

## CONSEQUENCES OF THE DEFICIT IN THE IMPLEMENTATION OF LEGISLATIVE AND NON-LEGISLATIVE ACTS OF THE PROVINCIAL ASSEMBLY

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### ABSTRACT

To this end, the Constitution of 18 February 2006 as amended to date establishes political regionalism, by the way in which power is arranged, without expressly mentioning it. The said constitution, in its article 195, establishes two provincial political institutions in order to bring the rulers closer to the governed; but with distinct skills that are supposed to work in the same direction.

Thus, our objective in this study is to enumerate the consequences of the deficit in the implementation of legislative and non-legislative acts on the governance issues of provincial political institutions. It turns out that the results of this study reveal that the consequences of the deficit in the implementation of legislative and non-legislative acts are dependent on blackmail by provincial deputies on members of the provincial governments of Tshopo; threats of dismissal of provincial governments by actors in the Provincial Assembly; conflicts between provincial political actors.

**Keywords:** Consequences, deficit, legislative and non-legislative acts, Provincial Assembly

### 1.0 INTRODUCTION

Indeed, the Democracy instituted by the Constitution of 18 February 2006 as amended to date in the Democratic Republic of Congo allows the idea of political regionalism to transpire, by the way in which power is arranged, without expressly mentioning it. The said constitution, in its article 195, establishes two provincial political institutions in order to bring the rulers closer to the governed; but with distinct skills that are supposed to work in the same direction<sup>1</sup>.

To this end, the Provincial Assembly is the deliberative body of the province, it decides on matters falling within the exclusive competence of the province, and exercises control over the Provincial Government as well as the provincial and local public services.

On the other hand, the Provincial Government is the executive body of the province, headed by the Provincial Governor, who is the head of the executive. He represents the province in court and reports to them, if necessary, dismisses provincial ministers. The organization and functioning of the Provincial Government and the distribution of powers among the provincial

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<sup>1</sup> Constitution of 18/02/2006 as amended to date, articles.68, 195

ministers shall be determined by a decree of the Governor deliberated in the Council of Ministers<sup>2</sup>.

It is clear that, the provincial political institutions about seventeen years after their installation; The long-awaited development is so far only a chimera. The pursuit of personal benefits takes precedence over the implementation of provincial legislative and non-legislative acts, with a view to improving the well-being of the population it administers. There is, in fact, a gap between the objectives that the constituent has assigned to these provincial political institutions and its achievements on the ground.

However, these discrepancies have very unfortunate consequences on the daily life of the population. And this is justified by the low impact of the implementation of public action designed for the benefit of the province by provincial political authorities with a view to achieving the collective well-being and the socio-economic balance of all citizens.

Apart from the introduction and conclusion, it will be a question of identifying the consequences of the lack of implementation on the functioning of provincial political institutions, and the daily experience of the population on the basis of the following indicators: the blackmail of provincial deputies on members of provincial governments; conflicts between provincial political actors; threats of the overthrow of the provincial governments; the deterioration of basic socio-economic infrastructure.

## 2.0 METHODOLOGICAL FRAMEWORK

To reach the explanation of the present study, we have resorted to the neo-institutionalism approach. According to André Lecours,<sup>3</sup> neo-institutionalism is mobilized in the analysis of public policies in order to be part of the phenomena of change, and of the continuities of public policies, than in a perspective of the return of institutions.

Historical neo-institutionalism is that of dependence on the construction site. As a result, the behavior of the actors within the provincial political institutions is conditioned by the prerequisite of the past system, that is to say: the political actors concerned always resort in the same way as their predecessors to manage the provincial political institutions, in particular the deficit in the implementation of legislative and non-legislative acts, with a very unfortunate impact on the functioning of the provincial political institutions and daily experience of the population.

Rational neo-institutionalism is characterized by a particular attention paid to the strategic rationality of provincial political actors. To this end, the provincial political actors of Tshopo do nothing by chance; on the one hand, the provincial deputies condition their voting choices during major issues by the acquisition of material goods or the promise of political positions; on the other hand, the governor candidates in the quest for power do not hesitate to conclude formal or informal alliances in order to access power.

