The Effects of Aid on Governance:

An analysis of transparency, participation, and accountability in

elections and public service provision in

Democratic Republic of the Congo

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4. **EVIDENCE AND DISCUSSION**

Transparency, Participation, and Accountability in Democratic Republic of the Congo

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Abstract

This study addresses the concept of good governance (GG) by modifying and simplifying the current framework. The new model focuses on two actors in the social contract – citizen and state (Wootton, 2008).   It uses the juxtaposition of these two actors and their functions—participation (citizen) and transparency (state). Both of these principles reinforce each other and aim for an end result of accountability. However, although official development aid (ODA) is meant to strengthen transparency, participation, and accountability (TPA), it often does the opposite. Using the analytical framework of TPA, Democratic Republic of the Congo (DRC) provides a salient case study of ODA gone wrong. The evidence for this is provided by analyzing DRC's elections and public service provision (PSP).

Acknowledgement

Declaration

No portion of the work referred to in the dissertation has been submitted in support of an application for another degree or qualification of this or any other university or other institute of learning.

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ACRONYMS AND ABBREVIATIONS

BTI	Bertelsmann Stiftung's Transformation Index
CSAC	High Council for Broadcasting and Communication
DFID	Department for International Development United Kingdom
DRC	Democratic Republic of the Congo
EIU	Economist Intelligence Unit
FDI	Foreign Direct Investment
FH	Freedom House
GDP	Gross Domestic Product
GG	Good Governance
GIA	Global and Inclusive Agreement on Transition in DR Congo
HAM	High Authority on Media
HDI	Human Development Index
IBP	International Budget Partnership
ICC	International Criminal Court
ICD	Inter-Congolese Dialogue
IFI	International Financial Institution
IIAG	Ibrahim Index of African Governance
IMF	International Monetary Fund
KI	Laurent-Désiré Kabila
KII	Joseph Kabila
MDG	Millennium Development Goal
MLC	Mouvement pour la Liberation du Congo
MRGI	Minority Rights Group International
MSF	Médecins Sans Frontières
NGO	Non-Governmental Organization
ODA	Official Development Aid
OECD	Organisation for Economic Co-operation and Development

PRSP   Poverty Reduction Strategy Paper

PSP   Public Service Provision

QL   Qualitative Data

QT   Quantitative Data

RCD   Rassemblement Congolais pour la Democratie

REGIDESO   Régie de distribution d'eau

SAP   Structural Adjustment Program

SRS   Simple Random Sampling

TI   Transparency International

TPA   Transparency, Participation, and Accountability

UN   United Nations

UNDP   United Nations Development Programme

UNICEF   United Nations Children's Fund

USAID   United States Agency for International Development

USO   Union Sacree de l'Opposition

WB   World Bank

WHO   World Health Organization

CHAPTER ONE: INTRODUCTION

1.1. – Conceptualizing Good Governance

GG means different things to different actors. Various international bodies and donor-countries have specific views on what the concept of what GG means. The United Nations (UN), for instance, follows a set of eight components:

>1) Participation
>
>2) Transparency
>
>3) Rule of law
>
>4) Responsiveness
>
>5) Consensus orientation
>
>6) Equity and inclusiveness
>
>7) Effectiveness and efficiency
>
>8) Accountability (UNESCAP, 2009)

Likewise, the World Bank (WB) has its own components (it calls 'dimensions'). Although more economically guided, they overlap many of the values held by the UN. These include:

>1) The structure of government
>
>2) The structure of accountability and contestability of political leaders
>
>3) Public sector management
>
>4) Open entry and competition in the private sector
>
>5) Robustness of civil society, voice and participation (WB, 2013)

As seen from the 'shopping lists' of the UN and WB, definitions of GG are fluid. Plumptre and Graham offer the most helpful and unifying concept:

>One definition we have found useful (partly because of its merciful brevity) is, *governance is the art of steering societies and organizations*. Some observers, however, have wondered whether this formulation has connotations of top-down direction or control that are too strong. Whether or not *steering* is the appropriate word, it seems clear to us that *governance involves the interactions among structures, processes and traditions that determine how power is exercised, how decisions are taken, and how citizens or other stakeholders have their say*. Fundamentally, it is about power, relationships and accountability: who has influence, who decides, and how [decision-makers] are held accountable (1999: 3, emphasis in original).

To understand GG's relevance, it is important to understand its origin. The GG concept became prominent in the 1990s. Its championing coincided with the fall of communism. With democracy triumphant in the wake of the Cold War, GG was thought to be the optimal model for state

structures. While initial discourse applied the term mostly to eastern European politics (Doornbos, 2001, Botchway, 2001), the concept was snatched up by the development sector.

Cold War tensions led to vast amounts of ODA to many African countries – both from the West and East. As Cold War tensions came to an end, dictatorial Pro-Western African governments had lived out their usefulness. During the Cold War, the West turned a blind eye to the governance practices of many of these ODA recipients while they drained their countries dry with impunity.

Consequently, GG began to make its way into the policies of donors by way of ODA conditionalities. If poverty reduction is the development agenda, economic development should be the solution. However, the 1980s Structural Adjustment Programs (SAPs), set up by the WB and International Monetary Fund (IMF), are mostly regarded as failures. As the SAPs were primarily aimed at economic restructuring through free-market policies, new ideas on ODA effectiveness suggested bad governance was likely to be one of the key factors for leakages due to corruption and mismanagement. In an influential paper, Burnside and Dollar found "that aid has a positive impact on growth in a good policy environment" (1997: 32). Since, as they claim, policy was paramount to effectiveness, the paper spurred the GG agenda. GG offered a possible path for ODA effectiveness grounded in the political sphere of recipient-countries.

Figure 1.1. Developmental Agenda Shifts

From 1980s: SAPs	1990s: Good governance
• Privatization	• Establishment of a foundation of law
• Tax reform	• Maintenance of a non-distortionary policy environment
• Financial reform	• Investment in basic social services and infrastructure
• Trade liberalization	• Protection of the vulnerable
• Devaluation of the exchange rate	• Protection of the environment
• Reduction of the fiscal deficit	
• Deregulation of markets and agricultural price reform	

Source: Ciborra and Navarra, 2005: 143

Many institutions have since begun formulating their own components of what makes GG. While all these components are important, three stand out as vital to the governance–ODA nexus: transparency, participation, and accountability (TPA). While these three components will be viewed separately, they are not mutually exclusive. Indeed, "transparency, participation, accountability are closely interconnected concepts and constitute…integral and overlapping elements" (U4, 2011: 1).

There are two perspectives one can use to view TPA. The first is based on actor. Participation concerns the citizen, while transparency and accountability concern the government. The second perspective is based on role, with accountability as the end result, and accountability requires

transparency and participation (*ibid*). Similarly, Hale argues that transparency is needed to create participation by "allowing stakeholders to self-select into ad hoc public spheres in which market forces, discourse, and norms can govern behavior" (2008: 75).

For this reason, GG will be simplified into two main factors – one citizen-focused, the other government-focused. Although both concepts are interchangeable and form a symbiotic relationship, they both seek to reinforce and nurture accountability through different mechanisms. Other aspects of both WB and UN criteria fit neatly into the nexus, as seen below.

Figure 1.2. The Three Keys to Good Governance

The Three Keys to Good Governance

Good Governance

Government Focus

Transparency
- UN: Rule of Law, Effectiveness and Efficiency
- WB: Structure of Government, Public Sector Management

Citizen Focus

Participation
- UN: Consensus Orientation, Equity and Inclusiveness
- WB: Open entry and competition in the private sector, robust civil society

Trust

Accountability
- UN: Rule of Law, Effectiveness and Efficiency
- WB: Structure of Government, Public Sector Management

Eric E. Bell, November 2014

Source: Compiled by author

1.2. – Contextualizing DRC

DRC's interaction with the West has not benefited its citizens. Pre-independence history has been marked by forced labor, slavery, mass depopulation, and exploitation (see Hochschild, 1998 for a detailed account). King Leopold of Belgium laid personal claim to the Congo region. After the atrocities came to light, the region was transferred to the Belgium state, though it fared no better. Natural resource exploitation was its sole purpose. While a detailed pre-independence history falls beyond the scope of this research, one can frame its brutal characteristics based on death toll estimates. Hochschild notes "that during the Leopold period and its immediate aftermath the population…dropped by approximately ten million people" (1998: 233).

When independence came in 1960, the Congolese were in a precarious position. With European-focused violence on the rise, most Westerners made a hasty exit. The Belgians had made little investment in the Congolese people. Education was largely a white privilege. At the time of independence "only 350 full six-year high school graduates were produced", and only "20 Congolese college graduates were produced" (Yates, 1963: 153). This left a palpable power vacuum which few Congolese were qualified to fill.

In the first ever Congolese elections, Patrice Lumumba was elected as prime minister. His tenure was short-lived. As the Cold War accelerated, Lumumba's political orientation was feared to be influenced by communism. As Weiss points out,

> the U.S. ambassador, Claire Timberlake, quickly came to the conclusion that the newly elected Prime Minister Patrice Lumumba was either Communist controlled or completely duped by Communists, and therefore had to be gotten rid of" (2008: 143).

In a joint CIA-Belgian operation, Lumumba was detained and assassinated in 1961. In his place, following a military coup and heavily supported by the US, Joseph Mobutu took control of the Congo for the next three decades.

For Mobutu, theft was very necessary. The funds he siphoned from ODA and state enterprises were his most effective political weapon. His reach and power exponentially increased through US foreign aid. Mobutu is one of the few world leaders who met every president from Eisenhower to Bush Sr. The US desire to keep Mobutu as their ally led to three US military interventions. These occurred in 1967 under Johnson, and in 1977 and 1978 under Carter (Berkeley, 2001: 80). US leaders never tried to hide the warmth they felt for Mobutu. Kissinger spoke of "'the respect and affection'" at the center of the US-Congolese relationship, while Reagan described Mobutu as "'a voice of good sense and goodwill'", and Bush Sr. waxed lyrical about "'one of our most valued friends [on] the entire continent of Africa'" (quoted in Berkeley, 2001: 80).

The money bought off opponents, rewarded allies, and bolstered Mobutu's security forces. Apart from aid, Gecamines, the state controlled mining firm, provided huge windfalls of cash. The WB estimated that in 1988 alone, US$400 million in revenues simply disappeared from the foreign exchange accounts (*ibid*).

Mobutu's kleptocracy led the US, WB, and IMF to eventually cut off loans, leaving only Gecamines and other resource extraction enterprises as the primary source of revenue. However, even Gecamines from corruption and mismanagement. From 480,000 tons the mid-1980s, copper production fell to 150,000 pounds by the early 1990s (*ibid*: 127). Theft accounted for much of this drop. As Berkeley observed, "soldiers, the police, workers, company guards, and expatriate Greeks,

Lebanese, and South Africans – all were collaborating to ransack Zaire's biggest economic asset" (*ibid*) – its natural resources.

Figure 1.3. Evolution of Congolese Political Economy

Evolution of Congolese Political Economy

1965-1969: Strong copper prices, significant US aid, liberal investment code, important foreign investments, nationalisation of *Union Minière* (1966).

1971-1974: 'Zaïrianisation' (major nationalisation of foreign investments), beginning of crisis.

1975: World copper prices plummet, high inflation, devaluation of Zaïre currency.

1980: Crisis temporarily lets up, inflation under control, positive balance of payments.

1983-1986: World Bank imposes structural adjustment programs and strict austerity policies.

1990: SAPs unable to redress situation, social situation tense.

1991-1996: GECAMINES production continues to decline. Riots in Kinshasa with heavy loss of life, bankruptcy of public service sector, hyperinflation rate almost 1000% in 1994.

1997-1999: No coherent economic policy under Laurent Kabila. The economy is devoted to war effort. Resources looted by Rwandan and Ugandan aggressors – booty offered to Zimbabwe and Angola in exchange for military support.

2000-2002: Kabila *fils* liberalises economy and re-establish negotiations with IMF and World Bank. Foreign debt approx. $9 billion. No improvement in social conditions.

Source: Trefon, Van Hoyweghen, and Smis, 2002: 383

Mobutu's answer to this diminished cash flow was to print more money and cut public services such as health and education. In 1993, he introduced the 5,000,000 Zaire note (at that time valued at around two US dollars) (Berkeley, 2001: 113). Public crises followed hyper-inflation. Mobutu's grasp on power continued to slip. Mobutu's lack of control slipped even further after Western powers began to push democratization across the whole of Africa. Multi-party elections would inevitably end Mobutu's three-decade rule.

Following the announcement to end single-party rule, citizens around the country began to form opposition parties; however, political violence soon followed as well. University students were shot in Lubumbashi, opposition leaders disappeared, and rallies were broken up. Under continued Western pressure, Mobutu finally allowed for the opposition coalition, Union Sacree de l'Opposition (USO), to share power by placing the party in the position of prime minister. Mobutu's fears were indeed realized as USO began gaining popularity across the country. However, the patronage political system was still alive and well. The devotion to Mobutu was not loyalty, but rather the understanding that if Mobutu went, so too would the plunder and privilege the elites enjoyed.

Mobutu had one strategy: fear. More specifically, fear of democracy. Through calculated ethnic destabilization, Mobutu was able to shift the blame for Katanga hardships to the Kasai; thus, circumventing accountability for his self-destructive policies and kleptocractic practices. Berkeley notes that this climate of destabilization and anarchy helped cement Mobutu's grasp on power. This

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observation is also held by prominent, well-educated Congolese. Kanyama Mbayabu, a Congolese human rights worker and lawyer, aptly sums up the rationale of many Congolese: "'People will prefer dictatorship to disorder'" (quoted in *ibid*: 125).

