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Why Congo Persists: Sovereignty, Globalization and the Violent Reproduction of a Weak State

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Wherever one looks, many elements conspire to suggest that the Democratic Republic of Congo should have collapsed some time ago under the multiple assaults of its own inadequacies as a state, the extreme heterogeneity and polarization of its populations, and the dislocations of globalization and foreign occupation. Yet, Congo has gone on defying such expectations and has continued to display a stunning propensity for resilience. This paper tries to explain why Congo persists amid these overwhelming structural obstacles. It focuses particularly on the more recent period when state weakness, foreign invasions, the exploitation of its natural resources by transnational and informal networks, and the multiplicity of domestic rebellions linked to foreign interests have not managed to dent, however slightly, the generalized support that exists for the reproduction of the Congolese state among its elites and regular citizens, foreign political and economic interests, and the international community at large. Observing that, in many parts of Congo, local grievances against the state and the greed of political elites have been magnified by the circumstances of post-Cold War Africa, it takes as paradoxical the continued broadly unchallenged existence of Congo

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1. A Multifaceted Paradox

Wherever one looks, many elements conspire to suggest that the Democratic Republic of Congo should have collapsed some time ago under the multiple assaults of its own inadequacies as a state, the extreme heterogeneity and polarization of its populations, and the dislocations of globalization and foreign occupation. Yet, Congo has gone on defying such expectations and has continued to display a stunning propensity for resilience. This paper tries to explain why Congo persists amid these overwhelming structural obstacles. It focuses particularly on the more recent period when state weakness, foreign invasions, the exploitation of its natural resources by transnational and informal networks, and the multiplicity of domestic rebellions linked to foreign interests have not managed to dent, however slightly, the generalized support that exists for the reproduction of the Congolese state among its elites and regular citizens, foreign political and economic interests, and the international community at large. Observing that, in many parts of Congo, local grievances against the state and the greed of political elites have been magnified by the circumstances of post-Cold War Africa, it takes as paradoxical the continued broadly unchallenged existence of Congo.²

Precious little is indeed redeeming about the state in Congo. Created as the institutional façade of a foreign enterprise of exploitation of ivory and rubber, it reproduced as the instrument of an extractive colonization system, in turns violent and paternalistic. Once independent, it provided the stage and the reason for five years of sheer chaos combining mutinies, secessions, rebellions, coups and a botched UN intervention, then to 32 years of stifling arbitrary rule, predation and eventual economic ruin. “Liberation” from the Mobutu regime only compounded the existing arbitrariness and poverty with renewed armed conflict, the collapse of the central administrative apparatus and the marginalization of civil society. Meanwhile, the Congolese have never had a chance to freely choose their leaders or political system.

The catastrophic failure of the Congolese state as an instrument of collective action is further compounded by the vast heterogeneity of its people and their intense and frequently violent polarization along regional, ethnic and parochial lines. By one count, Congo has fourteen pre-colonial cultural identity zones and no less than 365

¹ Although my argument significantly departs from theirs, the title of this chapter refers to the classic paper of Robert H. Jackson and Carl G. Rosberg. “Why Africa’s Weak States Persist: The Empirical and the Juridical in Statehood, *World Politics*, 35(1), October 1982, 1-24. I owe much gratitude to many people who have facilitated my work on this project. I am aware, however, that some of the arguments in this paper could be construed as provocative and even offensive by some in Congo, although this never was my intention and I would regret it. While none of the individuals who have helped me bears any responsibility for the substance of my work---and some may well be in complete disagreement with it---, I have chosen to refrain from nominally thanking those who have helped me in Congo. They know who they are, and may they know how truly grateful I am for all they have done for me. Outside Congo, my thanks first go to Rebecca Hummel and Stacy Tarango for their superb research and editorial assistance, and to Morten Boas, Paule Bouvier, Mauro de Lorenzo, Kate Farnsworth, Jan Gorus, Raufu Mustapha, William Reno, Alice Sindzingre, Richard Sklar, Theodore Trefon, Denis Tull, Herbert Weiss, and the members of the Working Group on African Political Economy.

² See the chapter by Frances Stewart in this book for a discussion of the possible impacts of globalization on group grievances and private profiteering.

ethnic groups.³ Some are fiercely antagonistic like the Lunda and Balubakat of Katanga, the Lulua and Luba of Kasai, the Hema and Lendu of the Oriental Province, or the Banyarwanda and most other groups from Kivu. Overlapping and cross-cutting ethnicity, the Congolese have also developed strong provincial identities. Katangans and Kasaians have long-lasting grievances vis-à-vis each other and the state. Both regions seceded in the 1960s and both experimented with autonomous policies in the early 1990s. The Kivu provinces are also intensely particularistic. Furthermore, in each province, the Congolese tend to make a strong distinction between “autochthonous” and “non-autochthonous” populations based on the alleged precedence of their settlement there. Finally, the geographical distribution of Congolese populations concentrates around boundary zones, making Congo akin to a periphery with no core.⁴

Compounding these pre-existing structural weaknesses, Congo’s territorial and economic integrity has come under the repeated assaults of foreign invasions and the informalization of international trade and investment networks over the last decade. Twice since 1996, Rwanda and Uganda have invaded Congo and set up or encouraged localized rebellions against the state. At least in the case of Rwanda, there were each time substantial (though not unambiguous) cultural and ethnic connections between the Congolese rebels and their foreign patrons, spreading fears that irredentist claims would eventually prevail in the Kivu regions.⁵ Before 1996 already, the Kivu regions had begun dissociating from the state. In the early 1990s, Denis Tull writes, the Kivus were drifting away, “culturally and economically as much part of East Africa,” and were witnessing the “emergence of vibrant border-crossing informal economic networks.”⁶ Nowadays, “nearly all consumer items available in eastern Congo come from Rwanda and especially Uganda” and there is “widespread circulation of Ugandan and Rwandan currency along Congo’s eastern borders.”⁷ The Congolese Franc’s exchange rate differs also between Kinshasa and the east, where post-1998 banknotes are not in circulation, reducing monetary supply and appreciating the franc. The telephone switchboard for Kisangani is Somalia’s. In Goma, one has to dial Rwanda, and cell phones from Kinshasa have to be replaced with *Rwandacel* receivers. Cars with right-hand steering wheels, imported from the Middle East via Uganda are very common in the Kivus.

Angola, Namibia and Zimbabwe have also occupied large segments of the country since 1998, albeit formally on behalf of the Kinshasa government. Nevertheless, Zimbabwe at least has attempted to reorient the economies of the Kasai and Katanga provinces, which it controlled, in favor of Zimbabwean interests and

³ Isidore Ndaywel è Nziem. *Histoire générale du Congo: De l’héritage ancien à la République Démocratique*. Paris: Duculot, 1998, 256-7.

⁴ See Jeffrey Herbst. *States and Power in Africa: Comparative Lessons in Authority and Control*. Princeton, NJ: Princeton University Press, 2000, 148.

⁵ For an example of such accusations, see the interview of former US Assistant-Secretary of State Herman Cohen, who now lobbies for the Kinshasa government, to the Congolese periodical *Congopolis* in which he stated “I believe that one of the politico-strategic objectives of Kigali has been and continues to be the dismemberment of Congo. The principal objective is to create an independent state of Kivu which would be governed by substitutes of Kigali and which would become an engine of Rwanda’s economic development” (www.digitalcongo.net, 21 October 2002).

⁶ Denis Tull. 2001. “The Dynamics ...”, 2.

⁷ Denis Tull. 2001. “The Dynamics ...”. There is no truth, however, to the occasionally heard claims that Rwanda has imposed its own currency in the Kivus. Rather, it allowed trading in Rwandan francs as a result of the currency crunch brought about by speculators hoarding Congolese francs in the hope of arbitrage opportunities if the country were to reunite.

towards Southern African markets in general.⁸ This has compounded an already developing reorientation of Kasaiian and Katangan economic activities away from Kinshasa and towards Southern Africa. According to Michael Nest, for example, Kasai became dependent upon Katanga for its trade and Katanga became “overwhelmingly reliant on transport networks from the south” in the 1990s.⁹ Simultaneously, and not unrelated, the diminished control of the state over its resources and borders has favored the informalization, criminalization, and internationalization of the exploitation of Congo’s massive natural wealth, mainly composed of diamonds, gold, copper, cobalt, uranium, timber and coltan. In other words, Congo has been penetrated by global networks that operate by and large in the margins of the law and bypass existing state structures.¹⁰

The failures of the Congolese state, the acute polarization of its society and the poundings of globalization make Congo a prime candidate for violent dislocation and reconfiguration at the hands of “self-determination movements,” whether driven by communal grievances or individual profit motivations.¹¹ After all, if the Southern Sudanese have fought for decades to escape the exploitative domination of their state, why wouldn’t the Katangans? If ethnically homogeneous Somalia has broken down, why wouldn’t the more numerous pieces of the Congolese puzzle come undone? And if transnational identities and economic flows have facilitated movements against the state in Sri Lanka, Indonesia or Algeria, why would they not yield similar results in Congo? Many observers had indeed predicted the breakdown of Congo as Mobutu’s regime crumbled in 1996, based partly on the relatively lively separatist traditions of Katanga, the Kasais and the Kivus. It was not unreasonable to expect then as now that the simmering contradictions of the Congolese state, which had been kept under lid by the perceived imperatives of the Cold War, would finally boil over as international norms of sovereignty came under attack, and as new material conditions began to undermine principles of territoriality.¹²

And yet, Congo endures. For sure, the Congolese state has been under duress for several years, but it has also been virtually free of any “self-determination” challenge since the collapse of the Mobutu regime in 1996, in the sense of rebellion movements claiming either to break away from the state or to fundamentally change its nature. Nor have occupying forces, Rwanda included, attempted to dismember it. On the contrary, all countries at war in Congo formally proclaimed their attachment to its territorial integrity in the Lusaka Cease Fire Agreement of 1999 and on several other occasions. Foreign companies have by and large stayed away from the rebels, preferring to work with the government in Kinshasa. And Western governments and international organizations have continued to prop up the state, diplomatically and

⁸ For the role of Zimbabwean military-based trade networks in Congo, see Global Witness. *Branching Out: Zimbabwe’s Resource Colonialism in Democratic Republic of Congo*. London: Global Witness, February 2002, and *Final Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of Congo*. New York: United Nations Security Council, S/2002/1146, 16 October 2002.

⁹ Michael Nest. 2001. “Ambitions, Profits and Loss: Zimbabwean Economic Involvement in the Democratic Republic of Congo.” *African Affairs* 100:479.

¹⁰ See the UN’s *Final Report...*, *op.cit.*, and the transcripts of the ongoing Great Lakes Commission of Enquiry of the Senate of Belgium (www.senat.be). See also IPIS “*Supporting the War Economy in the DRC: European Companies and the Coltan Trade. Five Case Studies*,” January 2002.

¹¹ See Michael L. Ross. “Oil, Drugs and Diamonds: How Do Natural Resources Vary in their Impact on Vicil War?”, unpublished manuscript; and Richard Snyder. “Does Lootable Wealth Breed Disorder? States, Regimes and the Political Economy of Extraction”, unpublished manuscript.

