes of all shades to liberalise and permit more participation in the political process (Makinda, 1996). The pressure to move to multiparty politics stemmed from sustained efforts by domestic political forces in African states, a variety of demanded requirements from international financial institutions and by the disintegration of the Soviet Union.

However, it is important to note the role that was played by the Belgian colonial dictatorship in countries like the DRC. Colonialism was a period of the personal rule which dictated and oppressed Africans. By the time the scramble for Africa took place, there was a huge turn from a civilizing mission to a law-and-order administration and a shift from progress to power was also completed (Mamdani, 1996:21). The scramble for Africa left not only racial segregation but also an administrative legacy and the quest for power transcended from the complete shift that took place during colonization of Africa.

Notably, the period of independence in African states gave birth to yet another form of dictatorship due to personal rule. This particular rule was also authoritarian in its nature as Ezrow and Frantz (2001:4) define authoritarian regimes as regimes which differ from each other on multiple levels ranging from their institutional culture, political systems with limited political pluralism and their interaction with the outside world. The form of dictatorship that was exercised by the sub-Saharan African states during early independence is a one-party dictatorship. During the early period independent African countries opted for communism aligning their policies to humanitarianism associated with Marxist-Leninist theory. Even in the case of the personal rule during early independence in the colonization of Africa a political inheritance and models of governance already in place were left (Poku & Mdee, 2011:29). Socializing Africa at

the time of early independence was a dream but the reality was that the colonial imported systems of governance had already cracked the wall of independence.

Furthermore, democratic states face a lot of challenges and issues which impacts the regime's consolidation. The struggle of democratic consolidation in many SubSaharan states is due to the struggle on the shift of power from personalistic rule to the rule of the people. Shiffman (2004:110) argues that when a state chooses to democratise a shift to a more hierarchical rule it must honour making a state more orderly and rational. In the process of creating a totalitarian democracy through hierarchical structures democracy failed many sub-Saharan states in providing participatory democracy that practises collective public decision making. This is due to the nature of the institutionalization of politics during elections and post-elections.

Correspondingly, democracies consolidate when a high proportion of citizens' demand democracy and believe sufficient levels of democracy must be provided by their political regime. The Democratic Republic of Congo and other sub-Saharan states are surrounded by intermittent conflicts questioning the model of liberal peacebuilding employed in these states. How the government responds to protests and conflicts within the societies of these three African states is crucial. The legitimacy of power and authority exercised by states determines whether a state is becoming more democratic, hybrid or authoritarian.

2.3.1 Substantive democracy and elections

After gaining independence African states faced difficulties like the failure to adopt substantive and procedural routes to democracy. There has been a growing resurgence of authoritarianism in Africa affecting elections, human rights violations and the illegitimate government procedures in modern Africa. Diamond (2016) contended that post 2009 there have been signs of both democracies on the rise and democracy in retreat in African states. African democracies have reverted to authoritarianism through constitutional coups, the crisis of accumulation, governance and legitimacy especially when it comes to electoral democracies. There is a rise of an overwhelming authoritarian ruling which takes place either in the form of military coups that oust a democratically elected leader, or executive coups in which democratically chosen chief executives effectively end effective democracy by

concentrating power to themselves (Bailie, 2018). What has declined in the state is not the system of democracy used but the conditions attached to the system and that results in the theory of democratic reversal when looking at African states. Elections serve as an integral part when analysing the democratic state decline in Sub-Saharan Africa. However, elections themselves remain a pivotal point for the elite and lay a foundation for what will come after (Reynolds, 2009). Recognising substantive democracy and how it has been unfolding in many sub-Saharan states during political violence will thus help in examining electoral violence in Africa.

Correspondingly, to understand and recognise the position of substantive democracy in sub-Saharan African states it is vital to understand what substantive democracy is. Focusing on a minimalist definition of democracy in sub-Saharan African states cannot capture entirely the challenges afflicting regimes that have undergone a democratic transition but have yet consolidated their democratic structures. Thus, the necessity turns towards a more substantive definition of democracy, one that gives more prominence to the role and importance of accountability. Substantive democracy centres accountability, which enables citizens to hold their political leaders to account through the electoral channel at specified points in time and societal accountability (O'Donnell, 1996; Schedler et al., 1999). Such accountability should come after the minimal conditions of democracy such as the electoral process are met while substantive democracy focuses on equal participation and accountability. In many sub-Saharan African states like the DRC the minimal conditions for democratic rule presents difficulties and challenges the achievement of a more substantive democracy.

Many African states (especially in the sub-Saharan region) lack peace and stability and thus democratic consolidation is very slow. African states have been picky on which democratic traits to maintain and which authoritarian attributes to keep hence it has been difficult to consolidate democracy. Huntington (1991) demonstrated democratic recession as the transition from democracy to authoritarianism that can be produced by those in power or close to power in a democratic system. In Modern African democracies, democratic reversal is still largely influenced by those in power (which includes the presidency and its administration) and those close to power (ethnic influences). Bedasso (2015) argued that the use of ethnicity as a political resource

further created a class alliance with the upper class and the middle class serving as political agents.

In addition, an evaluation is thus important in diagnosing diverse bureaucratic institutions of modern democratic state decline. The African continent has been in the arena of hybrid regimes and many are struggling enormously. Hybrid regimes are those that speak the language of liberal democracy without fully embracing their practices (Robertson, 2011:4). In such states, authoritarian control coexists with democratic characteristics. Diamond (1999) listed countries like Tanzania, Kenya and Ethiopia as being neither democratic nor closed authoritarian. However, it is important to note that each African state has its own signs that can illustrate whether it is hybrid, democratic or authoritarian. The democratisation of a state does not end with the minimalist requirements of democracy but also includes an approach beyond consolidating democracy through good governance. Consolidation of democracy is done by also strengthening democratic institutions which centres individual liberties such as participation and representation. In many African states especially subSaharan states the leaders have managed to retain power by downgrading democratic institutions and strengthening the security force (Cheeseman, 2018:8). The strengthening of military power exists as a response to civil unrest and to manipulate the system of checks and balances through the centralisation of power. Electoral violence is the greatest enemy to democracy (Agbalajobi, 2016). Elections without democracy are a sign of a hybrid regime.

Moreover, elections are a sign of the minimum threshold for democracy in a state. Reynolds (2009) contended that elections are processes that are repeated and that are critical for democratic development. This is also further alluded to by Fukuyama (2006:43) who viewed substantive democracy as the analysis of the electoral outcome to be in favour of the governed. This can be done by ensuring that electoral systems exist to foster the consolidation of substantive democracy, advocating for a free and fair procedure which is best suited for the development of a democratic state. The DRC among other African states has been a conflict environment when it comes to holding free and fair elections and allowing the opposition parties to run for elections freely. The electoral violence has existed in the DRC since the leadership of Mobutu in the postcolonial period. The fact that electoral violence still exists, even in the modern

DRC, calls for substantive democratic consolidation to deal with issues of corruption, governance and impunity in elections.

The outcomes of the elections in the DRC have not been in favour of the Congolese people ever since Mobuto's leadership leading up to both Kabilas' administration. As evaluated by McFerson (2009) the DRC is one of sub-Saharan Africa's main oil producers which means it is a resource-rich country. However, the population still lives in poverty simply because even though African states such as the DRC. are rich in resources they are exported to foreign countries and the revenue earned is spent not entirely on socio-economic development but to grow government officials' personal budgets. A country may hold free and fair elections but if those elections do not lead to the development of the citizens and the state institutions' accountability then substantive democracy has not been achieved. Keating (2012:145) argued that the greatest damage to the success of the emergence of substantive democracy in African states comes from the ideology which highlights that even the most flawed democracy is favoured over reverting to authoritarianism. The fear of reverting to authoritarianism is legitimately understandable. However, the anxiety to maintain democracy as a system at all costs might eventually perpetuate and encourage the legitimisation of organised violence as the only means to defend a system that ironically becomes the exact opposite of a democracy.

2.3.2 Constitutionalism and elections in Africa

When African states gained their independence and later on moved to democratic systems there was hope for a restored continent that would be guided by the basic principles of constitutionalism in order to achieve good governance and democracy. According to Fombad and Kibet (2018), there has been a huge decline of good governance in Africa since 2006 as analysed by the World Bank. Not to dispute the findings of Fombad and Kibet, the analyses of what good governance has to entail, according to the World Bank, became too problematic for African states especially new democracies to reach by 2006. There is no consensus on measuring the quality of governance which means different things in different countries. The World Bank offers World-wide Governance Indicators as measurement of good governance (Andrews, 2010; Bovaird and Löffler, 2003; Fukuyama, 2013; Nanda, 2006). The third wave of democratisation in Africa had to entail the promotion of good governance through

ensuring there was social, economic and political development. Those requirements had to be accompanied by the rule of law. Even though the decline in democratic governance had increasingly been a huge focus around the world Africa remains a unique case. In Africa, the debate has to be on the controversy of what constitutions entail and must look further into how constitutionalism can be successfully attained in African states.

It is important to note that the key to democratising a state is to ensure that it works towards ensuring political stability, economic growth and closes the gap between civil society and government. A democratic state also consolidates democracy through developing and protecting civil and political rights. In doing so a democratic state maintains its legitimacy through ensuring fair representation of the people and accountability by officials to the people (Kpundeh, 1992:13). To safeguard the legitimacy of democracy the constitution should be the supreme law in each African democratic state which is why democratic African states commonly have a constitutional provision which serves as a protection for abuse of power, lack of accountability and transparency of political leaders. In many African constitutions, a president must serve for two terms in office. Many sub-Saharan African states have struggled with the transfer of power after gaining their independence. According to Prempeh (2007:488), the enforcement of a democratic constitutional order must be put in place for African states to seek legitimacy. The political norm of presidential term limits is very important as it highlights the positive development of African constitutionalism. The attempt by dominant parties in the sub-Saharan African region to change the constitution, control the media and outlaw political activity has led to electoral violence (Deegan, 2009:86). In 2008 Cameroon's parliament voted for the removal of the presidential two-term limit which allowed President Paul Biya to extend his rule. These unconstitutional acts have been a recurring theme in the DRC and many other sub-Saharan African states, affecting constitutionalism in many countries. Furthermore, Oloka-Onyango (2001:2) captures this debate poignantly by stating that:

“For many scholars, politicians and activists, the notion of constitutionalism is one that produces numerous and oftentimes conflicting responses. For some, especially the more positivist or legally minded constitutionalism simply represents a concern with the instrumentalities of governance. These range

from the constitution itself and other legally constructed documents that have been created to support it, the structures and institutions that are established under their framework.”

The above discussion suggests that, to many scholars and researchers, the constitution is not only about legal enforcement but rather is a signifying document to affirm the importance and recognition of different political cultures and needs in order to transform the democratic system into speaking to individuals in that state. What many African states have today are constitutions without an inclusive sense of constitutionalism. Constitutions codify the rules of the democratic game whilst constitutionalism signifies the belief of the people in their respective constitutions (Bazew, 2009). There is an interconnectedness of processes of constitutionalism, the electoral system and democratic governance in a state. Voter suppression and violence significantly prove the weak role that is played by institutions in order to ensure the protection of civilians through the constitution. Constitutionalism can be defined as the doctrine that governs the legitimacy of government actions, and it implies something more important than the idea of legality. Constitutionalism safeguards whether the act of a government is legitimate and whether officials manage their public duties in accordance with the law and are accountable to the people.

However, advancement towards constitutionalism has been relatively stagnant in many African states. At the back end of the 2000s Ghana, Burundi and the DRC were 3 heavily discussed examples of democratic institutional decline. These states were struggling due to the decline in their development and constitutionalism due to issues with the limitation of power (limited government), separation of powers (checks and balances) and responsible and accountable government. Bazew (2009) further argued that sub-Saharan states like Ghana, Burundi and the DRC shifted from the respect for popular sovereignty which is a huge pillar of the process of legitimization of the government. However, it is also important to note that, the 2016 presidential election in Ghana was one of the recovered democratic and peaceful elections in recent history in sub-Saharan Africa. As Ghana is often referred to as a “model democracy” for sub-Saharan Africa, supporters of democracy around the world anxiously watched the elections, fearful that democratic backsliding could occur

(Boateng, 2016). However, former President Mahama left office peacefully after losing the election and crisis was largely precluded.

Correspondingly, the same peaceful transition could have been concluded with former President Joseph Kabila, but his exit of office was one fuelled by violence and after the 2018 elections there was violence in the DRC. Burundi also remains in a crisis of legitimization after a political crisis erupted in Burundi when President Pierre Nkurunziza decided to run for a third term in the 2015 elections (Wilén & Williams, 2018). The country remains lodged in an impasse, facing low-intensity violence, political oppression, challenging preparations for the 2020 elections and an increasingly desperate economic situation.

Furthermore, the government of any state acquires the mandate from the people, not simply through voting but also through ensuring there is responsiveness, accountability and access for the people to the government. The failure of constitutions in addressing the social issues faced by civilians in many African states has resulted in a belief of invalidation of what constitutionalism means to people. It does not matter how free and fair elections may be in a state, the democratic vision in Africa will lose legitimacy if it is not supplemented by improvement to and development of the conditions and quality of life of the broader masses (Fombad & Kibet, 2018). Constitutionalism is then needed in order to consult with the broader masses and engage in how best a democracy, as a system, can serve them. If a country holds free and fair elections without an inclusive sense of constitutionalism, then that country can be viewed as a hybrid regime.

2.3.3 The historical perspective of hybrid regimes

To specify the boundary between new concepts and traditional ones, the first step is to grasp the definition of democracy and authoritarianism. The concept of democracy is a contested form of government in Africa and around the world, and as a term, it can be divided into a liberal democracy and electoral democracy (Leon, 2010). This minimalist definition of democracy by looking at free and fair elections, in contrast to constitutional liberalism, is one of the bases of liberalism and a tool for an institutional democracy. According to Kao and Kou (2011:6), authoritarianism, on the other hand, is a type of political regime which is neither democratic nor totalitarian. This political

regime involves political restraints where opposition parties either do not exist or are excluded from competing in elections. There are a limited number of countries that have undergone transitions to democracy which have succeeded in establishing consolidated and functioning democratic regimes (Frits, Menocal & Rakner, 2008:30). Many democratic regimes have resulted in floundering in transition or reverting to authoritarian forms of rule.

Furthermore, less progress in democratic regimes was then later referred to as the birth of hybrid regimes. A hybrid regime is a regime that has systems that combine rhetorical acceptance of liberal democracy, the existence of some formal democratic institutions and respect for a limited sphere of civil and political liberties with essentially illiberal or even authoritarian attributes (Frits et al., 2008:30). However, hybrid regimes are not new in the world but rather new as a term. Illiberal regimes existed even when democracy was first introduced. However, in the past two decades, one of the most striking features of the late period of the third wave of democracy has been the unprecedented growth in the number of regimes that are neither clearly democratic nor conventionally authoritarian (Diamond, 2002:25). Considering not only electoralism but also the notion of civil rights and liberties when looking at democracies, a number are struggling, and thus illiberal democracy is rapidly growing.

Moreover, it is important to note that hybrid regimes are not the same hence there is a need to divide them. There are 58 out of 193 nations which account for 30 per cent of the world's population with independent political regimes which can be defined as partially free and partly authoritarian (Morlino, 2008:2). There must be a system to measure separately all the hybrid regimes in both electoral democracy and liberal democracy. According to Diamond (2002:25), a division of hybrid regimes can be made firstly from those that use multiparty electoral competition of some kind and those that are politically closed. A state with a multiparty system is the one that allows for opposition parties to exist and the political closed state allows for only one political party to rule. Diamond (2002:25) further argued that hybrids can be further divided into the competitive authoritarian and the uncompetitive or hegemonic authoritarianism. Some electoral authoritarian regimes survive, and some do not survive. Those that survive have adopted elections but retained stability for a long period of time without

democratisation. The phenomenon of regime hybridity in African states has contributed to a decline in successful democratic development.

Furthermore, many regimes in sub-Saharan Africa now hold regular competitive elections. However, these regimes have assumed some of the formal attributes of democracy such as holding multiparty elections whilst also continuing with the features of authoritarianism. Some scholars contend that the democratic features these regimes have adopted will lead to the demise of their authoritarian nature. This is supported by Lindberg (2006; 2009) and Schedler (2002) who argued that when regimes hold successive multiparty elections, they are more likely to become increasingly democratic. However, elections can also be seen as an appearance and a formal concession to Western pressures for democratisation. Elections held by sub-Saharan African states have tended to be illiberal and largely impacted the prospect of democratic transition.

2.4 Patron-client Relations and Clientelist Politics

To understand the barriers to effective electoral development it is important to evaluate the relationship between the voter and the electoral representative in order to trace the link between patron and client. There are two main players in this activity: the electoral representative and the voters. The electoral representatives are usually forced into a situation of how best to get most votes. The voters, on the other hand, are using the election as a means to shift policy towards their needs. They tend to assess their risks and benefits and how to make the most of them when casting their ballot. Unfortunately, there is no guarantee that what the citizens vote for, shall eventuate, even if their ideal candidate should win. Should the people be ruled by clientelist politics then a state will most likely face a crisis of legitimacy. According to Fombad (2004:51), the DRC has had issues of wealthy politicians who have been put into public office to gain access to the state's resources since the country gained its independence in 1965 under the leadership of Mobutu Sese Seko. The way the DRC has been organised and governed shows patron-clientage processes. Patron-client relations are linked with authoritarianism as there has been a long history of coercion and power struggles found in a state using such systems (Fatton, 2003:37; Theron, 2013). The use of clientelism as a method of mobilization results in political violence.

