



Democratic Transitions in Africa:

A Case Study of Political Transition in the
Democratic Republic of Congo

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Acronyms

AGA	African Governance Architecture
AU	African Union
CENCO	Conférence Episcopale Nationale du Congo
CENI	Commission Électorale Nationale Independante
CSOs	Civil Society Organisations
DRC	Democratic Republic of Congo
EAC	East African Community
IEBC	Independent Electoral and Boundaries Commission
MONUC	United Nations Organization Mission in Democratic Republic of the Congo
MONUSCO	United Nations Organization Stabilization Mission in the Democratic Republic of the Congo
UN	United Nations

Foreword

The Democratic Republic of Congo (DRC) stands at a pivotal juncture in its democratic journey. The 2023 election and swearing into office of the president-elect presented both an opportunity to reinforce democratic principles and a reminder of the ongoing issues that need to be addressed.

While there have been promising signs of progress, the angle of the legitimacy of elections in conflict-affected areas, particularly in the eastern DRC, continues to be a concern. This issue highlights both the complexity of a political transition, specifically conducting elections in a nation still grappling with the remnants of conflict, and the need for sustained efforts to ensure credible and inclusive political processes.

This report is part of ongoing country case studies on power transfers, within the framework of the Africa Democratic Transitions Project. Given that in the DRC, the incumbent won the election and proceeded to be sworn in for a second term, it presents a unique case study on the process of assumption to office of an incumbent. The report takes a step back to look at the 2018 power transfer, in order to be able to capture the context and nuances of executive power transfer in the DRC.

A smooth political transition is essential for enhancing the legitimacy and public confidence in political processes. The report therefore offers actionable recommendations for improving this critical democratic function. It is envisioned that the findings of this study will contribute to the growing body of knowledge on managing peaceful executive power transfers in African states, especially offering valuable insights for other nations navigating similar paths towards stability and democracy.

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Executive Summary

The Preamble to the African Charter on Democracy, Elections and Governance (ACDEG) declares that Member States of the African Union (AU) seek to 'entrench in the continent a political culture of change of power based on holding of regular, free, fair and transparent elections...' From the 1990s to the present day, African states have increasingly met the first of those two conditions, the holding of regular, free, fair and transparent elections. Less pronounced has been the changes of power from incumbent leaders to newly elected ones. Even so, transfer of power still occurs in states undergoing transition to democracy. This includes states least expected to do so, namely states most affected by intergroup conflict and authoritarian rule.

This report examines the management of power transfer in the Democratic Republic of Congo (DRC). Since 2006, elections have been carried out under a new constitutional and electoral framework. The report analyses the first change of power in the DRC after a return to democratic elections. It discusses the legal framework for transferring power as well as its application. The report identifies key challenges in managing the process and recognises the key roles played by local and international actors in the sequence of events. Finally, it makes recommendations on strengthening the process and systems for managing smooth and sustainable power transfers.

The Constitution and electoral laws delineate the framework for managing a change of power. Since being promulgated, the framework established a legitimate way to enter power, and to change power. The report documents how the framework and the principle of state continuity were followed in 2018/19 and 2023/24. From the experiences, three key challenges to smooth and sustainable power transfers emerge. These are the conduct of elections, political instability and limitations of the political system. Significant in scale, each of these challenges poses a threat to institutionalising 'a political culture of change of power'. It is recommended that the DRC strengthens the institutions of the state, political, electoral and judicial, to counter this. It is further recommended that the multitude of stakeholders who are part of the state building and national restoration currently underway support the DRC's leadership in that endeavour.

It is through this that the pre-condition of regular, free, fair and transparent elections would be met, followed by smooth and sustainable power transfers.

Introduction

The Democratic Republic of Congo (DRC) is the largest state territory in Sub-Saharan Africa. Its natural and demographic resources are often cited in reference to Africa's developmental potential. The DRC has existed as a sovereign state since 1960. It has experienced several decades of internal turmoil since then. In 2006, the DRC inaugurated a new Constitution. This Constitution formed part of a collection of measures for the country to navigate a transition from conflict and authoritarian rule to democracy. Since then, four elections have been held in the country while only one change of power has occurred.

Observing the electoral milestones realised in the DRC since the transition began in 2003, this report examines the process of managing change of power. The report analyses the legal framework for transferring political power. It features the steps taken in transferring power in 2019 and the principle of state continuity as observed in 2019 and 2024. Key challenges in managing power transfer and transition are discussed. The contributions of key actors in smooth and sustainable power transfer are also noted. In conclusion, it recommends several steps by multiple stakeholders to strengthen the state's institutional capacity to manage credible elections and democratic power transfer.



**PART I:
THE FRAMEWORK AND
PROCESS OF TRANSFER OF
POWER IN THE DRC**

i. Background

The Democratic Republic of Congo's political past is well documented. Fraught with conflict and authoritarian rule, the post-independence political history of the country has been a cause of instability. The unstable political environment was unable to sustain political activities associated with democracies such as multi-party elections and transfers of power. It was imperative, therefore, to alter the course of conflict and authoritarian ridden governance.

Table 1 – Changes of power in the DRC since independence

Year	Incumbent leader	Incoming leader(s)	Means of transfer of power ¹
1960	-	Joseph Kasavubu – President & Patrice Lumumba - Prime Minister	Multi-party election
1965	Joseph Kasavubu – President (*Patrice Lumumba assassinated in 1961)	Mobutu Sese Seko	Coup
1970	Mobutu Sese Seko	Mobutu Sese Seko	Single-party election
1977	Mobutu Sese Seko	Mobutu Sese Seko	Single-party election
1984	Mobutu Sese Seko	Mobutu Sese Seko	Single-party election
1997	Mobutu Sese Seko	Laurent-Désiré Kabila	Overthrow
2001	Laurent-Désiré Kabila (assassinated in 2001)	Joseph Kabila	Parliamentary vote
2006	Joseph Kabila	Joseph Kabila	Multi-party election
2011	Joseph Kabila	Joseph Kabila	Multi-party election
2018	Joseph Kabila	Felix Tshisekedi	Multi-party election
2023	Felix Tshisekedi	Felix Tshisekedi	Multi-party election

Change came in the form of a negotiated transition to democracy. A series of peace agreements set the foundation for a return to democratic politics.² Elections were restored in 2006, and multiparty politics re-emerged. A key part of that transition was the first transfer of power following a democratic election. In the year 2019, the country, therefore, witnessed a significant milestone in its democratic journey. The power transfer from Joseph Kabila to Felix Tshisekedi was the first peaceful power transfer since the onset of conflict in the country. A subsequent election has since been run and completed in 2023, and power assumed in 2024. Twenty years following the end of the Second Congo War, fifteen years and four electoral cycles after constitutional replacement, it is a fitting time to examine the progress of the country's political transition.

