

Legend of the Transparent and Peaceful Organization of “Elections” in DRC: Issues and Politological Reflections

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Abstract: *Over a few days, the mandate of the political establishment in the Democratic Republic of Congo (DRC) will expire with the next organization coupled elections (presidential and legislative). This will be the time of manifestation of the power of the Congolese people, the only sovereign, and able to develop a political order of his choice and suitable leaders. With the approach of the elections, many questions concern us: Why vote? Has it any value voting face now in power procedures that have taken over the state to use as their personal property? Will Mercenaries accept to let exercise legitimate power? But why vote for this gesture cannot change - be nothing? The millions of Congolese citizens must take a firm appointment with history. The country belongs to them beyond all oppression they are subject to these days. They must make their voices heard to all the ends of their party and in unison, they must join forces to that of history for the revolution as to punish criminals who took them hostage and enslaved have until as to deny them their humanity. However, they must vote "useful", that is to say, choosing representatives whose political profiles best match their political ideal. Since those who are granted a monopoly on the management of public affairs by illegal shortcuts already trying to manipulate some of their compatriots by various shameful artifices they must fight this arbitrary rule and mediocrity by their ballots. This is what will inaugurate an era of excellence and accountability in the exercise of state power to benefit the people. In this context, vote will be to write acclaim democracy in the lives of future generations. This democracy actually mean for them, a government in which power and civic responsibility belongs to all citizens who exercise either directly or indirectly, or again, through its freely elected representatives. It is a set of principles and practices that protect their freedom and allowing them the time came to appreciate and sanction the work of those to whom they are given their power for a limited time. This is how that can end a regime whose leaders have no emotional connection with the people. With the vote, citizens will issue their opinions on the functioning of the system, will claim a future consistent with their aspirations and refuse to leave the management of their country in the hands of criminals of all stripes, rapists of their mothers and sisters, looters and foreign mercenaries.*

1. The Elections, the only Alternative to Stop the State Bankruptcy in Congo - Kinshasa

Premium on board, the Congolese people must support through elections that he called in all his vows, transparent and peaceful. To do this, it suits him to be actively involved in civic and voter education programs to mobilize for the success of these elections. Ones - must not be a facade for legitimate criminal predators and unworthy both unrepentant and incompetent. The right to vote is the basis of democracy. It allows citizens to express their will to elect their representatives, their governments and to participate directly in decision-making concerning the good of society. Despite the depravity that worldwide some electoral campaigns can manufactured, the vote is and remains an inalienable right of individuals. Other, they cease to be citizens. Nevertheless, to the other side of the spectrum, citizens in their capacity of potential voters must seek to reassure a more or less conscious and clear, that the candidates they will choose are honest individuals, committed, loyal, honest, patriotic, dedicated, and they expect them to be their representatives in the various bodies and institutions of the Republic. The leaders choose must be individuals capable of providing an authentic way the common good and not prestige or obtaining personal benefits. The winners must avoid triumphalism and vanquished willingly accept defeat to form a real political opposition capable of ensuring democratic change. Congo - Kinshasa needs holy politicians.

Beyond the seductive promises and slogans, we warn the Congolese people to the voting age, whenever it is to

choose leaders of different institutions that ensure the criteria of competence, ethics and 'honorability'; Otherwise, it will be wasted in the construction of the building "third republic". So cautiously, ill-intentioned leaders he has voted will destroy in a short time. Let each day before it.

The responsibility of the sovereign people is great since the leaders that he would have chosen must earn it. To do this, it must ensure the criteria of moral, intellectual and spiritual in choosing leaders.

Also the opinion of the trainers has a heavy responsibility because they are able to reach a very wide. Also, they can make democrats by highlighting Republican values as they can create dictators promoting the cult of personality.

Intellectuals should not abuse the trust that their testimony the people; they do not try to justify to the people, by pseudo arguments-scientists, against-values in which they wallow. The indulgence is for the truth as the eye to light.

Educators and parents must model the values they want. They must be imitable for those entrusted to them by the country.

The requested requires mobilization of Congolese, the acquisition of a new political culture that prepares them to actively face the elections, to show courage and political will in the exercise of responsibilities within State institutions.