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<sup>2</sup> Kumbu ki Ngimbi. J.M., The Legal Framework of Decentralization in the Democratic Republic of Congo, Decentralization Process Konrad Adenauer Foundation, Kinshasa, 2009, Pp 76-79

<sup>3</sup> André Lecours, "Neo-Institutionalist Approach in Political Science: Unity or Diversity?" *Politique et Sociétés*, Société québécoise de Science Politique, Vol 21, Num: 3, 2002

Sociological neo-institutionalism, institutions are the independent variable since they explain and shape the mechanism put in place by the actors in order to give rise to their interests and preferences. Thus, the conflict that has always been observed between the provincial political authorities, and the low accountability of the members of the provincial political institutions to the population only accentuate the opacity in the accomplishment of their missions.

Ultimately, this neo-institutionalist theory is a theory that asserts that the activities of organizations depend, above all, on the institutional and social context in which they find themselves, and the three models of neo-institutionalist analysis that we have just analyzed have a common characteristic, that of seeing, in political institutions, a mode of structuring the behavior of actors, and the configuration of political systems.

From the above, the research on the consequences of the deficit in the implementation of legislative and non-legislative acts of the Provincial Assembly of Tshopo, has allowed us to use the documentary technique, the semi-direct interview, the sampling technique.

The documentary technique has the advantage of being objective material, in the sense that it does not tolerate different interpretations; it is the same for the whole seeker, and does not change. This allowed us to read some reports of the ordinary and extraordinary session of the Provincial Assembly of Tshopo, minutes, parliamentary annals, committee reports etc. ; and information from the Internet that is relevant to our subject of study.

The semi-structured interview served us to question some leaders of the civil society force, national and provincial political actors, on the deficit in the implementation of legislative and non-legislative acts of the Provincial Assembly of Tshopo. To this end, the questions were open and gave our interviewees freedom in their answers. The main questions revolved around the causes and consequences of the deficit in the implementation of legislative and non-legislative acts.

In this regard, our study population is composed of political actors who have intervened in the implementation of legislative and non-legislative acts of the Provincial Assembly of Tshopo. As a result, the fact that our study population is not finite, we have resorted to non-probability sampling of the purposive choice type based on four (4) categories of actors, namely: 12 members of provincial governments, 15 provincial deputies, 5 national political actors, 13 civil society actors. The above information reveals that the sample size is 45 respondents from the categories mentioned above:

It is necessary to specify that we have planned two interview guides; the first is intended for the members of the provincial government who cover the period of our study, as well as the advisors of their respective cabinets; The second concerns the MPPs of the legislature from 2019 to 2023.

### **Section 1: Blackmail by Provincial Members of Provincial Parliament on Members of Provincial Governments**

The power of control exercised by the assemblies over the members of the provincial governments, as well as the governors, quickly turned into blackmail, then systematic racketeering. According to the words of one of our respondents, an oral question with debate

was addressed to a member of the provincial government on the mismanagement of his portfolio; But the case was suspended after an amicable agreement was reached between the deputies and the provincial authority in the name of good collaboration between the two provincial political institutions<sup>4</sup>.

Indeed, the obvious reasons for the failure of elected officials can be legion, namely: Already at the beginning, the Provincial Assembly is composed of a majority as we have indicated above: business-minded deputies, absentees, with no parliamentary experience, but with the idea of getting rich quickly, are capable of bargaining, even in the sense of destabilizing the institutions.

As a result, the table below indicates the views of our respondents on the issue of blackmail by provincial deputies on members of provincial governments on the deficit in the implementation of legislative and non-legislative acts.

**Table 1: Blackmail by MPPs on members of provincial governments**

Respondents' opinions	Justifications	MGP		MAP		MSC		APN		TOTAL	
		f	%	f	%	f	%	F	%	f	%
YES	Pursuit of financial interests in exchange for abandonment of control procedures	3	6,67	4	8,89	4	8,89	2	4,44	13	
	Use of Means of Control to Obtain Personal Benefits	3	6,67	2	4,44	3	6,67	1	2,22	9	20
	Lobbying Respondents on Poor Governance in Provincial Governments	1	2,22	2	4,44	1	2,22	0	0	4	8,89
	Putting undue pressure on members of provincial governments to obtain material goods	1	2,22	2	4,44	2	4,44	0	0	5	11,11
NOT	Attempts by the central government to regain control over provincial political institutions;	2	4,44	3	6,67	2	4,44	1	2,22	8	17,78
	Use of implementation funds for other purposes	2	4,44	2	4,44	1	2,22	1	2,22	6	13,33
TOTAL		12	26,67	15	33,33	13	28,89	5	11,11	45	100