The control of how electoral procedures should be shaped by political elites in Africa affects the way electoral violence is growing in Africa.

In addition, should a liberal democracy like the Democratic Republic of Congo use coercive power and lines of commands before, during and after elections, then is democracy backsliding in that country? Ndulo (2006:4) clearly stated that democratic governance and the rule of law must advance the protection of human rights. Therefore, the lack of rule of law and constant political instability have never led a nation to a democratic system. The use of coercive force on civilians is a sign of legitimacy crisis in a state. The recent outbreak of military force being used to silence protesting Zimbabwean civilians post the 2018 elections is a sign of legitimacy crisis in African states. Violence was enforced after clashes broke out in Harare between soldiers and civilians who had been protesting the ruling Zanu PF's majority win in the parliamentary elections parliament (Manyethela, 2018). The tactics used to disperse protesting civilians in states like Zimbabwe in 2018 forms a suitable example to exhibit a state in a crisis of legitimacy. Furthermore, the use of military force to disperse protesting civilians against the refusal of Moise Katumbi who had wanted to run for the presidency in the DRC also serves as a sign of a crisis of legitimacy on the African continent. According to the Human Rights Watch (2018) throughout 2018, government officials and security forces banned peaceful demonstrations; used teargas and in some cases live ammunition to disperse protesters and restricted the movement of opposition leaders. Many civilians died including pro-democracy activists during the electoral violence in the DRC.

Furthermore, patron-clientism is used as a tool to manipulate electoral systems and institutions in African states through hierarchical patron-client relationships. The hierarchical approach is signified by class formation through social, ethnic and economic powers. Arthur (2014:2) argued that class formation is the basis of the social hierarchy and the privileges of power access. Power positions and privileges of class systems further influence structural opportunities and access to resources. The theory of social class formation alludes further to the incorporation of ethnicity as the mask for class privileges. Class structures relate to patron-clientism because when classes are created in a state the society also relies on patron-client networks as a personal security mechanism. Furthermore, when looking at ethnic divisions in relation to social

class it is important to evaluate the relevance of role definition. Muller (2012:108) argued that individuals seek personal substitutes of physical security, wealth and status from a patron and in return offer the intangible support to the patron. Such political, social and economic support from the patron to the client later results in class inequalities within society.

However, even though the client can continue supporting the patron in his/her quest for power, the relationship is not equal thus the patron benefits more. Fatton (2003:37) argued that patron-client relationships incorporate patrons into power and exclude clients from the centres of national power. Africa also battles with self-centred and authoritarian politics which are primordial in nature with power-hungry presidents like Joseph Kabila. However, focusing only on the impact of electoral violence in the development of the democratic system is not helpful for developing African democracies. The focus should be on how the electoral issues leading to electoral violence affect the governance of African democratic states more holistically. The main reason why there are people who vote for leaders like Joseph Kabila is because of the need to fulfil immediate needs and to have leaders from their ethnic groups run the state (Ganahl, 2014:7). This is caused by the main understanding of what patrimonial is based on. Patrimonialism is the idea of a patron, a person culturally anchored in the social and political order, bestowing gifts from his own resources to followers to obtain their loyalty and support (Nyaluke, 2014). The clients (citizens) who are commanded in return offer full support to the patron so as to attain a position or a portion of the available state resources. It is also important to note that patrimonialism is a traditional form of authority, found in all states including Western developed and non-Western developing states. The only distinction is that some countries are able to manage patron-client relationships without causing substantial net detriment to their particular state.

Furthermore, the quest for power is not a motivation when running for the first time but once one becomes addicted to control then it is easy to never let go. This is evident in African states today. However, the problem with presidents' clinging onto power is that their government is not progressive, and their positions result in an escalation of civil wars and political unrests. As much as political unrests have become a way of sending

the message to the officials, military force has been used to retaliate and for Presidents to remain in power. Such matters are destroying democracy in African states.

2.4.1 Neopatrimonialism and ethnic dominance

State capture can be analysed differently but in many cases of African democracies, it occurs as a result of clientelism and ethnic dominance. As Sisk (2013:262) argued electoral violence is a result of patronage politics in which politicians are warlords who control land to some extent and income generated from natural resources. Political warlords has been the issue at hand amongst sub-Saharan African states leading to violence and contestation when it comes to the limitation of presidential terms and ethno-religious dominance as a leading political factor. In sub-Saharan Africa by 2017 three African heads of state had been in power for more than three decades, namely Teodoro Obiang Nguema Mbasogo in Equatorial Guinea, Paul Biya in Cameroon, and Yoweri Museveni in Uganda. According to Diamond (2016:259), African states make use of patron-client networks by organising ~~the~~ public institutions along ethnic lines even before the election period. Osaghae (2006) in his analysis of the Ekeh's *Two Publics* states that, many African presidents view their ethnic line as the most trustworthy and reliable loyalists in their contest for power. The limitation of leadership tenures has been one of the institutional designs fostered for development and consolidation to ensure a strong democracy in Sub-Saharan Africa which cannot be of self-gain but to benefit the people (Urbinati, 2014:129).

In the DRC, the economic system is still being sustained by elite clientelism (neocolonial and postcolonial elitism), where property and land are owned by elites while the Congolese people suffer from the land shortage and political insecurity. Sisk (2013:263) further stated that politics in Africa is centred along religious, sectarian and ethnic lines. Horizontal inequalities contribute vastly to violence existing in African states due to neopatrimonialism. An assumption of ethnic politics is that when one becomes a president so does his community (Wamwere, 2003:74). Such negative assumptions cause ethnic monopolisation of power and thus destabilises violence in a state. It is evident in the DRC that political identification can be conveyed in a linguistic, economic and political way. According to South (2008:72), the DRC amongst other African states is one of the most ethnically diverse nation. The DRC has four

major ethnic groups, the Mongo, Luba, Kongo (all Bantu), and the Mangbetu-Azande (Hamitic). Resource looting along ethnic lines has resulted in conflict reaching an intensity and persistence with the Congolese people contributing largely to the threat of modern state decline. Lack of accountability when it comes to public spending and resource capital further encourage civilians in a state to demand better governance through elections. Although the DRC is amongst the sub-Saharan countries with a beautiful ethnic diverse population, food insecurity and political violence continue to torture the Congolese civilians.

Moreover, the electoral map of the 2006 presidential elections also revealed the limits of ethnic loyalty and the complexity of geopolitics in making choices by the Congolese electorate. In the case of the two main contenders, Bemba and Kabila, nobody got 100% of the voters' ballots, even in their home provinces (Ngoy-Kangoy, 2007). In the 2018 elections in the DRC voters in three Congolese cities known as opposition strongholds were excluded from presidential elections on security and health grounds (News24, 2018). Furthermore, the phenomenon of kleptocracy in sub-Saharan Africa is not only driven by the narrative of the Mobutu and the Kabila administration in the DRC solely but also in other African states like Burundi kleptocracy is visible. Abubakar (2015:57) mentions a few countries like Cote d'Ivoire, Somalia, Sudan and Ethiopia which have been in long periods of political violence from the 1960s. The abovementioned countries have also faced issues of political conflict fuelled by neopatrimonialism and resource looting along ethnic lines. In many African countries, both economic and political power has been transformed to be unaccountable to the citizens in spite of the existing growth of democratisation of African states and the eagerness for holding free and fair elections.

Furthermore, the nature of domestic politics based on patron-client systems led by informal networks leads more to personalistic leadership than for the benefit of the people. Political clientelism, when examined as a system of governance, serves as a tool of exchange between political leaders and the followers (Francis, 2006:80). Such an exchange is done through group focused ethnic politics which further leads to the lack of distinction between private and public relationships. What politicians fail to understand is that patrimonialism further causes divisions and exclusions of some ethnic groups. When patron-client politics prevail in a state, widespread

impoverishment continues to rise, and the marginalised groups continue being excluded from political and economic processes. A brief example is during the Mobutu administration where he rewarded individual loyalty more than anything else. Contrary to the policy of clientelism, Thomson (2016:111) views clientelist politics as a way to bring civil society back to the political arena. Structuring politics amongst ethnic lines strains the need for accountability and government transparency due to the centralisation of the state and its resources to meet the needs of the people based on ethnic loyalties.

2.4.2 Ethnicity and ethnic groups in sub-Saharan Africa

There are many factors which contribute to electoral violence in sub-Saharan Africa and one of them is ethnicity. Ethnicity is based on race, gender, region, religion and class (Chazan et. al., 1999:107). These groupings organise themselves in distinct ways for engagements and also for the social construction of views. The core purpose for ethnicity was to ensure cultural fulfilment, belongingness, physical and social security. Bercovitch (2003) explains ethnic groups as cultural nations which are bound together by a common culture and which lack the internationally recognized organization of a sovereign state. The analysis of Bercovitch (2003) on ethnic groupings in Africa is very important when analysing electoral violence because ethnicity serves as a source of electoral conflicts in many African states. Bercovitch (2003) further argued that ethnic aligning can be classified into three, namely: Indigenous People, Ethno-Nationals and Communal Contenders.

In addition, these categorisations of ethnicity are based on understanding how communities in Africa lived in pre-colonial times and how the formation of ethnicities transpired. Berman (2010) argued that the idea of African ethnicities are a relatively new concept and were developed substantially due in large part to colonial categorisation. Colonial systems cut across the creation of multi-ethnic groupings and the diversity of indigenous societies. Social and economic policies, even during colonialism, in African states were centred on different ethnic groups where some were favoured by the colonial administrations more than others. Traditional rural communities exist however, ethnicity may not be treated in relation to rural leadership as this serves as a class structure that signifies who gets what in the governance and

economy. For example, the Tutsi's during the colonisation of Rwanda was seen by European imperialists as culturally and racially superior to the Hutus (Carney, 2014:11). The ethnic privilege of the Tutsi's over the Hutus created political and economic elitism in Rwanda.

Furthermore, the establishment of colonial institutions during colonialism led to the construction of tribal identities tied to indigenous power relations and patronage. From the partitioning of the continent to the initial crafting of economic gains it is clear that colonial masters aimed at dividing and dismantling African communitarianism. According to Posner (2005:3), political institutions from the colonial era leading to postcolonial African structure had economic and social policies crafted according to ethno religious perceptions. Precolonial African politics were community centred with more involvement from the people. Institutions in precolonial Africa were created to protect the rights of the civilians in order to create a procedure of checks and balances with African leaders (Ezeanya, 2014). After the Berlin conference when colonisers had ceased claiming ownership of land, they defined, numbered and mapped African ethnic communities to craft their administration and further facilitate the institutionalisation of ethnic groups. The mapping of Africa led to the ethnic crisis and later on led to ethnic conflict and dislocation of state resources. In the Democratic Republic of the Congo (DRC), the period around elections has always been a moment of rift between the present and the past, a moment in which the question of identity is expressed in different ways. It is therefore important to discuss the ethnic factor as a basis for political choices in the DRC, the impact of the ethnic factor on democratisation, and the implementation of good governance. The ethnic clash in Ituri, (which is the mineral-rich province in the north-eastern Democratic Republic of the Congo) between the Lendu (who are predominantly farmers) and their arch-rivals the Hema (who are cattle herders), was used in 2018 to disrupt presidential elections (Muggah, 2018).

2.4.3 African class cleavages and social conflict in Postcolonial sub-Saharan Africa

In many sub-Saharan countries, ethnic violence grew from precolonial to colonial times and has since been a colonial legacy that many states still face in the 21st century. Social cleavages in Africa have largely impacted democratisation due to the growth of

Afro-pessimism in many African states. Africa is faced with the issue of institutionalisation of “Big Man” politics and patronage which continues to link ethnic groups with the dissemination of state resources. Big man politics started from colonialism and early independence in Africa when there was a drastic shift from traditional class cleavages to capitalistic social class cleavages. When class structures emerged during the colonial period in Africa they were then used as electoral strategies (Ntobi, 2016:152). Big man politics were evident even during colonialism where the middle class that was recognised by the colonial administration were allowed to vote.

The cleavages have been evident in countries like Burundi between the Tutsi’s and the Hutu’s. Daley has identified five cleavages that exist in the postcolonial period in Burundi. These cleavages include the intra-aristocracy, the Hutu and Tutsi war, intraHutu tribe conflict, military and the political elite, and intra-Hutu tribe conflicts (Daley, 2009:171). These cleavages are ideologically, economically and socially based using the same systems of colonialism which manipulated and oppressed. It is also important to take note of the role played by political institutions in shaping rules, regulations and policies which structures the society in a state. Political institutions shape individual’s identity choices through positioning political power with access to resources. Ethnic groups then understand that to get access to resources they must form a political coalition in support of having ethnic leaders in higher places (Posner, 2005:3). In a democratic state, access to resources is in a form of electoral competition and political actors often choose which ethnic group can be mobilised by also looking at the size of that particular ethnic group and its political history.

2.5 Economic underdevelopment and clientelism

Africa has made changes and has progressed in recent years towards building democracy, enhancing the rule of law, consolidating good governance, improving human security and protecting human rights. Since the early 1990s, the majority of African countries have undergone historic transitions from one-party, military or autocratic rule to multiparty democratic systems based on majority rule and popular participation. At the very heart of these democratic transitions has been the holding of periodic, multiparty elections. Votes, money and violence are a richly and carefully

researched inquiry into the roles of political parties, political party systems, electoral systems and their relationship to democracy in contemporary sub-Saharan Africa. Poku and Mdee (2011:42) argued that the state of the African continent during postindependence created a barrier to political stability and economic development. This illustrated the difficulty of building a stable economy in a continent entrenched by political violence and patron-clientelism.

Moreover, in order to discuss the link between economic development and elections, it is important to note the factors that illustrate the barriers in economic development. The exogenous or external factors include global financial crisis and unfavourable terms of trade, among others, while the endogenous or internal shocks include inappropriate and inconsistent policy regimes, corruption, ethnic conflicts, electoral violence and protracted civil wars, political instability, adverse security conditions, complex administrative and institutional frameworks (Omoteso & Mobolaji, 2014). For the purposes of this research, the focus is on electoral violence and resource electoral manipulation.

Elections are very important in a state as they become a guiding principle for a just sharing of the state's resources (Reynolds, 2009). Elections serve as an integral part of legitimising and delegitimizing African leaders. African politicians like Joseph Kabila have opportunistic behaviours which destroy the mandate of good governance in African states. Such opportunistic behaviours are explained by the theory of Kleptocratic behaviour. Kleptocratic regimes are not only found in Africa but also in Western countries. The DRC saw the regime of Kleptocracy during the Mobuto administration that advanced the postcolonial elitism pillaging the financial resources of the DRC's government for personal use (Abubakar, 2015:52). Kleptocratic behaviour goes hand in hand with the theory of bureaucratic corruption. Bureaucratic corruption results in the personalistic elitist presidency which largely affects governance in a state. Corruption undermines the rule of law by destroying democratic institutions that are essential for fair and equitable societies (Forson et al., 2016). Whilst African states are faced with politics of deep corruption and misuse of power there is also a different approach the political officials have used in addition to political power abuse which is predatory leadership. According to Vlassemroot and Romkena (2007:31), the present political leadership in the DRC does not really differ from the

leadership during Mobutu's rule. Political power is still largely exercised through networks of patronage.

Congruently, the monopolisation of power into the hands of predatory elites has played a role in the fuelling of electoral violence during the pre-election and post-election period. Predatory elites in Africa destroy democracy through extracting more and more from the impoverished communities rather than developing their states to strengthen their regimes (Fombad, 2004:375). Predatory elites do not focus merely on obliterating the economy but further obliterate the mandate of the people through vote manipulation. According to McFerson (2009), public integrity remains very weak in resource-rich African states. The DRC after independence encountered resource-generated conflicts which led to the displacement of many civilians. The conflicts ran from 1997- 2002 and were fuelled by the issue of ethnic entitlement and restricted civil liberties associated with access to resources. The DRC is one of the main oil producers in Africa, but the Congolese remain very poor. Given the predatory behaviour of rulers, it is difficult to enforce the rule of law as there is neither consideration nor respect for the institutions of the DRC. This behaviour, which has persisted in the country's system of governance for decades, has destroyed the ruler-citizen relationship as the citizens no longer have confidence in their rulers. This has tarnished the image of the public service, which is also incapable of delivering the basic public services to the citizens (Tshiyoyo, 2011:109). When the citizens lose their trust in the democratic process of establishing a ruling government then post-election violence is bound to take place.

Furthermore, predatory leadership in the DRC preceded the leadership of Mobutu when he lost his focus on the national human resource management and growth-enhancing policies but rather focused on the creation of personal money-making positions within the public sector. Rent seeking triggers the eagerness for an official to continue with corruption neglecting the needs of the majority. This is further supported by the United States Government Accountability Office Report (2007:21) by stating that corruption in the DRC is widespread and has led to the governance institutions being damaged. Even though such U.S reports are crafted looking at the attainment of the U.S foreign policy objectives, political instability in the DRC has a huge effect on the efficiency and transparency of the country's institutions. Economic

corruption in the DRC dates back from the leadership of Mobuto Sese Seko who maintained his power not only by using force but also using the power of money to bribe and manipulate civilians.