Elections are ultimately an alternative to stop the collapse of the Congolese state to the extent that they may lead to

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strong institutions but not strong people. Effective institutions and led by competent citizens can lead the country towards real change. In this sense, they are a real power that breaks with the most direct consequence of the accession to power by non-recommendable processes in a democracy. The primary sovereign must now freely appoint the leaders of his choice on the basis of objective criteria. It should never entrust its original power to individuals unworthy and deeply involved in the crimes of all kinds.

To this end, it is required to undertake concrete actions to convince the government of the DRC to organize credible and democratic elections, open to the possibilities of recourse to all legal remedies including that relating to civil disobedience. Thus, the rebuilding of the Congolese state must go through rebirth or human education.

Quality education must provide young people to make them responsible citizens of today and tomorrow. It comes back to the people the duty of appropriating the electoral process by establishing a monitoring network to frustrate the delaying tactics of some politicians.

To ensure stability in the sub-region of the Great-lakes, we must also give a chance to democracy in countries neighbouring the DRC, including Rwanda and Uganda where regimes are not democratic. They remain serious threats to a probable victory of the Congolese people after the results of the polls. Therefore, the international community must put it out of harm these violent regimes and allow Congolese to exercise responsibly their right to self-determination for the revival. It's a way to redo

2. The Electoral Process in the DRC: Assessment of Global Governance

Elections are a process that is an event. The seriousness and impartiality required for these transparent and peaceful elections depends not only on the regularity of the vote and the count. They also depend on the quality of the first stages of the electoral process. [1]

From the first moments of the publication of the 2011 electoral calendar - 2013, the issue of electoral security has surfaced to land in all its sharpness from a specific angle, that of hypocrisy. The elections are organized in a voter environment, under a false legalism amid a social crisis - huge economic. Consequently, all the ingredients to speculate the risks of a more or less generalized explosion because the recriminations of public opinion, convictions of civil society and opposition benefits or warnings of external partners have limited relevance. They alone can curb the violence. In turn, this structure insecurity - election is a strong destabilizing factor of the current process.

After the publication of the 2011 electoral calendar - 2013, what is the state of play in relation to the holding of transparent elections and soothed as desired? What considerations are - they faced both the economy of the electoral law to the role of political parties and the conduct of the media in the electoral process?

2.1 Facts and antecedents

The promulgation of the revised electoral law does not take into account the annex to the electoral law on the distribution of seats whose promulgation had occurred August 3, 2011:

Regarding the revision of the electoral register two months were spent for the seven provinces covered by the second phase of this operation. This period is mandatory because of the demographic weight of certain electoral districts. This is the case of Kinshasa province of the city, beyond the above reason, has not known a very high public awareness. This presents a lot of risks among which we can count:

- The confusion ;
- Attitudes and uncertainty among candidates;
- The low voter registration rates;
- Discouragement of the electorate;
- The possibility of electoral fraud;
- Police Hassler;
- The lack of confidence;
- Corruption.

Regarding the constitutionality and realism, this calendar is made of the lead in the wing because it is anti-constitutional and unrealistic. The promulgation of the electoral law and the planned publication May 31, 2011 could not take place since the law was passed by the National Assembly on 30 May 2011, one month after the date initially planned. For its part, the Senate has begun consideration of this legislation that June 7, 2011.

In their interventions, the senators had already questioned several options exercised by the lower house, especially regarding the election of electoral constituency towns, exclusive of the votes of Congolese abroad, parity of electoral lists the bonding requirements for candidates and voting notwithstanding.

The wide gap between the number of voters expected and those actually enrolled is amazing. The most plausible explanation is in part the recruitment of minors (10, 11, 12).

Ultimately, the electoral process suffered from voter disgust for politicians but also and even desertion of political parties of their traditional missions and trial and error that characterizes the media.

Everything suggests that the prospects for holding transparent and peaceful elections in the DRC noted a glow. It is a compendium of contradictions and paradoxes that are part of a dynamic intellectual legitimization of violence, poverty and unemployment.

