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# Grotesque Representations of Former President Jair Bolsonaro: Semiodiscoursive Issues

By Edison Gomes Junior
*Instituto Federal de Mato Grosso*

*Abstract-* This article investigates the aesthetics of the grotesque used in images of former President Jair Bolsonaro published in Facebook groups, from the semiodiscursive/tensive approach, demonstrating the pertinence of these points of view for the expansion of comprehension of this aesthetic as a semi-social and semi-discursive practice. From the generative course of meaning and the tensive mode/style of the text, we demonstrate that the grotesque, can be considered a genre/style modalized and stylized in narrative structures and a tensive rhetoric. The texts analyzed are generated by phoric/thymic thematic and figurative paths typical of the genre, mythologically related to the fundamental semantic values life/death and nature/culture, being articulated in tensive syntactic modes and styles, and used not only as social criticism, but the establishment of a semantic program which attempts to disrupt the current one.

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*GJHSS-F Classification:* *LCC: P92.G76*

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## I. Introduction

Throughout human history, some meaning constructions, verbal and non-verbal ones, have been created around the idea of the unusual, the bizarre, the surprising and the shocking content, with the basic intention of causing estrangement, and from it, reflection awareness and social change. While philosophy understands such contents as aesthetic and ethical phenomena, discursive semiotics, without abandoning the previous points ofview, understands the grotesque as discourses constructed/textualized by a destinator/utterer, who produces an enunciation/ utterance in order to manipulate a destinataire/ enunciate/adreesse. From this understanding, the images used in our discussion will betaken as utterances organized in structuring sets, which are flexible and can be rearranged.

As images analyzed as textual/discursive units, we will discuss the representations of former President Bolsonaro, firstly understood as belonging to an aesthetic called grotesque, expanding the question and demonstrating how such aesthetics can be explored in a semio discursive way, as narrative based on fundamental semantic values[1] and a special rhetorical type: the rhetoric of the event, related to tensive syntactic modes and styles, and erected within three discursive dimensions: the cognitive, the pragmatic and the thymic.

Bolsonaro's grotesque images can be understood as generating narratives "of their own natural worlds" and effects of veridiction, but having more or less oblique and indirect relations with what we call "reality", seen as equally permeated by narrative discourse. Thus, the same enunciator (utterer) addresser, the actant of the utterance, exists both inside and outside the text and its socio-pragmatic discursive existence. For this reason, in visual and verbal-visual texts, monolingual and syncretic, there will be social linguistic relations between the actor of the fictional natural world and the actor of the real naturalworld, and between both spaces and times, internal and external to the text.

In our analysis, it is assumed that the displayed grotesque representations are constructed by social actors who disagree with the politician and his practices and ideas, in the various social spheres. In this way, the grotesque will interest less as a punctual political gesture of a specific group, than as an example of stylistic human practice and rhetoric of meaning adopted by social groups in different historical moments, as ways of disrupting a sense of "dysphoric real". Before analyzing the images, the grotesque will be approached first as an aesthetic phenomenon, and then from a semiodiscursive point of view.

The texts of the former President of the Republic were collected in early 2021, and postedon Facebook, in groups that call themselves left-wing, or are simply opponents of the politician in various cultural and social levels. Some of the images are copyrighted and signed, belonging to artists such as Ricardo Aroeira and Jota Camelo; others, however, are anonymous, created by an audience that dominates digital visual techniques, and possibly shares the ideology of the groups against the president. The Facebook groups from which the texts were collected are ASSINEI #FORA BOLSONARO,

*Author: Professor, Instituto Federal de Mato Grosso (IFMT), Campus Diamantino (IFMT), Diamantino – MT – Brasil.*
*e-mail: edison.gomes@ifmt.edu.br*

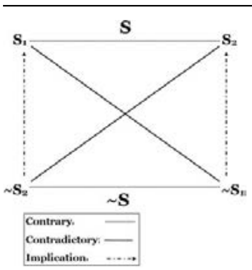
[1] The semiotic square, which we apply in the analysis of the texts, is a tool used in structural analysis of the relationships between semiotic signs through the opposition of basic semantic concepts, such as life-deathand culture-nature. It was derived from Aristotle's logical square of opposition and developed by Algirdas J. Greimas, a Lithuanian-French linguist and semiotician, who considered it to be part of elementary structure of semantic human meaning. In the semiotic square, S1 is considered to be the assertion/positive element and S2 is the negation/negative element in the binary pair. Together, they form complex meaningselements.

FORABOLSONARO, IMPEACHMENT DE BOLSONARO JÁ, OS MELHORES TWEETS DA ESQUERDA, PAULO PIMENTA, SÂMIA BONFIM, SOMOS 100% PELO AFASTAMENTO DO PRESIDENTE, DEMOCRACIA, SOMOS 70 PORCENTO[2].

## II. The Grotesque: Aesthetic Issues

The term grotesque, coined to designate a certain type of barbaric ornamentation (KAYSER [1957] 2013, p. 18), from the diachronic point of view it has accumulated several semantic layers, acquiring a broad spectrum of meaning, often antagonistic, and later used to refer to both the comic and the horrifying. Kayser ([1957] 2013, p. 20) explains that in the Renaissance the word grottesco, derived from grotto (grotto), coined to designate a certain ornamental art stimulated by antiquity, did not only connote the playful, the cheerful, the light and the fanciful, but equally the distressing and the sinister, in the face of a world in which the ordering of reality was suspended, including the clear separation between the domains of utensils, plants, animals and men, as well as aesthetics, symmetry and the natural order of magnitudes.

The Houaiss online dictionary shows these different meanings, relating the term to the misshapen, the ridiculous, the extravagant, the kitsch, the incongruous and the laughable,but also to the repulsive, the implausible aspect, to the bizarre, preposterous, caricatured, ridiculous and absurd of representations of objects, plants, animals, human beings or fantastic beings. Durrenmatt (1956/57 apud Kayser, 2013 [1957]), p. 9) understands the grotesque as a sensitive paradox, the figure of a non-figure, the face of a faceless world. According to Sodré and Paiva (2014), the grotesque is related to the catastrophic, represented as sudden mutation, unusual break in a canonical form, and unexpected deformation. Within the notion of taste, in which aesthetic, moral and sensory motivations operate, the grotesque operates in imbalance of discursive forces and their structural and expressive elements; calculations of affective reactions; values related to the balance and ethos of the discourse, which result from judgments about its quality; and aesthetic transit, that is, ability to be operated in different forms of symbolic expression.




Kaiser conceives the grotesque as a supratemporal constant of something negative, but tragicomic, and which is repeated throughout history in different forms. In this constancy, Sodré and Paiva (2014, p. 55) understand as any other aesthetic category, the grotesque is a practice of creation, composition and effect: in terms of creation, it arises from the vision of those who dream, daydream, assimilating it as a game of masks or a caricatured representation, from which it assumes shades of the fantastic, the satirical and absurd narratives; in terms of composition, the monstrous is highlighted, existing in human, animal, vegetable or even machinic forms. The grotesque obviously seeks to manipulate the body in its two spaces: external and internal. By entering the terrain of taste and the strange, exploring it in different ways, the grotesque aesthetic mobilizes the affections, emotions and sensations of the audience, to the point of causing manifestations of discomfort and nervousness.

In art, Kayser ([1953] 2013, p. 158) finds in the grotesque characteristic motifs, or figures, related to the plant and animal kingdom, including the microscopic, and also to the cultural, in the form of dangerous human inventions, and mixtures of the mechanical and organic, such as the bodies of dolls, puppets, automatons, and faces coagulated into larvae and masks. From the discursive point of view, Sodré and Paiva (2014, p. 68-69) believe that the grotesque is generically shown as represented in scenes, and acted out in more or less spontaneous and staged ways, assuming eschatological (or coprologically characterized) expressive modalities. , by reference to human waste, secretions, lower parts of the body, etc.), teratological (laughable references to monstrosities, aberrations, deformations and bestialisms), shocking (eschatological and teratological, and aimed at the superficial provocation of a perceptual shock) and criticism , which by unveiling an exaggerated and upside-down world, unmasks social conventions. The grotesque, according to Sodré and Paiva (2014, p.60), resembles another state of consciousness, another experience of lucidity that penetrates the reality of things, showing its convulsion, like a disquieting, surprising and "laughing" X-ray. of the real". Bakhtin (1987, p. 278), when analyzing the exaggerated and almost misshapen figures in Rabelais, understands that the grotesque body is cosmic and universal, and related to the four elements, in a tradition that goes back to Aristotelian knowledge.

These more aesthetic and philosophical insights are important because, from the discursive point of view, reveal the grotesque as a genre, or rhetorical style, in texts that carry out different thematic and figurative paths, revealing certain stabilities in the construction of a meaning, or deep semantic

[2] Jair Messias Bolsonaro was the president of Brasil from 2019 to 2023. In 2023, because of his attempts to undermine the Brazilian democratic voting system and incite a coup, he was declared ineligible for 8 years by the Brazilian Supreme Court.

constancies within more superficial historical and cultural variations. In other to broaden the understanding of the grotesque, we discuss in what manners discursive and tensive semiotics can contribute to the question, from the semiodiscursive (utterance) point of view.

## III. The Grotesque: Semiodiscursive Questions

Barros (2002) demonstrates, from the semio-narrative and discursive levels of the generative path of meaning, that it is possible to consider the enunciator and the enunciatee as thematic roles of communication and the production of meaning, constituted in two different paths of the same configuration of enunciation: that of communication, which deals with the action of men on other men, creator of the founding relationships of society; and that of production, which deals with the action of men on things, transforming or building them. Both of them socio-pragmatic. This duplicity makes it possible to consider enunciation, in verbal and non-verbal texts, or any human significant sets, as a human activity par excellence, at the same time communicative andproductive.

In the enunciation manifested by the thematic role of the communication of meaning, the destinador/manipulator, the subject and the judging sender, which are actants of the narrative level of the generative path, assume the thematic roles of enunciator and enunciatee, so that the enunciator, as discourse manipulator, becomes responsible for the values at stake and the manipulation of the enunciatee, who must carry out, by imposition or will, an interpretive-doing. After the manipulation, the enunciating role will once again assume the assigning actant, who will now judge or sanction negatively or positively theenunciatee, the manipulated subject, based on his interpretive-doing.

In the thematic role of meaning production, the addressee exists as the subject of the enunciation, a role composed of enunciator and enunciatee. Thus, the communicative dimension of every text contains a manipulator and a manipulated one, produced by a subject of enunciation, which is the combination of an enunciator and an enunciate, understood as the author and the reader, or the spectator, implicit in the text. This implies that all textual production composes, or projects, an authorial or manipulative subjectivity and a non-authorial or manipulated subjectivity.

*Table 1:* Thematic roles of communication and meaning production in relation to the narrative level of thegenerative path

| Narrative Structure | | Destinator Manipulator | Destinataire Subject | Destinator Judge |
|---|---|---|---|---|
| Discoursive Structure | Thematic role of communication | ENUNCIATOR | ENUNCIATEE | ENUNCIATOR |
| | Thematic role of production | | SUBJECT of ENUNCIATION= (enunciator+enunciatee) | |

*Source: Table adapted from Barros (2002, p.136)*

In the enunciation seen as production themes, and no longer from the thematic role that itprojects, the manipulative addresser is the producer of meaning, the subject addressee isthe subject of the enunciation, and the judging addresser is the receiver-interpretant. Enunciation is shown as a mediation structure between discourse and context, also understood as the natural world discriminated by language:

*Table 2:* Themes of production in relation to the semionarrative level of the generative path

| Narrative Structures | Destinator Manipulator | Destinataire Subject | Destinator Judge |
|---|---|---|---|
| Discoursivestructure | | | |
| | PRODUCER | SUBJECT of ENUNCIATION= (enunciator+enunciatee) | INTERPRETANT RECEIVER |

*Source: Adapted from Barros (2002, p.140)*

From the aesthetic considerations discussed above, and from the notion of themes and thematic roles and themes of production, it is possible to point out some characteristics of the grotesque as a discourse that has been being practiced in human social dynamics, verbally and non-verbally. Related to a persuasions, manipulations and interpretations of a producer/ interpretant (two social actors in the dynamics of meaning production), to the sensitive, and to a particular style of seeing the world, the grotesque can be approximated to the idea of a discursive genre that, according to Greimas and Courtés (2011, p. 228; entry: genre), points to a certain conception of the "reality" of the referent "which allows one to distinguish either different possible worlds, or narrative chains thatmore or less conform to an underlying norm". It is understood that the grotesque, as underlying norm, can become a personal characteristic, approaching the conception of an idiolectal universe, being also related to the thymic category euphoria/dysphoria (=set of attractions and repulsions).

Adopting the theme of the "strange" and the bizarre - which encompasses the fantastic, the wonderful, the surrealist, the comic, etc., the grotesque can be understood as an artificeof meaning mainly linked to thymia and dysphoria[3]. By seeking shock and investing in thymia, the producer/enunciator of the grotesque provokes and summons the cognition of the enunciatee/interpretant to make sense of the natural world represented in phoric values Once the grotesque seeks disruption, there are combinations of ambiguous and complex meaning production structures which are built to provoke new meaning dynamics. It is understood, from the aesthetic discussions, that both the microsystems of the fundamental semantic values life/death and nature/culture, the fundamental figurative values air, water, fire and earth[4], considered semantic universals, as well as thefigurativization of actors, times and spaces in thematic and figurative paths are ordered according to a phoric logic, which in our case, attracts precisely because it repels.

Rhetorically, it can be concluded that the figures of speech highlighted in the grotesque, in addition to metaphor and metonymy, are the accumulation figures called hyperbole, related to excess, increasing amplification, and an increase in semantic intensity; antithesis, which accumulates meanings caused by the explanation of oppositions, in an operation of intensification of the text showing contradictions and setbacks present in the object being spoken about; and the hypotyposis, characterized as redundant emphasis, a description of past or unreal things that presents a perceptual salience that builds the impression of subjectivity of the person who describes it. The types of images used by Facebook groups, for example, indicate a conjunction with these rhetorical value-objects that characterize these subjects, discursive-ideological actors of the natural world.

In tensive terms, the notions of more and less, and event and routine, dialogue with the figures of speech seen above, and add a new point of view to the study of gender and phoria, by showing investments of meaning that create shock and surprise effects ensembled in significant sets, and composed by the rhetoric of the event. From the sensitive dimension of discourse, semiotics understands the subject acquires a tensive discursive presence field, the result of a dichotomy related to the tension of the intelligibility of the event vs. routine, so that the first points to the discourse of surprise and intensity, are related to absolute values, or impact and uniqueness; while the second points to the discourse of waiting, the exercise and the state, conform to the notion of extensity, and related to values of the universe, which are diffuse and tenuous.

These two basic semiotic modes of meaning are related to the field of presence of the discursive subject, being general regimes of meaning equivalent to two elementary enunciative styles: one of a concessive nature, the event; and the other of an implicative nature, the routine. Both will be discursive modes of joining the subject with the world, complemented by modes of efficiency and existence. Each semiotic mode has a different syntactic style:

[3] But not necessarily, because the grotesque can also be related to the joyful and the pleasurable.

[4] The Dictionary of Semiotics (entrance: universe) when defining the semantic universe explains that its relation to elementary axiological structures, which have universal qualities, allows descriptions of an individual universe, articulable according to the category life/death and the collective universe, articulated according to the category nature/culture. Both universes remain abstract at the most fundamental level of meaning, existing in abstract homologations of their fundamental categories with the elementary figurativestructure of the four elements of nature: fire, air, water and earth. In these terms Greimas, Courtés and Bakhtin dialogue when relate the grotesque to the four basic natural elements.

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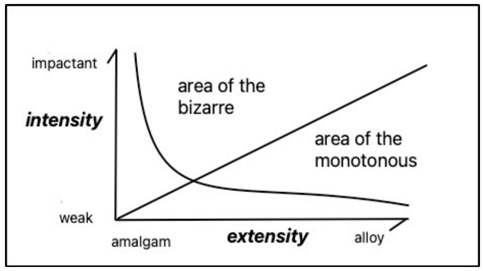
*Table 4:* the bizarre impactant




*Source: Zilberberg (2004, p. 88)*[7]

In terms of narrative program and counter-program, and from a figural point of view, we also take advantage of Zilberberg's characterization to bring the grotesque closer to the notion of counter (counter-program), as in the figure below[8]:

*Table 5:* the grotesque as conter [conter-program]

| program | counter-program | counter (counter-program) |
|---|---|---|
| ↓ | ↓ | ↓ |
| the life | the monotonous | the bizarre |
| naturalism | anaesthesia | supranaturalism |

*Source: Zilberberg (2004, p. 88)*

Having made these approximations between aesthetics, discursive semiotics and tensive semiotics, we will make a qualitative analysis of some grotesque images of the former Brazilian president Jair Messias Bolsonaro. The images are of two types: without anchoring and with anchoring in verbal language. Those are monolingual texts, texts that use only one language, in our case the visual ones; these are syncretic, that is, texts with different types of expression, in which, in our case the visual and the verbal are combined to compose a meaningful content. In the case of verbal anchoring, it is still possible, according to Pietroforte (2012, p. 49), to delimit two types of operation: referential anchoring, that with subtitles and titles that explain the image; or degree-anchoring, in which words are used less to explain than to interact with the image, complement it, like in comics. As we have already defined the grotesque, we will observe how, starting from the rhetoric of the *event*, the generative course of meaning in the texts is motivated.

## IV. The Grotesque Images of Former President Bolsonaro

As we might expect, observing the grotesque aesthetic, one of President Bolsonaro's representations involves the animal kingdom, in its most diverse characteristics. In the figures below, the president's face, mixed with birds of prey and equine quadrupeds, reveals the construction of meaning based on values disseminated in the opposite axes of being-seeming, transforming the president into a complex being, man-animal belonging to the natural/cultural realm, affirming paradoxical values. In image 1A, by Renato Aroeira (RA), Bolsonaro and his children are depicted as birds of prey perched on freshly gnawed bones, and still with remains of decomposing meat, which form the number 2021, referring to the beginning of the third year of politician's mandate. Number 1 of the year 2021, unlike previous numbers, is figured as a juicy, fatty piece of raw meat. the future, indicating that the year that begins will be devoured by the President and his vulture children. The dysphoric prediction is supported by the referential verbal anchorage at the top of the drawing, whose statement is: fresh meat around.

[7] About the bizarre in Baudelaire, Zilberberg comments it is "transcendent, or even, in the poet's terminology, of the order of the idea, presented as a spontaneous, unexpected product of universal vitality and its antagonist is not the ugly, but the banal" (2004, p.8). Amalgam, in the sense used by the semiotician, is opposite to alloy, and is also related to intensity, referring to a forced and unexpected mixture of different elements, "a mixture of elements that do not combine well", which we associate with sorting. The alloy, in Zilberberg's words, is "an excessive and anesthetizing conjunction". In the online Oxford dictionary, the verb means mixing one metal another of lower value, meaning elements from which the combination in expected.

[8] Zilberberg explains that the term supranaturalism is used by Baudelaire himself and includes "general color and accent, that is, intensity, sonority, vibration, depth, repercussions in space and time. ([Baudelaire,1957, p.691], Zilberberg, 2004, p.88). In this sense, if the subject's life is a narrative program associated with naturalism, or the natural, and boredom is the counter-program of anaesthesia, the bizarre, which we associate with the grotesque, exists precisely as a counter-program of boredom, or the monotonous and impersonal. The term supranatural thus reinforces the idea of the bizarre as more alive than life itself, the beyond-naturalness or an intense quality of the natural.

In image 1B (Nardo Matta), President Bolsonaro, once again, assumes the image of a dark bird man, but who now, as a zealous mother, feeds her chicks, represented as children. The food the grotesque bird dumps/regurgitates into the gaping mouths, however, is a compound formed from bones and Nazi swastikas.

In image 1C (Gilmar), the president is a dark bird of prey, and can be identified by the presidential sash. In this case, the transformation of man into nature/animal is total, but it bears the human trait, defined by the verbal text, which here works as a stage anchor, completing the meaning of the drawing. The threatening bird cries out, perched on the cross of a tombstone, in front of which a man cries, kneeling: “Vaccine, only if it is at your mother's house (text on the left of the image). No more freshness and mimimi. How long are you going to cry? (texts to the right of the image)”. It is important to note that the bird's speeches, in a voice intensity represented by the red color, are not creations of the enunciator, but excerpts of opinions omitted by the president, and conveyed in different media. In this syncretic text, like the first one, and interdiscursive, the quoted speeches relate the two actors, which means that the president does not need to be represented visually.

In image 1D (RA) Bolsonaro is represented with horse hooves, and looks directly at the enunciatee, with bulging eyes and a stupid expression. His image is also anchored in a verbal text, which works as a reference to the multiple-choice test genre, and is carried out by the interlocutor himself, who speaks in the first person, and seeks to measure the reader / interlocutor's knowledge about him. On the left side of the image, at the top of the frame, the genre of the text is identified: “Multiple choice (to make it easier)”; to the right of the image, the question and the options to be ticked are displayed.

In image 1E (no author) despite the representation of the president, who is accompanied by other members of the government, and strong supporters and mentors (such as the writer and essayist Olavo de Carvalho, now deceased, and the evangelical pastor Silas Malafaia), there is no being merged with animals, as in the images above, the referential verbal anchoring identifies the people represented as petty animals (“scrotum animals”) referring to the homonymous song by Brazilian group Titãs (1982). The song, according to Lopes (2020), alludes not only to beings transmitting diseases, but to the military regime. In the imperative form, the statement orders politicians/ animals to return to their place of origin, the sewers, and live with their peers, that is, flies, cockroaches and rats. The visual text, which seeks objectivity and iconicity effects, in a less tonic and more moderate caricature, but no less grotesque, shows these people posing, as in a photograph, and looking at the camera. On their bodies insects crawl or perch. In the image, while the evangelical pastor sports a demonic horn, in a proposal that goes beyond the original proposal of the Titans, revealing marks of enunciation, Olavo de Carvalho, the president's intellectual guru, shows a reptilian tongue; the president, in turn, with a swollen and rotten face, wears the presidential sash with a cockroach, and caresses a rat:

1A.


*Source: #Eu assinei # Fora Bolsonaro*

1B.

*Source: Impeachment de Bolsonaro Já*

*Image 1:* Bolsonaro animal

1C.


Source: Samia Bonfim

1D[9].


Source: Somos 100% pelo afastamentodo presidente, democracia, contra a corrupção


Source: Fora Bolsonaro

1E.

In addition to the animal or bestial appearance, and following the nature/culture semantic axis, Bolsonaro's grotesque representations also invade the field of the monstrous and thedeformed, and once again prefer the complex contrary semantic axes, typical of the grotesque. In figure 2A, (no author) sporting the presidential sash on his left shoulder andthe US flag on his right lapel, the president, represented as a monstrous being with red eyes and yellowed teeth, growls, facing the enunciatee. In this image, as well as in the one related to the Titãs, the intertextuality with popular culture is evident, and one of thereferences of this visual text is the face of a character from the Star Wars film franchise, Senator Palpatine (figure 2A1) a politician dominated by the dark side of the force, and adept of imperial, authoritarian, anti-democratic and violent ideologies (in the story, he is responsible for a political coup).

In figure 2B (no author) the face of the president, who speaks into a microphone with a facial expression of hatred, presents a different, non-human skin texture, alluding to the harmful effect of exposure to a dangerous virus: the image is anchored in the following verbal text, which puts two words in capital letters, vaccine and chloroquine: “I'm going to put a curse on you; No more VACCINE and oxygen, CHLOROQUINE is left". In this case, one of the assumptions for constructing the meaning of the image, in addition to the representation of evil, is the direct relationship between the president's scaly skin and the side effects of the supposed medicine.

[9] Multiple choice (to make it easier...). I can't do anything because: a. I really don't know how to do anything,I never did, I never knew how to do anything, and I get angry with those who know; B. I know how to destroy and break, as I am doing with the country... and destroying is not doing, it is undoing; c. I'm an idiot; d. I'm just a puppet; d. all the previous answers

In image 2C (RA), the drawing presents a set of sketches that represent the US president, Donald Trump and the Brazilian president (who were compared and approximated during their mandates) with monstrous faces, referentially anchored in a verbal text that suggests a political action to remove these politicians from power, saying "Reasons for an impeachment", suggesting reasons related to the non-human and monstrous character ofthese characters. In Bolsonaro's last sketch, the president's threatening face is representedas a flame of fire, possibly alluding to the destruction of the country's biodiversity, attributed to the politician and his government

2A.

Source: Fora Bolsonaro

2A1

Source: Looper

2B


Source: Fora Bolsonaro

2C.


Source: Fora Bolsonaro

*Image 2:* Bolsonaro creature/monster

In addition to the nature/culture semantic axis, the life/death fundamental semantic axis is also explored, revealing a president figuratively portrayed as a being of darkness, demonic, with features of a skeleton, but also as a newborn, who comes to light. in carnival spaces and unlikely orifices. In figure 3A (no author), the president smiles scornfully, wrapped in a dark veil, and within a space and time that refers to the Middle Ages. The skeleton hands of the president-monk-of-the-dark are joined in prayer and bound by a third from which hangs an inverted crucifix, symbol of cults for the devil or the dark forces of the universe. The image's thematic and figurative choices allude to a satanic ritual. Again, the grotesque president looks directly in the direction of the enunciate, as confronting or mocking him.

In image 3B, also anchored in the verbal text as a reference, the president, identified by the word DEATH, is one of the "four beasts of the apocalypse", and rides, in a space that seems deserted and lifeless, alongside three members of his government: NEGLECT (represented by vice-president Hamilton Mourão, who rides a flaming steed and holds a flaming sword (whose fire fills the upper part of the frame); INCOMPETENCE, (health minister Eduardo Pazuello, responsible, in the opinion of many Brazilians, for the disastrous campaign to face COVID), and HUNGER (the minister of economy Paulo Guedes, seen as a neoliberal minister, who protects the rich, and against the rights of workers, who holds a burning work card. On the right side of the image, whose predominant color is red, and close to Bolsonaro's head, hangs a box of Chloroquine medicine that the president insisted was the best medicine against COVID, repudiating the treatment by vaccination.

In image 3C (without author), the president walks, staring at the enunciatee, represented as death itself, and holds a scythe with the words: PÁTRIA

AMADA BRASIL. Behind the death-president, a syringe, presumed to be the vaccine against the COVID virus, is inserted into his buttocks:

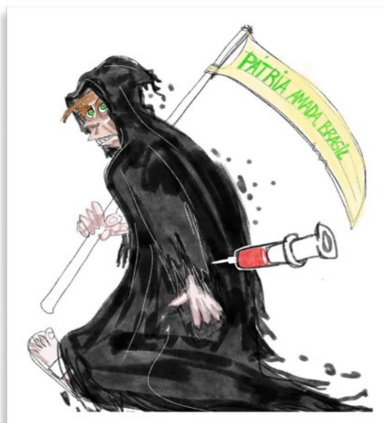
3A.

Fonte: #Eu assinei #Fora Bolsonaro

3B.


Fonte: Fora Bolsonaro

3C.




Fonte: Paulo Pimenta

*Image 3:* Bolsonaro death specter

The aesthetic of the grotesque is also used in another type of the former president's representation: no longer as animal, monster or linked to values of death, but leader and politician, in narratives in which the politician can be seen privately, as a newborn, or compared to other leaders considered deranged and dangerous, such as Nero and Hitler. In this case, the politician becomes an ordinary person, having traces of more human thananimal and of more culture than nature, but nonetheless a persona who occupies dysphoric spaces. As lunatic, the politician is seen as a potential threat to the social fabric and, as we have seen above, to the planet's ecosystem.

Related to Bakhtin's carnival speech, the grotesque is also noted in the bizarre photomontage (no author) that represents the birth of the president (figure 4A), who comes to light holding two American flags, emerging from the anus of a womanpositioned on fours. In the image, Bolsonaro's face is added to the grotesque fetus, and the montage places the president inside a carnival space where a crowd appears to be watching the birth. The carnivalesque speech is amplified with the placement of yellow emojis that laugh with blue tears in their eyes. Anchored in the referential verbaldiscourse, the title clarifies the content of the event, a birth/defecation: "Exclusive moment of the birth of a bolsominions". In this euphoric/dysphoric comic and shocking narrative, as it records the birth of a human being, but denotes the release of feces, the ambiguity and irony of the grotesque discourse cause an inversion of values directly related to the inversion of orifices, and to the birth of a fetus/feces, which transforms thebiological into the bio-eschatological.

In image 4B (no author), with green and yellow tones and the Brazilian flag in the background, Bolsonaro is accompanied by members of the government, represented as a group of superheroes from Marvel Comics, united to save Brazil. The bizarre figures make reference not only to the comics, but mainly to the film franchise of the Marvel Cinematic Universe, "The Avengers". In this hyperbolic narrative that incorporates popular culture, Judge Sérgio Moro is

Superman, Vice President Ernesto Mourão is the green monster Hulk, São Paulo federal deputy Joice Hasselmann is Wonder Woman, Technology Minister Marcos Pontes is Iron Man, and the President is Captain America, holding a shield with Brazilian colors. Despite probably having been created by a supporter of the president, and being an example of the euphoric grotesque, an emoji placed in the lower right corner of the image attests to the negative sanction of the receiver-interpreter of the image, who judges the drawing to be comic and ridiculous and as co-enunciator, manipulates the enunciatee's interpretive-doing.

In image 4C (no author), the president occupies a private and familiar space, sitting in a chair that seems to belong in a living room. At ease, and wearing a T-shirt, shorts and flip-flops, Bolsonaro rests his legs, extended over a pile of skulls that stretches across the room. The politician talks to the COVID-19 virus, complaining about people's distress for the search for a vaccine, which he understands as exaggerated: “People's distress forthe vaccine is not justified”. In front of him, the virus agrees, using informal language and slang: “I really agree bro”, while dipping his hand in a pot of chloroquine pills, which in the context represented, is metaphorized as a snack, peanuts or popcorn.

In image 4D (Jota Camelo), the title “BOLSONERO” alludes to the Roman emperor, associated with tyranny, extravagance and madness. Nero became famous by being suspicious of setting fire to part of Rome because of his whims (Suetônius, Life of Nero 38; Dião Cassius, Roman History LJII.16 apud wikipedia). The president, encompassed in a desolate space, with burning ruins and skulls on the floor, adopts a theatrical and tragic gesture, and commands, alone: “Buy more chloroquine”. In this spectacular and Shakespearean representation, the grotesque reaches tragicomic proportions, as theatricallanguage is used to ensemble a heroic context and character, who demands a medicationfor the population he represents, which has been proven not effective against the virus.

In 4E (Paulo Calvo), the thematic and figurative content is rich, and Bolsonaro, in the center of the image, is represented as a puppet with a skeleton skull and the hair of the clown Bozo (one of the politician's nicknames), a character from US Children's TV speaking at a podium with the Whatsup app icon. The puppet president, who wears a swastika on his right arm, and whose hand, full of blood, soils the bench, is manipulated by a dark being wrapped in a dark hooded suit, and bearing the face of the Covid-19 virus. At the bottom of the figure, a herd of oxen grazes around the pulpit from which the president speaks. Behind it, there is a barbed wire fence, reminiscent of Nazi concentration camps, and a cemetery. Profiled on the right and left side of the image, and surrounding the president, who is speaking, military personnel with skeleton faces and members of the extreme right-wing racist group Ku Klux Klan, surround the president. In the background of the image, a forest burns, adding red color to the upper half of the drawing.

4 A.


*Source: #Eu assinei #Fora Bolsonaro*

4B

*Source: br.pinterest.com*

4C


*Source: Somos 100% pelo afastamento do presidente democracia, contra a corrupção*

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4D


*Source: Somos 70 porcento*

4E

*Source: Os melhores Tweets de esquerda*

*Image 4:* Bolsonaro leader

## V. Summary of the Analysis

The qualitative analysis of President Bolsonaro's grotesque images demonstrated how the rhetoric of the event was used to manipulate the enunciatee's interpretative action through shock and estrangement, typical of the grotesque, in a series of discursive strategies driven by hyperbolic, antithetical and semantic investments. hypotyptic linked, in our case, to dysphoric values against the politician. We noticed that the grotesque genre helps deconstruct the president, whose figurativeness oscillates on the axis of opposites being- seeming, life-death and nature-culture, creating complex social actors and affirming dysphoric values of death. Thus, Bolsonaro is figuratively portrayed as a man-animal (bird of prey, quadruped and transmitter of diseases), man-creature, servant of evil and death, man-feces and crazed leader, occupying equally dysphoric, devastated, sterile and pestilent spaces, objects and spaces related to these values, such as skeletons, crosses, sewers, devastated cities, etc., in figurativization built from the semantic universals water, fire, earth and air.

