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# BEYOND PAPER REFORMS

## BUILDING COALITIONS FOR DEMOCRACY IN THE DRC

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# Executive summary

The Democratic Republic of the Congo has been through three major waves of democratization, each fueled by a different combination of massive grassroots mobilization, elite maneuvering, and foreign involvement. Each time, the result has been bold reforms followed by gradual retrenchment as the institutions delineated on paper are diluted and co-opted by the ruling elites.

What emerges is a sobering picture in which the very necessary technical debates over institutional design—what kind of electoral system, the nature of parliamentary power, the right to a free press and popular assembly—take a backseat to political power struggles.

This is the rationale for the approach taken in this paper. Drawing on past experiences, we highlight the technical reforms necessary at the current moment. This includes checks on presidential power, greater transparency in parliamentary proceedings, reforms to the electoral system, more accountability for security forces, and more space for participatory democracy. At the same time, however, we also highlight the fact, borne out by history, that even the best reforms on paper will not become reality unless there is a political movement to back them. As long as politics remains a game controlled by a narrow elite, there is little hope for broad transformation.

This analysis draws on political settlement theory (Khan 2005, 2010) and political mediation theory (Amenta et al. 2010). Both schools of scholarship share the attention to the balance of power between contending groups and classes in society. While we outline a technical reform package here, without a powerful political coalition, these transformations will remain elusive. The deepest challenge to the construction of that coalition in the DRC is not only government repression, but the persistence of patron-client relations, alongside the institutional weakness of political parties, media, and civil society organizations (Diamond 1997).

In the first sections, we summarize how reform coalitions have come together in the past, highlighting their disparate nature and the links between grassroots organizing and elite politics. The following portion of the paper is dedicated to recommended technical democratic reforms, including limiting presidential power, strengthening political parties, carrying electoral reforms, and bolstering a strong and accountable civil society. We end by returning to the need of building reform coalitions and laying out how this might happen.

## SUMMARY OF RECOMMENDATIONS

**Reduce presidential power:** Since independence, the DRC has struggled to constrain the concentration of power in the presidency, which has led to repression and corruption. We propose a series of constitutional and legislative reforms to constrain the executive.

**Reform the party system:** Political parties in the DRC have been personalized and disconnected from the broader citizenry. We propose bills to regulate parties, but also to reduce their proliferation and fragmentation.

**Reform the election commission:** Ahead of the 2028 elections, the electoral commission is certain to be at the center of political contention. We outline how it can be strengthened and insulated from politics.

**Restructure civil-military relations:** The DRC is a country in conflict. In order to survive as a democracy, the government needs to balance accountability and discipline within the military with measures to prevent coups. We outline how this could manifest itself.

**Enhance civil society:** Congolese civil society is one of the country's main assets. It needs to be supported, but also held accountable to prevent it from fragmenting and becoming politicized.

# Theoretical framing: Democracy as more than laws and institutions

In tackling the challenge of democratic consolidation in the DRC, much of the domestic public debate, as well as the policy engagement of donors, has been focused on reforming institutions and drafting legislation. This is our concern here as well. And yet these technical reforms will only be successful if they are backed by political coalitions. We thus frame our argument by drawing on political settlement theory. As various scholars have argued (Khan 2005, di John and Putzel 2009, Kelsall 2018), the stability and effectiveness of institutions depend less on their formal design than on the underlying balance of power among elites and social groups. A political settlement exists when the distribution of benefits and rents among powerful actors is sufficiently aligned with institutional arrangements to reduce conflict and sustain order. In this sense, democracy cannot be consolidated simply by writing strong constitutions or reforming electoral laws; unless these reforms are consistent with the incentives and power bases of dominant groups, they are likely to be subverted, co-opted, or ignored.

This connects to the second school of academic literature on political mediation (Amenta et al 2004). In order for large-scale reforms to succeed, intermediary actors—political parties, unions, religious organizations, professional associations, and other elite brokers—must connect grassroots mobilization to national-level decisionmaking. These mediating elites translate popular demands into actionable political agendas, bargain with ruling coalitions, and provide organizational strength that can sustain reform movements over time. In fragile democracies like the DRC, where patronage networks and repression often fragment collective action, the absence of strong mediating elites has repeatedly undermined democratic transformation. Put differently, while political settlements explain why institutional reforms often

fail without elite buy-in, the concept of mediating elites highlights the mechanisms by which popular movements can forge alliances with parts of the elite to push democratization forward.

As Khan has argued (2005, 714): “All the evidence of democratization in developing countries show that competition, transparency and electoral contests do very little to undermine the dominance of patron–client politics and of informal networks mediating the exercise of power.”

And yet, in the DRC, there have been moments where this neo-patrimonialism has been shaken and where democratic reforms have taken place. Each of the past efforts at democratization culminated in a new constitution and a new republic, each time mobilizing a political coalition to do so. In the DRC, these coalitions have taken different forms. In the 1960s it was a complicated interaction between rural armed insurrection and urban political parties that resulted in independence and democratization. In the 1990s, dissent within the ruling elite combined with civil society mobilization and international pressure to produce reform. And most recently, in the 2015–2018 period, a coalition of civil society, opposition parties, and foreign donors prevented authoritarian drift. This section reviews these different reform constellations.

## A BRIEF HISTORY OF REFORM EFFORTS

Decolonization efforts ushered in independence in 1960 and the First Republic. The political forces pushing for independence were broad, beginning with grassroots insurrections, for example among the Babua in 1903, 1904, and 1910, the Budja in 1903 and 1905, the BinjiBinji rebellion in South Kivu in 1931, and the Nyabingi uprising in North Kivu (Verhaegen 1964). Some of these movements found expression in religious, sometimes millenarian sentiment, such as the Kitawala (Eggers 2023) revolts throughout the country and the Kimbanguist church (Gale and Wenger 2020), which was founded in 1921. Drawing on this grassroots mobilization, in the 1950s, political parties first emerged in the growing urban centers, led by the Alliance des Bakongo (Abako) and the Mouvement National Congolais (MNC), both formed in 1956 (Nzon-

gola-Ntalaja 2013, 83).

This unrest made colonial rule increasingly precarious. Due to these pressures, along with a general international push for decolonization, the Belgian government was forced to reconsider its “Thirty-Year Plan for the Political Emancipation of Belgian Africa,” which would have allowed them to keep control of the country until 1985 (Stengers 2005). By 1959, it was clear that they would have to cede power to the independence movement, organizing two roundtable conferences in Brussels. As part of this push, Belgian officials and scholars drafted the “Loi Fondamentale” (Fundamental Law), which functioned as the country’s first constitution, with input from Congolese leaders. This law was based on the Belgian Constitution, vesting power in the parliament, out of which the prime minister formed a government. While the president had very limited powers—much like the prime minister in France—he could block enough governmental actions to create a constitutional crisis. It was this feature that proved most problematic as political elites engaged in power struggles leading to deadlock that ended in a coup by Joseph Mobutu in 1965 (Young 1965, 326-328).