Much can be learned from the steps followed in managing the change of power in the DRC. With a view to identifying the structures that support smooth and sustainable political transition, this section uncovers the current framework and process of transfer of power in the DRC. Observations of the steps followed in 2019 are noted and comparison is made with the events in 2024. Continuities are particularly highlighted, with a special focus on the principle of state continuity. All in all, the legal framework and the process of transfer of power have laid a foundation for supporting smooth and sustainable political transition in DRC.

ii. The legal framework for transfer of power

Like in other democratising states in Africa that have recently gone through constitutional change, the Constitution of the DRC provides an overarching framework for managing transfer of power. In the DRC's case the 2006

Constitution was introduced as a transitional measure to guide the country's transition from a conflict-ridden and authoritarian past to democracy. The Constitution is a fulfilment of the DRC's state obligation under Article 5 of the ACDEG 'to take all necessary measures to ensure constitutional rule, particularly constitutional transfer of power'. It is therefore apt that the Constitution designates itself as the guidebook for the transfer of political power.

As the primary holder of political power in the state, the President's power handover is the guiding structure for transferring power in all arms of government. The President's actions trigger, regulate and direct the whole process. The law therefore sets out procedures for the transfer of power to a president-elect, and subsequently, to other executives.

a The constitutional framework for transfer of power

The 2006 Constitution stipulates provisions for the transition of political power and assumption of the presidential office. Before addressing specific procedures for transferring power or assuming office, the Constitution bestows a duty on the (incumbent) President to ensure 'the continuity of the State' (Article 69). This is significant because the President is ultimately the party responsible for managing smooth transfer of power. It also indicates that a change of power or transfer of power should take place in a manner that preserves state continuity. What is expected therefore, is a stable, and uninterrupted functioning of government. While the positioning of this article in the Constitution can be seen as symbolic in nature, the embedding of state continuity before provisions on power transfer imbues a sense of state continuity enduring regardless of a power transfer occurring notwithstanding the nature, length or outcome of that transfer.

Election and the term of the president

Under Article 71 (as amended by Law No. 11/002 of 20 January 2011), the president is elected by a simple majority of the electorate who vote in an election. Article 70 denotes the point in time when power is transferred following a presidential election and stipulates how the functions of the Office of the President are handled during this transition period, before installation of the president-elect. It provides that the (incumbent) President of the Republic remains in [his] functions until the effective installation of the newly elected president. Article 73 further directs the period within which a new president ought to be elected. It provides that the electoral management body convokes the election for a president ninety days before the expiration of the mandate of incumbent. Taken separately and together, these provisions are aimed at protecting the state from possible uncertainty during a period of temporary incumbency. The policy intends that no power vacuum emerges during the period of electing a new president.

¹See Sing'oei K, From "Transitions to Democracy" to "Democratic Transitions": In Search of Sustainable Management of Power Transfers in Africa, 2022, Part 3 for a deeper synopsis of the means of power change in African states.
²See the Global and Inclusive Agreement on Transition in the Democratic Republic of Congo (2002) ('The Pretoria Agreement') for the terms of the transition, which included putting in place a 'constitutional and democratic government' based on power-sharing, and a transitional constitution.

Assumption of presidential office

The Constitution also outlines the steps to be followed once the results of the presidential election are finalized.³ Article 74 specifies the timeline and procedure for a president-elect to assume office. The president-elect is to assume presidential functions and effectively enter office within the ten days which follow the proclamation of the definitive results of the presidential election. The president-elect assumes power by taking the oath set out in Article 74 of the Constitution before the Constitutional Court, during a swearing-in ceremony.

This short period supports a quick handover of power from an incumbent to a new president. The process taking part under the guidance of the highest judicial body also lends legitimacy to the installation procedure. Given the country's past of political conflict, it can be understood that the short period of transfer and the regulation of the oath by the judicial arm of government are specific measures introduced to institutionalise an efficient and quick transfer of power. This is common in transitional contexts as a direct counter to the risks associated with the possibility of incumbent governments abusing power.

Transfer of power in the Executive

The president's installation sets in motion the transfer of power in other executive offices, and in the legislature. According to Article 78, the president appoints the prime minister from the parliamentary majority after consultation and terminates the functions of the outgoing prime minister after resignation. The president then proceeds to appoint other members of government. Under Article 79 the President convenes the Council of Ministers. This effectively serves as their entry into office.

Likewise, the president is responsible for facilitating the assumption of office by governors and vice governors. Article 80 provides that the president invests by ordinance the governors and vice governors within a period of fifteen days in accordance with Article 198 (Amended by Law No. 11/002 of 20 January 2011). Article 198 stipulates the form and time frame of provincial government. The provincial government is made up of a governor, vice governor and provincial ministers. The governor and vice governor are elected for five-year terms which are renewable once. They are elected by provincial deputies from within or outside of the Provincial Assembly. Similarly, the President invests powers in diplomats, civil servants, military personnel and other executive office holders in accordance with Article 81.

Transfer of power in the legislature

Power transfer at the legislative level is regulated by Articles 103 and 105 of the Constitution. The national deputy (member of the National Assembly) is elected for a five-year term and is eligible for re-election. They assume office by the validation of powers by the National Assembly. A national deputy's mandate expires after the installation of the new National Assembly. Identically, a senator assumes office by validation of powers by the National Assembly. A senator's mandate expires after the installation of a new Senate.

³See Part II on legal challenges to election results.

b. Vacancy in the Office of the President and power transfer

Article 75 of the Constitution provides that where a vacancy in the Office of the President occurs due to resignation, death or any other definitive incapacity, the functions of the president except for those specified in Articles 78, 80 and 81 of the Constitution, are provisionally exercised by the president of the Senate.