The same happens in the semi-symbolic chromatic investment of the text, which highlights colors related to blood, destruction and death, such as red and black and their shades. In this sense, the grotesque seeks the adhesion of the enunciatee from what is already known, from what is easily identifiable and characteristic in a culture, that is, from a belief-knowledge already established and programmed, and established by triggering strategies of mythological and sublogical discourses that fuse the cultural to the natural, and the physical world to the spiritual, and are used pragmatically by man: in this sense, the mythological is the pragmatic, that is, how the various Western cultures characterize death.

In Bolsonaro's images, the body and bodily manifestations follow the figurative style of the grotesque genre, and represent disfigured and caricatured bodies and faces, which regurgitate, rot and defecate. If the grotesque, as Bakhtin recalls, is linked to the lower parts of the body, the carnivalesque and the popular, it can be observed how the analyzed texts dialogue with popular and mass culture, in true intertextual and interdiscursive operations: in the composition of meanings of the texts, references to Brazilian rock, Star Wars and The Avengers film franchises, and references to historical facts, such as the burning of Rome by Nero. Within the carnivalesque dimension, which is close to the notion of an event, the use of laughing emojis was observed in many of the images, revealing the dimension of the enunciated enunciation of the text, its authorial subjectivity, which is also a striking feature of the grotesque. In a subversive act typical of the carnivalesque, an image that supports the president, representing him as a true hero, is appropriated and undergoes a semiotic intervention through an emoji that turns it into a mockery.

Regarding the stage and reference functions of the verbal anchorage in the visual text, which makes them syncretic, guiding and restricting the enunciatee's interpretive-doing, and creating effects of objectivity (such as the title and caption), and subjectivity (such as the speech and the staring at the enunciatee), both the referential-anchoring and degree- anchoring (which explain the meaning of the image or complement the meaning of the image) functions were applied. Some of the degree-anchoring type are used as words of the president, spoke in sentences in the first person, in a dynamics that transform the enunciatee of the text into an interlocutor, and establish a virtual enunciated scene, which brings the president and the subject reader/ observer closer together, erecting the time of the now and the space of the here. In some cases, the verbal text is taken from the president's own speeches, in an interdiscursive and figurative strategy of space-time that goes beyond fiction and brings the “historical-real” anchoring of the subject.

## VI. Conclusion

In our discussion of the grotesque, we tried to broaden this aesthetic issue by adopting a semiodiscursive/narrative point of view to investigate the question. Discourse semiotics was able to show new possibilities for the analysis of the grotesque, understood as a genre, style and type of rhetoric used in different signifying sets, verbal and non-verbal, and historical contexts. Based on the generative course of meaning, we identified an enunciator who manipulates through shock and the construction of the strange, based on complex semantic values and figurative and thematic paths guided by mainly dysphoric values, proposing an interpretive-doing to the enunciate governed by intensity. In relation to verbal semantic rhetoric, the grotesque has been compared to hyperbole, antithesis, and hypotyposis. From the point of view of tensive semiotics, it is understood that the texts analyzed were composed by a rhetoric of the event, with its semiotic modes of overcome and focus, and syntactic styles of ascendancy, sorting and concession.

The grotesque understood as counter (counter-program) of Bolsonaro's ideological affiliations and social practices, asserts itself as a disquieting, surprising and comic radiography of the real (Sodré e Paiva, p. 60), and from a mythological key, as an attempt to conjure up the demonic element of the world (Kayser, p. 161), so that this genre can be taken both as a symptom of discontent and imbalance in the relationship between culture and nature, to which the body is linked, as well as a way of, through the representation of a "supranatural", to generate reflection and social change. Sodré and Paiva (2014, p.60) explain it is important to follow the course of the manifestations of this phenomenon with regard to reflection on life, viewing it as another state of consciousness, another experience of lucidity, which penetrates the reality of things and exhibits their convulsion. But if the grotesque is built from shock, the unexpected and the intense, it is precisely in the attempt to understand and absorb it, that is, in the attempt to slow down its impact, that opposing forces are generated, linked to syntactic modes and styles. Thus, it is in the production and reception of the grotesque that the social fabric is regenerated, seeking euphoric values, modalities of outcome, apprehension and routine, and syntactic styles of descent, mixture and implication, which assume balance and rationality, and condemns the dysphoric social dynamic naturalized by Bolsonaro and his government as normal and euphoric.

## Referências Bibliográfica


1. BAKHTIN, M. *A cultura popular na Idade Média e no Renascimento:* o contexto de François Rabelais. Tradução de Yara Frateschi Vieira. São Paulo: Editora Hucitec. 1987.
2. BARROS, Diana Luz de. *Teoria do discurso:* fundamentos semióticos. São Paulo: Humanistas. FFLCH-USP, 2002.
3. #EU ASSINEI #FORA BOLSONARO. *Facebook*. Disponível em: https://www.facebook.com/groups/1929458167103971/permalink/3606340066082431. Acesso em 4 e 15 jan.; 11 fev. 2021.
4. FIORIN, J. L. *Figuras de retórica*. São Paulo: Contexto, 2014.
5. FORA BOLSONARO. *Facebook*. Disponível em: https://www.facebook.com/groups/223302895626961/permalink/431843754772873. Acesso 16, 19, 20, 23 jan.; 12 fev. 2021.
6. GREIMAS, Algirdan; COURTÉS, Joseph. *Dicionário de semiótica.* São Paulo: Editora Contexto, 2011.
7. IMPEACHMENT DE BOLSONARO JÁ. *Facebook*. Disponível em https://www.facebook.com/groups/427519554443982/. Acesso em 24 e 25 mar. 2021.
8. LOOPER. *The entire Emperor Palpatine story explained.* Disponível em https://www.looper.com/173072/the-entire-emperor-palpatine-story-explained/. Acesso em 15 / 04 / 2021.
9. LOPES, Carlos André Martins. *A revolução dos bichos escrotos* (2020). Em *Pensar aeducação em pauta:* um jornal para a educação brasileira. Disponível em http://pensaraeducacao.com.br/pensaraeducacaoempauta/a-revolucao-dos-bichos-escrotos. Acesso em: 11/04/2021.
10. OS MELHORES TWEETS DA ESQUERDA. *Facebook*. Disponível em: https://www.facebook.com/OsMelhoresTweetsDaEsquerda/?____tn____=-UC*F. Acesso em 24 fev. 2021.
11. PAULO PIMENTA. *Facebook*. Disponível em https://www.facebook.com/deputadofederal/posts/3933743216718605. Acesso em 18 jan. 2021.
12. PIETROFORTE, Antonio Vicente. *Semiótica visual:* os percursos do olhar. São Paulo: Contexto, 2012.
13. SODRÉ, Muniz; PAIVA, Raquel. *O império do grotesco*. Rio de Janeiro: Mauad, 2002. Ed. 2014.
14. SAMIA BONFIM. *Facebook*. Disponível em: https://www.facebook.com/samia.bomfim.psol/posts/1015438588863914. Acesso em 6 mar. 2021.
15. SOMOS 100% PELO AFASTAMENTO DO PRESIDENTE, DEMOCRACIA, CONTRA A CORRUPÇÃO. *Facebook.* Disponível em: https://www.facebook.com/groups/2316772025282336/permalink/2564169140542622. Acesso em 3 e 7 jan. 2021.
16. SOMOS 70 PORCENTO. *Facebook*. Disponível em https://www.facebook.com/groups/Somos70/permalink/2814509512098390. Acesso em8 jan. 2021.
17. TATIT, Luiz. Claude Zilberberg e a prosodização da semiótiva. In: *Em torno do acontecimento:* uma homenagem a Claude Zilberberb. Org: Conrado

Moreira Mendes e Glaucia Muniz Proença Lara. Curitiba: Appris Editora, 2016.
18. ZILBERBERG, Claude. *Elementos de semiótica tensiva*. Trad. Ivã Carlos Lopes, Luiz Tatit e Waldir Beividas. São Paulo: Ateliê Editorial, 2011.
19. ______ *La structure tensive*: suivi de Note sur la strucuture des paradigmes et de Sur ladualité de la poétique, Press Univeritaires de Liège, 2012.

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# On the Development of Resistance against the Corona Policy of the German Government

By Oliver Harald Kempkens
*Moscow State University of International Relations*

*Abstract-* Not a day goes by without news on tv, radio or internet regarding the growing resistance of many Germans against the corona policy of the German government. Recent months show that in Germany, the development of resistance movements against the corona policy of the German government has become a problem. Indeed, there have been types of resistance movements since the beginning of the pandemic in the early 2020, but nowadays, it appears as if resistance movements have massively increased. People meet for walks through cities each Monday to express their resistance and thus, policymakers as well as the police have got a lot of work to ensure and establish order. It could be observed that at the beginning of the pandemic, during the first lockdown in Germany, people's resistance was more or less directed towards corona mitigation measures such as the lockdown policy. Nowadays, things have changed and people's resistance is mainly aimed at the restrictions against unvaccinated people and the debate about a general compulsory vaccination for all inhabitants.

*Keywords: corona policy, pandemic, resistance, trust, resistance movement, compulsory vaccination, restrictions.*

*GJHSS-F Classification: LCC: RA643.86.G3*

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*Strictly as per the compliance and regulations of:*

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Oliver Harald Kempkens

*Abstract-* Not a day goes by without news on tv, radio or internet regarding the growing resistance of many Germans against the corona policy of the German government. Recent months show that in Germany, the development of resistance movements against the corona policy of the German government has become a problem. Indeed, there have been types of resistance movements since the beginning of the pandemic in the early 2020, but nowadays, it appears as if resistance movements have massively increased. People meet for walks through cities each Monday to express their resistance and thus, policymakers as well as the police have got a lot of work to ensure and establish order. It could be observed that at the beginning of the pandemic, during the first lockdown in Germany, people's resistance was more or less directed towards corona mitigation measures such as the lockdown policy. Nowadays, things have changed and people's resistance is mainly aimed at the restrictions against unvaccinated people and the debate about a general compulsory vaccination for all inhabitants. The present paper gives an overview on the development of the resistance movement in the Federal Republic of Germany and investigates the reasons for such movements.

*Keywords: corona policy, pandemic, resistance, trust, resistance movement, compulsory vaccination, restrictions.*

## I. Chronology of Corona Policy in the Federal Republic of Germany

To get an overview on the German government's corona policy and thus, to better understand resistance movements against the corona policy, the corona mitigation measures are explained in the following, beginning with the first lockdown in March 2020 and ending with the debate on a general compulsory vaccination in January 2022.

In January 2020, the government decided on the so-called "Meldepflicht", which means that people infected with the corona virus have to inform the local health authority. At the beginning of March 2020, the government proposed to cancel all events with more than 1,000 participants, an entry stop for third-country citizens as well as a worldwide travel warning. At March 17th, travels in the European Union that are not necessary were restricted and by means of a total lockdown, most shops except supermarkets and drugstores had to close. Also, schools and childcare institutions had to close. These strong restrictions were followed by a limitation of contacts and a quarantine of 14 days for people coming to Germany from abroad.

In April 2020, the first shops with an area of under 800 square meters could re-open, whereas big events still had been forbidden up to the end of August 2020. Wearing mouth and nose masks was urgently suggested and at the end of April, wearing masks in shops and public transport was decided. All contact restrictions have been extended to June 2020, but some relaxing of regulations such as visiting people in hospitals and nursing homes were decided. Schools and childcare institutions could also relax their care offers during pandemic times. During summer 2020, incidences have been quite low, but as autumn arrived, the government had to handle increasing numbers of infected people again. As a result, the government decided the second lockdown, the so-called "lockdown light" in October 2020. This lockdown light was also characterized by many restrictions regarding the public and social life.

As the lockdown light was not successful and incidences increased rapidly, the German government decided another hard lockdown with Germany-wide restrictions – this lockdown was also called the "Bundesnotbremse" in December 2020 and it remained till April 2021. Beginning in June 2021, the "3-G-Regel" was introduced and many events or locations could only be visited if people either were vaccinated, recovered or tested. To get a test, people could visit several institutions such as drugstores or even extra installed test-tents in their hometown. Initially, these tests were free for everybody, but in August 2021, the government decided to stop this free use of testing facilities. In contrast, people should pay for a test.

As one might expect, paying for a test only to get access to shops, restaurants or other events hampered people. Many companies brought cases and courts were flooded with complaints. As a result, the government cancelled the regulation and testing was free again. Additionally, the government decided the so-called "2-G-Regel", which means that specific locations and event can only be visited if people are either vaccinated or recovered. In December 2021, the government again decided on contact restrictions for both, vaccinated and unvaccinated people. In December 2021 and January 2022, the "2-G-Plus-Regel" has been introduced for many areas such as restaurants and swimming baths – this means, that only

*Author: Ph.D candidate at the Institute of Sociology at the Moscow State University of International Relations (MGIMO) in Moscow, Russia. e-mail: ok@kempkens.me*

vaccinated or recovered people can visit such locations, but in contrast to the "2-G-Regel", an additional test is required. Also in January 2022, the quarantine time was shortened, since the government worries about the possibility that many people can be infected with the new corona virus mutation Omikron, which would lead to another crisis for the economy.

One of the most promising strategies to stop the corona pandemic is the vaccination. As the following figure shows, from December 2020 to January 2022, 159 million doses of vaccine could have been given to the German population, whereas approximately 60.6 million people are fully vaccinated.

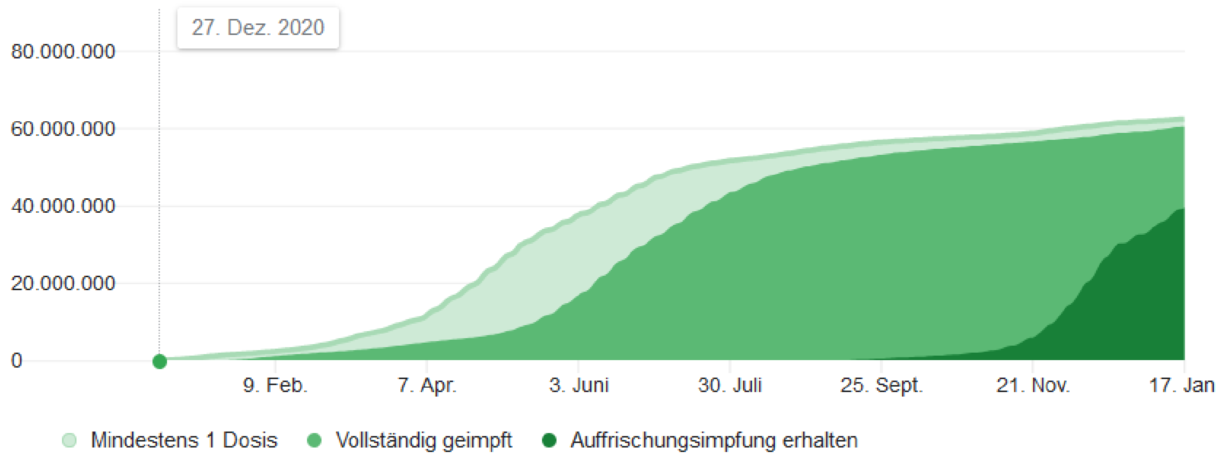


*Figure 30:* Corona Vaccination in Germany [Our World in Data, 2022, n. p.]

Lu et al. [2021] compared Germany's COVID-19 mitigation strategy with China. The authors state that Germany followed a mitigation strategy, whereas China's goal was to eliminate the spreading of the virus. In the different WHO regions, the corona pandemic shows variable dynamics. In this context, the lowest disease can be observed in the Western-Pacific region, since China was able to significantly eliminate the transmission of SARS-CoV-2. In contrast, Germany and many other countries in America and Europe are still struggling with high numbers of cases, especially in times of the new virus mutation called Omikron. According to Lu et al. [2021], these developments can be traced back to the following aspects:

- Countries' experiences with previous outbreaks of the corona virus
- Countries' classification of the SARS-CoV-2 virus in the highest risk category accompanied with an early implementation of aggressive suppression measures
- Mandatory isolation of contacts and cases in institutions
- Countries' broad implementation of contact tracking technologies
- Countries travel restrictions to prevent a reimportation of the SARS-CoV-2 virus
- Cohesive communities that possess varying levels of social control.

However, restrictions of people's lives in order to fight a further spreading of the corona virus must not solely lead to positive effects. Mass media such as television, radio, newspapers and social media platforms report many demonstrations all across the world, since some people feel massively restricted regarding their fundamental rights. In this context, corona containment strategies such as the one of the Federal Republic of Germany resulted in an emerge of different groups that strive for stopping all corona containment measures. In the following, the development of such resistance movements against governmental corona policies is explained in detail, whereas the focus is on the development of violent rebellion movements in the Federal Republic of Germany.

## II. Resistance Movement against Corona Policy

Recent months show that in Germany, the development of resistance movements against the corona policy of the German government becomes a problem area. Indeed, there has been types of resistance movements since the beginning of the pandemic, but nowadays, it appears as if resistance movements have massively increased. In connection with the chronology of the German government's corona policy explained previously, it must also be emphasized that corona mitigation measures are not popular with the entire population. Indeed, the major aim of corona mitigation measures is to save people's lives. Nevertheless, for some people, the negative aspects of mitigation measures predominate the positive ones.

In this context, Moser et al. [2020] concentrated on years of life lost due to the psychosocial consequences of COVID-19 mitigation strategies.

According to the authors, governments are forced to implement social mitigation measures to reduce mortality and morbidity. However, these strategies carry significant risks for people's mental health – this again might lead to short- and long-term mortality. Moser et al. [2020] state that impacts like this are not considered in modeling the pandemic's impact. Due to this, the authors used the so-called years of life lost (YLL) and focused on influencing factors such as depression, childhood trauma, domestic violence, suicide, alcohol use disorder, social isolation and changes in marital status. These influencing factors are referred to increase the YLL, since they all came up with a restriction in the freedom of movement and social contact. Moser et al. [2020] came to the conclusion that an average person suffers 0.205 YLL due to the psychological consequences of the corona mitigation measures.

Other scientists such as Akseer et al. [2020] state that the corona pandemic globally ravages both health and economic metrics, which also includes progresses in terms of maternal and child nutrition. As a consequence of COVID-19, impacts on the coverage of essential interventions, poverty, and the access to nutritious foods can be observed. In this context, incomes, social protection, food systems as well as health care services are somehow affected by the corona pandemic. Also, many experts raise concerns regarding the effects of lockdowns on the health of children. The German *Ärzteblatt* for instance emphasizes that the corona mitigation measures of the German government and hereby especially the limitation of contacts by closing school, sports clubs and leisure and culture facilities for children and adolescents have resulted in severe problems. In concrete this means that corona mitigation measures negatively affect the health of children and adolescents [Ärzteblatt, 2021]. Child and youth psychotherapists report a massive run on treatment units. Children explain that they feel isolated, have problems with learning, self-organizing and knowledge acquiring, which results from home-schooling. Associated with this issue, children report that they suffer from anxiety not to be able to perform good at school. Additionally, therapists can observe that children draw back, suffer from mood swings, show depressive symptoms, anxiety states and intense their media consumption. Some children even deal with death, which strengthens their anxiety about the future [Ärzteblatt, 2021].

Other studies such as the COPSY-Study of the *Universitätsklinikum Hamburg-Eppendorf (UKE)* report that every third child shows anomalies in terms of psychological burden, based on the contact restrictions. Ravens-Sieberer et al. [2021] focused on the impact of the corona mitigation strategy on mental health and life quality of children and adolescents in Germany. The authors emphasize that the corona pandemic has affected the lives of 1.6 billion children and adolescents. Studies from India, China, the US, Brazil, Italy and Spain have already shown the negative impacts of mitigation measures on the mental health of children.

Ravens-Sieberer et al. [2021] investigated the corona pandemic's impact on the mental health of children and adolescents as well as the health-related quality of life (HRQoL) in Germany. The authors conducted an online survey of 1,586 families with children in the age of between 7 and 17 years to measure HRQoL, mental health problems, anxiety as well as depression. The results were then compared with the data of a survey that was conducted in Germany. According to the results, it can be stated that two thirds of the participated children and adolescents feel extremely burdened by the corona pandemic. In this context, their HRQoL decreased from 40.2 percent before the pandemic to 15.3 percent during the pandemic. Additionally, an increase in mental health problems could be observed (from 9.9 percent to 17.8 percent). Children and adolescents also reported higher anxiety levels (from 14.9 to 24.1 percent). Regarding the second hypothesis, it can be stated that children with migration background, a low socioeconomic status, and limited living space are negatively affected significantly more. [Ravens-Sieberer et al., 2021].

To summarize the academic publications on the topic "effects of the corona mitigation measures", it can stated that mitigation measures do not only avoid the spreading of the virus. They also affect many other areas of life such as mental health and the economic situation.

The development of resistance movements against corona policies thus can also be seen as people's response to many uncertainties as well as to the negative effects of the corona policy. A survey conducted in the Federal Republic of Germany from March 2021 shows that more than two third of the population is not satisfied with the government's corona management. In detail,

- 65 percent are dissatisfied with the government's justification of the corona measures,
- 66 percent are dissatisfied with the supply and the use of corona rapid tests,
- 73 percent are dissatisfied with the government's organization of the corona vaccinations,
- 67 percent are dissatisfied with the government's organization of the school operation and childcare opportunities,
- 69 percent are dissatisfied with the government's corona aid for the economy and self-employed people and
- 74 percent are dissatisfied with the government's efforts to procurement of vaccines against the corona virus. [Scholz, 2021, n. p.]

In connection with people's acceptance with corona mitigation measures, the following figure shows people's agreement with different mitigation measures. The survey has been conducted between March and July 2020 with a total of 3,600 participants.

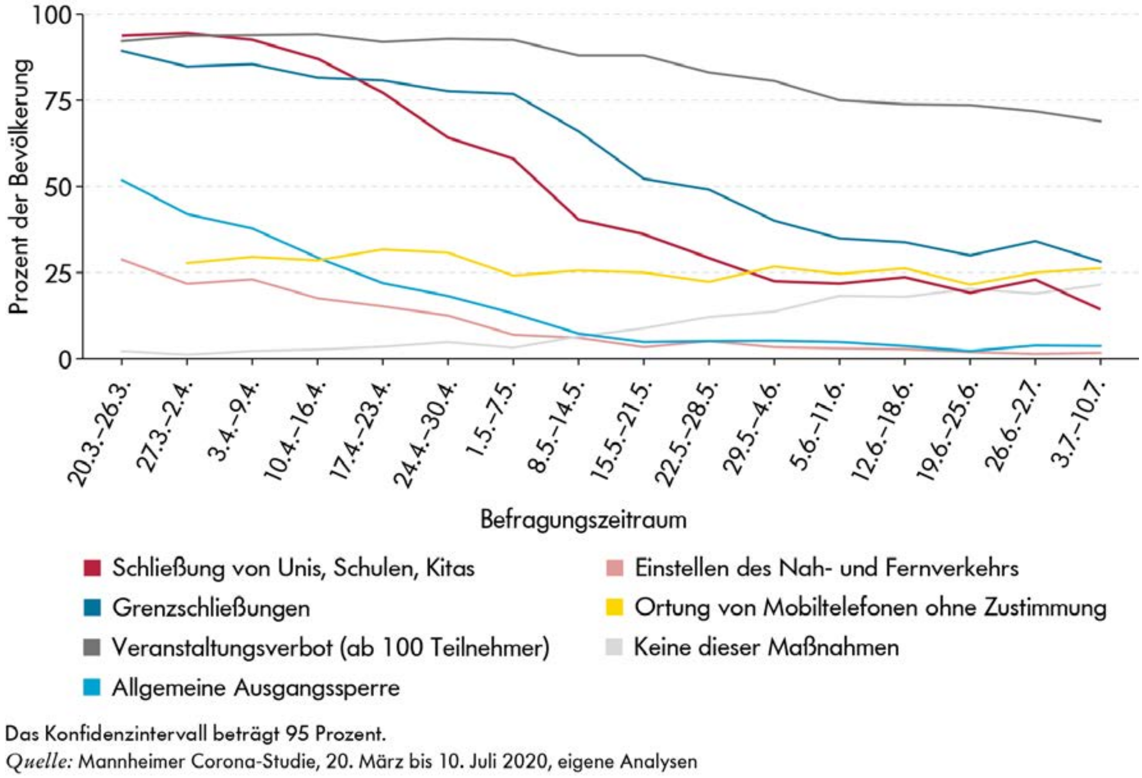


*Figure 2:* Acceptance of Corona Mitigation Measures in Germany [Bundeszentrale für politische Bildung, 2020]

The figure above shows people's agreement to the following six different mitigation measures:

1. Closure of universities, schools and day care centers (red-colored line)
2. Closure of borders (dark blue colored line)
3. Prohibition of events with more than 100 participants (dark grey-colored line)
4. General curfew (light blue colored line)
5. Cancellation of local and long-distance transport (pink colored line)
6. Positioning via mobile phones without permission (yellow-colored line)

The light grey colored line represents people's agreement for none of the above-listed measures. As can be seen from the figure above, people's agreement with the closure of universities, schools and day care centers, the closure of borders as well as the prohibition of events with more than 100 participants initially was very high – between 85 and 90 percent in March 2020. However, their agreement rapidly declined from March 2020 to July 2020. This is especially the case for the closure of borders and the closure of universities, schools and day care centers.

Abu-Akel et al. [2021] explain that an information overload should be avoided by public health officials. This is due to the fact that people might develop a so-called psychological fatigue – they start to simply tune out relevant information, which jeopardizes the entire information campaign. Arafat et al. [2020] add that misplaced fear and uncertainty about the future is likely to support irrational behaviors such as hoarding and panic-buying. History in Germany and other countries could show that even panic-buying might result in resistance movements and violent demonstrations, since people are concerned about running out of essential products.

The US-American psychologist Van Bavel concentrated on predicting people's support for governmental public-health measures such as the closure of shops and restaurants or physical distancing. As a result, Van Bavel et al. [2020] could show the following connection: People who rate national identity as being important are more likely to support governmental health policies. In this context, Van Bavel et al. [2020] found out that national identification positively correlated with national narcissism as well as right-wing political ideology. The authors concentrated on the investigation how behavioral research is able to improve and inform people's response to the coronavirus, given the background that people are skeptical, scared as well as inundated by many information. In the context of the development of resistance against the government's corona policy, internet research shows that in many cases, protests and demonstrations are somehow accompanied by rumors, fake news and conspiration theories. In concrete this means that people are either shouting slogans or they carry posters with specific slogans.

Following Ellis [2020], conspiracy theories have come up immediately after the initial COVID-19 news and they persist up to now. In the context of flourishing conspiracy theories, Leman and Cinnirella [2007] state that people tend to explain large events such as the corona pandemic with large causes – thus and in times of crises, they are more likely to believe in rumors, fake news and conspiracy theories. Douglas et al. [2017] add that people are more likely to believe in conspiracy theories whenever they perceive their psychological needs as being frustrated. In this context, Graeupner and Coman [2017] state that conspiracy theories even gain more traction when people start to isolate themselves and COVID-19 spreads. People's belief in fake news, rumors and conspiracy theories might result in harmful consequences, since it might be associated with climate denial, prejudice, extremist political views and in the context of the present paper's topic, the vaccine hesitancy [Jolley & Douglas, 2014]. Conspiracy theories on the COVID-19 topic might represent a similar problem, since people who believe in alternative remedies to fight against the corona virus might be less likely to follow governmental mitigation measures and health officials' advice. Instead, they opt for lethal or less effective alternatives. According to Marchlewska et al. [2019], people's belief in conspiracy theories might also result in hostility towards specific groups.

Coming back to the global survey of Van Bavel et al. [2020], one of the study's results was that countries with motivated people regarding precautionary measures also tended to develop a sense of cohesion and public unity. In contrast, right-wing political ideology was found to correlate with people's resistance to public health measures. However, people showing a strong national identity were found to better support public health measures. Due to these findings, Van Bavel et al. [2020] suggest that leveraging people's national identity might also be an effective strategy to change people's behavior in terms of increasing their support for public health policies such as the corona mitigation measures.

However, the last two years could show that independent from the specific measures taken by governments and public health authorities, it is not possible to stop the population's resistance movements against corona policies. Indeed, there are differences between countries and thus, in some countries, people do not react in the same manner as they do in Germany. Nevertheless, even small resistance movements can be observed in almost all countries worldwide. In the following, it will be shown that in some cases, it is also possible that resistance movements turn from peaceful demonstrations into violent rebellion.

## III. From Peaceful Demonstrations to Violent Rebellion

Initially, it should be mentioned that in mot cases, people's rebellion is directed towards the COVID-19 vaccination. However, it can also be associated with other governmental corona mitigation measures such as the discrimination of unvaccinated people. Since public resistance against the German corona policy is a quite young phenomenon, it is obvious that this field of research is not investigated sufficiently yet. However, some scientists such as Schmelz and Bowles [2021] started to develop suggestions to overcome public resistance against specific corona mitigation measures such as vaccination. In this context, the authors are seeking for an effective vaccination policy. By means of a large panel survey, Schmelz and Bowles [2021] came to the result that the opposition against vaccination increased from the first to the second corona wave in Germany. Regarding the reasons for people developing resistance against COVID-19 vaccines, the authors could identify several reasons. One of them is that people belief the vaccines are ineffective and additionally, they compromise the individual freedom. However, according to the results of Schmelz and Bowles [2021], people's willingness to be vaccinated can vary over time, depending on the population fraction that is already vaccinated and depending on whether vaccination stays voluntary or not. Voluntary citizen compliance was found to be essential for corona policy success.

In the context of fighting the corona pandemic, the concept of herd immunity can often be found in the media. This concept is considered to be an important aspect of subduing the corona pandemic outbreak. Cherian et al. [2019] state that the vaccination of a sufficient share of the world's population would be step towards stopping the spread of the COVID-19 disease, since it is able to protect vulnerable persons. In this context, psychological factors are of high relevance, since for many people, vaccination is still voluntary and people subject themselves to the vaccination on a voluntary basis. A surrounding based on fear and anxiety regarding the possible side effects of the COVID-19 vaccination thus acts as a barrier and impedes a timely vaccination. It becomes clear that not only the government itself but also health care organizations and health care workers play an important role when it comes the clearing of misconceptions, which also includes the dissemination of accurate information.

Having in mind the chronology of the corona pandemic, it can be stated that during the first wave of the corona pandemic in spring 2020, people's protests against the governmental corona policy has been organized by some short-lived groups. In most cases, there was little or even no coordination between these groups. However, these things have changed with the upcoming *Querdenker*[1] movement in Germany in summer 2020. The emerge of the *Querdenker* movement can be explained as the first group that had and even nowadays has many sympathizers from all over the Federal Republic of Germany. The movement started in Stuttgart as a local group, but it rapidly grew up and became a nationwide protest movement. It organized many protest events in many cities all across the Federal Republic and more and more people started to participate. Especially at the beginning of the second corona wave, the *Querdenker* movement dominated the protests against the governmental corona containment policies. The group's main goals are to immediately repeal the governmental corona restrictions, since they affect people's fundamental rights [Plümper et al., 2021].

However, summarizing the protest results from 2020, it must be noted that the Querdenker movement was not very successful, since in winter 2020/21, the Federal Republic of Germany implemented stringent corona containment policies compared to other countries. Also, Germany has kept these corona containment policies longer than many other European governments. On the other hand, a protest's success must not solely be defined by political changes. In this context, protest movements such as the *Querdenker* movement might be able to influence political decision-making processes. It might slowly gain momentum; it can win more and more supporters and it is able to increasingly attract attention. Thus, the *Querdenker* movement cannot be characterized as being unsuccessful in this sense.

According to Plümper et al. [2021], the survival of the *Querdenker* group, the success of its group leaders as well as its moderate institutionalization have been facilitated by protest organizers' strong orientation on people's demand for protests. In this context, *Querdenker* protests follow a strategy, which again follows two logics. On one hand, these protest events are politics-oriented, which means that protesters from different society parts have one thing in common: they distrust mainstream parties and some of them can even be called as being conspiracy theorists, political radicals and vaccination opponents. Some of them oppose the political order in Germany and according to Nachtwey et al. [2020], despise the political establishment. Following the daily reports of newspapers, it can be observed that group mobilization is facilitated if protests against corona containment policies take place in German states or districts in which mainstream parties only have low followships. The second logic of the Querdenker movement strategy is policy-oriented, which means that corona protest events have often been organized in times with low incidence rates and stringent containment policies. In this way, protest organizers were able to successfully mobilize people who are convinced that the stringent corona containment policies are not necessary anymore.