Into this climate of chaos, Laurent-Désiré Kabila (KI) and a coalition of neighboring states entered the fray. The 1994 Rwandan genocide led to a mass influx of Hutu Rwandan refugees in DRC. Mobutu, however, welcomed these masses and saw them as a potential tool for building support. The new Tutsi leadership in Rwanda viewed the situation as a serious security threat. Refugee camps in DRC were used as regrouping and staging areas for Hutu militias, launching repeated attacks in Rwanda, hoping to destabilize and recapture the country. Backed by Uganda, Burundi, and Angola, and using material support from various Western powers, Rwanda attacked eastern DRC in 1996, sparking the Congolese Wars (Prunier, 2009, Reyntjens, 2009, Lemarchand, 2009).

The historical perspective is important background for analyzing current political and social shortcomings. Corruption, mismanagement, and bad governance have played central roles in the past, and they have continued in the post-Mobutu are (analyzed in Chapter Four).

1.3. – Research Question and Scope of the Study

This dissertation will focus on governance in regards to the processes and traditions employed at the governmental level. The pillars of WB and UN GG show governance as made of many interchanging components. This dissertation addresses three in particular: TPA, focusing on the following research question: *How has aid affected TPA in DRC?*

The temporal and agential scope of this dissertation will look at the post-Mobutu era, paying particular attention to the current Joseph Kabila (KII) regime, including political machinations and PSP issues. Governance will be concerned with governmental aspects. The theoretical scope of governance will address TPA.

1.4. – Methodology

This research will take a mixed methods approach, utilizing secondary quantitative (QT) and qualitative (QL) data. Both have benefits: QT gathers data and categorizes them numerically, and by then applying mathematical equations, researchers can draw strong conclusions. It is useful in areas where specific, concrete, verifiable data are needed. It is also typically unbiased, and therefore more trustworthy (Brannen, 2005).

However, numbers only tell part of the story. QL adds a different dimension. Berg notes that:

> Quantitative orientations are often given more respect…It is not the purpose…to argue against quantitative procedures; it is, instead, to demonstrate the fruitfulness

and, often, the greater depth of understanding we can derive from qualitative procedures (2001: 2).

It has been said, "not everything that can be counted counts. Not everything that counts can be counted" (Cameron, 1963: 13). Berg also emphasizes the importance of QL, describing it as "the meanings, concepts, definitions, characteristics, metaphors, symbols, and descriptions of things" (2001:3). Brannen (2005) notes that QL and QT are not exclusive in the mixed methods approach. Method selection may vary during the research, as some approaches work better than others.

In terms of the analytical framework, the three principles of TPA were borrowed and adapted from the WB and UN. Tackling all pillars of GG from both organizations would have stretched this research beyond its parameters. Furthermore, TPA covers much of the other benchmarks for GG, and simplifies itself as an analytical tool.

Additionally, all organizations have a need for aspects of TPA. In the case of this research, the transparency aspect on political leaders and officials, and participation will focus more on citizens. This is not to say there is no civil and governmental interplay in both transparency and participation. It is merely a way of simplifying actors and responsibilities.

QT sources range from the Ibrahim Index of African Governance (IIAG), Freedom House's (FH) publications on democratic and press freedoms, Polity IV's state fragility assessments, Bertelsmann-Stiftung (BTI) political and economic reports on transformation, Transparency International's (TI) Corruption Perception Index, and various reports of election processes, healthcare, and education. These are supplemented by country analyses and perspectives from international and Congolese sources.

Finally, this research benefits from case study methodology. This method allows for the analyses of data, theories, and literature in "a complex functioning unit [in] its natural context with a multitude of methods" (Johanssen, 2003: 2). It also allows for triangulation, employing various research methods focused on a single case. This links with the mixed method approach as it uses both QT and QL. It also allows for micro rather than macro-analysis, thereby offering a more specified focus of study. DRC provides fertile ground as the case selection due to current country standings discussed in the following chapter.

1.5. – Limitations of the Study

The fluidity of the concept of 'good governance' limits measurement. This is a major hindrance to assessing governance quality (Gisselquist, 2012). Since the concept is fluid, it can be molded to the needs of organizations working within aid-recipient countries. Other limitations include the long checklists for assessing a country's governance. Many countries meet some benchmarks while

falling far short in others. These issues are addressed by the modified framework employed in this research. By limiting and simplifying the benchmarks to address only the political processes of TPA, the research is less likely to run into the paradoxes of successes and failures.

Beyond the fluidity issues of GG, DRC poses limitations for QT quality. Fragile and conflict-effected states often lack the infrastructure and resources to produce accurate data. Ousley and Ho (2013) note that no population census has been conducted since 1984. DRC's population today is more of an estimation based on a 3% growth rate. This does not take into account the mortality figures of the Congolese conflicts – again, an estimation – set at a staggering 5.4 million (Coghlan et al., 2007). Thus, as population numbers themselves are a guess, quantifiable data on issues concerning corruption, governance, democracy, transformation, human development are likely to lack accuracy and reliability. This highlights two important points. First, it shows the need to supplement QT with QL, as explained above in the mixed methodology approach. Second, it confirms that GG, anti-corruption measures, and stable institutions are central to social well-being. If data is not dependable, targeted development programs cannot expect to see much success.

QT that are produced in DRC are typically gathered using clustering sampling rather than simple random sampling (SRS). SRS looks at a larger sample size and random surveys, giving a more precise measurement. This is not possible in DRC. Typical of volatile and underdeveloped states, SRS is unfeasible and poses high risks (Burnham et al., 2006). Thus, clusters of populations are selected for sampling, giving an idea of country-wide measurements. However, as Ahmed notes, cluster sampling is flawed as "standard errors of the estimates are high, compared to other sampling" (2009: 2). QT should thus be viewed as a relative indicator of DRC's progress with some value since it provides snapshots of location-specific information.

The Congolese societal-economic-governmental nexus is difficult to analyze. Much has been written and researched on the cause of DRC's failures – greed over minerals (Collier, 2008), neighboring security (Turner, 2007), kleptocracy (Stearns, 2011; Moyo, 2009), and the Rwandan Genocide and the decades-long war it produced (Prunier, 2009; Lemarchand, 2009). Although these dynamics and the other pillars of GG are vital to understanding DRC's failures, these will only be partially analyzed to avoid compromising the central aim of this study.

1.6. – Structure of Study

This dissertation is structured as follows: Chapter Two provides the literature review, focusing on governance and aid. It will also discuss recent data on DRC. This chapter provides a base for the ideas explored in Chapters Three and Four. Chapter Three presents the analytical framework, with an explanation the three governance principles of TPA. Chapter Four applies the analytical framework to DRC, analyzing elections and PSP. Chapter five provides concluding remarks.

CHAPTER TWO: LITERATURE REVIEW

The notions behind GG and ODA are logical; however, effectiveness should be properly analyzed. As Moyo notes, "there is no other sector [other than ODA], whether it be business or politics, where such proven failures are allowed to persist in the face of such stark and unassailable evidence" (2009: 47).

2.1. – ODA Studies and Implications to Good Governance

       2.1.1. – ODA Effectiveness

Glennie's (2008) work provides a salient overview of where problems have occurred and may occur. His framework for the analysis of aid efficiency focuses on four key areas: 1) direct impacts, 2) policy impacts, 3) institutional impacts, and, 4) macroeconomic impacts. While all four levels of analyses work together, his policy and institutional impacts provide detailed insight into aid's effect on governance, particularly on TPA.

Glennie astutely attacks the neo-liberal policies Western donors have forced on African nations through the conditionalities of aid disbursements. He argues that these policies have weakened political institutions and forced aid-recipient governments to be accountable to Western donor countries rather than their own citizens. While Western donors have made calls for good governance, implementation of their policies leave many aspects unaccounted for and still tend to focus primarily on economic growth. This economic growth is still entrenched in neo-liberal strategies which emphasize competitiveness by privatization and ease of trade – both of which have brought governmental institutions to their knees. These intrusive conditionalities go against the people's will and in doing so make the governance of a country anything but good or democratic. Moreover, while donors emphasized good governance practices, they focus primarily on "public financial management, civil service reform, tax issues, accountability, anti-corruption and legal reform" (Glennie, 2008: 58), while issues of transparency and participation are left largely untouched.

Collier's assessment of aid effectiveness is not positive either. He claims that adding one percent to a country's aid receipts can "make the difference between stagnation and severe cumulative decline" (2008: 100). However, increasing aid will not make the growth process speed up due to its characteristic of 'diminishing returns': the more put in, the less comes out. Echoing other perspectives, Collier shows that once aid accounts for sixteen percent of a country's gross domestic product (GDP), it ceases to work and can become harmful. Additional research has shown that if aid reaches more than eight percent of a country's total GDP, "aid had a negative effect on growth" (Easterly 2006: 50). When bad governance, huge aid packages, and consumption practices come

together, the evidence of their harm (unintentional or otherwise) is profound. Regardless of the percentage, aid clearly has a threshold of effectiveness.

At this point, the majority of aid that comes into a country is used for budgetary support. This means the funds are given directly to the government for use at their own discretion. The problem is that their discretion often takes little account of the citizens of a country. Due to the nature of ethno-politics much of aid is spent on power consolidation. Military control is often an effective tool of consolidation. Collier states that "40 percent of Africa's military spending is inadvertently financed by aid" (2008: 103). The relationship between aid and governance is problematic.

2.1.2. – ODA Incentives

Collier asserts that one component needed for ODA effectiveness on governance lies in incentives (*ibid*). This can be seen in policy conditionality. However, psychology and economics can cause major problems with conditionality. When donors forego sovereignty and dictate the policies donor-recipients must adopt, resistance is common. This policy imposition has led governments and citizens to reject donor changes on the basis of freedom erosion. Thus, conditionalities are often agreed to, yet rarely followed.

Collier makes the distinction between *ex ante* and *ex post* conditionality. What is described above is the former - aid given with the *promise* of change. The latter – aid given on the *basis* of change – has become common practice more recently. However, *ex post* is not the cure-all. This method has largely taken aid from areas that need it most. According to Collier, neither *ex ante* nor *ex post* is effective, because citizen participation and government accountability and transparency are absent. Instead of shifting power from governments to donors, aid should focus on shifting power from governments to citizens.

The fact that aid conditionalities are based on donor stipulation creates a paradox in the GG agenda and accountability. Developing countries find themselves caught between a rock and hard place. GG stresses accountability to its citizens. A multitude of existing programs in recipient-countries require strict conditionalities and accountability to donors. This takes time and resources away from domestic matters and redirects accountability away from citizens.

Svenssen, using 200 SAP outcomes and the WB's Operational Evaluation Department findings, also found that conditionalities were ineffective. This is in large part due to donor commitments on *ex post* conditionalities. Performance does not matter to donors. Svenssen notes that "there is no significant relationship between the share of committed funds disbursed and the estimated reform effort" (2003*:* 390). He argues that there is an incentive for donors to ignore *ex post* conditionality outcomes due to the "low opportunity costs of committed funds" (*ibid:* 398).

Moyo (2009) expands on donor incentives for continued aid. She claims that despite calls for good governance in the donor community, corruption continues, and so does the aid flow. This is due to the nature of the donor community. It is a business, and organizations are pressured to lend. If aid were to stop, these organizations would become redundant; thus, the efficiency of aid does not shape their decisions. Secondly, there is no consensus on which governments are practicing good governance.

2.1.3. – ODA Allocation

Boone claims that allocation is not based on need, but rather on "political, strategic, and welfare [considerations] of donor countries as the driving force behind aid programs" (1996). This goes against the very notions on which ODA is founded.

Bobba and Powell tested whether aid allocation for allies was higher than non-allies, and what effect this had on growth. Aid was indeed higher for allies, and they claim "the results are striking. Aid between allies is always negative for growth, while aid between non-allies is always positive and significant in explaining growth" (2007: 18).

Bearce and Tirone's (2010) study feeds directly off Bobba and Powell's (2007) research. Bearce and Tirone find that aid can help economic growth, but only when the incentives are small for the donor countries, making strategic and political ODA less likely to meet development targets.

Headey backs up this finding through his research, showing that

> Aid's observed ineffectiveness over the period 1970 to 2001 is the large degree to
> which aid allocations are biased towards geopolitically important countries in which
> aid is used to achieve non-developmental outcomes, such as political allegiances
> (2008: 4).

Aid based on factors other than need is apparent within the UN as well – for example in the allocations of rotating seats on the Security Council. The US occupies one of the five permanent seats, while ten other seats rotate. It is indeed a serious charge to accuse the US of buying favor with the rotating members; however, Kuziemko and Werker found evidence of just that. Using US Agency of International Development's (USAID) Overseas Loans and Grants database in conjunction with rotating seat tenures, they found US ODA increases for non-permanent members. Countries can expect increases which range from US$16 million per typical year to US$45 million per year during important years (2006). This confirms the troubling nature of allocation, in which ODA is not based on need.

2.1.4. – ODA and Social Well-Being

Lancaster divides development into two spheres: "economic growth and 'social progress'" (1999: 488). Social progress pertains to institutions focusing on human well-being and development, such as healthcare and education. She claims that social progress is on the rise, while the real problem plaguing Africa is economic growth. While she is correct in her assessment of African growth, her claim that social progress is improving is highly questionable. Regardless of this oversight, she provides a simple, yet sound, round of questions for aid effectiveness:

1) Has aid been effective in promoting overall development in Africa?
2) Has it been effective and sustainable in achieving the specific goals of the projects and programmes it has funded? (*ibid:* 491)

Her line of questioning looks at effectiveness from a macro-level to a micro-level. These questions are not definitively answerable. She likens ODA to a "double-edged sword" (*ibid:* 498). While providing opportunities in a pro-growth environment, ODA

> Can still be ineffective where aid donors exceed their own institutional capacity in trying to bring about economic, political and social change in African societies, and where Africans are too little involved in the design and implementation of aid-funded activities (*ibid*).

This is a typical issue in top-down development. Indigenous knowledge of needs is invaluable to increased well-being. While education, healthcare, and sanitation are obvious targets, successful models take into account geographical, social, and cultural specificities.