¹² On the systematic rescuing of the Congolese/Zairean state by its Western partners during the Cold War, see Michael G. Schatzberg. *Mobutu or Chaos?*

financially, discouraging alternative institutional solutions (in contrast to their policies in the wake of the failure of the Soviet or Yugoslav systems in the 1990s).

Not only does Congo endure against all odds, but the Congolese even profess a remarkable fervor in their attachment to the state. Paradoxically, where one would expect to observe the formation or the rise to salience of alternative identities, one sees a nearly unanimous profession of loyalty to decrepit Congo, whether among government supporters, rebels or other opposition groups. At a January 2002 meeting of Congolese president Joseph Kabila and rebel leaders Jean-Pierre Bemba (*Mouvement de Libération du Congo*) and Adolphe Onusumba (*Rassemblement Congolais pour la Démocratie-Goma*), for example, the three factional leaders responsible for the partition of the country all “reaffirmed their will to see [Congo] recover its unity.”¹³ A few months later, explaining his (later recused) agreement to set up a transitional government with Bemba as Prime Minister, Kabila declared “we have been able to get along on a [shared] nationalistic [and] patriotic basis that takes account of the superior interests of the nation.”¹⁴ Back in January 2002, leaders of non-armed political parties and of the self-proclaimed civil society, convening at a round-table of their own in Brussels in preparation for the “Inter-Congolese Dialogue” scheduled for the following month, had declared their desire to see a future Congo “decentralized, but one and unitary.”¹⁵

These aspirations for national unity are not only a feature of the political class. Asked about their expectations for 2002, respondents to a December 2001 opinion poll in Kinshasa most commonly cited peace and the reunification of the country (42%), well ahead of democratic elections (2%). An average of about 70% of them also declared fearing the country’s partition in the course of four surveys in 2001.¹⁶ A few years earlier, in November 1998, 89% had declared being against the partition of the country.¹⁷ These statements from politicians and evidence from opinion polls fall well short, however, of conveying the puzzling intensity with which the Congolese affirm their national pride. In numerous interviews with Congolese in the state apparatus, academia, civil society, rebel groups or traditional institutions, one encounters a remarkable uniformity of views on this question. In Kisangani, delegates of women’s organizations did not identify their number one priority as feeding their children or living in peace. On the contrary, they stated: “The first thing is unity of the country. That is the first thing we want. We used to be one.”¹⁸ In the same town, a human rights activist declared “the Congolese do not want to see their country balkanized. Balkanization is a diabolic plan because the desire of the Congolese people to stay together is unquestionable. It would not serve the interests of the population; just the interests of foreign powers.”¹⁹ In notoriously secessionist Katanga, André Tshombé, the son of the late president of Katanga, Moïse Tshombé, who deems to be his father’s political heir, stated “there is diversity here but [...] we are also Congolese.”²⁰ And a popular shirt in Kinshasa in 2001 read “the territorial

¹³ Bureau d’Etudes et de Recherches Consulting International. *L’an I de Joseph Kabila au pouvoir: l’Etat de gouvernance sous Kabila II*. Kinshasa: BERCI, 14 January 2002.

¹⁴ Colette Braekman interview with Joseph Kabila, *Le Soir*, 2 May 2002.

¹⁵ “Procès Verbal...” Mi meo document.

¹⁶ Bureau d’Etudes et de Recherches Consulting International. *L’An I ...*, p. 60.

¹⁷ November 1998 opinion poll, cited in Bureau d’Etudes et de Recherches Consulting International. *Les leçons à tirer de la conférence nationale souveraine et ses implications pour le dialogue intercongolais*. Kinshasa: BERCI, June 2001, p.61.

¹⁸ Personal interview with women members of civil society organizations, Kisangani, November 2001.

¹⁹ Personal anonymous interview with members of civic-oriented NGOs, Kisangani, November 2001.

²⁰ Personal interview with André Tshombé, Lubumbashi, April 2002.

integrity of the DRC is not up for negotiation.”²¹ The Congolese never talk of territorial adjustments, partition or reconfigurations, but always use words such as balkanization or dismemberment (“*dépeçage*”) and almost universally see any idea of territorial change as evil, conspiratorial, and the result of foreign—and often US—based machinations to prevent Congo from rising to its natural *grandeur*.

This paper offers a theory of the reproduction of the weak Congolese state in the era of globalization. It argues that, far from abating with the end of the cold war and the weakening of Congo’s empirical statehood, Congo’s international sovereignty has been preserved if not reinforced by the Congolese and foreign actors alike. For the Congolese elites, state sovereignty is a paramount force, which allows for the transformation of the weak state into an economic resource and dwarfs the potential returns of alternative agendas of self-determination. Because of several benefits associated with the international recognition of Congo’s sovereignty, political elites choose to pursue their profiteering strategies in the context of Congo itself. As a result, violent rebellions revolve around the terms of the rebels’ integration in the state rather than over the nature of the state itself. Populations at large, on the other hand, value the continued existence of the state despite its abuses, because it offers a structure of predictability that is not associated with guerillas, warlords or secessionist movements. Grass-root Congolese prefer therefore to voice their local cultural identities in competition with each other for access to local resources, rather than in defiance of the state itself. Far from favoring the dilution of the state in their eyes, globalization offers them uncertain and dangerous alternatives, the risks of which they remain adverse to. Foreign companies also find benefits in continuing to deal with the weak state. While its very weaknesses offer numerous opportunities for rents, its continued sovereignty offers them relative guarantees, such as insurance opportunities, not available in deals with non-sovereign entities. Finally, Western powers and international organizations also prefer to replicate the structure of Congolese statehood rather than to facilitate alternative scenarios. All of them fear the unknown and the setting of a precedent in revising colonial boundaries. Maintaining Congo also guarantees the continuation of its international obligations to the West, such as debt servicing.

As a result, the incentives of the Congolese and of foreign states and companies collude to keep Congo as Congo. Forces of globalization that are expected to dilute the state and promote the politicization of alternative identities, such as the cultural influences of diasporas or the informalization and occasional criminalization of networks of resource exploitation do not, in the end, measure up to the incentives of sovereign reproduction in the Congolese context. The paper ends with a discussion of why Congo may differ from other countries in this respect.

2. The Weak Sovereign State as a Resource

In order to understand the ways in which the Congolese state has adjusted to the global economic, political and cultural influences of the last decade, one must first apprehend its very nature and the manner in which it functions. Two elements stand out. First, the very weakness of the state is a resource to many Congolese, which paradoxically contributes to its resilience. Second, the international recognition of Congo’s sovereignty as a state is a crucial mechanism which guarantees its reproduction and is also a resource in itself.

²¹ “*L'intégrité territoriale de la RDC n'est pas négociable.*”

2.1. The Benefits of the Weak State

Although it may appear at first as merely dysfunctional, the weak Congolese state actually benefits numerous segments of its population. Ministries, state agencies, provincial administrations and other bureaucratic appendages of the state are maintained by state elites, their employees and citizens in general because they derive private benefits from them irrespective of these institutions' capacity to perform their initial public functions. At the most direct level, people continue to report to work in the hope of receiving their wages or in order to preserve their claim to hypothetical future payments of their wages. Thus, whether in government-controlled or in rebel territory, unpaid civil servants start their day by going to work "*pour rester matriculés*," before heading off to their field or to other survival economic activity. This follows the logic of "salarization" of society by the state which lies at the core of the African post-colonial social contract.²² But there is more to the persistence of the state than the expectation of direct payments. The capacity to use the weak state as an instrument of predation is the most crucial element of the logic of its survival and reproduction. At many levels of society, people with parcels of state authority, however limited, can market them and extract resources from their fellow citizens, while others, not directly associated with the state, can also benefit from these practices.²³

This is particularly true at the apex of the state. Laurent-Désiré Kabila, for example, was a prototypical case of translation of economic interests into a strategy of conquest and reproduction of the state under the veil of a discourse of national liberation. Kabila used such a discourse, together with the image of the nationalist hero and the Lumumbist mystique, as part of his strategy to take over the Mobutuist state and profit from it. Kabila was an entrepreneur, a businessman for whom taking over the state was the most remarkable economic opportunity of his lifetime. He treated Congo as one giant resource available for plunder to those in positions of state power. His COMIEX company entered several commercial deals under the umbrella of the state after his takeover in 1997.²⁴ At the time of his death, in January 2001, diamonds were found in his office, supporting rumors that he participated in diamond trafficking. The killing by security forces of 11 Lebanese diamond traders in the wake of the president's assassination also militate for the thesis that Kabila's physical elimination had more to do with a business vendetta than a political coup.²⁵ Rebel leaders too find an interest in keeping the state machinery alive in the regions under their control. They do so because they wish to preserve the state as an instrument of patronage, a crucial resource to build support for their quest for power.²⁶

²² Achille Mbembe. *On the Postcolony*. Berkeley, CA: University of California Press, 2001.

²³ This argument parallels Patrick Chabal and Jean-Pascal Daloz's idea of "instrumentalization" of dysfunctionality in Africa. See their *Africa Works: The Instrumentalization of Disorder*. Bloomington: Indiana University Press, 1998.

²⁴ See, for example, *Africa Research Bulletin: Economic, Financial and Technical Series*, September-October 2001, 14928.

²⁵ See Observatoire de l'Afrique Centrale, Volume 5, No 42, 14-20 October 2002 [www.obsac.com/OBSV5N43-ProcessMzee1021.html].

²⁶ Denis Tull. 2002. "A Reconfiguration of Political Order? The State of the State in North Kivu (DR Congo)." Paper presented at the XVIII. International Biennial Conference of the African Studies Association in Germany (VAD), Hamburg, May 23-26:5-6.

Yet, Kabila's corporate presidency was not the strategy of one man or an isolated state elite against a dispossessed population or a voiceless civil society, and the patrimonial uses of state institutions by the rebel leaders are not either specific to them. Many people, starting with Kabila's fellow Balubakat in Katanga, benefited from the late president's "policies" and provided his system with sufficient foundations to function relatively unchallenged from within, and for the state to remain unaffected by its de facto privatization in the hands of political elites. Rebel leaders do not operate in a vacuum either. Irrespective of their popularity, their desire to maintain the state is widely supported. This is because, at many levels of society, people can derive private benefits from the continuation of Congo's weak state institutions. Judges, for example, charge parties for favorable judgments, and clerks sell on-demand modified versions of judgments and official acts. These "corrupt" judges and clerks depend on the continuation of state weakness for their income, as do the lawyers who probably collect additional fees for their out-of-court settlements and private arbitrations. Although the parties to a case may *prima facie* be perceived as victims of the system's corruption, their need for official documents as evidence of judgments preserves the demand for these state-sanctioned official legal services. In the state's ghostly universities, professors privately charge fees, which the students willingly pay in exchange for a state-sanctioned degree, irrespective of its current lack of substance. Professors also benefit from the absence of new appointments and promotions due to the university's fiscal crisis, which shields them from academic competition. The moribund state-owned copper and cobalt-mining company, Gécamines, also represents a substantial resource to state agents and its 24,000 employees, even though its actual production has collapsed from some 500,000 tons in the late 1980s to about 20,000 tons now. Yet, it remains the owner of Katanga's considerable mineral deposits and can translate its own legal existence into joint-venture contracts with foreign companies, from which its management and local elites accrue substantial income. There are currently about 23 such joint ventures.²⁷ The government receives revenue from its participation in them, taxes them and imposes miscellaneous additional fees, although Gécamines itself has not paid dividends since 1996.²⁸ If it were to be privatized, its production may well resume more substantially, but its managers, employees and the state itself would lose control of such deals. As long as Gécamines remains a parastatal company, however, the Congolese can legally market its assets. The current position of its administrators with respect to privatization--that management be privatized but that assets remain under its ownership---reflects this desire to use Gécamines as an instrument for business deals.²⁹

The logic of this system penetrates even further down the social hierarchy. When driving between Congolese cities, one encounters numerous stretches of deeply deteriorated roads, physical expressions of state decay. At the location of significant potholes or some other major obstacle, it is not uncommon to come across virtual roadblocks of local youth, armed with shovels, and demanding payment for their "maintenance" of the road. In fact, far from repairing or providing maintenance work on the road, they symbolically throw a shovel of dirt into the hole as the car approaches, guaranteeing over the long run that the road remains in bad repair, as happens with other dimensions of Congo's decayed but enduring statehood. Durably fixing the road would deprive these local youth of the immediate source of revenue

²⁷ Digitalcongo.net [accessed 3 May 2002]

²⁸ Anonymous interview with Gécamines executive manager, Lubumbashi, April 2002.