An election is triggered by the government referring the matter to the Constitutional Court and a vacancy being declared by that Court. The interim president becomes the person responsible for organising the election and must do so within the terms and timelines of the Constitution. Under ordinary circumstances, the new election, managed by the electoral management body, must take place within sixty to ninety days of vacancy or incapacity declaration by the Constitutional Court. This duration may be extended by reason of force majeure to one hundred and twenty days. To extend the period, the electoral management body must make a request to the Constitutional Court.

c. Contested election results and power transfer

The legal framework in the DRC also anticipates the possibility of election results being disputed. The electoral laws consequently define a procedure for legally challenging the results in national elections. This provides certainty in the process of validly bringing a legal challenge and assurance of the timeline. Power transfer cannot take place constitutionally speaking, until after a dispute that is legally raised is determined by a competent court. It is therefore useful to have timelines and proper procedures specified in law to avoid unjustified interferences with constitutional procedures of transfer of power and state continuity. While delay in a timetable for transfer of power will inevitably be caused by a presidential election petition, the certainty provided by the legal provisions is highly desirable, especially in a context like the DRC where the state has been vulnerable to instability.

Law No. 06/006 of 9 March 2006 on the organization of presidential, legislative, provincial, urban, municipal and local elections (as amended by Law No. 11/003 of June 25, 2011, Law No. 15/001 of 12 February 2015 and Law No. 17/013 of December 24, 2017) is the relevant statute. Articles 74, 75 and 76 detail the relevant procedures. Article 74 of the Election Law defines who can challenge an election, namely a candidate as represented by a political party (group) or a representative. Disputes are adjudicated by a bench of at least three judges and without costs. A person lodging a petition is not required to have a lawyer representing them. Their petition must however comply with the procedural formalities under Article 74. It must specify the subject of the request to contest the results and include the evidence on which the petition is based.

Article 74 of the Election Law specifies the correct forums and timelines for electoral disputes, according to which the electoral dispute relates. The table below shows the respective designations and timelines for adjudicating electoral disputes.

Table 2 – Challenging an election: forums and timelines

Election	Mandated Court	Timeline (time after referral)
Presidential election	The Constitutional Court	7 days
Legislative elections	The Constitutional Court	2 months
Provincial elections	The Administrative Court of Appeal	2 months
Urban, municipal and local elections	The Administrative Court	2 months

The provisions of this law further explain the steps followed by a court in resolving an electoral dispute. If the challenge is determined to be inadmissible or unfounded, the court pronounces the final results. If a court admits a petition, it is required to register the filing, notify the petitioner, the political party or group and the national electoral commission. Once the court receives briefs from the parties involved, it engages a referral procedure where it requests the Public Prosecutor’s Office for an opinion within forty-eight hours. The court then determines the matter within the set constitutional timeline.

The timeline for transferring power may be affected if a petition challenging a presidential election is successful. In such a case, the statute explains the options available to the Constitutional Court in making its decision. It may cancel the vote in whole or in part where the irregularities could have had a decisive impact on the final result. It may order and undertake a recount which is considered an extraordinary measure after all other usual checks have been carried out. In all cases the assumption of office of the president-elect would take place after the pronouncement of the definitive results. The provisions of the Constitution are definitive on this.

iii. The process of power transfer & the principle of state continuity, 2018-2024

Overall, the transfer of power and continuity of the state in the DRC over the last two electoral cycles is a noteworthy achievement. It is important to take stock of the positive advancements in this regard. These are unearthed below through an examination of the steps followed in transferring power after the December 2018 elections and the continuities seen in the period immediately after the December 2023 elections. Amidst this progress, the journey towards a fully democratic and stable political system continues to face significant hurdles. These obstacles are also brought to light below. A deeper examination of the major challenges faced by the DRC in delivering smooth and sustainable political transition is made in Part II.

a. Power transfer and state continuity in 2019

Following the elections of 2018, the handover of power from Joseph Kabila to Felix Tshisekedi was the first peaceful transfer of power in the country since independence. It came after what was the third election under the 2006 Constitution and following the establishment of a new electoral framework. This significant achievement was noted by the electorate and national stakeholders, as well as international actors, with the United

Nations remarking that this was ‘an extraordinary opportunity’ for advancing rights.⁴

The weight of the 2019 transfer of power is best understood in the context of the time. The 2019 transition took place within a highly strained environment. As per the constitutional calendar, the election which eventually took place in December 2018 was originally scheduled for November 2016. This original election date would have been within the constitutional prescriptions of the election taking place as the term of the incumbent president expires. However, the election which eventually took place in December 2018 was two years late. The series of decisions that led to this outcome have been heavily criticised for the election date falling outside the expressly stated constitutional timelines. This was noted as a major setback in the DRC’s democratic transition. Prior to this, elections had been held within five years, as required and as expected. Following the 2006 election, a second election under the new Constitution was held in 2011. The 2018 election therefore represented an interruption in following the constitutional election timelines. The election finally taking place averted a possible unconstitutional change of government.⁵

Table 3 – Timeline of the delayed 2018 election

Date	Event
20 December 2016	Expiry of Joseph Kabila’s 2 nd term
27 November 2016	Original scheduled date for the election
2 YEARS	
23 December 2018	Second scheduled date for the election
30 December 2018	Final election date

When it became evident that an election was unlikely to take place in 2006, the result was a constitutional crisis. The point at issue was what implication a delayed election would have on the mandate of the incumbent government. The overwhelming debate centred on the mandate of the incumbent president, whose mandate was due to expire on 20 December 2016.

It is under these circumstances that the principle of state continuity was tested. Being a principle defined in the Constitution, which at the time was ten years old, state continuity took on a new meaning in the context of the delayed 2016 election. This is explained in an analysis by Constantin Yatala Nsomwe Ntambwe. As stipulated in the Constitution, the length of a presidential term is five years. The core question was what implication(s) a delayed election would have on the presidential mandate, the president being the person or entity responsible for state continuity under the Constitution. He explains that the mandate of a sitting president ends at the expiry of that term, or if the Presidency is vacated by death, resignation or any other definitive incapacity. On 11 May 2016, the Constitutional Court made a ruling on this question. It interpreted the principle to mean that the sitting president could remain in office, until a new president was elected. This means that under Article 70 of the Constitution, the president remains in office for the purpose of ensuring state continuity, if no election occurs. The analysis also defines the substance of the principle of state continuity. Essential elements include the state maintaining its territory, population and public power. Both organic (officials in office) and functional

⁴ UN News, ‘First peaceful transfer of power in DR Congo ‘an extraordinary opportunity’ for advancing rights,’ 19 March 2019 <https://news.un.org/en/story/2019/03/1034971> on 28 June 2024.