2.1.5. – ODA and Growth

The Millennium Development Goals (MDGs) and the 'Big Push' are new shifts in development, firmly grounded in this top-down approach. One issue with the MDGs is their insistence on negative growth rates being the result of poverty rather than bad governance. Sachs' hypothesis states that poverty based on savings and technology deficits are the root of poor economic growth (Easterly, 2006). While this is likely to contribute, leaving out the role of governance is concerning. In many cases government corruption and poor policy choice are the cause of poverty. Easterly states that "aid advocates desperately want to disbelieve the bad government explanation for poverty, which is something akin to the church youth group minister who wants to believe that his charges are all virgins" (*ibid*: 42). By using data from the TI (measurement of corruption) and Polity IV (measurement of democracy), Easterly compared growth rates in poor countries with bad governance to growth rates in poor countries with good governance. He found that "average democracy is significantly correlated with long-term growth in most specifications, and the positive

relationship of growth with initial per capita income declines or even turns negative once you control for quality of government" (*ibid:* 44).

However, Boone, using a public choice model, found that neither autocracy nor democracy made much difference in aid effectiveness. He states "that liberal political regimes do not use aid any differently from the most repressive regimes" (1996: 319). Neither did it improve investment. ODA was used for consumption. Poverty levels did not decrease. While Easterly and Boone differ on the importance of democracy, they both agree on aid's effect on consumption, growth, and investment - "aid [has] zero effect on investment...[and] zero effect on growth" (Easterly, 2006: 45).

Figure 2.1. ODA and Growth in Africa

Aid and Growth in Africa
(10-year moving averages)
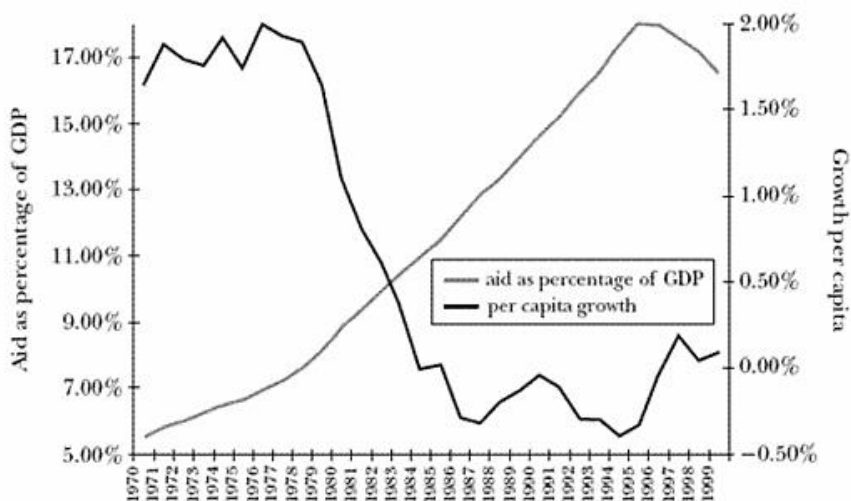
Source: Easterly, 2006: 46

Boone's study did find that aid increased the size of the government. This correlates with Svenssen's finding that "the larger the budget, the larger the incentives to deviate" (2000: 456) from the game theory equilibrium. This increases the likelihood of rent-seeking. Glennie (2008) also sights similar problems on the recipient end. He claims these stem from ethno-politics, resource rent-seeking, and the ultimate goal of elites to stay in power. Aid, essentially, becomes a honeypot similar to the resource curse. Boone's research on increased government size also has implications for the bureaucratic difficulties which plague aid delivery systems.

Bjornskov's research is consistent with Boone's. Using data from the World Income Inequality Database, he claims that it "appears that foreign aid, contrary to popular beliefs, leads to a more skewed income distribution in democratic developing countries while the effects are negligible in autocratic countries" (2010: 115). Here, again, democratic and autocratic regimes both suffer from

aid inefficiency. However, he finds that in democracies typically the elites benefit, leading to unequal aid distribution. He cites five possible mechanisms for this uneven distribution:

1) Institutional reforms [which] often [accompany] democratization
2) Democratic policy reform failure
3) Dutch Disease-like phenomena
4) Vote buying and grab-and-run politics in democratic transition
5) Donor efforts at monitor the use of aid (*ibid:* 121)

Bjornskov is quick to move away from the popular studies which link corruption with ODA leakages. Instead, he stresses "the moral paradox that foreign aid in conjunction with democracy seems to be associated with a distribution of the national income skewed in favor of the richest part of the population" (*ibid:* 123).

2.2. – Congolese Dynamics

2.2.1. – Conflict and Ethnicity

Conflict cannot be taken out of the aid–corruption–governance nexus. If corrupt leaders view government funds as theirs for the taking, it is not hard to imagine that others wish to control this access to wealth. Poverty only exacerbates this desire, and, as has been demonstrated, aid and corruption have slashed social service provisioning and increased poverty rates. Furthermore, aid strengthens military might; thus, adding to the huge proportions of carnage seen across Africa. Disease and hunger are often the biggest killers. Aid often steps in to mitigate these situations. All too often, armed groups are able to use this aid for their own means, making conflicts longer and deadlier (ActionAid 2011).

Berkeley notes that in the case of DRC, "ethnic conflict is a product of tyranny"; further adding that the tyranny "relied upon institutionalized mechanisms of coercion and co-option that were inherently divisive" (2001: 11). He claims this tyranny lives in a symbiotic relationship with anarchy. Although autocracy (tyranny) is understood to be a strong central power resting in an individual, while, conversely, anarchy is thought to define states and societies that lack any power or political institutional structure, Berkeley describes the two systems as vicious cycle – "the one is a product of the other" (*ibid*: 14). The vacuum of power which anarchy creates leads to a Darwinian environment in which only the fittest survive. In the absence of rule of law, accountability, and justice, those most fit can consolidate power (usually through brutal criminal means) and form autocracies. Anarchy continues to play a central role in autocracies by providing an unstable and insecure environment. By sowing anarchy, autocratic rulers can convince citizens that only a strong central power can provide any measure of stability and security, thus ensuring the regime's longevity. Anarchy and tyranny also share a close relationship to resistance to democratic reforms. If anarchy exists and

tyranny protects against it, then democracy would be disastrous. Democracy would weaken autocratic power, believed to be the only semblance of order in anarchic environments, and open up leadership to the very elements blamed for the chaotic characteristics of the state.

One of the easiest ways to encourage anarchy is to play off pre-existing differences within the population. Slavery and colonialism fostered strong kinship, tribal, and ethnic bonds based on the need for protection (*ibid*: 12). In the historical context of tyranny and group protection, the institutions and power structures of slavery and colonialism often went unchecked, and justice served only those in power. In many cases specific ethnic groups acted as proxies to the colonial powers, and in doing so gained an upper-hand over groups. These structures carried on long after the colonists left: "the coercive arms of authority – police and army, secret police – were often ethnically based, and they tended to outlast the tyrannies they were created to defend" (*ibid*: 13).

As these ethnic bonds continued in the post-colonial era, they took the form of ethno-politics, creating greater cleavages within the state. The 'haves' quest for hegemony, power, and wealth further strengthened ethnic solidarity; while, likewise, the 'have-nots' looked to secure their survival and needs through ethnic mobilization (*ibid*).

These observations describe DRC. DRC's artificially-drawn borders contain no less than 250 ethnic groups, speaking 700 languages and dialects. Minority Rights Group International (MRGI) notes, "definitions of minorities are complex [in DRC] even by the standards of the region… the most vulnerable minorities [are not] necessarily the smallest or most marginalized" (MRGI, 2005: no pagination). Other elements of education, culture, class, and religion often figure into group mobilization. It is perhaps for this reason that corruption and predation tactics were modus operandi for maintaining power.

2.2.2. – Quantifying Congo

The decision to use DRC in the analysis of TPA stems from the literature and studies on the abysmal state of the country. After two 'democratic' elections, DRC has hardly progressed in any sense of the term. The IIAG, which analyzes governance in Africa based on safety and rule of law, participation and human rights, sustainable economic opportunity, and human development, placed DRC in 47th place out of 52 (IIAG, 2014a).

Figure 2.2. 2014 IIAG: Scores and Ranks

2014 IIAG: SCORES & RANKS	SCORE/100 2000 ... 2009 2010 2011 2012						Overall Governance 2013		Safety & Rule of Law 2013		Participation & Human Rights 2013		Sustainable Economic Opportunity 2013		Human Development 2013	
Algeria	49.3	... 53.0	54.2	52.5	53.2	54.4	20th	46.8	34th	43.4	31st	49.9	23rd	77.5	7th
Angola	28.2	... 40.6	42.3	42.7	44.0	40.9	44th	43.1	39th	37.3	40th	34.6	42nd	48.6	41st
Benin	55.2	... 60.2	60.9	59.9	59.4	56.7	18th	55.6	23rd	65.6	11th	47.0	25th	58.5	25th
Botswana	71.0	... 74.9	75.5	76.1	76.1	76.2	3rd	85.3	1st	73.1	8th	65.9	4th	80.4	5th
Burkina Faso	51.1	... 55.0	53.9	53.0	53.7	53.3	21st	57.7	18th	53.2	23rd	51.0	17th	51.2	38th
Burundi	35.7	... 45.4	44.1	44.5	44.5	45.3	38th	40.4	43rd	49.6	25th	38.5	38th	52.7	35th
Cabo Verde	69.8	... 75.2	76.4	76.6	76.4	76.6	2nd	78.2	3rd	83.5	1st	63.1	8th	81.6	3rd
Cameroon	41.0	... 46.1	46.8	46.8	47.8	47.6	34th	45.4	36th	39.3	37th	46.2	27th	59.6	22nd
Central African Republic	28.8	... 31.1	31.9	33.2	32.2	24.8	51st	12.0	51st	28.2	48th	24.8	49th	34.3	51st
Chad	31.0	... 29.8	31.4	32.9	33.2	32.3	49th	33.9	46th	28.1	49th	29.9	45th	37.1	50th
Comoros	41.0	... 49.1	48.6	48.4	49.2	49.3	30th	56.6	21st	53.8	22nd	31.3	44th	55.7	30th
Congo	33.3	... 40.3	41.8	43.2	42.6	43.4	41st	45.0	37th	38.1	38th	39.2	37th	51.2	39th
Côte d'Ivoire	38.0	... 36.6	36.2	38.4	42.4	44.3	40th	41.6	40th	43.9	29th	43.5	30th	48.3	43rd
Democratic Republic of Congo	26.4	... 33.3	33.5	34.3	32.3	34.1	47th	23.7	50th	32.6	44th	34.8	41st	45.2	48th

Source: IIAG, 2014a: 9

Figure 2.3. 2014 IIAG: DRC Country Profile

Democratic Republic of Congo

Region	Central Africa
Head of State	President Joseph Kabila
since	17 January 2001
REC membership(s)	COMESA, ECCAS, SADC

Rank/52 47th **Score/100** 34.1

- Scores lower than the African average (51.5) and ranks 47th (out of 52) overall.
- Scores lower than the regional average for Central Africa (41.4), ranking 6th (out of 8) in the region.

Country Results

RANK 2013	CATEGORY & SUB-CATEGORY	SCORE/100 2000 ... 2009 2010 2011 2012 2013						CHANGE '09-'13
47	Overall Governance	26.4	... 33.3	33.5	34.3	32.3	34.1	+0.8
50	Safety & Rule of Law	24.3	... 26.9	27.1	30.3	22.7	23.7	-3.2
39	Rule of Law	37.7	... 28.9	28.9	28.9	28.8	31.8	+2.9
45	Accountability	19.1	... 23.1	22.4	22.4	22.9	22.8	-0.3
50	Personal Safety	10.0	... 15.0	10.0	17.5	6.3	10.0	-5.0
50	National Security	30.3	... 40.4	47.1	52.3	32.7	30.0	-10.4
44	Participation & Human Rights	23.9	... 36.9	37.1	35.4	33.4	32.6	-4.3
44	Participation	5.9	... 35.1	36.6	31.0	25.4	19.9	-15.3
42	Rights	27.0	... 35.5	35.5	35.3	34.4	32.7	-2.8
36	Gender	38.7	... 40.1	39.1	40.0	40.3	45.2	+5.2
41	Sustainable Economic Opportunity	20.1	... 27.0	27.8	28.2	28.5	34.8	+7.8
34	Public Management	25.4	... 25.8	33.6	34.9	35.7	44.1	+18.3
45	Business Environment	21.3	... 24.8	23.9	23.8	24.1	28.1	+3.3
51	Infrastructure	8.8	... 9.3	9.4	9.6	9.8	10.3	+0.9
25	Rural Sector	24.8	... 48.0	44.4	44.4	44.4	56.7	+8.7
48	Human Development	37.2	... 42.4	42.1	43.2	44.5	45.2	+2.8
49	Welfare	28.5	... 27.9	28.8	28.8	29.7	31.4	+3.5
29	Education	45.2	... 46.9	46.9	47.1	48.6	48.6	+1.8
49	Health	37.9	... 52.5	50.5	53.7	55.3	55.5	+3.0