²⁹ *Ibid.*

which they derive from this quasi-taxation of travelers. Hence, the road *with its potholes* is a resource to them. It is the road's very weakness that allows them to turn it into a resource. As a group and from a longer-term perspective, they would probably benefit from fixing it and encouraging traffic, facilitating thereby their village's insertion in local trade networks. But from a short-term individual perspective, they find greater benefit in turning the decayed public road into a private resource. Note, however, that these young men are by no means part of Congo's elite. They are what Bayart calls "*cadets sociaux*," people at the bottom of the social scale.³⁰ Yet, whereas one would be tempted to see them as victims of Congo's failed development, their actions show them to be also predators who use one effect of state incapacity---bad roads---as the instrument of their predation.³¹ In all the above-mentioned cases, it is the very dysfunctionality and weakness of state or state-controlled institutions which allows the latter to be transformed into private resources. There is thus little incentive among the Congolese to boost state capacity or improve the quality of governance, as this would reduce opportunities for income while promoting at best only distant improvements in the quality of life.

Finally, the weak state is not only an instrumental resource for predatory human relations; it also represents an intrinsic resource to individuals at the bottom of the social hierarchy. For grass-root Congolese, who find themselves systematically on the predated side of Congolese history, the state remains a crucial resource to the extent that it offers a minimum level of certainty about public life, the opportunity to form relatively stable expectations about where power and resources lie, and a modicum of reduction of transaction costs as they go about their lives. Political uncertainty, warlords, insurgencies and the like, on the other hand, blur the cards of politics for common people, and complicate, if not endanger, their daily lives. State stability is therefore an intrinsic resource in the lives of people who have to struggle for survival as it represents an anchor in their volatile and vulnerable life.³² Combined with the fact that oppressed people who are preoccupied with survival on a daily basis cannot be assumed to undertake revolutions, this helps account for the widespread distribution of nationalist sentiments among the population and for their reproduction at a time of failing statehood. To some extent, the idea of Congo's *grandeur* is all that remains to a people that has been dispossessed of its wealth, its peace and much of its human dignity. Far from contradicting their misery, nationalist fervor further helps concede from the Congolese that their own state may lie at the roots of such dispossessions.

³⁰ Jean-François Bayart. *L'Etat au Cameroun*. Paris: Presses de la Fondation Nationale des Sciences Politiques, 1985, 236-282.

³¹ It could be argued that other members of the village do not engage in this private use of the road and are more likely to ask for assistance in rehabilitating the road. Yet, they do not fix it themselves and also by and large turn it into a resource, a motive to request assistance. According to the Archdiocese of Kisangani, only those villages where a "pastoral agent" is delegated by the Church to organize collective action embark on infrastructural rehabilitation. Others cannot be convinced to do work on their own roads (interview, Kisangani, November 2001).

³² I am grateful to Alice Sindzingre to whom I owe this point. See also Michael W. Nest. "The Evolution of a Fragmented State: The Case of the Democratic Republic of Congo." Unpublished Ph.D. dissertation, New York University, 2002. According to Nest, the state provides a psychological sense of security, and extending state authority is a way for NGOs to achieve their practical and philosophical goals.

2.2. *The Benefits of Sovereignty*

There is more than the mere weakness of the state to transform it into a private resource, however. The international recognition of the sovereignty of Congo's state institutions is a paramount mechanism by which, first, the weak state can be reproduced and its predatory nature maintained and, second, additional resources can accrue to the holders of state power. The impact of international sovereignty on the reproduction of the predatory state is thus twofold: it supports predatory activities; and it is a resource to be exploited *per se*.

From the perspective of its supportive role, the first effect of international sovereignty on state predation is its capacity to free up state elites from the constraints of state building, of constructing and maintaining institutional capacity, and of asserting territorial control. The juridical guarantee of the state's existence that is the by-product of international sovereignty reduces pressures for capacity building.³³ Starting with Laurent-Désiré Kabila, Congolese political elites have pushed this logic to its limit by surrendering control of large chunks of their territory. In effect, when he invited Angolan, Namibian and Zimbabwean military interventions in 1998, Kabila traded control over territory and physical resources for the preservation of formal state control and, hence, sovereign status. By guaranteeing its existence under virtually any set of circumstances, international sovereignty allows the state to enforce itself upon its citizens without having to resort to continuous violence, and without the capacity to truly penetrate society. To refer to Migdal's classic terminology, sovereignty shields political elites from the penalties associated with the "weak state-strong society" dichotomy.³⁴ It prevents failed institutions from disappearing and allows them to outlive their functional existence.

The second supportive role of sovereignty is further reaching. In their predatory activities, state agents derive domestic power from the evidence of their international legitimacy. Sovereignty, with its international sanction, gives state institutions and personnel, substance, structure and power, and makes them hard to escape for the Congolese.³⁵ For sure, external recognition is not the only source of control over local populations, in Congo as elsewhere. In the absence of such recognition, rebel groups are occasionally able to develop strong local control based on local legitimacy or social structure. The cases of Yoweri Museveni's National Resistance Army in Uganda in the 1980s, or of the Eritrean People's Liberation Front in Ethiopia until the early 1990s are cases in point. Yet, in the absence of such strong domestic legitimacy, the evidence of international legitimacy provided by the recognition of the sovereign status of a government can be used as an instrument of political control. One of its main benefits is to allow governments to present predation as policy, which somewhat shields it from challenges. This was the case, for example, with Mobutu's policy of "Zaireanization" of foreign-owned assets in 1974, which privately transferred the assets of foreigners to government cronies and their allies, a case of theft masqueraded as policy. It was also the case of the 1981 law that stripped all Congolese of Rwandan origins (the so-called Banyarwanda) of their citizenship, a case of governmental repression of a minority. This law was confirmed in the early 1990s by the transition parliament appointed by the National Sovereign

³³ See Jackson and Rosberg (1982), *op.cit.*, for the original statement of this thesis. See also Jeffrey Herbst (2000).

³⁴ Joel Migdal. *Strong Societies and Weak States: State-Society relations and State Capabilities in the Third World*. Princeton, NJ: Princeton University Press, 1988.

³⁵ This is in part why visits of African heads of state abroad and their meetings with other heads of state tend to receive disproportionate coverage in African media.

Conference. (Note, additionally, how the National Conference felt it necessary to label itself *Sovereign* as part of its attempt to wrestle political control away from the state.) The capacity to act as sovereign ruler is also what has allowed individuals in the current Kinshasa government to engage in what the United Nations has called “asset stripping.” According to the final report of the UN Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of Congo, an “elite network” of Congolese and Zimbabwean state and military interests “transferred ownership of at least US\$5billion of assets from the State mining sector to private companies under its control in the past three years with no compensation or benefit for the State treasury of the Democratic Republic of Congo.”³⁶ In this case, sovereignty is a legal artifice which protects the exploitation of Congo’s resources by state elites and their allies. Rebel leaders, deprived of international sovereignty, do not have the same options. In the east of the country, Rwanda and Uganda by and large directly exploit natural resources under their military control, bypassing local rebel organizations and juridical pretenses. Local rebels then try to control and tax the residual production, but are incapable of entering into contractual relations of exploitation and to transfer ownership of local assets to themselves, as they lack the juridical personality to do so.

In all these cases, therefore, the government’s capacity to act as sovereign ruler confers the seal of legality to robbery and persecution, and contributes thereby to the elites’ strategies of accumulation. Whether in the case of Zaireanization, of the Banyaranda or of the exploitation of Congo’s natural resources, the instruments of predation are policy instruments which are reserved to states. Rebels may want to pass decrees expropriating assets but the legality of these will be challenged as soon as possible and their enforcement will depend on the rebels’ monopoly of physical force.³⁷ Passing a law to penalize a specific group in society, on the other hand, is an instrument of domination reserved to the sovereign, irrespective of its own empirical weakness.

International sovereignty is not only a domestic currency. It also shields weak governments from outside interference, as they can raise the principle of non-intervention in their domestic affairs against outside attempts to check their excesses. Only in the most outrageous cases of genocide and crimes against humanity is this principle bent in international law, and even then hardly so (as witnessed by the lack of serious intervention on behalf of Rwanda’s Tutsis in 1994). For daily economic exploitation at the hands of a sovereign state, however, there is no international legal recourse for domestic populations. The three successive reports of the UN Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of Congo, for example, take a relatively harder stance towards Rwandan and Ugandan exactions than those of Angola, Zimbabwe and the Congolese government itself. The first of its report in fact only covered the activities of Rwanda and Uganda. It is only after these two countries complained of this unequal treatment that its investigations were extended to the government side, which was finally called to account in the latest report in October 2002. Yet, when they do in fact end up accused of abuses, governments can still hide behind their sovereignty to dodge the bullet, with the likely sympathy of many other governments

³⁶ *Final Report of the Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of Congo*. United Nations Security Council, S/2002/1146.

³⁷ Few foreign companies will also want to work with them. See the section on foreign direct investments below for more on this.

(as attested by most of Africa's failure to condemn Zimbabwe's recent predatory policies and electoral frauds). As the Congolese government spokesman, Kikaya Bin Karubi, told the BBC in reference to accusations against members of the government in the report of the UN Panel of Experts, "The Congolese government is the legitimate government of this country ... Whatever we do is legitimate."³⁸ Of course, this does not imply that this line of reasoning is always successful. As the UN report demonstrates, the Congolese government---or members thereof---did in fact come under accusatory scrutiny for exploiting the resources of the country. Yet, it is a line of defense that other actors do not have. Although it can be overturned, there is therefore a favorable presumption towards sovereign governments. There are also few recourse in international law against the validity of the contracts passed by the government with foreign companies for the exploitation of the country's natural resources.