To do this, in this table, the results emerge according to which 31 provincial actors, or 68.89% of our respondents, responded that the blackmail of provincial deputies on members of provincial governments is a consequence on the implementation of legislative and non-

<sup>4</sup> Ditto

legislative acts of the Provincial Assembly. This is why, Ramazani Shadary<sup>5</sup> indicates in his book, in the exercise of their powers, the Provincial Assemblies are undermined by the low level of education of some provincial deputies, which does not allow them to participate effectively in parliamentary debates.

In the same vein, Ngoma Binda<sup>6</sup> insists: "The Provincial Assemblies do indeed use these means of control, but in most cases the relations between the Assemblies and the Provincial Governments are undermined by tensions that have negative consequences on the implementation of development programmes, on the basis of which, they were elected.

In summary, the consequences of the blackmail of provincial deputies on members of provincial governments in the Democratic Republic of Congo in general, and in the province of Tshopo in particular, are diverse and can create instability in provincial governments. Then, to trigger the procedure for the implementation of non-legislative acts, in particular: motions of censure or no confidence, thus leading to the dismissal of provincial executives. On the other hand, conflicts between provincial deputies and provincial governments can be the result of blocking provincial political institutions. Through a memorandum of the governors of the provinces read at the opening of the eighth session of the conference of governors. According to them, political instability in the provinces is the consequence of certain essential factors, namely: the struggle for positioning of national political actors aimed at controlling the provinces, struggle for influence to position themselves at the national level; the resistance of certain political actors who are resistant to printed political change; the lack of financial resources for the implementation of predefined actions, especially in the wealthy provinces; the selective and sporadic payment of the retrocession due to the provincial institutions allowing the payment of the emoluments of the local executives; the power of control exercised by the Provincial Assemblies over the provincial governors and ministers quickly turned into blackmail, armed with their right to vote the censure of the provincial government or the defiance of a minister, the deputies everywhere lost sight of their sense of their control function to aim only at their direct interests, generally financial, to name but a few<sup>7</sup>.

In addition, blackmail and conflicts can strengthen the intervention of the central authorities, thereby limiting the autonomy of the provinces. Thus, in the face of these conflicts, the Minister of the Interior sometimes intervenes to suspend the activities of the Provincial Assemblies. A measure that raises questions about provincial autonomy<sup>8</sup>.

On the economic level, the repercussions can be unfortunate, thus leading to the delay in the process of implementing legislative and non-legislative acts, while installing the lack of trust between provincial and governed governments, without sparing its negative impact on the performance of provincial public services, namely: the General Directorate of Revenue of the

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<sup>5</sup> Ramazani Shadary M, Provincial Institutions Facing the Challenge of Development in the DRC, Paris L'Harmattan, 2018, p.242

<sup>6</sup> Ngoma Binda, "Democracy and Participation in Political Life: An Evaluation of the First Steps in the Third Republic" in Open Society Johannesburg, 2010, pp 218-219

<sup>7</sup> 8th session of the conference of provincial governors, memorandum of provincial governors, Kinshasa, December 2022, accessed on 11 May 2025 at 09:04 am on Actualité.cd

<sup>8</sup> Provincial deputies in the Democratic Republic of Congo, accessed on May 10, 2025 at 4:33 p.m. on Heshimardc.net, published on June 12, 2025

Province of Tshopo. For the change of the leaders of the provincial governments automatically leads to the instability of the representatives of the provincial board; then a new establishment of Executives and Agents assigned within the entities and jurisdictions of these public services.

**Section.2. Threats of Overthrow of Provincial Governments**

The threats of dismissal of the Provincial Governments by the actors of the Provincial Assembly is one of the consequences of the lack of implementation of legislative and non-legislative acts of the Provincial Assembly. The threats of overthrow of the provincial governments have several consequences in the functioning of provincial political institutions, including: the lack of collaboration between provincial political actors, when they are supposed to combine efforts in the same direction, since these two provincial political institutions have the well-being of the population as their mission; on the contrary, the provincial deputies demobilize the members of the provincial governments from investing in the implementation of legislative and non-legislative acts, to concentrate on putting in place the mechanisms of political survival.