Source: IIAG, 2014b: 15

Another worrying factor is DRC's rank with FH, which evaluates key areas of political and civil liberties. *Political liberties* are based on three categories: electoral process, political pluralism and participation, and functioning of government. *Civil liberties* are based on four categories: freedom of expression and belief, associational and organizational rights, rule of law, and personal autonomy and individual rights (FH, 2014c). Based on the data, FH then ranks countries on a scale of 1 (most free) to 7 (least free). DRC's current rank stands at 6 for both political rights and civil liberties, thus maintaining the 'not free' status it has held since the Mobutu era (*ibid*).
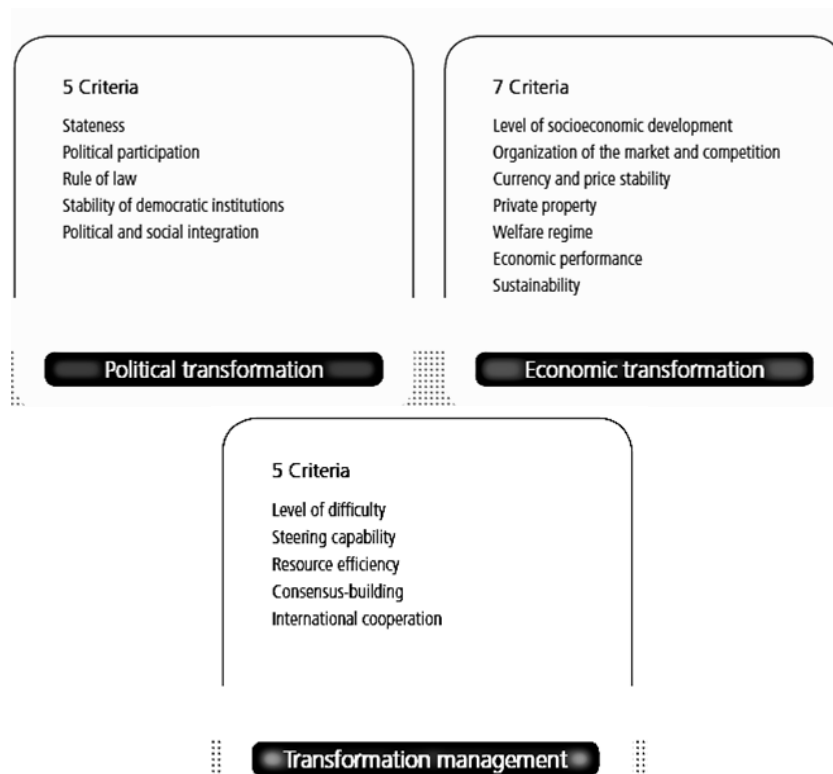
Figure 2.4. Freedom in the World 2014

Country	Freedom Status	PR	CL	Trend Arrow
Colombia*	Partly Free	3	4	
Comoros*	Partly Free	3	4	
Congo (Brazzaville)	Not Free	6	5	
Congo (Kinshasa)	Not Free	6	6	
Costa Rica*	Free	1	1	

Source: FH, 2014c: 18

Polity IV provides annual reports on regime characteristics and democratic trends based on societal, economic, political, and security indicators. DRC is considered to have an autocratic backsliding trend, thus classed as high to extreme state fragility. They cite the ongoing conflicts in northeastern DRC (Marshall and Cole, 2014: 14) as a key hindrance towards stability. Their 2010 report highlighted many of the political shortcomings still endemic today, including "persistent overt coercion" (Polity IV, 2010: 3) of political participation and executive constraints over control of the country. They claim that Kinshasa can only "assert its authority over sixty percent of its territory… [and] remained unable to deliver crucial services and administration" (*ibid*). DRC ranks second to last.

BTI is also a useful tool in assessing countries' TPA. It looks at "the transformation toward democracy and a market economy as well as the quality of political management in 129 countries" (BTI, 2014: 1) based on seventeen criteria within three clusters of governance.

Figure 2.5. BTI Criteria

5 Criteria

Stateness
Political participation
Rule of law
Stability of democratic institutions
Political and social integration

Political transformation

7 Criteria

Level of socioeconomic development
Organization of the market and competition
Currency and price stability
Private property
Welfare regime
Economic performance
Sustainability

Economic transformation

5 Criteria

Level of difficulty
Steering capability
Resource efficiency
Consensus-building
International cooperation

Transformation management

Source: BTI, 2013: 124

Here, again, DRC's performance leaves much to be desired. The 2014 report does not mince words:

> One can safely say the Democratic Republic of the Congo made no progress in
> terms of democratic and economic transformation. In fact, in some areas,
> particularly concerning electoral politics and the control of violence in the eastern
> provinces, substantial setbacks were recorded (BTI, 2014: 2).

In terms of political governance, BTI lists several factors for DRC's democratic retardation:

1. Widespread human rights' abuses
2. Visible disrespect for the constitution
3. Legitimacy crisis resulting from contested 2011 election results
4. Extensive corruption
5. The leadership's inability to devise and implement appropriate policies
6. State structures [that] remained either extremely weak or hardly existent
   (*ibid*).

DRC's economic performance is equally troubled. BTI cites high political risk as a major deterrent to FDI. This has caused a lack of economic diversification, leading to increased poverty. As a result, most Congolese "[remain] very poor and reliant on small subsistence farming, informal small trades, and family and community assistance to survive" (BTI, 2014: 23). The lack of transport infrastructure also hurts DRC, contributing to decreased food security and a difficult trade environment. Out of the 129 countries, BTI ranks DRC 117 for political transformation and 123 for economic transformation.

The definitive QT source for measurements on worldwide governmental corruption lies with TI. Their Corruption Perception Index evaluates countries based on a variety of sources. These include "perceptions of the extent of corruption in the public sector, from the perspective of business people and country experts" (TI, 2014: 1). Based on a 100-point scale (100 being very clean and 0 being completely corrupt), TI stresses that any country falling below a 50 is cause for worry. DRC ranks 154 out of 175 with a rating of 22 (*ibid*).

Figure 2.6. TI Corruption Perceptions Index 2013

Rank	Country/Territory	Score
150	Paraguay	24
153	Angola	23
154	Congo Republic	22
154	Democratic Republic of the Congo	22
154	Tajikistan	22

Source: TI, 2014a: 5

TI's 2014 country assessment of DRC notes that lack of commitment to accountability and transparency is central to DRC's low score. It claims that KII:

> Has declared on numerous occasions his commitment to fighting corruption, but
> there is neither indication of firm political will, nor evidence of progress beyond the
> establishment of a strong legal framework, which is rarely enforced in practice. On
> the contrary, the anti-corruption agenda is often manipulated for political reasons
> (2014b: 1).

TI's previous annual reports for DRC read similarly:

> Petty and grand forms of corruption, as well as a complex web of political
> patronage permeate all sectors of the economy, undermining development
> prospects and compromising the fragile post-conflict equilibrium (U4, 2010: 1).

TI also cites the issue of "public resources… siphoned off to sustain a web of patronage networks" (*ibid*: 3). Clientelism plagues the political system, evident in the saturation of cabinet members with personal and economic ties to KII. TI also notes the replacement of "the heads of thirty seven state enterprises with [KII's] own connections, tightening his grips on economic and political power" (*ibid*), adding that this "is likely to undermine democratic processes and the establishment of transparent institutions, as rent-seeking and accessing power become the major incentives for entering politics (*ibid*).

Trefon refers to the governance machinations in DRC as a "masquerade". Information is power, but disinformation is just as, if not more, powerful in DRC. The redundant nature of many public positions in DRC results in a lack of transparency. Suspicion and secrecy permeate all levels of government and many societal interactions. In public sector dealings, this masquerade is practiced 1) to hide vulnerabilities and 2) to hide illegal benefits (2011). Political repression is the tool of choice, maintaining the status quo with torture, rape, and assassinations.

The Congolese who are in power and the public sector constantly share an awkward dance with donors. While needing donor-provided ODA, they continuously resist the conditionalities. Their many tactics – sidetracking, addressing peripheral issues, manipulation, lip-service, and lack of oversight –make TPA difficult goals. Trefon argues that the historical reasons for state failure in DRC stem from liberal economic policies of state-building which focus on top-down, imported, one-size-fits-all strategies. This approach did not take into account the nuances of individual political cultures, maintaining the detrimental effect of keeping the 'strong men' in power and fueling political corruption and inefficiency, driven by the kind of TPA which aid fosters. Trefon concludes that in DRC:

> Politics, not development priorities, dictate aid agendas; organizing elections is confused with fostering democracy; aid supports corrupt leaders instead of helping poor people; and civil society is undermined by making corrupt leaders accountable to donors and not citizens (2011: 5).

Building on this literature review, the next chapter provides the analytical framework for defining GG in terms of its TPA components.

CHAPTER THREE: ANALYTICAL FRAMEWORK

Transparency, Participation, and Accountability

3.1. – Transparency and Scourge of Corruption

TI defines transparency as the "characteristic of governments, companies, organisations and individuals of being open in the clear disclosure of information, rules, plans, processes and actions" (2009b: 44). The concept of transparency is nothing new. Its use in regulation by governments has been policy since the formation of the American Securities and Exchange Commission in 1933 (Hale, 2008). However, renewed interest in GG has brought transparency to the forefront since the 1990s.

Kosack and Fung (2014) describe four types of transparency based on targets and users, with two categories for targets (governments and private firms/corporations), and two for users (self-governing citizens and individual customers/beneficiaries).

Figure 3.1. Transparency Targets and Users

Source: Kosack and Fung, 2014: 4

The first column represents more generalized forms of transparency, whereas the second deals with specific actions. Box I has a democratization aspect, where access to information can help citizens form a representative government. ODA falls into Box IV, where ODA-funded projects in sectors such as health and education (among many others) requires specific forms of transparency mechanisms for specific concerns.

For ODA-recipient-countries, the principle of visibility ensures proper management of resources and curbs ODA leakages due to corruption. International organizations have long seen corruption as a major hindrance to GG, and transparency in particular (Al-Jurf, 1999). Of the elements included in

TPA, transparency is most concerned with honest and integral practices, and, in short, anti-corruption measures.

Tavares notes "that corruption is likely to arise in situations where resources are transferred with substantial discretion without accountability to the decision-maker" (2003: 100). This is similar to rent-seeking in mineral-rich areas. When a resource 'profit' can be manipulated to one's own advantage, corruption will thrive; "aid is thus ripe territory for corruption" (*ibid*).

Svensson uses game theory to explain aid and rent-seeking in developing countries. First, he concludes, competing groups make corruption more likely in the event of aid or windfalls. Second, "'economically rational' responses to windfalls…may be 'politically rational'" (2000: 455). In other words, power consolidation is a key strategy. Third, larger budgets make deviation from the equilibrium of groups more likely. Last, aid does not necessarily increase spending on public goods.

ODA provides governments vast incomes without effort, which, argues Moyo, makes them "susceptible to theft and have provided practically unlimited opportunities for personal wealth accumulation and self-aggrandizement" (2009: 48). Aid also supports bad governments which pervert the "rule of law, the establishment of transparent civil institutions and the protection of civil liberties" (*ibid:* 49).

Furthermore, corruption affects growth. Apart from scaring away potential investors, corruption has a trickle-down effect causing psychological malaise. Corruption suppresses motivation and begets further corruption. Moyo cites the "misallocation of talent" (*ibid:* 50) as one of these effects. As work and positions are not merit-based, ethical workers will often turn to corruption to survive or leave for private sector or foreign work. It also hurts development in project selection. Large projects are usually selected because they are easier to embezzle. It is estimated that "since 1945, at least 25 per cent [of aid] (US$130 billion) has been misused" (*ibid:* 52).

Aid has also been shown to "reduce public spending…[while] increasing government revenue, [thus, lowering] the provision of public goods" (*ibid*). In much the same way as the resource curse, this influx of funds reduces the government's need for taxation. Taxation acts as a check and balance to government actions. If citizens and businesses are to pay into the government, then they expect some degree of transparency and accountability. The lack of taxation also discourages the development of a middle class. In aid-dependent countries, governments are not accountable to their citizens, but to their donors (Collier, 2009, Collier 2008). This discourages entrepreneurial activity – an important dynamic of economic development. Corruption weakens trust and social capital in civil society. As Moyo points out, "by thwarting accountability mechanisms, encouraging rent-seeking behavior, siphoning off scarce talent from the employment market, and removing the

pressures to reform inefficient policies and institutions, aid guarantees that in the most aid-dependent regimes social capital remains weak and the countries themselves poor" (2009:59).

Although the issue of taxation runs across all three elements in TPA, its effects on transparency are significant: citizens pay into the government, the government provides something in return. Rents reduce the need for taxation, and as Collier puts it, "choose a tax rate that maximizes what you are free to embezzle" (2009: 181). The lower the tax rate, the easier to hide unsavory financial practices. Thus, "the overall revenues are lower than they should be because the leader has kept taxation artificially low so as to depress scrutiny" (*ibid*). At this point, the need for transparency is nil.

In addition to rent-seeking, aid can fuel corruption through moral hazard. Brautigam and Knack describe moral hazard as "a situation in which having an insurance policy (or in this case, access to external resources) actually induces riskier (underdevelopmental) behavior" (2004: 263). Although donor-stipulated GG conditionalities are said to be in place, Alesina and Weder find no such evidence. They claim that "corrupt governments actually receive more foreign aid rather than less, particularly if aid is scaled by the size of the public sector of the receiving country" (2002: 20). This insurance policy for corrupt governments (continued ODA) has an added pitfall. It drives down incentives to implement transparency action cycles as shown in the graphic below.