The second major push for democratization came in the early 1990s, although it drew on political dissent that began before then. While the country had changed dramatically since independence, the reform coalition was still similar—it combined members of the largely urban political elite, grassroots movements—especially those linked to the Catholic Church—and support from foreign donors.

Mobutu’s dictatorship lasted until 1990, when the second period of democratic reform began in earnest. Under pressure from his former Cold War allies—especially from the United States—and facing a catastrophic economic situation, Mobutu decided to end single-party rule in April 1990. At the same time, pressure was mounting from political elites to liberalize, and civil society had begun to mobilize—with the Catholic Church and developmental NGOs in the eastern DRC forming its strongest constituents (Aembe and Jordhu-Lier 2017). Mobutu allowed political parties to register and convened a National Sovereign Conference (CNS) along the lines of what had been done

in Benin in 1990. Over 2,800 political, religious, and civic leaders, representing some 225 political groups, assembled in Kinshasa (Nzongola-Ntalaja 2013, p.190; Beaugrand 1997, p. 3). Following numerous government attempts to undermine the CNS, the body passed a Transitional Act in August 1992, which was supposed to serve as an interim constitution. These new institutions, however, could not function, as Mobutu refused to relinquish power (Nzongola-Ntalaja 2013, 195). Nonetheless, this period saw a great flourishing of media, NGOs, and political parties (Ibid., 197). Many senior members of today’s political elite had their first political experience during this period. These democratic experiments were interrupted by the huge upheaval of the great Congo Wars between 1996 and 2003. Following the end of the wars, a third major reform coalition emerged, this time with a much greater involvement of international actors. It was largely that foreign pressure, coupled with the military stalemate on the ground, that led the warring parties to agree on unifying the country, forming a transitional government, and drawing up a new constitution (Reyntjens 2007). Civil society was very active in demanding and participating in this process, but perhaps the greatest incentive for this democratic transition was the promise of international legitimacy and foreign direct investment (Stearns 2022, p.39).

In 2006, the transitional parliament, supported by foreign and Congolese scholars, drafted a new constitution, ushering in the Third Republic. This was arguably the deepest degree of democratization the country had experienced since independence. The Constitution created a raft of democratic institutions: regular national and provincial elections, an Independent National Electoral Commission (CENI), a media regulatory body, a national human rights commission, and guaranteed political rights. The logic of the Constitution was one of strong checks and balances: horizontally, by giving significant power to parliament and for power sharing between the president and prime minister, as well as through an independent judiciary; and vertically, through significant decentralization and autonomy for the provinces.

However, successive governments have interfered with this oversight (Ngumbi 2021). The CENI has

been deeply politicized despite safeguards intended to guarantee its independence, the national human rights commission has been starved of funding, and the media regulatory body is controlled by the presidency and retains little legitimacy (Ebuteli 2024, Carter Center 2024, pp.41-42). Meanwhile, parliament has abandoned most of its oversight functions and the judiciary, especially the higher courts, have been brought under the sway of the executive. (Bertelsman Stiftung 2024)

The 2006 elections were widely seen as legitimate, and every electoral cycle has seen many incumbent legislators lose their seats. But the 2011 and 2018 presidential elections were widely criticized as rigged (Englebert 2019). The 2023 elections, while less dramatically flawed, saw low turnout, as the mood regarding democracy has dimmed in general (Carter Center 2024, p. 50).

## THE CURRENT POLITICAL CONTEXT

The results of the 2023 election saw President Felix Tshisekedi's coalition, the "Union sacrée de la nation" (USN), dominate parliament. They currently control 477 of the 500 seats in the National Assembly and 104 of the 108 seats in the Senate.<sup>1</sup> In 2024 and 2025, the government was shuffled twice, bringing in two minor opposition leaders—Constant Mutamba and Adolphe Muzito, respectively—and further weakening parliament oversight functions (Le Monde 2025; Talatala 2024). Since November 2021, the country has been in a state of war, with the government fighting the M23 rebellion, which is supported by the Rwandan government, in the North and South Kivu provinces (United Nations Security Council, 2022).

This political context renders reform efforts difficult. The war in the east has absorbed legislators' attention—based on our observations, the legislative calendar for 2025 has focused largely on security issues, and yet, as parliamentarians have repeatedly told us, they have little power when it comes to military

matters (Interviews in Kinshasa June 2025).<sup>2</sup> The USN control of government institutions has made reform that would promote accountability and transparency difficult, as some of its members see this as contrary to their interests.

Indeed, soon after the last election, members of the presidential coalition launched an initiative to revise the Constitution, which was seen by many as an attempt to change some of its "locked" provisions, including presidential term limits. Felix Tshisekedi is currently barred by the Constitution from seeking re-election in 2028 (Wuilbercq and Tshiamala 2024 2024). On October 23, 2024, President Tshisekedi announced the establishment of a commission to draft a new constitution. This announcement mobilized the opposition to protest the project, but it had been weakened by the close to total dominance of the USN in national institutions, as well as by the exile of some of the opposition's main leaders, such as Joseph Kabila and Moise Katumbi (Batumike and Bisoka 2025).

While many USN leaders had already launched a campaign for constitutional revision, the advance of the AFC/M23 towards Goma slowed down debate, and the fall of the cities of Goma and Bukavu in early 2025 seems to have completely overshadowed the debate for the time being. However, in many cases where power has been seized by force, constitutions have been suspended. The AFC/M23 therefore also poses a threat to the preservation of the Constitution (Batumike 2025).

Meanwhile, while civil society rose up in dramatic mobilization in 2015-2018 to block similar attempts to change the Constitution by former President Kabila, the arrival of Felix Tshisekedi in power in 2019 led to divisions, as some prominent activists joined government or expressed sympathy with the new administration (Ebuteli 2021). The energy that church and civil society leaders had dedicated to preserving the constitutional term limits was not invested in broader

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1 This figure comes from Ebuteli's internal counting of parliamentary seats.

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2 In the course of the authors' work with Ebuteli, we conducted a series of interviews in Kinshasa between January and August 2025. The interviews cited here were with five parliamentarians in Kinshasa.

democratic reforms.

It is clear from the above description of past efforts that several ingredients are necessary for democratic reforms to succeed. While there is a need to revise some of the legal texts, the main challenge has been a political one: forging a coalition of grassroots organizations, political elites, and foreign pressure to ensure that the existing texts are implemented and to prevent the executive, which has traditionally been dominant in Congolese politics, from undermining constitutional checks on their power. This hyperpresidentialism is the focus of the next section.

## Limiting presidential power

There is a long tradition in the DRC of centralizing power in the presidency, which has led to authoritarian abuses. The 1967 Constitution made Mobutu head of state and head of government, allowed him to appoint and dismiss cabinet members at will, and enabled him to legislate by decree. The president also had the power to appoint and dismiss the governors of the provinces and the judges of all courts, including those of the Supreme Court (Lemarchand 1993, p. 48). This centralization of power reached its apogee with the 1974 Constitution, which made the single party—the “Mouvement populaire pour la révolution” (MPR)—synonymous with the state and made membership in it mandatory (Esambo 2020). While, buffeted by economic and political headwinds shortly later, Mobutu was forced to introduce some concessions—direct elections for members of the legislative council (parliament) and for members of the party’s political bureau—power remained extremely centralized in the presidency until the democratization of the 1990s.