2.6 Höglund's Framework

When evaluating electoral violence and the triggers of political violence, the nature of politics, and the nature of elections and electoral institutions must be examined. These institutions inclusive of political parties in a state play a vital role in the electoral process. The nature of politics, the electoral process and electoral institutions are strongly emphasised as factors that are involved during elections according to the Höglund electoral violence analytical framework. The nature of politics refers to the relationship between leaders and followers in a state. In a democratic setting, the relationship between the leaders and the followers is assumed to be determined by democratic standards, rules and regulations (Hyland, 1995:52). The set rules and regulations start from the existence of democratic constitutions, legal institutions, parliament and electoral acts of a country. This therefore then means that elections must play a very big role in order to ensure that there are formal structures put in place by the followers to serve a particular state and its civilians.

Moreover, the role that elections should play in order to put formal structures in place in a state must be violence-free and a violent-free environment is defined by the criterion of "free and fair" elections. Electoral violence is a sub-category of political violence and more details of violence during transitional processes must be analysed (Höglund, 2009). Violence in democratizing and war-torn countries must be understood in the wider context of the transition from authoritarianism to democracy and from war to peace. Such transitions challenge power relations in society as well as the worldview of both incumbents and oppositional parties.

Conversely, in sub-Saharan states that link between the leaders and the followers has been characterised by patrimonial politics, conflict, the culture of impunity and prevailing socio-economic issues. The nature of politics in sub-Saharan states has been marked by the issues of political authority, manipulation of political systems, and ethnic politics. Höglund's framework examines the concepts which are most evident when discussions about the nature of politics in sub-Saharan states arise. When

evaluating electoral violence, it is important to take note of patrimonial systems that encourage electoral violence because such systems marginalise a significant portion of the society (Fjelde & Höglund, 2014). When patron systems define the nature of politics in a state the promotion of corruption and neglect of the rule of law become evident.

In evaluating electoral violence in the DRC, the theoretical framework of Höglund (2009) is then utilised to study the causes and dynamics of electoral violence. Höglund's theory looks at the nature of politics, the nature of elections and electoral institutions in sub-Saharan African countries. By employing Höglund's theory the evaluation looks at the electoral periods in the DRC, namely 2006, 2011 and finally 2018. Höglund's framework is employed to critically analyse the weak institutions in the DRC which are challenged through manipulation. Furthermore, analysis of the electoral process from 2006-2018 is done to expose the impact that electoral violence has on governance and socio-economic development. Another evaluation is based on the role played by multiparty politics in democratic consolidation or democratic defeat. The analysis of voter turnout is thus necessary, looking particularly at the reasons why citizens in the DRC do not participate in elections. Höglund's framework links the case study of the DRC with the theoretical analysis of other sub-Saharan states that have recently experienced widespread electoral violence. Fjelde and Höglund (2014) further argued that sub-Saharan states need to consolidate their democratic institutions so as to ensure that the threat of a decisive electoral defeat is not sufficient to motivate the use of violence.

In addition, there is also a rising issue in many sub-Saharan states when it comes to institutionalisation. The main issues are related to conflict cleavages which are cleavages in societies that take on a form of class, race, gender and maybe ethnic. In many sub-Saharan African states, political parties are formed based on those cleavages which make it hard for programme-based political parties to emerge. Van de Walle (2007:67) argued that ethnic and clientelist politics perpetuates the expansion of dominant-party systems where political power is personalised and few new political parties emerge. Höglund illustrates that the reasons for the expansion of dominant-party systems are due to the need for patrons to gain more power and maintain loyalty to the followers so that they might keep the patron in power even by

means of violence (Fjelde & Höglund, 2014). Such patron-client relations threaten the overall stability of political systems in many sub-Saharan states and the capacity for fair political competition is narrowed down.

Höglund’s analytical framework is used in this research as a tool to evaluate the three main areas where violence has taken place in the sub-Saharan states, in particular, in the DRC as the key case study. The three main areas that must be evaluated in a state that experiences electoral violence are the nature of politics, the nature of elections and electoral institutions. The evaluation is based on identifying enabling factors that perpetuate electoral violence and further trigger progress for democracy. The following table (Table 2.6.1) is a table that links Höglund’s analytical framework with the evaluation of electoral violence as a trigger for democratic consolidation.

Table 1. HÖGLUND’S ANALYTICAL FRAMEWORK FOR ELECTORAL VIOLENCE

	Conditions enabling the use of electoral violence	factors triggering
Nature of politics	<ul style="list-style-type: none"> - Patrimonial politics - Conflict cleavages - Violence as a legitimate political tool - Culture of impunity 	<ul style="list-style-type: none"> -Violent actors participating in elections - Biased police
	<ul style="list-style-type: none"> - Access to arms 	
Nature of elections	<ul style="list-style-type: none"> - Competitiveness - Political mobilisation - Stakes - Exposure to attacks 	<ul style="list-style-type: none"> - Misuse of political rights - Militant mobilisation - “Close races”

Electoral Institutions	<ul style="list-style-type: none"> - Systems creating clear winner and losers - Few regulations about electoral conduct - Administration with few checks and little power 	<ul style="list-style-type: none"> - Political usage of electoral administration - Election fraud - An unwanted or unexpected outcome of the election
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Source: Höglund (2009:423)

Höglund's theoretical analysis on electoral violence will help with the evaluation of how the nature of politics (patrimonialism and legitimation of violence) in sub-Saharan states trigger an unfavourable environment for the progression of democracy and good governance. The signs of these unfavourable conditions and weak political institutions is in regard to the maintenance of the status quo of hybrid regimes. It is evident that there is abuse of the rule of law in many sub-Saharan states, including the DRC, with limited checks and balances for democratic institutions.

2.7 Conclusion

Electoral violence is a broad subcategory of political violence that is evident in many African states more especially in the sub-Saharan states. While election-linked violence has a limited objective in the sense that it is aimed at affecting the electoral process, its consequences may be wide-reaching and can influence both attempts at conflict management and the consolidation of democracy. This chapter has discussed electoral violence, with a special focus on violence in sub-Saharan countries. This chapter has evaluated the role played by ethnicity as a triggering factor in electoral violence.

In addition, the chapter examined the nature of politics, considering ethnicity and how that impacts good governance and democracy. One of the factors examined was the influence of predatory and rent-seeking leadership regarding electoral manipulation and the effect of patron-client relations on democratic institutions. The second factor assessed was the role of neopatrimonialism to manipulate elections and the state economy.

In the DRC tribalism is still more pervasive than nationalism and the failure to govern democratically has led to the loss of the public's trust in public institutions. The public trust in public institutions is lost when there are no legitimate limitations of all the branches of government and government lacks transparency. The use of Höglund's framework of analysis on electoral violence was then employed to show the theoretical exploration of several areas that accentuate electoral violence, namely the nature of politics; the conflict-generating dimensions of electoral processes; and the design of electoral systems and administration.

CHAPTER THREE: METHODOLOGICAL PROCESS AND RESEARCH DESIGN

3. Introduction

In this chapter the research design and guiding methodology of the study will be discussed, as well as the data sources will be outlined. The study was conducted qualitatively through desk research to evaluate the influence of electoral violence on sub-Saharan African states. This chapter defines the process, scope and limitations of the chosen research design. In a social research study, the research methodology comprises of techniques and mechanisms of formulating the problem statement to obtain results and conclusions and/or recommendations. This chapter begins by explaining the research scope, methodology and case selection, research design, data collection method, validity and reliability, and lastly the ethical considerations. To explore the phenomena of electoral violence in sub-Saharan states the Democratic Republic of Congo (DRC) was chosen as the case study to be extensively researched. The focus on the DRC as a case study assisted in answering the “why” and “what” questions when it comes to the existence of electoral violence and traits of democratic state decline in sub-Saharan Africa. In examining the study qualitatively by looking at the historical developments of elections in the DRC through the application of the Höglund’s framework which will be more discussed in chapter four.

3. 1 Research Scope

The scope of the study was to understand the mechanisms that trigger the escalation of electoral violence in sub-Saharan democratic states, in particular, the DRC from 2006 to 2018. This was done by conducting qualitative research to track the reasons for democratic state decline in sub-Saharan Africa. The research scope mentioned above is a guide to the agenda of the research to answer the main research problem on electoral violence in sub-Saharan Africa. According to Bickman and Rog (1998), the research scope as agenda-setting helps the researcher in dealing with the analysis and examination of the research study to produce focused research results. This then means that the research must set out the parameters and limitations of the research when it comes to evaluating the extent of electoral violence in sub-Saharan states.

3. 2 Research Methodology

This study seeks to evaluate electoral violence which continue to impact democratic consolidation in Sub-Saharan African states, in particular the DRC. To gather research on the previously mentioned research problem, a case study with qualitative methodology was deployed. This method helped in the examining and understanding of electoral violence and its causes. The study has utilised a critical discourse analysis lens by filtering the case study through Höglund's analytical framework for electoral violence in conflict-ridden societies. This framework is used to examine the DRC's 2006, 2011 and 2018 elections. The election periods were chosen because they signify the democratic ruling and civilian involvement in elections after a long dictatorship in the DRC. The study reviewed a vast amount of literature on the subject of study using published and unpublished documents. The study utilised internal data within organizations through reports. The most contributing information for the study was also found in libraries such as journals; newspapers; directories; clippings; international organisations reports; government statistics; reports on elections by electoral institutions; books on democracy and electoral violence in Africa. It is also important to note the significant research from foreign observer missions, which have contributed to the study such as Human Rights Watch.

Furthermore, using a qualitative research method in this study allowed for the creation of more than simply the understanding of how people reviewed situations in their social lives but also how the operation of the institutions impacted the society. In the DRC there are democratic institutions put in place such as the NIC to ensure the protection of people's right to vote freely and fairly. Institutions like the electoral bodies have a huge responsibility in ensuring that the rules and regulations during elections are followed. Mason (2002:3) argues that qualitative research is also situated for methods of data inception which is both changeable and sensitive to the social context in which the data is structured. The data collected is the tool for careful analysis of a situation researched and a researcher needs to construct a detailed data analysis for a better understanding of the study. This study is based on a critical analysis of electoral violence in the 21st century sub-Saharan African democracies with specific focus on the DRC. This study, therefore, utilised desk or library research in the analysis of information. Choosing a qualitative case study method for this study provides a clear

tangible base through which to evaluate and explore some of the pertinent issues faced in sub-Saharan Africa by the DRC from 2006-2018.

3.3 Research design

A case study is a method of research that prescribes an intensive, empirical study of an individual unit, be it a person, group, place, institution, or otherwise. A qualitative, holistic approach seemed appropriate to evaluate the extent to which electoral violence affects democratic consolidation in sub-Saharan states. The case study chosen was intended to be evaluative as it explored the causative effects of electoral violence on democratic consolidation in the DRC. To have a single-case outcome in answering the research problem, the case study method was chosen for this dissertation. Since the case study method receives criticism in terms of its lack of rigorousness as a research tool, crafting the design of case studies is very important. In this study, the single-case design was chosen to address the research problem in a narrower lens.

Correspondingly, the study sought to evaluate legitimacy especially on the use of power and authority by sub-Saharan state actors and how that power caused a threat to democratic consolidation in sub-Saharan African states. However, it is important to note the drawback of a single-case design, which is its inability to provide a generalising conclusion, in particular when the events are rare. The single-case design is often also critiqued for its dependency on a single case exploration making it difficult to reach a generalising conclusion (Tellis, 1997). The single-case design focuses on a few subjects as exploration and thus it is difficult to generalise. Whilst generalisations are difficult to make based on situational specificities, one can still use comparative evaluation to show similar trends between other African states and the DRC. For more strictly generalised results an extensive comparative study would need to be employed using many countries. This was not feasible for a study of this length

In this study, the research problem looked at evaluating electoral violence in sub-Saharan African states, which led to democratic state decline. This was done by focusing on the DRC as a single case with specific reference to other sub-Saharan African states which had faced the same electoral violence issues. In this study, many things were considered when selecting a relevant research method, such as budget

issues, the focus of the research topic and time. This study employs a qualitative method throughout the gathering and the interpretation of data. The qualitative research method explores knowledge in order that organisations, the researcher and other stakeholders involved in the research are able to understand the study (Bless, Kagee & Smith, 2006:41). This type of research method uses qualifying words to evaluate and describe the aspects of the world and helps in evaluating how the world works both theoretically and practically.

While using the single-case study a critical discourse analysis (CDA) was undertaken as an analysis method to evaluate and investigate the effects of electoral violence on government institutions. Discourse analysis opens the floor for critiques on the knowledge passed on in everyday life (Jager & Maier, 2009:35). This then means that all knowledge, such as that of electoral violence that is written and learnt is subject to evaluation. A CDA allows for the creation of the foundations to examine the effects of the exercise of political power and that will be helpful when analysing power dynamics in the DRC. To critically assess electoral violence in sub-Saharan African states, it is important to narrow the study to a specific affected state hence the DRC is used as a case study.

Correspondingly, using a case study as a narrowed scope provided evidence of the matters of concern on which the research focused that were discussed. (Gormely, 2017:90). It is perceived that not all case studies are interpretive. Case studies are normally connected to qualitative research but can also be used as a method of inquiry applying a positivist epistemology and ontology. Researchers conducting case studies may not even need to visit the organisation under study, they could collect their data by consulting secondary sources or interviewing respondents telephonically or by email.

Moreover, the case study approach is practical in situations where contextual circumstances of the events being studied are critical and where the researcher lacks control of the events as they unfold. At the beginning of this study, the research was based on uncovering the political instability during the election period in the DRC starting mainly from the postponement of the DRC elections in 2016.

The case study as a research strategy in this study encompasses specific techniques for collecting and analysing data. According to Zainal (2007) case study research can be considered a robust research method particularly when a holistic, in-depth investigation is required. Case studies explore and investigate immediate real-life phenomena through detailed contextual analysis of a limited number of conditions and their relationships. Yin (1994) notes three categories of case study research, namely exploratory, descriptive and explanatory case studies. However, other categories of case study research were discovered by researchers such as McDonough and McDonough (1997). McDonough and McDonough (1997) argue that other case study research categories exist including interpretive and evaluative case studies. For this study, the evaluative case study research method was used to evaluate the mechanisms that triggered the escalation of electoral violence in sub-Saharan democratic states, in particular, the DRC.

This evaluative research also examines the existing theories centred on electoral violence. Evaluative research using qualitative research will vastly contribute to the process of gathering knowledge for a better understanding of the phenomenon studied (Bless, Smith & Kagee, 2006:47). Methodological theory ensures the perfect revelation of the intricate theory in research as well as a full expression of the practices included in the research process.

Importantly, it is also vital to outline the advantages and disadvantages of using case study research methods. There are several advantages to using case studies. If a researcher wants to study a specific phenomenon arising from a particular entity, then a single-case study is warranted and will allow for an in-depth understanding of the single phenomenon (Starman, 2013). This was a considerable advantage for this study as there was only one case study focus. Starman (2013) further argues that another advantage of case study based research, particularly single case research, is that it looks at a large number of intervening variables and inductively observes any unexpected aspects to help in identifying conditions which are present in a case. There are many variables involved when looking at the state of democracy in sub-Saharan African states like the DRC. In addition to electoral and political violence, in sub-Saharan states democracy is affected by variables like the personalized nature of the rule, the failure of the state to advance and protect human rights, the tendency of

individuals to withdraw from politics, and the extreme centralization of power in the hands of a few elites. Despite the advantages of case studies, there are limitations. One limitation is that the sheer volume of data is difficult to organise, and data analysis and integration strategies need to be carefully thought through. There is also sometimes a temptation to veer away from the research focus.

3.4 Data Collection Method

Data collection was done through mostly secondary source research. Before attempting to understand secondary and primary data it is important to note that the case study research design is also used as a data collecting method (Pawar, 2004:19). Data collected using the case study method differs by looking at the research theme(s) focused on by the researcher. The researcher conducted research based on organisations, written documents and policies of such organisations to analyse the existing electoral issues in the DRC. Secondary data sources mainly covered government publications, annual international organisation reports on electoral violence in Africa. Documents such as the Peace Security Council documents, National Independent Commission documents on DRC's elections, Human Rights Watch reports, United Nations reports, African Union reports, Afro barometer data, form some of the credible sources on electoral violence in Africa.

Moreover, using a case study will provide a more detailed analysis of the triggers of electoral violence evident in sub-Saharan democracies. In this study, the issues are those of electoral manipulation, democratic state decline, patron-client relations, and economic aspects affecting the rise of violence and other threats to democracy in the DRC. Pawar (2004:20) further argues that the case study method of data collection focuses on enhancing a deeper understanding of the social phenomenon that is being researched. When using a case study method, it is vital for secondary data analysis to be utilised, because documents and books can be used as a point of critical analysis due to their easy accessibility and for time and money-saving purposes. The data collected from scholarly journals, articles and websites were crucially important in the research that was conducted and what remains to be learnt about a topic (Creswell, 2009). Through the literature review other researchers on this topic were identified further adding to the vast knowledge on electoral violence in sub-Saharan Africa.