It is here that the Governors seek the support of the central authorities, exceeding many of the financial means or colossal sums that should contribute to the reconstruction of the province. It should be noted that the lack of collaboration implies the presence of the divergent interests of the facilitators to the detriment of the general interest. And this is where corruption comes in. To this end, corruption is ranked at the top of the obstacles to economic and administrative activities in the Democratic Republic of Congo. This practice has as many expressions in the workings of the state bureaucracy: commission, retro-commission, transport, follow-up costs, motivation, to name but a few.

This is how, we note, parliamentary controls or commissions of inquiry deemed to be food are initiated by provincial deputies to threaten provincial governments with overthrows; The head of the provincial executive, really knowing this political maneuver, offers large sums of money in terms of "transport" to the provincial elected officials in commissions of inquiry or control missions in order to stop their efforts, either by the withdrawal of signatures, or by lack of follow-up of the implementation of the recommendations resulting from these means of parliamentary control<sup>9</sup>.

To this end, the table below indicates the views of our respondents on the issue of threats of overthrow by provincial governments on the deficit in the implementation of legislative and non-legislative acts

**Table 2: Provincial Government Threats of Overthrow**

Respondents' opinions	Justifications	MGP		MAP		MSC		APN		TOTAL	
		f	%	F	%	f	%	f	%	f	%

<sup>9</sup> Mabikianyambey Saidi, motion of censure against the Provincial Government of the Province of Tshopo, April 12, 2021

YES	Management inefficiency and misappropriation of funds	3	6,67	3	6,67	2		0	0	8	17,78
	Political tensions, rivalries and conflicts between provincial actors, use of members of the Provincial Assembly to organize motions;	2	4,44	2	4,44	1	2,22	1	2,22	6	13,33
	Bad governance, abuse of power, clientelism in the appointment of members of provincial governments;	2	4,44	2	4,44	3	6,67	2	4,44	9	20
	Failure to implement the action programmes on which the Governments have been invested and the recommendations resulting from parliamentary control;	2	4,44	4	8,89	3	6,67	2	4,44	9	20
NOT	The provincial actors benefit from the support of the central authorities in order to nip in the bud any threats from the provincial deputies;	2	4,44	2	4,44	2	4,44	0	0	6	13,33
	Provincial actors pull the strings and put pressure on public political institutions;	1	2,22	2	4,44	1	2,22	0	0	4	8,89
TOTAL		12	26,66	15	33,33	13	28,89	5	11,11	45	100

However, it emerges in this table, the results according to which 35 provincial actors, or 77.78% of our respondents, confirmed that the threats of overthrow of the provincial governments is a consequence on the deficit of the implementation of legislative and non-legislative acts of the Provincial Assembly, because the members of the provincial governments multiply strategies, using the province's fund for their political survival.

It should be noted that motions against provincial governments have become a worrying scourge in the Democratic Republic of Congo. They are often initiated and adopted irregularly, resulting in the violation of constitutionally guaranteed rights, in this case the rights of the defence. For this reason, the Provincial Government, through the Deputy Prime Minister of the Interior and Security, although accused by some provincial deputies, expressed its discontent to the press at the end of the seminar of provincial deputies on the appropriation of the program of the 145 territories, accusing the latter of running after money, by destabilizing the provincial governments. According to the Deputy Prime Minister of the Interior and Security, some

governors have shared the investment fund to the tune of 500,000 USD sent by the central government<sup>10</sup>.

As a result, tensions between the Provincial Assembly and the provincial government may slow down or prevent the adoption of edicts important for the development of the province. Thus leading to instability in the application of provincial laws and edicts. As a result, legislative acts will remain as dead letters in the absence of a stable provincial government to enforce them. For example, according to the International Foundation for Electoral Systems, the 2023 provincial elections saw a turnout of around 40 million registered voters, but irregularities and disillusionment led to significant abstention<sup>11</sup>.

### Section 3: Conflicts between Provincial Political Actors

Indeed, the politics of belly in the heads of provincial political actors causes conflicts between provincial political actors, thus leading to the deficit in the implementation of legislative and non-legislative acts of the Provincial Assembly. However, the past legislature was characterized by several conflicts between provincial political actors. There has been a conflictual governance established between the members of the provincial political institutions on the one hand, and between the members of the provincial governments, and actors of all the living forces of the Tshopo province.