⁵ Article 23, African Charter on Democracy, Elections and Governance.

(institutional activities) institutional continuity must also be preserved.⁶

The 2016 election had been delayed for various reasons, including the reported reluctance of the incumbent to face a possibility of handing over power. Due to the impact this had on that election, political instability features as one of major challenges facing power and political transition in the DRC. Despite incumbent reluctance being a factor often associated with authoritarian regimes, the DRC achieved a significant feat in transferring power from an incumbent president with the support of a multitude of local stakeholders supported by international actors. The key roles of these actors are examined further in Part II of this report as it takes note of their contribution to transfer of power and political transition in the DRC. Consequently, the transfer of power from then President Kabila to President Tshisekedi is especially meaningful because it occurred after overcoming election delays and incumbent reluctance to hand over power and despite insecurity in the country. After the Constitutional Court made its ruling, the political and security situation was fragile for the two years until the election. Insecurity and associated political instability, therefore, feature as the second major challenge during transfer of power and political transition in the DRC. Though not unique to the circumstances of the 2018 elections, the enduring nature of insecurity concerns has had a long-term impact on the sustainability of the ongoing political transition in the country. This is discussed further in Part II of this report.

The Commission Électorale Nationale Indépendante (CENI) declared Felix Tshisekedi the winner of the presidential election on 10 January 2019. Following the announcement of provisional election results, opposition candidate Martin Fayulu challenged the results in the Constitutional Court. On 19 January 2019, the Constitutional Court dismissed the petition and declared Felix Tshisekedi the validly elected president. This set in motion the formal handover of power by Joseph Kabila to Felix Tshisekedi.

The assumption of power in 2019 followed the framework described in the Constitution. In keeping with Article 74 of the Constitution, Felix Tshisekedi was sworn in on 24 January 2019, five days after the pronouncement of the definitive results of the election. This was within the ten days permitted by the Constitution. He took the oath prescribed in the Constitution in the presence of the Constitutional Court during the swearing-in ceremony. Following this, President Tshisekedi appointed Sylvestre Ilunga Ilunkamba the Prime Minister before convening the Council of Ministers and investing the powers of Governors and Vice Governors. What is not immediately clear, is the status of handover notes/briefs prepared for the respective office holders. The central question here would be whether the handovers were professionally planned and managed. What is clear however, is that the handover process is considerably long. This means that power transfer takes place over a period that is not fixed in law. The constitutional timelines on entry into office therefore have a limited effect on the comprehensive transfer of political power.

As will be discussed in Part II of this Report, effective handover has rarely been smooth in absolute terms in the DRC case. Instead, a series of consultations and concessions have dominated the pre-election preparations towards and post-election implementation of comprehensive transfer of power.

In addition to respect for the electoral calendar and assumption of power procedures, attention should be paid to adherence to other constitutional provisions which regulate political transition. It is notable that presidential term limits have been generally observed since the 2006 Constitution was passed. Joseph Kabila served two terms, having won the elections in 2006 and 2011 while Felix Tshisekedi is currently serving a second term. Adherence to constitutional stipulations, whether time-lines, presidential terms or limits of power lends credence to legitimate power transfer and political transition. These 'principles and practices'⁷ should be continually observed to become 'entrenched',⁸ starting with President Tshisekedi respecting the two-term limit in the next election and the electoral calendar being observed.

b. Power transfer and state continuity in 2024

In 2023, the electoral calendar was observed. Elections took place as per the election roadmap despite a challenging security environment. This suggests existence of the political will to restore and respect the electoral calendar. Even so, the quality of an election is another essential component in the context of long-term political transition. In democratising states, elections represent an opportunity to progress. This element is further scrutinised in Part II of this Report.

In 2024, no 'transfer' of presidential power has occurred as the incumbent president won the December 2023 election. President Tshisekedi's re-election does however activate the ordinary procedures for a president-elect to assume office and to subsequently initiate power transfers in the rest of the government. The provisional election results were announced by CENI on 31 December 2023 with President Tshisekedi garnering 73% of the total vote. The Constitutional Court confirmed the results in a ruling on 9 January 2024. President Tshisekedi was formally notified of this decision on 10 January 2024 when the clerk of the Constitutional Court officially delivered a copy of the judgment. This represented the 'last legal formality' authorising the State Protocol to organise the swearing-in ceremony.⁹

The presidency has documented the events of the swearing-in.¹⁰ Several observations are noted about the process of power transfer. The first continuity was the adherence to the constitutional framework for presidential assumption of office. As in 2019, the president-elect was sworn in within ten days of the declaration of the definitive results of the election. The ceremony was organised by the State Protocol. Again, the swearing-in ceremony took place before the Constitutional Court. The president-elect took the prescribed oath and received the symbols of power.

A significant difference in the swearing-in ceremony in

⁶ Constantin Yatala Nsomwe Ntambwe, 'La fin du mandat présidentiel et le principe de continuité de l'État dans la Constitution congolaise', August 2016 <https://www.droitcongolais.info/files/RDC-MANDAT---CONTINUE.pdf> on 8 July 2024

⁷ From 'Transitions to Democracy' to 'Democratic Transitions', III.

⁸ From 'Transitions to Democracy' to 'Democratic Transitions', III.

⁹ Cellule de Communication Présidentielle, Investiture du Président Tshisekedi, Le Peuple D'Abord No Special Investiture, January 2024, 26.

¹⁰ Investiture du Président Tshisekedi.

2024 was the large presence of foreign delegations and foreign Heads of State and Government. First, unlike in 2019, when Kenya's President Uhuru Kenyatta was the only Head of State from Africa in attendance, the 2024 ceremony was attended by twenty heads of state and government. Second, the 2024 ceremony took place in the Stade des Martyrs de la Pentecôte with 80,000 Congolese in attendance. In 2019, the swearing-in was a much more sombre occasion held in the Palace of Nations. This suggests more recognition for the incoming government in 2024.¹¹

Since he assumed office, President Tshisekedi has proceeded to appoint a prime minister from the parliamentary majority. Judith Suminwa Tuluka was appointed by the President on 1 April 2024 and sworn-in on 12 June 2024. Her appointment has been cited as a milestone, her being the first female prime minister of the country. After Prime Minister Tuluka's appointment in April, the Cabinet was unveiled on 29 May 2024. The new Cabinet is made up of fifty-four governors. This is three fewer than the last government. It is nonetheless similar, a broad-based alliance, representing 95% of the seats in the National Assembly. The National Assembly members were sworn-in on 12 June 2024, effectively taking power more than six months after the conclusion of national elections.