3.6 Validity and Reliability

The study conducted seeks to add more value to the existing research on electoral violence and how such violence emanates. Validity and reliability in social research are two entirely different things. Validity in the research design is explained using two aspects. Internal validity is the first dimension and it deals with whether the research design has dealt with the control of many unconnected variables (Bless et al., 2006:93). The unconnected variables are those variables that are irrelevant to the study. In this research context to guard against threats to internal validity in the form of subject variability, a thorough literature review was conducted to ensure that there is indeed a research gap in examining electoral violence. The data collection methods used such as journals and reports were examined by the researcher in a manner that did not generalise the findings but offered validity to the researched problem. External validity on the other hand, which is also the dimension of validity, is concerned with obtaining the results and whether such results apply to all subjects in the population (Bless et al., 2006:93). In this research the descriptive explicitness of the independent variable was explicitly described which made it easier for the research findings to be generalised to the wider sub-Saharan regional politics. However, the other underlying factor was the different historical backgrounds of the sub-Saharan African states. Bolarinwa (2015) argues that validity is concerned with the meaningfulness of research components. When doing social research, it is important to validate the content of the research to ensure its meaningfulness. All data collected was analysed in an objective manner and the findings reflected the actual data obtained. This study is grounded in political studies and therefore as a researcher it is important to note the definitions, theories and concepts being used and to ensure that they can be verified.

Additionally, validity deals with the degree to which the researcher observes and measures what is supposed to be measured looking to the research question and the problem stated. The researcher examined the data collected using the theoretical framework of Höglund to ensure that the research questions would be answered. The research also examined representations or reflections of reality are legitimately applicable across groups. Validity is concerned with whether the findings of the research can be applied to other groups or cases (Moon et al., 2016). In this research, the single-case study design has been chosen to narrow down the research problem

centred on electoral violence in the DRC. However, the findings can be applicable in tracing democratic state decline in sub-Saharan African states.

On the other hand, reliability is more focused on the level of consistency of the variables. This then means when a study is conducted the measurements must be the same even when times are different. Muijs (2011:63) argues that reliability is focused and concerned with the solidity of scores. In social sciences ensuring the same measurement of variables becomes difficult particularly for those conducting secondary data. The data obtained from the secondary literature had low explicitness which was open to a more subjective interpretation. The researcher ensured that the integrity of the data was protected while critically examining the research subject. Bless et al. (2006:151) further argue that in social sciences, there is a concern about establishing symmetries of opinions and perceptions. This then means a social researcher must be mindful of the fact that some variables will be more accurate than others and therefore it is important to differentiate between those variables to ensure reliability.

While conducting the research using secondary data the researcher identified carefully the patterns and themes in the data which were in line with the researched problem. When conducting secondary data, it is important to be mindful of what is read on media platforms and what is published on such platforms. The reliability refers to a measurement that supplies consistent results with equal values (Blumberg et al., 2005). Furthermore, reliability measures consistency, precision, repeatability, and trustworthiness of research (Chakraborty, 2013). The data obtained from secondary literature was analysed a second time and the patterns and themes were compared with the results obtained the first time in order to confirm the original findings. The data obtained revealed patterns and themes which are common to any electoral violence research in many sub-Saharan African states. Conducting secondary data analysis requires credible sources to ensure that the study is reliable. It is also important to note that some qualitative researchers use the term 'dependability' instead of reliability.

3.7 Limitations

Extensive secondary data collection can prove how well-read a researcher is in the research field studied and at the same time the credibility of the sources is the biggest challenge. Secondary data is research already published, and it is the cheapest form

of research because the data already exists. Secondary research can be split into internal and external research. The researcher was aware that it was easy to find and collect secondary data, however, there were limitations. One of the limitations was that the secondary data could be general and vague and might not help in dealing with the research problem that this study sought to work out. One of the key limitations faced was the unavailability of data collection in the DRC area by Afro Barometer, however, the researcher has used the data collected in other sub-Saharan states to evaluate electoral violence in the region, as well as utilising Freedom House reports. The overarching research question is based on the sub-Saharan states and thus a comparative analysis of the democratic challenges faced by other sub-Saharan states provided an evaluative angle for the DRC as a case study. This was also done by looking to the commonalities and the relationships of these states compared to the DRC. Whilst avoiding the use of data from other examples to speak for the DRC in specifically. This would create pure assumption, which cannot be held as reliable.

3.8 Ethical Considerations

Ethical considerations ensure that researchers become mindful of the insinuation of their research through understanding the procedure of whether the research will be reliable and valid. Researchers must engage in a principled consideration of morally prominent issues and adhere to acceptable actions when it comes to research situations (Punch, 2014:37). Interpretation of the data collected is very important and being mindful of how the data must be handled is critical to ethical representation. The data collected and examined in this research mostly came from dataset in the public domain and often considered free from restrictions.

Also, no formal institutional ethical clearance was required for this research as the study did not involve any human subjects or other live components. Research does not always involve the collection of data from participants directly as there is a huge amount of data that can be collected using the desktop analysis. Existing data can be evaluated to answer critical research questions yielding similar results to that of conducting interviews. However, concerns about secondary use of data mostly revolve around potential harm to individual subjects and issues of return for consent. The data collected and evaluated in this research was freely available on the internet, in books

and other publications. The ownership of the original data used has been acknowledged at all times in the dissertation.

Furthermore, preserving research ethics is necessary for the product of the study. Ethical actions begin when a researcher chooses the topic to research (Hay and Israel, 2006:12). When the topic researched in this proposal was chosen many aspects had to be ensured such as the validity of written articles about the DRC looking at its elections, governance, policies and socio-economic issues. Also, the finalising and publishing stage of the information received in exploratory research is very important when it comes to considering ethical considerations. This research is about seeking more understanding of the electoral issues which affect good governance in African states and with a case study of the DRC. The secondary data collected was then interpreted in a manner that provided more understanding of electoral violence. In both quantitative and qualitative research approaches, ethical rules apply and must be understood by the researcher before conducting any social research.

Moreover, researchers must ensure that they are vigilant when it comes to presenting the outcome of the research. The ethical committee sets out the rules which must always be followed by a researcher using both the qualitative and quantitative method. These sets of rules will differ depending on the researcher's different disciplines. Autonomy, justice and beneficence are very important principles to be mindful of when conducting research. Some government documents which were to be investigated when researching issues impacting good governance were confidential and not easy to access. The confidentiality and access to information depends on the constitutional arrangement of information of a particular state. Hence it was important to check whether the information is ethically attainable so that when analysing final findings, it does not become unethical to publish such findings.

However, ethics can also be limiting for many researchers because at times researching on government institutions is very difficult for researchers. According to Parry and Mauthner (2004), there are also issues of copyright and confidentiality in desktop analysis research. While it is unlikely that a secondary researcher would abuse the ability to access data archives, particularly given the protection mechanisms in place, there are nevertheless issues of concern relating to consent. One of the

limitations that the researcher encountered during chapter two was the restricted access to some articles relating to the study.

3.8 Conclusion

This chapter focused on the methodology that was used in this study. An explanation of qualitative research as a method for data collection and analysis was given. Measures followed during the data collection were discussed in this chapter and the information about the validity and reliability was provided. The main aim of the study is to identify the factors that promote the existence and growth of electoral violence in the DRC which leads to democratic state decline. To find the factors that contribute to the fuelling of political instability in the DRC qualitative research and the evaluative single case study method were chosen. The data collected will thus be analysed and be interpreted in Chapter four.

CHAPTER FOUR: DATA ANALYSIS AND INTERPRETATION

4.1 Introduction

This chapter seeks to uncover major themes in electoral violence that have transpired during the 2006, 2011 and 2018 elections in the Democratic Republic of Congo. This chapter will first evaluate the 2006 Presidential elections in the DRC which were marked as the beginning of the democratic transition for the DRC. The evaluation identifies the key factors found during the 2006 elections which induced electoral violence in the DRC. The chapter also explores the 2011 elections and the role played by the democratic regime in preventing or more so escalating electoral violence. Lastly, the chapter puts together the key threads found in the 2006 and 2011 elections in the DRC to evaluate 2016 leading to 2018 electoral violence. The themes analysed in this chapter will thus yield to the research objectives set in chapter one.

4.2 The Democratic Republic of Congo's 2006 Presidential Elections

The transitional period in the Democratic Republic of the Congo was hampered by a lack of political will and dissension within the transitional institutions. However, in 2005 the will and efforts of the transitional government finally led to the first-ever democratic elections through a process that resulted in the adoption of electoral laws, the creation of the Independent Electoral Commission and the adoption of a new constitution. The first multiparty elections in the DRC were then held in 2006 on the 30th of July. These elections marked the beginning of the turning point from a one-party state to a democratic state for the Congolese people.

4.2.1. Political and legal framework for the elections

When evaluating electoral violence in a state it is important to look at the electoral laws and systems in place. The DRC is a unitary state with a president elected by direct universal suffrage and a simple majority of votes cast for a term of five years. In the case of the DRC, the rules that governed the electoral process were found in the Constitution, in the Electoral Act, and in several decisions and guidelines set up by CENI. Two electoral systems were used during the 2006 DRC elections, namely the majority system and the proportional representation system. The majority system under territorial or regional representation was adopted for the presidential election and the election of governors and vice-governors of the provinces (Lindberg, 2006).

The adoption of the majority and the proportional system in the DRC was to ensure openness, representativeness, accountability, transparency, and equitable distribution of resources, respect of human rights and a constitutional government. Small parties also had a chance to run for presidential elections allowing for the minority groups to be represented in the elections. According to Mangu and Budeli (2008), the 2006 Constitution of the DRC states that national sovereignty is vested in the people. This means all power emanates from the people who exercise it directly by referendum or elections and indirectly by their representatives.

In addition, the important legislative guidance to examine is chapter one of the DRC's Constitution which deals with citizenship as the prerequisite for anyone to participate in the elections either as a voter or as a candidate. Mangu and Budeli (2008) further state that citizenship was a critical issue due to long periods of war which led to the Congolese people of Rwandan and Tutsi origin known as 'the Banyamulenge' being denied their legitimate claim for citizenship in the DRC. The DRC's constitution exclusively provides that Congolese citizenship cannot be held concurrently with any other citizenship. That constitutional ruling led to uncertainties although the 2006 elections in the DRC were marked as the most successful elections.

More laws that governed democratic elections in the DRC from 2006 include two laws passed in 2004 which are the law 04/002 of 15 March 2004 on political parties and the law 04/024 of 12 November 2004. The law 04/002 of March 2004 governed the registration of political parties (Law 04/002, 2004:29). On the other hand the law No. 04/024 – Congolese Nationality, 12 November is an Act that provides the criteria for the establishment of nationality in the DRC and that is the establishment of nationality in two ways (1) By origin (2) By acquisition. The other law that is important as the legal framework of elections in the DRC is the law 06/006 of March 2006 on the organisation of presidential, legislative and provincial elections. This is an electoral law which governs the electoral conduct during the electoral process. The above-mentioned laws were vital in providing the framework governing elections in the DRC starting from the 2006 elections. These laws according to Höglund (2009) assist electoral institutions in governing elections democratically. The electoral institutions form part of the formal democratic institutions created to respect the law and ensure free and fair elections.

4.2.2. Democratisation and electoral violence

The transition to a more democratic government in the DRC became an enduring struggle that has seen the country move from an armed rebellion to a forced political transition. The assassination of Laurent Kabila in January 2001 marked a defining moment in the history of the political transition of the DRC. After the death of Laurent Kabila, the DRC had a new quest for a democratic political system as one of many competing agendas that underpinned political negotiations to restore peace in the country. One of the key issues that led to the quest for democracy in the DRC was the lack of a separation of powers. The 2001 government in the DRC attempted institutionalisation but it was still quite impossible to map out the exercise of power (Reyntjens, 2009). What the International assistance and DRC government attempted in 2001 was to create predominant models of peacekeeping, with emphasis on rapid democratisation in a fragile post-conflict state. Such institutionalisation before liberalisation resulted in elections creating a medium for politicians to sabotage the democratisation process in many African countries in order to avoid political competition (Paris, 2004: 164). The theory of Paris on institutionalization before liberation outlines that in most African states the effort to institutionalize can result in electoral institutions suffering from a significant lack of credibility as well as questionable independence.

Furthermore, power in the DRC under the interim leadership of Joseph Kabila in 2001 was reshuffled without clear coherence with the political vision of the country. Just like the leadership of Mobuto, Joseph Kabila co-opted, arrested and dropped or reappointed the members of government without any constitutional considerations. The cabinet reshuffle during Joseph Kabila's interim presidency in 2001 reflected a leadership crisis. While political conflict persisted in the DRC during the period of 2001 to 2006 the administrative focus for the Kabila administration was to realign neopatrimonial politics. Despite pockets of armed conflict remaining in the eastern part of the country, the Congolese peace process made dramatic strides as citizens prepared for their first multiparty democratic elections in 2006.

Leading up to the 2006 elections the DRC still faced serious challenges with human rights violations due to armed conflicts that took place during and before democratic negotiations. However, on the 30th of July 2006, the DRC held its first free, democratic,

multiparty elections in more than 40 years of different preceding dictatorships. The new legislative framework governing elections in the DRC led to the election authorities registering more than 25 million voters between June and December 2005 and a constitutional referendum between the 18th and 19 of December 2005 was held, which resulted in a new constitution approved by 83 per cent of voters (Ngoy-Kangoy, 2007). The elections that took place on the 30th of July 2006 were also not immune to violence and intimidation. According to Diamond (2008), the Congolese people still learnt that even with democracy in place and free elections violence still took place especially between the East and West of the DRC. According to Höglund (2009) democracy is expected to work through a system of legal procedures and transparency. However, there was candidate-driven violence between the East and the West in the DRC during the 2006 elections. The people from the East rooted for Kabila while people from the west were in full support of Bemba.

Consequently, the conflicts were mostly fuelled by ethnic relations and which emerged from the historical ethnic violence in the DRC. The patron-client relations in the DRC stemmed from ethnic divisions. An analysis of the ethnic factor in the presidential election is not easy. Kabila got 58.05% of the votes against Bemba's 41.95% (NgoyKangoy, 2007). The linguistic bond between the Swahili-speaking East and the Lingala-speaking West seemed to have been a fundamental determining factor in the choice of voters. The problem with such patrimonialism is that only segments of society are included in politics and the system therefore risks alienating or marginalising part of the population as it encourages corruption and side-lines the rule of law (Höglund, 2009). Such factors of power inequality through ethnic divisions during elections foster electoral violence.

Furthermore, these elections represented the peak of a settlement by the government of national unity on 30 June 2003 and were a result of the Global and Inclusive Accord (AGI) at Sun City, after the 1998 war. The elections were especially characterised by three phenomena: cartelisation, independent candidates and the East-West rift (Ngoy-Kangoy, 2007). Out of 500 national parliamentarians, the People's Party for Reconstruction and Development (PPRD) of Joseph Kabila won 111 seats, followed by Jean Pierre Bemba's Movement for the Liberation of Congo with 64 seats, and Antoine Gizenga's Unified Lumumbist party (PALU) with 43 seats (United States

Institute Of Peace, 2008). Although these elections were not without flaws, they were perceived to be acceptably fair and representative of the general will of the Congolese people, and to have met the first step to a more democratic society. The Commission Electorale Indépendante (CEI), a transitional institution created the following agreements in 2002, handled them effectively, providing an important milestone in the peace process. The elections were effectively evaluated and monitored in the face of massive logistical challenges, the voting and counting processes were seen to be exemplary (Mangu, 2013). The 2006 elections for the Congolese people were the beginning of hope even in the wake of continuous conflicts that took place especially in the Eastern region of the DRC. This is illustrated in the understanding of the nature of elections by Höglund (2009) which looks at the competitiveness and political mobilisation during elections.

Although, the elections in 2006 in the DRC were said to be free and fair it is important to note that elections have to be understood within the wider context of the patron-client political ties which drive politics in many African states, including the DRC. The same link is also argued in Höglund's framework by understanding the patron-client relations concerning the struggle of state power when sympathising with ethnic backgrounds (Höglund, 2009). The lack of social security institutions leaves citizens dependent on their regional, social, religious, and ethnic communities and thus inclines voters to favour candidates sympathetic to their groups. Since a weak state cannot deliver social welfare goods, politicians fill this role, trickling the benefits of patronage down to the masses. Höglund (2009) further argues that the trickling of benefits from patronage systems down to the masses is a big feature of conflict-ridden societies in Africa. Politicians' access and gain power from the citizens through the informal networks they control through patronage; and that was unfortunately entrenched since the beginning of democracy in the DRC.

Additionally, the growing pattern of patronage in sub-Saharan African states was also analysed by Peter Ekeh. His theory of the two publics explained the 'unique' nature of African politics during colonialism, which had ethnicity, nepotism, and corruption as underlying elements (Ekeh, 1975). Ekeh's analogy on patterns of patronage focused on colonialism and the nature of African politics in the 1970s. Ekeh was one of the African pioneers of a perspective that has blossomed in such frameworks as

patrimonialism (Bratton & Van de Walle, 1994). The character of patrimonial politics is seen as a product of colonialism that is still evident in the contemporary postcolonial African states. Ethnic divisions and experiences of colonialism in Africa have led to the emergence of a unique historical configuration in modern post-colonial Africa (Ekeh, 1975). Ekeh's two publics focused on two groups which are the cadre of colonial administrators and the African bourgeois class born out of the colonial experience itself. For the purpose of this research the focus is the African political bourgeois who have the privilege of power in the context of the DRC and have used that power to propagate inter-ethnic feuds and political violence.