During the last two years of corona pandemic, many researchers such as Karkowski et al. [2020] and Bol et al. [2020] have started to focus on the political consequences of the corona pandemic, which is for instance an increase in social polarization. As protests and movements against the government's corona policies become increasingly frequent and grow in both, visibility and size, it becomes clear that many researchers observe the ongoing developments. In this context, it should be mentioned that all scientific publications, which are used in the present paper, are from 2020 and 2021. Hence, the new developments from December 2021 and January 2022 could not be considered, although these developments are of high relevance.

At this time, in January 2022, newspapers, tv and social media platforms are flooded with pictures, videos, articles and comments on public resistance movements - mainly against the discrimination of unvaccinated people, but also against corona policy in general. Since December 2021, people meet each Monday in many cities. These so-called *Montagsspaziergänge*[2] are directed to the German government as a protest against its corona policy. Newspapers such as the *Stern* report that only on January 4$^{th}$, in the entire Federal Republic of Germany, many tens of thousands have been protesting against the government's corona policy and many of these protests were accompanied by violent riots [Stern, 2022].

The German police emphasizes that although most protests remain peaceful, the number of participants is growing and at the same time, clashes between violent demonstrators and the police increase in all federal states. Many of the so-called *Montagsspaziergänge* are not permitted, since they are subject to approval. During many of these events, police officers have been attacked by some demonstrators, which resulted in injured police officers. There was even a case in which demonstrators tried to snatch a police officer's weapons. Aggressive appearance, quarrels and verbal attacks have been registered and, in some cases, police officers even made use of pepper spray. The police inspection in Magdeburg [Saxony-Anhalt] reported breaking through police chains, throwing of bottles and the use of pyrotechnics. Opponents of the

[1] The term *Querdenker* does not have a clear translation, but can be explained by people who are called as being a lateral or unconventional thinker; also, the term "contrarian" might be an appropriate translation.

[2] The term *Montagsspaziergänge* can be translated with "walks on Mondays", since these demonstrations only take place Mondays in many cities and districts of Germany.

corona mitigation measures call others for the protest in form of the *Montagsspaziergänge*. In some cities, these assemblies were forced to end by the police, since police officers have been attacked by demonstrators, the demonstrators did not wear masks and/or the security distance between people kept [Stern, 2022].

The German police is increasingly concerned about the radicalization of minority groups and complains about considerable fanaticism of people. In Berlin, some protesters stopped at the ZDF [central German television] studio and shouted slogans such as *Lügenpresse*, which means lying press. On social media, many videos are posted that show demonstrators shouting slogans [Stern, 2022].

Since these forms of resistance are quite new, especially in the context of the government's corona policy, the scientific literature on the development of violent resistance against health-preserving measures is very rare. However, some scientists have already published studies in which they address the problem of radicalization in the context of corona policy. For instance, Falkenbach and Greer [2021] investigated the impact of the corona pandemic on populist radical right politicians as well as their influence on the government's corona policy. The results show that populist radical right politicians generally do not have much experience in health and welfare policies. In the context of the corona pandemic policy, they might lead to destructive effects, since they subordinate the health topic to their other goals. It could be observed that populist radical right politicians did not say much during the actual corona pandemic, but do not lose time to opt for denial and distraction. Denial in this context can be explicit such as calling the corona pandemic a hoax or implicit such as trying to reopen countries after travelling restrictions. Distraction in this context means blaming someone and thus leading to damaging border control policies. Independent from the strategy, both results in a cost of lives and undermines public health. In summary, populist radical right politicians help making the public health crisis even worse and, in some countries, they even contribute to a democracy crisis.

It becomes clear that populist radical right politicians and/or their parties play an important role when it comes to the mobilization of people against the government's corona policy. Plümper et al. [2021] for instance investigated the strategy of protest against corona containment policies in the Federal Republic of Germany. In this context, the authors found out that protest organizers strive for organizing more protest events in times of low COVID-19 mortality rates, in times of a high stringency of corona mitigation policies and in specific districts with traditionally low vote share of mainstream parties. In summary, their aim is to maximize the mobilization potential. Plümper et al. [2021] analyzed 401 different districts in Germany regarding their total number of protest events from March to May 2020. According to the results, the authors conclude that their findings can be seen as

> *"[…] evidence of the strategic behavior of protest organizers that target protest participation and mobilization to keep the movement alive and potentially grow it."* [Plümper et al., 2021, p. 2236]

Despite all resistance among a minority of a country's population, Kornfeld [2021] explains that legally required vaccination can be considered as being an essential part of the global public health policies. Resistance against COVID-19 policies such as vaccination can be observed in many countries, even in the United States of America there have been antivaccine demonstrations. Many countries' challenge thus is to reach people who do not want being vaccinated and to increase their acceptance [Gottlieb & McClellan, 2021]. To increase the coverage, some countries left the voluntary base and made vaccination mandatory. This is for instance Italy, where COVID-19 vaccination is mandatory for specific groups such as health care workers [Borrelli, 2021]. Germany also announced a mandatory vaccination for health care workers beginning at the 1st of March 2022. In contrast, countries such as China instructed their local authorities to stop mandatory vaccination, since the government fears adverse public reactions [Bloomberg, 2021].

As survey in the United States from March 2021 shows that many people [41 percent] were concerned about being forced to get the COVID-19 vaccine even if they do not want to [Hamel et al., 2021]. People's acceptance towards vaccination was found to be depending on their social environment: 69 percent of people living in a household with at least someone who has already been vaccinated report that they also want to be vaccinated as soon as possible. In contrast, only 37 percent of those who do not know anyone who has already been vaccinated report the same [Hamel et al., 2021].

According to the results of Schmelz and Bowles [2021], vaccine resistance among the German population is changing over time – the challenge is to identify the determinants that cause these changes, which also includes people's trust and whether the COVID-19 vaccination remains voluntary or not. Other researchers such as Milkman et al. [2021] also focused on changing people's attitude towards corona mitigation measures and hereby especially the COVID-19 vaccine. The authors tested nudges to encourage people to decide upon the influenza vaccine. In this context, Milkman et al. [2021] tested 20 different messaging strategies reaching from jokes up to direct appeals. According to the results, saying people that the flu shot has been reserved only for them was able to boost the vaccination rates. Although the paper of Milkman et al. [2021] is still not peer reviewed yet, their paper includes important starting points for changing people's attitudes towards the COVID-19 vaccination. For instance, specific messages such as "flu shot reserved for you" are able to increase in flu vaccination. As a result, scientists have started to replicate the strategy in the context of the current corona pandemic. For instance, Dai et al. [2021] found out that this strategy is also effective for the increase of the COVID-19 vaccination and thus is able to change people's attitude. Also, Milkman et al. [2021] emphasize that some groups could be identified as being more critical than others. This is for instance the case for young females – many of them have been shown to be more skeptical about the COVID-19 vaccine. In this context, scientists such as Iacoella et al. [2021] ask themselves whether pandemics necessarily result in rebellions. The authors empirically investigated protests against corona policy in the United States and came to the result that more stringent corona containment measures were driving the protest incidence. The authors assume that one of the reasons might be an increase in unemployment due to pandemic-related changes in economic conditions. Also, counties characterized by a lower trust in politicians and their institutions were found to have more protests.

In summary, it can be noted that international media frequently reports on the rebellion, the protest or the resistance of the German population against the government's corona policy – in this context, the readiness to use violence is emphasized by many authors. Having in mind the international reports on the German population's readiness to use violence at demonstrations against the government's corona policy, it seems as if other countries' inhabitants do not react in this way. Hence, the readiness of using violence becomes a research field of high interest and should be addressed by scientists. Also, it remains to be seen how the German population's resistance against the government's corona policy develops in the next months. One can assume that the population's readiness to use violence is somehow correlated with people's trust in politicians, which needs to be investigated.

## References Références Referencias


1. Abu-Akel A., Spitz A., West R. The effect of spokesperson attribution on public health message sharing during the COVID-19 pandemic. *PLoS ONE*, 2021, 16[2]: e0245100 https://doi.org/10.1371/journal.pone.0245100
2. Akseer N., Kandru G., Keats E. C., Bhutta Z. A. [2020]: COVID-19 pandemic and mitigation strategies: implications for maternal and child health and nutrition. *American Journal for Clinical Nutrition*, 2020, 112: 251–256.
3. Arafat S., Kar S., Marthoenis M. Psychological underpinning of panic buying during pandemic [COVID-19]. *Psychiatry Research*, 2020, 289: 113061.
4. Ärzteblatt [ed.]. *Wir sehen, dass die Kinder mit zunehmender Länge des Lockdowns immer mehr ‚am Rad drehen'.* 2021, online: https://www.aerzteblatt.de/nachrichten/120837/Wir-sehen-dass-die-Kinder-mit-zunehmender-Laenge-des-Lockdowns-immer-mehr-am-Rad-drehen [last accessed on 19th January 2022].
5. Bloomberg C. *China calls for halt to mandatory COVID-19 vaccinations amid inoculation push*. Straits Times, 12 April 2021. Online: https://www.straitstimes.com/asia/east-asia/chinacalls-for-halt-to-mandatory-covid-19-vaccines-amid-inoculation-push [last accessed 11th January 2022].
6. Borrelli S. S. *Italy first in Europe to make jabs mandatory for health workers*. Financial Times, 1 April 2021. Online: https://www.ft.com/content/18791bdf-ad1a-4f5e-b99a-28aee18-fe9f7 [last accessed 11th January 2022].
7. Bundeszentrale für politische Bildung [ed.]. *Zum gesellschaftlichen Umgang mit der Corona-Pandemie*. Ergebnisse der Mannheimer Corona-Studie. 2020, online: https://m.bpb.de/apuz/314345/zum-gesellschaftlichen-umgang-mit-der-corona-pandemie [last accessed on 9th January 2022].
8. Cherian V., Saini N. K., Sharma A. K. [2019]: Assessment of timely immunization in an urbanized agglomeration of East Delhi, India. *International Journal of Community Medical Public Health*, 2019, 6[3]: 1156–1161.
9. Dai H. et al. [2021]: Behavioral Nudges Increase COVID-19 Vaccinations. *Preprint at SSRN*, 2021, https://doi.org/10.2139/ssrn.3817832 [last accessed on 19th January 2022].
10. Ellis E. G. *The coronavirus outbreak is a petri dish for conspiracy theories*. Online: https://www.wired.com/story/coronavirus-conspiracy-theories/ [last accessed on 13th January 2022].
11. Falkenbach M, Greer S. L. Denial and distraction: how the populist radical right responds to COVID-19 - Comment on "A scoping review of PRR parties' influence on welfare policy and its implication for population health in Europe." *International Journal of Health Policy Management,* 2021, 10[9]: 578–580.
12. Georgeou N., Hawksley C. *State Responses to COVID-19: a global snapshot*, 2020, Sydney: HADRI/Western Sydney University.
13. Gottlieb S., McClellan M. *What to do when there's a Covid-19 vaccine glut*. Wall Street Journal, 7 February 2021. https://www.wsj.com/articles/what-to-do-whentheres-a-covid-19-vaccine-glut-11612732696 [last accessed on 18th January 2022].
14. Graeupner D., Coman A. [2017]: The dark side of meaning-making: how social exclusion leads to superstitious thinking. *Journal of Experimental Social Psychology*, 2017, 69: 218–222.

15. Hamel L., Lopes L., Kearney A., Brodie M. *COVID-19 vaccine monitor*. March 2021, online: https://www.kff.org/coronavirus-covid-19/poll-finding/kff-covid-19-vaccine-monitormarch-2021/ [last accessed 13th January 2022].
16. Hamel L., Sparks G., Brodie, M. *COVID-19 vaccine monitor*. February 2021, online: https://www.kff.org/coronavirus-covid-19/poll-finding/kff-covid-19-vaccine-monitorfebruary-2021/ [last accessed 13th January 2022].
17. Iacoella F., Justino P., Martorano B. Do pandemics lead to rebellion? Policy responses to COVID-19, inequality, and protests in the USA. *WIDER Working Paper* 2021/57.
18. Jolley D., Douglas K. M. The effects of anti-vaccine conspiracy theories on vaccination intentions. *PLoS One 9*, 2014, e89177.
19. Kornfield M. *Anti-vaccine protesters temporarily shut down major coronavirus vaccine site at Dodger Stadium in Los Angeles*. Washington Post, 30 January 2021, online: https://www.washingtonpost.com/nation/2021/01/30/anti-vaccine-protest-dodger-stadium/ [last accessed on 17th January 2022].
20. Leman P., Cinnirella M. [2007]: A major event has a major cause: evidence for the role of heuristics in reasoning about conspiracy theories. *Social Psychology Revue*, 2007, 9: 18–28.
21. Marchlewska M. In search of an imaginary enemy: Catholic collective narcissism and the endorsement of gender conspiracy beliefs. *The Journal of Social Psychology*, 2021, 159[6]: 766–779. https://doi.org/10.1080/00224545.2019.1586637
22. Milkman K. L. et al. [2021]: *A Mega-Study of Text-Based Nudges Encouraging Patients to Get Vaccinated at an Upcoming Doctor's Appointment*. Rotman School of Management, Working Paper no. 3780267; preprint at SSRN, online: https://doi.org/10.2139/ssrn.3780267 [last accessed on 19th July 2021].
23. Miller S. M. Monitoring and blunting: Validation of a questionnaire to assess styles of information seeking under threat. *Journal of Personality and Social Psychology*, 1987, 52[2]: 345–353.
24. Moser D. A., Glaus J., Frangou S., Schechter D. S. [2020]: Years of life lost due to the psychosocial consequences of COVID-19 mitigation strategies based on Swiss data. *European Psychiatry*, 2020, 63[1]: e58, 1–7.
25. Nachtwey O., Schäfer R., Frei N. Politische Soziologie der Corona-proteste. 2020, online: https://edoc.unibas.ch/80835/1/20210118133822_6005813e51e0a.pdf
26. Our World in Data [ed.]. Coronavirus [COVID-19] Vaccinations. 2022, online: https://ourworldindata.org/covid-vaccinations?country=OWID_WRL [last accessed on 19th January 2022].
27. Plümper T., Neumayer E., Pfaff K. G. The strategy of protest against Covid-19 containment policies in Germany. *Social Science Quarterly*, 2021, 102: 2236–2250.
28. Ravens-Sieberer U. et al. Seelische Gesundheit und psychische Belastungen von Kindern und Jugendlichen in der ersten Welle der COVID-19-Pandemie – Ergebnisse der COPSY-Studie. *Bundesgesundheitsblatt, Gesundheitsforschung, Gesundheitsschutz*, 2021, 64: 1512–1521.
29. Schmelz K., Bowles S. Overcoming COVID-19 vaccination resistance when alternative policies affect the dynamics of conformism, social norms, and crowding out. *PNAS*, 2021, 118[25]: e2104912118.
30. Scholz K.-A. *Deutschland-Trend: Deutliche Warnsignale an die Politik*. 2022, online: https://www.dw.com/de/deutschland-trend-deutliche-warnsignale-an-die-politik/a-56773893 [last accessed on 17th January 2022].
31. Stern [ed.]. *Zehntausende protestieren gegen Corona-Maßnahmen – "Lügenpresse"-Parolen vor ZDF-Hauptstadtstudio*. 2022, online: https://www.stern.de/panorama/corona-protest-schwillt-an---zehntausende-protestieren-gegen-massnahmen-31471790.html [last accessed on 17th January 2022].
32. Van Bavel J. et al. *National identity predicts public health support during a global pandemic: Results from 67 nations*. 2020, online: https://doi.org/10.31234/osf.io/ydt95 [last accessed on 13th January 2022].
33. WHO [ed.]. *Home Care for Patients with COVID-19 Presenting with Mild Symptoms and Management of Their Contacts*. Geneva, Switzerland: WHO. 2020, online: https://www.who.int/publications-detail/home-care-for-patients-with-suspected-novel-coronavirus-[ncov]-infection-presenting-with-mild-symptoms-and-management-of-contacts [last accessed on 16th January 2022].

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# The use of Artificial Intelligence in the Production of State Acts

By Maurício Zockun & Carolina Zancaner Zockun
*Pontifical Catholic University of São Paulo*

*Abstract-* The article proposes to examine the ways in which the production of state legal acts occurs through multiple existing technologies that create what is so-called "artificial intelligence" and, based on them, determine to what extent their use is compatible with Brazilian law, especially with regard to controlling their legitimacy.

*Keywords: artificial intelligence. state legal act. motivation. control.*

*GJHSS-F Classification: FOR Code: 1801*

# The use of Artificial Intelligence in the Production of State Acts

Maurício Zockun α & Carolina Zancaner Zockun σ

*Abstract-* The article proposes to examine the ways in which the production of state legal acts occurs through multiple existing technologies that create what is so-called "artificial intelligence" and, based on them, determine to what extent their use is compatible with Brazilian law, especially with regard to controlling their legitimacy.

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## Introduction

Artificial intelligence is gradually being adopted by the State to automate factual and legal measures that are constitutionally attributed to it. The procedure for automating state acts is nothing new, having been known for centuries. However, the novelty lies in the new ways of automating state acts through the so-called artificial intelligence.

Secular is also the duty constitutionally imposed on the State to clarify and motivate the reasons for which it produces its acts. Transparency and motivation have long been the antidote to state arbitrariness, since criminals and wrongdoing, as a rule, occur outside public and state knowledge and control, thus operating in the shadows.

Likewise, artificial intelligence mechanisms seem to operate in the shadows, preventing the recognition, knowledge, and process adopted to produce state solutions based on artificial intelligence.

What, then, is the legitimate way of using artificial intelligence in the production of state acts in the light of the duty of motivation? This is the question we face in this article, in which we try to offer some proposals for solutions.

## I. The Principle of Motivation in the Production of State Acts

### a) *The Duty Of The State To Motivate The Acts It Produces*

1. According to the Constitution of the Federative Republic of Brazil (Constitution of Brazil), the motivation is the constitutionally imposed duty in the exercise of a state function. As a result of this duty, it is imposed on all those who act in the exercise of a state function or attribution (what we call public agents) the task of disclosing the reasons that led them to adopt a certain legal or material measure for the protection of the public interest, according to the enabling legal norm.

   As a logical consequence of the duty of motivation, the public agent is equally compelled to reveal the logical relevance between his deliberation and the facts that occurred. Without this, the reasonableness and proportionality of the legal or factual measure adopted, according to the purpose of the jurisdiction rule, cannot be ascertained.

2. Whether in Brazil or abroad[1], the duty of public agents to motivate their actions is justified not only by serving as an antidote capable of avoiding or fulminating abusive and authoritarian state measures. This duty also lends itself to explaining and externalizing the reasons why public agents adopted a given measure, neglecting other measures that could also be adopted to achieve the same purpose. Thus, motivation allows society to know and be informed of the reasons for public choices, which is especially relevant when the law grants a wide margin of freedom for these choices.

### b) *Explicit, Clear, Sufficient, and Congruent Motivation*

3. Under Article 50, paragraph one, of the Brazilian Federal Law (Federal Law) 9,784, "the motivation must be explicit, clear, and congruent (...)"[2]. It is certain, however, that no normative command is

*Author α: Professor of Administrative Law at Pontifícia Universidade Católica de São Paulo (Pontifical Catholic University of São Paulo) (PUC/SP). Lecturer and Ph.D. in Administrative Law from PUC/SP. Master in Tax Law from PUC/SP. Attorney.*

*Author σ: Professor of Administrative Law at PUC/SP. Postdoctoral degree in Democracy and Human Rights from the Universidade de Coimbra (University of Coimbra) (Portugal) Master and Ph.D. in administrative law from PUC/SP. Counsel for the National Treasury.*

*e-mail: czockun@pucsp.br*

[1] In the Spanish Constitution, this duty is foreseen, for example: Article 23, 4; Article 88; Article 120, 3. In the Portuguese Constitution: Article 48, 2. In European Community Law, the European Parliament edited the "Resolution of 15 January 2013" with recommendations to the Commission on a Law of Administrative Procedure of the European Union (2012/2024(INL). It states: "Recommendation 4.8: On the duty to state reasons Administrative decisions must clearly state the reasons on which they are based. They shall indicate the relevant facts and their legal basis. They must contain an individual statement of reasons. If this is not possible due to the fact that a large number of persons are concerned by similar decisions, standard communications should be allowed. In that case, however, any citizen who expressly requests an individual statement of reasons should be provided with it." (https://www.europarl.europa.eu/doceo/document/TA-7-2013-0004_EN.pdf)

[2] BRAZIL. *Law No. 9,784 of 1999*, available at: https://www.planalto.gov.br/ccivil_03/leis/l9784.htm, accessed on: September 2, 2023.

explicit in its content, but only in its external form or exteriorization. Hence, for example, to say that the "dignity of the human person" cannot be violated by state or private behavior requires, in our judgment, that this guarantee be interpreted. It requires the law enforcer to extract from this guarantee the emerging rights in favor of the individual and the limitations or restrictions on private or state conduct. Thus, in the given example, the phrase "dignity of the human person" is explicit; on the other hand, the rights and guarantees arising from this guarantee require interpretation, and this, in our opinion, is always implicit[3].

As legal institutes and normative prescriptions are externalized through signs[4], the construction of their meaning, content, and scope requires interpretation, as observed by José Souto Maior Borges[5]. This is because the legal norm and the legal institutes reveal themselves through and due to the interpretation we make of it. In this context, there is no mention of normative command or explicit legal institute. And, for the same reason, there is no mention of explicit motivation either.

After all, both the famously explicit legal concepts – such as legality – and the recognizably implicit ones – such as good faith and legal certainty – reveal this attribute at the formal level (whether, for example, they are or are not conveyed in a legal text, whether they have their existence proclaimed and externalized in the legislated text). As for the material level, its juridical substance, content, meaning, and scope are always revealed through interpretation.

Thus, the interpretation seeks to extract from the legal institute or a legal prescription its normative load, and, for this reason, José Souto Maior Borges rightly states that every concept or legal command is, therefore, implicit.

4. Now, if motivation is also revealed in the legal world in the same way as legal concepts and normative prescriptions, it is unreasonable to intend to attribute a literal meaning to Article 50, paragraph one, of Federal Law 9,784, demanding "explicit motivation."

For this reason, the "explicit motivation" prescribed in Article 50, paragraph one, of Federal Law 9,784, must be understood as the need for the motivation to be externalized, allowing the interpreter and the recipient to become aware of the justifications that led to the production of the act[6].

5. Moreover, the idea of congruence – prescribed in Article 50, paragraph one, of Federal Law 9,784 – concerns the correlation and logical pertinence between a given fact and the legal measure adopted by the public authority (what reasonableness consists of[7]), including the adequacy between the intensity of the measure adopted according to its purpose (which is the principle of proportionality).

This is also the thought of Augusto Durán Martínez, for whom:

> "*La congruencia es una exigencia de razonabilidad. El acto administrativo es una declaración de voluntad razonable, puesto que la voluntad presupone la inteligencia. La motivación, además de suficiente y congruente, para ser legítima debe, además, ser exacta. La motivación es exacta cuando son ciertas las circunstancias de hecho enunciadas, cuando las reglas de derecho invocadas son aplicables al caso y su interpretación es correcta y cuando la finalidad enunciada puede ser satisfecha con lo decidido.* Mientras que la suficiencia y la congruencia se aprecian con la sola lectura del acto, la exactitud exige 'un salto del papel', puesto que es preciso comparar lo dicho en el acto con la realidad"[8].

But is the motivation of produced state acts always necessary?

c) *The Motivation in State Acts Produced based on Bound and Discretionary Competence*

6. The motivation of State acts, and especially the acts produced by the State in the exercise of the administrative function[9], is not always necessary.

[3] ZOCKUN, M. & ZOCKUN, C.Z. "*A relação de sujeição especial no direito brasileiro*," *A&C – Revista de Direito Administrativo & Constitucional*, Belo Horizonte, year 19, No. 77, (DOI: 10.21056/aec.v19i77.1141), p. 121-137, July/September 2019.

[4] On the concept of legal signs: ARAUJO, C.O. "*Semiótica jurídica*," *In:* CAMPILONGO, C.F., GONZAGA, A.A. & FREIRE, A.L. (Cords.), *Enciclopédia jurídica da PUC-SP*, *Volume: Teoria Geral e Filosofia do Direito*, Pontifícia Universidade Católica de São Paulo, São Paulo, 2017, available at: https://enciclopediajuridica.pucsp.br/verbete/96/edicao-1/semiotica-juridica, accessed on: September 2, 2023.

[5] BORGES, J.S.M. "*O Princípio da Segurança Jurídica na Criação e Aplicação do Tributo*," *Revista Dialética de Direito Tributário*, No. 22, Dialética, São Paulo, 1997, pp. 24-29.

[6] Explicit motivation is, for Augusto Durán Martínez, sufficient motivation, for those who: "*La motivación es suficiente cuando con su sola lectura se pueden advertir las razones determinantes del acto*." Hence the conclusion "*Si no se expresan las razones que pretendidamente apoyan la decisión, difícilmente podrá decirse que el ejercicio del poder que la decisión presunta se somete a un control público democrático, y difícilmente podrá ejercerse sobre ellas un control jurídico posterior*." *In:* MARTÍNEZ, A.D. "*Motivación del acto administrativo y buena administración*," *Revista de Direitos Fundamentais e Democracia*, Curitiba, Vol. 13, No. 13, January/June 2013, p. 22.

[7] In this same sense is the thought of Edmir Netto de Araújo. *In:* ARAÚJO. E.N. *Curso de Direito Administrativo*, 5th Ed., Saraiva, São Paulo, 2010, p. 82.

[8] MARTÍNEZ, A.D. "*Motivación del acto administrativo y buena administración*," (...), *Ob.* p. 23.

[9] The Brazilian legal system was not concerned with defining the functions performed by the State; it merely distributed legal competencies between the State and society. Among us, the segregation of these competencies is a work undertaken by the doctrine – and widely accepted by the Judiciary –, based on the identification of the set of principles that allow giving that competence a distinct feature from the others (among us, when we segregate certain legal categories according to the applicable specific principles,

With this, it is stated that administrative acts – which are the legal acts produced by the State in the exercise of the administrative function – do not always need to be accompanied by motivation.

In fact, the administrative act emanated without conscience or will (we mention it later, in item 16) can be guided by the same logic of the incidence of rules of conduct, since the outbreak of its effects in the legal world is perfected automatically and infallibly, as Alfredo Augusto Becker points out[10], with no need for any kind of motivation.

Take, for example, a traffic sign and the automatically and sequentially projected lights by a traffic light. They are forms through which constant emanations of administrative acts are perfected, based on the exercise of a related competence, and validly produced without any kind of motivation. But that is not all.

The linked administrative acts that do not need motivation are those whose valid production requires (i) the demonstration of the occurrence of the legal fact described in the hypothesis of the competence rule; or (ii) being implicitly excluded by the law since it would make the very protection of the public interest unfeasible (as in acts produced orally or urgently).

7. If some administrative acts produced in the exercise of a related competence do not require motivation, other acts based on the same competence require that provision for their valid production. For this reason, one cannot focus on the error of assuming that all related administrative acts do not need to be motivated.

Indeed, many acts produced in the course of processes or administrative procedures are strictly bound – such as, for example, the granting of precautionary measures[11], the lack of knowledge, or the dismissal of claims or appeals handled outside the legally established period –, and, notwithstanding this morphology, the motivation should be declined contemporaneously to its production, under penalty of offense to due legal process.

That is why Celso Antônio Bandeira de Mello states that "jurisdictional decisions, whatever they may be, confirmed or reformed, persistent or overcome by new jurisprudential guidance, are always pronounced as acts bound to said Law. So, there is no assumption that the judge has discretion to grant or reject a request for an injunction."[12]

Thus, even though the enabling legal rule may impose the exercise of the public function in a binding manner, it is not rare to require prior or contemporary clarification regarding the factual situation that occurred and the legal basis adopted to justify the adoption of a given state measure. This is to allow the administered to assess the existence of logical relevance between the factual and legal circumstances and the solution adopted, according to the said rule of jurisdiction.

*For example:* If there is an enabling legal rule, the Public Authority must adopt a precautionary measure capable of preserving the good of life discussed in the records of a process or administrative procedure, provided that it demonstrates, with motivation, that the authorizing requirements of this procedural measure are present (which are: the *fumus boni iuris* and the *periculum in mora*).

8. Despite the unquestionable validity of some types of administrative acts produced without conscience or will and without reason, as long as they result from the exercise of related competence, the same conclusion is not reached in cases where this administrative act (produced without conscience or will) is emanated based on discretionary competence.

And it is precisely in this moving field that people are treading these days, in which the Public Authority – out of necessity or incentive – produces discretionary acts making use of the so-called "artificial intelligence." This happens in Brazil and abroad.

9. Thus, the classic theme of motivation is gaining special prominence nowadays, as artificial intelligence is used more and more frequently to (i) propose to the public agent the content of the legal act to be produced; or (ii) produce, on behalf of the public agent, a specific legal act.

*In this context:* How to motivate these discretionary acts that were produced without conscience or will, since they were emanated or suggested by artificial intelligence? Who is in charge of motivating them? Is it the artificial intelligence itself?

To answer these questions, we must, initially, know how the proposed solution is built using artificial intelligence and, thus, scrutinize how its valid production

we say that it observes its own *legal regime*). In this context, we welcome the concept of *administrative function* supported by Celso Antônio Bandeira de Mello, for whom: "Administrative function is the function that the State, or whoever replaces it, exercises in the intimacy of a hierarchical structure and regime and that in the Brazilian constitutional system is characterized by the fact that it is performed through infra-legal or, exceptionally, infra-constitutional behaviors, all submitted to legality control by the Judiciary" (BANDEIRA DE MELLO, C. A. *Curso de Direito Administrativo*, 36th ed., Fórum Belo Horizonte, 2023, p. 36).

[10] BECKER, A.A. *Teoria Geral do Direito Tributário*, 3rd Ed., Lejus, São Paulo, 1998, pp. 303-309.

[11] BRAZIL. Article 45 - *Law No. 9,783 of 1999*, available at: http://www.planalto.gov.br/ccivil_03/leis/l9873.htm, accessed on: September 2, 2023.

[12] In this regard: BANDEIRA DE MELLO, C.A. "*Mandado de segurança contra denegação ou concessão de liminar*," *Revista de Direito Administrativo e Infraestrutura – RDAI*, *in:* Revista dos Tribunais, São Paulo, Vol. 3, No. 11, pp. 441–449, 2019, available at: https://www.rdai.com.br/index.php/rdai/article/view/212, accessed on: September 2, 2023.

takes place (or can take place) according to the legal system.

## II. The Principle of Motivation in Acts Suggested or Produced based on Algorithms

*a) The Dilemma in the Motivation of the Act Performed or Proposed based on Algorithms*

10. In the historical moment in which we live, it is questioned to what extent one can demand the motivation of a state act produced through a program that employs or adopts algorithms, the basis for the construction of an artificial intelligence system.

Therefore, it is imperative to know what models are used to create what is called artificial intelligence and, thus, to assess the extent to which it can legitimately be adopted in Brazilian law (an idea that seems to extend to those with normative systems that require motivation in the production of state acts).

*b) Understanding Algorithm Arrangements and the Production of Acts based on Artificial Intelligence*

11. The limits of the use of artificial intelligence in the production or suggestion of production of administrative acts require, preliminarily, that we know how these contraptions propose solutions from the exposed problem.

According to Bruno Romani and Marcos Muller, "Until 2017, the most used AI architecture (or technique) to analyze and generate text was the so-called recurrent neural networks (RNN). They 'look' at a set of terms and generate the next word sequentially, always based on what appears before - it is a kind of 'word queue'."[13]

It turns out that "(...) the RNNs have two problems. The first is that they cannot analyze several words at the same time, which slows down the training process of these systems. In addition, they cannot keep their 'attention' in very long sentences and end up 'forgetting' the first analyzed terms. That is, RNN cannot handle a very long queue of words. Therefore, they are incapable of writing long paragraphs"[14], which led to the creation of an algorithm capable of solving this problem, which came to be called 'Transformer', the basis of systems such as Bert, from Google, and the GPT, which would later come to supply the ChatGPT.