Beyond these adjuvant roles to state predation, sovereignty also represents intrinsic value to holders of state power. First and foremost, international sovereignty entitles regimes to official development assistance, which fuels their networks of patronage and funds the transformation of the state into a resource.³⁹ While they may appear restricted to political elites, aid flows benefit a cross-section of Congolese society, which appropriates them through the government's budget and the clientelistic networks of political elites. Whether aid flows accrue to the state budget or to the private accounts of holders of state authority is a more or less moot distinction in Congo, since most of the budget itself is privatized. Many civil servants on payrolls are fictitious. Salaries given to these people actually represent the private conversion of institutional public resources. In addition, the budget (when there is one---there weren't any for the first few years of L.-D. Kabila's rule) is by and large allocated to discretionary funds. In 1992, the Bank of Zaire reported that 95% of the national budget was earmarked for the services of the presidency (65% according to the World Bank), as opposed to 4% for agriculture and 0% for social services.⁴⁰ Foreign aid is thus a highly valuable resource for power holders. And it is conditioned by norms of sovereign statehood and territorial integrity, as only recognized countries receive development aid.⁴¹

International sovereignty also facilitates foreign direct investments, from which local elites benefit. These are often conditional upon guarantees of insurance and arbitration, access to which depends on the sovereign status of the recipient country. The World Bank's Multilateral Investment Guarantee Agency (MIGA) only works with sovereign entities. The United States' Overseas Private Investment Corporation (OPIC) only offers insurance to investors operating in entities recognized by the United States government. As a result, the Kinshasa government is much more likely to attract foreign operators in the regions under its control---and extract resources from them and in conjunction with them---than are rebel authorities in their regions. In fact, there have only been two documented instances of contractual investments between foreign companies and non-state authorities in Congo. In the first case, Anglo-American, a South African mining company, concluded an

³⁸ "DR Congo Plunder Denied," BBC News [<http://news.bbc.co.uk/1/hi/world/Africa/2349631.stm>].

³⁹ See Christopher Clapham. *Africa and the International System: The Politics of State Survival*. Cambridge: Cambridge University Press, 1996.

⁴⁰ Cited in Reno (1998):151-152.

⁴¹ Non-state actors only receive humanitarian aid which, in some cases like Sudan's SPLA or Hutu refugees in Congo from 1994 to 1996, can represent significant enough resources to maintain their local domination.

investment contract worth almost \$1bn with Laurent-Désiré Kabila a few months before the latter took over power in Kinshasa. It was, however, only after both Mbuji-Mayi and Lubumbashi had fallen to Kabila's troops in April 1997, and barely a month before the fall of Kinshasa, that Anglo-American embarked on this deal. As Michael Ross notes, therefore, this was an instance of "future booty" based on the anticipation of Kabila's approaching sovereignty, rather than of pure contracting between rebels and foreign firms.⁴² The fact that Anglo-American's CEO, Jean-Raymond Boulle, lent his private airplane to Kabila's troops further suggests his hope and anticipation of their victory. The second instance occurred in the east of the country, in November 1999, under control of the spin-off rebel group *Rassemblement Congolais pour la Démocratie-Mouvement de Libération* (RCD-ML), and involved a less-than-reputable firm, the First International Bank of Grenada (FIBG), which agreed to spend \$16m for the renovation of 15 hospitals and some roads in the *Orientale* province, apparently in exchange for becoming the equivalent of the RCD's central bank and issuing "a mining-assets backed new currency in the rebel territories." Had this deal actually gone through, it would have constituted a remarkable case of institutional innovation and an attempt by a rebel organization to take over some of the trappings of sovereignty. The RCD-ML soon fizzled away as a credible organization, however, and seemed to sink the deal with it, though it is unclear whether this arrangement could have become operational even if RCD-ML had survived. FIBG had indeed been previously banned from activities in Canada because of investment frauds, and the US Customs service was investigating it for money laundering allegations.⁴³ These two exceptions notwithstanding, foreign investments are overwhelmingly limited to zones of international sovereignty.

3. The Preference for Nationalism

3.1. Functions of the Nationalist Discourse

The benefits of weak statehood and sovereignty promote the adoption of a nationalist, rather than secessionist or revolutionary, outlook by most Congolese, despite the failures of the state and the multiple polarizations of society. Political elites wish to maintain the failed sovereign state because it represents a resource---both instrumental and intrinsic---, the private benefits of which they can reap. The neopatrimonial logic of rule in Congo implies that a large number of non-elites also benefit from the transformation of the nation-state into a private resource because of their participation in the elite's clientelistic networks, and fail to challenge its existence and its domination. In addition, the state's intrinsic value as a relatively predictable structure of power makes it appealing to individuals despite, and even because, the ongoing simultaneity of centrifugal experiments in peripheral provinces and rebel-controlled territories.

For elites, the nationalist discourse provides the ideological legitimation of their strategy of institutions-as-resources, a tool for reinforcing and reproducing the state, and a means to counteract and disenfranchise the political expression of

⁴² Michael L. Ross. "Booty Futures: Africa's Civil Wars and the Futures Market for Natural Resources." Unpublished manuscript. UCLA Department of Political Science, July 2002.

⁴³ *Africa Research Bulletin*, December 1999-January 2000, 14162-14163. It is of some interest that the only rebel organization to have attempted to embark on such a deal was under the control of Ernest Wamba-Dia-Wamba, one of the few Congolese intellectuals to ever have challenged the Congolese "nation-state project." See Ernest Wamba-dia-Wamba. 1996. "The National Question in Zaire: Challenges to the Nation-State Project." In Adebayo O. Olukoshi and Liisa Laakso (eds.). *Op. Cit.*, 136-153.

alternative public identities. For citizens in general, nationalism is the political expression of a preference for established, if dysfunctional, state institutions over unpredictable reconfigurations of power and economic life. Whereas the preference for stable, if negative, expectations by private citizens largely accounts for the spread of the nationalist discourse throughout the lower reaches of society, the following pages focus mostly on the behavior and rationales of political elites to the extent that the latter, operating in an environment free of democratic pressures, are almost exclusively responsible for actual political outcomes.

The rapidity with which most pre-independence Congolese political elites switched from defending their regional interests to pursuing nationalist agendas illustrates the benefits they found in this ideology for their pursuit of power. At the constitution-making Round-Table of 1960, the idea of a unified Congo was already removed from the realm of the negotiable. Rejecting a system that would have given more power to the provinces, independence politician Joseph Iléo declared "The conference certainly does not have the objective to prepare the explosion [*éclatement*] of Congo."⁴⁴ Most regional leaders then traded off their original separatist or federalist demands for positions in the national state. Joseph Kasavubu, whose *Association des BaKongo* (ABAKO) party had earlier announced the creation of a Bakongo-based "Republic of Central Kongo," was offered the presidency by the Belgians partly out of fear of Bakongo separatism.⁴⁵ In exchange for such access to the state, he buried once and for all any element of Bakongo autonomy or irredentism in his discourse. Moïse Tshombé followed the same logic, although a few years later. After having rejected the national idea and launched the secession of Katanga from 1960 to 1963, he accepted the position of prime minister of all of Congo in 1964, trading off regional autonomous aspirations for a central position in state power.

The same holds true of contemporary rebel groups. The MLC's overwhelming interest in regaining access to state power was illustrated by the agreement between its leader, Jean-Pierre Bemba, and Joseph Kabila in the margins of the Sun City Inter-Congolese Dialogue in April 2002. The same is true of the RCD, however, despite persistent rumors of its separatist intentions. The RCD rebellion does not have independence or secession as an objective. Rather than self-determination, the current rebellion is a repositioning exercise. Hence, the use of the nationalistic discourse as an ideological justification for such objectives. In the words of RCD-Goma Secretary-General Azarias Ruberwa:

We want a united Congo. *There are more advantages to a united Congo than a partitioned Congo.* We have never thought of secession. It is impossible to conceive of it. Our leaders are from all provinces. What we do want is to change the mode of management in Congo and to have more autonomy for the provinces. We want federalism. We say yes to the unity of Congo but never to unitarism. [...] Territorial integrity allows us to remain *une puissance en Afrique* [sic] [...] Let's create a Congolese nation because it does not exist yet.⁴⁶

The RCD governor of the Oriental Province, Jean-Pierre Biloussa, echoes similar sentiments: "This is a movement for power in Kinshasa."⁴⁷

⁴⁴ J. Gérard-Libois, *La Sécession katangaise*. Brussels: CRISP, 1963:41.

⁴⁵ Benoit Verhaegen and Jacques Vanderlinden. 1980. "La Politique." In Jacques Vanderlinden (ed.). *Du Congo au Zaïre 1960-1980: Essai de bilan*. Brussels: CRISP:112.

⁴⁶ Azarias Ruberwa, Interview in Goma, November 2001. Emphasis mine.

⁴⁷ Jean-Pierre Biloussa, Interview in Kisangani, November 2001.

The many factional splits which the RCD has encountered since its creation in 1998 are consequences of this logic, as they usually derive from the unwillingness of leadership elements to wait any longer for better forms of reinsertion with Kinshasa. In May 1999, realizing that Rwanda was no longer interested in a military takeover of Kinshasa, RCD leader Ernest Wamba-dia-Wamba set up his own faction, the RCD-Kisangani, and sought Ugandan protection. In February 2001, another split led to the creation of the RCD-*National* (emphasis mine), also based on a rejection of Rwanda's limited objectives of controlling Hutu rebels in the Kivu and Orientale provinces. Finally, more leaders escaped in May 2002 to set up the RCD-Authentique. These three groups (RCD-Kisangani, RCD-National and RCD-Authentique) all declared their willingness to collaborate with Kinshasa and the first two were actually signatories to the Sun City power-sharing agreement.

In Congo, political violence provides the means to fight for (re)insertion into the system by marginalized and excluded groups. It does not represent attempts to challenge, reform, revolutionize, or break away from the state. The association of political violence with a universal nationalist discourse is thus only superficially paradoxical. While competing for state access for the benefit of the particularistic interests of their own group, political elites use a nationalist discourse as platform to build a minimum winning coalition, and to define others as non-patriotic and keep them on the outside. Hence, Joseph Kabila's earlier-mentioned labeling of the Sun City agreement as "patriotic," which implied that the RCD-Goma, excluded from the accord, was an enemy of Congo. Competition in the display of nationalism can thus be perceived as competition for power. The nationalist discourse becomes then the foundation for the reproduction of the state's otherwise failed and predatory institutions, denying legitimacy to alternative scenarios and confining all other such actions to military factionalism for control of the state itself, or to the non-threatening realm of "civil society." By reinforcing the reproduction of the state, it guarantees the predatory potential of its institutions.

Although the country's natural wealth may be concentrated in regions far away from the capital, the limited likelihood that any secessionist movement would be internationally recognized considerably reduces the appeal of local separatist strategies of power in normal times. Secessionist moments in Congo's history have occurred when the sovereignty of the central state was challenged from outside, or when the economic returns to sovereignty depreciated. This happened in the very early years of independence when it was not yet clear how livable postcolonies would be, and when political chaos in the capital led foreign powers to consider other options than backing the state as a whole. It also happened in the 1990s when Mobutu's failure to convincingly democratize and his alleged recourse to violence against students at the University of Lubumbashi led the West to marginalize him and cut off virtually all aid flows to his regime. In times like these, it makes sense for local elites to capitalize on the weakening international status of the state and experiment with local strategies of power and access to resources. This is what explains the secessions of the 1960s and the drives for autonomy of Kasai and Katanga in the 1990s. But the embrace by the West of Kabila's takeover in 1997 (embalmed in nationalist discourse) again put an end to opportunities for local strategies of self-determination and brought the Congolese back around their state. When nationalism prevails, however, local identities fail to find outlets to their cultural specificities. As a result, ethnic clientelism and polarization rise and coexist therefore with a nationalist discourse.