Moreover, the most luminous case remains, the absolute refusal of the Provincial Governor to collaborate with the Provincial Assembly, because the latter was unable to accomplish its mission by the Governor's will alone. We mention by way of illustration: the closure of the Secretariat of the Governorate to prevent all correspondence from the Provincial Assembly from not being filed, the letter addressed to the Director General of the General Directorate of Revenue of the Province of Tshopo, a provincial public service subject to administrative, judicial and political controls enjoining him to ban all controllers from which, that they come, beginning with those of the Provincial Assembly, the voluntary and bad faith withholding of all the funds intended for the endowment of the Provincial Assembly<sup>12</sup>.

Certainly, this has generated a strong tension between the political actors of these two provincial political institutions, with the repercussion of the instability of the Provincial Government and its members, thus creating a vacuum in the continuity of the actions of the Provincial Governments and the perpetual restart. The members of the provincial governments, feeling rushed, consequently develop certain means of defence, thus ignoring and forgetting the implementation of legislative and non-legislative acts. The lack or lack of collaboration of provincial actors causes a climate of mistrust and suspicion between the facilitators; and it is the province that pays the price. It can generate the institutional crisis that would lead to the procedure for the dismissal of the government team. This is possible because the provincial deputies do not know their role at all and simply fall into fanaticism, sometimes they initiate fanciful legislative or non-legislative acts to please public opinion, sometimes they want to act

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<sup>10</sup> This information was collected on the [mediacongo.net](http://mediacongo.net), accessed on October 07, 2025 at 7 a.m.

<sup>11</sup> Provincial deputies in the Democratic Republic of Congo: between impotence and institutional conflicts, consulted on October 05, 2025 at 6:22 am, [op.cit](http://op.cit)

<sup>12</sup> Motion of censure against the Provincial Government of Tshopo

legally but lack the political courage to follow their logic to the end. sometimes they are considered enemies when they want to exercise their constitutional powers<sup>13</sup>.

As a result, all development projects will remain unfinished; because they demobilize the efforts of the members of the provincial governments, who will henceforth be called upon to concentrate on their political survival, by seeking the support or lobbying of the central government; instead of addressing the implementation of legislative and non-legislative instruments to address the problems that plague the province.

Indeed, the table below indicates the points of view of our respondents on the question of the effects of conflict between provincial political actors on the deficit in the implementation of legislative and non-legislative acts.

**Table 3: Conflict between provincial political actors**

Respondents' opinions	Justifications	MGP		MAP		MSC		APN		TOTAL	
		f	%	F	%	f	%	f	%	F	%
YES	Conflict of interest between members of two provincial political institutions;	6	13,33	5	11,11	5	11,11	1	2,22	17	37,78
	Failure to implement certain arrangements made by the actors during the elections and other major issues at the provincial level;	2	4,44	4	8,89	3	6,67	2	4,44	11	24,44
	National political actors are pulling the strings from the capital;	3	6,67	4	8,89	1	2,22	2	4,44	10	22,22
	Poor collaboration between the actors of the provincial governments and the Provincial Assembly;	1	2,22	2	4,44	2	4,44	0	0	5	11,11
NOT	No continuity of programs in the event of lapse	0	0	0	0	1	2,22	0	0	1	2,22
TOTAL		12	26,67	15	33,33	13	28,89	5	11,11	45	100

In fact, this table shows the indicators according to which 44 provincial actors, or 97.78% of our respondents, said that the conflict between provincial political actors is one of the factors in the deficit in the implementation of legislative and non-legislative acts. This is how Ramazani Shadary Mu landa<sup>14</sup> speaks in this regard in a general way, the relations between the provincial governments and the provincial assemblies are marked by conflicts, and

<sup>13</sup> Jackson Musanga, Critical Analysis of the Collaboration between the Provincial Executive and Legislative Bodies, Faculty of Law, end-of-cycle work, unpublished, 2010

<sup>14</sup> Ramazani Shadary Mu landa, O.p. cit. p.204

especially conflicts of interest, as well as by the lack of control of the roles of each of the institutions by the other. Jackson Musanga<sup>15</sup> said that the Provincial Government and the Provincial Assembly are linked to the population by the action program presented by the Governor to the Assembly at the inauguration of the government team. In turn, the provincial deputies, as they do not participate in its day-to-day execution, must at the very least have the possibility of controlling the executive in order to ensure that the contract they have signed together with the population is scrupulously respected by the members of the provincial government who can be qualified as business managers.