2.2 The electoral law

The analysis of the legal framework must sit all electoral governance in the DRC requires a comprehensive approach beyond any normative dimension. The electoral issue must necessarily incorporate international and geostrategic dimensions with the emergence of international missions support, organization, control, observation and even the certification of the elections and their results. This

emergence of international missions should also have originated resolutions that insist on the need to hold periodic and genuine elections which could determine the will of an entire people and the need of an electoral process with different choices in points economic and sociological view in the structure of the electorate. [2]

Unfortunately in Africa and the Congo in Particular, the legal framework depends on the modes of exercise of the autocratic political power and plagued by poor governance consecutive confiscation of power. Therefore, elections or better their victory or defeat are a matter of life or death related to the three main moments (pre conflicts - electoral, electoral conflict and post conflict - election).

Still, the analysis of the legal code, coherence, relevance, respect themselves as windows which offer us opportunities to grasp the issues, transfers, routes, breaks, continuities or even constants in anthropological perspective if we seek to understand the dynamics inside the main actors working on the electoral law. What William Wild called "Law in the spirit" or (Law in mind) [3]

The rule of law on the real will to organize transparent elections and soothed is just a tool or a baobab tree that hides the forest to express the balance of power in a political business where the force of law is still dominated by the right of the force.

The law is to be considered as part of the human representations. [4] It is provided that DUBOIS DEGAUDUSSON said that the constitution without constitutional culture is the ruin of constitutionalism. [5]

Constitutionalism must penetrate the collective consciousness of rulers and ruled constitutional culture though not always predates the constitutions and constitutions prescribe the legitimate ways of doing, thinking, inducing behaviours and appropriate political values. There is no democracy without the constitution, as there is no election without the electoral law. However, that - must be treated as a disposition to accept the compromise in public affairs or a disposition to justice.

Tocqueville did-t it not written that constitutionalism prevails when the spirit of the law that is born of schools and courts than these speakers and into the heart of society and descends to the lower layers? [6]

2.3 The role of political parties during the election process

In any case the term "election" can match that of "democracy." However, we cannot have a democracy without elections because democracy can mean a system in which the sovereign power (Isonomy, Iségorie, etc.) resides in the people. This popular location of power requires the whole society to participate at all levels of the electoral process. So say in democracies established and even those classified as emerging, we recognize the political parties their role of "electoral police" because they are regarded as associations of persons constituted for political action. To do this, they must ensure that their political opponents do not cheat or do not intend to cheat.

Then the political parties also enjoy the status of structured groups, articulated and adapted to the struggle for power. To this end, they express the interests and objectives of the various social forces (classes, ethnic groups, local authorities, communities of interest) they are precisely the means of political action. They therefore play an important and indispensable role in the electoral as well as democratic process. [7]

Generally, political organizations are classified into two distinct categories depending on whether they are positioned in relation to politics, their conditions of insertion in the political system or their politicization. Thus exists the one hand, those who in the name of a global project, seeking to gain power and assume the functions of government (political parties); On the other, those who in the name of a particular project, try to exercise a permanent or ad hoc influence on the rulers (pressure groups).

Political parties thus have a constitutive diversity although this diversity is against balanced by the implementation of the powerful mechanisms of integration and unification that form the backbone of their institutionalization. Marked by the dialectic between unity and diversity, they appear as collective entities which, at the same time interact in the political field and are self - places where interaction is competing for groups, teams and networks. [8]

The term "electoral process" means all the operations necessary for the proper functioning of elections; Whether the preparation of electoral lists, the organization of the election campaign or the various preparatory formalities ballot (The holding of the polls, the results of processes, the training of electoral officers, supervision of opinion polls, voter education and election monitoring, etc.).

Political parties play a central role in the electoral field. They propose ideas to citizens (political program) and candidates. In this sense, citizens express their choice by voting or joining political parties by their free and voluntary. [9]

Since political parties are organized first to be opponents in the electoral process, they should (in theory) have no role in the organization of elections among their objectives. Therefore, a difference should be made between competitors in the elections (political parties) and the electoral bodies that are actually regulators.

The role of political parties does not end at the proposed programs and candidates. It also extends to the post-election stage by participating in discussions on electoral reforms and the improvement of the electoral process, the public operation of political parties in democratic good governance (the promotion and protection of human rights and fundamental freedoms, the establishment of the rule of law, improving relations between the ruling majority and the opposition, etc.)