Figure 3.2. Transparency Action Cycle
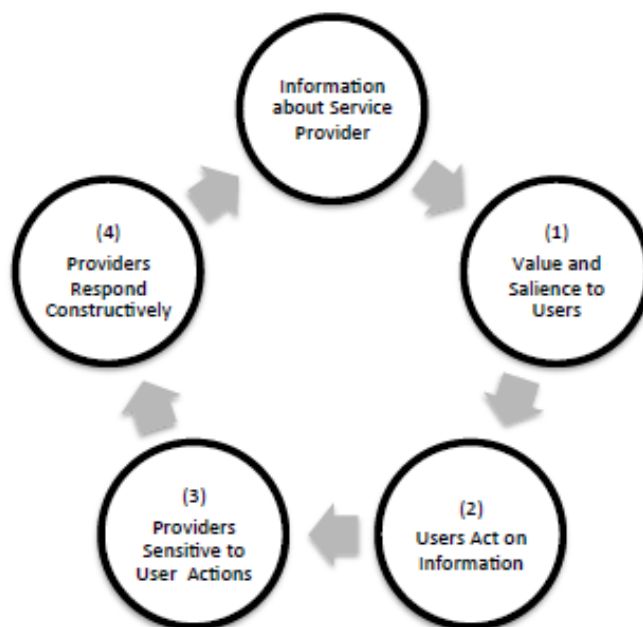

Source: Kosack and Fung, 2014: 8

Trust plays a huge role in transparency and corruption. This is easily seen in the prevalence of cheating and extortion in developing countries. Easterly notes "that low-income societies have less

trust than rich societies, and societies with less trust have less rapid economic growth" (2006: 79). This trust is measured by how people act to strangers in non-coercive situations. In poor countries with little social welfare protections, the need for survival often leads to mechanisms which are often morally questionable. These practices erode the social adhesive which allows societies (and economies) to flourish. In the absence of trust, social capital is another survival mechanism employed in poor countries. This capital is often based around family, kin, and ethnic networks and act as a counter to untrusting societies. As such, planned markets do not account for these ground level intricacies.

Also absent in developing nations are social norms which act as protection against predation. Much of this problem arises from the lack of personal and property protection, and results in further lack of trust. Like Svensson (2000), Easterly explains this as to principles of game theory: the predators' equilibrium and the prisoner's dilemma (2006: 67). Predators' equilibrium means that if two opposing armies are equally armed, they are less likely to engage each other. However, if the two opposing parties are busy arming, this is economically detrimental. The time and resources used for arming deplete the time and resources for growth. Yet, the prisoner's dilemma means that if activities are not focused on arming and security, growth does not matter due to the likelihood of predation. Thus, lack of state institutions which foster legal accountability only further the lack of development (*ibid:* 97). Furthermore, not recognizing preexisting accountability mechanisms only makes matters worse when aid conditionalities are enforced.

This problem of trust is based on two main issues. First, by not fostering local mechanisms, past histories and cultural norms are dismissed, thus dismissing the circumstances on which they were based. Second, if the West imposes an imported system, then the population must abide by two sets of rules. The potential confusion or manipulation is obvious.

Figure 3.3. Trust and Household Income

Richer countries have higher levels of trust
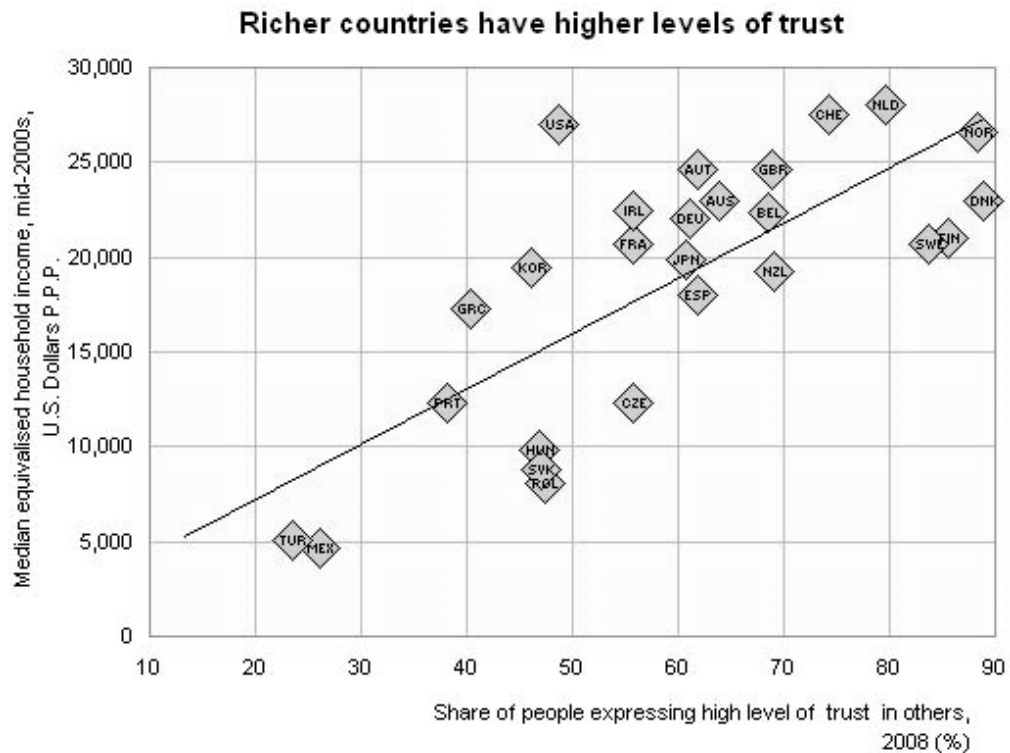
Source: Rampell, 2011: no pagination

In terms of ODA, budgetary transparency is one of the surest counters to corruption. Apart from exposing leakages, there are many other benefits for openness of nation fiscal records. First, budgetary transparency can lead to higher country credit ratings and cheaper access to loans. Second, "transparency and public participation foster equity by matching national resources with national priorities" (IBP, 2012: 9-10). This illustrates the necessity for transparency to be accompanied by participation in order to be successful.

3.2. – Participation and the Importance of Voice

If corruption is the underlying theme to transparency, bottom-up ideals are what are at the heart of participation. In development, the definition of participation has evolved over time, and, much like GG, there is no consensus on its meaning. Gaventa and Valderrama (1999) shed light on the reason for this. Participation in development happens on many levels, with different types of participatory methods, as seen below.

Figure 3.4. Spheres of Participation
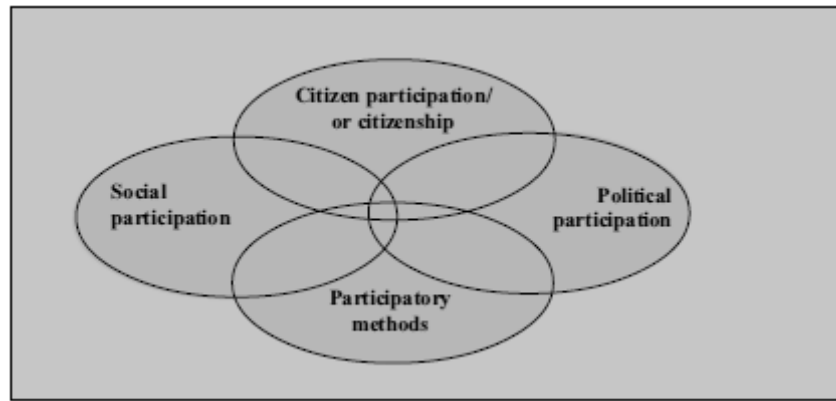
Source: Gaventa and Valderrama 1999: 2

Social and project participation takes place outside of the sphere of government. It consists of local actors acting as stake-holders in which they provide consultation, implementation, and monitoring. While this may be the theoretical underpinnings for this type of participation, funding for these projects often overlap *political participation,* since these projects are usually financed through ODA and disbursed by the state. *Political participation* is thus an important variable in *social and project participation*.

Political participation is rooted in the democratic representative state, with citizen-elected leadership and policy formulation. In this process, "voter education, enhancing the awareness of rights and responsibilities of citizens, lobbying and advocacy" (*ibid*: 3) are typical avenues for political participation.

Citizen participation/citizenship is much more contentious. It links the above two elements with an added caveat. Gaventa and Valderrama argue that "citizenship has implied a set of individual rights, while to others it is seen as broader set of social and 'civic' responsibilities" (1999: 4).

The International Budget Partnership (IBP), an organization committed to budgetary transparency, provides an outline of how civil participation ought to occur in national fiscal matters. Although the list is rooted in budgetary concerns, these guidelines are applicable to any facet of citizen-government participation.

> 1) Participation should occur throughout the budget process.
>
> 2) Participation should occur with all parts of the government.
>
> 3) Participation should have a legal basis.
>
> 4) The purposes for public engagement should be publicized in advance.
>
> 5) Multiple mechanisms for public engagement should be implemented.
>
> 6) The public should be provided with feedback on their inputs. (2012: 31-32).

However, these bring up several issues, the first being access. Especially for rural communities, information and access to voting can be difficult. As with transparency, their remoteness leaves

them out of the process. The problem of access is compounded by refugee influx, which exacerbates problems such as lack of access to healthcare and education. International bodies such as the UN have made matters only worse by issuing cessation clauses (Harrell-Bond, 2011), which strip refugees of international recognized rights.

Minority populations also have little to no voice. Countries with large heterogeneous populations and vast territory suffer the most from issues of participation. Ethnic fragmentation increases the problem (Knack, 2001).

With a lack of voice in central government, there have often been calls for decentralization. While this is linked to both accountability and transparency, access in remote regions can benefit greatly from decentralized governance on a number of fronts. In countries where transportation infrastructure has been cannibalized or terrain makes mobility difficult, information and the ability to participate can be greatly diminished, but decentralization can mitigate some of these issues.

Furthermore, devolution of power and decision-making to local levels can strengthen all three aspects of TPA. Brinkerhoff and Goldsmith note that,

> Participation thus can be critical to make fiscal resource allocation more equitable, as well as efficient and effective. These outcomes appear to be linked to the degree of decentralization in a given country, and the quality of local….Decentralized and democratic governance provides opportunities for citizens to hold local officials accountable to a much greater extent than is feasible with national budgets (2003: 696).

If adequate resources are made available, the decentralized approach to TPA can also provide needs-specific, bottom-up approaches to a variety of developmental issues.

In electoral matters, participation in developing countries is often thought successful if voting occurs in a democratic manner. However, Trefon (2011) points out, they are really only deemed successful if there is minimal bloodshed.   Political corruption in various forms works to ensure that incumbents stay in power. Collier lists the following seven options available to incumbent leaders who have been forced into free and fair elections:

> 1) Turn over a new leaf and become a good government
> 2) Lie to Electors
> 3) Scapegoat a minority
> 4) Bribery
> 5) Intimidation
> 6) Restrict the field to exclude the strongest candidates
> 7) Miscount the votes (2009: 28-36)

Of these options, only one can be of advantage to citizen-participation, and, sadly, this is the road less travelled.   Additionally troublesome, only one has a semblance of democracy and GG.

Conversely, Moyo argues that democracy can actually hurt development in two serious ways. First, "democratic regimes find it difficult to push through economically beneficial legislation amid rival parties and jockeying interests"; and, second, "aid-funded democracy does not guard against a government bent on altering property rights for its own benefit" (2009: 42).

Representative democracy in fact never truly occurs. Democracy is often associated with Western notions of liberalism and constitutionalism. Zakaria describes this as "a political system marked not only by free and fair elections, but also by the rule of law, a separation of powers, and the protection of basic liberties of speech, assembly, religion, and property" (1997: 22). The tendency for the West to stamp a democratic seal of approval on countries which hold elections is short-sighted and harmful. To view democracy outside the confines of liberalism and constitutionalism misses the entire point of self-rule. Zakaria eloquently points out that "constitutional liberalism has led to democracy, but democracy does not seem to bring constitutional liberalism" (*ibid:* 28). The result is illiberal democracy.

Easterly expands on illiberal democracy and its ethnic links. Often leaders take a populist platform and incite hatred of other ethnic groups. When appealing to uneducated voters, a favorite tactic is skirting real issues, such as service provisions. Here, patronage enters the fray. Easterly notes,

> The perpetual distributive contests among ethnic groups in Africa, for example,
> have complicated African democracy and made it difficult to achieve long-run
> development there. Even if patronage is not so overt, voters may simply not trust a
> leader from another ethnic group to act in their interest (2006: 128).

Furthermore, elections are no safeguard against corruption. Ethno-politics and corruption often go hand-in-hand to benefit the ruling group. Theft from government coffers and aid can be used to buy support, intimidate opponents, and silence dissidents. In short, Easterly sums up several factors for the rise of illiberal democracy, and consequentially lack of participation – "elite manipulation of the rules of the political game, weak social norms, landed wealth, natural resources, high inequality, corruption, and ethnic nationalism and hatreds" (*ibid:* 129). Here again, one sees the damage corruption does to the participation component of GG and its link to ODA.

3.3. – The Goal of Accountability

TI defines accountability as "the concept that individuals, agencies and organisations (public, private and civil society) are held responsible for executing their powers properly" (2009: 2). Hale refers to it as art, "more easily recognized than defined" (2008: 75). He correlates it to two key concepts: answerability and enforcement. The answerability component has a direct relation to transparency.

By embracing openness, leaders and governments can assure citizens and donors that funds are not being misappropriated and will reach their targets.

Brinkerhoff expands on the answerability aspect of accountability by breaking it down into two questions. The first question "simply asks to be informed" (2001: 2), while the second question seeks answers to the information. This is a logical progression: 1) governmental reports are made public, and, 2) citizens demand explanations to the information.

However, answerability runs the risk of manipulation. Answerability can be defined as general openness to the public and donors. Manipulation, on the other hand, gives the appearance of answerability and responsiveness, yet with ulterior motives. Manipulation of answerability is one of the contributing factors to reform failures. Keeping the status quo may be difficult in a reform environment, hence elites' need for manipulation. Araral (2007) expands this issue by describing the common situation of countries improving, getting aid, then reverting back to previous practices. This lends itself to the moral hazard situation described earlier. There is no incentive to enact governmental reforms when the ODA tap is constantly open.

While important, answerability is useless without enforceability. However, enforceability tends to tread murkier water (Hale, 2008). For end-users of ODA projects, enforceability of accountability is often difficult due to the myriad of actors and the seemingly endless channels through which funds travel. Apart from the ability to skim off the top of these projects, the blame for leakages and discrepancies can be passed on from person to person and ministry to ministry. Moyo (2009) claims that projects chosen by governments are hardly picked on an altruistic basis. Large projects are usually selected because they are easier to embezzle because of financing channels and endless bureaucracy.