The legacy of the Mobutu regime remains influential in the political class. While the 2006 Constitution inaugurated a semi-presidential system, in which the prime minister is appointed out of the majority in parliament and oversees government, in practice that position has fallen under the sway of the president. Since 2006, throughout both the Kabila and the Tshisekedi admin-

istrations, the president has concentrated most of the powers within his cabinet rather than in government, constituting a parallel government (Tshombe 2025). This parallel government has encouraged the emergence of clientelist politics (Malukisa 2024), whose beneficiaries become committed to strengthening their patrons’ powers and keeping them in place at the expense of democratic change. This is, for example, the case with what is known in the DRC as the “maison civile,” an official government body that manages the president’s personal affairs and those of his extended family. It is so influential in the management of the country that in some areas, such as mining, it can rival official government bodies (Jean-Claude Mputu 2024). Both Kabila and Tshisekedi have also vested significant powers in the “maison militaire” (Vircoulon and Lagrange 2020), a similar body that is supposed to dispense security advice, as well as other agencies that fall under the control of the presidency and for whom there is no parliamentary oversight (Ebuteli 2019).

The presidency has also interfered extensively in the judiciary. For example, in 2010, Joseph Kabila considered revising the Constitution to establish a presidential system and reinstate the president as a member of the High Council of the Judiciary (CSM), the body that names and oversees judges (Conseil supérieur de la magistrature 2025). Although the constitutional revision that took place did not address these issues, the president has exerted a strong influence over the management of the judiciary, politicizing the CSM, ignoring court rulings, and wielding prosecutorial power to intimidate his opponents (Bujakera 2024, Chappuis 2023).

This constitutes a first priority in the democratic reform agenda: reducing the presidency’s discretionary powers and limiting its room for maneuver.

### MEANS OF CONSTRAINING PRESIDENTIAL POWER

The president of the Republic has several formal and informal means of avoiding the checks and balances imposed by the Constitution. For example, he can take advantage of inter-institutional meetings to interfere in government. On the basis of Article 69 of the Consti-

tution, which establishes the president of the Republic as the arbiter of the regular functioning of institutions and the continuity of the state, President Kabila established inter-institutional meetings in 2010 to enable him to discuss key issues facing the nation. Based on our conversations with members of the ruling coalitions, this informal framework, which was initially designed as a simple forum for consultations, ended up imposing decisions on formal institutions in violation of their powers and independence (RFI 2019).

For example, some postponements of elections in 2018 and 2019 were imposed on the CENI by decision of inter-institutional meetings (Namegabe and Batu-mike, 2022), even though the opinions and considerations of these meetings should not be binding. A similar dynamic can be observed in the conference of governors. In 2020, when the parliamentary majority shifted in the national assembly to the USN, the government convened a conference of governors during which the leaders of the provinces were called upon, allegedly under intimidation, to align themselves with the new majority (Actualite.cd, 2020), highlighting the fragility of provincial autonomy vis-à-vis the central government. The 2011 constitutional revision also gave the president the power to dismiss governors and to dissolve provincial assemblies (Journal Officiel 2011a). To free the provinces from presidential control, it is essential to remove these powers from the president by restoring the balance between the provinces and the central government as originally enshrined in the 2008 law on provincial self-government. In the event of a persistent crisis, the central government should limit itself to declaring the provincial assembly dissolved or requesting that it impeach the governor for misconduct in his role as representative of the central government in the province.

The presidency also has wide-ranging discretionary powers, which can be an obstacle to democracy by excessively concentrating power in this office (Manangou 2015). For example, according to Articles 80 and 198 of the Constitution, governors and their deputies must be inaugurated within 15 days (Journal Officiel 2011a). However, there are no penalties for failing to meet this deadline. As a result, an elected official may be deprived of his or her position in the provinces if

the president is not satisfied with the election results, as was the case in Province Orientale in 2012 (Radio Okapi 2012). Given that it is possible for two different political coalitions to hold power at the national and provincial levels, it is important not to make the entry into office of provincial and local elected officials dependent on the will of the president.

The president is also able to name the heads of most regulatory bodies and state-owned companies without parliamentary approval. Since these bodies have significant powers and their leadership earns inflated salaries—the director general of the National Institute for Professional training makes \$32,430 a month, while the head of the Air Traffic Regulator earns \$25,942 a month (Ministère de l'Emploi 2023, Cour de Comptes 2024)—this provides significant power, as well as the ability to co-opt critics. The DRC could draw inspiration from example in other countries—such as the United States, Kenya, Nigeria, and Liberia, where the senate has to confirm the nomination of key presidential appointments.

Furthermore, restoring a second round and the requirement to achieve an absolute majority to presidential elections—which were abolished in 2010—could also serve as an important constraint to presidential power. With only one round, simple majority elections often favor incumbents, as their opponents usually split the protest vote (Akpabie 2025). Having a two-round contest would also require candidates to forge alliances in the second round, sometimes with political opponents who did not reach that stage of the election. The return to a second round of presidential elections could therefore contribute to reducing presidential powers through the formation of alliances—while also having the advantage of contributing to national cohesion (Reilly 2002).

A final means of constraining presidential power could be requiring incumbents to resign after the end of their term, making it impossible for them to delay elections in order to hang onto power. President Kabila, for example, was able to extend his stay in office by two full years simply by delaying elections. As some parties have suggested (Miteo 2022), the president could be forced to resign in these cases and be replaced by

a caretaker government led by the president of the senate.

### **Detaching government agencies from presidential control**

Some oversight bodies should be detached from the office of the president of the Republic to preserve their neutrality. This is particularly the case for the Inspectorate General of Finance (IGF) and the Official Journal of the DRC (JORDC). The IGF is one of the main sources of financial oversight in the DRC, with a mandate to audit the finances of state institutions and to refer any malfeasance for prosecution. Until 2009, the IGF was under the supervision of the Ministry of Finance before becoming a service attached to the presidency. The change in oversight was intended to give the IGF the weight of the presidency so that it could better carry out its mission of controlling the public finances of state structures (Malukisa 2022). This, however, has rendered the IGF open to politicization, undermining its neutrality (Radio Okapi 2021). In contrast, the Court of Auditors, which has broader powers than the IGF in terms of financial control but comes under parliament's control, has often been underfunded and disempowered. Revitalized when Tshisekedi came to power, the IGF contributed significantly to the dismantling of former President Kabila's system (Malukisa 2022). However, rather than abolishing the IGF in favor of strengthening the leadership of the Court of Auditors, it should be placed under the supervision of a judicial authority.