Thus, political parties, away from them the temptation to substitute the body responsible for organizing the vote, bring validity, transparency and efficiency in the electoral process. Their involvement allows them to have a minimum

of confidence in the legitimacy of the elections if they are conducted in light of their own participation in the process. This can reduce electoral violence, promote truth and encourage acceptance of the results that constitute the litmus test for judging the validity of the quality of the legitimacy of the election. [10]

2.4 The legislation of the press and the ideology of the media during the election process

The media may be understood as any means of wide dissemination of information (radio, television, print, internet, advertising, book, etc.), there does exist the rights and duties for these information means mass. In addition, during the electoral process, there are special rules to dictate the nation's life. The questioning of personalities and political parties without adequate evidence, the publication of shocking images, violent, reporting of hoax and the confusion between information and the spread can be observed in the treatment of information and the coverage of the campaign by political, diplomatic and journalistic circles question the responsibility of the press.

Media pluralism is a reality in the DRC but at times we can agree to recognize that pluralism is wild and politicized, abounding and even uncontrolled, not facilitating the duty to inform and educate the elections. [11]

Kinshasa alone has 40 television channels, 29 radio stations, 10 daily and 15 weekly (120 newspapers reported) and 4 agencies. In the provinces, there can be up thirty televisions, 145 radio stations and 200 shares declared. [12]

The Constitution of the Republic guarantees freedom of the press and the relevant law adopted in 1996 fixed the terms of exercise. The Act guarantees media pluralism while featuring liberating provisions regarding the classification and punishment of offenses committed by the press. Beyond all the self-regulatory body and the Observatory of Congolese Media must respect the rules of professional practice with journalists though poorly paid, poorly equipped and often without a contract. The legislation on media in the electoral process must be applied to the place of any offending newspaper and the press.

During the election campaign, the media are called upon to:

- Cover the different manifestations of the campaigns;
- Organize debates between competing political parties;
- Presenting, analysis, compare and criticize the various project companies proposed by political parties;
- Report on the organization of elections;
- Giving voice to citizens and civil society ...

During the voting and when the results were announced, the media must observe and report the dedication of voting, denouncing the poll malfunctions, data analysis and participation rates.

During the post-election phase, the media have a duty to support the new institutions in their set up and remind the new authorities their campaign promises. Unfortunately, the media in the DRC are struggling with issues of communication and travel to a polling station to another

installed in insecure areas and difficult to access, financial resources are lacking and reporting equipment underperforming. In these circumstances, how can the media - they claim to respect the law of the press and professional conduct during the election campaign, at the polls and at the time of the earnings announcement and during the post-election period?

The set of rules and responsibilities governing the exercise of the profession of journalists during elections in DRC and there is no different from that governing that profession in normal period was - that at the level of principles. However, the difference is significant as regards the regulatory body. The monitoring of compliance with the law on freedom of the press should be more rigorous to prevent slips and ensure the public's right to pluralist information. Control of neutrality and particularly the equity of public and private media during election campaign and the regulation of the entire media field by a fair and just distribution of airtime to various political opponents constitutes the a pillar of a transparent and peaceful election.

The true collaboration between the regulatory body, the body self-regulation and media owners also constitutes the main pillar on which can rest successful compliance with rules and duties that govern the exercise of the profession of information at election time as ordinary period in Congo - Kinshasa.

3. Logical Political Reflections

The prospects of holding transparent and peaceful elections in the DRC are less convincing. The facade is cosmopolitan but in reality the political environment is polarized around highly personalized and subjective criteria passionate leaving very little room for thought. This sad reality is as true for the ruling majority and the opposition are both to the ongoing search for identity and coherence. The process is practiced in its reconstruction phase of the political class that is not under - unfortunately strained by ideological and pragmatic approach. This is a dangerous guesswork that borders and offended any rational mind in the Republic as there remains the risk that this phase is sinking into unwarranted conditionality such militarization of a mega polis to the size of Kinshasa (acquired opposition) or boost the activities of armed groups both foreign and domestic, in the eastern part of the country under the imposture of security or political change. There is no rationality around political structures and relationships between actors remain very superficial. One is positioned as from the political weight or balance of forces.