4.2.3. Voting in fear and human rights violations: Crisis of constitutionalism

With bloody protests and government threats it has been a formidable task to vote in the DRC. Despite the signature of the Sun City accords in 2003 between the Congolese Government and the belligerent parties fighting in Eastern Congo, violence still affects the lives of millions in North and South Kivu, Ituri and Maniema provinces. Women particularly have been targeted with various forms of sexual violence by armed groups and the ongoing insecurity has also exacerbated marginalisation of the most vulnerable, of whom women form a large part (Carayannis, 2008). There is devastating physical, mental, social, economic, gender-based violence and serious human rights abuses surrounding sub-Saharan African elections. While the nature of elections includes competitive elections the triggering factor of violence is the militant mobilisation (Höglund, 2009). Human Rights Watch (2017) found that the government fails to prevent election-related sexual violence, properly investigate cases and ensure that survivors have access to comprehensive post-rape care in many African states. The women and children who are sexually assaulted during election conflict suffer a lot of trauma, physical harm that often leads to anxieties when it comes to the election period. Women in the DRC are even fearful to take part in politics because of the violent nature of that space.

The fear that Congolese people carry has had a huge impact on voter registration in the DRC. *Table 2* depicts the presidential election results and voter participation in 2006.

Table 2: Presidential Election, July 30, 2006 (first-round results, in per cent)

Province	Voter participation	Kabila	Bemba	Gizenga	Mobutu	Kashala	Ruberwa	All others
Kinshasa	72.1	14.7	49.1	22.0	0.2	7.7	0.3	6.0
Bas-Congo	76.0	13.9	36.2	1.8	0.7	6.5	0.3	40.6
Bandundu	69.3	2.6	9.7	80.1	1.2	0.4	0.1	5.9
Equateur	74.3	1.8	63.7	0.3	30.6	0.1	0.1	3.4
Orientale	77.6	70.3	5.2	0.9	5.1	0.4	6.1	12.0
Maniema	85.0	89.8	0.4	0.2	0.3	0.2	0.4	8.7
North Kivu	81.0	77.7	0.8	0.4	0.5	0.5	3.8	16.3
South Kivu	90.2	94.6	0.3	0.2	0.2	0.1	2.0	2.6
Katanga	71.6	78.0	3.4	0.5	0.5	2.7	0.4	14.5
Kasai Orientale	39.2	36.1	14.7	1.2	0.5	17.9	0.8	28.8
Kasai Occidental	45.3	11.4	31.9	14.7	0.4	17.8	1.7	22.1
Total DRC	71.0	44.8	20.0	13.0	4.8	3.5	1.7	12.2

Source: United States Institute of Peace report (2008:2)

Table 2 indicates that in the first-ever multiparty elections in the DRC over 70 % of the DRC's registered voters cast ballots for a president of the republic and representatives to the National Assembly. During the 2006 election, the international community ensured that there were free and fairly planned elections hence the highest participation from the Congolese people was seen in the 2006 elections.

4.2.4 Weakened civil society scrutiny of elections: Disputed results

Civil society plays a very critical role in the elections and democracy of a state. The role of civil society in elections often takes the form of support for the institutional processes of a democratic election as well as the more substantive development of a democratic electorate (Mottair, 2009). Civil society is composed of citizens acting as a collective in the politics and public sphere of a country. Diamond (1999:221) defines civil society as "the realm of organised social life that is open, voluntary, self-generating, at least partially self-supporting, autonomous from the state and bound by a legal order or set of shared rules". Civil societies are one of the key components of democratic consolidation in a state as they signify public participation. The amount of

accountability and transparency that the ruling government has in its institutions is legitimised both by the constitution and the civil society in a state. According to Höglund (2009) the electoral institutions administer electoral conduct and systems creating clear winners and losers. However, the nature of electoral institutions in a state can enhance the political usage of electoral administration and election fraud.

Additionally, the civil society in the DRC is there to challenge the state's abuse of power and authority. Congolese civil society is comprised of a range of actors on the local, regional, and national levels. Most civil society organisations (CSOs) seek to advance the social and economic development of their communities, often through the provision of goods and services for the public interest. The restriction of the civil society involvement in state affairs was imposed during the colonial period and continued under the leadership of Mobutu. In Joseph Kabila's administration, the existence of civil society has been both effective and ineffective due to manipulation and civil society funding. During elections, politicians used civil society to campaign for elections and to gain ethno-religious support. Civil society that was involved and was not in support of Joseph Kabila was also restricted from political participation and that contributed to the unaccountable nature of his administration

Furthermore, in the context of elections civil society can reduce electoral violence to promote peacebuilding or play a role in creating a violent electoral environment. Höglund et al. (2009) developed a conceptual framework to identify various conflictgenerating factors in the context of elections. The factors clustered by Höglund et al.'s framework such as the electoral process, institutions of elections and election stakes are key components that civil societies evaluate when it comes to the elections in a country. Civil society in the DRC has played a key critical role in conflict management and sometimes conflict escalation. Looking at the second Congo war (1998-2003) which was a very complex conflict, it involved a vast array of actors, interests and issues. Civil society organisations were directly involved in both the peace process and the subsequent transitional period designed to resolve the conflict, providing some sort of popular legitimacy to these two processes dominated by politico-military forces (Koko, 2016). The civil society of the DRC has been involved in the process of mitigating and legitimising power even during the Congo Wars especially the second Congo War. However, it is crucial to understand the participation

of civil society during the election-related conflict. The perceptions of elections as legitimate and the provision of limited space for conflict behaviour can be promoted by civil society (Höglund et al., 2009). Civil societies are expected to ensure safety and security of citizens.

Correspondingly, civil society in the DRC played a crucial role during the democratic transition process from 2003 to 2006. Koko (2016) clearly states that, while several Congolese and non-Congolese stakeholders were instrumental in contributing towards the success of the transitional process and the resolution of the conflict, the role of civil society cannot be overlooked. However, civil society of the DRC has become vulnerable to the influence and manipulation of the main national political groupings. One of the reasons why such civil societies become vulnerable to the national political groupings is due to the history of their sources of funding, which is very patrimonial. According to Trefon (2005:141), establishing non-governmental organisations in the DRC was just one among several forms of coping strategies imagined by ordinary Congolese in times of hardship. In this regard, associations and NGOs are formed because of their links to international funding opportunities. Such civil societies can be politicised and highly unaccountable to the objectives they have set.

Table 3 shows the DRC's religious demography to outline religious civil society involvement in peace building and manipulating elections.

Table 3: Religious adherents in the Democratic Republic of the Congo, 1990-2025

Religious cluster	Mid-1990 Adherents (%)	Mid-1995 Adherents (%)	Mid-2000 Adherents (%)	Mid-2025 (projected) Adherents (%)	Percentage annual change (1999-2000)
Christians	35,392,480 (94.7)	43,289,860 (95.3)	49,255,901 (95.4)	100,935,700 (96.3)	3.36
including:					
Roman Catholics	18,750,000 (50.2)	23,000,950 (50.6)	26,300,000 (50.9)	55,000,000 (52.5)	3.44
Protestants	7,780,000 (20.8)	9,328,718 (20.5)	10,485,000 (20.3)	18,862,000 (18.0)	3.03
Muslims	435,000 (1.2)	500,000 (1.1)	568,656 (1.1)	900,000 (0.9)	2.72
Country's population	37,363,000	45,421,244	51,654,000	104,788,000	

Source: Barrett, Kurian and Johnson (2001:211).

The role of civil society groups in a democracy is to ensure accountability and transparency from the government. In the DRC religious civil societies were involved actively in the contested elections of 2006 and 2011 (Aembe & Jordhus-Lier, 2017). The civil society groups mostly regarded as influential in the DRC are the religious groups and from *Table 3*, Christianity grew at 3.36 % annually with the Catholic Church maintaining 50% growth. Religious networks are important and powerful actors in DR Congo's public sphere. Political parties in the DRC have used religious networks for mobilisation.

4.2.5. The link between ethnicity, religious polarization and electoral violence

As much as religious organisations can play a crucial role in peacebuilding in African elections, they can also contribute to the ethnic and religious tensions. Before discussing the role played by ethnicity and religious polarization in elections, it is important to first outline the difference between religion and ethnicity as identities to which people subscribe. Ethnicity in this regard is broadly used to encompass differences in 'colour, appearance, and language' as well as other indicators, such as common histories, which are felt as sufficiently important and shared characteristics to be potential sources of mobilisation. Scholars maintain that ethnicity is a strong predictor of vote choice in multi-ethnic and nascent democracies. Voters may select co-ethnics to receive patronage or public resource access for their group (Hofman & Long, 2013). As far as religion is concerned, the population of the African continent is divided between three main religions: Islam, Christianity and African Traditional Religions. Politicians tend to use ethnicity to gain support from their locals while using religion to reinforce support from those who may not be under their ethnic influence but who share similar religious conviction and affiliation. Power politics along ethnoreligious lines have been identified to have a ripple effect on the democratic system since it creates and sustains political tension and ultimately electoral violence (Egwu, 2001; Osinubi & Osinubi, 2006; Jega 2002; Salawu, 2010).

Both ethnic and religious mobilisation later manifest in electoral violence especially during the time of the announcement of results. During the announcement of the election results in 2019 the Catholic church raised the stakes, stating clearly that they would publish what they considered to be true results of the elections and would defy

the government if necessary (Freytas-Tamary, 2019). Religious civil society involvement and mobilisation strategies can further encourage electoral violence due to the differing treatment of candidates.

Additionally, to understand voting, parties and governance in multi-ethnic democracies it is important to unpack the political role of the ethnic factor around elections. The ethnic factor plays a critical role in the choice of a political leader and governance morality in many African states. The period of elections has been the moment of raising questions of identity which are often expressed in different ways. Ethnic politics influences the democratisation process and implementation of good governance. It was seen in the 2006 Presidential elections. A total of 25 420 199 out of a population of about 60 million inhabitants were registered to vote (Ngoy-Kangoy, 2007). The new dawn of democracy during the 2006 elections in the DRC was one that resulted from the culmination of a compromise by the government of national unity on 30 June 2003. Ngoy-Kangoy (2007) further argues that out of 500 national parliamentarians the People's Party for Reconstruction and Development (PPRD) led by Joseph Kabila won 111 seats, followed by Jean Pierre Bemba's Movement for the Liberation of Congo with 64 seats, and Antoine Gizenga's Unified Lumumbist party (PALU) with 43 seats. During the elections, the Congolese people voted for individuals and not the programmes because many parties during the 2006 elections lacked guiding ideologies and strong policy orientation. The modification of ethnic allegiance must be carefully considered when evaluating the DRC's elections and voting culture.

4.2.6 Socio-economic factors and political economy

The biggest factor of development in a state is the socio-economic factor which impacts on the successes and failure of a governing system. There are systematic relations between the characteristics of political regimes and patterns of socioeconomic development (Sirowy & Inkeles, 1990). It is, therefore, pivotal to understand and evaluate the socio-economic factors that have predisposed the DRC to conflicts as well as those that might have triggered conflicts. Socio-economic factors in this regard include factors such as economic growth, unemployment, poverty, health and social welfare.

These factors are evaluated as part of their potential contribution to electoral violence. The socio-economic atmosphere in the DRC during the 2006 elections showed how the country's vulnerability to conflicts served as a weak link for development. When the country gained its independence leading to the 2006 elections there was worsening of economic inequality as the majority of the population struggled to sustain a decent living while the political and economic elites continued to accumulate wealth (Downey, 2015:216). Specific groups or individuals in a patrimonial state can gain more benefits than others given the set of the pre-existing economic conditions and resource allocation rooted in ethnicity. The economic design of a state through responsive economic institutions depends on the allocation of political power and that is what political elites in the DRC use to sustain power.

In addition, when Joseph Kabila came to power in 2006, he inherited a political tradition of patrimonialism and corruption, based on access to easily corruptible resources such as copper, cobalt, diamond, and gold deposits. This political tradition of corruptible resource rents post-independence was established in the Mobutu period leading right up to the Laurent Kabila's era (Nguh, 2013). The DRC has suffered a marked economic decline since independence. However, it is also important to note the positive developments that independence materialized with in the DRC such as access to education for the previously disadvantaged and economic recovery with the help of Chinese investments (Matti, 2010). These remarkable developments were overshadowed by negative political scandals and corrupt activities. Starting from the 2006 elections the economic stability of the DRC was one marked by a dramatic population growth while poverty deepened, and inequality widened.

Furthermore, the politics of the DRC have also been marked by the troubling relationship between elections and neopatrimonialism. According to Birnir (2007:42), ethnic cleavages lead to coerciveness which is salient during and after the democratisation period. The goal of politicians before and during elections is to promise their ethnic constituency, who participate in politics, with obtaining officerelated goods. Neopatrimonialism in sub-Saharan African states like the DRC have also led to the intimidation of many civilians who have expressed their fear through staying away from voting. The core of public participation is in having free and fair elections; however, in sub-Saharan African states like the DRC participating in

elections is an unsafe action that one could take part in. Despite having the reinvention of constitutions during the 1990s many sub-Saharan African states still faced the challenge of constitutionalism. In sub-Saharan African states there is a minimal focus on the constitutional order and the rule of law by many states. The reforms made leading to the existence of the DRC's constitution have not been able to tackle the institutional weaknesses which have opened the gap for human rights violations, corruption and economic mismanagement for the state.

4.2.7 Elections and constitutionalism

In the 1990s many African states reinvented their constitutions to build good political societies. They moved away from one-party authoritarian states to embrace a constitutional political order and representative democracy. The DRC's constitution was implemented in 2006 to usher in more democratic governance and constitutionalism. Constitutional reforms in states like the DRC were introduced to provide a new constitutional framework to deal with perennial ills such as political instability, dictatorship, repression, human rights violations, corruption and mismanagement of state property, and poverty, all of which had stymied progress on the continent since independence (Fombad, 2014). The constitution of the DRC was a new dawn for rewriting the history of the departing colonial powers at independence and the dictatorships of Mobuto and Laurent Kabila. While many of the reforms have considerably opened the political space for the ordinary person, they did not sufficiently tackle the institutional weaknesses that led to dictatorships, corruption and economic mismanagement in African states. Such deficits in constitutional practice are shown in the continuous electoral violence and human rights violations in the DRC.

Furthermore, African constitutions have quickly transformed into instruments of oppression under the guise of shadowing the desired but evasive goals of national unity and economic development. Kibert and Fombad (2017) further alluded that most of these constitutions became the source of tyranny, which in many countries provoked civil wars, coups d'états and political instability. In the DRC, the constitution became an ornamental document that politicians ignored and violated with impunity. The 2006 constitution includes important human rights protections. However, the government failed to assure that legislation is consistent with constitutional norms. Constitutional

language banning torture is not complemented by legislation defining it, nor has the parliament acted to align the penal code with the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in the DRC (Afaoku, 2005:23). The violation of human rights by the state in disguise of the constitution further limited democratic consolidation in the DRC.

4.3 The Democratic Republic of Congo's 2011 Presidential Elections

The presidential term of Joseph Kabila from 2006 was then followed by the 2011 Presidential elections. This was a second run of democratic elections in the DRC moving towards achieving democratic consolidation. Before the 2011 elections many political and legal legislations were introduced and a shift in the democratic dynamics of institutions was also evident. The themes analysed below focuses on the key critical developments before the 2011 elections and how such political and economic developments have contributed to electoral violence in 2011.

4.3.1. Political and legal framework for the elections

In the 2011 elections, the same legal frameworks of the 2006 elections were put in place but with an edition of revised laws. One of the laws implemented in the 2011 elections was Law No. 11/003 of June 25, 2011, which modified Law No. 06/006 on several aspects adding to the criteria of ineligibility and the replacement of CEI by CENI to ensure free and fair elections (Reid, 2013). On the 28 of November 2011, the DRC then held their second national democratic elections. The 2011 elections, unlike the 2006 elections, were an organisational and political disaster. The results were considered invalid by electoral monitoring missions. The pre-election period and disputed election results coincided with numerous human rights violations, mainly against members of opposition parties, journalists and human rights activists (Salihu, 2019). The country continued to suffer from the shrinking of democratic fora, improper governance, impunity, and recurrent crises of legitimacy.

The DRC government created a roadmap and electoral calendar leading to the 2011 elections to restore the legal framework of elections in the DRC. The DRC's government involvement in the electoral process continued to put the Independent Electoral Commission in a cagey position because during electoral violence state actors are deployed by the government. The state is expected to work together with international organisations in ensuring electoral violence prevention methods but

instead in sub-Saharan African states the state actors who violated human rights were also deployed by the government (Höglund, 2009). The irony of democracy is that the laws put in place allow for the prevention and violation of human rights and the DRC military government also justified their human rights violation attacks as the means to protect the state.

