



Aymar Nyenyezi Bisoka

Koen Vlassenroot

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From the “Kabila-Tshisekedi deal” to the challenges of conceptualising political transition in the DRC

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Felix Tshisekedi, April 2019. Source: [Flickr](#), US State Department photo by Michael Gross

Congolese politics have drastically changed since the installment of the new President, Felix Tshisekedi, almost one year ago now. But have our views on Congolese politics equally shifted or do analysts tend to rely on existing approaches and narratives? Despite the fact that Congo is witnessing a true political transition, the first readings of the take-over of power suggest a persistence of the latter. To many analysts, the imbalanced distribution of ministerial posts of the newly installed government in favor of the Kabila camp, for instance, is often seen as an indication of President Tshisekedi being a 'puppet' of his predecessor's interests. This discourse depicting the current Congolese president as 'kept on Kabila's leash' continues to shape analyses of Congolese political developments, both in public opinion and among national and international experts.

A closer reading of dominant narratives points at two lines of discourse, one sceptical, and the other pragmatic. Both are predicated on the idea that 'Kabila's presence on, or absence from, the Congolese political stage' is the essential factor in current political events in the DRC today. This reading not only is unproductive, it is also symptomatic of the fact that political analysts of the DRC are struggling to adapt to the changes brought about by Kabila's departure and his deal with Tshisekedi. Today we are no longer dealing with (a) a presidential regime that is (b) authoritarian, clientelistic, and militarised in practice, and that (c) possesses a relatively stable core over time. But instead, we now have a semi-presidential coalition-based regime, with different modes of negotiating power and authority.

The DRC is one of the few countries in Central Africa to have had a transfer of power at the highest level of the government. And yet, the dominant perspective in current political analyses of the DRC favors a simplistic discourse of continuity. It has been a widespread belief that

the new president was supposed to serve the interests of the Kabila camp, who would in reality continue to keep a grip on key sources of power. Several events, including the election of provincial governors, the validating and invalidating of members of parliament by the Constitutional Court, the reassignment of Kabila's allies to high positions, such as the presidency of the Gécamines mining company, etc., all serve as proof that Kabila has consolidated his involvement in state affairs.

For several months now, political analyses of the DRC have been trapped in this discourse of continuity, telling us that there has been no or hardly any real change. It is only more recently that we see a shift in the narrative. Sceptical analyses maintain that the political cohabitation in which the new president, Mr. Tshisekedi, finds himself puts him at a disadvantage, as it does not allow for a clean break from the preceding regime. This is believed to undermine Tshisekedi's legitimacy in the eyes of the Congolese population, who have been waiting for a radical change. The pragmatic view, in turn, responds to this criticism by pointing out that the Tshisekedi-Kabila deal was never focused on Tshisekedi's victory in the presidential elections, but rather on facilitating a form of coexistence that would guarantee a peaceful transition in the DRC.

Such approaches to contemporary Congolese political developments prevent us from recognising the emerging openings that might allow for action in the DRC today. They nostalgically box themselves into an analysis that fits with what is still considered a presidential regime, having trouble 'cutting off the king's head' and moving forward to looking at the DRC as a semi-presidential coalitionary system. They also tend to neutralise and obscure the antagonisms that exist both within and between the Tshisekedi and Kabila camps, and do not allow for an understanding of the terms and modes of negotiation and resistance that cut across both these groups.

The tendency to explain everything in terms of Tshisekedi either submitting or not submitting to Kabila, leaves no room for an understanding of the modes of intersection between legal regulations, political strategies, and daily practices in the political action unfolding within the new Congolese system. It causes us to miss out on the opportunity to study the modalities at play in one of the few political transfers of power that has taken place in Central Africa, and to learn from both its successes and setbacks, so as to refine our understanding of African democracies and how to strengthen them.

In order to understand politics in the DRC and know where to direct action, we need to look at the intersections between law, illegality, and practicality. We have to be able to comprehend how official rules coexist with strategic practices, and how the interaction between the two produces new daily political practices. Let's take a simple example: the Constitution did not allow Kabila to stand in the last elections, despite multiple attempts to legally keep himself in the running since at least 2014. The fact that it was Tshisekedi, and not Martin Fayulu, who was declared the winner of the last presidential election demonstrates that beyond regulations, political strategies also play a decisive role. The choice of Tshisekedi over Kabila's candidate Shadari, in return, should be read as part of a political practice that attempted to negotiate between popular legitimacy (Tshisekedi's popularity, as opposed to Shadari's) and political calculation (choosing Tshisekedi, and not Fayulu).

Equally, the interplay between rules, strategies and practices defines current political dynamics and outcomes. It explains how Kabila tries to take advantage of the lack of a parliamentary majority of Tshisekedi to negotiate the best possible outcome in keeping with his interests, while the President tries to manoeuvre to strengthen his legitimacy, be it at home or abroad. This interplay explains the emergence of new political practices, such as, for example, the introduction of the approach to

keep the smallest possible number of old ministers in the new government team (fewer than 30%), or the famous *droit de regards* (right of inspection) that Tshisekedi hopes to prevail in asserting over the nominations and actions of members of the Kabila camp.

This complex array of daily political practices in the DRC should be a starting point for analysts wanting to effectively investigate current political dynamics and promises of potential change that can be reinforced by domestic and outside actors. All of these decisive factors for our comprehension of politics in the DRC become invisible when we box ourselves into the approaches of scepticism and pragmatism. And they also have real implications for our understanding of political developments in the DRC, and for defining international responses. What we need are new ways of looking at Congo's politics, in order to understand the different norms and practices that are shaping these politics. This requires less speculation and a more detailed knowledge of the new political practices currently at play.

Note: The CRP blogs gives the views of the author, not the position of the Conflict Research Programme, the London School of Economics and Political Science, or the UK Government.

About the author



Aymar Nyenyezi Bisoka

Aymar Nyenyezu Bisoka is a Professor at the University of Louvain, Belgium and the Institut Supérieur de Développement Rurale. His research focuses on the cohabitation of agricultural workers and armed groups in the DRC.



Prof Koen Vlassenroot is the Director of the Conflict Research Group at the University of Ghent, and joint Research Director for the Conflict Research Programme – DR Congo team.

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