It may be too early to unpack the full scale of transfer of power following the 2023 election. At the time of writing, the new government is six months into power and has just completed the process of assumption of office at the national level. While the relevant procedures have been followed in the appointment and investiture of the new government, the process of taking over power has been delayed. Views between the political class and the citizenry on the delay seem to differ. The delay causes uncertainty and does not sit well with citizens. According to the outgoing Prime Minister however, the delay did not cause a constitutional crisis because the outgoing government remained in place to continue working, although with 'reduced prerogatives'. Further, some are not as concerned because the DRC typically goes through prolonged negotiations following elections.¹²

The delay is attributed to consensus building amongst political parties and coalitions. As will be discussed in Part II of this Report, consensus building in the political space is an essential strategy in managing a deeply divided society like the DRC. The pre-condition for consensus building was embedded into the political structures of the 2006 Constitution by design, to act as a diffuser of inter-group conflict. It, however, appears to also be a limitation of the political system. High reliance on and the high costs of consensus building plays out in delays in forming government, difficulties in consolidating power and weaknesses in institutional mechanisms.

All in all, observance of the constitutional timelines and procedures on presidential assumption of office and transfer of power in 2019 and 2024 suggest that the challenge for the DRC is not in meeting most constitutional timelines and procedures. Having met these requirements in the first peaceful transfer of power in

2019, and in the assumption of office immediately following that in 2024, it emerges that the difficulties in transfer of power perhaps arise from other factors.

Three challenges have come to light from the assessment of the 2019 and 2024 processes. First are the circumstances surrounding an election. Second is political instability and third is limitations of the adopted political system. Each of these could

¹¹ Investiture du Président Tshisekedi.

¹² Ilunga P, 'DRC's long wait for Felix Tshisekedi to form government', *The East African*, 27 April 2024 <https://www.theeastafrican.co.ke/tea/rest-of-africa/drc-s-long-wait-for-felix-tshisekedi-to-form-government--4605020> on 4 July 2024.



**PART II:
KEY CHALLENGES AND
KEY ACTORS IN TRANSFER
OF POWER AND
TRANSITION**

Smooth and sustainable political transitions can be achieved through consistent improvements to the processes that facilitate those transitions. This section examines key challenges that have emerged during DRC's political transition. These challenges pose a threat to sustaining peaceful and credible power transfers. However, the same challenges can also be successfully managed by key actors. By highlighting the roles of these key actors, their contributions to smooth and sustainable transitions are noted. A deeper appreciation for both the challenges and the roles of key groups can lead to more successful transitions. In the end, credible elections, political strength and state security can sustain an enduring transition.

i. The conduct of elections and legal challenges to election results

The conduct of an election preceding a transfer of power is crucial. An election perceived as democratic sets a positive tone for transfer of power. An election believed to be flawed invites discord and uncertainty. While an election cannot be perfect, especially in the earlier stages of democratic transition, the election should meet the minimum requirements and expectations of stakeholders to legitimise transfer of power. Questionable management of elections may also give rise to legal challenges, with attendant effects on the handover of power.

In the DRC, the four elections that have taken place since 2006 demonstrate some progression in the conduct of elections. Observers have found improvements in the operations and procedural integrity of elections. Ali-Diabacté's examination of the 2006, 2011 and 2018 elections reveal these improvements. First, the development of administrative capacity to run elections is a major achievement. This work is carried out principally by CENI. The improvements are also due to recommendations made by local and international observers. It is important to note the complexity of managing the political set-up in the DRC, and to understand the high level of difficulty of managing an election in such a context. Aside from running polls in sections of the country affected by active conflict and unrest, CENI has been operating in a landscape of more than six hundred political parties, and across a large geographical area. Second, the financial resources committed by the DRC government to elections has been significant and commendable. This demonstrates an understanding of the need to facilitate credible elections through resourcing. Third, the introduction and use of biometric voter registration has improved the credibility of the voter register. Alongside this progression, several areas have been noted for improvement. Carrying out more extensive stakeholder participation, cleaning up the register/conducting a general census, and upgrading the hard infrastructure of the voting system would further enhance the credibility of the operational and procedural integrity of the voting process.¹³

Progression is always subject to backsliding, as the 2011 election showed. Electoral fraud and repression, particularly perpetrated by the incumbent regime, became a real and significant threat. Mavungu explains that violent actions to quell dissent, buffer opposition and change the electoral system to favour the incumbent in 2011 brought this to a head. Terming the state an 'electoral autocracy', it is easy to see how an incumbent's hold on elections fuels democratic regression. It is therefore important to stem the disproportionate influence that an incumbent may have on the political culture in the country and on elections. Tied to that, it is crucial that election managers hold themselves to the standard of electoral and democratic norms that meet international, regional and sub-regional expectations.¹⁴ Little regard for these standards has been used to justify violent uprisings and attacks orchestrated by not only political parties but also rebel groups like the M23. When observers corroborate the observations on electoral malpractices and questionable results, as in 2011 and 2018, this gives additional weight.¹⁵ Adherence to established electoral standards is therefore vital for legitimate power transfers and sustainable political transitions.¹⁶

Civil society has been at the centre of advocating for regular, free, fair and transparent elections. In 2016, civil society campaigned to discourage the incumbent president from running for a third term. Though the election was delayed for two years, and the incumbent remained in power for that period, their efforts were successful in ensuring the incumbent did not contest for re-election in 2018. In 2018 and 2023, civil society was once again at the forefront. Operating as local observer groups, they recorded and reported violations of electoral law evident in fraud and irregularities. Their role is even more crucial, given the limited presence of international observers, when compared with elections in other countries in the region. The National Episcopal Conference of Congo (CENCO), the largest observer group in the last two elections, disputed the results of the 2018 election, with reports that according to their data, opposition candidate Martin Fayulu had won the election. Most recently, CENCO in 2023 described the election as 'an electoral disaster'.¹⁷ Such damning reports concerning the conduct of elections raise serious questions about the legitimacy of a change of power predicated on those elections. They also highlight the missed opportunity in each electoral cycle 'to ensure continued democratic progress'.¹⁸

Legal challenges to elections in the form of petitions must also be paid attention. Legal challenges to the results of presidential elections have been brought to the Constitutional Court. In all instances, the Constitutional Court has affirmed the provisional results as announced by CENI. The respective taking of power processes have ensued following the declarations of the Court. During the period of a petition being before the Court, the government appears to have dispelled fears

¹³ Ali-Diabacté T, 'Operational and Procedural Integrity of Elections in the Democratic Republic of Congo', 19 *Journal of African Elections* 1 (2020).