Secessions can thus be expected if the potential return of local resources, in the absence of international recognition, outweighs the potential return of resources associated with control or partial control of the sovereign national state. To the extent that they represent the actions of political elites choosing to capitalize upon local cultural or economic grievances, separatist decisions must therefore be understood as rational calculus of potential costs and benefits. In the case of the former Soviet Union, Daniel Treisman found that there is

a strong relationship between the economic prospects and bargaining power of an ethnic region and its degree of separatist activism. Those ethnic regions that had large populations and high industrial output, were major raw material producers, or had high industrial exports were much more separatist. Those that relied heavily on central subventions to fund regional government spending tended to be more cautious. This suggests a strong element of rational calculation in the incidence of separatist action.⁴⁸

In Congo, the dependence on the state is more than a matter of subsidies, it is a question of being able to use public institutions as private resources. This appeal of the state competes with the appeal of local raw materials in the decisions of regional leaders to secede or not. But, without international recognition of the sovereignty of public authorities making a claim to these raw materials, their physical control is usually not sufficient for their translation into resources.

3.2. *Self-Determination in Congolese History*

A review of Congo's episodes of rebellion or alleged secession attempts illustrates the see-saw between nationalism and separatism as a function of the strength and perceived benefits of sovereignty. The pattern that emerges is one in which movements and drives towards autonomy and secession are attempted either when the sovereignty of the central state is contested from abroad, or when the benefits of institutional enforcement and resource distribution associated with sovereignty are threatened.

Although it is often referred to as a Belgian plot to retain control over the mineral resources of Congo, the Katanga secession of 1960-1963 also broadly derived from Congolese dynamics of power, identity differentiation, and resource grievances. From a local perspective, it was predicated upon the desire of "indigenous" Katangan populations, represented by traditional chiefly associations and ethnic mutual welfare societies, to take control of their political and economic destiny away from other Congolese living in their province, and especially from the Kasaian migrants who represented the local Congolese administrative and business elite. Moïse Tshombé's *Confédération des Associations Tribales du Katanga* (CONAKAT) was indeed mostly composed of Lunda and Yeke people who considered themselves "authentic Katangans" as opposed to the "strangers" from Kasai (mostly Luba) who had immigrated to work in Katangan mines. The secession was also based on a sense of economic grievance vis-à-vis the central state, as Katanga's contribution to Congo's revenues approached 50% while its receipts from the national budget only reached 20% in 1957.⁴⁹

But, above all, the Katanga secession was an opportunistic decision by Tshombé who bet on the possibility that the Congolese state would not survive the

⁴⁸ Treisman 1997:239.

⁴⁹ J Gérard-Libois, *op.cit.*, 8.

upheavals and mutinies that immediately followed the proclamation of its independence on June 30, 1960, and decided there was more potential for a future in regional rather than in national politics. The Katanga declaration of independence occurred on July 12, eight days after the beginning of the *Force Publique* mutiny. On July 13, Prime Minister Lumumba broke diplomatic relations with Belgium because of its sympathies with Katanga, inadvertently reducing Congo's international sovereignty in the process. The next day Kasavubu and Lumumba approached the Soviet Union about the possibility of military assistance.⁵⁰ Compounded with the two men's incapacity to restore order in their country, this request further weakened the legitimacy of the central state in the eyes of the West in the Cold War context. The Cold War was indeed an important parameter in the Katanga secession as it pitted "leftist" Lumumba with "anti-communist" Tshombé, and affected perceptions of Congo's sovereignty as the West weighed the benefits of protecting a fractured newly independent Congo with potentially communist tendencies, against a relatively more peaceful and pro-capitalist Katanga. Tensions then mounted between Kasavubu and Lumumba, who dismissed each other from office and further projected abroad the image of a stillborn state, which in turn gave additional momentum to the secession, predicated as it was upon the uncertainties of state recognition. Joining the secession was also a decision based on access to the state for other Katangan elites. Provincial opposition parties, foremost among whom the Balubakat, were apparently on the verge of supporting Tshombé in voting for secession, but relented when he did not fulfill his promise to enlarge his cabinet with ministers from the Baluba region.⁵¹

The Katanga secession was never successful, however. Tshombé requested recognition and admittance to the United Nations but was ignored, and it bears insisting that no country, not even Belgium, ever recognized Katanga as an independent state. "No matter that the rest of the Congo was degenerating into nightmarish chaos," writes a sympathetic author, "Katanga was the offender who had to be called to order."⁵² After Lumumba's assassination in Katanga on January 17, 1961, the legitimacy of the secession vis-à-vis the state was hurt. On February 21, the UN Security Council passed a resolution to prevent civil war in the Congo, largely in response to the murder of Lumumba and the increasing anarchy, and authorized the use of force against Katanga. On August 2, 1961, a national executive that struggled with legitimacy gave way to a government of national unity (except for Katanga) under Cyrille Adoula, set up under UN auspices. Finally, with US backing, the UN forces defeated the Katanga secession in 1963 and Tshombé was sent into exile, while his region rejoined the fold of the state, albeit split in three provinces.

After initial hesitations in 1960, during which Tshombé seized his opportunity, the international community rallied behind the sovereignty of Congo and doomed Katanga's chances for successful secession. During the whole period from 1960 to 1963, however, Tshombé continued to negotiate with the Congolese government on the terms of a possible reunification, which is further evidence that Congolese secessions are not so much instances of cultural self-determination as tactical moves for state power. Tellingly, after the defeat of his secession, Tshombé became prime minister of Congo in 1964. Foreign powers by and large guaranteed the reproduction of the Congolese state at this very early stage and provided it with life support, crucially altering the expected payoffs of Tshombé's action and turning Congo from a

⁵⁰ Verhaegen and Vanderlinden. 1980. *op.cit.*

⁵¹ Michel Struelens. 1976. *The United Nations in the Congo, or O.N.U.C., and International Politics*. Brussels: Max Arnold, 74.

⁵² Struelens, *op.cit.*, 78.

moribund shell into a worthwhile resource. Certainly, Belgium provided Katanga with military, economic and technical assistance, including advisors, mercenaries and a writer for its constitution.⁵³ As a result, it was accused of instigating and supporting the secession in order to maintain control of its former colony. But, after Lumumba's death, it increasingly sided with the central government, thus contributing to the failure of the secession.

The "Great Mining State of South Kasai" was the other main secessionist movement of that period. In August 1960, after Lumumba had managed to hand over the province's leadership to a Lulua, although the Baluba had won the most seats in the May 1960 elections, Lumumba's troops attacked Mbuj-Mayi in South Kasai and massacred Baluba civilian populations. In response, Albert Kalonji, a Luba from Kasai who was one of Lumumba's main rivals in the *Mouvement National Congolais* (MNC), and was embittered by his failure to secure an influential position in the national government, proclaimed the Mining State, and organized for autonomous rule. The army of South Kasai included 3,000 men and nine European officers in 1961.⁵⁴ Kalonji had the support of the Luba, who feared that the central government would gain control of Kasai's diamond mines. More than Tshombé, Kalonji was a political opportunist who seized the occasion of a chaotic central state in Kinshasa to reorient his quest for power on the local stage. As Nzongola-Ntalaja puts it, Kalonji "saw in the chaotic environment of the period the opportunity to realize his dream of becoming supreme leader somewhere," and had himself proclaimed king by local traditional rulers.⁵⁵ The autonomous state functioned relatively well until September 1962 when the central government facilitated a local military revolt to regain control of the province. Again, no country recognized the sovereignty of South Kasai and Kalonji eventually turned his attentions to the national political stage, becoming agriculture minister in the 1964 Tshombé government.

Both the Katangan and South Kasai examples illustrate the extent to which a weakening of the perceived sovereignty of the central state triggered local strategies of power by Congolese regional elites, how these were in turn aborted when the respective sovereignty statuses of central and provincial authorities were clarified, and how the West and the then Western-dominated UN system conditioned these local dynamics with their capacity to grant sovereign status to territorial entities. Following the stabilization of the sovereign status of Congo after 1963, and the display by the international community of its willingness to intervene on behalf of Congo's territorial integrity, challenges to state authority no longer took on separatist dimensions but were limited to violent attempts to wrestle control of the state away from its perceived "neo-colonialist" regime. One of these challenges was the Mulelist rebellion in Kwilu between 1964 and 1967. Mulele, a lieutenant of Lumumba who had gone into exile after the failure of the first Stanleyville government, returned to Congo in 1963 and launched a peasant-based "Maoist" rebellion in the Kwilu province in January 1964. It failed to spread, however, beyond Mulele's own ethnic group. The Simba rebellions in Eastern Congo represented another such case of nationalist uprising challenging the state leadership rather than the state itself. Laurent-Désiré Kabila and Gaston Soumialot were the main Simba leaders on the ground and represented a group of nationalist parties based in Brazzaville. They invaded Congo from Burundi in April 1963 and, by September, controlled half the country and seven of the twenty-one provincial capitals. After setting up their own

⁵³ Verhaegen and Vanderlinden. *Op.cit.*

⁵⁴ Young. *Politics...*, 454.

⁵⁵ Georges Nzongola-Ntalaja. 2002. *op.cit.*, 103.

government in Stanleyville, they promptly lost momentum for failing to develop any administration in the regions they controlled militarily. More importantly, though, the Stanleyville government never received any international recognition and could not sustain its legitimacy with local populations. Mercenaries and Belgian paratroopers recaptured Stanleyville on November 24, 1964, exemplifying again the importance of foreign powers in the maintenance of Zaire's existence and integrity. In 1967, the Orientale and Maniema provinces were also finally retaken by government troops. Only the tiny Fizi-Baraka region in South Kivu remained under control of Kabila for many years to come, with apparent complicity from the Zairean army, before dissolving in the mid-1980s.⁵⁶

Both the Mulelist insurrection and the Simba rebellion illustrate the changing nature of the political game in Congo following the decision by the West to support the country's territorial integrity. Although the state was still weak and armed struggles appeared to be a reasonable means to achieve power, the objective for each of these movements was to take over the entire country rather than to break away from it. Secessions, doomed to non-recognition, were no longer perceived as credible options. Nationalist and revolutionary insurrections, on the other hand, could benefit from the recognition of non-Western countries and carried therefore a greater promise of success. Indeed, the original Stanleyville government of Antoine Gizenga, set up after the dismissal of Lumumba in September 1960, had been recognized by Egypt, the USSR, East Germany, Yugoslavia, Guinea, China, Morocco, Ghana, Poland, Cuba, and other countries following Lumumba's assassination in 1961.⁵⁷ For Mulele and the Simba leadership, therefore, repeating a similar nationalist strategy held the promise of recognition and sovereignty.