The JORDC, which is also controlled by the presidency, is an important source of transparency. It is the public service responsible for publishing many of the state's decisions and legislation, thereby making them enforceable. According to article 140 of the constitution, the state must publish a law passed by parliament within 15 days (Journal Officiel 2011a). However, many laws adopted by parliament end up disappearing into the president's office without being promulgated by the JORDC, constituting an effective presidential veto (CRG 2018, p. 14). It is therefore important to separate this service from the presidency and make it independent of the executive branch so that it is not subject to reprisals from the latter. The oversight role

of the presidency could also be replaced by that of the prime minister's office, given that, apart from legislative texts, regulatory power is vested in the prime minister (Journal Officiel 2011a, Art. 92). This is also the case in France (France 1958, Art. 21).

### **Eliminating informal structures competing with formal structures**

Perhaps the most challenging aspect of presidentialism to reform is the informalization of power around the president. As mentioned above, all Congolese presidents since Mobutu have concentrated executive power in their offices and among their advisors, often marginalizing or undermining line ministries and the power of the prime minister. By stripping these structures of powers taken from the government, the influence of the cabinet could diminish in favor of the ministries that are supposed to conduct the nation's policy. It could also reduce financial inefficiencies—the budget for the presidency in 2022 was \$977 million (Ministère du Budget, 2023).<sup>3</sup>

This is a political rather than a legal challenge, as there is no legal provision for the creation of these parallel governments. The current government has already committed in its action program to launch a reflection on the rationalization of the organic structures of the Republic. During the council of ministers meeting on May 2, 2025, President Tshisekedi insisted on reforms in this direction, which should result in the outright abolition or optimized reconfiguration of certain structures (République démocratique du Congo 2025).

### **Strengthening transparency in parliament to better act as a counterweight**

One of the weaknesses of democracy in Africa more broadly has been the relative weakness of parliament (Manangou 2015). The DRC is an example of this, where power has been concentrated in the hands of the president (Kamukuny 2011, 382-384). Parliamentarians are often more concerned with defending their political coalitions and interests rather than with

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<sup>3</sup> The government stopped publishing the budget for the presidency after 2023.

holding leaders accountable (Ebuteli 2024). There have been allegations that the system is maintained through the distribution of bribes (Nyenyezi and Batumike 2021). For example, since 2007, vehicles have been regularly distributed to members of parliament, especially when they are facing crucial issues such as constitutional reform, the passing of an important law, or sanctions against a member of the government. This persistent corruption reduces parliament to a rubber-stamp chamber for the executive branch.

To remedy this, transparency needs to be improved in parliament. This would increase the accountability of elected representatives to their constituents by committing them to greater scrutiny of the executive and rejecting the voting instructions of the majority parties. The most basic information about parliament is shrouded in secrecy, including how each MP votes on laws, their attendance records, and their finances (Ebuteli and Congo Research Group 2024). As a result, vote rigging has become commonplace as a means of weakening parliamentary work in recent years (Ebuteli 2024 and Congo Research Group 2024). Parliament should set up a system of making attendance, voting records, and other parliamentary activity—oral and written questions, parliamentary audits, and parliamentary trips—public.

## Reforming the party system

The landscape of political parties in the DRC is unstable. There has been a proliferation of parties in recent years, most of which have little internal accountability and lack the most basic aspects of transparency. In the last elections, the Ministry of the Interior registered 920 political parties and 78 political groupings (Ministère de l'Intérieure 2023a, Ministère de l'Intérieure 2023b). For the most part, these parties do not differ from one another in terms of ideology, and after the elections, few of them remain active on the ground in mobilizing for national consciousness and civic education.

Strong political parties are essential to democratic

vitality as key players in the political system. The Congolese party system therefore needs profound reforms so that Congolese democracy ceases to be the sole preserve of wealthy political elites with no concrete proposals for the future of the nation (Ebuteli and Congo Research Group 2022b, 2023).

This situation dates to independence. In the first national elections in 1960, few parties had roots throughout the country. Most of these parties were formed on tribal, ethnic, and regional lines. Unfortunately, this has remained one of the characteristics of almost all political parties to this day, despite legal requirements intended to ensure their national character (Republique Démocratique du Congo 2004, article 4).

Political parties have also often dipped in and out of armed rebellion as violence has become seen as a permissible—and sometimes even necessary—means to acquire power. The political crisis of the 1960s led political parties to rebel in the pro-Lumumba regions against President Kasavubu. After the Second Congo War in 2003, the peace deal rewarded rebel movements with positions in the transitional government and security services (Global and Inclusive Agreement 2002). This implicitly encouraged the use of force as a means of political expression or an attempt to regain power (Stearns et al., 2013). For example, in 2009, at the end of the National Congress for the Defense of the People (CNDP) rebellion, this movement transformed itself into a political party and competed in the 2011 elections. Currently, the M23 rebellion has been joined by the leaders of some political parties, some of whom have argued that the capture of the state by President Tshisekedi has made it impossible for them to access power through peaceful means (RFI 2025).

The other challenge for Congolese political parties lies in their personalization. There is often little to no rotation of leadership within parties and little collegial decision-making. Indeed, the parties are often perceived as belonging to their iconic leaders (Kamukuny 2011), who likewise consider them their private property (Ebuteli 2022). The party leader dominates the party leadership in the same way that the president dominates the entire political system (Kamukuny 2011). It is therefore difficult to hope for democracy within

institutions or a reduction in the powers of the president when political parties themselves do not practice democracy.

The preeminence of the party leader is often due to the financial and material support he provides to the party and its members, not due to any ideological program or contributions to the public good (Kamukuny 2011). With the resources of their founders, parties engage in the seduction of voters through private funds without any restrictions. Parties become like companies that invest money, which their financial backers seek to recover with interest after the elections (Ebuteli 2025). This has been exacerbated or made possible by the absence of regulations on the financing of political parties and of election campaigns. Although a law of public funding of elections was passed in 2008 and should have come into effect in 2012, no political party eligible for this funding has benefited from it to date due to a lack political will (Forite 2024, p. 13). A possible reason for this is that the provision of public funding could constitute a threat to the control of leaders over their parties.

Several reforms could enhance democracy within parties. For example, there should be controls on their sources of funding through the disclosure of political party finances, the application of public funding for political parties, the capping of funds that can be used in election campaigns, and the raising of the electoral threshold.

For internal and grassroots democracy, it is crucial that parties appoint their leaders or delegates through democratic processes. For example, the CENI could be given the power to ensure that parties hold regular congresses and elections for its leadership positions and could also ensure that political parties publish their financial audits. This can help crack down the phenomenon of “*dédoublement*,” when the government orchestrates splits within opposition parties to undermine them.

Finally, to reduce the number of political parties, the electoral threshold—the minimum number of votes a party need to be represented in parliament—should be raised. Since 2017, the electoral law has introduced a

representativeness threshold set at 1% of total valid votes for national legislative elections, 3% for provincial elections, and 10% for local elections. (République Démocratique du Congo 2006) This threshold was intended to correct the flaws of the proportional representation system with open lists and a single preferential vote, which had led to a fragmentation of votes and encouraged the representation of small, often unviable parties.

However, after its implementation in the 2018 and 2023 elections, these efforts have seen their limits, as the number of candidates and parties has continued to grow (Batumike et Nyenyezi 2024). In addition, to circumvent the threshold, parties often combine in “*groupements*,” coalitions that have little in common in terms of ideology (Biyoya and Mukendi 2014). In addition, these *groupements* are not formally regulated by law. This has left room for constant fluctuations in the balance of power between political groups.