4.3.2 Democratisation and electoral violence

On the other hand, the 2011 elections in the DRC took a turn from what was promising to be a second circle of democracy and violence took over. This happened after the political parties raised concerns about the credibility of the voters roll after its revision by the NIEC due to mismanagement, lack of transparency in the electoral process and lack of cooperation between NIEC and political parties (Githaiga, 2012). Free and fair elections for political representation were thus compromised due to the mismanagement of elections taking into consideration that the institutional arrangements for polling were also important in uncovering the driving forces behind electoral violence (Höglund, 2009). Another key analysis of the 2011 elections is the restricted involvement of civil society organisations especially those who freely opposed the rule of Joseph Kabila's administration. This electoral issue discredited the electoral process of 2011 as there was less respect for the freedom of participation for Congolese people. Preliminary results of the presidential elections were announced on the 8th of December 2011 before representatives of political parties and the diplomatic community (Reid, 2013). Immediately the legislative candidates alleged that the winners who had been announced in the provisional results did not reflect the records of party agents and therefore they filed disputes before the court.

Unlike the elections in 2006, in which the United Nations helped enormously with logistics, Congolese officials organised the 2011 elections. Electoral related violence in the DRC during the 2011 election process was present even before the 2011 elections. The crowd supporting Joseph Kabila attacked opposition followers especially in the capital of Kinshasa before elections began in 2011 (Ettang, NzovuOuma & Bakwesegha- Osula, 2011). The election disputes during the 2011 elections in the DRC were fuelled by suspicions and complaints against the election process and the insecurities of the Congolese civil society on the electoral system of CENI. In particular, the electoral mechanisms and electoral system design were

central to understanding the appeal of violence in some societies and among certain actors (Höglund, 2009). The nature of elections in 2011 in the DRC created the potential for encouraging conflict and polarization.

4.3.3 Voting in fear and human rights violations: Crisis of constitutionalism

Post-election violence became a norm for expressing unhappiness with the results starting in 2006 when competing parties in the DRC retaliated accepting the results that led to violence. However, the 2011 elections were more challenging than the 2006 elections in the DRC (Collin, 2015:110). The international community withdrew its support during the 2011 elections and that led to a great deal of political chaos and vote corruption. The withdrawal of the international community from supporting the 2011 elections was based on the demand from Joseph Kabila who tasked a parliamentary commission to examine constitutional changes that would allow him to stay in power beyond the two-term presidential limit (Reid, 2013). The United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) aiming at stabilization mission for the DRC withdrew their support in the 2011 elections and it was a key critical organisation that offered funds for political development in the DRC.

Moreover, electoral violence in the DRC was and still is perpetuated by many issues. During the 2011 electoral period, the change of the basic rules of the constitution relating to presidential voting procedures served as one of the reasons why the DRC's elections were regarded as unfair (Vircoulon, 2011:199). Problems existed starting from the initial competition of politicians to the electoral procedures put in place. For there to be a successful electoral process the people must be happy to choose from the existing parties which leader they want with no interferences or threats. President Joseph Kabila who had been the president of the DRC since 2001 started restructuring the constitution before his second term and the results of that term were not accepted by the Congolese civilians. That further resulted in the expression of civil and political unrest by the Congolese people and opposition parties. According to The New Humanitarian (2011) before the 2011 elections there was an ongoing invitation for women to join political parties and governance but only one out of 10 women that were invited to join the party accepted the invitation due to fear. Fear to take part in politics becomes a barrier for women's social and economic participation as well.

Moreover, this violence against women and children is not only carried out by the government security forces but also non-state actors. In several ongoing conflicts in Africa, notably those in DRC, Darfur, and Ethiopia's Ogaden region, sexual violence has reportedly been used by one or more conflict parties as a tool of war (Human Rights Watch, 2007). Gender based violence against women and children during election-related conflict is aimed at intimidating and humiliating the population seen as sympathetic to opposing factions. Gender based violence has been evident especially in the eastern Democratic Republic of Congo where security forces, rebel organisations, militias, and other armed groups have inflicted sexual violence upon the civilian population on a massive scale (Jocelyn, 2010). The government still struggles to address gender-based violence to threaten and humiliate oppositional civilians thus the stay-away system employed by many women in the DRC has also contributed to the overall decline in election turnout.

In 2011, however, the fear to vote increased as the rate of participation decreased and the number of discarded ballots increased (Reid, 2013). According to the Independent National Electoral Commission (La Commission Électorale Nationale Indépendante – CENI), in 2011 there were 32 024 640 voters, of whom 18 911 572 (59.05%) voted, minus 768 468 spoiled or blank ballots (4.1%) for a final tally of 18 143 104 (56.7%) valid votes. These figures show important decline in the level of participation and researchers have found funding from international donors for voter education as the key factor for the poorer turnout in 2011. International donors pulled their funding and assistance during the preparation towards the 2011 elections in the DRC.

In addition, the other key factor is voting in fear due to the violence that was taking place in the DRC. Voting in fear has been discussed by scholars like Schedler (2010:69) as a component of electoral authoritarianism where multiparty elections at all levels of government are held yet violate basic democratic standards in serious and systematic ways. Manipulation and coercion during elections can either cause people to vote for the elite party or scare people away from the voting stations. Patterns of violence during the election period limit people's participation in the electoral process. Kean (2004:1) observed that violence is the greatest enemy of democracy. The violence by intimidation and blackmailing as much as it is not physical harm forms part of electoral violence which scares people away from voting stations.

Table 4: Summary of the 28 November 2011 Democratic Republic of the Congo Presidential Election Results

Candidate	Party	Votes	%
Joseph Kabila	<u>Independent</u>	8,880,944	48.95%
Étienne Tshisekedi	<u>Union for Democracy and Social Progress</u>	5,864,775	32.33%
Vital Kamerhe	<u>Union for the Congolese Nation</u>	1,403,372	7.74%
Léon Kengo	<u>Union of Forces of Change</u>	898,362	4.95%
Antipas Mbusa	Independent	311,787	1.72%
Nzanga Mobutu	<u>Union of Mobutuist Democrats</u>	285,273	1.57%
Jean Andeka	<u>Alliance of Congolese Nationalist Believers</u>	128,820	0.71%
Adam Bombolé	Independent	126,623	0.70%
François Nicéphore Kakese	<u>Union for the Revival and the Development of Congo</u>	92,737	0.51%
Josué Alex Mukendi	Independent	78,151	0.43%
Oscar Kashala	<u>Union for the Rebuilding of Congo</u>	72,260	0.40%
Total (turnout 58.81%)		18,911,572	100.00%

Source: Reid (2013)

Table 4 shows the drop in election turnout in 2011. The voter turnout of 58.81% in the 2011 elections was a shocking drop from the 71% voter participation in the DRC's elections in 2006. Post the 2006 elections, the consolidation of democracy remained extremely difficult due to the violence that continued despite having a democratically elected government. The period leading to the elections in 2011 was very bloody leading to further development of fear of voting. A UN human rights report documented 188 violations between 1 November 2010 and 30 September 2011 linked to the electoral process relating to freedom of expression, physical integrity, liberty and security of individuals and freedom of peaceful assembly (MONUSCO & OHCHR, 2011). These incidents involved elements of the Congolese National Police targeting supporters of the opposition parties who sought to vote for another candidate instead of Kabila.

There was violence in the pre-election period with minimal assistance from the international community. Even on the Election Day, there were incidents of violence related to suspected fraud, augmented by the poor preparation of electoral lists (Reid,

2013). The lack of preparation for the Election Day in 2011 led to complications with the election process and many civilians chose to stay away from voting stations due to the uncertainties and violence that was taking place.

4.3.4 Weakened civil society scrutiny of elections: Disputed results

The 2006 elections were largely driven by the international community whilst the 2011 elections were organised and driven by the manipulation of the Joseph Kabila administration. One of the main areas in which the objectiveness of civil society came under serious dissection was the media. Koko (2016) further argues that, during the transition, private media outlets became the targets of the struggle for influence from the main stakeholders in government with other media owned by political actors such as the Digital Congo television channel (close to the Kabila family) and the two Canal Kin television channels (that belonged to Deputy President Jean-Pierre Bemba). Media outlets were turned into political propaganda machines during the 2006 elections and thus reshaped the role of the civil societies in the DRC during the most successful 2006 elections in the DRC. The misuse of political rights as indicated under the “Nature of politics” in Höglund’s (2009) analysis was visible during the 2011 elections. The DRC’s nature of politics (patrimonialism and legitimization of violence) triggered an unfavourable environment for the progression of democracy and good governance during the 2011 elections.

Religious organisations also play a critical role in the political socialisation of African civil societies (Agbiji & Swart, 2015). The civil society organisation which plays a key critical role in African democracy is the religious organisation. Religious organisations have played a crucial part in raising awareness about elections and preventing electoral violence in the DRC.

In 2011 the civil society in the DRC expressed their dissatisfaction about the change of the constitutional rules to the international community and the media. The civil society stated that this change was a plot by President Kabila to remain in power even when his support had declined (Vircoulon, 2011:200). In validating the 2011 election results many civil society agents and international observers raised quality concerns. The report of the National Electoral Observation Mission (Mission nationale d’observation 2011) included a number of pointed criticisms, including fraud, as did

the report of the 'Voice of the Voiceless for Human Rights' (La Voix des Sans-Voix pour les droits de l'homme – VSV 2012). The irregularities with the election results led to Kabila's supporters and Tshisekedi's supporters clashing. While Kabila was declared the winner of the 2011 election the civil society coalition, AETA, came closest to saying that Tshisekedi had won (Reid, 2013). This hurt the legitimacy of Kabila's presidency which further perpetuated violence post the 2011 election period. Indeed, the civil society scrutiny was largely overblown during the 2011 elections more than the 2006 elections.

4.3.5 The link between ethnicity, religious polarization and electoral violence

Moreover, ethnicity was used as a source of mobilisation during the 2011 elections in the DRC. The 2011 elections resembled the heightened types of electoral violence and allegations of malfeasance. During the 2011 elections, President Kabila had to face perennial opposition figure Etienne Tshisekedi and after initially being seen as the leader of the opposition to foreign invasion Kabila came to be regarded by many as having been weak maybe even a bit complicit – in Rwanda's continued destabilisation of the Kivus which is a region that borders Burundi, Rwanda, Tanzania and Uganda (Orogun, 2002). After the 2011 elections, President Kabila continued ruling a regime engaged in direct marginalisation and repression of opposition figures since the elections. After the 2011 elections, it was clear that who had political influence and powerful networks included ethnic Katangese and the 'Banyamulenge–Rwandese axis' (Trefon, 2013). The ethnic factor leads to electoral clientelism which relates to sociological voting. Sociological voting equates ethnic belonging with political representation without moral compromise. Electoral clientelism, therefore, leads to inequalities in the distribution of the country's various development projects. During the period of elections, electoral clientelism, therefore, can contribute to electoral violence. It is important to take note of the fact that the ethnic orientation of the political process as a result of the colonial system deliberately denied the opportunity for the emergence of a dynamic middle class, thus suffocating civil society as an avenue for democratic expression, and making ethnic kinship a default framework for political competition.

4.3.6 Socio-economic factors and political economy

In the 2011 elections, the DRC's fragmented power elite resorted to populism and manipulation of genuine economic grievances and disaffection to win the vote of the poor (Reid, 2013). This was done through a promise of positive patron-client relations to grant access to resources by using votes. Even in the 2011 and 2018 elections, the (re)formation of social capital remained a challenge in the DRC. Patrimonialism, political conflicts and economic instability in the region have prevented an institutional system that would provide conditions of predictability and security for democratic consolidation (Rohwerder, 2015). Instead, the decline of economic, political and social infrastructure has resulted in distrust in the system of governance including the electoral systems and procedures. The link between the provision of natural resources and electoral violence is fuelled by the weakness of public institutions. This phenomenon is clear in the DRC where various military and ethnic groups contest for control over the country's copious sources of natural resources like diamonds. The revenues derived from the exploitation of natural resources are channelled into the pockets of commanders or have been used to fund the war effort (Samset, 2002). The chronic political instability in the DRC has resulted in continued corruption with limited resources used to combat socio-economic issues.

4.3.7 Elections and constitutionalism

As the 2011 elections came with violence, many Congolese civilians were brutally beaten and killed for exercising their political rights in a country with a constitution that mandates for the protection of human rights. Constitutionally the 2011 elections in the DRC were the most controversial. To drive the democratic vehicle in the DRC through violent free elections there had to be a collaboration between democracy as a system of government, the institutions, principles, individual, civil and political rights to ensure constitutionalism (Mangu, 2013). The relationship between democracy and constitutionalism in yielding free and fair elections was not evident in the DRC during the 2011 elections.

The credibility of elections and constitutionalism depends on the state's respect of the rule of law. Mangu (2013) further argued that the political will and commitment to democracy in African states like the DRC during the 2011 elections was among the lowest on the continent. This was due to elections being rigged and electoral violence

outbreak. There was also little respect for human rights and the rule of law during the 2011 election in the DRC. The irregularities such as the lack of independence of the Supreme Court of Justice and the NIEC affected the success of the 2011 elections. These institutions remained subject to the incumbent president and to the ruling coalition as the members of such institutions were deployed by Joseph Kabila. The 2011 elections constituted a terrible setback for the DRC constitutionally and democratically.

4.4 DRC's 2018 Presidential Elections

Post 2011 elections to try and create more democratic elections the DRC government together with the international community worked on ensuring the existence of credible, apolitical and non-partisan institutions such as public media, the army, the security services, the electoral commission, and the judiciary for 2016 elections. However, democratic elections were yet challenged by the developments that took place in 2016 leading to the postponement of elections to 2018. After the 2011 elections many electoral laws and regulations were amended, and this section reflects on the agenda of elections and democracy.

4.4.1. Political and legal framework for the elections

Following the 2011 electoral violence, electoral reform laws were crafted and electoral processes to ensure free and fair elections were then presented at the National Assembly on 24 September 2012 (International Institute for Democracy and Electoral Assistance, 2014). The electoral process reforms were to ensure that the next election cycle as not rigged, and that the DRC endeavoured to hold free and fair elections again. On 7 October 2012 a special commission, with members from both sides, was established to reach a compromise and Law 13/012 of 13 April 2013 was signed by President Kabila on 27 April 2013 (Reid, 2013). However, the 2016 elections were postponed by CENI with the argument that it needed more time to ensure that all election-related materials (e.g., ballot boxes) could be safely delivered and to update the voter register.

In Addition, when CENI petitioned the Cour Constitutionnelle (the nation's highest court), for authority to postpone the elections, the opposition and its supporters responded with protests, which became violent and resulted in the deaths of many people (Mbaku, 2016). The court ruled that President Kabila could remain in power if

the country failed to hold elections in November 2016 to determine his successor. Article 70 and Article 75 of the DRC's constitution was conflicting as the choice to allow Kabila to remain in power was not the only choice to make. According to the Democratic Republic of the Congo Constitution (2005) Article 75 clearly states that:

“In the case of a vacancy, as a result of death, resignation or any other cause of permanent incapacitation, the functions of the President of the Republic, with the exception of those mentioned in Articles 78, 81 and 82, are temporarily discharged by the President of the Senate.”

This then meant that the constitutional court had the foresight to allow the president of the Senate to serve as the country's interim president as mandated by Article 75 of the constitution when the constitutional mandate of Joseph Kabila ended on the 19th of December 2016. However, according to Mbaku (2016) the constitutional court relied on article 70 of the constitution of the Democratic Republic of the Congo which provides that:

“The President of the Republic is elected by direct universal suffrage for a term of five years which is renewable only once. At the end of his term, the President stays in office until the President-Elect effectively assumes his functions.”

Article 70 does not mention that the elections determine a successor. This was the reason why Joseph Kabila was able to remain in power until the 2018 elections. The dangers of the constitutional court ruling on article 70 was a sign of a constitutional coup d'état. Constitutionally Kabila was elected for two terms from 2006-2016, however, the constitutional court ruling resulted in a constitutional crisis during November 2016. The constitutional ruling thus weakened the DRC's governance and democracy. By the courts' interpretations a paradox of a constitution without constitutionalism was evident. The ruling elite appeared to be narrowing the scope of the role of the judiciary and undemocratic power was then legitimised yet again by the judicial system through constitutional interpretations.

Furthermore, the deal made by Kabila with the opposition parties and CENI was for elections to take place at the end of 2017. When 2017 approached electoral violence in the DRC intensified especially in the Kasai region. Kabila's insistence on remaining

president of the DRC throughout 2017 only compounded these dynamics. Again, the elections were postponed to December 2018 due to the continuous outbreak of violence and poor electoral management that was in place. Violence that broke out in the DRC starting from 2016 leading to 2018 was thus a strategy for Kabila to remain in power. Höglund (2010) argues that political leadership is in most cases the key instigator of electoral violence. This is due to the abuse of the rule of law in many sub-Saharan states, including the DRC, with limited checks and balances for democratic institutions. Other leaders use militant mobilisation as means of mobilisation while triggering electoral violence.

Finally, in August 2018 Joseph Kabila announced that he would not be running for reelection. His announcement not to seek a third term was after an official from the Trump administration made it clear that the U.S. would apply sanctions to individuals or entities, regardless of who they were if they undermined the democratic process or threatened the peace and security of the country (Gandhi, 2018). Between 2015 and 2018 democracy declined due to the legitimacy crisis of many African states but the climax was the electoral violence that took place in the DRC after the postponement of the 2016 elections when violence in Eastern Ethiopia and Mozambique resurfaced. The challenges with electoral processes and procedures continued to have an impact on the democratic development of the DRC thus it became necessary to study the impact of elections in democratic governance. The democratic project was in crisis in the DRC due to electoral violence, lack of good governance and lack of democratic constitutionalism.