And how concretely does the artificial intelligence system work, which can and has been used in the production or suggestion of production of legal acts? As "computers (...) do not understand words (...) the language needs to become mathematics. (...) Each term gets a number (called a token), and these identifications are transformed into multidimensional vectors called 'embeddings'. The 'embeddings' help to preserve the idea of semantics because they group the vectors of similar words – for example, the vectors of 'spring' and 'summer' tend to be close to each other in the words 'cloud'. Another element of this analysis is the position of these words in the sentence. A position code (called position 'encoding') helps determine which words tend to appear together and where they tend to appear in a sentence. This is important because the placement of a word in the sentence changes its meaning. For the machine to understand the relationships and generate parameters, massive volumes of data are needed, called large language models (LLM). GPT-3.5, the first 'brain' of ChatGPT, was trained with 45 TB of text, including 10 billion words and 8 million texts. It includes the entire Wikipedia in English, packages of digital books (collectively called Books 1 and Books 2), and two massive packages of web pages (named The Common Crawl and WebText2)."[15] Here, then, is the transformation that takes place on the database that serves as support for the operation of the artificial intelligence system.

This theme is of transcendent importance because if the database is fed according to biases – texts that attribute legitimacy to racist, sexist behavior, mitigating the rights of those administered and under the jurisdiction etc. – the default algorithm ('embeddings' and 'position encoding') will follow this trend in the answers provided. We will therefore have racist, sexist responses, mitigating the rights of those administered and under our jurisdiction.

This is because "(...) within AI systems, the word becomes mathematics. AI tools that generate text use probabilistic analysis models to understand the relationship between words and select the terms that best meet user demands (...)."[16] Precisely because the algorithm uses probabilistic methods to select words that, taken together, can make sense, it is not uncommon for "...a phenomenon baptized in the scientific community as 'hallucination', which refers to texts invented by machines that extrapolate reality or common sense (...) Turning words into numbers and vice versa makes clear the reasons why ChatGPT hallucinates or argues about erroneous information. It is

[13] ROMANI, B. & MULLER, M. "*Palavras viram números: entenda como funciona a inteligência artificial do ChatGPT*," *O Estado de São Paulo*, São Paulo, year 144, No. 47,269, 3/19/2023, p. B7. Available at https://www.estadao.com.br/link/cultura-digital/chatgpt-chat-inteligencia-artificial-como-usar-funcionamento/, accessed on: September 2, 2023.

[14] ROMANI, B. & MULLER, M. "*Palavras viram números: entenda como funciona a inteligência artificial do ChatGPT*" (...), *Ibid.*

[15] ROMANI, B. & MULLER, M. "*Palavras viram números: entenda como funciona a inteligência artificial do ChatGPT*" (...), *Ibid*.

[16] ROMANI, B. & MULLER, M. "*Palavras viram números: entenda como funciona a inteligência artificial do ChatGPT*" (...), *Ibid*.

just picking words from a probabilistic model. There is no feeling or understanding."[17]

12. Thus, the artificial intelligence that caused a real worldwide frisson, the ChatGPT, is described as follows, coherently with the algorithm models used: "...ChatGPT does not understand what you type for one simple reason: within AI systems, the word becomes mathematics. AI tools that generate text use probabilistic analysis models to understand the relationship between words and select terms that best meet user demands."[18]

Therefore, in the so-called artificial intelligence systems, there is no feeling, understanding, or a look at the reality described given the purpose of the norm (which is the protection of the public interest or the common good). There is, simply, an arrangement between words that, by probabilistic means, can make sense, according to the database provided. The production of a normative act is produced or suggested without conscience or will.

Artificial intelligence does not propose any solutions; it proposes, simply, an arrangement of words according to the greater probability that they make some sense, according to the database that supports it. There is no awareness, feeling, or empathy; the proposed solution is based on a probabilistic method to ensure that the words used make sense, the way they are linked together.

In legal terms, the proposal to produce a legal act (or its production) based on artificial intelligence is equivalent to turning on a traffic light: they are legal acts produced without conscience or will.

Let's look at the field in which this probabilistic tool is used in law and its legitimacy since they are legal acts produced without conscience or will.

c) *Artificial Intelligence in the Preparatory Phase of the Production of Legal Acts*

13. In May 2018, the website of the Supreme Court of Brazil (STF) reported the start of a project called 'Victor', which would be an artificial intelligence tool asked to "read" all appeals sent to that Court and identify their link to issues of 'general repercussion'.[19] This reading, we now know, either transforms this database into a "word queue" or, in a more evolved form, pours each word into a token, which is transformed into multidimensional vectors ('embeddings') that intend to preserve the semantic idea according to similar words and their position in each sentence (position 'encoding'). This is what the "reading" performed by 'Victor' means.

But that is not all. At that stage, according to the news, 'Victor' was "in the construction phase of its neural networks to learn from thousands of decisions already handed down in the STF regarding the application of various issues of general repercussion." As reported, at that stage of development of 'Victor', it was sought to achieve high levels of accuracy – which is the measure of effectiveness of the machine –, allowing that tool to assist servers in their analyses.

The news concludes by stating that "The machine does not decide, it does not judge. This is human activity. It is being trained to work in layers of process organization to increase the efficiency and speed of judicial evaluation."

14. In this context, 'Victor' is used to produce a legal act that, in the course of a procedure, enables, instrumentalizes, or creates the necessary conditions for the final legal act to be produced. Thus, 'Victor' produces preparatory legal acts. It innovates the legal order but does not propose (or did not propose, at that time) the final decision to be adopted.

Therefore, it is noticeable that, despite the news reported by the STF stating that 'Victor' does not exercise a jurisdictional function, this artificial intelligence interferes with the judicial decision to be handed down, as it innovates the legal order and produces acts that can be accepted in the production of legal acts.

15. Now, if the database of 'Victor' is composed of a vast set of decisions handed down by the STF in which the processing of an appeal regarding a specific matter has not been allowed – even though there are cases in which that matter has been examined by the STF due to the peculiarities of the case –, 'Victor' will learn and decide in a biased way, as it will not admit appeals in which the referred matter is debated. Considering this, if 'Victor' is fed only with decisions that have not admitted the appeal in these cases, it will decide that way, as its database will not have decisions to the contrary. And even if its database is filled with contrary decisions, it will tend to apply the decisions that are at its disposal in greater quantity, and it will not know the appeal on that matter. But that is not all.

As this method is based on artificial intelligence, the decision suggestion derives from the mathematical probability that the words that formed its database have some logical relevance to each other, according to the question asked. As seen, the proposed solution derives

[17] ROMANI, B. & MULLER, M. "*Palavras viram números: entenda como funciona a inteligência artificial do ChatGPT*" (...), *Ibid*.

[18] ROMANI, B. & MULLER, M. "*Palavras viram números: entenda como funciona a inteligência artificial do ChatGPT*" (...), *Ibid*.

[19] STF. *Inteligência artificial vai agilizar a tramitação de processos no STF*, available at: https://portal.stf.jus.br/noticias/verNoticiaDetalhe.asp?idConteudo=380038, accessed on: September 2, 2023.

According to the Brazilian legal model, among the actions and appeals that can be examined by the STF, some require that the matter discussed in the action or appeal be a relevant issue from an economic, political, social, or legal perspective, going beyond the interests of the parties involved in the cause.

from a mathematical probability that these elements make sense; there is no reasoning, there is no analysis of the concrete case, there is no look at reality. It is a legal act produced without conscience or will.

Hence the result proposed through this tool can be circumstantially correct, incorrect, or, hopefully, a real hallucination. All this is based on the probability of an arrangement between words since it is a legal act produced without conscience or will.

*d) Artificial Intelligence used in the Proposition and Production of Final Legal Acts*

16. Celso Antônio Bandeira de Mello has been saying for some time that there is no obstacle to the production of an administrative act by artificial means, called legal acts produced without conscience or will. According to him:

"(...) there are legal – administrative – acts that are not necessarily voluntary human behavior. They may arise 'casually', i.e., without their producer having intended to dispatch them and, therefore, with no intention of generating the corresponding effects.

Take the following hypothesis as an example. Suppose that a public agent in charge of interfering, when necessary, in a control center for traffic lights in the city (or in a certain part of it), usually managed by computer, inadvertently presses a button concerning a given traffic light signal. As a result, on a certain corner, the green light – i.e., the order to 'go' – lights up three, four, or five seconds earlier than programmed and, correspondingly, the red light lights up – the order to 'stop' – at the other angle of the intersection. Due to this, the mentioned orders will have been unintentionally generated, which are administrative, legal acts. And he or she may even never know it happened. This is what would happen if he or she were talking to another employee, with their back to the keyboard, having touched it without even realizing it. There was no volitional manifestation, and there was an administrative, legal act.

Imagine, now, the same control center for traffic lights, commanded by a computer, and it is now in charge of changing lights according to radar signals indicating the levels of traffic congestion in the region. It is a machine that will be carrying out the successive 'go' or 'stop' orders, symbolized by the color of the lights; not a man. By the way, in the future, acts performed by machines will certainly be common. Even today there are already other cases in addition to the one mentioned before. There are 'parking meters' that issue fines once the parking period has been exceeded. In these cases, therefore, there are demonstrations that there may be administrative acts that are not produced by men. On the other hand, one cannot speak of the will of the machine that dispatches them[20], an idea that extends to modern Artificial Intelligence tools (...)."[21]

17. So much so that the Attorney General's Office of the Federal District[22] uses Mrs. Luzia, considered the first "robot lawyer" in Brazil, created by the startup LegalLabs[23]. Its role in that public body is to analyze the progress of cases and, based on that, suggest manifestations of Public Advocacy, researching and collating information regarding the qualifications of individuals, such as addresses and assets[24].

18. Luis Felipe Salomão and Daniel Vianna Vargas testify that artificial intelligence has been used to carry out typically jurisdictional acts. They state that "in another turn, the identification of causes of action, factual and legal configurations, issues, ratio decidendi, suitability of causes, distinguishing, and reasoning are functions inexorably linked to the exercise of jurisdiction. Some of the practices listed above – with utilitarian justification and quantitative efficiency – reveal the use of artificial intelligence in the decision-making process, that is, in the jurisdictional activity." They go on to note that "depending on the result of the legislative process, judgments made through (with the help of) the RADAR and 'VICTOR' systems may be questioned, mainly by those who feel harmed by the result. Remember, the simplest and most repeated judgment is still a judgment."

And, for this very reason, they conclude that "It is necessary, at the very least, a legal theoretical framework of the tools of governance, regulation, and control of the so-called algorithms used to aid and, sometimes, replace the judge in the act of judging."[25]

19. This alert sounds especially relevant in the "automation in judgments" because, depending on the artificial intelligence system used for this purpose, the machine learning process adopted by the algorithm in the production of the final legal act takes place in a "technological 'black box'" environment.

A study undertaken by "The Australasian Institute of Judicial Administration Incorporated" describes this process as follows, with our highlights:

[20] HUTCHINSON, T. "*La actividad administrativa, la máquina y el Derecho Administrativo*," *Revista de Direito Público*, Revista dos Tribunais, São Paulo, 14th year, No. 55-56, p. 37-45, notably pp. 41-43.

[21] BANDEIRA DE MELLO, C. A. *Curso de Direito Administrativo (...)*, *Ibid.* p. 294.

[22] The Attorney General's Office of the Federal District is the body that represents the Federal District judicially and extrajudicially. The Federal District, in turn, is one of the political entities that are part of the Brazilian federal State, alongside the Union, the Municipalities, and the States.

[23] Attorney General's Office of the Federal District (PGDF). *Inteligência artificial em Execução Fiscal*, available at: www.pg.df.gov.br/inteligenciaartificial/, accessed on: September 2, 2023.

[24] It is possible to verify the proposed pieces indicated by *Mrs. Luiza* due to multiple judicial decisions. *In:* PGDF, *Modelo para atos processuais*, available at: www.pg.df.gov.br/wp-conteudo/uploads/2020/06/ModeloDe_ParaAtosProcessuais_PGFAZ.pdf, accessed on: September 2, 2023.

[25] SALOMÃO, L.F. & VARGAS, D.V. "*Inteligência artificial no Judiciário - Riscos de um positivismo tecnológico*" (...), *Ibid.*

"A technological 'black box' refers to human inability to grasp the inner workings of some technological systems. Even if humans can sometimes understand the inputs and outputs of a technological system, were they to view the inner workings of that system, they might find it incomprehensible. Accordingly, the person is unable to verify the integrity of the process used by the AI system to arrive at the output from the input. An explanation of connections in an artificial neural network is as unhelpful in understanding the system as is a neuron-by-neuron description of a human brain in understanding the reasons for a complex decision made by a human. This has led to interest in 'explainable' AI."[26][27]

20. These circumstances reveal the need for the technological positivization system, with the use of artificial intelligence, to be transparent and allow the administrator to identify the logical paths (step-by-step) or ratio decidendi followed by the algorithm for the production of a legal act. Hence, some designate this impediment as the "principle of interdiction to algorithmic arbitrariness."[28] And all this so that, even in the case of a legal act produced without conscience or will, it is the subjective right of the administrator to have access to the method by which it was produced, to assess the legitimacy of its automatic production.

*e) The Right of the Administered Concerning the Act Performed or Whose Performance was based on Algorithms*

21. Given these considerations, it seems to us that the principle of motivation – associated with the principles of publicity, transparency, and good faith – gives the administered the subjective constitutional right to:

21.1. (i) access the data and the database that served as support for the construction of the algorithm on which the artificial intelligence is based and built. This is so that it is possible to determine, for example, whether the database on which the algorithm will start its "learning process" – also known as 'machine learning' – (a) adopts minority, majority, or isolated thinking from jurisprudence or doctrine; (c) takes precedent or outdated legislation as support; (d) adopts sexist, sexist, or prejudiced standards as a parameter etc.

Therefore, the construction of an algorithm free of bias – guaranteeing impartiality, objectivity, and predictability in decision-making – must be subject to the widest verification and control, which is why unrestricted access to the information that formed the database on which the algorithm rests is required.

After all, as Luis Felipe Salomão and Daniel Vianna Vargas observe, "From the outset, it is clear that the supervision of data insertion is necessary for a minimum of control and regulation of the operation using algorithms, since these can be decisive for the results achieved and, sometimes, it is the only human 'influence' on the task developed through artificial intelligence."[29]

Supervision in the insertion of data refers to another equally relevant point, envisaged by Lenio Luiz Streck: "how to control discretion to structure the algorithm that will solve the problem of discretion?"[30]

21.2. (ii) access the source code of the algorithm used, because, as Henrique Alves Pinto correctly observed, "...decisions (based on artificial intelligence) have undergone an intense process of automation based on criteria, most of the time, unknown or well explained by their creators, so that they begin to have a great influence on people's daily lives without them necessarily noticing it."[31]

Hence, by accessing the source code, it will be possible to determine and audit the way adopted by the artificial intelligence for (a) the construction of the chain of logical and factual assumptions accepted for a final decision, (b) the logical chain of operations resulting from the application from positive law (or the interpretation that the Courts make of it) to the facts submitted to their examination, and, from this, (c) the conclusions that will materialize in a legal act.

The possibility of examining and controlling the way the algorithm works is essential to determine the legal fairness of the intermediate conclusions that serve as support for the final decision-making, since, as warned by Luis Felipe Salomão and Daniel Vianna Vargas "(...) when an artificial intelligence system is used to identify the cause of action, the legal framework of a given claim filed, delimiting the object of judgment and,

[26] BELL, F. *et. all*. "AI decision-making and the courts – a guide for judges, Tribunal Members and Court Administrators," Aija, Australia, 2002, available at: https://mcusercontent.com/b49194247b86d30ad3cfe1745/files/42c3b454-e611-73e1-43b4-c2e67a1dd931/AI_DECISION_MAKING_AND_THE_COURTS_Report_V5_2022_06_20.pdf, accessed on: September 2, 2023.

[27] This idea was also pursued by Jenna Burrell. *In:* BURREL, J. "How the machine 'thinks': Understanding opacity in machine learning algorithms," Big Data & Society, January–June 2016, available at: sagepub.com/journalsPermissions.nav (DOI: 10.1177/2053951715622512), accessed on: September 2, 2023, pp. 1–12.

[28] MUÑOZ, R.A. "*El control judicial de la actividad administrativa automatizada*" (...), *Ibid. Cit*., p. 241.

[29] SALOMÃO, L.F. & VARGAS, D.V. "*Inteligência artificial no Judiciário. Riscos de um positivismo tecnológico*," *Justiça & Cidadania*, Rio de Janeiro, Vol. 22, No. 260, April 2022, available at: www.editorajc.com.br/inteligencia-artificial-no-judiciario-riscos-de-um-positivismo-tecnologico/., accessed on: September 2, 2023.

[30] STRECK, L.L. "*Um robô pode julgar? Quem programa o robô?*," *Consultor jurídico*, 9.3.2020, accessed on September 2, 2023, available at: https://www.conjur.com.br/2020-set-03/senso-incomum-robo-julgar-quem-programa-robo, accessed on: September 2, 2023.

[31] PINTO, H.A. "*A utilização da inteligência artificial no processo de tomada de decisões: por uma necessária accountability*," *Revista de Informação Legislativa:* RIL, Brasília, DF, Vol. 57, No. 225, pp. 43-60, January/March 2020, available at: http://www12.senado.leg.br/ril/edicoes/57/225/ril_v57_n225_p43, accessed on: September 2, 2023

from the consultation of a database (case law), lead to a conclusion about that conflict brought to court, the situation is considerably different. The opacity and algorithmic biases make this task extremely difficult (or impossible) to control."[32]

This stage of gauging the fairness of acts produced based on artificial intelligence resembled an autonomous principle for some foreign and Brazilian authors, such as Ricardo Muñoz[33] and Juarez Freitas[34], respectively, starting to be called the principle of explainability.

In this context, we adhere to the criticism foreseen by Lenio Luiz Streck[35]: explaining is not carrying out hermeneutics or interpreting. And the 'leading cases'? Does artificial intelligence explain without interpreting? What about the valuation of legal assets? How can artificial intelligence value the dignity of the human person without being a human person? What about the right to a dignified life without even having a life?

21.3. (iii) access and operate the interface handled by the Public Authority for the use of artificial intelligence, so that the individual can, if he or she so wishes, use the same means to anticipate the proposed response (or the response itself) to be provided using that mechanism. In this way, an environment of greater legal certainty will be created (since the individual will know in advance if, in the eyes of the Public Authority, a conduct that he or she aspires to carry out will be mandatory, permitted, or prohibited) and if the answer provided in advance using artificial intelligence seems compatible or incompatible with positive law and, if applicable, challenge it in court.

*In sum:* In cases where the solution (or proposal for a solution), subject to State scrutiny due to any given situation, comes to be provided by the use of artificial intelligence, in which the legal act is produced without conscience or will, the layers of the principle of motivation, publicity, transparency, and good faith, impose on the Public Authority the duty to grant unrestricted access (i) to the database on which the algorithm started its learning process (or 'machine learning')[36]; (ii) the source code of the algorithm, the artificial neural network (ANN)[37], or other algorithmic mechanisms used (such as Transformer); and (iii) the interface that the Public Authority itself uses to request a proposed solution from artificial intelligence.

It is possible, however, that access to this interface by administrators may be prohibited or limited for reasons of public interest. This is what can be foreseen, for example, in the hypothesis that this platform is used for surveillance or fraud detection, in which case free access by users could weaken these control mechanisms.

22. As long as the proposed guarantees are met, the production of a "linked act" based on artificial intelligence is allowed, as long as it does not require any kind of motivation, as this act will have been produced by means devoid of conscience and will.

Is there the same solution regarding a legal act whose emanation is rooted in a discretionary competence? Can this "discretionary act" be produced without will and conscience, through artificial intelligence? Based on the chosen assumptions and according to our current normative model, the answer is negative, as discretion requires awareness and will, an exclusively human attribute that cannot be reproduced in algorithms.

But as the law creates its own realities, there is the legal possibility of authorizing the production of discretionary acts without conscience or will. Perhaps then, within this possibility, it will be possible to determine whether the proverb said in Asinaria, by Titus

[32] SALOMÃO, L.F. & VARGAS, D.V. "*Inteligência artificial no Judiciário. Riscos de um positivismo tecnológico*" (...), *Ibid.*

[33] MUÑOZ, R.A. "*El control judicial de la actividad administrativa automatizada*," Canoas, Vol. 10, No. 2, pp. 235-245.

[34] FREITAZ, J. "*Direito administrativo e inteligência artificial*," *Interesse Público*, Belo Horizonte, year 21, No. 114, p. 20.

[35] STRECK, L.L. "*Um robô pode julgar? Quem programa o robô?*" (...), *Ibit.*

[36] What, after all, is 'machine learning'? Luis Felipe Salomão and Daniel Vianna Vargas clarify: "Algorithms can be programmed or non-programmed, with the former following, step-by-step, smaller tasks previously defined by the programmer. When information is inserted, the path to be taken by the artificial intelligence is fully determined; the result is known. In the example of the application mentioned before, we can illustrate it with a destination that only has a single path to be taken. The programmed algorithm will give detailed instructions for each of the conversions to be carried out by the driver, but it is known that the path is the one previously defined by the programmer. As for non-programmed algorithms, they have random learning capacity. The data and the desired objective are inserted into the system (input). The system will be the one to produce the algorithm (output), transforming it into another, 'writing' its own programming, without interference from a human programmer. It is the so-called 'machine learning' technique. The machine collects data, interprets them, and transforms them into new data, making predictions about intermediate results, 'learning' from them and developing models and new algorithms without the need for new programming. The more data initially inserted, the greater the possibility of the system to learn." *In:* SALOMÃO, L.F. & VARGAS, D.V. "*Inteligência artificial no Judiciário. Riscos de um positivismo tecnológico*" (...), *Ibid.* pp. 26-30.

[37] According to André de Carvalho, ANNs "... are distributed computational systems based on the structure and functioning of the nervous system. For this, they use simple processing units, which simulate natural neurons, connected in such a way as to simulate the occurrence of synapses. A special type of ANNs, deep ANNs, has outperformed the predictive performance obtained by models generated by other AM algorithms. For this, they are trained with deep learning algorithms. ANNs have, however, a feature that prevents their use in some applications: that of being 'black box' models, that is, difficult to understand their inner workings and all decisions." *In:* CARVAHO, A. "*Relatório de Pesquisa do projeto de pesquisa 'Tecnologia aplicada à gestão dos conflitos no âmbito do Poder Judiciário Brasileiro'*," 2nd phase, *in*: SALOMÃO, L.F (Coord.). *Inteligência artificial*, 2nd Ed., FGV, São Paulo, available at: https://ciapj.fgv.br/sites/ciapj.fgv.br/files/relatorio_ia_2fase.pdf, accessed on: September 2, 2023.

Maccius Plautus, will once again have a course among us. After all: *Homo homini lupus*[38]?

## III. Conclusions

23. There is not and never has been a legal or logical impediment for legal and administrative acts to be produced by machines or an artificial intelligence system. This is an option open to legislative choice.

Despite this, the Constitution of the Republic, by positing the principles of motivation, publicity, transparency, and good faith, imposes that the public agent indicates the facts and the logical concatenation adopted for, given the system of positive law, producing any legal act.

This burden placed on the State serves as a skillful instrument to allow the administered to control the fairness of the produced state legal acts.

In this way, the wide latitude of this guarantee is not affected or relativized, the fact that the legal act was produced using an algorithm or was produced by a human being, based on a proposal constructed using an algorithm, provided that it is a legal act based on binding competence. And, in the first case, as long as it does not require any kind of motivation, it will have been produced by means devoid of conscience and will.

## References Références Referencias


1. ARAÚJO E.N. Administrative Law Course, 5th edition, Saraiva, São Paulo, 2010.
2. ARAUJO, C.O. "(Semiótica jurídica) Legal semiotics", in: CAMPILONGO, C.F; GONZAGA, A.A. & FREIRE, A.L. (Cords.), PUC-SP Legal Encyclopedia, Volume: (Teoria Geral e Filosofia do Direito) General Theory and Philosophy of Law, Pontifical Catholic University of São Paulo, São Paulo, 2017, available at: https://enciclopediajuridica.pucsp.br/verbete/96/edicao-1/semiotica-juridica, access on: 2 Sept. 2023.
3. BANDEIRA DE MELLO, C.A. "(Mandado de segurança contra denegação ou concessão de liminar) Writ of mandamus against denial or granting of injunction", Revista de Direito Administrativo e Infraestrutura (Administrative and Infrastructure Law Magazine – RDAI), Thomson Reuters, Livraria RT, São Paulo, 3rd version, No. 11, (DOI: 10.48143/rdai/11.mello.cab), available at: https://www.rdai.com.br/index.php/rdai/article/view/212, access on: 2 Sept. 2023.
4. BANDEIRA DE MELLO, C. A. (Curso de Direito Administrativo) Administrative Law Course, 36th edition, Forum, Belo Horizonte, 2023.
5. BECKER, A. A. (Teoria Geral do Direito Tributário) General Theory of Tax Law, 3rd edition, Lejus, São Paulo, 1998.
6. BELL, F. *et. al.* AI decision-making and the courts – a guide for judges, Court Members and Court Administrators, Aija, Australia, 2002, available at: https://mcusercontent.com/b49194247b86d30ad3cfe1745/files/42c3b454-e611-73e1-43b4c2e67a1dd931/AI_DECISION_MAKING_AND_THE_COURTS_Report_V5_2022_06_20.pdf, access on: 2 Sept. 2023.
7. BORGES, J. S. M. "(O Princípio da segurança jurídica na criação e aplicação do tributo) The Principle of legal certainty in the creation and application of taxes", Revista Dialética de Direito Tributário (Dialectic Magazine of Tax Law), Dialética, São Paulo, No. 22, pages 24-29, 1997.
8. BRAZIL. Constitution, available at: http://www.planalto.gov.br/ccivil_03/constituicao/constituicao.htm, access on: 2 Sept. 2023.
9. BRAZIL. Law No. 9783 of 1999, available at: http://www.planalto.gov.br/ccivil_03/leis/l9873.htm, access on: 2 Sept. 2023.
10. BRAZIL. Law No. 9784 of 1999, available at: https://www.planalto.gov.br/ccivil_03/leis/l9784.htm, access on: 2 Sept. 2023.
11. BRAZIL. Decree No 1171 of 1994, available at: https://www.planalto.gov.br/ccivil_03/decreto/d1171.htm, access on: 2 Sept. 2023.
12. CARVAHO, A. "(Relatório de Pesquisa do projeto de pesquisa ‘Tecnologia aplicada à gestão dos conflitos no âmbito do Poder Judiciário Brasileiro') Research Report of the research project 'Technology applied to conflict management within the scope of the Brazilian Judicial Branch'", 2nd phase, in: SALOMÃO, L.F (Coord.). (Inteligência artificial) Artificial intelligence, 2nd edition, FGV, São Paulo, available at: https://ciapj.fgv.br/sites/ciapj.fgv.br/files/relatorio_ia_2fase.pdf, access on: 2 Sept. 2023.
13. FREITAS, J. "(Direito administrativo e inteligência artificial) Administrative law and artificial intelligence", Public Interest, Venue, Belo Horizonte, year 21, No. 114, Mar-Apr., 2019.
14. HUTCHINSON, T. "(La actividad administrativa, la máquina y el Derecho Administrativo) Administrative activity, machinery and Administrative Law", Revista de Direito Público (Public Law Magazine), São Paulo, Revista dos Tribunais (Court Magazines), year XIV, Nos. 55-56, pages 37-43, Jul-Dec. 1980.
15. MARTÍNEZ, A.D. "(Motivación del acto administrativo y buena administración) Motivation of the administrative act and good administration", Revista de Direitos Fundamentais e Democracia, Curitiba, Vol. 13, No. 13, pages 18-32, January/June, 2013
16. MUÑOZ, R.A. "(El control judicial de la actividad administrativa automatizada) The judicial control of


[38] "*Lupus est homo homini, non homo, quom qualis sit non novit*," *in:* PLAUTO, T.M. *Asinaria I,* Gredos, Spain, available at: https://losapuntesdefilosofia.files.wordpress.com/2018/05/plauto-tito-macio-asinaria-bilingue.pdf, accessed on: September 2, 2023.

automated administrative activity", Revista Eletrônica Direito e Sociedade (Law and Society Electronic Magazine), Canoas, 10th version, No. 2, pages 235-245., Aug. 2022.
17. PLAUTO, T.M. Asinaria I, Gredos, Spain, available at: em: https://losapuntesdefilosofia.files.wordpress.com/2018/05/plauto-tito-macio-asinaria-bilingue.pdf, access on: 2 Sept. 2023.
18. PGDF. (Inteligência artificial em Execução Fiscal) Artificial Intelligence in Tax Execution, available at: www.pg.df.gov.br/inteligenciaartificial/, access on: 2 Sept. 2023.
19. PGDF, Model for procedural acts, available at: www.pg.df.gov.br/wp-conteudo/uploads/2020/06/ModeloDe_ParaAtosProcessuais_PGFAZ.pdf, access on: 2 Sept. 2023.
20. PINTO, H.A.P. "(A utilização da inteligência artificial no processo de tomada de decisões: por uma necessária accountability) The use of artificial intelligence in the decision-making process: for a necessary accountability", Legislative Information Magazine: RIL, Brasília, Federal District, 57th version, No. 225, page 43-60, Jan./Mar. 2020. Available at: http://www12.senado.leg.br/ril/edicoes/57/225/ril_v57_n225_p43, access on: 2 Sept. 2023
21. ROMANI, B. & MULLER, M. "(Palavras viram números: entenda como funciona a inteligência artificial do ChatGPT) Words turn into numbers: understand how ChatGPT artificial intelligence works", O Estado de São Paulo (State São Paulo Newspaper), São Paulo, year 144, No. 47,269, 3/19/2023, page B7, available at: https://www.estadao.com.br/link/cultura-digital/chatgpt-chat-inteligencia-artificial-como-usar-funcionamento/, access on: 2 Sept. 2023.
22. SALOMÃO, L.F. & VARGAS, D.V. "(Inteligência artificial no Judiciário. Riscos de um positivismo tecnológico) Artificial intelligence in the Judicial Branch. Risks of technological positivism", Justiça & Cidadania (Court and Citizenship), Rio de Janeiro, 22 version, No. 260, Apr. 2022, available at: www.editorajc.com.br/inteligencia-artificial-no-judiciario-riscos-de-um-positivismo-tecnologico/, access on: 2 Sept. 2023.
23. STF. (Inteligência artificial vai agilizar a tramitação de processos no STF) Artificial intelligence will speed up the processing of lawsuits at the STF, available at: https://portal.stf.jus.br/noticias/verNoticiaDetalhe.asp?idConteudo=380038, access on: 2 Sept. 2023.
24. STRECK, L. L. "(Um robô pode julgar? Quem programa o robô) Can a robot judge? Who programs the robot?", Legal consultant, 9.3.2020, available at: https://www.conjur.com.br/2020-set-03/senso-incomum-robo-julgar-quem-programa-robo, access on: 2 Sept. 2023.
25. ZOCKUN, M. & ZOCKUN, C.Z. "(A relação de sujeição especial no direito brasileiro) The relationship of special subjection in Brazilian law", A&C – Revista de Direito Administrativo & Constitucional (Administrative and Constitution Law Magazine), Belo Horizonte, year 19, No. 77, pages 121-137, (DOI: 10.21056/aec.v19i77.1141), July/September, 2019.

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# The Intersection of Turkish and Russian Literature in Georgia: The Effect of Geopolitics on Literature

By Prof. Dr. İlyas Üstünyer, Prof. Dr. Mustafa Arslan & Abdulmelik Alkan
*International Black Sea University*

*Abstract-* Geopolitics refers to a country's position on the mandatory route of the movement areas of high-level values of surrounding countries or regions. It has been a determinant for the movement maps of culture and art products and served as the mandatory route of material values before the 21st century. Georgia's geopolitics, which is at the crossroads linking the north to the south and the East to the West, has played a determining role in the intersection of culture and art products. It has also mediated the acquaintance of different cultures and the production of new art products and compositions by influencing each other. This study discussed Georgia's geopolitics' decisive role in the intersection of Turkish and Russian literature with one another. It was determined by analyzing the literary texts that Georgia's geopolitical location played a pivotal role in intersecting the literature of Turkish and Russian people in biographical narratives and depictions. It is possible to see these intersections most clearly in how various literary figures g et a cquainted w ith o ne a nother's styles and recognize the cultural codes asserted by other people's residential representatives and reflect them on their works.