However, the threshold should not be abolished, as recommended by some civil society organizations and small parties that are unable to mobilize support beyond a single electoral district. (Lumu 2017) It should be raised to a reasonable level that allows political parties and coalitions with a genuine grassroots base to be represented in the national, provincial, and local parliaments. The CENI proposes increasing it to 3% at the national level (Ceni 2024), but we recommend 5% given the current multiplicity of political parties (Kadima et al 2019). This increase will not be sufficient to reduce the fragmentation created by this multiplicity of parties. Since the introduction of the threshold, political *groupements* have replaced parties as the hub of political life and thus require regulation. Measures could be introduced to prevent floor crossing: the Constitutional Court’s ruling allowing members of parliament to belong to a political camp—both political parties and *groupements*—other than that of the party under which they were elected could be overturned through legislation, or politicians who defect from their parties could be forced to submit to a by-election, as is the case in Malawi and Zambia (Republic of Zambia 2016, Art. 72; Republic of Malawi 1994, Art. 65). These measures could ensure that *groupements* that got MPs elected won’t be abandoned by parties wanting to

go it alone in the assemblies after the elections or after frustrations over the distribution of posts. Democracy cannot be consolidated with constant shifting of political elites.

Parties that have managed to obtain 5% of the valid votes cast should receive public funding as defined in the 2008 law on public financing of political parties. This funding will help to clean up the finances of genuine parties that have an influence on the management of the country. This is because the conditions for its use are clearly and strictly defined and monitored. These guarantees will render many election campaign expenses ineligible and restore equality between competing political parties. This public funding of political parties, however, can only be effective if a new law is passed to cap campaign spending and, above all, to prohibit the distribution of gifts during the campaign.

## Electoral reforms

As in other African countries, the electoral commission is at the center of controversies over democratic reform in the DRC, with frequent allegations that it has been co-opted by the incumbent administration. The various reforms in its by-laws have compounded these allegations.

The original electoral commission, which came into being in 2004, had an executive body, the bureau (office), in charge of day-to-day management and an assembly that was supposed to oversee its operations and have the ultimate say in case of disputes. To prevent accusations of bias, the members of both bodies were evenly divided among the main parties to the 2002 peace deal that brought an end to the war, and it was led by a former Catholic priest, Apollinaire Malu Malu (United Nations Security Council 2003).

In 2010, a new organic law on the CENI was drafted in accordance with the requirements of the 2006 Constitution. This law retained only the bureau as the CENI's governing body and abolished the assembly. In addition, it excluded civil society from the CENI, thereby establishing an exclusively partisan composition of seven members, with four representing the majority

and three representing the opposition (République démocratique du Congo, 2010).

This new model quickly showed its limitations during the 2011 elections, which were extremely chaotic (Pourtier 2024). To remedy this, the CENI was reorganized in 2013, marking the return of the plenary with 13 members, including three delegates from civil society. This reorganization retained the weaknesses of the imbalance between the components and the overrepresentation of politicians at the expense of civil society. In 2021, the law was amended again, but only to increase the quota for civil society from three to five. A proposal to balance the number of delegates between the ruling coalition, the opposition, and civil society was rejected by parliament, as were provisions to criminalize vote rigging by CENI leaders (Ebute-li and Congo Research Group 2022). During these amendments, political actors were more concerned with maintaining control over the process than with ensuring its credibility through the establishment of an independent and impartial election commission (Batumike 2024). A summary of these changes to the CENI can be seen in Table 1.

In contrast, the law on voter identification and registration has been relatively stable. Adopted in 2004, it was not amended until 2016. This amendment strengthened the transparency by authorizing the collection of ten fingerprints instead of two, as recommended by the electoral observation missions (Malonda and Batumike 2025). However, the voter registry has continued to be criticized, with allegations that its rolls include dead people, minors, and fake voters. With a view to making it more reliable, the 2015 amendment to the electoral law proposed linking the number of seats to the number of inhabitants. This meant that voters would be drawn from a general population registry, as regularly recommended by the electoral observation missions. However, this 2015 reform was rejected by massive street protests because of the perception that it would allow Kabila to extend his term beyond its expiry date, as it called for a nationwide census that would take years to organize as a precondition for the next elections (International Crisis Group 2015).

Finally, regarding initiatives concerning voting meth-

ods, the changes made gave the impression of being guided by the objective of preserving the power of the ruling majorities rather than improving electoral governance. In addition to the amendments discussed above regarding the electoral threshold and one round

voting, there was also a 2022 amendment to the electoral law that introduced the possibility of electronic voting, but it was ambiguous and did not put controversy to rest (Gerold et al. 2025).

**TABLE 1**

**Composition of the CENI over time**

Leadership CEI/CENI	Assembly	Office	Number of delegates by group
Abbé Malumalu, 2004-2010	21 members	7 members	Distributed equally among components of the peace deal—government, former rebel movements, political opposition, and civil society.
Ngoy Mulunda, 2010-2013	No assembly	7 members	Ruling coalition (4 members) and opposition (3 members), civil society excluded
Abbé Malumalu, 2013-2015 Corneille Nangaa, 2015-2021	13 members	6 members	Ruling coalition (6 members) and opposition (4 members), civil society (3).
Denis Kadima 2021-	15 members	7 members	Ruling coalition (6 members) and opposition (4 members), civil society (5).

SOURCE: République du Congo 2010; Pourtier 2024

# Gender equality

Many scholars have argued that female emancipation, or gender equality, is essential for democracy to function effectively (Inglehart et al. 2002). As Ortiz et al. argue, “There can be no governance by the people and for the people if half of the people are disproportionately affected by barriers to political, social, and economic participation.” (2023, 2)

Over the past 10 years, the DRC has made significant progress in implementing gender parity as enshrined in the 2006 Constitution. In 2015, a law on the implementation of women’s rights and gender parity was adopted. The quota for women’s representation in national, provincial, and local institutions that was initially proposed was not adopted on the grounds that it violated the Constitution.

However, although women’s representation in parlia-

mentary chambers remains low, the government has been led by a woman for the first time since April 2024 and has exceeded the 30% threshold for women in its ranks (Inter-Parliamentary Union 2025). In addition, women’s access to public and private employment has also seen significant progress at the legislative level (Viollet 2023). Since 2016, the Family Code, the Labor Code, and the Civil Service Statute no longer make women’s access to the labor market conditional on obtaining marital authorization. This is a step forward that could increase the number of women who work and gain experience that will be useful later in their political careers.

In the political sphere, however, there is a lack of momentum in the reforms proposed to facilitate women’s advancement. In 2022, binding proposals for political parties to include women on their candidate lists were rejected. They were replaced by incentives consisting of exemption from the payment of deposits for gender-balanced candidate lists. These proved ineffective

after the 2023 elections.