The longer the development chain, the greater the opportunity for discrepancies. It is also easier to assign blame to another actor when the bureaucratic characteristics of aid allocation are large. The graphic below illustrates the complexities and interconnectedness of projects and finance.

Figure 3.5. ODA Flows

Funders

Donor

Aid-Receiving Government

Implementing Agencies
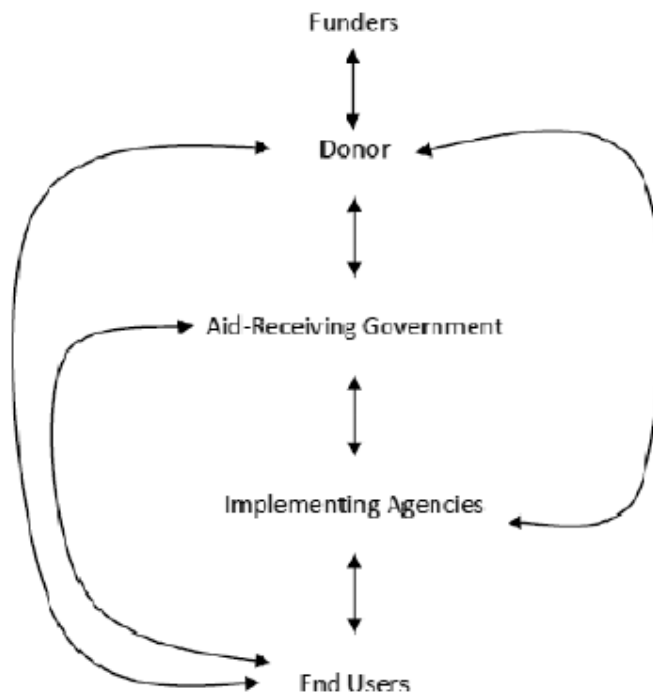
End Users

Source: Winters, 2010: 220

Typical ODA takes the vertical path from funders to donors, to aid-receiving governments, to implementing agencies, before finally being received by the end user. With so many transfers between actors, leakages inevitably occur. The graphic also illustrates new delivery systems which bypass the multitude of actors commonly involved. However, most ODA still flows in the vertical pattern. Angeles and Neanidis confirm the worry this pattern causes, as

> the local elite serves as an intermediary between aid donors and aid recipients
> through its control of the government and major firms. The likelihood of misusing
> aid is large if the elite is characterized by extensive economic and political power
> and little concern for social groups besides itself (2009: 120).

This has led to a need for 'accounting actors'. Hale describes this as "an organization or individual that holds another organization or individual accountable" (2008: 75). In terms of governmental accountability enforcement, accounting actors can take an informal or formal form. This lends itself to the directional modes of accountability described below. Informal enforcement is a bottom-up, citizen-driven mechanism. Malena, Forster, and Singh, defines these mechanisms as "reward or sanction usually [relying] upon creating public pressure" (2004: 4). This is accomplished through media coverage, protests, petitions, and other forms of civil pressure and scrutiny. This can be understood as the 'demand side' of accountability.

Formal enforcement is through two main actors: political and legal enforcers. First, parliament acts in the political spectrum as the 'supply side' of governance, moving across the horizontal direction of

accountability. The importance of separation of powers from the executive is foundational to this enforcement. Through checks and balances, enforcement of accountability is possible. While the parliament is central to this enforcement, they may, at times employ various actors to help in accountability. This includes "supreme audit institutions, anti-corruption commissions, ombuds offices and human rights institutes" (Stapenhurst and O'Brien, 2007: 2).

The second formal enforcer is the judiciary system. Like the parliamentary system, they have the ability to impose sanctions on actors who step beyond legal boundaries. These sanctions can be "penalties embodied in laws, statutes and regulations" (Brinkerhoff, 2001: 2). Although the GG component of 'Rule of Law' is beyond the scope of this study, it is important to recognize its role in accountability.

However, as Malena, Forster, and Singh, claim, "these 'top-down' accountability-promoting mechanisms have met with only limited success in many countries – [whether] developed or developing" (2004: 1). Brinkerhoff notes "the diffuse and abstract power of social values and moral/ethical principles" (2001: 16) at play in both informal and formal enforcement. Weak governance, as noted above, is likely to be ethnic and patron-based. In such settings, enforcement is not likely and a culture of impunity develops. Nonetheless, top-down accountability has its place. As Johnston claims, these "institutions are essential to sustain and restrain orderly competition within, and essential boundaries between, politics and the economy, and to enable developing societies to shape their own destinies" (2006: 5).

In practice, the enforceability mechanism can be employed in three ways: *diagonal, horizontal, and vertical.* Department for International Development, United Kingdom (DFID) defines *vertical accountability* as accountability

> by citizens, joint and severally, whether through elections and other formal
> processes, or through lobbying or mass mobilization, both of which rely on the
> existence of a set of informal institutions (2008: 7).

DFID defines *horizontal accountability* as accountability through "state entities [which] demand answers from (and sometimes possess the power to sanction) other state entities" (*ibid:* 8). Last, DIFD notes the combination of *horizontal* and *vertical accountability*. *Diagonal accountability* stresses direct social/demand-side accountability. This encompasses

> direct engagement of ordinary people with service providers and state budgeting,
> auditing and other oversight processes which have traditionally been the arena of
> state actors alone (*ibid*).

With this approach to GG, focusing on the elements of TPA, the following chapter turns its attention to DRC. By concentrating on TPA in elections and PSP, Chapter Four will provide evidence of DRC's current GG standing.

CHAPTER FOUR: EVIDENCE AND DISCUSSION

Transparency, Participation, and Accountability in Democratic Republic of Congo

4.1 – Post-Mobutu Era

Mobutu fled the country in 1997 allowing KI to enter Kinshasa with relative ease. The Congolese, had suffered greatly under Mobutu, welcomed KI, viewing him as leader who could right the wrongs of the Mobutu era (Dizolele, 2010). Sadly, this never happened.

Not long after the war's end, KI's leadership abilities drew heavy speculation. Prunier aptly describes KI in the following:

> The new president was a political Rip van Winkle whose conspiratorial political style
> had been frozen at some point back in the 1960s and who still lived in a world seen
> strategically as a deadly struggle against imperialism tactically as a mixture of
> conspiracies and informal economies (2009: 149)

KI formed his new cabinet along ethnic lines and set about playing various groups against each other. In terms of ethnicity, KI placed many Tutsi and Luba in high positions of power. For the former, this was likely done to appease his primary backer (Rwanda) in the first Congolese War and coup against Mobutu. For the latter, KI was reconstructing the patronage-based ethno-political structures that have continually stagnated development in the sub-Saharan Africa (Prunier, 2009).

Suppression of opposition parties, media freedom, and civil society organizations were common, as were arbitrary detentions, torture, and killings at the hands of KI's forces. Open dialogue for participation and inclusion in the political process and reconstruction was not possible under KI. He eliminated civil liberties, ceased the Inter-Congolese Dialogue (ICD), a process for peace and reconciliation), ruled by decree, and subjected the Congolese to continued hardships (Malan and Porto, 2004).

KI began to resent the presence of foreign troops operating within DRC – namely the Rwandans and Ugandans. In 1998 he ordered them to leave. Citing continued issues of security, the foreign powers refused, sparking the Second Congolese War in 1998 (Eriksen, 2009). While security was likely a major factor in renewed hostilities, economic interests also played a huge role in combat decisions. DRC's vast mineral wealth was alluring to both Ugandans and Rwandans. A UN group of experts claimed that all parties involved in the Second Congolese War were participating in self-aggrandizing activities amounting to outright theft and exploitation (UN, 2004). This activity has been continuous, with the latest reincarnation involving mineral exploitation by the M23 rebel group, allegedly backed by Rwanda (UN, 2014).

The domestic forces involved in the fighting ultimately carved up DRC into four main spheres of influence: the Ugandan-backed Mouvement pour la Liberation du Congo (MLC) in the north, the two Rwandan-backed Rassemblement Congolais pour la Democratie (RCD) factions (RCD/ML [Mouvement de Liberation] and RCD/Goma) in the east, and the government forces in the west and south (Merckx and Weyden, 2007).

Figure 4.1. Spheres of Politico-military Control
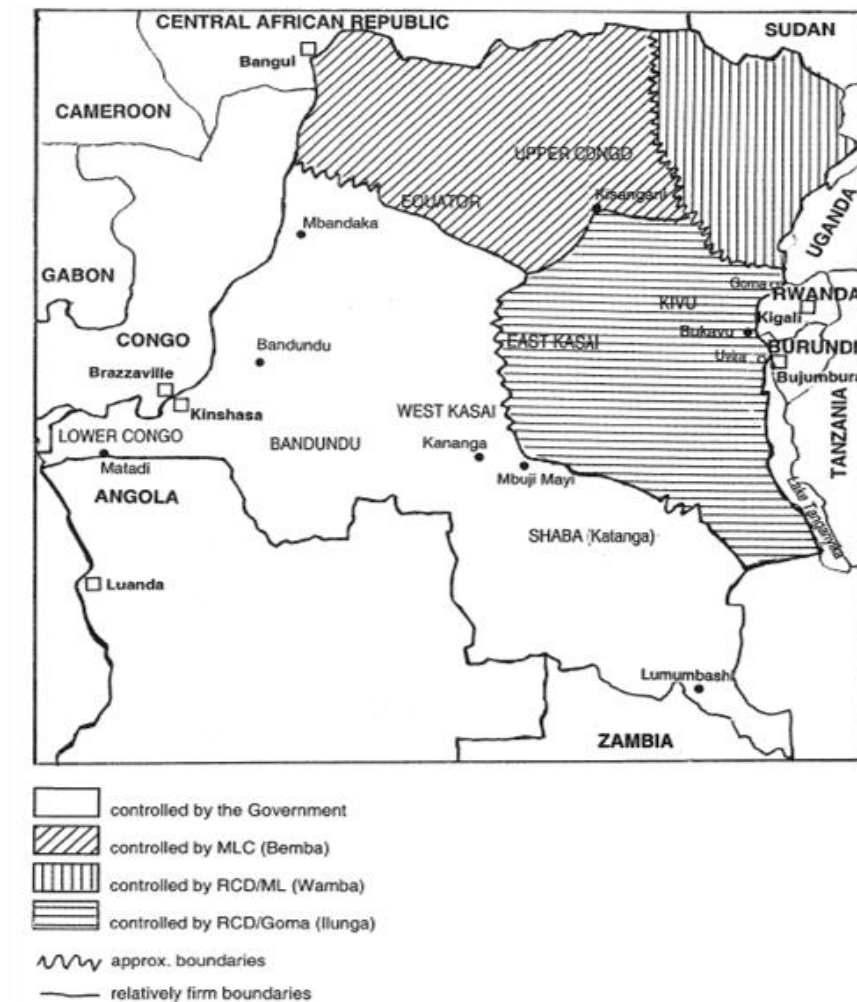
Source: Weiss, 2000: 12

KI's self-alienation, aversion to diplomacy, and unwillingness to a peace settlement led to his assassination in 2001. He was replaced by his 30-year-old son, KII. The international community saw this as a positive change. Emeric notes than "while [KI's] obstructionism did not allow the ICD the slightest chance to begin, things almost immediately ran more smoothly after he disappeared from the political landscape" (Malan and Porto, 2004: 28). At the outset of his presidency, KII seemed to be committed to genuine reform. He reached out to Western governments and African neighbors in an effort to reverse his father's damaging policies. Perhaps, the best example of this was his commitment to the peace process. In 2002 a peace deal was brokered between KII and foreign and domestic warring parties. Its aim was to:

(i) reunite, pacify and re-establish governmental authority throughout the Congolese territory

(ii) foster national reconciliation

(iii) reform security forces by integrating rival factions

(iv) organize elections

(v) set up new political institutions (Trefon, 2010 :706-707).

The agreement, signed in Sun City, South Africa, became known was the Global and Inclusive Agreement on Transition in DR Congo (GIA).

4.2 – Political Machinations

4.2.1. – Transition

The continued fighting in the post-2002 era is testament to the failures of the peace accord. Most baffling was its power-sharing strategy. Under the GIA, there was to be a new executive structure dubbed '1+4'. This consisted of KII as president, supported by four vice presidents (VP). These vice presidents were to come from varied areas and were to be responsible for central roles in the transitional government. The agreement stated that two VPs were to come from the two main rebel forces, one from the KII administration, and one from civil society (Henriques, 2006). Ultimately, the VPs included Jean-Pierre Bemba of the MLC, heading the economic and finance commission, Azaria Ruberwa of the RCD-Goma, heading the political commission, Abdoulaye Yerodia Ndombasi of the KII administration, heading the reconstruction and development commission, and civil servant Arthur Z'ahidi Ngoma, heading the social and cultural commission (Malan and Porto, 2004).

In theory this may have seemed a viable option for a more inclusive power structure. In practice it was a nightmare. First, the number of rebel groups operating in DRC is massive, and many groups were not represented. Second, the leadership quality of rebel commanders was at best questionable, at worst criminal. Third, the criminality of these leaders emboldened the culture of impunity that is rife in DRC (Ginifer, 2011). It is telling that Bemba currently sits in the International Criminal Court (ICC) awaiting a trial on charges of war crimes and crimes against humanity (ICC, 2014). Fourth, as the VPs were in charge of the ministries which corresponded to their respective commission, an issue of *partage vertical* arose (Dizolele, 2010). This meant that all positions within a ministry were divided up among the VP's cohorts. This was done along ethnic, militia, and party lines. Fourth, this biased make-up of ministerial positions made progress difficult, as animosities and contention created deadlocks. Fifth, in addition to deadlocks, ministerial bias made corruption and aid theft easier, i.e. rampant. Lastly, and very importantly, 1+4 was the antithesis of accountability. As Dizolele notes,

> Instead of leadership…the Kabila camp provided a stream of excuses, always
> blaming the power-sharing scheme for everything that went wrong and never
> accepting responsibility or showing a sense of accountability (2010: 148).