*Keywords: geopolitics-literature relationship, georgia, turkish literature, russian literature.*

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## I. Introduction

Discourse on the impact of geography on society dates back to Herodotus and Plato in the 5th century B.C. The relationship of geography with society is conditioned on the emergence of geopolitics as a concept. French thinker Baron De Montesquieu (1689-1755) studied geography's impact on developing and changing social events. The concept of geopolitics, whose meaning has passed through various phases in different periods, began to frequently appear in literature at the beginning of the 20th century and was first used in 1899 by Rudolf Kjelen of Sweden, founder of the German Geopolitical School (Tunander, 2001, p. 451-463). In consecutive periods, it began to be used in other interdisciplinary fields other than political discourse.

The concept of geopolitics, which emerged with the geographical dimension, definition, and importance of physical space in international relations, is defined as the impact of a country or region's geographical characteristics underlined the country's position and influence in world politics. Spykman (1944), the founder of the Yale University Department of International Studies and also the theorist of the concept of Rimland, defines the concept of geopolitics as "shaping a country's security policy according to geographical elements" (Spykman, p. 43).

Geopolitics also plays a determining role in the relations of the country's literature with that of its neighboring countries. The factors that determine interaction and effect are historical, economic, cultural, and ideological. The influence of geopolitics on literature is more evident in societies that act non-politically in interstate relations. In the interaction, people's free movement beyond their borders and the artistic impact in the places they visited have gradually brought the current artistic productions to the international stage.

In the historical process, the universal values that artistic products obtain have been directly proportional to their represented places. In this context, the countries along the Silk Road have been the places where cultural and literary interaction were the most tangible. This phenomenon has been the topic of numerous academic studies. The study named Geopolitics and Literature: Foreign Literature Studies in China in the Twentieth Century sheds light on geopolitics' determination with the universality and circulation of literature (Wang, 2012, p. 740-764). The study entitled The Clash of Tables: Geopolitics in Russian and Ukrainian Literature also examined the importance of geopolitics in the determination and intersection of civilization and identity factors in both countries' literature (Howell, 2016, p. 1-16).

Georgia's geopolitical location has also conditioned its history, culture, and literature. The phenomenon of geopolitics, whose importance has come up for discussion again today with the development of technology and widespread use of virtual communication, has been a match up with the conclusion that "geography is destiny" since Ibn-i Haldun (1332-1406). Georgia's geography has gained a geopolitical position in the history, culture, and literature of Georgia. Georgia's geopolitics has become a mandatory route for other nations and cultures in the north-south and east-west direction. Civilizations transiting the region have left their impacts and marked their traces on the different locations they passed through at particular periods they were there or forged to have been. Some cultures and thoughts have also represented the geography at home from Georgia.

Turkey is a nation that has historical, linguistic, cultural, and religious connections with neighboring

*Author α σ: International Black Sea University, Turkish Philology, Georgia. e-mails: ilyas.ustunyer@ibsu.edu.ge, marslan@ibsu.edu.ge*
*Author ρ: Ph.D Candidate, International Black Sea University, International Relations, Georgia. e-mail: aalkan@ibsu.edu.ge*

nations and populations in the South Caucasus. The geographical location of this region is situated at the confluence of the Eurasian steppes and the Middle Eastern highlands, positioned between the Black Sea and the Caspian Sea. Turkey's strategic stance reflects its multifaceted relations approach towards the countries in the region, which is guided by three essential factors: "natural neighbor," "geographical proximity," and "historical connection" that reflects from people connection to the literature. ( Alkan, 2023)

Greeks settled on the Black Sea coast of Georgia and established colonial cities in vicinities such as Kolkhidi while looking for traces of the gold they dreamed of in the east. They built thought academies in these colonial cities in the consecutive period. The effect of these schools spread throughout Georgia. Greek thought was studied and examined in the Gelat Monastery in Kutaisi (Nutsubidze, 1960, p. 268-278). Georgia was one of the eastern countries where Aristotle's student, Alexander of Macedonia, sought the elixir of immortality. In addition to military results, Alexander the Great's campaign to Georgia had cultural and artistic effects. Turkish traveler, Evliya Celebi (1611-1682) who visited Georgia in the 17th century, stated that Betlis, Alexander the Great's treasurer, initiated and constructed the Tbilisi fortress.

Similarly, the influence of Iranian culture and literature in Georgia, whereby the latter was on the route of Iran's western voyages at the beginning of the Gregorian period, continue for centuries. The influence of Iranian culture in Georgia can be found in the Georgian literary work, The Passion of Saint Shushanik, written in the 5th century A.D. The Persian cultural motifs are evident in the 12th-century Georgian poet Shota Rustaveli (1160-1220) called The Knight in Panther's Skin. History reveals that the Persian poetry influenced Georgian king and poet, Teimuraz I (1589-1661) of Kakheti, to introduce the structure and symbolic elements of Persian poetry into Georgian poetry contrary to the poetry of Rustaveli.

One of the Turkish states' obligatory routes, which organized migrations and expeditions from the East to the West in the historical process from the Bun Turks to the Seljuks, was the Georgian route (Shengelia, 1935, p. 38-52). In other words, Georgia became a place of transit and visiting a location for the Arab's North and West expeditions. Arab armies reached Tbilisi in the 7th century A.D the city fell into their hands and ruled it for a long time. Consequently, many words and phrases from Arabic transferred into Georgian and are still in use being used today (Tkhinvaleli, 2011, p. 115-133).

The Turks and Georgia also base their relations on a meaningful geopolitical relationship. Bun Turks, who fled to the West due to the pressure they underwent in A.D., chose Georgia as a place of habitation and settled in Mtskheta. The Khazars and Seljuks' relations with George encapsulated around the route (Peacock, 2006, p. 127). While this relationship was a geopolitical necessity for the states that had to pass through, it was a matter of fate for the Georgian state. The Georgian expeditions of the Mongols in the 13th century (Büyükçınar, 2018, p. 267-282), the eight Georgian voyages carried out by Timur at the end of the 14th and the beginning of the 15th centuries (Paydaş, 2006, p. 421-433), and the Ottoman-Georgian relations, which partially or actively started in the 16th century underpinned the vitality of the route destination. Georgia's geopolitical location became an indispensable venue in Ottoman-Iran-Russia relations in the 16th-19th centuries. Georgia became a significant stage in which the Ottoman-Iran relations in the 16th-17th centuries and the Ottoman-Iran-Russia relations in the 18th -19th centuries -occurred. Georgia's geopolitical location was determinative in Russia-Turkey ties in almost all the 19th century and the first two quarters of the 20th century. Georgia had important geopolitics for the Russian army during the Russian-Ottoman war between 1828 and 1829. During the war times, Russian poet Alexander Sergeyevich Pushkin (1798-1837) came to Georgia in 1829. Having returned to Russia, he wrote his impressions about his expedition to Turkey through Georgia in the book, Journey to Erzurum (Pushkin, 2001, p. 13-60). Besides other topics, Pushkin describes how the Russian army captures the Turkish soldiers in Erzurum, and brought them to Georgia during the war. Pushkin stated that some of them were forced to work at Darial Pass' construction in Georgia.

Further, Georgia played a central role in the military, political, and cultural relations between the Ottoman and Russia, as marked in several wars. Such conflicts include the Crimean war in 1854, the Ottoman-Russian war in 1878, the 'War of '93', called for the year 1293 according to Islamic calendar; and the First World War the Georgia's role in these historical accounts was explored and researched over hundreds of master theses and more than fifty doctoral dissertations. Russia has seen Georgia as a center for Turkology studies since the beginning of the second quarter of the 20th century. In this regard, Georgian Turkologists' research on Turkey are examples of the Georgia's geopolitical significance felt by Russia and the Ottoman. (Üstünyer, 2013, p. 79-84). Moreover, Stalin prioritized Georgia's geopolitical position as an opportunity and used Georgia as an intermediary location to spread Communism in Turkey. There is proof on the "spreading of communism" map found at the Stalin Museum's entrance wall at Avlabari, Tbilisi.

Georgia's geopolitics has become an essential interaction point for the near or far countries in the north-south and east-west direction. This geopolitical location of the country has positioned Georgia strategically. Silk Road's transit passing through Georgia has been fundamental to Georgia's financial and cultural development. Georgia's geopolitical imperative made it possible for its close neighbors, such as Iran, Russia, and Turkey, establish diplomatic relations with Georgia. This geopolitical imperative turned into a competition that played a ground of war between Iran-Russia, Russia-Ottoman, and Iran-Ottoman wars. Georgia's geopolitics played a determining role in the relations between armies of adversaries. Georgia became the key place in relations between Iran and the Ottoman in the 16th and 17th centuries and between the Ottoman and Russia in the 18th and 19th centuries. Therefore, Georgia became a strategic location to reach by crossing these three countries over the last four centuries.

The Ottoman presence in Georgia between the 16th and 18th centuries left Ottoman cultural and artistic heritage. Russian cultural and artistic works began to be visible in Georgia, which came under Russia's patronage at the beginning of the 19th century. Both were in Georgia as rivalry then and in the beginning of the 20th century that resulted in a mutual encounter.

Georgia's strategic location between the Ottoman and Russia, and Turkey and Russia afterward, has led to recognition of both countries' cultural and artistic works that remained in Georgia by representatives of both cultures. The existence of Turkish cultural heritage goes many centuries back. On the other hand, Russian diplomatic presence in Georgia occurred at the beginning of the 19th century. However, cultural relationships began at the onset of the 18th century. At the beginning of the 19th century, western writers and poets traveled extensively to see the East, and the Caucasus evoked Russian writers' excitement towards Georgia. Specifically, Pushkin went on a journey to Georgia in 1829 to participate in the war between the Russian and Ottoman armies. During their stay in Georgia, particularly in the Caucasus, they wrote their impressions and experiences of Georgian culture in their literary works. Russian society showed interest in Georgian culture through these first hand experiences. It further piqued the curiosity of Russian writers towards Georgian culture such as the renowned Turkish travelogues' leading figure, Evliya Celebi (1611-1872). In the 17th century and subsequent centuries other writers reflected their impressions on Georgia in their literary works that also made Turkish writers show high interest in Georgian culture. The interest was increased among the leftist writers in Turkey during the Soviet era. Georgia had been considered by Turkish leftist writers as the closest location for understanding communism.

## II. Methodology

The qualitative research method was used in the study. "It is possible to define qualitative research as a research in which qualitative data collection methods such as observation, interview, and document analysis are used, and a qualitative process is followed to reveal perceptions and events realistically and holistically in the natural environment" (Yıldırım and Şimşek, 2008:39). In this context, data in the research was collected through document analysis. "Analyzing written documents, containing information about the facts and events related to the topic examined within the scope of the research is called the document analysis method" (Karataş, 2015, p. 72).

The study population consists of the entire geography where Russian-Turkish literature intersects and in which the intersection met. Its sampling was composed of Georgia, which remains within this geography and has been influenced by Russian-Turkish literature. Georgia is Turkey's gateway to the Caucasus, from there to Russia, and, therefore, is an important place in this context. Tbilisi, Georgia's historical and cultural city, is the intersection and meeting point for Russian and Turkish writers.

Georgia's relations with Russian and Turkish literature are directly related to the history of the first relations that the carriers of both cultures established with Georgia. In Georgia, the Russian authors were acquainted with Turkish culture, language, and literature and reflected these impressions in their writings. Similarly, Turkish authors in Georgia interacted with Russian culture reflected their experiences in their literary works. They meticulously selected the literary works from the prominent authors who visited Georgia in the 19th and 20th centuries. Text and content analysis applied to these literary works from Russia and Turkey and endured over centuries. The selections and classification methods determined the Turkish and Russian cultural elements in the works of writers and poets. Content and text analysis method are applied to examine data taken from literary works of the selected authors.

## III. Results and Discussion

The formation of Georgian-Russian cultural relations started before the political ties between the two countries. The two countries' cultural relations date back to the 1730s. While the political ties became official with the Treaty of Giorgievsky (1783) signed between the Russian Empress Catherine the Great and Heraclius II of Georgia, The Treaty of Giorgievsky gave rise to Russia's patronage in Eastern Georgia. About 20 years later, Tsarist Russia invaded Georgia in 1801. Later, Russia increased its cultural presence and political and military dominance in Georgia. Russian diplomats, who were also writers, came to Georgia in the late 1810s, namely A. S. Griboyedov (1795-1829) and V. Kyukhelbeker (1797-1846), reflected their experiences and impressions in their works. In the years that followed, the Russian authors who had never been in Georgia previously became acquainted with Russian diplomats' (writers') impressions on Georgia, showed interest in the Caucasus, Georgian cultures, and the society.

Some of the Decemberists, who revolted against Nicholas I (1796-1855) in Russia in 1825, were sent to exile in Georgia in 1826. They met with Turkish literature representative and their works.

Aleksandr Bestujev-Marlinski (1797-1837), one of the Decemberists exiled to Georgia, met with the Turkish poet and dramatist Mirza Fetali Ahundov (1812-1878), who worked in the Caucasus General Governorate in Tbilisi as a translator of Arabic-Persian, Turkish and Russian languages. Along with cultural and literary exchanges between them, Ahundov took Russian lessons from Marlinsky, and Marlisnky took Turkish lessons from Akhundov. Marlinsky translated Akhundov's "The Oriental Poem," written to lament Alexander Pushkin's death, into Russian in 1837. Akhundov translated the Russian revolutionary thinker. Nikolay Chernyshevsky's (1828-1889) famous work called What Is to Be Done into Azerbaijani? (Üstünyer, 2010, p. 183-191).

Russian writer and poet A.S. Pushkin (1799-1837) also met with Turkish culture and life during his trip to Georgia in 1829. He wrote about the impressions he gained during the expedition in his work, A Journey to Erzurum. In this work, Turkish culture and identity were treated within the Tatar concept's framework (Pushkin, 2003, p. 17).

Russian poet and writer Y. M. Lermontov (1814-1841) wrote a poem, Death of the Poet, lamenting Pushkin's death in a duel in 1837. He demanded from the Russian Tsar Nicholas-I to punish the criminal in this poem. The Tsarist administration found the poem's language humiliating; thus, he was exiled to Georgia in 1837. During his banishment, Lermontov started learning Turkish in Georgia. Before his exile was over, he wrote a letter to Pisarev, his friend, who was also in exile, and said: "Unfortunately, I will not be able to learn Turkish completely. If I had learned completely, it would have been beneficial for me in the future. Because, Turkish is the lingua franca of the Caucasus". During his stay in Georgia, Lermontov met with the Azerbaijani poet and writer, Mirza Fetali Ahundov (1812-1878). Ahundov worked in Tbilisi as a translator at Vorontsov court and was the Russian general governor of the Caucasus. Lermontov listened to the narratives of Turkish folk literature from Ahundov. After returning to Russia, Lermontov wrote the story of Ashik Kerib that he learned from Ahundov in Georgia (Üstünyer, 2010, p. 188-190).

Mikhail Bulgakov (1891-1940) was another Russian author, prominent writer, and poet of the 20th century, whose main literary piece was The Master and Margarita. He encountered the Turkish cultural elements and motifs in Georgia and reflected them in his literary works.

Bulgakov wanted to flee to Turkey via Georgia when the civil war erupted in Russia in the first quarter of the 20th century, making his life unbearable. When he worked in a military unit as a doctor in Vladikavkaz, he thought of fleeing to Turkey.

After the civil war that cost many lives in Russia in the early 1920s, Bulgakov went to work as a military doctor in Vladikavkaz. He faced unbearable pressures and difficulties during his service, which stirred him to escape the unit to Turkey through Georgia. He had learned about quite affordable tours between Vladikavkaz and Tbilisi, which prompted him to flee to Turkey.

He wanted to come to Tbilisi from Vladikavkaz under the pretext of publishing his work, Days of the Turbins. However, his travel to Tbilisi was not easy as he had expected. He reached Batumi, the border city through Tbilisi, but Regime police barred him and interrogated him. He intended to cross to Istanbul from Batumi illegally, and had stayed there for two and a half months hoping for the appropriate time and conditions. He dreamed of Istanbul from here and stated this dream in Notes of a Dead Man as: "Far, far north; unlimited plains. In the south; gorges, valleys, tumultuous rivers. In the West, sea somewhere, the Golden Horn shines on it" (Яновская, 1983, p. 150-177). Having stuck between a civil war happening in Russia and an uncertain exilic life awaiting him in Istanbul made him ambivalent during two and a half months in Batumi whether to run away or stay Self-doubt was another internal war that scared him from his dreams. Ultimately, he abandoned the idea of escaping to Istanbul by stating, "Migration is not for me!" Turkey's involvement in the war and his exilic life dissuaded him from relocating in the same year, an author that will be acclaimed later, Nazım Hikmet, fled from Turkey to Batumi and met a Turkish man called Nuri Cemal. Nazim Hikmet indicated that he could speak France, Greek, and Russian.

He also encountered Rasid, whom he knew from the Otello Kamil Theater in Ankara (Hikmet, 1999, p. 79). While Bulgakov had desire to escape from Russia to Turkey, Nazim Hikmet wanted to escape from Turkey to Russia through Georgia.

Similar to story of those who escaped from Turkey to Batumi, such as Nuri Cemal and Rasid, Bulgakov saw how the dire situation in Batumi influenced his decision to settle in Russia.

Bulgakov talked about Istanbul in his play, Run (Бег, which explained about his experiences. He overheard from the Turks in Batumi about Lubov Belozerskaya's memories who was in exile during her childhood years. Four years later, she became Bulgakov's second wife.

In this play, he narrated the difficulties of General Khudulov, who emigrated from Russia to save his life in Istanbul. Moreover, he described the life he would have been exposed to if he had escaped to

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Istanbul. He wondered whether he would have survived by selling things in the outskirts of Istanbul, like Khudulov.

The presence of Russian culture, language, and literature in Georgia started to appear in Turkish writers' texts in the first quarter of the 20th century. The emergence of Communism as a regime after the 1917 October Revolution in Soviet Russia and Socialism dreams significantly impacted young Turkish writers and poets.

Turkish writers and poets preferred to go to the nearest neighboring country, Georgia, one of the republics of the Soviet Union, to study communism. Besides, they used Georgia as a transit destination to travel to Russia's capital to understand communism. Nazım Hikmet (1902-1963), who would become one of the top names of the 20th-century Turkish poetry, wanted to go to study in Soviet Russia in 1921. Learning would give him insights into communism, which was relatively new and unique to Turkish writers. In retrospect, Nazım Hikmet, who came to Batumi on September 30, 1921, said that he learned about Communism by drinking corn flour soup on a rococo table in a French Hotel. Nazım was interested in the poems' long and short lines and their ladder-like structure that distinguished him from other writers in Turkey.

It is claimed that Nazim had taken this poetic style from Russian Mayakovsky whose name was associated with this style. Nazim came across with this Mayakovsky's poetic style in the Izvestia newspaper in Batumi and became impressed by this poem written in free verse. He would call Mayakovsky "my teacher!" in the story, Açların Gözbebekleri (The Pupils of the Hungry Ones). However, he stated that he had not adopted Mayakovsky's style. On the contrary, Nazim used rhymed free verse, unlike Mayakovsky's metrical and rhymed Russian style. Nazim frequently reiterated in his writings that Mayakovsky was his mentor because his acquaintance with him had started with a poem that he had seen in a newspaper. Mayakovsky's influence on him continued throughout Hikmet's artistic life (Hikmet, 1951: 29 / XII). Batumi became an indispensable venue and privileged place in Nazım Hikmet's life. He established an intense and emotional bond with Batumi, as he stated, "I love this city as much as I love Istanbul. I went to Moscow from here. I thought of Batumi and loved it more while I was in prison" (Hikmet, 1992, p. 125).

Another connection of Nazim to Georgia was his second visit to its capital. Nazım Hikmet visited Tbilisi in 1953 to see his play performed at Kote Marjanishvili Theater, Tbilisi. There, he met with some Soviet writers and poets. He also continued his acquaintance with the authors of Soviet Georgia in the subsequent years (Rızayev, 2009, p. 53-117). He met Giorgi Leonidze (1899-1966), who was a representative of Tsisperkantselebi (Blue Horns), one of the most important movements of 20th-century Georgian poetry, and Fridon Khalvashi (1925-2010), from Batumi. The poet and writer, Fridon Khalvashi, visited Nazım Hikmet while he was receiving his higher education in Moscow. During his meetings with Nazım Hikmet in Moscow, Khalvashi talked about many issues, including identity. Khalvashi described this meeting and the conversation between them in his poem, In Nazım Hikmet's Home in 1978: sitting inside the poet, /an old Moscow outside /He is a Turk and I am a Georgian /we are talking about all old times (Khalvashi, 2000, p. 78). Highlighting Georgia's significance in his life, he would often mention Georgia in his talks and writings. On one occasion, he said, "I have Polish, French, maybe German, and even Georgian in my blood" (Tulyakova, 1989, p. 257).

Sergei Yesenin, a Russian poet, visited and lived in Batumi in 1924. Researchers claimed that some images in his poems coincided with those of Nazim Hikmet's poem, Salkım Söğüt in 1929. They stated that the images of "söğüt (willow)," "dörtnala giden atlı (galloping horseman)," "at (horse)," "nal (horseshoe)," and "rüzgar (wind)" mentioned in this poem of Nazım Hikmet were motifs borrowed from Yesenin's poems.

Şevket Süreyya Aydemir (1897-1976), a Turkish writer, arrived in Batumi in the early 1920s to understand Communism, and later became a member of the Communist party established in Turkey. There, he participated in various social and educational activities and met Soviet writers. Moreover, he married the sister of Hikmet Cevdezade, a Georgian friend to a Soviet scientist whom he had met in Batumi (Aydemir, 1993, p. 234; Üstünyer, Diasamidze, 2015, p. 99-110). In his autobiographical, The Man Who is Seeking the Water, he mentioned the accounts of his activities in Batumi. Moreover, Aydemir touched on the effects of the Soviet literature that he came to learn in Georgia. This occurred while getting acquainted with the works of the ideologist poets such as Mayakovsky, who propagated Communism.

Varlık Özmenek (1943-2020) and a group of friends, including Muhsin Batur, a retired high-ranking soldier in the Air Force, and Abdullah Köseoglu, a diplomat, completed their Russia trip and returned to Turkey through Georgia in 1979. Ozmenek published his memoirs on Russian culture and literature which he acquainted with Georgia under the title İşte Sovyetler Birliği (Here is the Soviet Union). In this work, Özmenek referred to the Russian literature elements that he familiarized with and the memories of artists, such as Vladimir Bonch-Bruyevich (Özmenek, 1980, p. 70-71).

Fakir Baykurt (1929-1999), one of the prominent Turkish literature writers and a representative of the social realism literary movement, visited Georgia twice. He initially traveled in 1983 as a transit visit while returning from Baku and later travel in 1988 to tour Zenobani, Nodar Dumbadzes's residential village.

Dumbadzes was a character of Georgian writers in the book, I See the Sun. The book was translated into Turkish in 1969. The novelist Fakir Baykurt described his return visit from Georgia in the literature, In Dumbadze's Homeland (Baykurt, 1988, p. 3-7). He included other writers' life stories who produced literature in Soviet Georgia and analysis on literary products in his other works. Baykurt wrote articles stating the importance of Georgia for Russian literature and transferred Georgian authors' works, such as Fridon Khalvashi, into Turkish. Aziz Nesin (1915-1995) is another Turkish writer, who led in satirical prose. He visited Georgia in 1965 to explore Russian literature, culture, and Communism. Nesin had a chance to meet with Soviet Georgian writers in Tbilisi (Nesin, 1998, p. 152-161), with whom he held discussions and exchanged ideas on literature and other artistic subjects. He published these impressions and perspectives when he returned to Turkey (Üstünyer, 2010, p. 221-222; Demirtaş, 1989, p. 48-49). Necati Cumali, a representative of social realism literary movement in Turkey was also another Turkish writer who visited Soviet Georgia to explore Russian literature and culture. He published his Georgian memories in the book, Revisionist (1950).

## IV. Conclusion

Consequently, Russian writers who arrived in Georgia in the first quarter of the 19th century transformed the Turkish cultural elements and literary materials into valuable literary works. This study led us to conclude that Pushkin and Lermontov are the most dominant Russian writers on this subject. It appears that those Russian writers of the 19th century did not plan a conscious action while coming to Georgia to study Turkish literature and culture.; Their acquaintance can be considered an opportunity provided them by Georgian geopolitics in which rich cultural pluralism prevailed. In this context, it depicted that 19th-century Russian writers and poets, such as Pushkin, Marlinksky, and Bulgakov, benefited from these cultural and literature potentials and turned these acquired Turkish cultural elements and materials into their literary works. This aspect of the research found that the studied Russian writers in the 20th century saw Turkey as a place to escape because of their exposure to negations in Soviet Russia while reflecting in their literary works the Turkish culture they encountered in Georgia.

It was possible to state that Georgia was the closest place to learn about Communism for the leftist Turkish writers and poets of the Cold War period. For this purpose, it revealed that Georgia was their first or last stop on their trips to Moscow or journeys they went in Russian provinces. This aspect demonstrated that Batumi and Tbilisi had been important places for both Turkish and Russian writers. Researchers should study Batumi and Tbilisi well to understand the writers and poets better within this framework.

The study demonstrated that Turkish writers, who went to Moscow via Georgia before the Cold War period, were either soldiers or diplomats in their youth. It is important to note that these individuals referred to the Georgian days in their memoirs that they wrote towards the end of their lives. Researchers should study Georgia and Georgian culture well in joint and comparatives studies on Russian and Turkish literature.

The conclusion should be written in apparent structures. It should explain how the objectives of the study are accomplished.

## References Références Referencias


1. Alkan, A. (2023). Turkey foreign Policy on kin, ethnic, religious, and Diaspora communities in Georgia. Working dissertation.
2. Aydemir, Ş. S. (1993). Suyu Arayan Adam. İstanbul: Remzi Kitapevi.
3. Baykurt, F. (1988). Dumbadze'nin Yurdunda, Yazın Kültür Dergisi, October: 3-7.
4. Büyükçınar, A. B. (2018). Gürcü-Moğol İlişkilerinin İlk Evresi: 1220-1247, Karadeniz Araştırmaları Enstitüsü Dergisi, 4(6), 267-282.
5. Cumalı, N. (1950). Revizyonist. İstanbul: Tekin Yayınları.
6. Demirtaş, C. (1989). Bütün Dünyadan Özür Diliyorum. İstanbul: Cem Yayınları.
7. Halvaşi, F. (1998). Eninde Sonunda (Türkçesi: Abdurrahman Çetinkaya, Fakir Baykurt). Almanya: Oberhausen.
8. Hikmet, N. (1992). Yazılar-5 (1937-1962). İstanbul: Adam Yayınları.
9. Hikmet, N. (1999). Yaşamak Güzel Şey Be Kardeşim. İstanbul: Adam Yayınları.
10. Howell, Y. (2016). A Clash of Fictions: Geopolitics in Russian and Ukrainian Literature, Japanese Slavic and East European Studies, 37, 1-16.
11. Karakaş, Z. (2015). Sosyal Bilimlerde Nitel Araştırma Yöntemleri, Manevi Temelli Sosyal Hizmet Araştırmaları Dergisi, 1(1): 72.
12. Nesin, A. (1998). Gömüyü Arayan Adam, İstanbul: Sel Yayıncılık.
13. Özmenek, V. (1980). İşte Sovyetler Birliği. Ankara: Bilim Yayınları.
14. Paydaş, K. (2006). Timur'un Gürcistan Seferleri, Fırat University Journal of Social 16(1), 419-437.
15. Peacock, A.C.S. (2006). Georgia and Anatolian Turks in the 12th and 13th centuries, Anatolian Studies. Ankara: British Institute of Archaeology.
16. Puşkin, A. S. (2003). Erzurum Yolculuğu (Çevr.: Ataol Behramoğlu). İstanbul: İş Bankası Kültür Yayınları.
17. Rızayev, A. (2009). Nazım Hikmet; Kerem Gibi, Ankara: Bengü Yayınları.

18. Spykman, N. J. (1944). The Geography of the Peace. Harcourt, Brace.
19. Shengeliya, N. N. (1975). Gruzinskie istoriki XI-XIII vv. o sel’djukah, Moskova: Tyurkologiçeskiy Sbornik,
20. Tkhinvaleli, M. (2011). The Research History of Georgian-Foreign Literature Relationships (Editor: Elguca Khintibitse). Tbilisi: Tbilisi State University Publishing House.
21. Tulyakova-Hikmet, V. (1989). Nazım’la Söyleşi (Çevir.: Ataol Behramoğlu). İzmir: Cem Yayınları.
22. Tunander, O. (2001). Swedish-German geopolitics for a new century Rudolf Kjellén's' The State as a Living Organism. Review of International Studies, 27(3), 451-463.
23. Üstünyer, İ. (2010). Gürcü Dili ve Edebiyatı Üzerine Okumalar, İstanbul: Kaknüs Yayınları.
24. Üstünyer, İ. (2013). Gürcistan’da Türk Edebiyatı Çalışmaları: Lisans Üstü Çalışmalar. Erzurum: Fenomen Yayınları.
25. Üstünyer, İ. & Diasamidze, G. (2015). İstanbullu Türkolog Hikmet Cevdetzâde'nin Aile Arşivine Göre Gürcistan ve Rusya'daki Yaşamı ve Türkçe Öğretim Faaliyetleri, Journal of Black Sea Studies, 48, 99-110.
26. Üstünyer, İ. (2010). Kaf Dağı’nın Güney Yüzü: Gürcistan, İstanbul: Kaknüs Yayınları.
27. Wang, C. M. (2012). Geopolitics of Literature: Foreign literature studies in early twentieth-century China, Cultural Studies, 26(5), 740-764.
28. Назым, Х. (1951). У Владимира Маяковского. Литературная газета, 29: XII.
29. Нуцубидзе, Ш. (1960). История грузинской философии. Тбилиси: Сабчота Сакартвело.
30. Яновская, Л. (1983). Творческий Путь Михаила Булгакова Москва: Советский Писатель.

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# Internationalisation du Processus Electoral en Republique Democratique du Congo

By Pistis Mbala Sinza
*Université Pédagogique Nationale*

*Abstract-* The Congolese State for several decades through a crisis of self-management. This crisis deeply affects all sectors of national life and does not allow it to play a significant influence on the national, continental or international scene. The foreign presence in the Democratic Republic of Congo and the pressures of the international community in the face of the democracy desired by it could be justified not only in a political but also in an economic context. It is a question of imposing in a political but also economic context. It is a question of imposing the leaders who must allow the great powers to illegally exploit natural resources and to impose Western ideology.

*Keywords: internationalization, electoral process, democratic republic of congo, electoral stake, international community, western strategy, institutionalization.*

*GJHSS-F Classification: LCC: DT658.22*

*Strictly as per the compliance and regulations of:*

# Internationalisation du Processus Electoral en Republique Democratique du Congo

Pistis Mbala Sinza

*Résumé-* L'Etat Congolais depuis plusieurs décennies travers une crise de l'autogestion. Cette crise affecte profondément tous les secteurs de la vie nationale et ne lui permet pas de jouer une influence significative tant sur la scène nationale, continentale qu'internationale. La présence étrangère en République Démocratique du Congo et des pressions de la communauté internationale face à la démocratie voulue par elle pourrait se justifier non seulement dans un contexte politique mais aussi économique. Il s'agit d'imposer dans un contexte politique mais aussi économique. Il est question d'imposer les dirigeants qui doivent permettre aux grandes puissances d'exploiter illégalement les richesses naturelles et d'imposer l'idéologie occidentale.

*Motsclés: internationalisation, processus électoral, république démocratique du congo, enjeu électoral, communauté international, stratégie occidentale, institutionnalisation.*

*Abstract-* The Congolese State for several decades through a crisis of self-management. This crisis deeply affects all sectors of national life and does not allow it to play a significant influence on the national, continental or international scene. The foreign presence in the Democratic Republic of Congo and the pressures of the international community in the face of the democracy desired by it could be justified not only in a political but also in an economic context. It is a question of imposing in a political but also economic context. It is a question of imposing the leaders who must allow the great powers to illegally exploit natural resources and to impose Western ideology.