4.4.2 Democratisation and Electoral Violence

The DRC suffered from political instability due to the delay of elections by President Kabila in 2016. According to Ansorg (2018), the DRC citizens voiced their objection to the government through protests, especially in the capital city of the DRC (Kinshasa). However, the state security forces violently dismissed protesters in the DRC and democratic activists were also silenced through the shutting down of the internet. Electoral violence in the sub-Saharan African region has been an issue which raises a lot of concerns about the accountability of institutions and systems created to foster the sustainability of democracy. Weak institutions contribute largely to the electoral corruption and violence seen in sub-Saharan African states (Anifowose & Odukoya,

2013:290). The failure to strengthen democratic institutions contributes to the expanding electoral violence in Sub-Saharan African states. While there are functioning executive and legislative arms of government in place, the DRC remained unstable and underdeveloped, despite being rich in minerals during Joseph Kabila's presidency leading to the 2018 elections.

In contrast, the 2018 elections were the hope for a more democratic state for the Congolese people. However, they turned out to be a defeat for democracy and a disaster for the people (Ibrahim and Doss, 2019). Yet again the elections showed the failure of accountable and inclusive democratic institutions. Ibrahim and Doss (2019) further argued that, there was a week's delay and intense negotiations, before CENI announced the victory of Felix Tshisekedi as the winner of the 2018 elections. That on its own being a defeat to democracy as it signified the glitch of free and fair elections. The elections did produce a long transition from the long presidency of Joseph Kabila to Felix Tshisekedi even though they were flawed.

Transition from Kabila to Tshisekedi may have been viewed as the preservation of peace and stability in the DRC, however, 2018 elections and post-election was not immune to violence. Widespread irregularities, voter suppression, and violence significantly marred elections on December 30, 2018 in the Democratic Republic of Congo with more than a million Congolese unable to vote and some were unable to cast votes because of the last-minute closure of more than 1,000 polling stations (Human Rights Watch Report, 2019). The concern with the 2018 elections and the transition of power was again the issue of legitimacy because without legitimacy, Tshisekedi's government will find it hard to undertake the many serious reforms that DRC so urgently requires.

4.4.3 Voting in fear and human rights violations: Crisis of Constitutionalism

Following the postponement of the 2016 elections, voting participation dropped in the 2018 elections posing a significant threat to democratic consolidation. These elections took place after the Congolese authorities had delayed elections repeatedly for over two years, permitting President Joseph Kabila to remain in office beyond his constitutionally mandated two-term limit, which ended on December 19, 2016. Table 5 shows the election results of the three leading presidential candidates and the voter turnout.

Table 5: 2018 election results and voter turnout

Candidate	Party	Votes	%
Félix Tshisekedi	Union for Democracy and Social Progress	7,051,013	38.57
Martin Fayulu	Dynamic of Congolese Political Opposition	6,366,732	34.83
Emmanuel Ramazani Shadary	Independent	4,357,359	23.84
Total		18,329,318	
Registered voters/turnout			47.56

Source: Englebert (2018)

During the 2018 election, only 47.56% of registered voters turned out at the polls, partly due to the fear of voting. The drop in the election turnout was also due to the votes which were not cast at all in three opposition strongholds in the east of the country after the authorities cancelled the vote there, citing health risks from an Ebola outbreak and ethnic violence (Human Rights Watch, 2019). The violence also spread to some of the election stations with many angry citizens questioning the electoral process. The election turnout in the DRC from 2006 compared with the 2011 and 2018 elections has shown a significant decline in citizen participation and interest in the democratic process. The political decline in presidential votes was due to the current political era in the DRC and has been reflected through vote choice.

Similarly, elections in the DRC have not played a significant role in the regime reproduction process. The electoral disputes and rejection of election results do not only reflect on the institutional and structural framework of the elections, but they are also rooted in the voters’ view of them, lack of confidence in the electoral system, and mismanagement of the electoral process. The elections have been a vehicle for consolidating autocratic rule under a new democratic disguise in the DRC. Lindberg (2007) argues that elections may in some cases sustain autocratic rule rather than reverse it. When elections work as a tool to legitimise autocratic rule, they are then likely to reproduce autocratic ruling with limited constitutionalism in place.

4.4.4 Weakened civil society scrutiny of elections: Disputed results

To legitimise elections in a state there must be involvement of independent civil society to examine the election process and results. The intervention by religious groups to defuse tensions before and after the presidential elections provides a pointer to their

continued future engagement and importance of the maintenance of peace in the DRC (Uzodike & Wheto, 2008). Religious actors' post-independence leading to the 2018 elections have put emphases on the need for good governance and socio-economic development rather than the increase of parochial interests to scupper the relative peace in the DRC by leaders. However, against all the participation of civil society groups in maintaining and preventing human rights harm, many DRC civilians were killed during the 2016 postponement of elections as well as post-election violence in 2018. State security forces, armed groups, and militias in eastern Congo's North Kivu province intimidated voters to coerce them to vote for specific candidates, particularly for the ruling coalition's presidential candidate, Emmanuel Shadary, and for ruling coalition candidates for parliament (Human Rights Watch, 2019). The violent clashes involving voters, electoral officials, and security forces during elections manifested into disputed results as in 2011.

Religious groups like the Catholic Church were part of the civil society observation groups. However, the same religious organisations can also be subjected to electoral manipulation due to the dominance of religion, choice of leadership and voting patterns (Agbiji & Swart, 2015). Many African leaders attended churches and Christian programmes to mobilise votes. The Catholic Church during the 2018 election chose to publish the candidate Martin Fayulu as a legitimate winner of the elections instead of the announced winner Félix Tshisekedi (Freytas-Tamary, 2019). The Catholic Church broke constitutional and electoral laws and looked at starting a revolt. Also, religious identity in the DRC (as with class and ethnic identities) is often situational and based on pragmatism.

On the 10th of January when the elections results were announced Felix Tshisekedi of the opposition *Union pour la Démocratie et le Progrès Social* (UDPS) was declared as the winner. Felix Tshisekedi won with 38.5%, followed by Martin Fayulu (of the Lamuka opposition alliance) with 34.7% of the votes, whilst the regime's candidate and Kabila's successor candidate, Emmanuel Ramazani Shadary, garnered only 23.8% of the votes (Englebert, 2019). Despite calls to appeal the results by opposition candidates like Martin Fayulu the presidency was passed on to Felix Tshisekedi. Englebert (2019) further argues that even though Joseph Kabila relinquished power, in the days following the 2018 elections, the Catholic Church under CENCO that had 39,082

observers in polling stations and the civil society coalition SYMOCEL that had observers in 101 CLCRs, made numerous reports of fraud and irregularities. This meant that the credibility of the democracy-promotion agenda in the DRC was at risk. Tribalism still played a role during the 2018 elections as it had done in the 2006 and 2011 elections.

4.4.5 The Link between ethnicity, religious polarization and electoral violence

Political and socio-economic changes trigger identity shift and ethnic associations causing friction between communities. The ethnic discourse became politicized as a result of the combination of the divide-and-rule agenda of the colonial administration, which was exploited by members of the national elites seeking a convenient means of mobilizing political support (Mattlin, 2011:182). The cyclical nature of electoral violence in the DRC suggests that these ethnic factors had not been addressed appropriately by the democratic system as it had failed to do so during the early democratic transition of the DRC. Höglund's analysis of electoral violence links up all the perspectives of conflict rooted African states like the DRC to provide a more historically rooted approach to understanding how and why ethnic divisions have become a powerful political tool for violent electoral mobilisation (Höglund, 2009). The country's history of political conflicts remained a driver of instability during the 2016-2018 election process, and violent conflict continued in the eastern part of the country.

This situation in the DRC had been exacerbated by the presence of a great number of Hutus and Tutsis from Rwanda in the Kivu region and to some extent the Hema from Uganda in Ituri, whose status had always been disputed among people in the eastern DRC (Stearns, 2011:37; Vircoulon, 2010:210). Violence in the troubled eastern region remained a complication before the December elections in the DRC, this region had not seen a peaceful transfer of power since independence from colonial Belgium in 1960. Even in 2019 violence between tribes in the Eastern Congo continued to impact on the progress of democracy in the DRC (Human Rights Watch, 2019). The violence in the previous years shows that peace and stability in the DRC in eastern Congo has been elusive.

4.4.6 Socio-economic factors and political economy

The economic development as the social aspect remained connected to ethnicity and the colonial background in the DRC even after independence. DRC's GDP in 2017

increased to 1.3% of GDP in 2018, after three consecutive years of deficits (The World Bank, 2019). However, public, social and investment spending is still low and inadequate to ensure more sustained and inclusive growth in the medium and long term. In 2018, the unemployment rate for the Democratic Republic of the Congo was 4.2 %. The DRC's unemployment rate fluctuated substantially in recent years; it tended to increase through the 1999 - 2018 period ending at 4.2 % in 2018 (World Youth Report, 2018). Several people in the DRC are still living under the poverty line with many battling to find employment in a very resource-rich country. At least 63 % of the country's more than 80 million people lives on less than two dollars a day, according to the United Nations (Mohamed, 2018). It is also important to note how corruption and violence have played a major role in the slow-moving development of the economy.

Additionally, during the preparation stage of election in 2018 and post elections in 2019 it was evident that the economic factors in the DRC still relate to the country's vulnerability to conflicts, the timing of conflicts, and their duration. The public sector management and governance plays a critical role in managing economic factors and stability in a country. While Joseph Kabila's term was coming to an end in 2018 the combination of political uncertainty, predatory state institutions and low commodity prices continued to contribute to an increasing political instability (Human Rights Watch, 2019). While electoral protests focused on the constitution and delays to the electoral process during 2016 leading to 2018, they were also focused on Kabila's failure to improve the lives of ordinary people. While the Congolese people were hungry for electoral democratic change, they were also frustrated by the lack of development in socio-economic opportunities and by the complacency of the governing elite.

4.4.7 Elections and constitutionalism

The abuse of power by the Kabila family with minimal or no respect at all for the separation of powers has led to the Congolese people losing their trust in institutions such as the judiciary which are supposed to be independent. Afaoku (2005:24) further argues that, regardless of constitutional intent, Congolese judges are subject to undue influence from government officials and powerful individuals. Tshisekedi's victory in the 2018 elections was largely disputed and the dispute was then lodged with the

DRC's Constitutional Court. The ruling was considered unsurprising, with the court made up of Kabila's allies (Belaud & Bosuandole, 2019). The ruling followed the concerns that Joseph Kabila engineered a backroom deal with the largely untested Tshisekedi to protect his power base in a country with staggering mineral wealth.

DRC's elections under multiparty systems had the effect of legitimating corrupt and dysfunctional state power. This is partly because the political and electoral reforms were not accompanied by at least the minimum core content of modern democratic constitutions which is the strengthened rule of law and commitment by the leadership to constitutionalism (Gutto, 2003).

Institutions responsible for legitimising power through ensuring imposing procedures that enhance accountability have been vulnerable to manipulation and constitutional violation in the DRC. *Table 6* below shows the freedom status that is found in six sub-Saharan African countries including the DRC. *Table 6* shows the PR (Political Rights), CL (Civil Liberties), FR (Freedom Rating), AS (Aggregate Score) and FS (Freedom Status) evident in sub-Saharan states which impacts democratic consolidation.

Table 6: Freedom status of countries in six sub-Saharan African states 2018 and 2019

	2018					2019				
	PR	CL	FR	AS	FS	PR	CL	FR	AS	FS
Angola	6	6	6.0	26	NF	6	5	5.5	31	NF
Burundi	7	6	6.5	18	NF	7	6	6.5	14	NF
DRC	7	6	6.5	17	NF	7	6	6.5	15	NF
Rwanda	6	6	6.0	23	NF	6	6	6.0	23	NF
Sudan	7	7	7.0	8	NF	7	7	7.0	7	NF
Zimbabwe	6	5	5.5	30	NF	5	5	5.5	31	NF

Source: Freedom House Report (2018); Freedom House Report (2019)

As seen in Table 6 the DRC in terms of the political liberties especially in 2018 leading to 2019 was rated 7 meaning the civilians of the DRC have very limited freedom. Indeed, this has been evident especially during the 2018 elections with manipulation and threats posed to the civilians by the government officials. Such freedom violations threaten the necessity and importance of governments to rule by the consent of the majority. The political rights rating was also influenced by the processes and procedures used in the 2018 elections where many polling stations opened late, and results were not publicly posted at some sites in violation of electoral law (Freedom House, 2019). In celebration of the 2019 results many Congolese people finally celebrated the loss of the ruling party to the oppositional leader Félix Tshisekedi who became the president on the 24th of January 2019.

However, the ex-President Joseph Kabila worked underground to ensure that he still retained political power in the DRC even after his term ended. In March 2019 Felix Tshisekedi agreed to join with ex-President Joseph Kabila to form a coalition government after Tshisekedi was not able to gain enough support in Parliament (Fabrics, 2019). Despite the political will of the people through voting for Félix Tshisekedi the control of the country's agenda and finances in some way returned to the hands of Joseph Kabila. Even administratively a crisis was inevitable to take place as President Felix Tshisekedi and his predecessor Joseph Kabila reached an agreement in July on the division of cabinet posts between the two political camps (Bujakara, 2019). Democracy is indeed backsliding in the DRC as Joseph Kabila who has been a resident in the DRC for 18 years continues to control state institutions. Joseph Kabila's levers of power also extend to the military and the economic sectors, despite his administrative failures and human rights violations that were influenced during his presidency.

Likewise, illegitimacy and unconstitutional power ruling have been the legacy of the democratic transition of the DRC, particularly the electoral institutions. According to Höglund (2009:422), the conditioning factors of electoral violence under electoral institutions include electoral conduct and administration of elections with limited checks and little power. One of the triggering factors for electoral violence, according to Höglund, is the manipulation of the electoral administration and the constitution. The

management of elections by CENI had the potential to either encourage or discourage electoral violence in the DRC.

The independence of CENI as an institution had huge potential to build democratic trust of the Congolese civilians and promote transparent electoral administration. However, CENI has been vulnerable to electoral manipulation, electoral fraud and disputed electoral results. While CENI announced the 2018 results as they appeared the political governance of the DRC still faces issues of unaccountable government with exclusive institutions. To protect the liberties of the Congolese people the DRC must undertake intense reforms because without the legitimacy, the government will continuously find itself in the crisis of governance.

4.5. Conclusion

Although democracy is not measured solely by whether elections are free and fair, the freeness and fairness of elections are one of the necessary conditions for assessing the existence or absence of democracy. This chapter has outlined the legitimacy crisis of elections in the DRC starting from the 2006 elections to the 2018 elections. It further provided the implications for stability in the post-election environment especially in one that has continuous ethnic violence. In employing Höglund's theory on electoral violence it was clear that the DRC has had challenges with neopatrimonialism in governance and development. The theoretical framework used to evaluate electoral violence in the DRC was the Höglund's analytical framework by looking at the nature of politics, nature of elections and electoral institutions in the DRC. The Höglund's framework provided an analysis tool of the electoral system and procedures which have been used in the DRC during the 2006, 2011 and 2018 elections. Using Höglund's (2009) analytical tools, the DRC was found to have weak electoral institutions which have been constantly challenged and manipulated. An analysis of developments in the election process from 2006-2018 was then done including the analysis of the overall implications for stability and socio-economic development. The contested elections since 2006 produced a government with a legitimacy deficit to tackle the DRC's multiple security and development challenges.

Furthermore, the political and legal framework used in the DRC still needs reforming because through constitutional interpretation Joseph Kabila was able to retain power. The examination of democratisation and electoral violence also showed that elections

remain a standard practice for the DRC. However, the regime is only partly democratic and should be considered to exist in the hybrid regime category.

For as much as elections remain a standard practice, through the analysis of the drop in voter turnout from 2006-2018, it was also evident that democratic elections cannot be proclaimed as successful without the majority by-in. It was also argued in the analysis that violence and human rights violations during elections in the DRC led to the voting fear amongst Congolese people. Not only that, but the ethnic power relations in the DRC have created an exclusive political system in the country and electoral violence is often precipitated by the link between ethnicity and resource access. Through the analysis it was also evaluated that there was a rise in multiparty politics in the DRC, however, the rise in such electoral political competition did not reflect peace or stability. The DRC has a constitution without constitutionalism which has created a disconnection between the state and the citizens. To progress in governance and socio-economic development, the DRC must have a constitution that results in fair constitutionalism.

CHAPTER FIVE: CONCLUSION, SUMMARY OF FINDINGS AND RECOMMENDATIONS

5.1 Conclusion

This chapter presents the summary of the research, conclusion and the recommendations on the influence of electoral violence on democratic consolidation in the Democratic Republic of the Congo. New sub-Saharan African democratisation is the process of democratic development that took place in Africa post the Huntington's third wave of democratisation. Many of these new democracies continue to function under enormous political violence with minimal development when it comes to good governance and constitutionalism. It has thus been clear that in the politics of sub-Saharan African states like the DRC, there is a great relationship between neopatrimonialism and politics of development which have been shown through manipulation of the electoral systems by the patrons. The research findings in this study showed that there was a causal link between clientelism and electoral violence. The findings revealed a clear linkage of ethnic and religious polarization as the emerging themes on democracy and elections in sub-Saharan Africa. Without proper reforms in government, policies and the economy the DRC faces the continuance of a series of political, public health and security challenges. This research study invited deeper analysis by utilising the theory of Höglund (2009) in unpacking and assessing electoral violence in the DRC.