In order to solidify this progress toward gender equality, it is essential to adopt measures to promote greater participation of women in politics. This could be done through a quota for women, a measure that was already considered by the Senate in 2022. The electoral law could be amended to require a minimum of one woman on lists for districts with two or three MPs, two women for those with five seats, and so forth.

Finally, women civil society leaders could be some of those co-opted into provincial and local assemblies. Currently this is done for customary chiefs, which has politicized that institution. (Studio Hirondelle 2024) That quota could be redistributed among women, the youth, and people with disabilities.

## Civil-military relations

One of the main features of Congolese politics is the high levels of violence. At the time of writing, large parts of the country, including the towns of Goma and Bukavu—where over three million people reside—are under the control of armed groups, and over seven million people are displaced (Global Centre for the Responsibility to Protect 2025). At the same time, the senior leadership of the army are seen as an important political constituency that has to be reckoned with.

That had made the question of civil-military relations all the more important for Congolese democracy. While there has not been a coup since the transition to multiparty elections in 2006, the threat of the military (the “Forces Armées de la République Démocratique du Congo” or FARDC) has warped political decision-making, leading successive governments to reinforce patronage networks within the army to prevent a coup, weakening the military as an independent institution and encouraging rebellion in the process.

As scholars have highlighted for other countries (Barany 2012), consolidated democracy is unattainable unless armed forces are under the supervision of civilian,

elected authorities. In the DRC, it is equally true that peace and stability will be unattainable without these reforms. This control can take the form of legislative oversight and regulatory and audit bodies, but also pressure from civil society and the media.

### DISCRETIONARY PAYMENTS AND FINANCING

As in the entire civil service, army salaries have remained extremely modest for years, at around \$100 a month for most soldiers—although there have been recent promises to increase these substantially (Radio Okapi 2025). For officers, these sums are far outstripped by an array of bonuses they receive, most of which are given at the discretion of their superior officers. This form of remuneration remains a powerful tool for ensuring loyalty and allows patronage networks to persist throughout the army, thereby undermining the creation of an apolitical, meritocratic security service.

In addition, their families often receive few benefits, leaving them to fend for themselves in extremely difficult living conditions while their spouses and parents fight on the frontlines hundreds of kilometers away. In practice, many soldiers have to find their own means for medical care, housing, and burials for comrades fallen in battle (Eriksson Baaz and Verweijen 2016, 3-4).

There must be urgent reforms to the financing of the army. This would include reducing the overall number of troops, increasing statutory pay, and limiting or abolishing discretionary payments that allow for the politicization of the army.

### THE ‘SECRET DÉFENSE’ AND TRANSPARENCY

In the DRC, oversight has often been hampered by the desire by the security establishment to keep their affairs out of the public eye. This is often done by employing the concept of “secret défense” (defense secrecy), a vague term which has been applied widely to keep information confidential (Journaliste en Danger 2000, Mwamba 2025). In Mobutu’s Zaire, almost

all military and intelligence activities were considered classified. The 2002 military penal code does little to change this situation. It gives the minister of defense and the president broad powers to classify as secret *défense* all “information, processes, objects, documents, computerized data or files whose disclosure is likely to harm national defense or lead to the discovery of a defense secret.” (Code Penal 2002) The disclosure of this kind of classified information is punishable by 20 years’ imprisonment or the death penalty “in war-time or in a region where a state of siege or emergency has been declared.” (Code Penal 2002)

This concept of defense secrecy has greatly limited the ability of civil society and the press in the DRC to exercise control over military activities. The U.N. and human rights and civil society organizations have denounced the ongoing repression, particularly against journalists in provinces under the state of siege that prevails in the eastern DRC (Amnesty International 2022, Human Rights Watch 2022).

As the Congolese Constitution does not mention defense secrecy, its provisions are in principle superior to the 2002 law. It recognizes the parliament’s power to oversee the actions of the government, which includes national defense. It also gives the court of auditors, which reports to the national assembly, the task of overseeing the management of state finances, including those of the security services.

## **THE CHALLENGES OF PARLIAMENTARY OVERSIGHT**

The approval and control of the budget are the responsibility of parliament, which in theory has a powerful mechanism for controlling the activities of the state, including in the military sphere. The 2004 law on the organization of national defense enshrines this principle, specifying that “the National Assembly and the Senate exercise control over information relating to the Ministry of National Defense and the Armed Forces.” (Journal Officiel 2004) The 2011 law governing public finance management describes it as follows: “Parliamentary oversight is political oversight.” (Journal Officiel 2011b) It even specifies that “the information it requests or the investigations it intends to conduct, ei-

ther on the basis of documents or on the spot, cannot be refused.”

Since the first legislature in 2007, defense and security committees have been established in both chambers of parliament. These committees have been supported from 2008 onwards through the United Kingdom’s Department for International Development as part of a program to assist with police reform and accountability in the security sector (Security Sector Accountability and Police Reform Program) (DFID 2015). This program, however, ended in 2014 after a Human Rights Watch investigation identified dozens of summary executions and enforced disappearances during the Likofi operation carried out by the police in Kinshasa (Human Rights Watch 2014).

According to members of the Congolese parliament, the conditions for exercising military oversight remain very limited due to several factors. According to our interviews with donors and parliamentarians, many members of parliament lack technical expertise to conduct budgetary oversight, and the commissions have not had sufficient resources to conduct oversight, especially with regard to field missions (Interviews in Kinshasa, June 2024). But the largest obstacle is political: The executive has often blocked or discouraged parliamentary questions and hearings.

Military issues have also attracted little interest among parliamentarians. Membership of committees is voluntary and defense committees are among the least attractive. For example, in the Senate in 2019, the defense committee had only 11 members, the smallest number of any committee. The same lack of interest can be seen in the National Assembly. Although the defense committee officially has 50 members, many often do not show up. Only 25 regularly attended the meeting to adopt the critical report on the monitoring of the state of siege at the end of September 2021 (Cabinet du Président de la République 2022).

However, since Félix Tshisekedi came to power in 2019, and despite the dissension that emerged the following year between his coalition and that of Joseph Kabila, the defense and security committees saw a brief resurgence of activity. Some parliamentarians

cite the opening of the College of Higher Studies in Strategy and Defense, a military school in Kinshasa that provides courses on military strategy to civilians (Interview with parliamentarians in Kinshasa June 2024). A new defense minister, Gilbert Kabanda, a retired general, military doctor, and former commander of the army medical service from 2014 to 2018 was appointed minister of defense. In October 2019, Jaynet Kabila, the sister of the former president, was elected as head of the National Assembly's defense committee, while Kpama Baramoto, a former army general, led the Senate defense commission. Technical and financial partners contended that the arrival of these three figures at the head of key institutions had helped to strengthen civil-military relations (interviews in Kinshasa, June 2024), but it also shows how the ability to exercise military oversight requires politicians of significant stature.

An example of this were the hearings held by the National Assembly's defense committee in August 2021. They called on various ministers to answer questions on the state of emergency (called the "state of siege") declared in the east of the country to deal with armed groups there several months earlier. They then issued a report that concluded that "68% of [the funds for the state of siege] were consumed by the various headquarters in Kinshasa." (Cros 2021) Their report then recommended an investigation in Kinshasa to trace the funds allocated to the state of siege.