*Keywords: internationalization, electoral process, democratic republic of congo, electoral stake, international community, western strategy, institutionalization.*

## Introduction

La République Démocratique du Congo qui sortait de la transition de 2003 à 2006, une période très délicate illustra la mondialisation à l'africaine. Elle était internationalisée car sa souveraineté relevait plus de fiction ou du droit public international que de la réalité congolaise. Cette dépendance ou internationalisation inavouée avait pris un aspect d'une forte extraversion socio-économique et d'une mise en place en dépendance politique exercée par les grandes puissances à l'époque de la guerre froide. La République Démocratique du Congo est un pays à dimension continentale d'environ 120 millions d'habitants, qui est la clé de la stabilité de l'Afrique Centrale et peut être celle du développement économique d'Afrique. La disproportion Géostratégique de la RD Congo avec d'autres pays résulte disproportion d'intérêt sur la Scène Internationale. La RD Congo à subie une longue dictature absolue caricature, s'achevant en Guerre de succession Internationalisée aux années 90 (Eglises mises à part) est seule à financer le secteur de la santé et de l'éducation.

*Author: Chef de Travaux et Doctorant en Sciences Politiques et Administratives, Université Pédagogique Nationale, Kinshasa, RDC.*
*e-mail: pistismbala2019@gmail.com*

## I. Revue de la Littérature

*a) Contexte évolutif et enjeux électoraux de 2006 et 2007 en Rd Congo face à l'implication de la communauté internationale*

i. *Contexte de l'implication de la communauté internationale*

L'installation en 2006 des institutions démocratiques, notamment le Président de la République, l'Assemblée Nationale et 11 Assemblées provinciales en RD Congo, et aussi de l'installation du sénat et des Gouvernorats de 11 provinces fut l'aboutissement d'un long, difficile et fatigant processus de négociations politiques, initiées en Juin-Juillet 1999 avec l'Accord de paix de Lusaka imposé par la communauté internationale. Ces longues années de négociations ont fait suite à une série d'années de transitions inachevées. L'horizon déclaré de tout ce processus la construction d'un Etat de droit ou d'un régime démocratique du modèle occidental. Des élections qui ont permis l'avènement de la 3 émie République, devrait mettre fin à la crise de légitimité qui a miné le pays depuis plus de quatre décennies de la gouvernance en RDC. Des élections ont été organisées pour le choix des nouveaux dirigeants. Elles ont été jugées correctes par la majorité des missions d'observation électorale internationale qui voudraient voir leur candidat imposé, Joseph Kabila se maintenir à la magistrature suprême après la mort de son père M'zée Kabila Laurent Désire, celui qui protège les intérêts occidentaux doit être élu sans tenir compte de la volonté exprimée par le peuple.

La RDC, alors zaïre a été gérée pendant 32 ans par une dictature militaire aux allures d'une organisation criminelle au sommet de l'Etat. Le maintien du Président Mobutu à la tête du pays, malgré sa contestation à l'intérieur dès le début et malgré la désertion et la trahison de ses amis de l'extérieur à partir de 1990, s'explique entre autre par le rôle que celui a joué pour protéger les intérêts des Américains en particulier et de la Communauté Internationale en général pour stopper l'expansion communiste dans la région. Après la fin de la Guerre froide et la chute de mur de Berlin en 1989, l'Occident n'avait plus la raison politique pour soutenir un pouvoir dont l'incurie avait fini par révolter l'opinion. Le régime de Kinshasa qui était le bastion de l'impérialisme Américain et du néocolonialisme occidental de l'époque de deux blocs, fut lâché par ses partenaires du Nord, le Président Mobutu n'avait manifestement pas pris la mesure du discours prononcé à la Baule, le 20 Juin 1990, par le président Mitterrand.[1]

Le Président Mobutu avait-il situé dans le temps et dans l'espace le degré exacte de cette amitié avec l'occident ? En avait-il identifié l'objectif et le mobile profonds ? En avait-il évalué la durée dans le temps et la résistance face aux changements des circonstances et des intérêts à travers les péripéties de l'histoire ? Avait-il compris qu'après le bouleversement à l'échelle mondiale, les intérêts et les alliances de ses amis occidentaux allaient être complètement révisés de fond en comble ? Et que dans ce domaine de la jungle moderne des rapports entre Etats, seuls les intérêts comptent et que les sentiments n'ont aucune place. C'est par son attitude face à toutes ces questions que le Maréchal Mobutu a fait notre avis, un choix capital et décisif sur la trajectoire politique de ces dernières années, car bien qu'il ait eu plusieurs atouts en sa faveur, il reste évident que l'amitié et le soutien qu'il a reçus des occidentaux demeurent l'atout principal qui a permis à son régime de résister pendant plus de trente ans aux tempêtes de l'histoire. Le Maréchal Mobutu a eu tort de mêler le sentiment aux raisons d'Etat et de croire jusqu'au bout que ses amis occidentaux avaient une dette de reconnaissances envers lui pour les «services rendus» qu'a dit Ngwanda Honoré, l'un de ses proches. Lui qui fut un animal politique à oublier ou n'a voulu comprendre que les raisons d'Etat sont aveugles, sans cœur, ni mémoire. Elles ne voient plus que le présent pour l'avenir. Pour n'avoir pas compris cette règle impitoyable des rapports d'intérêts entre Etats, particulièrement entre les Etats du Nord et du Sud.[2]

ii. *Guerre de l'est dans une dynamique externe pour imposer un autre pion occidental*

La guerre de l'Est a constitué le triomphe de la dynamique externe, la durée du combat fini par impatienter l'occident qui avait la résistance de la population en RD Congo après avoir rejetée Mobutu, et vomi par la population. L'instabilité dans la région de grands lacs attisés par les intérêts obscurs des milieux financiers internationaux poussant les forces extérieures à un improviser un changement politique à partir des pays voisins de la RDC et à chercher un Joker à mettre à la tête du pays. Aussi longtemps que dura le refus du camp Mobutu de céder l'espace (1990-1997), la succession à la tête du pays ne se dessinait pas clairement suite aux querelles politiciennes, mais avec l'accélération de la délinquance de l'Etat Congolais, au cœur d'une région en pleine ébullition, cette situation ne pouvait être soutenue longtemps. Sous pression de la Communauté Internationale et à la suite du mouvement de démocratisation symbolique inauguré par la chute du mur de Berlin en 1989, la guerre commencera en 1996, et qui aura Laurent Désire Kabila à la tête, mettra en contribution une bonne demi-douzaine de pays dont chacun avec son propre agenda au Congo. Le Rwanda avait comme agenda, entre autres, l'occupation de l'Est de la RD Congo et le pillage économique de cette région: le confirment les 4 rapports du panel d'experts sur l'exploitation illégale des ressources naturelles en RD Congo, quant à l'Ouganda, il était intéressé par l'exploitation illégale, mais le Président MOUSEVENI, pris par une folie de grandeur pensait pouvoir régner dans la sous-région. L'Afrique sud, quant à elle, avait des ambitions économiques (Accords miniers) sur la RDC et le Zimbabwe, déjà en froid avec la Grande Bretagne, cherchait un espace de croissance autre que le commerce Walter. L'Angola lui cherchait depuis le retour du Président Savimbi dans les maquis de couper sa base arrière qui était entre autre, le Zaïre de MOBUTU. L'appui politique et militaire des USA à la guerre était incontestable. Toutes les analyses convergent pour dire que cette invasion ne serait jamais allée loin sans l'appui décisif, entre autres des pays occidentaux d'Europe et particulièrement des Etats-Unis d'Amérique. La prise du pouvoir, le 17 Mai par l'AFDL a consacré la sortie de la logique de la CNS marquée par la mise en œuvre d'une souveraineté démocratique et la non-violence, vers une logique de la guerre de la force et de la violence impose avec une nouvelle ingérence politique et économique, car Mobutu qui a perdu un des plus grands appuis de son pouvoir devrait être remplacé par quelqu'un qui devrait servir l'occident. Le 2 Août 1998, la ruche explose, les Rwandais et quelques Congolais essaient de s'emparent du pouvoir de Kinshasa. Mais les forces de l'AFDL n'avait pas d'avenir parce qu'elle était une non-alliance. « Un conglomérat d'aventuriers et d'opportunistes» dira plus tard Désiré Laurent KABILA. Elle portait en outre la lourde responsabilité des crimes contre l'humanité. Chacun de ses parrains avait non seulement des raisons propres d'appui à Désiré Kabila, mais aussi des agendas cachés. Ceux-ci étaient opposés les uns contre les autres.

Face à cette confusion, le Président Laurent Désiré Kabila était devant un dilemme. Il avait à choisir entre le Congo-Kinshasa et les Congolais ou assumer le passé parsemé des dérives sanglantes de certains de ses alliés. Il choisira l'intérêt supérieur de la RDC, ce

[1] MINANO BIHUZO, *17 ans de la transition politique et perspective démocratique en RDC, CEPAS, Kinshasa, 2008, p.1-21*

[2] NGBANDA H; *Ainsi sonne le Glas, le dernier jour du Maréchal Mobutu, éd. Giuseppe, paris, 1998, p.34-35*

choix lui sera fatal. C'est ce qu'une journaliste a appelé devoir de l'ingratitude.[3]Déjà en septembre 1997, pour MUSEVENI et en décembre de la même année pour KAGAME, le courant ne passait plus avec Kinshasa, KAGAME traitera KABILA en privé, (devant un journaliste) de Mouche qui est tombée dans le lait qu'il faut enlever pour continuer à boire le lait. Le 27 Juillet 1998, Kabila Désiré met fin à la coopération militaire avec le Rwanda et l'Ouganda. Il venait d'échapper à un assassinat monté par le Rwanda et quelques Congolais essaient de s'emparer du pouvoir de Kinshasa. C'est la guerre qui commence. Personne ne comprend la raison de cette guerre, l'occident garde silence complice alors que 7 millions de Kinois sont d'eau et d'électricité. La population Kinoise identifiera sans peine son ennemi. C'est le Rwanda qui essaie de lui imposer un autre chef de l'Etat. Peut-être même de mettre à la tête de la nation un sujet rwandais. Comprenant le danger, elle rejoindra les efforts de l'armée pour traquer les militaires rwandais. Le Rwanda à envisager une guerre à long terme. La stratégie de l'Ouganda sera de créer des chefs de guerre (BEMBA, NYAMWISI, Thomas LUBANGA, Roger LUMBALA…) et le Rwanda contrôlera d'une main de fer le RCD. Essoufflé par une guerre injuste et inutile, l'Accord de Lusaka sous l'égide de la communauté internationale s'imposera de soi-même comme l'alternative de sortie de la crise.

Cet Accord de cessez-le feu de Lusaka a été signé le 10 Juillet et le 31 Août 1999 a eu plusieurs raisons qui étaient à la base des blocages de son implication face aux intérêts diverges des occidentaux. Mais la plus importante fut le fait qu'il avait été imposé aux belligérants et que les conditions politiques et militaires ayant imposé sa signature étaient en perpétuel changement. Cela donnait tour à tour aux différents acteurs l'illusion d'une possible victoire militaire. D'où des manœuvres dilatoires de part et d'autre.

iii. *Comportements extrémistes des acteurs face à l'emprise de la communauté internationale sous l'AFDL*

1. Comportements de la rébellion sous LD Kabila

Depuis l'échec de la prise de Kinshasa dans l'offensive du 2 Août 1998, la principale rébellion (RCD) n'avait que s'effriter, d'où: (i) les populations des zones sous son contrôle l'ont boudé et ont même développé dans certains endroits des actions de résidence; (ii) ses leaders les plus visibles et plus avisés l'ont à tour de rôle déserté; (iii) les membres restants passaient leur temps à se combattre et à se fragiliser; (iv) les parrains s'étaient transformés en trafiquants illégaux de biens pillés; (v) les trois guerres de Kisangani avaient vidé de leur contenu les revendications de sécurité des parrains de la rébellion en mettant à nu leurs appétits. Le capital de confiance que pouvait encore avoir la rébellion était ainsi mis en péril. En fin de compte, plus personne par la suite, au niveau national comme international, ne pensait que les rébellions en RD Congo étaient une alternative démocratique. D'où les manœuvres du Rwanda dans ses alliances avec d'autres leaders politiques à savoir: Serrufuli, Katebe, Tshisekedi, Mwendange, etc.

2. Comportement du gouvernement de Kinshasa

DoulandaSata Kula pense, qu'au lendemain de la signature de l'accord de Lusaka, Kinshasa a clairement montré qu'il n'y croyait pas. Il a plus d'une fois essayé de le contourner en organisant des initiatives parallèles (débat national ou consultation nationale). Une autre de ses actions moins visibles mais où il avait concentré des moyens considérables avait été un travail de débauchage des grandes figures de la rébellion. La finalisation de ces actions a cependant été le plus souvent sabotée, l'opposant historique y perdant sa base. Les tractations avec l'opposition non armée spécialement avec l'UDPS ont quant à elles porté peu de fruit. Les autres leaders de l'opposition ayant rejoint le pouvoir de Kinshasa dès son arrivée se sont vus assez rapidement débarqués. Certains, pour n'avoir pas compris que le pouvoir de l'AFDL n'était pas le prolongement du combat démocratique mené par peuple Congolais. D'autres parce que leur idéologie de départ n'a pas trouvé sa place dans le décor AFDL-CPP (Comités de Pouvoir Populaire), et d'autres enfin pour n'avoir pas abandonné les travers de la deuxième République. Le courant politique de Kinshasa, à savoir le PPRD, n'est venu que tardivement.

3. Comportement de la société civile

La société civile et les églises ont développé un effort notable pour le retour de la paix[4]. Mais elles ont privilégié des actions gravitant dans la périphérie des vrais enjeux de la guerre. D'autre part ces actions ont brillé par un mimétisme non élaboré, se mettant ainsi à la traîne d'actions initiées par d'autres et sur lesquelles elles n'avaient que peu d'emprise. Alors que toutes les analyses avaient bien montré que l'Accord de Lusaka était un accord injuste ne respectant en rien les normes des accords internationaux.[5] La Société Civile a tout de même décidé de s'y engager comme les autres structures de la société. Peu de choses ont été faites en direction des acteurs directs, à savoir, le noyau dur du pouvoir de Kinshasa, et les noyaux des différentes rébellions. Rien non plus n'a été fait en direction ni des parrains des belligérants, ni de leurs financiers pourtant véritables patrons de l'entreprise guerrière.

[3] *BRAECKMAN COLETTE, cité par Ngbanda H, l'Enjeux congolais: l'Afrique Centrale après Mobutu, éd. Fayard 1999, p 297-331*

[4] DOULUNDA SUTA K, *La Guerre de libération au Congo/Kinshasa: qu'est-ce qui se cache? En revue Congo Afrique, n% 05/Kinshasa, Juin-Juillet 2003, p.66*

[5] *L'Agenda de la Paix et les actions de la Campagne Nationale pour une Paix durable, éd. Fayard 2002, p 105*

4. Comportement des églises

La consultation nationale, initiée par les confessions religieuses avait dans sa phase préparatoire, inscrit dans ses objectifs le rapprochement des points de vue entre les antagonistes directs. Mais le dernier tournant a été mal négocié. Le travail fondamental ne pouvant pas être fait. Vu le caractère informel et ambigu de la structure (confession religieuse), l'église catholique s'est malheureusement retirée sur la pointe des pieds, sans toutefois proposer une alternative d'approche. La montagne a accouché d'une souris. Alors que l'Accord de Lusaka visait le départ du pouvoir de Laurent Désiré Kabila par le biais des négociations politiques faute de pouvoir de le renverser par un coup de force, d'autres plans de son assassinat continuèrent à être peaufinés.

iv. *Assassinat de Laurent Désiré Kabila ouvre la voie à une stratégie occidentale d'implication au processus démocratique qui se traduit par l'imposition de Joseph Kabila*

Le 16 janvier 2001, Laurent Désiré Kabila fut assassiné dans son palais. Plus d'une analyse à essayer de reconstituer les circonstances de ce drame. Dans son livre: (les nouveaux prédateurs, politique des puissances en Afrique centrale), Colette Braeckman donne au 5éme chapitre le titre: (l'homme qui devait mourir). Elle s'exerce à reconstituer son récit à partir de plusieurs sources d'informations les unes plus fragmentaires que les autres. Une constance revient cependant chez la plupart des auteurs. Ils affirment que Laurent Désiré KABILA savait depuis son divorce avec ses parrains rwandais et ougandais soutenu par les USA que «l'étau se serrait autour de lui». Il aurait, toujours selon Colette Braeckman fait des confidences à l'un de ses amis en Belgique en ces termes:(cette fois, je ne leur échapperai pas). Cette version est renforcée avec force détails par Emmanuel Nashi qui construit une grosse partie de son livre à partir d'un «testament audiovisuel de Kabila».[6] Il s'agit de la causerie entre Laurent Désiré Kabila et la communauté congolaise à Libreville. Dans cette transcription, Laurent Désiré Kabila dit à ses compatriotes ce qui suit: (ils vont m'assassiner ! Quand les choses semblent aller bien, il y a toujours des étrangers qui interviennent, mais avec le Congo actuel, je pense qu'ils n'ont pas grand espoir. Alors ils ne parlent que d'assassinat, camp, c'est le camp populaire, je ne trahirai pas mon peuple, assassinat ou attentat, cela ne va rien changer.[7]

Alors que de partout, on échafaude un complot pour assassiner Laurent Désiré Kabila, la population désormais libérée de la présence des troupes rwandaises lui refait confiance. La haine de l'occident contre le Président de la RD Congo finira, pour plus d'un observateur, par en faire un véritable héros national. En témoignent ses funérailles: (ces funérailles témoignent d'une curieuse dichotomie entre la perception que les occidentaux ont du Congo et la réalité populaire: alors que la presse occidentale traite le défunt de « dictateur », assure que son décès n'a suscité qu'indifférence, voire soulagement, dans les rues de la capitale, la réalité est tout à fait différente. Quand la dépouille de KABILA arrive de Lubumbashi, elle est saluée par la plus grande foule jamais rassemblée dans les rues de Kinshasa: plus de 2000.000 de citoyens en pleurs rendent hommage à un homme qu'ils avaient fini par apprécier malgré le fait qu'il ait conquis le pouvoir en s'appuyant sur les armées étrangères… ils saluent en lui l'homme qui avait voulu reconstruire son pays et avait eu l'audace de défier les occidentaux.[8]

Mais qui a effectivement assassiné Kabila? Jusqu'à présent, le mystère est entier. Ecoutons une des versions : le sort de Kabila était depuis longtemps scellé: durant l'été 2000, les Etats-Unis d'Amérique avaient décidé d'en finir. Selon le journaliste américain, Wayne Madsen, dans un témoignage produit devant la commission des Droits de l'Homme du Sénat Américain, l'opération, décidée par la DIA (USA, Défense Intelligence Agency) avait été confiée à un service militaire d'assistance technique (PCMS). Par ailleurs, bien plus tard, l'un de mes informateurs, devait m'expliquer que 36 millions de dollars avaient été ventilés de la manière suivante: (i) 1 million de dollars distribués en France; (ii) 2 millions de dollars en Belgique; (iii) 2 millions de dollars en Allemagne; (iv) 2 millions de dollars en Afrique du Sud. (v) Le reste, soit 29 millions rétribué pour organiser un groupe de 22. 000 militaires, transfuges de l'armée de Mobutu. Des hommes qui s'étaient enrôlés dans les troupes de Jonas Savimbi en Angola et qu'il fallait aider à regagner la RD Congo par le Bas-Congo de l'époque, Kongo-Central aujourd'hui afin qu'ils puissent soutenir la prise de pouvoir menée par un groupe d'anciens militaires de Mobutu qui eux, se trouvaient au Congo-Brazzaville(…) (vi) Il apparait que deux membres du personnel de l'ambassade américain à Kinshasa avaient suivi de près les opérations, et qu'au lendemain de l'assassinat une voiture à la bannière étoilée avait conduit à l'aéroport de Nd'jili une femme, colonel de l'armée américaine, Madame Sandursky, qui avait été embarquée sans autres formalités. Plus tard, les enquêtes devaient retrouver sa carte de visite dans le sac de colonel Rachid… le nom d'une autre femme a été cité dans cette affaire, celui d'une ressors sante américaine d'origine Israélienne et administrateur délégué d'une

[6] *BRAECKMAN Co, cité par DOULANDA SUTA KULA, op.cit, p.68*

[7] *BALANDA MIKUIN, les Accords de Paix en RDC, éd. Cherche, Kinshasa, 2003, p.303*

[8] *EMMANUEL NASHI, pourquoi ont-ils tué Kabila? Le Harmattan, paris, 2007, p.54*

banque locale, la banque aurait pu avoir joué dans le transfert des fonds secrets.[9]

A la lecture d'autres témoignages, une certitude se dégage: plusieurs filières avaient été activées pour mettre fin à la vie de l'ancien maquisard de Hewa Bora. On comprend pourquoi le procès sur l'assassinat de Laurent Désiré Kabila qui suivra ne convaincra pas grand monde car, la majorité des condamnés seront des Congolais. Par ailleurs, ceux qui étaient considérés comme témoins de premier plan se sont évadés de manière rocambolesque de la prise super gardée du GLM, bien avant le procès et se trouveront par la suite au Rwanda et ensuite dans la hiérarchie politico-militaire de la rébellion RCD dans l'Est du pays, territoire contrôlé à l'époque par cette rébellion et le Rwanda.

Roberto Garreton, rapporteur spécial des Nations unies pour les droits de l'homme, dénonce avec force, dans un rapport daté du 1er février 2001, le comportement au Congo/Kinshasa des forces rwandaises et ougandaises.[10] Il y évoque et illustre le « climat de terreur » que ces forces étrangères et les rébellions font régner dans les régions de l'Est, les «massacres et autres atrocités» dont est victime la population locale.

Parallèlement, les orientations diplomatiques de grands acteurs de la scène internationale se modifient. Avec l'accession à la présidence de Georges W. Bush en décembre 2000, la diplomatie des États-Unis infléchit sa position, en cessant de montrer avant tout du doigt les responsabilités de Kinshasa dans le non application de l'accord de Lusaka.[11] La France, lourdement handicapée par le rôle qu'elle a joué lors du génocide rwandais, profite de l'affaiblissement des positions du Rwanda et de l'Ouganda pour opérer un comeback en Afrique centrale à travers une politique d'engagement favorable à Joseph Kabila. Avec Louis Michel aux Affaires étrangères, la Belgique mise également sur le nouveau président. Depuis l'accession à la présidence de ThaboMbeki en juin 1999, l'Afrique du Sud a entrepris de rééquilibrer une diplomatie que l'on pouvait juger favorable à Kigali et Kampala.[12] La disparition de Kabila père permet à Pretoria de se montrer plus actif et efficace dans des efforts qui visent à promouvoir un accord entre tous les grands protagonistes du conflit congolais.

Mis à part le Rwanda, qui conserve de fortes raisons (économiques et politiques) de s'y impliquer, les pays intervenant militairement au Congo, du côté gouvernemental (Angola, Zimbabwe, Namibie) et du côté rebelle (Ouganda), cherchent à se dégager. [13]

L'attitude de Joseph Kabila, les vertus qu'on lui attribue, la mise en cause croissante des agresseurs du Congo, les évolutions sur la scène régionale et internationale, et encore le complet discrédit encouru par des entreprises « rebelles » sans cohésion, sans consistance, générant violences et pillages, tout concourt à convaincre les acteurs internationaux d'investir des espoirs dans le jeune président congolais et de remettre Kinshasa au centre de leur jeu diplomatique en Afrique centrale.

Dès 2001, s'amorce le grand retour au Congo/ Kinshasa des bailleurs de fonds, emmenés par la Banque mondiale et le Fonds monétaire international. L'activisme qu'ils vont déployer sera impressionnant. Il s'agit à leurs yeux d'exploiter, en intervenant vite et fort, que paraît offrir le nouveau contexte politique. Et l'action menée légitime et renforce, face en particulier aux rébellions, le pouvoir de Joseph Kabila, puisque le partenaire des Institutions de Bretton Woods et des autres bailleurs de fonds est le gouvernement de Kinshasa : c'est à sa disposition que sont mis les fonds à nouveau déversés en RDC par les partenaires bilatéraux et multilatéraux, c'est Joseph Kabila qui promulgue les grands dispositifs législatifs inspirés, sinon dictés par la Banque mondiale, tels que le code des investissements et les codes minier et forestier.

En février 2002, s'engage enfin de façon décisive en Afrique du Sud le Dialogue inter congolais. L'enjeu majeur des négociations est le maintien ou non de Joseph Kabila à la tête de l'État.

Elles débouchent dans un premier temps, en avril, à Sun City, sur un accord partiel entre Kinshasa et le MLC de Bemba, auquel adhèrent une majorité des représentants de l'opposition politique non armée et de la Société civile, ainsi que les rébellions du RCD-Mouvement de Libération et du RCD-National. Aux termes de cet accord, Joseph Kabila devait demeurer président et Jean-Pierre Bemba devenir premier ministre. L'arrangement ne se concrétisera pas, mais sa conclusion a témoigné de l'habileté manœuvrière de Joseph Kabila puisqu'il consacrait la division des deux principales rébellions dont l'alliance aurait mis en difficulté le pouvoir de Kinshasa.

Les pressions internationales, celles de l'Afrique du Sud et des médiateurs des Nations unies en particulier, s'exercent pour que les négociations reprennent et aboutissent à un accord « inclusif ». Un second round de négociations s'ouvre en novembre à Pretoria. La position de Kabila s'est alors encore renforcée. Le RCD-Goma et le MLC ont chacun entrepris de nouvelles actions militaires et sont chacun

[9] *COLETTE BRAECKMAN, les nouveaux prédateurs en politique de puissance en Afrique, éd. Fayard, paris, 2003, p.107*

[10] *REBERTO GARRETON, Commission des Droits de l'Homme, rapport sur la situation des Droits de l'Homme en République Démocratique du Congo, éd. L'Harmattan, paris, 2001, p. 4-6*

[11] *WILLAME, J-C; l'Accord de Lusaka, Chronique d'une négociation Internationale, l'Harmattan, paris, 2002, p. 186-194*

[12] *Ibidem*

[13] *BANQUE MONDIALE, République Démocratique du Congo, la bonne gouvernance dans le secteur minier comme facteur de croissance, Rapport n°43404-ZR, Mai 2008, p. 24*

mis en cause pour de graves violences contre les populations civiles (le MLC surtout dont les troupes sont accusées de tueries, viols, pillages en République centrafricaine, des mêmes crimes et d'actes de cannibalisme en Ituri). Impliqués de manière directe ou indirecte dans ces actions, dénoncés par le second rapport, daté d'octobre, des experts des Nations unies sur le pillage des richesses du Congo, le Rwanda et l'Ouganda s'engagent dans des négociations avec Kinshasa qui les conduisent en septembre-octobre à un retrait militaire de la RDC. En négociant directement avec Kinshasa, Kigali et Kampala « trahissaient » leurs alliés congolais puisqu'ils consacraient la position et l'autorité de Joseph Kabila.

Le 17 décembre 2002, est conclu l'accord de paix « global et inclusif » qui met en place le système « 1+4 » : un président, Kabila, flanqué de quatre vice-présidents, Bemba pour le MLC, Ruberwa pour le RCD-Goma, Yerodia Ndombasi pour le gouvernement de Kinshasa, Z'Ahidi Ngoma pour l'opposition politique non armée.

v. *Imposition de Joseph Kabila par l'Occident*

L'assassinat du Président Laurent Désiré Kabila, le 16 Juin 2001, a été point culminant de la crise qui déchire la RDC depuis le 02 Août 1998. A Kinshasa, la Capitale congolaise, tout le monde parle de ça ; de cette information qui courait les rues et tout début d'année et qui rapportée par un diplomate anglais préférant garder l'anonymat début Janvier, Kinshasa bruissait des rumeurs d'assassinat du Président Laurent Désiré Kabila, des rumeurs entendus aussi à Brazzaville et Luanda (Capitale angolaise).

Le 25 janvier 2001, Joseph Kabila, succédant à son père assassiné, prête le serment présidentiel. Le 7 avril 2003, il prête serment en tant que président du régime de transition mis en place à la suite de l'accord de paix de Pretoria. Et le 6 décembre 2006, vainqueur de l'élection présidentielle, il prête une troisième fois serment : en tant cette fois que premier président de la Troisième République congolaise.[14]

Si en 2001 c'est le fait d'être fils de Laurent Désiré Kabila qui le met en position d'accéder à la tête de l'État, si le critère de la filiation, dans un contexte où personne ne paraît en mesure de s'imposer par ses propres ressources militaires et politiques, sert alors de succédané à un introuvable critère de légitimation, en 2002-2003 et puis en 2006 c'est en jouant avec habileté la « stratégie de l'extraversion », et en exploitant la position à laquelle il est grâce à cela parvenu, que Joseph Kabila réussit à l'emporter sur ses challengeurs.

J'emprunte ce schème d'analyse à Jean-François Bayart. Celui-ci observe que, sur la longue durée, l'Afrique, contrairement à la vision courante d'un continent en marge de l'histoire mondiale, n'a jamais cessé d'échanger des biens et des idées avec d'autres parties du monde. L'Afrique, qu'elle soit «noire» ou «blanche», ne ferait pas exception, mais partagerait une Caractéristique commune à «toutes les sociétés politiques»: leur «extraversion organique», c'est-à-dire leur constitution au cours de l'histoire à travers un «rapport à l'Autre et à l'Ailleurs ». [15]

Cependant, dans le cas africain tel que l'évoque Bayart, l'extraversion se réalise sur le mode particulier d'une relation de dépendance, d'une insertion dépendante dans l'« économie-monde ». À l'époque du commerce de traite et de l'esclavage, à l'époque coloniale, à celle de la formation des États postcoloniaux jusqu'au temps actuel de la « démocratisation », la stratégie de l'extraversion serait l'économie politique d'élites ou de pouvoirs africains : elle leur assure des formes de rente en contrepartie de la dépendance dans laquelle ils sont mis et qu'ils entretiennent.

À condition de bien voir que, pour Bayart, la politique de l'extraversion n'est pas une politique de soumission, mais un « mode d'action historique » par lequel les pouvoirs africains poursuivent des fins qui leur sont propres, et tout en estimant, ajouterais-je que : ce schème d'analyse (comme tout schème conceptuel) est simplificateur, on peut le prendre pour fil conducteur. Le schème de l'extraversion s'applique bien à notre objet, la conquête du pouvoir par Joseph Kabila, mais c'est toute l'histoire politique du Congo/Zaïre que l'on pourrait écrire en suivant ce même fil conducteur. L'ascension de Mobutu et la longue résilience de son pouvoir despotique ne peuvent se comprendre sans conférer un grand rôle à la manière dont il a exploité les ressources que lui procurait la position de son pays dans la confrontation de la guerre froide.[16] Et sa chute ne peut être analysée sans accorder une importance majeure aux conséquences géopolitiques du démantèlement et de la dissolution du bloc soviétique. Laurent Désiré Kabila, quant à lui, n'a conquis le pouvoir qu'en se mettant sous la dépendance, non pas cette fois de puissances occidentales, mais de voisins africains que des intérêts propres avaient amenés à intervenir au Congo et à renverser Mobutu. Et il a perdu le pouvoir (et la vie) parce qu'il n'est pas parvenu à construire un régime viable après s'être libéré de l'emprise qu'exerçait sur lui le principal parrain de sa victoire de mai 1997, le Rwanda.[17]

Le 26 Javier 2001, Joseph Kabila est porté au pouvoir, quelques jours après l'assassinat de son père, le Président Laurent Désiré Kabila. Le nouveau pressant

[14] *DE VILLERS, G., en collaboration avec OMASOMBO, J, KENNES, E., Guerre et politique, les trente derniers mois de Laurent Désiré Kabila, le Harmattan, paris, 2001, p. 47-48*

[15] DE VILLERS, Gauthier, de Mobutu à Mobutu, trente ans de relations Belgique-Zaïre, Bruxelles, de Boeck Université, 1995, p.68

[16] *BAYART, J, F. Comparer en France, petit essai d'autobiographie, Introduction à la greffe de la Démocratie, les paradoxes de la longue durée, PUF, paris, 2008, p. 205-232*

[17] *DE VILLERS, G. op.cit.*

hérité d'un pays exsangue, déchiré depuis 1998 par une Guerre régionale, impliquant de multiples groupes armés et plusieurs pays africains. Avant la cooptation qui a permis l'arrivée de Joseph Kabila au pouvoir, une importante réunion des Ambassadeurs des Etats Unis d'Amérique en poste en Angola et au Congo-Brazzaville. A Kinshasa par la suite, d'autres réunions se seraient ténues à l'Ambassade de Belgique. Réunions aux quelles vont prendre part quelques membres du Gouvernement. Lorsqu'il a pris le pouvoir Joseph Kabila a été confronté à la crise armée qui a déchirée la RD Congo depuis le 02 Août 1998. Même si la mort violente dit de l'Etat prit au dépourvu un régime qui n'avait rien prévu pour la succession au Président et frappa la population de stupeur, elle ne fut pas réellement une surprise; depuis des mois, l'ancien maquisard que les Ougandais conseillés par le Feu Julien Nyerere étaient allés chercher en 1991 dans exil Tanzanien, avait été présenté comme le verrou.

vi. *Imposition de Joseph Kabila et sa famille politique par l'occident pour gouverner après les élections de 2006*

La Communauté Internationale qui a financées et assuré la logistique, elle a procuré une expertise, elle a sécurisé les opérations et elle a joué un rôle décisif dans la mise en œuvre et l'aboutissement du processus électoral qui a vu la victoire de Joseph Kabila, de son parti, le PPRD, et de l'Alliance formée autour de celui-ci, l'AMP.