As a means of achieving good governance and as a mechanism for collaboration between the provincial executive and legislature, parliamentary control is a whole: it makes it possible to call local authorities to order, at the same time as it is a means for provincial deputies to ransom members of the provincial government. It is with this view to ransom that conflicts arise between the members of these two provincial political institutions<sup>16</sup>. In addition, John Katunga<sup>17</sup> reminds us that the culture of good governance is not yet anchored in African and particularly Congolese customs. From the household, through the provinces, to the State, not to mention the public or private company, no one accepts control of their own free will. The lack of a culture of good governance can be identified as one of the factors that lead to conflicts, with repercussions on the adoption of important edicts and their effective implementation.

### 3.0 DISCUSSION OF THE RESULTS

The results of this study reveal that the consequences of the lack of implementation of legislative and non-legislative acts are dependent on blackmail by provincial deputies on the members of the provincial governments of Tshopo; threats of dismissal of provincial governments by the actors of the Provincial Assembly; conflicts between provincial political actors;

As a result, the provincial deputies, armed with their right to vote on "motions" against the members of the provincial governments, have lost the sense of their control function, to target only their direct interests, generally financial, with the latter<sup>18</sup>.

However, this assertion about the consequences of the deficit in the implementation of legislative and non-legislative acts of the provincial assembly is confirmed all the more so since 68.89% of our respondents answered that the blackmail of provincial deputies on members of provincial governments is a consequence on the implementation of legislative and non-legislative acts of the Provincial Assembly. The prerogatives vested in the Provincial Assemblies are used by the individual Provincial Deputies as instruments of pressure, if not blackmail, to obtain personal favours from the Governor or the Provincial Government. As a result, it is difficult, if not impossible, for a Governor or provincial governments to comply with the rules of good governance in the management of public finances. Followed by 77.78%

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<sup>15</sup> Jackson Musanga, Op.cit.

<sup>16</sup> Ditto

<sup>17</sup> John Katunga, *La gouvernance politique en Afrique face aux défis de la mondialisation*, Paris, Dalloz, 2001, p 504

<sup>18</sup> Gérard Gerold, *DR Congo: The Failure of Provincial Powers, a New Stage in the Deconstruction of the Third Republic*, the East African Notebooks, the Great Lakes Observatory in Africa,.p.45

of our respondents confirmed that the threats of overthrow of the provincial governments have a consequence on the deficit in the implementation of legislative and non-legislative acts of the Provincial Assembly, because the members of the provincial governments multiply strategies, developing survival mechanisms with public funds to maintain themselves in power. And finally, 97.78% of our respondents said<sup>19</sup> that the conflict between provincial political actors is one of the consequences of the deficit in the implementation of legislative and non-legislative acts. Thus, the population does not adhere to the process by considering the establishment of provincial political institutions as a matter of political actors who obtain new opportunities to exercise state power at the provincial level in order to earn money and enjoy honors when they feel no concern<sup>20</sup>.

In view of the above, we can affirm that the blackmail of the provincial deputies on the members of the provincial governments of Tshopo; the threats of dismissal of the provincial governments by the actors of the Provincial Assembly; the conflicts between the provincial political actors result in the lack of implementation of the legislative and non-legislative acts of the Provincial Assembly of Tshopo.

Therefore, this would justify the interference that provincial political institutions suffer in the exercise of their traditional functions. In this regard, Ndeke Zamba and Papy Kolongo Nguma<sup>21</sup> believe that the untimely interventions of the central government in the area of competence reserved for the provinces, particularly in the public finances of the province, undermine the responsibilities of the leaders of the provincial political institutions, namely: the members of the provincial governments who are supposed to implement legislative and non-legislative acts.

As a solution to be considered in order to get out of this state of affairs, the provincial government's programme constitutes a programme contract that all the provincial authorities take with regard to the population; it may be that only the Provincial Government implements it, whereas the Provincial Assembly is the budgetary authority and has the means of its policy at its disposal; It is imperative, even essential, that these two institutions collaborate in this mission of implementing legislative and non-legislative acts for the collective well-being. Moreover, since collaboration is the pillar of effective management of any decentralized political entity, the constituent body must put in place rules that are likely to limit the fanciful actions of certain provincial deputies in the life of our provincial political institutions, whose aim was to bring the rulers closer to the governed.