Since then, however, there has been little follow-up. The state of siege has been renewed by the National Assembly 100 times, each time with almost no debate. Meanwhile, the DRC's military spending grew by 105% in 2023 to \$794 million (Tian 2024).

## **THE INSPECTORATE GENERAL OF THE FARDC**

The Inspectorate General (IG) is the main internal control mechanism of the Congolese army (Journal Officiel 2013). It has been strengthened to help carry out a census of military personnel and to introduce bank accounts for the payment of salaries. However, over the past 20 years, this institution has lacked staff and funding and has been strengthened mainly

through programs set up by the DRC's partners (Justaert 2017). Perhaps most importantly, it has been used by successive governments as a landing place for controversial commanders, themselves accused of abuses, in order to remove them from operations while maintaining their loyalty (Maludi 2021).

The first law on the organization and functioning of the FARDC in 2004 attached the IG, an institution created during the Mobutu era, to the ministry of defense and veterans' affairs in order to strengthen its autonomy from the general staff and the presidency. However, the ministry struggled to enforce this control, and the presidency, like the general staff, retained a dominant role in the management of this sector. The 2011 law on the organization of the FARDC establishes that the IG is responsible for "monitoring the rational management of human and material resources made available to the various forces; monitoring and executing budget allocations to the Armed Forces; monitoring the adequacy and reliability of equipment and supplies; evaluating the performance and operational capabilities of units; and monitoring and executing budget allocations to the Armed Forces." (Journal Officiel 2011b)

However, it is clear that this mandate far exceeds its capabilities. The FARDC IG has a small staff. It is composed of an inspector general, two deputies, a college of five inspectors from each branch of the army, a college of seven technical advisers, an administrative secretary general, and an administrative, logistical, and services unit. Its budget, like that of the army in general, has never been detailed. However, according to the military programming proposal for 2022-2025, \$4.1 million was to be allocated to it in the first year to audit the Congolese army's personnel, equipment, and finances, and \$1 million for each of the following years (Cabinet du Président de la République 2022). That is only around 0.1% of the entire current defense budget.

Since 2018, the IG has been headed exclusively by individuals subject to sanctions, which has undoubtedly discouraged some donors from resuming their cooperation (Interview with donor in Kinshasa, June 2024). In July 2018, General John Numbi, who is subject to U.S. and EU sanctions, was appointed head of the Inspectorate by Joseph Kabila. Two years later,

in July 2020, his successor Félix Tshisekedi appointed General Gabriel Amisi, known as Tango Four, to replace him and made General Muhindo Akili Mundosi, alias Mundos, his deputy. There has been speculation that he did this so as to better control these two potential “spoilers,” commanders who have the capacity to mobilize officers against the president. They are currently under U.S. and U.N. sanctions respectively for human rights violations. This shows that the IG is being used as a place to warehouse commanders deemed too powerful to arrest or retire, in the process undermining the reputation and capacity of the IG.

## Civil society reforms

Although long acclaimed for its dynamism, Congolese civil society is currently experiencing a period of fatigue, due to the socio-political developments in the DRC and the crises that the country has been facing continuously for several years. This is the result of interactions between civil society and international actors on the one hand, and between civil society and politics on the other.

This section reviews the challenges facing civil society, outlines the limitations of efforts to support these two spaces, and proposes solutions to strengthen the dynamism of these sectors of democratic vitality.

### FRAGILE BEGINNINGS, IMPORTANT CONTRIBUTIONS

Congolese civil society, born out of the dual dynamics of the struggle for access to basic social services in the Kivu provinces and the struggle for civil and political rights through the human rights movement, has contributed greatly to democratization efforts of the Democratic Republic of the Congo since the Sovereign National Conference in the 1990s (Ploquin 2001). It has been involved in the various peace processes aimed at ending the violence that has affected the country for decades. Civil society, in particular its religious organizations, oversaw the work of the Sovereign National Conference and led the High Council of the Republic/Transitional Parliament between 1992 and 1996 (Nzongola-Ntalaja 2013). Civil society then

contributed to the various negotiations to end the war, being part of the post-conflict transitional government and helping lead various government agencies, including the election commission, the Truth and Reconciliation Commission, and the High Media Authority (Journal Officiel 2004).

During the political repression of 2015-2018, civil society played a major role in mobilizing the population, documenting and denouncing human rights violations, and advocating for justice and reparation mechanisms (ACSS 2017). These various contributions by civil society have helped to expand and guarantee access to rights and legal protection for minorities and vulnerable people. Although women’s representation remains a challenge, the activism of feminist movements within Congolese civil society has also helped to expand women’s rights and lay the foundations for greater political inclusion of women by enshrining gender parity in the DRC’s Constitution (Allgén 2025). Finally, on the socioeconomic front, the dynamism of part of civil society has enabled the growth of agro-pastoral cooperatives and savings cooperatives in general, which have contributed to the vitality of the local economy (Luntumbue 2010).

Despite these many contributions, civil society suffers from its politicization on the one hand and its depoliticization on the other hand (Chahed 2017). Its interactions with political actors through various political processes, as well as its dependence on international donors, are a source of fragility and a threat to the credibility of civil society. In order to revitalize civil society in both its social and political roles, it is useful to rethink these interactions.

### INTERACTION WITH DONORS AND DEPOLITICIZATION

While relations between Congolese civil society organizations and international organizations date back several decades, its dynamics have evolved considerably even as the volume of foreign aid has skyrocketed. The DRC humanitarian fund deposit went from 92 million USD in 2006 to 1.3 billion in 2025 (UNDP 2010, DRC Humanitarian Fund 2025). In terms of intervention methods, while direct intervention by international

organizations was limited on the ground and local organizations continued to maintain close contact with local communities, the humanitarian crises resulting from recent wars have led to an explosion of international humanitarian presence in an area once dominated by locals (Barbelet et al. 2021). Although this presence brings expertise in several areas (peace-building, conflict resolution, combating malnutrition, etc.), it transformed the relationship between local civil society organizations and the population. The duty to comply with national administrative and fiscal regulations, as well as with financial, programmatic demands from donors led to political shifts within civil society, promoting vertical accountability toward the host state and donors rather than toward beneficiaries (Hearn 2007, Edwards and Hulme 1996). The need to follow administrative regulations provided by donors competed with the drive to organize communities into a force capable of holding accountable both states and international actors. The grassroots peasant movement thus gradually gave way to more professional, bureaucratic NGOs, depoliticizing parts of civil society (Ungsuchaval 2016).

In addition, competition in the same space between international organizations with significant resources and local organizations led to a brain drain from civil society to these organizations whose leaders or skilled staff were often hired by international organizations (Lemay-Hébert et al. 2020). While this built their individual capacities and increased their revenue remittances (in the case of expatriate workers), it weakened the capacity and quality of civil society, and created tensions between the personal career goals of civil society actors and the community service objectives of their organizations (Barbelet et al. 2021).