This led to a phrase commonly uttered by the Congolese: "'*Un plus quatre egale zero*'" (One plus four equals zero)" (Wolters, 2004: 13).

4.2.2. – Electoral Processes

The problems afflicting democracy and governance in the transition cast serious doubt over DRC's future; however, the lead-up to the 2006 elections generated hope and enthusiasm for the Congolese. For many, democratic elections were an alien concept – the last time DRC had such an event was in 1965.

The ill-thought-out power-sharing scheme made the security of the elections troublesome. GIA stipulated that vice presidents with armed fighters under their control must integrate their forces into the national army. Known as *brassage*, this integration was meant to separate troops from their former commanders, thereby giving strength and legitimacy to state forces. However, *brassage* was never truly implemented. The vice presidents (and KII) retained their armed forces and created an environment of instability and stalemate in the transition period.

When the much-delayed post-transition elections took place in 2006, a heavy international presence was there to observe. MONUC and Human Rights Watch noted violent repressions and attacks in the period leading up to elections (Reyntjens, 2009). Likewise, the National Catholic Conference noted that:

> All conditions for the organization of genuinely transparent, free and democratic
> elections are not present. Quite the contrary, the available information confirms the
> fears of manipulation and fraud (quote in *ibid*: 272).

Nonetheless, as the elections were organized by the international community, they were deemed 'free and fair'.

KII won the elections after a runoff round with Bemba. Given the security situation and the presence of armed fighters loyal to each candidate, Kinshasa and other areas of the country were plunged in heavy fighting.

While the 2006 elections were organized by the international community, the 2011 elections were a purely Congolese venture. This may be seen as an improvement of domestic operational capacity; however, electoral and regulatory oversight was thought to be very biased towards KII.

Voter fraud, violence, and intimidation characterized the 2011 elections. Polling stations in non-KII supporting regions were burned down, and pro-KII regions showed over 100% voter turnout. Loss of votes from various regions was also commonplace. It is not surprising that KII won with 49% of the vote (*ibid*).

International observers noted the benefits that came with incumbency. Access to campaign funding through state corruption is an obvious benefit. Other activities also secured KII's re-election. Instead of holding runoff elections, as had been done in 2006, only one round was to be held with the majority taking office. This made re-election for the incumbent more likely. Dizolele and Kambale note that "parliament pushed through ill-advised constitutional amendments and weakened political-oversight mechanisms in a clear effort to bend electoral rules in favor of Kabila" (2012: 110). Furthermore, members of parliament and the judiciary were fired if unsupportive and the 'independent' electoral committee (Commission Électorale Nationale Indépendante) was known to be on the KII payroll (*ibid*).

This demonstrates a complete failure of in TPA. First, transparent mechanisms meant to ensure fair elections were prevented. Second, participation in both voting itself and changing of the constitution were done at the will of the elite – in particular the executive. Last, accounting agents at legal, social, and political levels were non-existent. Those that were in place acted to ensure KII's victory. Vertical, horizontal, and diagonal accountability was absent.

4.2.3. – Constraints

Autocracy, political ineptitude, ethno-citizenship, and geography have made for difficult political processes. Autocracy and political ineptitude are rife in many areas of the electoral process; however, media constraints provide a salient example of the degree of TPA repression that exists in DRC.

One of the most useful avenues for fostering TPA in elections lies in the dissemination of information for which media is a useful vehicle. In reality, transparency and participation are tenuous because many journalists suffer the same fate as political opponents. In political participation and transparency, the media should play the role of watchdog and educator in DRC. As Uzodike and Whetho stress, "media can define issues and shape the perceptions that underpin and steer political discourse and action" (2006: 39). By setting agendas and promoting national dialogue it promotes public interest and participation, thereby pressuring government transparency.

But such a role is severely restricted in DRC. BTI notes that

> Regulations and laws related to the media generally serve as a way for the government to censor information, to consolidate President Kabila's power and to suppress any form of criticism. Under these laws the government has brought criminal charges against political opponents and shut down broadcast operations (2014: 12).

In addition to its annual "Freedom in the World" reports, FH also publishes comprehensive reports on press freedoms. Once again, the autocratic characteristics of DRC have made press freedoms

virtually nonexistent. The criteria FH uses to assess press freedoms are broken down into three areas: legal, political, and economic environments.   Although country-specific contexts are considered, they stress that the core of analyses are based on Article 19 of the Universal Declaration of Human Rights (FH, 2014a). This states that:

> Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers (UN, 1948: 4).

197 countries are scored on a 100 point system within the three criteria – 100 being the worst, 0 being the best. DRC is ranked at 79 with a 'Not Free' status.

FH cites continued intimidation and lack of protection for journalists as a key factor in media repression, as seen in the following:

> In February, the editor of the Kinshasa private daily *La Colombe*, Joachim Diana, was arrested and imprisoned on the execution of a judgment rendered against him in late December 2012. After publishing an investigative piece on a hospital run by a Chinese entrepreneur, Diana was convicted of defamation, sentenced to six months in jail, and ordered to pay US$20,000 in damages. (FH, 2014b: no pagination).

DRC's entrenched corruption has seeped into media regulatory agencies. The High Authority on Media (HAM) and High Council for Broadcasting and Communication (CSAC) are tasked with ensuring liberties and guidelines. However, both are politically biased and have exerted their power for personal and party gains. For example, no sanctions were imposed during the 2011 elections when KII was given "more than 85% of the media air time, though the time was constitutionally supposed to be divided among all 11 presidential candidates" (BTI, 2014: 13).

In addition to HAM and CSAC, the Ministry of Posts, Telecommunication, and New Information Technologies impose measures that ensure broadcasts are favorable to KII. It is not uncommon for the ministry to shut media outlets down and levy arbitrary fees and taxes on journalists and outlets. This was the case with Radio Okapi and Radio France Internationale, whose broadcasting signals were shut down 2012 after disparaging political remarks (BTI, 2014).

Additionally, "detentions, extrajudicial questioning, threats, and kidnapping [of journalists] are common" (FH, 2014b: no pagination). FH gives two examples of the extreme occupational hazards that accompany those involved in the press:

> In November, Sagesse Kamwira, a journalist with Canal Congo Télévision-Radio Liberté Kinshasa, was kidnapped by armed individuals … After three days, Kamwira's kidnappers threw her into a river; she managed to free herself and was found alive by the national police and Congolese troops. Blaise Bahisha, the

manager of Radio Sauti ya Rutchuru, was held for 52 days by government forces in
Goma, the capital of North Kivu, on the grounds that he was a suspected M23 spy
(FH, 2014b: no pagination).

Figure 4.2. Freedom of the Press in DRC

Source: FH, 2014b: no pagination

Figure 4.3. Freedom of the Press in the World

Rank 2014	Country	Score	Status
	United Arab Emirates	76	Not Free
	Yemen	76	Not Free
170	Central African Republic	77	Not Free
171	Swaziland	78	Not Free
	Venezuela	78	Not Free
173	Congo (Kinshasa)	79	Not Free
	Rwanda	79	Not Free
175	Tajikistan	80	Not Free
176	Ethiopia	81	Not Free
	Russia	81	Not Free
	Sudan	81	Not Free
179	Somalia	82	Not Free

Source: FH, 2014a: 22

Likewise, BTI notes that outlets are continuously under threat and harassed. For instance, outlets
thought to be sympathizing with opposition parties were closed or destroyed, as was the case with
Radio Télé Kin Malebo. An egregious example of the vicious tactics employed by state officials was
reported in 2011:

Lack of participation and transparency is evident in the above media issues; however, ethnicity further compounds the problems in the electoral process. DRC is a vast country that is home to many different ethnicities. Ethnic exclusion often runs rampant and ethno-politics are not unusual. Such ethnic exclusion is seen in citizenship issues, discussed below.

In terms of ethnicity and the electoral process in DRC, it is not surprising that a candidate's stand on issues is not a deciding factor in voting. Merckx and Weyden note that "parties are generally based on personalities and ethnic affiliations, not issues, and have strong regional ties" (2007: 811). Throughout the country there are rivalries that pit ethnic groups against each other. The most obvious example is that of the Hutu-Tutsi rivalry in the east; however, rivalries between the Lendu-Hema in Ituri, the Ngiti-Biri in Geti, and the Ahura-Wara in Aru have caused regional cleavages (Ginifer, 2011), which often manifest themselves in political support. Furthermore, at the political macro-level, there is a very real east-west divide geographically. Ngoy-Kangoy (2007) cites linguistics as a probable cause. As a substitute for ethnic ties, commonalities of language can often stand in. In DRC, apart from the use of French throughout the country, the west is characterized by Swahili-speaking inhabitants, while the east is generally dominated by Lingala speakers.

These factors of identity create political practices that further encourage a patronage-based system which lack inclusive participation and little transparency. Two mechanisms for how this occurs are: 1) "'indigenisation' of political actions and institutions", and 2)"electoral clientelism" (*ibid*: 229-230). In the case of the former, Congolese political elites will appoint officials from their identity group. This poses huge problems for representative governance. It is claimed that "in the Congo, the formula is generally well-known: the community X (or ethnic group) does not recognize itself in a government in which it is not represented" (*ibid*).

Thus, reconstruction and development is slowed or halted based on lack of national unity. In the case of the latter, one can understand this as sociological voting. By voting on a homogeneity basis, distributive equity is unrealizable, thus forming a predisposition to allocate funds and development projects towards a particular ethnic base or region. Both of these political practices ensure that chronic underdevelopment will continue. If voting and governmental position allocations are based on identity and not policy, then bad leaders will ascend to positions of power. Such a political environment disregards TPA principles. Ngoy-Kangoy describes the situation succinctly: "the resulting leadership crisis may quickly translate, as is often the case in the Congo, into incompetence, corruption and impunity" (*ibid*: 233).

The ethnic concerns of large heterogeneous populations are accentuated by participatory eligibility. Although this is a countrywide problem, it is more pronounced in the east. Much of this is due to population movements around the Great Lakes Region. Conflict has often been a precursor to these movements and ethnic animosities of neighboring countries have permeated national borders. The Kivus pose particular citizenship problems. Based on perceived notions of foreign origins, the Banyamulenge and the Rwandophones have been targets of discrimination since independence. The Constitution states that proof of Congolese lineage within the country before 1885 guarantees citizenship (Turner, 2007). Both of these group can be placed within the region before 1885, yet, due to ethnic animosities, both are routinely denied this right by rivals, "barring them from participation" (Turner, 2013: 77).

The refugee influx poses more issues with citizenship. Those who fled Rwanda after the 1994 genocide have now been in DRC over 20 years. Congolese integration seems unlikely. Polls show the majority of Congolese (96%) opposing Hutu and Tutsi citizenship (Turner, 2007: 190). This puts many refugees in limbo – violence if they return, exclusion if they stay.

4.3 – Service Provision

The United Nations Development Programme (UNDP) publishes the Human Development Index (HDI) which evaluates countries based on "three basic dimensions of human development: a long and healthy life, access to knowledge and a decent standard of living" (UNDP, 2013: 1). The 2014 report points to conflict as a key factor for the lack of well-being in DRC. There is also a political factor at work in DRC's dreadful standing. The lack of PSP in health, water and food security, and education accounts for this low ranking. DRC is second from last.

Figure 4.9. HDI 2014

	Human Development Index (HDI)	Life expectancy at birth	Mean years of schooling	Expected years of schooling	Gross national income (GNI) per capita	Human Development Index (HDI)	Change in rank
	Value	(years)	(years)	(years)	(2011 PPP $)	Value	
HDI rank	2013	2013	2012[a]	2012[a]	2013	2012	2012–2013
186 Congo (Democratic Republic of the)	0.338	50.0	3.1	9.7	444	0.333	1
187 Niger	0.337	58.4	1.4	5.4	873	0.335	−1

Source: UNDP, 2014: 163

The cannibalization of the state that occurred under Mobutu, compounded with the SAP austerity measures of the1980s and post-Cold War down-turn of aid in the 1990s, have left many PSPs distant memories. The breakdown (and behavior) of the state, and the need for survival have led to what has been described as an 'anomie'. Bilakila describes this as "the condition of individuals who perceive [that] forms of unacceptable social behavior are permitted when moral norms have been shattered" (Trefon, 2004: 21). This is certainly the case in DRC, where "the means – corruption,

theft, extortion, collusion, embezzlement, fraud, counterfeiting or prostitution – justify the ends" (*ibid*: 23).

This permeates all levels and ministries of the Congolese government. However, Bilakila stresses that solutions to turn the tide are coopted and sabotaged. The dominant political strategy is one aimed at lack of progress, thus ensuring the elites a monopoly on power, a strategy that will likely not change anytime soon. In the context of society facilitating political progress through means of participation, Congolese simply do not have the time, energy, or means, due to crippling poverty and the everyday struggle for survival.

The NGOization of DRC is important to consider when addressing PSP. While there are cases of ODA mitigating the suffering of the Congolese and filling in the gaps which the government cannot (or will not) fill, Congolese ODA has shortcomings.   Although aid fell in the 1990s, it is set to rise again due to commitments from the IMF and the WB. One danger lies in the poaching of qualified workers from government ministries. The chaotic political environment of DRC is difficult to navigate without inside knowledge and guidance. It is imperative that donors and development workers enlist the assistance of knowledgeable Congolese. Trefon (2011) highlights the problem with the 'project approach' to ODA. This approach operates outside of the government's apparatus and is handled exclusively by Western donors. Congolese expertise is needed, thus the project approach poaches the best and brightest from the public sector further weakening the government's capacity.