¹⁴ Mangu AM, 'Democracy and states' compliance with regional and Sub-Regional Benchmarks in Africa: The 28 November 2011 Elections in the Democratic Republic of Congo in Retrospect' 12 *Journal of African Elections* 1 (2013).

¹⁵ See for example, The Carter Center, *Democratic Republic of the Congo Harmonized Presidential, Parliamentary and Provincial Elections - Expert Mission Report*, 64 - 72.

¹⁶ Mavungu ME, 'Stay in Power Whatever it Takes: Fraud and Repression in the 2011 Elections in the Democratic Republic of Congo', 12 *Journal of African Elections* 3 (2013).

¹⁷ Conférence Episcopale National Du Congo, *Message de Evêques de la Conférence Episcopale National du Congo a l'issue du processus électoral*, 16 January 2024 <https://cencord.c.org/attachments/article/419/MES-SAGE%20DE%20LA%20CENCO%20A%20L'ISSUE%20DU%20PROCESSUS%20ELECTORAL.pdf> on 3 July 2024.

¹⁸ International Foundation for Electoral Systems, *Election FAQs: The Democratic Republic of the Congo, General Elections December 20, 2023* file:///C:/Users/Admin/Downloads/IFES%20DRC%20Election%20FAQs%202023%20General%20Elections.pdf on 4 July 2024.

of a power vacuum. This can be attributed to the principle of state continuity as enshrined in the Constitution. Further, the issues in the petitions challenging presidential election results still raise serious queries on the legitimacy of the election process. The issues, valid in their own right, are consistent with the issues raised by observer groups and external actors.

Viewing the period since 2006 in totality, each election has therefore left a veneer of questions on the credibility of the electoral process. The holding of relatively regular elections since 2006, a significant achievement for the DRC, has been peppered with repeated problems regarding the conduct of elections. It is helpful to distinguish between issues that are intrinsic to the legal system and those that are extrinsic. Legally speaking, the relatively shorter timeline for resolving presidential election petitions is highly ambitious. Those wishing to challenge an election have only two days to submit their case. Recalling that their documents must include the evidence that the case relies on, this becomes an enormous task. Similarly, the Court has only seven days to pronounce its decision. As stressed by the Carter Center in its observation of the 2018 elections, the two days is a very short duration to gather sufficient information in a country as large as the DRC. Furthermore, the seven-day limit for the Court is problematic because it may not be sufficient to scrutinise the evidence presented before it within that time, considering the scale of national elections in the country.

As the country's political scene and security situation stabilises, it may be worth considering a constitutional amendment to increase these timelines. Relatively longer timelines would allow candidates who wish to challenge an election more time to gather important evidence. Similarly, the Constitutional Court would have a more reasonable period to scrutinise the evidence before it. Such amendments may well enhance the credibility of resolving electoral results disputes. Of course, a longer timeline would need to be determined within the bounds of what is reasonable in the circumstances of a transitional state, where democratic processes are still under threat.

Table 4 - Comparison of the 2018 and 2023 elections in numbers

	2018	2023
Number of registered voters	40,000,000	44,000,000
Voter turnout	67%	43%
Votes garnered by winning presidential candidate	38%	73.47%

The higher margin of winning in 2023 has given President Tshisekedi a 'clear mandate'. However, the image is marred by the issues raised by voters and the opposition.¹⁹ In addition, the low voter turnout of 43%, being the first time the country has recorded such a low figure since the new electoral system, raises questions on what caused fewer voters to participate in 2023. The way to permanently resolve issues in the electoral process remains a challenge that is yet to benefit from a consensus position. This is one area that stakeholders, CENI, political parties, civil society and the international community can work together to find long-term solutions to recurring issues. Once settled, it will be possible to focus attention and resources on other processes in the country's democratic transition.

ii. Political instability

The political transition in the DRC shows that the first incumbent president in a post-conflict transition plays a major role in setting a pace of change. In the DRC, the evolution of President Joseph Kabila's disposition had a major impact on the pace and character of the political transition. The pace of change begins positively, as seen in the holding of the first democratic election in 2006. A significant downturn took place in 2011 due to the highly disputed nature of the election. The projected 2016 election exposed major vulnerabilities in the political landscape. In addition to logistical and operational challenges making it impossible to run an election in that year as explained by the electoral commission, the incumbent reportedly tried to run for a third term.

Nonetheless, when it took place, the 2018 election reinvigorated a belief in change, marking the first democratic transfer of power in 2019 since independence. The 2023 election continues in this trend of progress. Looking back, all elections since the constitutional transition have been vulnerable to the prevailing political climate. This condition, therefore, requires management by internal stakeholders, who, as empowered under the Constitution, collectively carry the power and responsibility.

Political instability challenges to transfer of power and political transitions arise not only from internal forces but also from external forces. The involvement of neighbouring states in the national politics of the DRC becomes relevant here. Over the years, the roles of Uganda, Rwanda and Burundi in supporting rebel groups has contributed to heightened tensions in the country. In Rwanda's case, this came to a head even after the December 2023 election. The reliance by the DRC government on foreign troops adds to the scale of external involvement. In addition to their involvement in violent contests for power, territory and peoples in the East, the actions of foreign states continue to threaten the stability of the DRC. Their long-term involvement and apparent strength in the DRC's affairs also illustrate the weakness of the DRC's security and institutional capacity.

Similarly, persistent insecurity shows that the DRC still suffers some characteristics of a weak state. The incursion of rebel groups in the East indicates that the DRC army still faces significant hurdles in gaining effective control of the territory, and in gaining political support across the entire population. The state continues to rely in part on international actors in several ways. The United Nation's current mission, MONUSCO, has been in the DRC since 1 July 2010, having taken over from the previous mission, MONUC. It is now set to withdraw completely from the country by the end of 2024. African regional bodies and mechanisms have also played a major role in stabilizing security in the country. The East African Community (EAC) and Southern African Development Community (SADC) have both provided a force to date. Their presence also shows the involvement of other 'neighbours' in the situation. The EAC force was led by the Kenyan military while the SADC force is primarily staffed by South African troops. This further demonstrates that the various relationships between states are playing into the political stability and security of the DRC. Though it would be difficult to maintain effective control without the involvement and

support of regional and intergovernmental forces, their prolonged presence in the country signifies a gap in the political strength of the DRC state.