Finally, the Congolese state has attempted to regulate civil society so as to control the actions of potentially “subversive” actors. For example, in 2023, a new law was passed addressing “human rights defenders”: “Loi relative à la protection et la responsabilité du défenseur des droits de l’Homme (Law on Protection & Responsibility of Human Rights Defenders)”. It included registration obligations for unaffiliated defenders, required defenders and NGOs to submit annual reports on their activities, and included clauses that could be

used restrictively (ISHR n.d.).

Promoting a vibrant, politically active, and accountable civil society will require restructuring the relationship between Congolese civil society and international actors, strengthening civil society’s accountability to the population, and shielding civil society from potential administrative harassment.

The idea of “promotion of local ownership” embodied in the debate about localization of aid can serve as a framework for such reforms (Ingram 2022, Peace Direct 2021). Applied to the DRC, it would involve the following five actions: First, it requires rethinking the political relationship between local and international actors, what is sometimes referred to as the decolonization of aid. While the concept of partnership often used in the NGOs sector in the DRC alludes to a horizontal, equal relationship, in practice there are structural inequalities and power imbalances between the international organizations and “local implementing partners.” Our own observations in the DRC confirm the findings of other researchers that the “asymmetry of power produces asymmetry of roles.” (Shivatoki and Milner 2021, p. 810) That imbalance of power can manifest itself in how revenue is shared, who dictates the content of projects, and in the hierarchies of partnership structures.

Second, interactions between donors, international actors, and local civil society should aim at reinforcing capabilities of local organizations and communities. This should go beyond the discursive and performative “capacity building” discourse of NGOs that often results only in a series of training and limited material support. It should include creating social and material conditions for local structures to develop and retain their resources (including human resources) in a competing environment by adjusting the working conditions, decisionmaking structures, and agenda-setting power of local actors.

Third, donors should invest in connecting and strengthening accountability between civil society and local communities. Many donor requirements involve provisions that go in this direction. However, the mechanics of these are often unclear. Consultation

of local communities often aims at ticking the box for donor requirements rather than a genuine intention of community involvement in NGOs interventions. Community-led planning, monitoring, and evaluation of NGOs and donor actions can be a core, valuable instrument of connection between NGOs and communities. However, that mechanism should go beyond the local elite in order to avoid replicating the same power imbalance locally.

Fourth, a good strategy should promote transparency and good governance of local NGOs. The lack of capacity to manage large funding is a major limitation for the localization agenda. In the DRC, we have witnessed how accusations of corruption have weakened the credibility and legitimacy of local organizations (and international actors). The response has often been to reinforce bureaucratic procedures and tighten oversight by international donors, which in turn shifts the power away from local actors, fueling a vicious cycle. Good governance in the NGO sector in the DRC entails making civil society organizations more democratic, promoting rotative leadership of organizations—and in particular an increased presence of women at the senior level—the publication of financial reports, and the simplification of bureaucratic procedures.

Finally, strengthening civil society also requires bolstering their political role in society as a counterweight to the state. The political power of civil society organizations has led them to contribute in numerous peace processes and dialogues—most notably in the transitional government of 2003-2006, where they held important positions. This, however, created a paradox: Their leaders played a key role in making sure political and socioeconomic rights are included in the constitution, for example (Crisis Group 2006). However, the shift from advocacy to decisionmaking power has not been without risks. When civil society leaders join the government and take up powerful positions—such as the leadership of the election commission and the media regulatory body—they only rarely remain accountable to their civil society constituencies. This reinforces the perception of civil society as a springboard for opportunistic political ambitions.

To avoid the politicization of civil society, they should

continue to play key roles in advising state actors and in carrying out advocacy and protests. Donors and the government should be more circumspect, however, in trying to include civil society formally in government bodies, as that has led to their co-optation. Moreover, there is an urgent need for investing in the collective action capabilities of civil society. This requires the democratization of civil society coordination bodies, the revitalization of the trade union movement, and the recognition of a diversity of views as a source of strength.

## Conclusion

The points we have laid out above present the contours of what a reform program could look like to revitalize Congolese democracy. However, in the past there has been no dearth of reform proposals, some of which are echoed here. The more challenging aspect of reform is mustering the political power necessary for its implementation.

As in the past, these reform coalitions will have to emerge out of a combination of Congolese grassroots and elite movements with significant outside backing. The 2028 electoral cycle could present such an opportunity. Unless constitutional term limits are changed, this will mark the end of the Tshisekedi presidency. Given the lack of cohesion inside the USN, it will probably be difficult to find consensus around a successor. This will provoke dissent and splits within the USN but will also create a demand for greater transparency and fairness regarding the democratic rule of law, producing an opening for the kind of reform coalition we propose here.

Reform is anything but inevitable, but the historical arc of Congolese democracy shows that there is enormous vibrancy and pluralism within the country, and a large demand for greater democracy. The beginning of such a process will be the serious and widespread public discussion of a reform agenda.

## BOX 1

### Key recommendations

#### Reduce presidential power

- Curtail the president's power to dismiss governors and dissolve provincial assemblies.
- Limit the president's ability to impose policy decisions through the means of inter-institutional meeting.
- Place the Inspectorate General of Finances under the control of a judicial authority.
- Make the prime minister in control of the Journal Officiel.
- Bolster the Court of Auditor's funding and power.
- Require Senate confirmation of ambassadors and special envoys.
- Enforce the constitutional requirement that laws be automatically be promulgated if the presidency does not respond within 15 days.
- Require the president to step down if presidential elections are not held on time and hand power over to a caretaker government.
- Change the electoral system to require a run-off if no candidate reaches an absolute majority in the first round.
- Promote greater transparency in parliament by requiring voting, attendance, and financial records to be made public.

#### Reform the party system

- Draft a law on the financing of election campaigns that requires candidates to publish their tax returns and places a cap on campaign spending and donations.
- Implement the 2008 law on public financing of political parties.
- Raise the electoral threshold to 5% of all total votes for national elections to reduce the number of political parties represented in parliament.
- Give the electoral commission the power to oversee political parties, requiring the holding of regular meetings, the holding of internal elections, and the publication of financial data.
- Incorporate regulations on political groupings into the law on political parties with a view to ensuring stability within political formations after elections.

## **Reform the election commission**

- Render the commission more politically balanced by requiring equal numbers of delegates from civil society, the ruling coalition, and the opposition.
- Introduce criminal penalties for CENI officials in the event of violations of rules designed to ensure the transparency of electoral operations, particularly with regard to the publication of results.

## **Restructure civil-military relations**

- Reduce corruption and the politicization of the army by increasing statutory pay and limiting or abolishing discretionary payments.
- Enhance parliamentary and civil society oversight by placing the burden of proof regarding secrecy (“secret défense”) on the government.
- Give the court of auditors, which reports to the National Assembly, the task of investigating the management of army finances.
- Render the Inspectorate General of the Army more operational by increasing its funding and staff and placing trustworthy, less controversial figures at its helm.

## **Enhance civil society**

- Require a greater localization of aid, providing support to civil society in ways that guarantee its sustainability and financial autonomy.
- Create forums for accountability between donors and the communities they are supposed to be serving.

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