But the political conditions after 1964 were no longer in the same state of flux as in 1960 and 1961, and Congo had fallen squarely in the Western camp. No further recognition would come for its "second independence" as it failed to conquer the state capital and, with it, the claim to state sovereignty. It was not until 1977 that a new self-determination challenge took place. Once again, with the Mobutuist state having reached its apex, this movement did not involve any separatist element, although it took place in Katanga, renamed Shaba, and involved the remnants of the secessionist *Gendarmes* who launched an invasion from their Angolan rear-base. The Shaba invasion of 1977, commonly referred to as Shaba I, was led by the Congo National Liberation Front (FNLC), established in 1968 by Nathaniel Mbumba and mainly composed of Lunda and Chokwe.⁵⁸ On March 8, 1977, some 2,000 FNLC troops invaded Shaba and captured three cities as well as several hundred square kilometers of western Shaba. They came close to Kolwezi before Moroccan troops (brought in by French aircraft) recaptured lost territory with little engagement. In April, Moroccan forces and the Zairean army re-entered the towns lost in March and the FNLC fully retreated by the end of May. Although its origins derived from the forces involved in the Katanga secession of 1960-63 and its ethnic profile was mostly Lunda---a population deemed separatist---the FNLC took great pains to differentiate itself from the Katanga secessionist movement and stressed the element of national liberation of Congo in both its name and its stated goal of taking over the entire country.

The FNLC launched a new invasion in May 1978 (Shaba II), and occupied Kolwezi in a surprise move from Zambian territory. Although its objective this time

⁵⁶ Young and Turner, *op.cit.*

⁵⁷ Verhaegen and Vanderlinden. *Op.cit.*

⁵⁸ Young and Turner. *Op.cit.*

was to capture Shaba, this was a means to oust Mobutu. The FNLC seized Kolwezi and Mutshatsha, but its undisciplined army began looting, murdering and raping Africans and Europeans. France and Belgium immediately intervened, recaptured the town, and the invaders once again returned to Angola. A permanent contingent of 1,500 Moroccans was then sent to guard Kolwezi.

The significance of Shaba I and II is not so much the lack of local support for these invasions (which, to some extent, proceeded from well-grounded fears of reprisals by the Zairean army), or the fact that they were foreign-driven and did not represent local struggles, although these are well-founded observations. The first crucial element of these episodes is that formerly secessionist actors, marginalized from the Congolese state, resorted to armed insurrection not so much to carve themselves a new political space but to change the regime at the core of Congo and force their own reintegration in the post-colonial state. This strategy is surprising if one thinks of the southern Katanga populations as somehow primordially separatist. If one considers, however, the political choices of local elites as a function of resource maximization, and the latter as a function of their perception of where sovereignty lies, the FNLC approach was quite rational. The second important lesson of the Shaba invasions is that the maintenance of the Zairean state depended on foreign military intervention rather than deriving from a hypothetical national sentiment against the invaders. It was the West, and not the Congolese, who rushed to the defense of Congo.

The next section considers to what extent changes that have intervened in the international state system since the early 1990s have contributed to changing the parameters of political action and self-determination in Congo. At the core of this investigation is the question of whether the benefits of sovereignty have been deflated by trends associated with globalization.

4. Globalization, Sovereignty, and Self-Determination

4.1. State Dilution and Strategies of Autonomy in the Early 1990s

After 1990, the partition of the Soviet Union and the ideological push by the West for the spread of electoral democracy combined to undermine the international legitimacy of the Mobutu regime, which was unwilling to democratize, and cast fresh doubts in the minds of the Congolese as to the solidity of their country's sovereignty. Mobutu's new outcast status was a particularly important factor as it resulted in a dramatic collapse of aid flows to Zaire and turned the national state into a much less appealing stage for the acquisition of resources (Figure 1). The perception of changing international norms regarding territorial integrity and the increased inability of the central state to transform its institutions into resources for lack of funding, led to a regain of autonomy-seeking activities by regional political leaders.

Not surprisingly, Katanga authorities were the first to make a significant move. On August 15, 1992, Etienne Tshisekedi of Kasai, a long-time Mobutu opponent, was elected prime minister by the Sovereign National Conference in replacement of Nguza Karl I Bond, a Lunda from Katanga related to Moïse Tshombé, Mobutu client, and president of the *Union des Fédéralistes et Républicains Indépendants* (UFERI). Anti-Kasaian violence unfolded in Katanga the very next day. On August 21, Nguza stated that his province did not recognize the authority of the new prime minister, and that Shaba as a whole was now in opposition to the government. After further violence, the province's governor, Gabriel Kyungu Wa Kumwanza, recommended that people from Kasai living in Shaba be expelled.

Refugees were gathered in concentration camps, awaiting repatriation to Kasai. Encouraged by Mobutu who wanted to weaken the prime minister appointed by the national conference, Nguza then vowed that there would be no national reconciliation with Katanga under the auspices of the current government and refused to rule out the possibility of a secession, saying that the course of events depended upon how far the national conference pushed the people of Katanga.⁵⁹ In the following months, this competition among national political elites via regional ethnic polarization took on an increasingly separatist content. Governor Kyungu decreed in November that all military officers of Baluba origin had to leave Shaba and called for permanent and strict control of people's movements between Shaba and the two provinces of Kasai Occidental and Kasai Oriental. In addition, he stressed that the top jobs in companies based in the region, including the copper mining company, Gécamines, should be handed over to locals.⁶⁰

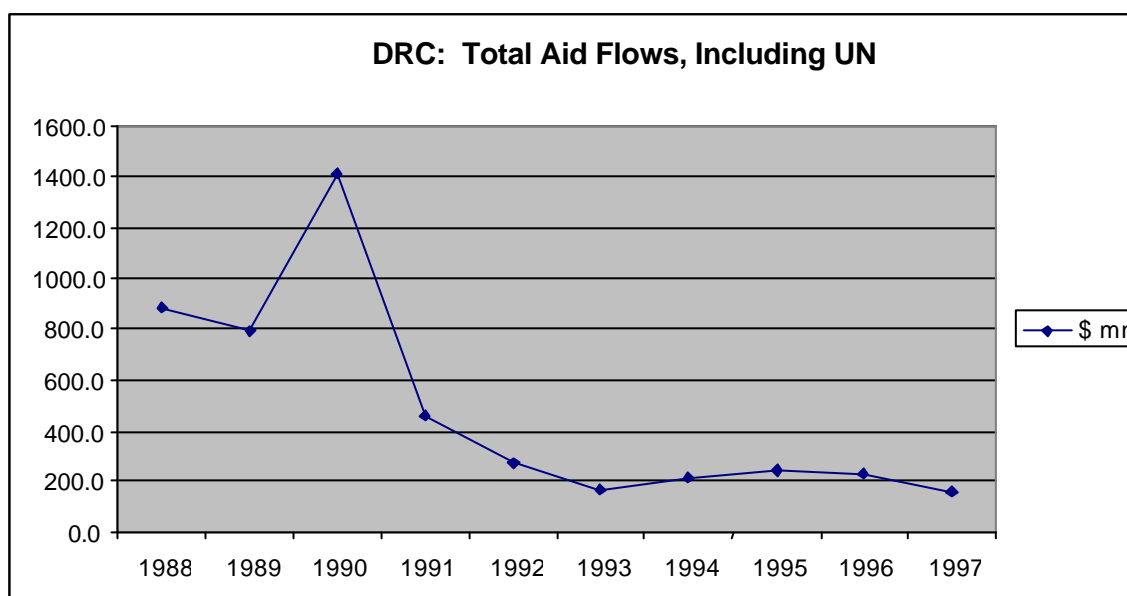


Figure 1 (Source: OECD. Geographical Distribution of Financial Flows to Developing Countries, Paris: OECD, Misc. Years).

This policy of ethnic cleansing eventually led to a more formal separation of Katanga from the rest of the country. In December 1993, during a visit to Katanga by Nguza, Kyungu proclaimed his province's autonomy and announced the imposition of taxes at the borders. A few days later, Nguza's UFERI stated its unconditional support for the autonomy of Katanga.⁶¹ These local leaders still recognized the constraints of the international sovereignty of Congo, however, and kept alive their options as national politicians by systematically referring to autonomy rather than independence.

This episode of near provincial self-determination illustrates the extent to which secessionist decisions are mostly predicated upon the strategies of elites, which are in turn conditioned by the international status of the state, rather than upon primordial identities. It is indeed often argued that the Lundas of Katanga are

⁵⁹ The Economist Intelligence Unit. *Country Report: Zaire/Zambia*, 4th quarter 1992, 13-14.

⁶⁰ *Ibid.*, 1st quarter 1993, 30.

⁶¹ *Ibid.*, 1st quarter 1994, 31.

secessionist while the Balubakat are nationalist, based on the pattern of the 1960s secession, which was driven by Lunda politicians while the northern Balubakat, under the leadership of Jason Sendwe, chose a nationalist path behind Lumumba. The events of 1992-93, however, saw an alliance of a Lunda politician, Nguza, with a Mulubakat, Kyungu, in favor of provincial separatism, as a consequence of their similar reading of the national political situation. In the 1960s, the respective leaders of these two communities had made different choices, but these proceeded from their perceived interests rather than from different ethnic outlooks. Similarly, it is often argued that Laurent-Désiré Kabila, a Mulubakat, was ready to fall back onto Katanga had he failed to secure his power in Kinshasa when the 1998 war unfolded. He had moved the national parliament to Lubumbashi and was building a presidential palace in its outskirts before his assassination.

Kasai Oriental followed Katanga in its drive for autonomy, although its main politician, Etienne Tshisekedi, never played the regional separatist card but maintained his aspirations for the prime ministership and presidency of the country. The case of Kasai Oriental's autonomy from 1993 to 1996 (and in some respects to 1998) was then more truly an instance of a fairly homogeneous community, the Baluba, erecting their own institutions in the wake of the apparent collapse of the central state. The main actors were the Catholic Church and MIBA, the giant diamond-mining company. The role of the Shaban ethnic cleansing of 1992-94 was important in getting Kasai started on its own drive for autonomy. With the influx of highly skilled Luba refugees, Mbuji-Mayi began to boom and MIBA's operations were reinforced by all the former Gécamines engineers. Kasai enjoyed relative prosperity, at least by the standards of the rest of Zaire, and developed its own university and a Conference for the Economic Development of Eastern Kasai (CODEKO), which took over regional development planning. By refusing to recognize new banknotes introduced by the Kinshasa regime, Kasai essentially developed its own currency and exchange rate, and altogether avoided inflation while the rest of the country experienced price rises above 8,000% a year over the same period. By 1996, Kasai had reached such a remarkable level of autonomy from Kinshasa that it caught the attention of *The Economist*: "The province of Eastern Kasai is all but independent of Kinshasa [...] Instead, it responds to two local powers: the bishop and the diamond mine [...] A strong scent of independence hangs in the air."⁶²

Even the Kivu provinces were drifting away from the state in the early 1990s. "The long, slow rotting from within of Mobutu's Zaire permitted the Kivus to build a degree of political and economic independence during the 1980s and 1990s," wrote Stephen Jackson. "Nzoli, a senior Kivutien civil society figure told me in 1999: 'you should realize that we don't look west here, and we haven't for some time'. 'West', towards the capital, Kinshasa, is as far away from Goma as Poland is from Portugal. 'Like it or not--and many don't particularly like it these days...' Nzoli continued, '... we look east', over the border from Goma, towards Rwanda and Uganda."⁶³

These experiments in autonomy came to an end with the rise of the AFDL and the Rwandan invasion of 1996. Preoccupied with a regime that supported its Hutu-based opposition, the Kigali government embarked on a military campaign that took it

⁶² "Zaire: A Provincial Gem." *The Economist* (1996). See also Howard French. 1996. "A Neglected Region Loosens Ties to Zaire." *New York Times* (1996):A1, A4.