Thus, a central recommendation of this study is the strengthening of the political state in the DRC to a point where it can effectively control the involvement of outside states and entities in its affairs. Effective state control is the only long-term solution.

iii. Limitations of the political system

As alluded to above, consensus building is one of the embedded practices of the DRC's post-conflict political landscape. This mechanism has been relied on by national leaders to not only bring an effective end to widespread conflict, but also to form new governments in the post-2006 political transition. Consensus building made it possible for transfer of power to happen in 2018. President Tshisekedi was able to take over power backed by a broad-based alliance of political parties. In a similar fashion, he has maintained power following the 2023 elections due to the success of the Union Sacree de la Nation coalition in garnering a high proportion of seats (over 90 percent) in the parliament of the DRC. The holding of these coalitions has also made it possible to run elections much more regularly since 2006. This consistency is incomparable to the period preceding the year 2006.

However, consensus building has also shown that it can act as a limitation to smooth and sustainable political transition. First, it has resulted in delays in forming government. As discussed above, this manifested in 2019 following the first peaceful transfer of power and in 2024. Negotiations were lengthy and complicated before consensus could be reached. Second, it poses difficulties in consolidating power. Taking President Tshisekedi's current situation, Crisis Group explains that 'dependence on coalition partners means he cannot simply call the shots'.²⁰ This creates a challenge in 'taking power' effectively post-election. As elucidated in the *Managing Smooth Transfer and Peaceful Transition of Power in Africa* guide, the first 100-200 days are crucial for a newly elected government to make rapid progress and create the push for its core agenda.²¹ This is difficult to do in the DRC, due to the number of political parties in a ruling coalition, and the scale of negotiations required to form a government. This alone takes the first 100-200 days. Even after that period has elapsed, the broad-based nature of the coalition means that consolidating power over a term in power is not easy.

There is, however, some hope in strengthening individual political parties. An example is the experience of the President's party when compared between 2018 and in 2023. The party gained significantly more votes/seats in 2023 when compared with 2018. Stronger political parties can form stronger fronts to counter the challenges in consolidating power and leading effectively in the post-election phase. Handy reveals that there are signs of this in 2024. President Tshisekedi, now in his second and final term legally speaking, has appointed a government that 'reflects his party'. This is a marked departure from the 'traditional' approach in post-2006 DRC which has

been to appoint ministers who represent the leadership of the winning coalition. President Tshisekedi thus seems to be 'breaking with the post-conflict consensus' norm. This offers a promising chance of effectively addressing ongoing security and instability issues in the East. It remains to be seen what effect this attempt to balance the presidential and parliamentary holds of power will have.²²

Third, consensus building may also have contributed to weaknesses in institutional mechanisms of the state. The nature of consensus building is that agreement must be reached by making compromises and concessions. It can be argued that those considerations may have been an obstacle to realising strong institutional forms. Institutions cited in this regard include the electoral commission and the Constitutional Court. Two institutions responsible for guaranteeing fair and credible elections, the basis of legitimate transfer of power. Accordingly, it is recommended that the institutions of the state are strengthened to withstand political forces.

¹⁹ DR Congo: A Full Plate of Challenges after a Turbulent Vote.

²⁰ Okumu W, *Managing Smooth Transfer and Peaceful Transition of Power in Africa: A Get Ready to Govern Guide*, Hanns Seidel Foundation, 2022, 32.

²¹ Handy S-M, 'Can Presidentialism Save Tshisekedi from the 'Lame Duck' Syndrome?' *Institute for Security Studies*, 10 June 2024 <https://issafrica.org/iss-today/can-presidentialism-save-tshisekedi-from-the-lame-duck-syndrome> on 4 July 2024.



PART III: COMPARATIVE ANALYSIS

This case study on the DRC is the second in a series on democratic power transitions in Africa following democratic elections. The first study examined the management of power transfer in Kenya following the 2022 elections.²³ The comparative analysis here presents adherence to best practices for managing smooth transfer of power and political transition in these two case studies. It uses a framework from the Managing Smooth Transfer and Peaceful Transition in Africa Guide.²⁴ The analysis is intended as a reference point for tracking progress and further areas for improving aspects of democratic power transitions.

Table 5 - Best Practices for Democratic Transitions

BEST PRACTICES	SUB-CATEGORY	DESCRIPTION	KENYA	DRC
Legal Framework	Comprehensive Coverage	Covers pre-election, election, pre-inauguration, inauguration and post-inauguration phases comprehensively.	Kenya has a legal framework for transitions, including the Assumption of the Office of President Act, which outlines the procedures and responsibilities for a smooth transfer of power. ²⁵	DRC has a legal framework anchored in its Constitution for managing a change of power, which delineates the procedures for assumption of power. ²⁶
	Institutionalisation of Transition Process	Establishment of a transition body and compliance with mechanisms in place.	The transition process in Kenya is institutionalized, with the Assumption of the Office of President Committee overseeing the transition. ²⁷	The investiture is organised by the State Protocol. Under the Constitution, the President is responsible for state continuity. ²⁸
Election Management Bodies (EMBS)	Independence	Degree of independence from political influence.	The IEBC is largely independent with occasional challenges. ²⁹	Despite increased institutional capacity, CENI faces doubts over its independence. ³⁰
	Integrity and Credibility	Perception of integrity and credibility in managing elections.	IEBC conducted a credible election in 2022 despite some issues. ³¹	Perceptions of integrity are largely negative. ³²
Media Freedom	Legal Protections	Extent of legal protections for media freedom.	Legal protections exist but are occasionally overridden by government actions. ³³	Media freedom protected under the Constitution, but serious violations have been observed despite the ongoing political transition. ³⁴
	Actual Practice	Actual freedom experienced by media organizations.	Media faced government backlash during the 2022 transition but are encouraged to provide more objective reporting. ³⁵	Media faces numerous challenges in reporting independently.
Civil Society Involvement	Engagement in Monitoring	Level of engagement in monitoring electoral and power transfer processes.	Civil society organizations are involved in monitoring but face limitations. ³⁶	Local CSOs with large scale operations are the core unit of monitoring elections and political activities. ³⁷
	Impact and Influence	Effectiveness and impact of civil society's monitoring activities.	Civil society played a significant role, influencing the transparency of elections. ³⁸	CSOs play a vital role, counteracting state dominance. ³⁹

²³ Wangai M, Orwaru K and Muiru A, *Democratic Transitions in Africa: A Case Study of National Executive Power Transfer in Kenya*, 2023 available at <https://law.strathmore.edu/wp-content/uploads/2023/07/Democratic-Transitions.pdf> on 8 July 2024.