Sa démarche n'a pas été aussi naïve que l'on peut être parfois tenté d'en juger. L'enthousiasme prosélyte qui avait gagné les démocraties occidentales avec la chute du Mur de Berlin était quelque peu retombé, et l'expérience acquise dans les années quatre-vingt-dix du précédent millénaire avait suffisamment démontré que les élections ne constituent pas un remède-miracle, que leurs effets sont conditionnés par les évolutions politiques et sociales qui les précèdent. Depuis leur réengagement en RDC, les acteurs internationaux, paraissant avoir tiré ces leçons de l'histoire, ont cherché à pacifier et stabiliser le pays en même temps qu'à entamer et mettre sur les rails une reconstruction institutionnelle, économique, sécuritaire, de manière telle que non seulement des élections soient rendues possibles mais aussi qu'elles viennent sanctionner des évolutions positives, qu'elles permettent de confirmer et consolider des acquis déjà engrangés qui seront calqué selon le modèle occidental.[18]

À ces fins, le Congo a été placé sous un régime de semi-tutelle international, c'est-à-dire que le système des Nations unies et les autres grands partenaires multilatéraux et bilatéraux y sont intervenus en amont de la gestion et de l'action étatique, par des financements, en inspirant les programmes du gouvernement, en faisant adopter des cadres législatifs, tels par exemple que les codes minier et forestier. Les autorités congolaises sont restées souveraines dans la mise en œuvre des programmes et l'application des lois.

Parce qu'il était un élément fondamental dans le dispositif mis en place par la Banque mondiale pour la réforme de l'économie, le code minier constitue l'une des meilleures illustrations de la manière dont s'est faite l'application des textes et des orientations politiques arrêtées. La Banque mondiale a fait procéder à différents audits des contrats miniers conclus après l'adoption du nouveau code, qui ont montré à quel point celui-ci avait été ignoré ou détourner. Elle finira par reconnaître: « L'application du code minier, de la réglementation minière et du régime fiscal de ce secteur laisse totalement à désirer.[19]

vii. *De la pacification du pays*

Quand il succède à son père en janvier 2001, Joseph Kabila est président d'un pays coupé en deux ou en quatre selon la manière dont on présente les choses. Trois rébellions, appuyées soit par le Rwanda, soit par l'Ouganda, se partagent en effet une moitié du pays: celle du RCD-Goma qui, contrôlant quatre capitales provinciales (Goma, Bukavu, Kindu, Kisangani), est la plus étendue, celle du MLC dont le fief est la province de l'Équateur, celle du RCD-Mouvement de libération dans le « Grand Nord » Kivu et en Ituri. Et, dans la partie orientale du pays, se manifestent et sévissent de nombreux autres mouvements armés (forces rebelles étrangères – ougandaises, rwandaises, burundaises –, dissidences des rébellions « nationales », milices locales). Cette division du pays et cette belligérance multiple sont le produit de la guerre déclenchée en août 1998 à l'initiative du Rwanda et de ses alliés congolais. L'accord de cessez-le-feu conclu à Lusaka en juillet-août 1999 a mis un certain frein aux affrontements entre les principaux antagonistes, soit d'une part le gouvernement de Kinshasa avec ses alliés angolais et zimbabwéens, d'autre part le RCD-Goma et le MLC avec leurs alliés respectifs (rwandais, ougandais). Il n'a pas mis fin à la situation de guerre et de violences, et il n'a fait renoncer ni Laurent Désiré Kabila, ni ses adversaires, à l'emporter par la force des armes. Aucun progrès n'a été accompli dans la voie de la réunification du pays.

Cependant, l'assassinat d'un homme va débloquer le cours de l'histoire. Comme en jugera rétrospectivement Aldo Ajello, l'envoyé spécial de l'Union européenne dans les Grands Lacs, finalement le « Saint-Esprit » s'est manifesté : « Laurent Désiré Kabila a été assassiné, et son fils Joseph est arrivé »6 ! Le changement tient d'abord à l'attitude du jeune (il a trente ans) nouveau président. À peine a-t-il prêté

[18] *WILLAME, J-C. op.cit.*

[19] *THOMAS CALLAGHY; les partenaires internationaux en mettant au service de son pouvoir patrimonial, le Harmattan, paris, 1999. P. 201*

serment qu'il rencontre l'ambassadeur des États-Unis, l'envoyé spécial du secrétaire général des Nations unies ainsi que son représentant spécial. Le 26 janvier 2001, dans son discours d'investiture, il met l'accent sur sa volonté de libéraliser l'activité économique et d'améliorer les rapports de son pays avec les puissances occidentales. Le 31 janvier, il entame une tournée qui le mène à Paris, Washington, New York et Bruxelles. Comme l'écrit Gérard Prunier : « Dépourvu de quelque assise politique nationale, il a fait l'option de traiter la communauté internationale comme sa base de pouvoir ».[20]

Et les actes suivent. À la mi-février 2001, il participe à Lusaka à un sommet sur la paix en RDC où il accomplit des pas diplomatiques importants: contrairement aux positions de son père, il accepte que Ketumile Masire reprenne son rôle de « facilitateur » pour la tenue du Dialogue inter congolais prévu par l'accord de cessez-le-feu, et il donne son accord à un plan de déploiement de la force de paix des Nations unies, la MONUC.

viii. *De la garantie internationale*

Il est prévu un comité international visant à garantir la bonne mise en œuvre du présent Accord et à soutenir le programme de la transition en RD Congo, conformément aux dispositions;

Le Comité International apportera son soutien actif à la sécurisation des institutions de la transition issues du DIC et à l'application effective des dispositions du chapitre 8.2.2. De l'Annexe A de l'Accord de Lusaka, en ce qui concerne notamment, la neutralisation et le rapatriement des groupes armés opérant sur le territoire de la RDC;

Le Comité International arbitrera et tranchera tout désaccord pouvant survenir entre les parties au présent Accord;

b) *Internationalisation du processus électoral*

i. *De l'institutionnalisation du comité international d'accompagnement de la transition*

1. Contexte et enjeux de la création du comité international d'accompagnement de la transition.

Le comité international d'Accompagnement de la transition (CIAT) fut un organe international mis en place pour préparer et sécuriser les institutions de la transition. Le Comité International d'Accompagnement de la Transition (CIAT) tire sa base juridique de l'Annexe A de l'Accord Global et inclusif du 17 décembre 2002. Cet Accord prévoyait la mise en place d'un comité international visant à «garantir la bonne mise en œuvre de l'Accord et à soutenir le Programme de la transition en RDC.»[21] Autrement dit, le CIAT devrait veiller à L'application des dispositions du Chapitre 8.2.2 de l'Annexe A de l'Accord de Lusaka, en ce qui concerne notamment la politique de neutralisation en RDC et le rapatriement des groupes armés opérant sur le territoire Congolais; assister la Commission de Suivi, chargée de la mise en place des institutions de la transition, dans l'accomplissement de son mandat; arbitrer et trancher tout désaccord pouvant survenir entre les Parties à l'Accord Global et Inclusif.

Le contexte qui justifie la création du Comité International d'Accompagnement de la Transition a été dévoilé dans son communiqué adressé dès son installation, le 10 Avril 2003, qui imposé son rôle dans l'implication de la transition, notamment: (i) La défense des intérêts supérieurs de la République démocratique du Congo (RDC), le CIAT appelait solennellement les Congolaises et les Congolais à garder leur calme et à ne pas céder aux menaces d'éclatement du processus de la transition, (ii) Le pays a beaucoup souffert. Le CIAT comprend et compatit aux angoisses de la population qui attend les élections avec impatience. Jamais la communauté internationale n'a été aussi proche de la RDC. Le CIAT avait lancé un appel urgent à tous les animateurs de la transition et responsables politiques pour accélérer le processus. Ainsi, le séminaire interinstitutionnel initié par le Président de la République, les Vice-présidents, les Présidents de l'Assemblée nationale et du Sénat, ainsi que les Présidents des Institutions citoyennes, et organisé par le Parlement devra permettre d'imprimer une nette accélération à la préparation des élections. Dans cet objectif, le séminaire bénéficie du plein soutien de la communauté internationale, et du CIAT en particulier, qui intensifie ses efforts pour accompagner ce processus. Le CIAT insistait sur la nécessité que le séminaire aboutisse à des résultats concrets, permettant à tous les citoyens de garder la confiance dans la réussite de la transition;[22] (iii) Les acquis du programme de redressement économique et social appuyé par le Fonds Monétaire International, la Banque Mondiale, l'Union Européenne et de nombreux pays ne doivent pas être remis en cause car c'est toute la population qui en souffrirait durablement. Ce programme fait partie intégrante du processus de transition et il n'existe pas d'alternative; (iv) Les animateurs de la transition ainsi que les responsables politiques doivent faire davantage preuve de civisme, de sens des responsabilités et de patriotisme afin qu'un sursaut national permette d'aboutir à des élections démocratiques et crédibles.[23] A notre avis, le CIAT voulait coûte que coûte imposé les Congolais la démocratie, faute de quoi ils risqueront d'être

[20] *PRUNIER, G; politique de conflits, la génocide cachée du Congo, le Harmattan, paris, 2009, p. 258*

[21] BRAECKMAN, C*; Terreur africaine, Burundi, Rwanda, Zaïre: les racines de la violence, paris,* Fayard, 1996, p.56-67

[22] *ANNEXE A de l'Accord Global et Inclusif du 17 Décembre 2002*

[23] *Communiqué de l'installation du Comité International d'Accompagnement de la Transition, Kinshasa le 10 Avril 2003*

sanctionnés par la Communauté Internationale pour sa propre transition.

Il faudrait surtout ajouté le contexte de la création du CIAT, qui a connu surtout l'influence des cinq pays membres permanents du Conseil de Sécurité (Chine, Etats-Unis, France, Grande-Bretagne et Russie) et des autres émergents (Canada et Afrique du Sud) et de l'ancienne métropole (Belgique), sans négliger la présence des autres Etats de l'Union Européenne et de l'Union Africaine et la MONUC.[24]

L'enjeu majeur qui a prévalu a la création du Comité International d'Accompagnement de la Transition est de voir quelques pays voisins, les USA, Canada et quelques pays d'Union Européenne de contrôler les institutions de la transition en immisçant dans les grandes décisions prises par les institutions de la transition. D'où, la première réunion du CIAT qui s'était tenue le 10 avril 2003, au Quartier Général de la MONUC, était initialement prévu pour les Etats membres soient unanimes au rôle que devrait jouer le Comité précité pour imposer les Congolais comment ils doivent mettre sur pied un mécanisme visant à mettre en œuvre l'Accord Global et Inclusif, afin d'éviter que la Communauté Internationale ne soit perçu comme un « proconsulat. » ce qui a fait que, les discussions ou transactions soient soulevées au début des travaux du CIAT pour tromper des Congolais que le CIAT est créer pour « garantir » le processus de transition, qui est une propriété congolaise. D'où, les douze membres de départ: L'Angola, la Belgique, le Canada, la Chine, l'Union Européenne, la Commission européenne, la France, la Russie, l'Afrique du Sud, le Royaume Uni, les Etats Unis, et la Zambie. Ont joué un rôle crucial dans l'implication du processus congolais de la Transition. Un autre enjeu majeur pour la Communauté Internationale de consolider l'internationalisation du processus électoral se justifier par l'élargissement de la composition des membres du CIAT au profit du Gabon et l'Union africaine, ce qui a porté le nombre total à quatorze. Il faudrait ajouter l'enjeu de l'imposition à travers les réunions du CIAT qui se tenaient tous les jeudis au siège de la MONUC sous la conduite du Représentant Spécial du Secrétaire-Général de l'ONU qui les convoquent. En son absence, un de ses adjoints assumait normalement ce rôle. Des réunions extraordinaires se tenaient tenues si et quand il le faut. Les décisions étaient prises sur une base consensuelle ou par un vote majoritaire si besoin est. A chaque réunion la MONUC servait de secrétariat au Comité, et se chargeait de préparer l'agenda, d'établir un rapport fidèle de toutes les réunions, ainsi que de préparer les correspondances officielles et les communiqués de presse du Comité.[25] Pour s'imposer sur le processus électoral congolais, a chaque qui voulait bouleverser la marche normale de la transition, la RDC avait bénéficié des bons offices de la Communauté Internationale qui imposeraient aux acteurs de la transition de signer des accords de paix sous la supervision des Missions Internationales chargées de prévenir la violence et d'organiser le retour de la démocratie qu'elles voudraient imposée aux congolais. La Missions des Nations Unies au Congo/Kinshasa avait également permis à l'ONU de s'imposer comme le maitre d'œuvre de la paix en RDC pendant la période de la transition. Mais également il faudrait marteler sur l'implication des Agences Sociales des Nations Unies (PNUD, UNICEF, etc.) et des grandes organisations non gouvernementales.[26]

2. Quelques illustratifs sur le rôle joue par le CIAT pour influencer la transition vers la troisième République

Le CIAT avait joué un rôle crucial dans la sauvegarde la Transition tout en veillant à ne pas sortir de son mandat. Au cours de la période qui a conduit à l'installation du Gouvernement de Transition, le CIAT avait aidé la Commission de Suivi à accomplir avec succès sa mission en exerçant une pression sur les différentes parties et en offrant sa médiation dans un certain nombre de crises potentielles. En juin, lorsque les négociations sur la répartition des postes au sein du l'état-major général des forces armées intégrées ont connu un blocage, le CIAT a offert une solution qui a fini par servir de base au Mémorandum signé à Kinshasa en présence de l'Envoyé spécial Moustapha Niasse.

Durant la même période, le CIAT avait été appelé par la Commission de suivi à présider une réunion de trois jours de l'Opposition politique au cours de laquelle ses représentants sont finalement tombés d'accord sur la liste de ceux qui devaient représenter la composante au sein du Gouvernement de transition. L'intervention du CIAT avait ainsi permis au Président Kabila de procéder à la nomination d'un nouveau Gouvernement le 30 juin 2003, tenant ainsi la promesse faite aux membres du Conseil de sécurité durant leur visite en mai.[27]

Le mois suivant c'est- à- dire Juillet de la même année, le CIAT a été de nouveau sollicité comme médiateur dans la crise en gestion concernant la nomination comme Commandants de Région Militaire d'un nombre d'officiers jadis condamnés à mort pour leur rôle dans l'assassinat de Laurent-Désiré Kabila. Ces officiers, tous issus du RCD-Goma, ont été finalement remplacés par d'autres moins controversés, ce qui a permis de lever un obstacle majeur à la formation d'une armée nationale intégrée.

Depuis l'installation du Gouvernement de transition de 2003, le CIAT rencontre mensuellement le

[24] *DUMOND, R., l'Afrique noire est mal partie, paris, Seuil, 1995, p. 49*

[25] *FEURIND SULTIN, du Comité International d'Accompagnement de la Transition au Congo/Kinshasa, PUC, Kinshasa, 2018, p.22-23*

[26] DUMOND, R., Démocratie pour l'Afrique, paris, Seuil, p.32-35

[27] *Ibidem*

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Président de la République en vue d'évaluer le progrès accompli sur les principaux objectifs de la Transition et d'identifier les domaines en difficultés que le Gouvernement doit agir rapidement. Ces domaines comprennent notamment le rétablissement de l'autorité de l'Etat sur l'ensemble du pays, l'intégration de l'armée et le DDR, l'élaboration du cadre juridique pour les élections, ainsi que la normalisation des relations entre la RDC et les Etats voisins.[28]

En février 2004, le CIAT avait également rencontré les Présidents de l'Assemblée nationale et du Sénat pour leur faire comprendre la nécessité d'amender certaines dispositions du projet de loi sur la Commission électorale indépendante (CEI) afin de préserver l'indépendance de cette Commission. Le CIAT, notant une montée de tensions entre les différentes composantes et entités, a tenu une série de réunions avec chacun des Vice-présidents de la République pour s'assurer de leur concours afin de rétablir la confiance au sein de l'Espace présidentiel et enrayer la progression d'une propagande ethnique et anti-MONUC.

En dehors de ses contacts avec les principales institutions de la Transition, le CIAT avait publiait régulièrement des communiqués de presse destinés à maintenir la pression sur les parties afin qu'elles respectent le calendrier électoral prescrit par l'Accord Global et Inclusif et la Constitution de la transition. Les communiqués du CIAT sont largement couverts par la presse locale et sont souvent repris par les médias internationaux. Etant donné son impact sur l'opinion publique, la Communauté Internationale s'est mise à compter beaucoup sur les communiqués du CIAT comme un moyen de maintenir le processus de transition sur les rails.

Certes, la responsabilité du succès de la transition repose avant tout sur le Gouvernement de Transition et les autres institutions, mais sans une pression soutenue de la part de la communauté internationale et sans son soutien, il sera extrêmement difficile pour les acteurs impliqués dans l'organisation des élections, de relever le défi de conduire le pays vers des scrutins en juin 2005. Au tiers de cette période transitoire de deux ans au total avait permis, le CIAT de jouer un rôle de plus en plus important afin de pousser le processus en avant et de régler les différentes crises qui risquent de se produire le long du difficile chemin vers les élections. Une bonne partie dépendra de la capacité de ses membres à proposer des solutions communes aux problèmes complexes auxquels les animateurs de la transition sont confrontés. C'est pourquoi les six mois à venir seront un test autant pour la capacité de la Communauté internationale à parler d'une seule voix que pour celles des parties congolaises à surmonter leurs divergences et à jeter les bases d'un nouvel ordre politique en RDC.[29]

ii. *Logistique, financement et sécurisation des élections congolaises par la communauté internationale*

1. Défi logistique des élections de 2006 et l'appui de la MONUC

L'organisation des élections en RD Congo a été qualifiée par les Nations-Unies de cauchemar logistique.

La Commission Electorale Indépendante (CEI) a relevé les défis suivants: (i) le manque de circuit d'infrastructures de communication; (ii) l'étendue du pays de 2345.000km²; (iii) un électorat énorme de 25.712.552 d'électeurs potentiels; (iv) 15.505.810 votants au référendum constitutionnel; (v) 16.937.534 votants au premier tour de l'élection présidentielle, (vi) 16.256.601 votants au 2ème tour de l'élection présidentielle; (vii) l'absence d'expérience dans l'organisation d'élections réellement démocratiques, pour la majorité les citoyens; (viii) l'absence de culture démocratique dans le chef de plus d'un acteur du processus électoral.

Il a fallu: (i) mettre en place malgré tout: 9.089 centre de vote et 50.045 bureaux de vote; (ii) gérer: 2.639.74 agents électoraux et 2.528 centres de compilation des résultats.

La MONUC a apporté son appui à la CEI en mettant à sa disposition: 61 avions; 25 hélicoptères, pour distribuer les kits électoraux et autres matériels importants liés à l'organisation des élections de 2006; 4500 tonnes de matériels; 1500 tonnes de bulletins de vote; 13, 3 millions d'affiches; 5,5 millions de brochures; 1,5 millions de dépliants; 1,3 millions de spécimens de bulletins de vote.[30]

iii. *Financement des élections par la communauté internationale*

La Communauté Internationale a contribué pour 57% au budget global de l'organisation des élections de 2006. Ceci lui permet d'exercer un certain droit de regard sur l'affectation et l'utilisation du fond alloué. La somme mobilisée pour les élections fut énormes: 546.2000.OOO US. Une difficulté supplémentaire de l'Administration électorale fut la combinaison sophistiquée de plusieurs suffrages: 3 élections au suffrage universel direct : (i) Election du président de la République, c'est-à- dire au regard de l'Article 70 de la constitution, le président de la République est élu au suffrage universel direct pour un mandat de cinq ans renouvelable une seule fois. En ce qui concerne le mode de scrutin avant la révision constitutionnelle de

[28] *COURADE, G., l'Afrique des idées reçues paris Belin, 2006, p.28*

[29] *GOLETUWANDO MASO GUTA, les élections présidentielles de 2006 et l'implication de l'ONU, PUC, Kinshasa, 2022*

[30] *NZALONDO GBUTU A; Enjeux et Défit des élections présidentielles de 2006 en RDC, PUC, Kinshasa, 2007, p.34*

2011, le président de la République est élu à la majorité absolue des suffrages exprimés. Si celle-ci n'est pas obtenue au premier tour du scrutin, il est procédé dans un délai de quinze jours à un second tour. Seuls peuvent se présenter au second tour, les deux candidats qui ont recueilli le plus grand nombre des suffrages exprimés au premier tour. (ii) Elections législatives ou des députés nationaux, les membres de l'Assemblée nationale qui portent le titre de députés nationaux sont élus au suffrage universel direct et secret au regard de l'article 101 de la constitution.[31] (iii) Elections provinciales ou des députés provinciaux, selon les prescrits de l'article 197 de la constitution : l'Assemblée provinciale est l'organe délibérant de la province et contrôle le Gouvernement provincial ainsi que les services publics provinciaux et locaux. Ses membres sont élus au suffrage universel direct et secret. Et les cooptés.

Une pléthore des partis politiques a été observée à la veille des élections en RD Congo en 2006. C'est-à- dire l'on assiste à une inflation de partis politiques plus au moins 200, expression de la volonté des aspirants leaders politiques de se hisser au sommet de l'Etat ou moins de devenir acteurs politiques importants. Cette situation a fait que la course électorale a été amorcée par un nombre trop grand de candidats politiciens : (i) Sur une seule place, 33 Candidats à l'élection présidentielle dont, le président sortant Joseph Kabila, et ses 3 vice-présidents sortant sur les 4 : Jean Pierre Bemba, Azarias Ruberwa et Zaïdi Ngoma ont été retenus. On peut noter d'autres candidats influents comme Antoine Gizenga, Antipas Nyamwisi, Roger Lumbala etc. une chose 1ére dans l'histoire électorale congolaise, 5 femmes ont été retenues à la course présidentielle: Wivine Landu Catherine, Nzuzi Wa Mbombo, Justine Kasa-vubu et Thérèse Nlandu; (ii) Au niveau des élections législatives, sur 500 députés, 9.703 candidats ont retenus, dont un bon nombre des femmes; (iii) A la députation provinciale, 13.475 candidats ont été retenus y compris les femmes, et 1.086 candidats au Sénat et plusieurs candidats aux Gouvernorats de l'époque.

Le premier tour des élections présidentielles et législatives fut un moment de vérité pour grosse majorité de la classe politique. Le nombre des frustrés fut proportionnel à la pléthore des candidatures : 9. 209 candidats députés nationaux furent déboutés et aucun des 33 candidats à la présidentielle ne fut élu au premier tour. 25 de ces derniers recueillirent même pas 1% de voix.[32] D'où il faudrait encore disposer de fonds pour le second tour. Les 12.842 candidats députés provinciaux et les 978 candidats sénateurs devaient redimensionner les ambitions et le fonds liés à l'organisation. L'on comprend aussi la tension qui a suivi la proclamation des résultats du premier tour, dont le paroxysme fut l'affrontement entre les troupes de Bemba et celles de Kabila, le 20 et 21 Août 2006.

iv. *Implication de la communauté internationale pour faire passer joseph Kabila aux élections présidentielles de 2006*

C'est grâce avant tout aux atouts que lui procure la position qu'il réussit à s'assurer dans le dispositif de la diplomatie internationale et grâce aux évolutions de celle-ci, que Joseph Kabila se voit confirmé à la tête de l'État dans un pays réunifié.

La dernière période de transition fut, marquée fondamentalement par la compétition entre le président et les deux vice-présidents issus des rébellions. Dans cette compétition, la «communauté internationale » n'a pas été neutre. Elle a parrainé l'avènement d'un régime politique dans lequel, Joseph Kabila occupa une position de Primus supra pares. Et elle va laisser celui-ci user et abuser de cette position privilégiée. Indépendamment même de ses prérogatives constitutionnelles, Joseph Kabila, dans le collège présidentiel constitué par la formule « 1+4 », pèse pour beaucoup plus d'un cinquième. Représentant le gouvernement, le vice-président Yerodia appartient à son camp politique. Quant à Z'Ahidi Ngoma, il est devenu, depuis qu'il a quitté le RCD-Goma pour rejoindre Kinshasa en 2000, le principal leader de la fraction dite « modérée » de l'opposition en suivant une démarche favorisant les efforts du chef de l'État en vue d'élargir ses alliances.[33]

La constitution de la transition, parce qu'elle vise, selon une formule consacrée, à assurer un « partage équitable et équilibré » des postes entre les diverses « composantes » de l'univers politique congolais, présenta une architecture complexe. Chaque vice-président est à la tête d'une commission qui coordonne et chapeaute un certain nombre de départements ministériels. Ruberwa pour le RCD préside la «commission politique», «défense et sécurité», Jean-Pierre Bemba pour le MLC la «commission économique et financière», Yerodia la «commission pour la reconstruction et le développement», Z'AhidiNgoma la «commission sociale et culturelle». Les forces armées et l'argent étant les principaux instruments du pouvoir dans un contexte comme celui du Congo, on voit que les deux composantes rebelles se trouvent favorisées par l'attribution des commissions. Mais la composition, on l'a vu, et aussi l'organisation juridique de l'espace présidentiel redresse les choses en faveur de Joseph Kabila. La constitution instaure une forme de présidence collégiale, mais elle dote le président de pouvoirs propres qui confèrent au régime un caractère

[31] *Lire les articles 101 et 197 de la Constitution de la République Démocratique du Congo, op.cit.*

[32] *Fr. m. Wikipedia.org. Consulté le, 7/08/2022 à 9h30'*

[33] *PRUNIER, G; de la Guerre aux élections, l'Harmattan, paris, 2OO4, p. 360-362*

présidentialiste. Le président est le « commandant suprême des forces armées », il « convoque et préside le Conseil des ministres », il promulgue les lois. Et, grâce à l'interprétation d'articles à la signification controversée par une Cour suprême de justice qui se révélera tout au long de la transition fort partisane, Joseph Kabila se voit, d'une part, octroyé un pouvoir de nomination sans partage pour certaines fonctions stratégiques (gouverneurs des provinces, gouverneur de la Banque centrale, mandataires des établissements publics et paraétatiques), obtient d'autre part la tutelle des services de renseignement civils.

En ce qui concerne le contrôle des forces armées, le RCD apparaît « bien servi » : il obtiendra, outre la présidence de la commission interministérielle ayant la Défense dans ses attributions, le ministère de la Défense et le commandement de la force terrestre. C'est néanmoins la « composante gouvernement » qui a, ici aussi, la part la plus belle. Son chef de file, Joseph Kabila, est commandant suprême des forces armées et préside le Conseil supérieur de la Défense ; la direction de l'état-major général ainsi que le commandement de la force aérienne lui sont attribués.[34]

Le président, de surcroît, gardera à sa disposition une garde présidentielle, composée (fourchette habituellement retenue) de 10 à 15000 hommes, katangais souvent et encadrés par des officiers katangais. Comme c'était le cas pour la Division spéciale présidentielle du président Mobutu, elle est réputée constituer la force la mieux équipée. Certaines de ses unités sont déployées à travers le pays dans des lieux stratégiques comme les aéroports. La garde présidentielle devait, en vertu d'une loi organique sur l'armée et la défense du 12 novembre 2004, être transformée en une « Garde républicaine » restant sous l'autorité du chef de l'État mais constituant une unité des forces armées régulières (les FARDC). Le processus de création de cette Garde républicaine intégrée ne sera qu'ébauché au cours de la transition.

Le vice-président Bemba dispose aussi d'une garde prétorienne, mais beaucoup moins importante (peut-être 3000 hommes). Ruberwa semble n'avoir qu'une maigre protection personnelle, mais au Kivu des unités militaires du RCD-Goma continuent à échapper ou à se dérober à l'intégration au sein des FARDC.

Il est bien sûr particulièrement difficile d'accéder aux données concernant la puissance financière respective de Joseph Kabila et de ses challengeurs. En 2005, la « dotation » annuelle du chef de l'État se serait élevée à 6 millions de dollars, celle de chacun des vice-présidents à millions.[35] Mais les moyens budgétaires totaux octroyés aux occupants de l'espace présidentiel sont beaucoup plus considérables. Une ONG congolaise a calculé pour ce même exercice budgétaire que les crédits ouverts au président atteignaient 16, 8 millions de dollars, dix fois plus que ceux accordés aux vice-présidents.[36] Et il faut tenir compte de la forte propension des intéressés aux dépassements budgétaires. Selon l'agence de presse Xinhua (2/11/2005), pour les neuf premiers mois de 2005, les dépassements ont été de 91 % pour J. Kabila, de 99 % pour A. Ruberwa, de 242 % pour J.-P. Bemba, et « seulement » de 36 % pour A. Yerodia.

v. *Implication de la communauté internationale aux affrontements bemba-Kabila après la publication des resultats présidentiels en imposant un accord de paix*

L'expérience électorale congolaise a failli virer au droit au drame le 20, 21 et 22 Août 2006 après l'annonce des résultats du premier tour de la présidentielle. Ceux-ci donnent au deuxième tour entre Joseph Kabila et Jean Pierre Bemba, encore Président de la République et Vice-président chargé des questions économiques et financières. Les combats survenus à Kinshasa ont fait au moins 23 morts. Le calme est revenu, le 22 Août au soir, après un accord de cantonnement des militaires de deux camps conclue sousl'égide de la Mission des Nations Unies en RDC (MONUC). C'est toute la Communauté Internationale qui s'est mobilisée pour un atterrissage en douceur du processus électoral, dont l'ultime étape fut l'organisation, le 29 Octobre 2006 du 2ème tour de la présidentielle.[37] Arrivée tard à Kinshasa dans la nuit de dimanche, 22 Août 2006, le Président Sud-Africain TaboMbeki a rencontré lundi au palais de la nation son homologue congolais Joseph Kabila, son agenda prévoyait de rencontrer d'autres animateurs de la transition. La Grande Bretagne a appelle au Dialogue, c'est-à-dire, le Ministre britannique de la coopération internationale de l'époque, Hillary Ben, avait bouclé son séjour de travail en RDC, peu avant de s'envoler pour Londres oùil a livré l'essentiel de ses contacts avec les autorités congolaises, au cours d'un point de presse animé au jardin de l'Ambassade britannique. Il plaida en faveur de l'apaisement de tensions entre les camps des candidats au deuxième tour. Il appela chacun à tout mettre en aide pour aider à créer un climat de paix dans lequel le scrutin du 29 Octobre 2006 se déroule, relevant qu'il se réjouissait del'implication de la MONUC

[34] *NATIONS UNIES, CONSEIL DE SECURITE, Vingt-cinquième rapport du Secrétaire général sur la Mission de l'Organisation des Nations Unies en République Démocratique du Congo, S/2008/218, 2 Avril, p. 64-66*

[35] *NZALONDO GBUTU A. op.cit*

[36] *MISSION D'OBSERVATION ELECTORAALE DE L'UNION EUROPEENNE EN REPUBLIQUE DEMOCRATIQUE DU CONGO, élections présidentielles, législatives et provinciales de 2006, Rapport final, 23 Février 2007, ou Organisation Internationale de la Francophone, Rapport de la Mission Francophone d'Observation des élections présidentielles, législatives et provinciales des 30 Octobre 2006*

[37] *WILLAME, J-C, les Faiseurs de au Congo, Gestion d'une crise internationale dans un Etat sous tutelle, Bruxelles, éd. GRIP, 2007, p. 26*

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pour aider les deux parties à trouver un compris. Une tête à tête entre les deux protagonistes et la signature d'un accord de précampagne politique, que chacun de deux parties à t-il indiqué, devait respecter en ce qui concerne les termes de l'Accord. Poursuit-il ces leurs actions à venir qui vont pouvoir définir cette période de l'histoire de la RD Congo, et notre future relation, à soutenir l'envoyé de Tony Blair à Kinshasa. Il a rappelé que l'action de l'ONU destinée à gérer ces problèmes congolais, trouvera une contribution accrue de la Grande Britannique.[38] Avec cette vague des missions de secours de la communauté internationale en RD Congo, des questions fusent alors de partout pour décrite ce regain d'intérêt en faveur ou en défaveur de RD Congo, ce géant d l'Afrique Centrale qui tangue depuis plus 16 ans dans une transition ligne d'une scène d'Hollywood. Les Congolais ont tout entrepris au point de tout subir jusqu'à accepter la formule «1+4» imposée par l'extérieur pour être en mesure enfin d'élire ses dirigeants.