⁶³ Stephen Jackson. 2001. "'Nos Richesses Sont Pillées': Economies De Guerre et Rumeurs De Crime Dans Les Kivus, République Démocratique Du Congo." *Politique Africaine*, No. 84 Décembre 2001 Special Issue "République Démocratique du Congo: la guerre vue d'en bas."

all the way to Kinshasa for Mobutu's overthrow. In doing so, and given Mobutu's crumbling legitimacy with Western powers save France, it restored an internationally recognizable authority in Kinshasa and ironically (given its own border-crossing origins) provided a new boost to Congo's fledgling sovereignty. By supporting Kabila as representative of Congo's sovereignty, the international community contributed to putting an end to local movements of self-determination. As a result, local politicians rejoined the fold of national politics (especially in Katanga where Balubakat now embraced Kinshasa)⁶⁴ and local experiences in state substitution (such as Kasai's) folded in the face of a new imposition of state authority and renewed control by the state over the mining industry.

4.2. The Resurrection of the Weak State

Since the Kabila takeover of 1997, the Congolese state has successfully resisted all regional, international and global assaults on its existence, and has in fact continued to find resources for its reproduction beyond its own borders, in contrast to the prevailing dynamics at the beginning of the decade. Globalization, as defined by the new patterns of trade, financial and information flows that followed the end of the Cold War, has not resulted in an erosion of either the idea of the Congolese state or its international sovereignty. Processes of decision making involving the agencies of the state have continued to be recognized as legitimate (despite their usual neglect of the interests of the Congolese) while those of alternative institutions---whether rebel leaders, Non-Governmental Organizations, church groups or "traditional" authorities---have been marginalized. Since 1997, the global system has once again come to the rescue of the idea of Congo while all elements on the ground militated for its dissolution. As local dynamics keep on trying to erase Congo, a global logic keeps on bringing it back.

For sure, as suggested in Frances Stewart's chapter, globalization has made conflict easier for political protagonists in Congo. The informalization of international trade in some primary commodities, the relative impunity of border crossings by foreign armies, or the transnational cultural linkages derived from refugee movements have provided motives and means to initiate and continue conflict. Yet, none of this has led to any significant movement for self-determination against or away from the state. Surprisingly, for a weak state like Congo, the benefits of international sovereignty have not eroded in the era of globalization, guaranteeing the enduring appeal of the state and maintaining the prohibitive barriers to entry associated with self-determination options. The following pages look at the effects on Congo's reproduction of several features of the international system, addressing in turn the role of the United Nations, foreign aid, foreign direct investment, the Congolese diaspora, and regional military and economic interventions by neighboring countries such as Rwanda, Uganda and Zimbabwe. Contrary to expectations that bodies such as the United Nations, "by way of military intervention and economic sanction, can seriously question the legitimacy of a nation-state and its ability to determine what occurs within its territorial boundaries," the UN has in fact been one

⁶⁴ As per an informant, "Katanga was always mistreated by Mobutu. People did not feel 100% Congolese under Mobutu because of his repression. But when Kabila took over, then Katanga felt better about Congo because they thought then that they had Congo. It was hard then to think of secession. If Katangans are associated to the management of the country in Kinshasa, *"alors ça peut aller."* Interview with Congolese professor, University of Lubumbashi, April 2002.

of the the main instruments in support of Congo's continued sovereignty.⁶⁵ It has repeatedly reaffirmed the territorial integrity and sovereignty of the country, and its interventions have reinforced the state, reaffirming its existence against all empirical evidence on the ground. In the 15 UN Security Council resolutions on Congo or the Great Lakes region passed since 1996, respect for territorial integrity was mentioned 31 times. The UN has also demonstrated a presumption that promoting the reach of the state would contribute to curing Congo's ills, despite the evidence that the state fully participates in the exploitation of the country's resources for the private gains of the holders of state power. The UN Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of Congo stated in its October 2002 report that a "step towards halting the exploitation of natural resources will be the early establishment of an all-inclusive transitional government [...] which would ensure that central government control is reinstated" (p.28). This statement came in the wake of pages of evidence related to the abuses and exploitation of government officials and rebels alike. How bringing these together in the state would reduce rather than magnify their exploitative behavior was not demonstrated, nor does it make intuitive sense. Finally, the presence of MONUC, the *Mission de l'Organisation des Nations Unies au Congo*, in Kinshasa and across the country has reinforced the perception of validity of the state, no longer a decayed and dying system but now the local counterpart to a significant group of international bureaucrats and military personnel from around the world. MONUC's flights across the frontline (the only ones linking Kinshasa to rebel territories since 1998) have also reinforced the idea of the country (and have been used by some individuals for arbitrage between the foreign currency markets of Kinshasa and those of Goma and Kisangani). MONUC's initiative of sending a boat up the river from Kinshasa to rebel-controlled Kisangani also challenged the partition of the country.

Foreign aid, both bilateral and multilateral, has also contributed to reinforcing the reproduction of Congo since the late 1990s. While the drying up of aid and its increased diversion towards non-governmental organizations in the first half of the decade led to centrifugal strategies by regional political elites, aid donors and creditors's eagerness to cooperate with new state authorities since 1997 has brought many political actors back around the state, as aid resources underwrite the patron-client relationships which define power relations throughout Congolese society. Kabila senior's ideological rigidities prevented him from seizing upon these opportunities for renewed aid flows and he promptly alienated the World Bank, among others. The new regime has been more aware of the opportunities associated with the resumption of development assistance.

The incentive for nationalism implied by the quest for access to official development assistance has been magnified by the very public current preferences for territorial integrity of aid donors themselves. Although the West punished Mobutu for his unruliness, it has since been willing to reward the preservation of Congo's territorial integrity, putting additional pressure on Congolese politicians to play the Congolese game. Participants in the Sun City Inter-Congolese Dialogue of April 2002, for example, were made well aware of this as the government had been promised new aid disbursements if it came back from the Dialogue with a successful political settlement. Although very partial, the eventual (and now defunct) April 2002 power-sharing agreement between the MLC and the government was enough to

⁶⁵ For an example of such arguments, see Gary Dean. "Globalization and the National State" October 1998....

unleash a new round of support from the West to the central state. The IMF's General Director, Horst Köhler, visited Kinshasa barely a few days after the return of the government delegation in late April. According to Congolese media, Köhler's visit was a direct consequence of the Sun City agreement, a result of

the new progress in the implementation of the Lusaka agreement and of the agreement reached between the government and the MLC which many other parties have also joined. These are essential elements for the IMF in order to help the DRC and to transcend the situation that the country has known for a long time [...] The IMF's Director promised to prepare the ground for integral support from the international community while the peace process and the country's unification proceed.⁶⁶

This message was reinforced by the Belgian minister for foreign affairs, Louis Michel, also in Kinshasa in late April and according to whom, "Belgium deeply believes in the capacity of the Congolese to walk the path of reconciliation *in order to open up the enormous possibilities of international aid*" (emphasis mine).⁶⁷ Hence, it came as no surprise to the Congolese when the IMF apparently announced that it would consider a 3-year multi-sector emergency program for Congo with disbursements estimated at \$700m (though this would probably be conditional upon the DRC paying its arrears to the Fund). During a March 2002 mission to the DRC, the IMF had linked the participation of the international financial community in the DRC to progress in the Inter-Congolese Dialogue.⁶⁸ The World Bank was the first one to go from words to deeds, however, as it signed a \$454m credit agreement with the government in Kinshasa on May 4, 2002, as partial funding for the three-year "multi-sector emergency rehabilitation and reconstruction program," most of which was earmarked for infrastructure. Apparently, the World Bank had also agreed to a \$45m budgetary aid to the government a week earlier.⁶⁹

By and large, therefore, the embrace of the state or its rejection through separatism and rebellion are partly a function of the capacity of the sovereign state to deliver the resources of foreign aid to Congolese political elites and their followers. Whereas, in the early 1990s, the West conditioned this marketability of sovereignty to democratic progress, it is now content to reserve it to those willing to preserve the state. The Congolese adjust their political strategies accordingly. The abandonment by the government of its political agreement with the MLC after a few months in 2002 demonstrated the aid instrumentality of such accords. Once aid commitments had been made in the mild enthusiasm that followed the Sun City agreement, there was no longer any incentive for Kinshasa elites to share power in a government of national unity. Nationalism was thus a tactical move for access to foreign resources via the state. Table 1 illustrates the extent to which self-determination instances, defined as secession attempts or major rebellions, respond to these incentives of aid. Looking at all years since 1960, it shows that aid disbursements have been significantly lower on average in years preceding separatist or rebellious activity than in years preceding instances of social peace, suggesting that Congolese elites adjust their behavior to the economic returns of sovereignty. The correlation between foreign aid and instances of rebelliosn and secession lagged by one year is an astounding $r=-.43$.

⁶⁶ www.digitalcongo.net [accessed May 3, 2002]

⁶⁷ A. Nkinsi / MMCNews.com [www.digitalcongo.net, accessed May 3, 2002]

⁶⁸ Hervé Bomey / MMCNews.com [on digitalcongo.net, accessed May 3, 2002]

⁶⁹ Déo Mulima Kapuku | La Référence Plus [on digitalcongo.net, accessed May 6, 2002]

Table 1. Foreign Aid, Secessions and Rebellions

Average annual aid disbursements (in million current US\$)	
In years preceding secession attempts or rebellions (n=14)	257.3
In other years (n=23)	519.3

$t = 2.794$; $P > t$ (one-tailed) = 0.0042

Source: OECD. *Geographical Distribution of Aid Flows...* Misc. years. Aid data missing for 1968.

Of particular significance to the argument here is the fact that foreign aid has not undermined the state in recent years. Although aid dried up in the 1990s compared to earlier decades, this was linked to Mobutu's declining popularity abroad and to Kabila's inept leadership. While using a "civil society" discourse and highlighting their interests in non-governmental organizations, donors remained eager to provide aid to the state *per se* and made their preference known to Congolese political actors. Therefore, even though aid inflows and commitments remained minimal from the early 1990s until 2002, the aid message changed significantly after the death of Mobutu and discouraged political entrepreneurs seeking non-state avenues of action. The resumption of macroeconomic program lending under Joseph Kabila virtually brought the state back to solvent life.⁷⁰ Paradoxically, the allocation of foreign aid to sovereign states is to some extent a post-cold-war feature. During the cold war, aid was more easily given to rebel groups when they rose against clients of the other super-power. Congo's rebel groups are therefore casualties of the unipolar world in their failure to be seen as worthy recipients of non-humanitarian aid. This is one more dimension in which the globalized world helps reproduce the nation-state more than was true under Cold War conditions.