At this stage, some unfortunate procrastination took place, including the work of the Alliance for the Presidential Majority (AMP) to revise the constitution of the Republic in its Article 71 which established the presidential elections in two rounds on the grounds that crystallization of two candidates in the second round led to a polarization of the country in the political outline - geographic: East - West. But the GPA members have not said how they would avoid the crystallization of two candidates if ever the opposition as it presented a single candidate against the incumbent president.

It is anything but delaying tactic of making diversion on their intention to make cheating in the election to stay in power thanks to their majority in parliament.

Apart from Article 71, there was also Article 110 which allows MPs and senators appointed to an office incompatible with their mandate to find them once the new features come to an end.

Similarly, section 149 is passed under the yoke of the members of the majority were alone in the chamber after the boycott of the opposition. That is to put the flooring under the Ministry of Justice instead of the higher council of the judiciary. It is a way of reducing; if not outright break the independence of the courts.

Sections 197 and 198 have been revised to allow the president to dissolve provincial assembled and put an end to provincial governors functions. Here AMP has demonstrated its commitment to its leader a potential dictator who can meet the governors of their duties as it sees fit while the Republic wishes to have his orders an impartial and respectful of Republican President neutrality.

Finally, Articles 218 and 226 were reserved to give the Head of State the right to call the people in the referendum and deconstitutionalising installation of new provinces.

Moreover, there is nothing to worry about when observing and analysing the political landscape of the time in Congo. It is complex, ambivalent and distorting. This attitude is reflected through a radically different dichotomy: The ruling majority is determined to stay the course regardless of the price or the modes of political actions to do so. While the opposition is entitled myths through speeches and actions motivated by the interests and well-defined attitudes. the integration myth vehicle is around the pacification and unification of the country. The legitimizing myth about the negative balance (sic) political actions of the movement to power throughout the last five years and naturally,

It is in this dialectic that all the hosts and this unfortunately in turmoil and after the various threats of boycott by the opposition. The process has a major deficiency from the start. It may be recalled in this regard that the independent national electoral commission (CENI) to accompany the elections to the end itself is the unfortunate result of a disagreement between the government and the opposition regarding the choice of animators and burden-sharing that the one and the others wanted equitable and balanced. In addition, the opposition posed prerequisites for holding a transparent and peaceful elections, it is particularly co-management of the central server of the electoral register held by the body regulating these elections but then again, This question has not been satisfied to date. It is clear that the power is preparing for a possible cheating in the elections and the opposition prepares to challenge results. Political realism must absolutely allow short term to assess comprehensively and positively the process related to the elections that the people wish for all his vows, free, transparent and peaceful. In any event, it will ensure that in the medium and long term, societal equilibrium govern the

erection of a rule of law and resume their place in Congo - Kinshasa, in particular, the rule of law must ensure that crimes and other massacres of civilians are not unpunished. The exercise of a political or military function even greater importance is not at all a cause erase crimes. Eventually, dignity and respect for life must replace the crimes and indignities.

4. Conclusion

The Democratic Republic of Congo is fully into the pre-election period. We feel a contradiction between the heavy machinery of the regime that sets off towards elections in a logic control fully in every aspect.

On the other side, we feel the extreme fragility of the state and the lack of cohesion of the regime. All embarks towards elections that power will hold if and only if he is certain to win.

There are chances that the results will be challenged and there is a significant potential for violence in the electoral process. Everyone realizes this potential and the fact that free and transparent elections will be compromised by the control obsession and pride of the victory of the ruling power.

The international community will be hard to find a tone and content to potential critical messages to the rest of the process. It is not easy to react on the electoral law, the operation of the Independent National Electoral Commission (CENI) or the Higher Audio visual Council, or the lack of political space for the opposition and other issues today and tomorrow there is not a decision today to stop and rounded angles, mainly on the constitutional revision of January 2011 and the various pre-set by the opposition. The international community and the European Union in particular have deposited huge sums in Congo to finance standardized packages in order to support countries in post conflict even if the Congo and Central Africa, the page is not yet sustainable tour. Today the international community is faced with the limits of its impact. She will have difficulty expressing his concerns and define the red line. The only thing it can do through various non-governmental organizations and listen to the people, encourage and help them to express themselves.

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