## II. Conclusion

La démocratie imposée en Afrique en générale et au Congo Kinshasa en particulier, est une nouvelle forme de colonisation de la RDC par les congolais interposés. Grace au système, on impose des dirigeants faibles, corrompus et à la solde de l'occident. Ce dernier peut exercer sa domination et exploiter les ressources locales en se plaçant au-dessus de tout soupçon. Cette démocratie de facette a amené la dépendance et permis des ingérences occidentales intempestives en République Démocratique du Congo. Le pays est ainsi considéré comme un territoire sous tutelle de l'occident comme à l'époque coloniale.

## Bibliographie


1. Balanda Mikuin (2003). Les Accords de Paix en RDC, éd. Cherche, Kinshasa.
2. Banque Mondiale (2008). République Démocratique du Congo, la bonne gouvernance dans le secteur minier comme facteur de croissance, Rapport n°43404-ZR.
3. Bayart, J, F (2008). Comparer en France, petit essai d'autobiographie, Introduction à la greffe de la Démocratie, les paradoxes de la longue durée, PUF, paris.
4. Braeckman Colette (1999). *Enjeux congolais: l'Afrique Centrale après Mobutu,* éd. Fayard.
5. Braeckman Colette (2003). Les nouveaux prédateurs en politique de puissance en Afrique, éd. Fayard, Paris.
6. Braeckman, C (1996). Terreur africaine, Burundi, Rwanda, Zaïre: les racines de la violence, paris, Fayard.
7. Courade, G (2006). L'Afrique des idées reçues paris-Belin.
8. De Villers, G. (2001). En collaboration avec OMASOMBO, J, KENNES, E., Guerre et politique, les trente derniers mois de Laurent Désiré Kabila, le Harmattan, paris.
9. DE Villers, Gauthier (1995). De Mobutu à Mobutu, trente ans de relations Belgique-Zaïre, Bruxelles, de Boeck Université.
10. Doulunda Suta K (2003), *La Guerre de libération au Congo/Kinshasa: qu'est-ce qui se cache?* En revue Congo Afrique, n% 05/Kinshasa, Juin-Juillet.
11. Dumond, R. (1995). l'Afrique noire est mal partie, paris, Seuil.
12. Feurind Sultin (2018). Du Comité International d'Accompagnement de la Transition au Congo/ Kinshasa, PUC, Kinshasa.
13. Garreton Reberto (2001). Commission des Droits de l'Homme, rapport sur la situation des Droits de l'Homme en République Démocratique du Congo, éd. L'Harmattan, paris.
14. Goletuwando Maso Guta (2022). Les élections présidentielles de 2006 et l'implication de l'ONU, PUC, Kinshasa.
15. Minano Bihuzo (2008), *17 ans de la transition politique et perspective démocratique en RDC*, CEPAS, Kinshasa.
16. Nashi Emmanuel (2007). Pourquoi ont-ils tué Kabila? Le Harmattan, paris.
17. Ngbanda H (1998). *insi sonne le Glas, le dernier jour du Maréchal Mobutu*, éd. Giuseppe, Paris.
18. Nzalondo GBUTU A (2007). Enjeux et Défit des élections présidentielles de 2006 en RDC, PUC, Kinshasa.
19. Prunier, G (2004). De la Guerre aux élections, l'Harmattan, Paris.
20. Prunier, G (2009). Politique de conflits, la génocide cachée du Congo, le Harmattan, Paris.
21. Thomas Callaghy (1999). Les partenaires internationaux en mettant au service de son pouvoir patrimonial, le Harmattan, Paris.
22. Willame, J-C (2002). Accord de Lusaka, Chronique d'une négociation Internationale, l'Harmattan, paris.


[38] *bidem, p.108-109*

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| **Certificate,** LoR and Momento<br>2 discounted publishing/year<br>**Gradation** of Research<br>10 research contacts/day<br>1 **GB** Cloud Storage<br>**GJ** Community Access | **Certificate,** LoR and Momento<br>**Unlimited** discounted publishing/year<br>**Gradation** of Research<br>**Unlimited** research contacts/day<br>5 **GB** Cloud Storage<br>**Online Presense** Assistance<br>**GJ** Community Access | **Certificates,** LoRs and Momentos<br>**Unlimited** free publishing/year<br>**Gradation** of Research<br>**Unlimited** research contacts/day<br>**Unlimited** Cloud Storage<br>**Online Presense** Assistance<br>**GJ** Community Access | **GJ** Community Access |

# Preferred Author Guidelines

**We accept the manuscript submissions in any standard (generic) format.**

We typeset manuscripts using advanced typesetting tools like Adobe In Design, CorelDraw, TeXnicCenter, and TeXStudio. We usually recommend authors submit their research using any standard format they are comfortable with, and let Global Journals do the rest.

Alternatively, you can download our basic template from https://globaljournals.org/Template.zip

Authors should submit their complete paper/article, including text illustrations, graphics, conclusions, artwork, and tables. Authors who are not able to submit manuscript using the form above can email the manuscript department at submit@globaljournals.org or get in touch with chiefeditor@globaljournals.org if they wish to send the abstract before submission.

## Before and during Submission

Authors must ensure the information provided during the submission of a paper is authentic. Please go through the following checklist before submitting:

1. Authors must go through the complete author guideline and understand and *agree to Global Journals' ethics and code of conduct,* along with author responsibilities.
2. Authors must accept the privacy policy, terms, and conditions of Global Journals.
3. Ensure corresponding author's email address and postal address are accurate and reachable.
4. Manuscript to be submitted must include keywords, an abstract, a paper title, co-author(s') names and details (email address, name, phone number, and institution), figures and illustrations in vector format including appropriate captions, tables, including titles and footnotes, a conclusion, results, acknowledgments and references.
5. Authors should submit paper in a ZIP archive if any supplementary files are required along with the paper.
6. Proper permissions must be acquired for the use of any copyrighted material.
7. Manuscript submitted *must not have been submitted or published elsewhere* and all authors must be aware of the submission.

**Declaration of Conflicts of Interest**

It is required for authors to declare all financial, institutional, and personal relationships with other individuals and organizations that could influence (bias) their research.

## Policy on Plagiarism

Plagiarism is not acceptable in Global Journals submissions at all.

Plagiarized content will not be considered for publication. We reserve the right to inform authors' institutions about plagiarism detected either before or after publication. If plagiarism is identified, we will follow COPE guidelines:

Authors are solely responsible for all the plagiarism that is found. The author must not fabricate, falsify or plagiarize existing research data. The following, if copied, will be considered plagiarism:

- Words (language)
- Ideas
- Findings
- Writings
- Diagrams
- Graphs
- Illustrations
- Lectures

- Printed material
- Graphic representations
- Computer programs
- Electronic material
- Any other original work

## Authorship Policies

Global Journals follows the definition of authorship set up by the Open Association of Research Society, USA. According to its guidelines, authorship criteria must be based on:

1. Substantial contributions to the conception and acquisition of data, analysis, and interpretation of findings.
2. Drafting the paper and revising it critically regarding important academic content.
3. Final approval of the version of the paper to be published.

**Changes in Authorship**

The corresponding author should mention the name and complete details of all co-authors during submission and in manuscript. We support addition, rearrangement, manipulation, and deletions in authors list till the early view publication of the journal. We expect that corresponding author will notify all co-authors of submission. We follow COPE guidelines for changes in authorship.

**Copyright**

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**Appealing Decisions**

Unless specified in the notification, the Editorial Board's decision on publication of the paper is final and cannot be appealed before making the major change in the manuscript.

**Acknowledgments**

Contributors to the research other than authors credited should be mentioned in Acknowledgments. The source of funding for the research can be included. Suppliers of resources may be mentioned along with their addresses.

**Declaration of funding sources**

Global Journals is in partnership with various universities, laboratories, and other institutions worldwide in the research domain. Authors are requested to disclose their source of funding during every stage of their research, such as making analysis, performing laboratory operations, computing data, and using institutional resources, from writing an article to its submission. This will also help authors to get reimbursements by requesting an open access publication letter from Global Journals and submitting to the respective funding source.

## Preparing your Manuscript

Authors can submit papers and articles in an acceptable file format: MS Word (doc, docx), LaTeX (.tex, .zip or .rar including all of your files), Adobe PDF (.pdf), rich text format (.rtf), simple text document (.txt), Open Document Text (.odt), and Apple Pages (.pages). Our professional layout editors will format the entire paper according to our official guidelines. This is one of the highlights of publishing with Global Journals—authors should not be concerned about the formatting of their paper. Global Journals accepts articles and manuscripts in every major language, be it Spanish, Chinese, Japanese, Portuguese, Russian, French, German, Dutch, Italian, Greek, or any other national language, but the title, subtitle, and abstract should be in English. This will facilitate indexing and the pre-peer review process.

The following is the official style and template developed for publication of a research paper. Authors are not required to follow this style during the submission of the paper. It is just for reference purposes.

***Manuscript Style Instruction (Optional)***

- Microsoft Word Document Setting Instructions.
- Font type of all text should be Swis721 Lt BT.
- Page size: 8.27" x 11'", left margin: 0.65, right margin: 0.65, bottom margin: 0.75.
- Paper title should be in one column of font size 24.
- Author name in font size of 11 in one column.
- Abstract: font size 9 with the word "Abstract" in bold italics.
- Main text: font size 10 with two justified columns.
- Two columns with equal column width of 3.38 and spacing of 0.2.
- First character must be three lines drop-capped.
- The paragraph before spacing of 1 pt and after of 0 pt.
- Line spacing of 1 pt.
- Large images must be in one column.
- The names of first main headings (Heading 1) must be in Roman font, capital letters, and font size of 10.
- The names of second main headings (Heading 2) must not include numbers and must be in italics with a font size of 10.

***Structure and Format of Manuscript***

The recommended size of an original research paper is under 15,000 words and review papers under 7,000 words. Research articles should be less than 10,000 words. Research papers are usually longer than review papers. Review papers are reports of significant research (typically less than 7,000 words, including tables, figures, and references)

A research paper must include:

a) A title which should be relevant to the theme of the paper.
b) A summary, known as an abstract (less than 150 words), containing the major results and conclusions.
c) Up to 10 keywords that precisely identify the paper's subject, purpose, and focus.
d) An introduction, giving fundamental background objectives.
e) Resources and techniques with sufficient complete experimental details (wherever possible by reference) to permit repetition, sources of information must be given, and numerical methods must be specified by reference.
f) Results which should be presented concisely by well-designed tables and figures.
g) Suitable statistical data should also be given.
h) All data must have been gathered with attention to numerical detail in the planning stage.

Design has been recognized to be essential to experiments for a considerable time, and the editor has decided that any paper that appears not to have adequate numerical treatments of the data will be returned unrefereed.

i) Discussion should cover implications and consequences and not just recapitulate the results; conclusions should also be summarized.
j) There should be brief acknowledgments.
k) There ought to be references in the conventional format. Global Journals recommends APA format.

Authors should carefully consider the preparation of papers to ensure that they communicate effectively. Papers are much more likely to be accepted if they are carefully designed and laid out, contain few or no errors, are summarizing, and follow instructions. They will also be published with much fewer delays than those that require much technical and editorial correction.

The Editorial Board reserves the right to make literary corrections and suggestions to improve brevity.

## Format Structure

***It is necessary that authors take care in submitting a manuscript that is written in simple language and adheres to published guidelines.***

All manuscripts submitted to Global Journals should include:

**Title**

The title page must carry an informative title that reflects the content, a running title (less than 45 characters together with spaces), names of the authors and co-authors, and the place(s) where the work was carried out.

**Author details**

The full postal address of any related author(s) must be specified.

**Abstract**

The abstract is the foundation of the research paper. It should be clear and concise and must contain the objective of the paper and inferences drawn. It is advised to not include big mathematical equations or complicated jargon.

Many researchers searching for information online will use search engines such as Google, Yahoo or others. By optimizing your paper for search engines, you will amplify the chance of someone finding it. In turn, this will make it more likely to be viewed and cited in further works. Global Journals has compiled these guidelines to facilitate you to maximize the web-friendliness of the most public part of your paper.

**Keywords**

A major lynchpin of research work for the writing of research papers is the keyword search, which one will employ to find both library and internet resources. Up to eleven keywords or very brief phrases have to be given to help data retrieval, mining, and indexing.

One must be persistent and creative in using keywords. An effective keyword search requires a strategy: planning of a list of possible keywords and phrases to try.

Choice of the main keywords is the first tool of writing a research paper. Research paper writing is an art. Keyword search should be as strategic as possible.

One should start brainstorming lists of potential keywords before even beginning searching. Think about the most important concepts related to research work. Ask, "What words would a source have to include to be truly valuable in a research paper?" Then consider synonyms for the important words.

It may take the discovery of only one important paper to steer in the right keyword direction because, in most databases, the keywords under which a research paper is abstracted are listed with the paper.

**Numerical Methods**

Numerical methods used should be transparent and, where appropriate, supported by references.

**Abbreviations**

Authors must list all the abbreviations used in the paper at the end of the paper or in a separate table before using them.

**Formulas and equations**

Authors are advised to submit any mathematical equation using either MathJax, KaTeX, or LaTeX, or in a very high-quality image.

**Tables, Figures, and Figure Legends**

Tables: Tables should be cautiously designed, uncrowned, and include only essential data. Each must have an Arabic number, e.g., Table 4, a self-explanatory caption, and be on a separate sheet. Authors must submit tables in an editable format and not as images. References to these tables (if any) must be mentioned accurately.

**Figures**

Figures are supposed to be submitted as separate files. Always include a citation in the text for each figure using Arabic numbers, e.g., Fig. 4. Artwork must be submitted online in vector electronic form or by emailing it.

## Preparation of Eletronic Figures for Publication

Although low-quality images are sufficient for review purposes, print publication requires high-quality images to prevent the final product being blurred or fuzzy. Submit (possibly by e-mail) EPS (line art) or TIFF (halftone/ photographs) files only. MS PowerPoint and Word Graphics are unsuitable for printed pictures. Avoid using pixel-oriented software. Scans (TIFF only) should have a resolution of at least 350 dpi (halftone) or 700 to 1100 dpi (line drawings). Please give the data for figures in black and white or submit a Color Work Agreement form. EPS files must be saved with fonts embedded (and with a TIFF preview, if possible).

For scanned images, the scanning resolution at final image size ought to be as follows to ensure good reproduction: line art: >650 dpi; halftones (including gel photographs): >350 dpi; figures containing both halftone and line images: >650 dpi.

Color charges: Authors are advised to pay the full cost for the reproduction of their color artwork. Hence, please note that if there is color artwork in your manuscript when it is accepted for publication, we would require you to complete and return a Color Work Agreement form before your paper can be published. Also, you can email your editor to remove the color fee after acceptance of the paper.

## Tips for writing a good quality Social Science Research Paper

Techniques for writing a good quality homan social science research paper:

***1. Choosing the topic***: In most cases, the topic is selected by the interests of the author, but it can also be suggested by the guides. You can have several topics, and then judge which you are most comfortable with. This may be done by asking several questions of yourself, like "Will I be able to carry out a search in this area? Will I find all necessary resources to accomplish the search? Will I be able to find all information in this field area?" If the answer to this type of question is "yes," then you ought to choose that topic. In most cases, you may have to conduct surveys and visit several places. Also, you might have to do a lot of work to find all the rises and falls of the various data on that subject. Sometimes, detailed information plays a vital role, instead of short information. Evaluators are human: The first thing to remember is that evaluators are also human beings. They are not only meant for rejecting a paper. They are here to evaluate your paper. So present your best aspect.

***2. Think like evaluators:*** If you are in confusion or getting demotivated because your paper may not be accepted by the evaluators, then think, and try to evaluate your paper like an evaluator. Try to understand what an evaluator wants in your research paper, and you will automatically have your answer. Make blueprints of paper: The outline is the plan or framework that will help you to arrange your thoughts. It will make your paper logical. But remember that all points of your outline must be related to the topic you have chosen.

***3. Ask your guides:*** If you are having any difficulty with your research, then do not hesitate to share your difficulty with your guide (if you have one). They will surely help you out and resolve your doubts. If you can't clarify what exactly you require for your work, then ask your supervisor to help you with an alternative. He or she might also provide you with a list of essential readings.

***4. Use of computer is recommended:*** As you are doing research in the field of homan social science then this point is quite obvious. Use right software: Always use good quality software packages. If you are not capable of judging good software, then you can lose the quality of your paper unknowingly. There are various programs available to help you which you can get through the internet.

***5. Use the internet for help:*** An excellent start for your paper is using Google. It is a wondrous search engine, where you can have your doubts resolved. You may also read some answers for the frequent question of how to write your research paper or find a model research paper. You can download books from the internet. If you have all the required books, place importance on reading, selecting, and analyzing the specified information. Then sketch out your research paper. Use big pictures: You may use encyclopedias like Wikipedia to get pictures with the best resolution. At Global Journals, you should strictly follow here.

***6. Bookmarks are useful:*** When you read any book or magazine, you generally use bookmarks, right? It is a good habit which helps to not lose your continuity. You should always use bookmarks while searching on the internet also, which will make your search easier.

***7. Revise what you wrote:*** When you write anything, always read it, summarize it, and then finalize it.

***8. Make every effort:*** Make every effort to mention what you are going to write in your paper. That means always have a good start. Try to mention everything in the introduction—what is the need for a particular research paper. Polish your work with good writing skills and always give an evaluator what he wants. Make backups: When you are going to do any important thing like making a research paper, you should always have backup copies of it either on your computer or on paper. This protects you from losing any portion of your important data.

***9. Produce good diagrams of your own:*** Always try to include good charts or diagrams in your paper to improve quality. Using several unnecessary diagrams will degrade the quality of your paper by creating a hodgepodge. So always try to include diagrams which were made by you to improve the readability of your paper. Use of direct quotes: When you do research relevant to literature, history, or current affairs, then use of quotes becomes essential, but if the study is relevant to science, use of quotes is not preferable.

***10. Use proper verb tense:*** Use proper verb tenses in your paper. Use past tense to present those events that have happened. Use present tense to indicate events that are going on. Use future tense to indicate events that will happen in the future. Use of wrong tenses will confuse the evaluator. Avoid sentences that are incomplete.

***11. Pick a good study spot:*** Always try to pick a spot for your research which is quiet. Not every spot is good for studying.

***12. Know what you know:*** Always try to know what you know by making objectives, otherwise you will be confused and unable to achieve your target.

***13. Use good grammar:*** Always use good grammar and words that will have a positive impact on the evaluator; use of good vocabulary does not mean using tough words which the evaluator has to find in a dictionary. Do not fragment sentences. Eliminate one-word sentences. Do not ever use a big word when a smaller one would suffice.

Verbs have to be in agreement with their subjects. In a research paper, do not start sentences with conjunctions or finish them with prepositions. When writing formally, it is advisable to never split an infinitive because someone will (wrongly) complain. Avoid clichés like a disease. Always shun irritating alliteration. Use language which is simple and straightforward. Put together a neat summary.

***14. Arrangement of information:*** Each section of the main body should start with an opening sentence, and there should be a changeover at the end of the section. Give only valid and powerful arguments for your topic. You may also maintain your arguments with records.

***15. Never start at the last minute:*** Always allow enough time for research work. Leaving everything to the last minute will degrade your paper and spoil your work.

***16. Multitasking in research is not good:*** Doing several things at the same time is a bad habit in the case of research activity. Research is an area where everything has a particular time slot. Divide your research work into parts, and do a particular part in a particular time slot.

***17. Never copy others' work:*** Never copy others' work and give it your name because if the evaluator has seen it anywhere, you will be in trouble. Take proper rest and food: No matter how many hours you spend on your research activity, if you are not taking care of your health, then all your efforts will have been in vain. For quality research, take proper rest and food.

***18. Go to seminars:*** Attend seminars if the topic is relevant to your research area. Utilize all your resources.
Refresh your mind after intervals: Try to give your mind a rest by listening to soft music or sleeping in intervals. This will also improve your memory. Acquire colleagues: Always try to acquire colleagues. No matter how sharp you are, if you acquire colleagues, they can give you ideas which will be helpful to your research.

***19. Think technically:*** Always think technically. If anything happens, search for its reasons, benefits, and demerits. Think and then print: When you go to print your paper, check that tables are not split, headings are not detached from their descriptions, and page sequence is maintained.

***20. Adding unnecessary information:*** Do not add unnecessary information like "I have used MS Excel to draw graphs." Irrelevant and inappropriate material is superfluous. Foreign terminology and phrases are not apropos. One should never take a broad view. Analogy is like feathers on a snake. Use words properly, regardless of how others use them. Remove quotations. Puns are for kids, not grunt readers. Never oversimplify: When adding material to your research paper, never go for oversimplification; this will definitely irritate the evaluator. Be specific. Never use rhythmic redundancies. Contractions shouldn't be used in a research paper. Comparisons are as terrible as clichés. Give up ampersands, abbreviations, and so on. Remove commas that are not necessary. Parenthetical words should be between brackets or commas. Understatement is always the best way to put forward earth-shaking thoughts. Give a detailed literary review.

***21. Report concluded results:*** Use concluded results. From raw data, filter the results, and then conclude your studies based on measurements and observations taken. An appropriate number of decimal places should be used. Parenthetical remarks are prohibited here. Proofread carefully at the final stage. At the end, give an outline to your arguments. Spot perspectives of further study of the subject. Justify your conclusion at the bottom sufficiently, which will probably include examples.

***22. Upon conclusion:*** Once you have concluded your research, the next most important step is to present your findings. Presentation is extremely important as it is the definite medium though which your research is going to be in print for the rest of the crowd. Care should be taken to categorize your thoughts well and present them in a logical and neat manner. A good quality research paper format is essential because it serves to highlight your research paper and bring to light all necessary aspects of your research.

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## Informal Guidelines of Research Paper Writing

***Key points to remember:***

- Submit all work in its final form.
- Write your paper in the form which is presented in the guidelines using the template.
- Please note the criteria peer reviewers will use for grading the final paper.

**Final points:**

One purpose of organizing a research paper is to let people interpret your efforts selectively. The journal requires the following sections, submitted in the order listed, with each section starting on a new page:

*The introduction:* This will be compiled from reference matter and reflect the design processes or outline of basis that directed you to make a study. As you carry out the process of study, the method and process section will be constructed like that. The results segment will show related statistics in nearly sequential order and direct reviewers to similar intellectual paths throughout the data that you gathered to carry out your study.

**The discussion section:**

This will provide understanding of the data and projections as to the implications of the results. The use of good quality references throughout the paper will give the effort trustworthiness by representing an alertness to prior workings.

Writing a research paper is not an easy job, no matter how trouble-free the actual research or concept. Practice, excellent preparation, and controlled record-keeping are the only means to make straightforward progression.

**General style:**

Specific editorial column necessities for compliance of a manuscript will always take over from directions in these general guidelines.

**To make a paper clear:** Adhere to recommended page limits.

*Mistakes to avoid:*

- Insertion of a title at the foot of a page with subsequent text on the next page.
- Separating a table, chart, or figure—confine each to a single page.
- Submitting a manuscript with pages out of sequence.
- In every section of your document, use standard writing style, including articles ("a" and "the").
- Keep paying attention to the topic of the paper.
- Use paragraphs to split each significant point (excluding the abstract).
- Align the primary line of each section.
- Present your points in sound order.
- Use present tense to report well-accepted matters.
- Use past tense to describe specific results.
- Do not use familiar wording; don't address the reviewer directly. Don't use slang or superlatives.
- Avoid use of extra pictures—include only those figures essential to presenting results.

**Title page:**

Choose a revealing title. It should be short and include the name(s) and address(es) of all authors. It should not have acronyms or abbreviations or exceed two printed lines.

**Abstract:** This summary should be two hundred words or less. It should clearly and briefly explain the key findings reported in the manuscript and must have precise statistics. It should not have acronyms or abbreviations. It should be logical in itself. Do not cite references at this point.

An abstract is a brief, distinct paragraph summary of finished work or work in development. In a minute or less, a reviewer can be taught the foundation behind the study, common approaches to the problem, relevant results, and significant conclusions or new questions.

Write your summary when your paper is completed because how can you write the summary of anything which is not yet written? Wealth of terminology is very essential in abstract. Use comprehensive sentences, and do not sacrifice readability for brevity; you can maintain it succinctly by phrasing sentences so that they provide more than a lone rationale. The author can at this moment go straight to shortening the outcome. Sum up the study with the subsequent elements in any summary. Try to limit the initial two items to no more than one line each.

*Reason for writing the article—theory, overall issue, purpose.*

- Fundamental goal.
- To-the-point depiction of the research.
- Consequences, including definite statistics—if the consequences are quantitative in nature, account for this; results of any numerical analysis should be reported. Significant conclusions or questions that emerge from the research.

**Approach:**

- o Single section and succinct.
- o An outline of the job done is always written in past tense.
- o Concentrate on shortening results—limit background information to a verdict or two.
- o Exact spelling, clarity of sentences and phrases, and appropriate reporting of quantities (proper units, important statistics) are just as significant in an abstract as they are anywhere else.

**Introduction:**

The introduction should "introduce" the manuscript. The reviewer should be presented with sufficient background information to be capable of comprehending and calculating the purpose of your study without having to refer to other works. The basis for the study should be offered. Give the most important references, but avoid making a comprehensive appraisal of the topic. Describe the problem visibly. If the problem is not acknowledged in a logical, reasonable way, the reviewer will give no attention to your results. Speak in common terms about techniques used to explain the problem, if needed, but do not present any particulars about the protocols here.

*The following approach can create a valuable beginning:*

- Explain the value (significance) of the study.
- Defend the model—why did you employ this particular system or method? What is its compensation? Remark upon its appropriateness from an abstract point of view as well as pointing out sensible reasons for using it.
- Present a justification. State your particular theory(-ies) or aim(s), and describe the logic that led you to choose them.
- Briefly explain the study's tentative purpose and how it meets the declared objectives.

**Approach:**

Use past tense except for when referring to recognized facts. After all, the manuscript will be submitted after the entire job is done. Sort out your thoughts; manufacture one key point for every section. If you make the four points listed above, you will need at least four paragraphs. Present surrounding information only when it is necessary to support a situation. The reviewer does not desire to read everything you know about a topic. Shape the theory specifically—do not take a broad view.

As always, give awareness to spelling, simplicity, and correctness of sentences and phrases.

**Procedures (methods and materials):**

This part is supposed to be the easiest to carve if you have good skills. A soundly written procedures segment allows a capable scientist to replicate your results. Present precise information about your supplies. The suppliers and clarity of reagents can be helpful bits of information. Present methods in sequential order, but linked methodologies can be grouped as a segment. Be concise when relating the protocols. Attempt to give the least amount of information that would permit another capable scientist to replicate your outcome, but be cautious that vital information is integrated. The use of subheadings is suggested and ought to be synchronized with the results section.

When a technique is used that has been well-described in another section, mention the specific item describing the way, but draw the basic principle while stating the situation. The purpose is to show all particular resources and broad procedures so that another person may use some or all of the methods in one more study or referee the scientific value of your work. It is not to be a step-by-step report of the whole thing you did, nor is a methods section a set of orders.

**Materials:**

*Materials may be reported in part of a section or else they may be recognized along with your measures.*

**Methods:**

- Report the method and not the particulars of each process that engaged the same methodology.
- Describe the method entirely.
- To be succinct, present methods under headings dedicated to specific dealings or groups of measures.
- Simplify—detail how procedures were completed, not how they were performed on a particular day.
- If well-known procedures were used, account for the procedure by name, possibly with a reference, and that's all.

**Approach:**

It is embarrassing to use vigorous voice when documenting methods without using first person, which would focus the reviewer's interest on the researcher rather than the job. As a result, when writing up the methods, most authors use third person passive voice.

Use standard style in this and every other part of the paper—avoid familiar lists, and use full sentences.

**What to keep away from:**

- Resources and methods are not a set of information.
- Skip all descriptive information and surroundings—save it for the argument.
- Leave out information that is immaterial to a third party.

**Results:**

The principle of a results segment is to present and demonstrate your conclusion. Create this part as entirely objective details of the outcome, and save all understanding for the discussion.

The page length of this segment is set by the sum and types of data to be reported. Use statistics and tables, if suitable, to present consequences most efficiently.

You must clearly differentiate material which would usually be incorporated in a study editorial from any unprocessed data or additional appendix matter that would not be available. In fact, such matters should not be submitted at all except if requested by the instructor.

**Content:**

- Sum up your conclusions in text and demonstrate them, if suitable, with figures and tables.
- In the manuscript, explain each of your consequences, and point the reader to remarks that are most appropriate.
- Present a background, such as by describing the question that was addressed by creation of an exacting study.
- Explain results of control experiments and give remarks that are not accessible in a prescribed figure or table, if appropriate.
- Examine your data, then prepare the analyzed (transformed) data in the form of a figure (graph), table, or manuscript.

**What to stay away from:**

- Do not discuss or infer your outcome, report surrounding information, or try to explain anything.
- Do not include raw data or intermediate calculations in a research manuscript.
- Do not present similar data more than once.
- A manuscript should complement any figures or tables, not duplicate information.
- Never confuse figures with tables—there is a difference.

**Approach:**

As always, use past tense when you submit your results, and put the whole thing in a reasonable order.

Put figures and tables, appropriately numbered, in order at the end of the report.

If you desire, you may place your figures and tables properly within the text of your results section.

**Figures and tables:**

If you put figures and tables at the end of some details, make certain that they are visibly distinguished from any attached appendix materials, such as raw facts. Whatever the position, each table must be titled, numbered one after the other, and include a heading. All figures and tables must be divided from the text.

**Discussion:**

The discussion is expected to be the trickiest segment to write. A lot of papers submitted to the journal are discarded based on problems with the discussion. There is no rule for how long an argument should be.

Position your understanding of the outcome visibly to lead the reviewer through your conclusions, and then finish the paper with a summing up of the implications of the study. The purpose here is to offer an understanding of your results and support all of your conclusions, using facts from your research and generally accepted information, if suitable. The implication of results should be fully described.

Infer your data in the conversation in suitable depth. This means that when you clarify an observable fact, you must explain mechanisms that may account for the observation. If your results vary from your prospect, make clear why that may have happened. If your results agree, then explain the theory that the proof supported. It is never suitable to just state that the data approved the prospect, and let it drop at that. Make a decision as to whether each premise is supported or discarded or if you cannot make a conclusion with assurance. Do not just dismiss a study or part of a study as "uncertain."

Research papers are not acknowledged if the work is imperfect. Draw what conclusions you can based upon the results that you have, and take care of the study as a finished work.

- o You may propose future guidelines, such as how an experiment might be personalized to accomplish a new idea.
- o Give details of all of your remarks as much as possible, focusing on mechanisms.
- o Make a decision as to whether the tentative design sufficiently addressed the theory and whether or not it was correctly restricted. Try to present substitute explanations if they are sensible alternatives.
- o One piece of research will not counter an overall question, so maintain the large picture in mind. Where do you go next? The best studies unlock new avenues of study. What questions remain?
- o Recommendations for detailed papers will offer supplementary suggestions.

**Approach:**

When you refer to information, differentiate data generated by your own studies from other available information. Present work done by specific persons (including you) in past tense.

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| Topics | Grades | | |
|---|---|---|---|
| | **A-B** | **C-D** | **E-F** |
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| ***Introduction*** | Containing all background details with clear goal and appropriate details, flow specification, no grammar and spelling mistake, well organized sentence and paragraph, reference cited | Unclear and confusing data, appropriate format, grammar and spelling errors with unorganized matter | Out of place depth and content, hazy format |
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| ***References*** | Complete and correct format, well organized | Beside the point, Incomplete | Wrong format and structuring |

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