²⁴ *Managing Smooth Transfer and Peaceful Transition of Power in Africa*.

²⁵ *A Case Study of National Executive Power Transfer in Kenya*, 8-9.

²⁶ Part I, 3-7.

²⁷ *A Case Study of National Executive Power Transfer in Kenya*, 9. This committee includes high-level civil servants and facilitates engagement between members of the incoming and outgoing administrations to ensure coordination and cooperation.

²⁸ Part I, 4 & 13.

²⁹ *A Case Study of National Executive Power Transfer in Kenya*, 21.

³⁰ Part II, 16-17.

³¹ *A Case Study of National Executive Power Transfer in Kenya*, 21.

³² Part II, 17.

³³ *A Case Study of National Executive Power Transfer in Kenya*, 22.

³⁴ Freedom House, *Freedom in the World 2022 (2022)* <https://freedomhouse.org/country/democratic-republic-congo/freedom-world/2022> on 8 July 2024.

³⁵ *A Case Study of National Executive Power Transfer in Kenya*, 22.

³⁶ *A Case Study of National Executive Power Transfer in Kenya*, 22.

³⁷ Part II, 18.

³⁸ *A Case Study of National Executive Power Transfer in Kenya*, 22.

³⁹ Part II, 18.

BEST PRACTICES	SUB-CATEGORY	DESCRIPTION	KENYA	DRC
International Observation	Acceptance of Observers	Willingness to allow international observers.	International observers are welcomed and contribute to transparency. ⁴⁰	International observers have had some, but limited access to elections.
	Implementation of Recommendations.	Degree to which international observers' recommendations are implemented.	Some recommendations from observers are implemented, while others are not fully addressed. ⁴¹	Recommendations have contributed to developing the EMB's institutional capacity. ⁴²
Post-Election Period Management	Dispute Resolution	Effectiveness in resolving post-election disputes.	Some disputes were resolved, but post-inauguration challenges persisted. ⁴³	Disputes resolved legally, but discontentment persists in the post-election period. ⁴⁴
	Governance Transition Smoothness	Smoothness of the transition from election to governance.	The 2022 transition to governance faced challenges, including opposition protests and lack of preparedness in opposition parties. ⁴⁵	Challenges encountered included delays in forming government and insecurity in the East. ⁴⁶
Public Communication	Transparency	Transparency in communication about power transfer processes.	Government advised to improve transparency and involve media and civil society.	Wider transparency should be observed in publicising the process of transfer of power.
	Consistency	Consistency and reliability of public communication.	Communication is fairly consistent but could be more reliable. ⁴⁷	Opportunities to improve communication are anticipated to emerge from new opportunities for transfer of power.
Institutional Support and Capacity Building	Capacity Building for Media	Level of support and training provided to media organizations.	Capacity building for media exists but needs enhancement.	Capacity building for media needed to enhance independence.
	Capacity Building for Civil Society	Level of support and training provided to civil society organizations.	Capacity building for civil society is moderate. ⁴⁸	More capacity building necessary to enable further democratic progress.
Bipartisan Cooperation	Formation of Bipartisan Forums	Presence and effectiveness of bipartisan forums to address disputes.	Bipartisan parliamentary committee formed in 2022 to resolve disputes.	Constant consensus building due to the incidence and necessity of broad-based political coalitions. ⁴⁹
	General Cooperation	Overall level of cooperation between political parties.	Good cooperation with occasional conflicts. ⁵⁰	Participation of the opposition in government could be further developed.

⁴⁰ A Case Study of National Executive Power Transfer in Kenya, 23.

⁴¹ A Case Study of National Executive Power Transfer in Kenya, 23.

⁴² Part II, 16, 18-19.

⁴³ A Case Study of National Executive Power Transfer in Kenya, 18-19 & 21.

⁴⁴ Part II, 19.

⁴⁵ A Case Study of National Executive Power Transfer in Kenya, 18-19 & 21.

⁴⁶ Part II, 21-22.

⁴⁷ A Case Study of National Executive Power Transfer in Kenya, 13 & 22.

⁴⁸ A Case Study of National Executive Power Transfer in Kenya, 22.

⁴⁹ Part II, 22.

⁵⁰ A Case Study of National Executive Power Transfer in Kenya, 19.



RECOMMENDATIONS AND CONCLUSION

i. Recommendations

- a. Electoral management systems and institutions should be strengthened to further legitimise the basis for transfer of power.
- b. Local and international stakeholders should provide capacity building to civil society organisations and the media to facilitate open reporting and verification of democratic processes including elections and power transfer.
- c. Local and international stakeholders should observe, and document processes and procedures followed in handing over power.
- d. A comprehensive framework for the transfer of power at all levels of government should be developed.
- e. International actors should focus their efforts on measures to strengthen the DRC state.
- f. The AU should draft a model law on managing changes of power within the remit of the AU Constitutive Act and ACDEG. Adherence to this should be monitored as part of the African Governance Architecture's (AGA) evaluation of state implementation of the ACDEG.

ii. Conclusion

The era of DRC's political transition is now in its third decade. A new constitution and regular elections defined the initial period of change. The country has now entered a new phase of its democratic journey, signalled by a change of power in 2019. This report examined the process of power transfer following the 2018 election. It found that the process is directed by a legal framework formed of the Constitution and electoral laws. The responsibility for ensuring smooth transfer falls on the president, who ensures state continuity during an electioneering time. The constitutional framework was observed in 2018 and the principle of state continuity was tested following a two-year delay of the elections. The change of power was the result of efforts of a cross-section of stakeholders including the electorate, national actors and international players. A similar process was observed in 2024. As in other states, the documented process focuses on the president. It is here that the law can be used to further develop a framework for comprehensive transfer of power at all levels of government. Serious threats to smooth and sustainable transfer of power are misconduct of elections, political instability and limitations of the political system. These can however be managed with deliberate actions by stakeholders. This is how a 'political culture of change of power' can begin to be practiced and, if repeated consistently and legitimately, become entrenched.

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