#### 4.0 CONCLUSION

The purpose of this study was to analyze the consequences of the deficit in the implementation of legislative and non-legislative acts of the Provincial Assembly of Tshopo. It is in this context that a survey questionnaire was administered to a non-probability sample of 45 political actors, due to 15 provincial deputies, 12 members of provincial governments, 5 national actors, and

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<sup>19</sup> Ramazani Shadary Mu landa, O.p. cit. 204

<sup>20</sup> Katunda Elongo wa Loshima, "The Constitution of 18 February 2006 and the Transfer of Competences to Provincial Political Institutions in the Democratic Republic of Congo", Strategic Intelligence Review, Journal of Scientific Publications, Volume 4, No. 009, April-September 2021

<sup>21</sup> Ndeke Zamba and Kolongo Nguma, "Provincial Assembly of the Orientale Province facing the challenges of parliamentary control from 2006 to 2014" in IRSA, UNIKIS, n° 22, 2015, Pp 85-90

13 civil society actors. The results obtained revealed that the consequences of the lack of implementation of legislative and non-legislative acts are due to the blackmail of provincial deputies on the members of the provincial governments of Tshopo; the threats of dismissal of provincial governments by the actors of the Provincial Assembly; the conflicts between the provincial political actors.

## **REFERENCES**

### **1. Works**

1. Ramazani Shadary Mulanda, *Provincial Institutions Facing the Challenge of Development in the DRC*, Paris, L'Harmattan DRC, 2018
2. Gérard Gerold, *DR Congo: the failure of provincial powers, a new stage in the deconstruction of the Third Republic*, the East African Notebooks, the Great Lakes Observatory in Africa.
3. John Katunga, *Political Governance in Africa in the Face of the Challenges of Globalization*, Paris, Dalloz, 2001,
4. Kumbu ki Ngimbi. J.M., *The Legal Framework of Decentralization in the Democratic Republic of Congo*, Decentralization Process Konrad Adenauer Foundation, Kinshasa, 2009,

### **2. Journal articles**

1. André Lecours, "Neo-Institutionalist Approach in Political Science: Unity or Diversity?" *Politique et Sociétés*, Société québécoise de Science Politique, Vol 21, Num: 3, 2002
2. Ngoma Binda, "Democracy and Political Participation: An Assessment of the First Steps in the Third Republic" in *Open Society Johannesburg*, 2010,
3. Ndeke Zamba and Kolongo Nguma, "Provincial Assembly of the Orientale Province facing the challenges of parliamentary control from 2006 to 2014" in *IRSA, UNIKIS*, n° 22, 2015,
4. Katunda Elongo wa Loshima, "The constitution of 18 February 2006 and the transfer of competences to provincial political institutions in the Democratic Republic of Congo", *Strategic Intelligence Review, Journal of Scientific Publications*, Volume 4, No. 009, April-September 2021
5. Milacic.S, *Representative Democracy in the Face of a Historical Challenge*, Brussels: Bruylant, 2006,
6. Munda Banyumba Gilbert, "Problematic of public revenue mobilization in the DRC from 2014 to 2018", study center for the development of the Great Lakes region, September 2020,

### **3. Unpublished theses and dissertations, end-of-cycle work**

1. Jackson Musanga, *Critical Analysis of the Collaboration between the Provincial Executive and Legislative Bodies*, Faculty of Law, end-of-cycle work, unpublished, 2010

### **3. Official documents, reports**

1. Constitution of 18/02/2006 as amended to date, article
2. The Free Administration of the Provinces Act,
3. Motion of censure against the Provincial Government of Tshopo
4. Mediacongo.net
5. Heshimardc.net,

### **5. Webographies**

1. <https://heshimardc-net.cdn.ampproject.org/v/s.heshimardc.net/v1/2025/06/12/députés-provinciaux-en-rdc-entre-impuissance>,
2. Kanimbu Miché, <https://heshimardc-net.cdn.ampproject.org/v/s.heshimardc.net/v1/2025/06/12/députés-provinciaux-en-rdc-entre-impuissance>,