Many sub-Saharan African states have witnessed democratic progress from the beginning of their democratisation although there are still great challenges facing these states. Even though sub-Saharan states like the DRC are regarded as democratic, many socio-economic politics and the nature of these politics remain unchanged. This is seen through the manifestation of electoral violence even though there is democratic reliance on elections to distribute and regulate political power in societies. Political power and resources in the DRC are placed in the hands of historic ethnic political elites who cling on to power as a means of their earned right. The exclusive nature of politics in the DRC has been seen through the exclusive political systems with weak and biased electoral institutions. The political exclusion in the DRC has also been intensified by the divided society through ethnic, religious and other cleavages. These

cleavages contribute to electoral violence because they still hold power on socio-economic assurance in the DRC.

Likewise, the manifestation of electoral violence in the DRC from 2006, 2011 to 2018 has had negative implications on democratic stability and development. The neopatrimonialism character of the DRC's politics, the nature of contestation for power, the weak institutionalisation of democratic construction has shown a large impact on electoral violence manifestation. Political participation as key to democratic values in the DRC has been hindered due to the violence that Congolese people experience which leads to fear of politics. Electoral violence in the DRC is thus one of the sources of democratic instability which can also be referred to as the rise of hybrid regime system in the DRC. Authoritarian traits of the DRC continue to undermine the legitimacy of the democratic process. Overall, this research has shed light on the underlying dynamics and causes behind electoral violence in the DRC, revealing them to be the result of a complex interplay between democratisation and the patronagebased system of politics.

5.2 Summary

The purpose of this research was to identify the factors that trigger the escalation of electoral violence in sub-Saharan democratic states, in particular, the DRC from 2006 to 2018. Using the single-case study method of research the DRC was then used to evaluate the key issues contributing to political instability before, during and after elections. In evaluating electoral violence in the DRC, the Höglund's framework of electoral violence was then applied to examine the risks of electoral violence in undermining the sustainability of the democratic process in sub-Saharan Africa. Chapter one provided the historical contextual agenda of the research through evaluating the key political developments before and during the democratic transition in the DRC. Chapter two focused on the key literature underpinning the democratisation process of the DRC by looking at the factors contributing to electoral violence in sub-Saharan democratic states.

Furthermore, Chapter two introduced the theoretical framework of Höglund (2009) by showing that the causes of electoral violence are based on three major clusters: the nature of politics, the nature of elections, and electoral institutions. Under these

headings as explained in Höglund's Framework, the DRC's electoral violence operated in these clusters and beyond, with key developments such as the unclear separation between the nature of elections and electoral institutions. Separation of powers then became the key reason why electoral management in the DRC is a challenge. Höglund's framework evaluates electoral institutions and the nature of elections as two distinct clusters, however, in the case of the DRC these clusters tend to be interlinked. Chapter three presented the methodological process and research design of the study. The research was a secondary source desktop-based analysis. The qualitative research method of critical discourse analysis was then utilised by examining a vast amount of literature on electoral violence in sub-Saharan Africa and by narrowing the focus to a single case study which was the DRC. Chapter three defined the process, scope and limitations of the chosen research design. The key electoral developments in the DRC during 2006, 2011, 2018 elections were then evaluated in Chapter Four as the focal point of the study. The data analysis in chapter four was done through the implementation of the Höglund's framework and analysis of electoral violence in Africa. Chapter four, therefore, evaluated the 2006 presidential elections in the DRC which were marked as the beginning of the democratic transition for the country. The evaluation identified the key factors found during the 2006 elections which caused electoral violence in the DRC. The evaluation of the 2006 electoral violence revealed key factors such as electoral manipulation, neopatrimonialism, tribalism and fear of voting which were also explored in the analysis of the 2011 elections. There was thus a trend between the two elections that revealed the role played by ethno-religious and civil society organisations in the democratic development on the state. Through the evaluation of key elements that trigger electoral violence, it was clear that ethnoreligious and civil society organisations also escalated electoral violence in the DRC during the 2006 and 2011 elections.

The key trends found in the 2006 and 2011 elections in the DRC were further visible by assessing the 2016 postponement crisis leading to the 2018 electoral violence. In the period of 2016-2018 was the peak point of electoral violence in the DRC which was significant in discussing the issues of democratic consolidation. Calls for electoral reform in the DRC since 2006 have done little to ensure free and fair elections which

would contribute in the re-emergence of a democratically consolidated state for the Congolese people.

As much as the 2006 elections in the DRC were successful, the United Nations intervened through sponsoring some of the candidates who were running for the presidency to ensure a successful UN-coalition (Kodi, 2008:39). When an African state shows signs of leadership crisis, corruption and mounting repression, it faces the risk of state attack on its sovereignty. According to Stearns (2011), Joseph Kabila opened the DRC's doors for the UN peacekeeping mission to deploy and launch discussions with rebels to deliberate on transitional government that involved all main belligerent groups and relatively transparent elections in 2006. As the DRC continues with democratic transition and reform, electoral integrity of the state has been called into question. As violence continues to grow in the DRC, figures from the group suggest that over one in every 10 children in the world who is at risk of starvation currently reside in the DRC (BBC News, 2017). Constitutionalism in the presence of the constitution in the DRC remains the key issue which results in the risk of starvation and human rights violations. On the other hand, the political and legal framework for elections in the DRC remains in the hands of political elitism. The constitution, which also mandates for the legal framework of the elections, is supposed to set out rules and regulations to govern which particular systems are to be used for representation. The DRC has undergone a lot of legal framework restructuring, from 2006 to 2018, on elections to shape and guide the electoral process. The processes and guidelines of how elections are to be conducted lead to the relationship between democratisation and electoral violence.

Likewise, the extent of democratisation and good governance in a state is clearly defined by the state-civil relations. A democratic state must ensure that it has clear existing democratic institutions such as a working constitution, civilian supremacy over the military, clear separation of powers and the establishment of a participatory system (Modise, 2017). In many sub-Saharan African states, the role played by civil society in participatory democracy is one that contributes to peacebuilding, or more so to the conflicts seen in these countries. The civil society of the DRC during electoral violence in 2006, 2011 and 2018 was expected to reform the role of democratic development trajectory.

Again, the other key variable of the research was based on electoral violence having a very negative effect when it comes to good governance and democracy in the DRC. One of the key factors evaluated was predatory and rent-seeking leadership towards electoral manipulation and the effect of patron-client relations on democratic institutions. The role of neopatrimonialism to manipulate elections and the state economy triggered the electoral process and hindered the good governance in the DRC. Another key objective was to evaluate tribalism in the context of electoral influence in the DRC. Tribalism in the DRC is still more pervasive than nationalism and the failure to govern democratically has led to the loss of the public's trust in public institutions. Veney (2013:9) argues that public trust in public institutions is lost when there are no legitimate limitations of all branches of government and government lacks transparency. The study further evaluated the DRC's judiciary by looking at the constitutional court ruling of May 2016 which appeared to have been the fuelling factor in the escalation of political instability in the country in the same year. Even when thinking beyond the idea of a failed state, the DRC's electoral violence mostly perpetrated by the ruling government, which led to the death of many Congolese people, was and remains a threat to its democracy.

5.3 Summary of findings

The following are the key findings from the data analysed in chapter four:

- The research analysed in chapter four showed that historical ethnic, economic, and institutional cleavages play a major role in the democratic development of the DRC.
- The other key finding in the research was that social inequality and political exclusion affected the democratic stability of the DRC. Social inequality in the DRC manifests itself through tribalism and patrimonialism. Inequality of ethnic power in the DRC has resulted in political violence which has now been continuous for decades. Jonyo (2002); Afegbua and Adejuwon (2012) alluded that in sub-Saharan states the ethnic factor and economic stability dream by political leaders remains the leading factor when it comes to the voting polls.
- Another key finding was that of the violence of voting, which resulted in fear of voting for the Congolese people. The violence of voting violated the right to

political participation for the Congolese people. The electoral violence that permeated through the DRC from 2006, 2011 and 2018 presidential elections led to a drop of electoral turnout from 71% in 2006 to 47.56% in 2018.

- The 'fear of voting' research finding signified that the violations of human rights in the DRC during electoral violence were not only due to the brutal killings and coercive beatings from the military but also led to the fear of exercising one's political rights. These were compatible with Höglund's (2009) criteria on the nature of politics and elections. The voters' response to the electoral violence taking place in the DRC was by staying away from the voting polls. Intimidating voters with violence and mobilising them with clientelism led the DRC government into a state of crisis during elections.
- The other key finding was that of crisis in governance in the DRC from 2011 onwards where the country has faced legitimacy issues, crisis of weak political systems and unaccountable democratic institutions. In the research, the analysis of unaccountable procedures in electoral systems evident from 2006, 2011 and 2018 elections showed that despite having multiparty elections the political regime in the DRC still had authoritarian traits. The state of governance in the DRC revealed through elections was neither fully authoritarian nor fully democratic but was rather a hybrid regime.
- The findings also revealed that authoritarianism was strongly upheld especially when it came to the marginalisation and repression of opposition figures by the Joseph Kabila regime. The opposition numbers reflected in the 2006, 2011 and 2018 elections show fragmentation and the weak capacity to challenge the ruling party in parliament.
- Another key finding was the inability of the judicial system and the media to remain independent. This did not just take place in the 2018 elections, but research has shown that the regime has sought to undermine the independence of the media of the judiciary since 2006 (Afoaku, 2010). The judiciary of the DRC has a central role to play in providing appropriate enforcement mechanisms for constitutionalism. The powerful networks along with ethnic domination still held power over the judiciary decisions and what the media could portray, thus violating the constitution of the DRC.

- Also, it was evident from the research analysed that neopatrimonialism remained the key driver of politics especially with the two powerful networks of the ethnic Katangese and the 'Banyamulenge-Rwandese axis' (Trefon, 2013). Such cleavages have affected the socio-economic development of the broader population in the DRC.
- The other finding was that, socio-economic development is not the only prompt for democratic sustainability but also for the persistence of conflict in the DRC. Ethnic divisions in the DRC do not only become manifested through elections but also result from historic ethnic tensions.
- For as much as the research showed that people were likely to vote according to ethnic relations, there was also evidence that Congolese people had lost confidence even in the democratic voting system of the DRC. This is also reflected through the voter turnout.
- The research also showed the links between clientelism and the significance of civil societies in holding the government accountable. There is no doubt that civil society's political awareness in the DRC has grown since independence but the ability of civil society organisations to improve political transparency is threatened by civil society clientelist funding.
- Despite such clientelism between the state and civil societies, the research has also shown how religious organisations like the Catholic Church have played a significant role in countering corruption in the DRC. The Catholic Church is the strongest actor in the civil society organisation in the DRC and it has been a prominent opposition to Kabila's administration (Human Rights watch, 2018). The Catholic Church during the 2018 pre-election violence condemned the use of Congolese security personnel to violate human rights rather than protect the state.
- Important to note from the research again is the politicisation and corruption surrounding natural resource governance. The DRC has the potential for having productive lucrative mining and forestry sectors which could transform the state's economic stability. However, due to corruption, inadequate institutional capacity and governance deficiencies there are poor economic growth indicators of such sectors.

- On the other hand, the research showed that social capital remained a big challenge in the DRC. This is partly due to the issue of citizenship and identity of Rwandan/Burundese heritage. There is a need to reverse the deeply held political narratives of belonging and exclusion in the DRC, which remains a potent area for political manipulation and suppression (Jackson, 2007; Ansorg and Gordon, 2019). The identity politics in the DRC has greatly affected the legitimacy of elections as the Rwandan and Burundese ethnic group have been denied citizenship rights thus are unable to vote. Furthermore, the ethnic divisions have also led to the challenges in (re)formation of social capital due to the decline of economic, political and social infrastructure which has resulted in distrust.

5.4 Recommendations

To realise democratic consolidation in sub-Saharan states like the DRC there must be broad research and solutions to be implemented on how fear of voting impacts political knowledge in sub-Saharan African democracies. Public participation in democracy is crucial to ensure the enhancement and accountability of the system of governance in a country. The public holds the legitimacy of the system of governance and if fear of voting persists in sub-Saharan democracies like the DRC then full democracy will remain unachievable. Again, a responsive government is necessary to maintain stable power relations between the state and citizens and through such the legitimate political compacts can be created.

In addition, other possible area for recommendation is the investigation of electoral law reforms in the DRC. The reform committee must be implemented to investigate the insights into the role of Electoral Management Bodies and how such bodies should work on the reinforced approaches to deepen, consolidate, and institutionalize democracy. The postponed elections in 2018 to 2019 in many African countries like Libya, Algeria, South Sudan and Tunisia showed the inability of the government in those states to ensure processes supported by true separation of powers, effective checks and balances, an independent judiciary, a free press and a robust and politically active civil society (Etheridge, 2019). As much as elections were challenged by some civil society organisations in countries like the DRC, the hunger for political power remains a key challenge thus there is a need to reinforce the separation of

powers by ensuring the independence of the judiciary in state affairs. Despite the progress that many sub-Saharan states have had since transitioning to democracy, many have not been able to provide themselves with a governance system capable of adequately constraining the state and, hence, preventing civil servants and politicians from acting with impunity.

Furthermore, sub-Saharan African democracies operate with political, social and economic development trajectories that are all tied to election results that usually create a zero-sum game. One avenue for investigation and reform in the DRC would be looking at the impact of the zero-sum game that elections pose in African governance and constitutionalism. The zero-sum game possesses a huge threat to the effectiveness of democratic institutions which are to ensure accountability and transparency of the government. Representation conflict can occur when elections are organised as a “zero-sum game” which means the election losers are left out of participation in government and governance (Adjei, 2012:237). Free and fair elections in and of themselves are not the solution for political, economic and social progenies. If the zero-sum tradition of elections and representation is not given much attention in terms of policy reform, then this circle of hybrid regime formation in Africa will expand with limited focus on the human element when it comes to policies.

Moreover, the DRC’s government together with the international community and Civic organisations must work on the electoral violence prevention measures in terms of what works in different sub-Saharan democracies. The work on electoral violence prevention needs to cut across the resolutions that needs to be put in place to deal with various histories of ethnic violence in the DRC. Electoral violence has a strong ethnic element. Prevention measures when it comes to electoral violence should not only be about ensuring a strong electoral process but re-open the discussions and research on the question of identity and citizenship in many sub-Saharan African states. Key to the discussion of historic ethnic violence is the legacy of power and corruption. The legacy of power and corruption in states like the DRC is a difficult investigation to conduct but it is a necessary one. Little progress has been made in the DRC to deal with corruption. The DRC needs a system of check and balances to monitor implementation, socio-economic development and resource accountability. The system must deal with the absence of strong regulations and reliable systems of

oversight especially when it comes to natural resources is needed to track down the impact of resource-oversight systems on development.

Although many view the DRC as a state close to failure due to political violence, the country still has the potential for democratic consolidation, especially when looking at the ability of the state to provide basic services to the citizens. The barrier for the democratic consolidation potential in the DRC is the lack of leadership demonstration in advancing the public good versus private gain. The DRC's government must commit and act on ensuring the security and prosperity of its citizens. There are great policies and strategies that the DRC government is currently working on together with international institutions to work on achieving the development goals. These strategies include the Congo Consortium and peace reconstruction; and the USAID country development cooperation strategy (Addict, Graney and Lacy, 2019). This demonstrates the positive turn the DRC government is ready to take and through that investment more strategies can be crafted to manage conflict and enhance socioeconomic development for the country.

Also, more work needs to be done on transformative constitutionalism and electoral reform in the DRC. The practicality of constitutions in Africa has moved away from ensuring the primary function of a constitution, which is to ensure the exercise of public power in a fashion that enables the government to remain accountable. Achieving constitutionalism in practice in sub-Saharan states like the DRC remains a huge challenge and through electoral violence, one can see how civil rights are less prioritised than state power. Constitutions enable the proper allocation of power to ensure the legitimacy of states' power. There is a challenge in the limitation of government power by law in many sub-Saharan African states. The compromise of the power of the law in ensuring the responsive government, has led to the weak legal redress processes especially through courts for constitutional violations. In the DRC it has been evident that the Judiciary has been compromised as an independent institution. In this regard, the DRC needs to create a culture and commitment by political elites to respect and abide by constitutional limitations. Thus, more work and investigation need to be done on the imprecision of constitutionalism in postcolonial sub-Saharan African states to ensure transformative constitutionalism in Africa.

Finally, while doing this research there was limited exploration of how violence against women escalated during elections in sub-Saharan African states. Anti-Gender based violence institutional research needs to be revamped in order to address the practice of violence against women in election periods which includes the type of tactics used that violate women during elections in sub-Saharan African states. There must be options present for policy and programming responses to protect women and children during political violence in sub-Saharan African states. Policies and institutions positioned to prevent and mitigate violence against women in elections must be interrogated. These institutions are inclusive of international organisations such as UNDP, UN Women and those running the programming of support on electoral assistance and women's participation in elections. This perhaps provides the opportunity for further research on the convergence of electoral violence and genderbased violence.

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