This poaching also leads to rivalries *within* ministries. As Giovanni notes, "salary imbalances disrupt the work environment" (Trefon, 2004: 104), leading to decreased productivity. This inflow also creates rivalries *between* ministries. Some ministries enjoy more attention and funding than others. For example, the Ministry of Health is likely to be a continual focal point for donors, while the Ministry of Youth, Sports, Culture, and Arts may suffer from under-funding. This can lead to grievances from those who have been picked over. The endless amount of bureaucratic red tape that involves development projects means that grievances can be acted on in the form of sabotage when certain approvals are needed. There is also the issue of absorption capacity in DRC. Past crises have seen the state ask for outside assistance only to be overwhelmed when proper mechanisms and expertise were absent. Thus, ODA must be considered with a high degree of caution. While some good may come, negative consequences to TPA will likely follow if administered without careful planning.

Regardless of ODA's consequences, many problems plaguing DRC PSP falls on the government. Lack of transparency and accountability are seen when analyzing healthcare, education, and water and food security.

4.3.1 – Healthcare

Western medicine is seen as an alien approach to well-being in DRC. Traditional practices encourage a holistic approach which takes into account mental and environmental issues. Hospitals are a last-ditch option for the sick due to two reasons: 1) traditional medicine is thought to be more effective than Western practices, and 2) hospital are thought of as "places of death" (Trefon, 2004: 66), and often are. The reasons for this negative outlook on healthcare are due to economic downturn and IMF structural adjustment policies which slashed social services and funding. This forces Congolese healthcare workers to develop corrupt methods in order to survive. The international community's role in addressing the endemic health issues tend to be focused on crisis management, such as controlling outbreaks. Little is done to strengthen the healthcare infrastructure. What healthcare aid does come in to DRC is subject to control by the Ministry of Health. However, much of it goes missing and does little to benefit the Congolese.

Extensive health problems are common. Persyn and Ladriere note that "serious and infectious diseases such as Ebola, AIDS, sleeping sickness, malaria, leprosy, yellow fever and tuberculosis are endemic" (*ibid*: 67). They state that even "after centuries of slavery, seventy-five years of paternalistic colonial rule, and a generation sacrificed by dictatorship and failed transition, the public health situation in Congo has never been worse (*ibid*: 81). Most troubling were the AIDS/HIV statistics of 2004, which noted that 2.6 million Congolese were infected, with "ten new cases…and six deaths" (OECD, 2006: 226) recorded every minute.

Two additional burdens, geography and conflict, have made healthcare provisioning more difficult. As mentioned, the lack of transportation infrastructure has meant remote parts of DRC are difficult to access, and those in the interior fare far worse than the already-diseased urbanites. Often medical care entails traveling long distance on foot. Médecins Sans Frontières (MSF) is providing motorcycle services to far-flung communities (MSF, 2014); yet, this is taking pressure off the government to do its part in healthcare development.

Lack of transport infrastructure also leads to decreased food supplies which contribute to malnutrition. Tollens argues that while the food situation is not much different than that of the Mobutu era, Congolese are severely malnourished. Most eat only one meal a day, while 25% eat once every two days (Trefon, 2004). Furthermore, UNICEF notes that "the entire country hovers near the emergency threshold for global acute malnutrition of 10 per cent" (2011: 2).

It has also been shown that "food insecurity in DRC follows a circular cause-and-effect pattern of very low and shrinking food production levels and extreme and rising poverty" (Rossi, et al., 2006: 554). This follows a supply-and-demand model which makes food purchases unaffordable. This is further compounded by the high cost of importing food.

While food provision is not necessarily a responsibility of the government, infrastructure policies which promote trade fall under a variety of ministries. Unmaintained roads relegate the majority of domestic trade (80%) (Rackley, 2006) to the vast water network in DRC. Riverine trade diminished during the war due to insecurity and illegal taxation by officials and soldiers. Rackley found that per average trip, riverboats "were forced to call…at 187 control posts" and forced to pay "between USD 3,000 and USD 4,000", netting a profit margin of three percent (*ibid*: 422), substantially increasing food costs.

Lack of clean water and sanitation are vectors for disease. If food security falls under a murky area of government responsibility, water does not. Water provisioning and sanitation is handled by the officially state-run Régie de istribution d'eau (REGIDESO). In Kinshasa, the water infrastructure is a legacy of colonial times. After the Belgians left, minimal work was done to expand it for the capital's population of nine million. What work has been done has been due to international donors, yet REGIDESO still exerts heavy influence over these projects and corruption is rife (Trefon, 2004).

REGIDESO supplies water to different areas of Kinshasa on different days. Pipes are not guarantors of water access. The cost of installing pipes to a home (at the expense of the citizens) is often too much for the impoverished capital. With two million residents of the capital without pipes to access the water, a multitude of problems arise. River and wells are often solutions for those without access. There is no difference in the quality of pipe, well, or river water: all are highly polluted and vectors for numerous diseases. Again, ODA has stepped in to try to alleviate some of these pressures, but any assistance must be conducted through the appropriate ministries.

While the trend of bringing the state back into play is positive, the climate of corruption poses many problems. Maractho and Trefon note that recent projects have seen attention paid to capacity building in REGIDESO, but many Congolese, fed up with the inadequacy of REGIDESO, have been calling for partial privatization (Trefon, 2004: 45). While it may help REGIDESO to modernize and update a failed system, it has the potential to strip away valuable income assets from the state, which, if used properly, could contribute to state-building, improved governance, and aid independence.

Rural areas fare far worse than urban. USAID notes that "no government agency is responsible for rural sanitation service delivery, and lack of governance, coordination, and financing is evident" (2010: 3), causing outbreaks of cholera, dysentery, and typhoid.

An estimated 75% of the population is without safe water. The KII administration made promises in 2006 to prioritize water supply rehabilitation; however, close to a decade later, little has been done. Weak governances and management is cited as the main culprits (Foster and Benitez, 2011).

In terms of conflict, the healthcare system has been hurt on two fronts. First, the war efforts in DRC saw the government spending eighty per cent of its budget on fighting in the east (Tefon, 2004: 36). Second, war causes casualties. In DRC, however, this number was extraordinary. Estimates vary, but the number likely exceeds 5.4 million (Coghlan et al., 2007), making it the most deadly war since World War Two. Furthermore, with basic services few and far apart, specialized needs go unmet. The conflicts have left many Congolese physiologically traumatized. Receiving mental healthcare will likely be a very distant prospect. The conflicts have also produced an unsettling trend of systematic rape. Of these victims, Meger notes that

> 91% of women are reportedly suffering from behavioural problems, most commonly self-loathing, excessive sweating, insomnia, nightmares, memory loss, aggression, anxiety, a sense of dread, and withdrawal into themselves (2010: 127).

Compounding this, specialized medical attention is also needed for the physical trauma of rape victims, such as gynecologic fistulas (Onsrud, et al., 2008).

The Organization for Economic Cooperation and Develop (OECD) notes several key limitations to healthcare development in DRC. The delivery of drug supplies due to inadequate transport is of great concern. Life-saving, inexpensive medicine and vaccines could do much to lower mortality rates. Unaffordable healthcare and lack of education resources limits preventative healthcare measures. However, the OECD highlights "chronic under-funding" (2010: 61) as the main obstacle to healthcare development. Further damning the government, "weak stewardship" (*ibid*) has produced incoherent policies for tackling these issues. To date, the Ministry of Health exists in name only, with the World Health Organization, MSF, and other NGOs offering the only healthcare in the nation.

4.3.2. – Education

The historical context of education in DRC is important to consider. During colonial times, education was reserved for Westerners. Indigenous education was provided by religious organizations, primarily the Catholic Church. At independence, the Church still retained this role and has continued to the present time. The state remains involved but has no real regulatory power. The problem worsened during the SAPs of the 1980s. What little state funding was in place virtually ceased. The WB and IMF foresaw the probable issues of cutting educational funds; however, they surmised that parents would step in to fill the funding gap. The parents did just that; however, this stopgap became institutionalized. This is the system that remains today (Titeca and Herdt, 2011). The withdrawal of school funding transformed the educational system into what Munikengi and Sangol describe as a "function-dysfunction paradox" (Trefon, 2004: 82). Similar to the water situation, the educational system remains state-run, but the citizens are left to pay for and organize it.

This does not stop the state from being the primary regulator. However, the state is regulatory in name only, and part of the problem lies in lack of cohesion. There are five ministries responsible for education:

1) The ministry for primary, secondary, and professional education
2) The ministry for higher and university education
3) The ministry for social affairs (informal education)
4) The youth ministry (skills training)
5) The ministry for health and nursing education (Afrimap, 2009).

These parallel regulatory bodies make efficient administration a daunting task. Furthermore, the multiplicity of 'officials' makes graft and arbitrary taxations common. Trefon notes that imposters often show up at schools pretending to be education officials demanding 'taxes' from students, parents, and teachers alike (2009).

However, in many cases, schools perform "'self-evaluation' by their own governing bodies" (AfriMAP, 2009: 4). This allows for quality issues in staff and facilities to run rife. Furthermore, gross misconduct and abuse arise in this environment. Sexual favors for grades, absenteeism, and corruption of every sort are common (Trefon, 2004).

Part of the reason for this lack of quality among personnel has its roots in the central government's lack of GG. The low (sometimes non-existent) pay forces teachers and administrators to find other forms of income. It is not uncommon for a teacher to have a second business or to resort to selling stolen school material (*ibid*, Trefon, 2009).

The lack of competition among positions and nepotistic Congolese practices further diminish educator quality. Positions are never advertised, and those educators and administrators who are on good terms with those in the Ministry of Education fare quite well. The only means of promotion in the school system is purely political. Additionally, ethnic and regional affiliations play a large role in getting promoted. This has led to a drop in the quality of education as teachers have little motivation to perform well (Trefon, 2004).

This also has an effect on students. Their sub-par education has led to a change in attitudes about the value of education and its ability to provide social mobility. Unsurprisingly, the dropout rate is high (*ibid*). This is one of the key areas where the government is knowingly sabotaging its future. Lack of enlightened, educated future generations will only see the current state of governance become more exacerbated and entrenched.

Munikengi and Sangol argue that Western assistance is needed for university financing. However, they are quick to urge caution. The importance of indigenous knowledge must be considered, and "African intellectuals have to be careful…not to fall into the trap of Western scientific superiority"

(Trefon, 2004: 96). They also urge taxation as a method of state financing, but with the caveat that educational institutions be allowed to come to decisions autonomously.

The state's role today is purely symbolic. Furthermore, the state "is incapable of organizing the sector" (Titeca and Herdt, 2011: 18). Similar to the healthcare shortcomings, "weakness in the planning and budgetary systems and the mismanagement of funds" (AfriMAP, 2009: 1) are cited as the primary problems. This confirms that transparency, particularly in budget spending, needs to be a priority of state administration. The lack of democratic will is troubling. Perhaps the most apt comparison comes from Trefon, who describes the civic-state relationship on PSPs as 'Stockholm syndrome' (2009). Regardless of the motivations, PSP provides damning evidence of TPA in reverse.

CHAPTER FIVE: CONCLUDING REMARKS

The aim of this dissertation has been to contribute to the literature on GG. By honing in on the TPA components of GG and applying them to DRC, several conclusions can be posited.

First, transparency is fundamental to curbing corruption. In the case of DRC, this research has shown that corruption is one of the serious roadblocks to transformative development. This can be seen in the leakages and inefficiency of ODA received by the state. Rather than strengthening governance, ODA has encouraged risk-taking and shortsightedness, as explained by the moral hazard. The lack of public service provision provides further evidence. If budgetary transparency existed, allocation of funds to appropriate services would lead to sustainable development and improved livelihoods.

Second, participation is virtually nil in the socio-political realms. Both elections have been fraught with irregularities. Furthermore, ethnic divisions spill into political participation, bringing with it the exclusion of certain groups. Elections have not brought democracy. Rather, illiberal democracy and increasing autocratic characteristics have been the norm. Autocratic tendencies can be seen in KII's ability to make constitutional amendments with little to no opposition and to increase his control over media.

Last, accountability in DRC is scant. The lack of accounting agents to act as checks and balances in vertical, horizontal, and diagonal forms tends to do exactly the opposite. Instead, they endorse questionable actions of those in power. This lack of accountability permeates all levels of administration. In the case of public service provisions, this is due to the inability of the state to provide for state employees, and workers make ends meet through nefarious activities. In the case of political elites, this can be seen in buying out support and silencing opponents.

TPA in DRC needs to be treated holistically - all three are interconnected and symbiotic. Yet, DRC needs to be considered in its broad historical context. Leadership of the country has not benefited the indigines since the time of Leopold II. Entrenched grievances, extreme poverty, continued violence, and permanent instability make the cycle of despotic rule harder to break.

Close attention must be paid to those initiatives that strengthen GG. The dividends of GG will improve development, break dependency, and strengthen the economy. Sadly, as Kaufmann notes:

> Over the past few years, the priority accorded to governance in aid has slackened. The strategies and programs that donors implement tend to ignore those tougher governance and corruption problems that matter most for development. The political dimensions of governance and corruption…which are key to [improving] aid effectiveness have often been ignored (2009: 27).

Actions by the international community and their continued flow of ODA to DRC further embolden the leadership of DRC. The many adverse effects of ODA on GG outlined in Chapter Two are endemic in DRC. While a cessation of ODA would put the majority of Congolese at risk, new methods of allocation need to be explored. Further, initiatives which put GG back in the spotlight are critical for ODA effectiveness in general.

A benchmark for assessing the country's commitment to GG will occur between the time of this writing and the 2016 presidential elections.   The title of a recent article in the Economist, "Will he, won't he?" (2014), aptly sums up the KII question. The constitution clearly states that presidential mandates cannot continue after two five-year terms. KII's disregard for constitutional legislature is already evident. Questions concerning his departure from power are pertinent to any discourse of GG and development in DRC. Based on the evidence, concern over his upholding the presidential mandate is rational. Just as corruption seeps down from the top, upholding the rules and laws of the country can does the same. Executive leadership which adheres to GG will boost integrity at all socio-political levels.   KII can set an example for DRC. Time will tell if he chooses to do this.

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