Similarly to foreign aid, investments too are conditional upon territorial integrity if only to the extent that integrity provides sovereignty which in turn opens up avenues of insurance and arbitration for foreign investors. Despite all the talk about the informalization, if not criminalization, of international transactions in the wake of globalization, sovereignty has remained a crucial parameter for foreign investors in Congo. Very few agreements were made between foreign companies and the AFDL in the 1996-1997 period before the overthrow of Mobutu, and the few that were made occurred at a time when its eventual victory and control of the sovereign state was no longer in doubt. Similarly, hardly any foreign investment has taken place since 1998 in rebel-controlled territories, apart from those of sovereign actors themselves, such as Rwanda, Uganda, and the companies linked to their political elites.

Much noise was made in April 1997 of the financial agreement signed in the middle of that month between Kabila's AFDL and Jean-Raymond Boulle's American Mineral Fields (AMF), an Arkansas-based company listed on the Toronto stock exchange.⁷¹ The agreement, which involved construction of a copper and cobalt

⁷⁰ See Nicolas van de Walle (2001) and Chabel and Daloz (1999) for arguments on the ways in which adjustment lending promotes the reproduction of African states.

⁷¹ See Christopher Ruddy. "Firm from Clinton's hometown has deal with Zaire rebel Chief," *Tribune-Review*, 16 May 1997; Howard French. "The Great Gold Rush in Zaire," *New York Times*, ____ 1997, A6; *Africa Research Bulletin*, April-May 1997, 13003; Economist Intelligence Unit. *Zaire: Country Report*, 2nd quarter 1997.

treatment plant in Kolwezi (\$200-\$220m), the rehabilitation of a cobalt plant at Kipushi (\$30m) and the building of a zinc production plant also at Kipushi (\$550-650m), was generally seen as a case of international investors dealing with a warlord to exploit local natural resources (an idea fostered by the fact that Boulle frequently let Kabila fly in his private jet). Yet, as mentioned earlier, this agreement occurred only one month before the fall of Kinshasa, and not before both Lubumbashi and Mbuji-Mayi had fallen into AFDL hands, sealing the fate of the Mobutu government. In essence, AMF was dealing with a future sovereign entity, beating the AFDL's formal control of the state by a few weeks in order to guarantee better access to its market.⁷² Nor was AMF alone at the time. Whereas no investment deals had been struck between the AFDL and foreign companies since the beginning of the rebellion in August 1996, *Africa Research Bulletin* spoke of a "race for concessions" in its April-May 1997 issue. After the fall of Lubumbashi on April 11, foreign operators, reassured that the AFDL would soon inherit sovereign power, came in droves, as the AFDL began "negotiating the calls for tenders on mining contracts." In addition to AMF, Anglo American (a South African company) also tendered at the beginning of April for two projects with Gécamines (the exploitation of the Ruashi-Etoile copper field near Lubumbashi and a joint venture with Union Minière for a waste reprocessing plant at Kolwezi). Other South African groups, including diamond giant De Beers and Johannesburg Consolidated Investments sent delegations to Lubumbashi in April. Earlier in the month, Adolf Lundin of Canada's Eurocan had visited Kabila in Goma to discuss investments at Tenke Fungurume in Katanga.⁷³

Foreign companies were also still dealing with Mobutu up until early 1997, several months after the beginning of the AFDL rebellion, at a time when most of the east of the country was already firmly beyond the physical reach of the state. On November 20, 1996, for example, the same Eurocan Ventures whose CEO visited Kabila in Goma in April 1997, had announced the signing of an investment convention with Gécamines together with a fiscal agreement with the Mobutu government, according to which Eurocan was to acquire a 55% participation in the Tenke Fungurume mine in exchange for \$250m. The Tenke Mining Corporation, a joint venture of Gécamines and Eurocan, was set up on that occasion and committed to realize a feasibility study.⁷⁴ Similarly, Banro Resource Corporation signed a mining convention with the Zairean government as late as January 1997, setting up a new company, the Société Aurifère du Kivu et Maniéma (SAKIMA), of which Banro owned 93% and Zaire 7%, in exchange for a \$15m investment.⁷⁵

Since 1998, the RCD-Goma and MLC rebel organizations have not demonstrated more success in attracting and obtaining foreign investments in the territories under their control.⁷⁶ In fact, a review of all issues of *Africa Research*

⁷² Bear in mind, in addition, that the Congolese government rescinded the deal in December 1997, after pressures from Gécamines, suggesting that there was still an important residual risk in dealing with a future sovereign entity that did not yet control the different interest groups associated with mining and the state.

⁷³ *Africa Research Bulletin*, April-May 1997, 13003.

⁷⁴ Jean-Claude Willame. 1999. *L'odyssée Kabila*. Paris: Khartala, 80-81.

⁷⁵ *Africa Research Bulletin*, January-February 1997, 12905. Not surprisingly, the Kabila regime later expropriated Banro and dissolved Sakima. The case was referred in March 1999 to the International Center for the Settlement of Disputed Investments (*Africa Research Bulletin*, May-June 1999, 13925).

⁷⁶ The only dealings between the RCD-Goma and foreign companies (such as Belgium's Cogecom and Germany's Masingiro) relate to trading rather than investment contracts. See International Peace Information Service. *Supporting the War Economy in the DRC: European Companies and the Coltan Trade*. Antwerp, 2002.

Bulletin: Economic, Financial and Technical Series, from late 1998 to the end of 2001, revealed only one international transaction between the RCD and a foreign company, the First International Bank of Grenada (FIBG), which, as discussed earlier, did not reach fruitful completion. In contrast, Heritage Oil, a Canadian company, announced in June 2002 that it would soon begin drilling in eastern Congo, in territories broadly under Ugandan control. This announcement occurred, however, after rebel leaders Jean-Pierre Bemba and Mbusa Nyamwisi started negotiating with the Kinshasa government for a coalition government, and received the approval of the government. Like the AMF deal in 1996, it represents therefore a case of anticipation of government sovereignty, rather than a pure deal with rebel authorities.⁷⁷

The interests of risk-minimizing foreign investors reinforce the incentives for territorial integrity and those for the preservation of international sovereignty faced by the Congolese. While the informalization of trade and investment relations over the last decade has made it easier for foreign investors to strike individual deals with local strongmen and eschew the state and national regulations, they have continued to prefer trading and investing with local counterparts who can avail themselves of the mantle of state sovereignty, because sovereignty mitigates some of the risks they face and compares favorably to the uncertainty associated with dealing with warlords.⁷⁸

More important than private foreign entrepreneurs have been the sovereign foreign investors who have operated in both rebel- and government-controlled territories since 1998. Rwanda has been actively exploiting the resources of the provinces formally under the control of RCD-Goma. In 1999, it was estimated to have grossed some \$320m from its operations in Congo.⁷⁹ Ugandan forces have helped themselves to the resources of eastern *Orientale* province which has come under the alternating political control of Bemba's MLC and Mbusa Nyamwisi's RCD-Mouvement de Libération. Zimbabwe, meanwhile, has established economic control over the Kasai provinces and much of Katanga's mineral deposit areas. In the Kasai capital of Mbuji-Mayi, Zimbabwean troops until recently physically occupied the alluvial mining grounds of the formally state-controlled diamond company MIBA. In Katanga, a Zimbabwean, Billy Rautenbach, was appointed director of the mining giant Gécamines from 1998 to 1999. Despite their general disregard for Congo's integrity and their undermining of its effective sovereignty over its natural resources, these strategies of "resource colonization" by regional power have not promoted separatist, irredentist or other movements of self-determination.⁸⁰ Despite the reorientation of their economic links with the southern African region, Katanga and the Kasais have remained firmly anchored under Congolese government control. And, in the east, neither Rwanda nor Uganda has tried to parlay its economic exploitation into a reconfiguration of state structures.

The reasons for the simultaneous persistence of the Congolese state with its economic dismemberment vary from region to region. Their common feature, however, is that the preservation of the state is always an essential component of the profit-maximization strategies of the main protagonists. In the case of Rwanda and Uganda, the essential feature of their economic exploitation of Congo is its direct nature. The Rwandan Patriotic Army and the Ugandan People Defense Forces

⁷⁷ See IRIN. "DRC: Oil drilling in east set to start in August," Nairobi, 26 June 2002.

⁷⁸ See Jan Gorus. 2000. "Violence in Katanga." In D. Goyvaerts (ed.). *Conflict and Ethnicity in Central Africa*. Tokyo: Tokyo University of Foreign Studies, 105-126.

⁷⁹ *Final Report of the UN Panel of Experts*..., 15.

⁸⁰ Global Witness. *Branching Out: Zimbabwe's Resource Colonialism in Democratic Republic of Congo*. A Report by Global Witness, February 2002.

operate directly in Congolese territory and their private partners tend to be Rwandan and Ugandan businesses. Both the Congolese state and the rebel authorities are bypassed in these deals. In fact, the recent *Final Report of the UN Panel of Experts...* does not single out a single rebel leader in the foreign exploitation of Congo's natural resources, in contrast to the numerous government figures. It is not that rebel strongmen do not exploit their region of political control. They do. Rather, it is that their strategies of exploitation are not integrated with those of the occupying forces and are, in fact, residual to the latter. In the late 1990s, for example, it was estimated that two thirds of the output of coltan from the Kivu provinces was directly flown to Rwanda from the digging sites, while the RCD-Goma was left to scramble for control and taxing of the remainder of the production.⁸¹

The direct economic exploitation of Rwanda and Uganda has had two consequences. First, neither Kigali nor Kampala has wished to encourage the institutional development of their respective Congolese rebel counterparts, as their direct exploitation benefits from the absence of capable institutions. A weak Congolese state and weak rebel groups, unable to effectively assert their territorial and administrative controls, provide optimal conditions for the Rwandan and Ugandan economic strategies.⁸² As a result, these rebel movements have not taken on the proto-state characteristics typical of self-determination movements, nor have they developed political agendas of state substitution. Second, the direct exploitation of Congo's eastern region by Rwandans and Ugandans has triggered a nationalist reaction by local populations which has made it all but impossible for any rebel authority to develop a separatist agenda. In the case of Rwanda, the unique combination of economic reorientation of the Kivu provinces and of the ethnic similarities between the Congolese rebel leadership and the Kigali ruling elite has not therefore led to the often feared and denounced irredentist scenario. Rwanda's transnational cultural linkages with the Banyarwanda populations of eastern Congo have not resulted in a common economic and political agenda. The Congolese Banyamulenge have, by and large, been manipulated by Rwandan authorities. Increasingly aware of this, some of them, under the leadership of former RCD-Goma Commandant Masunzu, actually joined resistance movements to the Rwandan occupation in March 2002.

In the case of the Zimbabwean occupation of the mineral areas of Kasai and Katanga, there has been systematic collaboration with members of the Congolese government in the exploitation of Congo's natural resources. These formal "joint ventures" between the Congolese state and Zimbabwean entrepreneurs have put a premium on the reproduction of the weak state in these regions. For the Congolese elites, the weak state facilitates the conversion of their formal public functions into private gains. For the Zimbabweans, it provides a seal of legality to their business deals. The economic appetites of Congolese and Zimbabwean political elites account therefore for much of the Congolese institutional rigidity, in contrast to the business informality and criminalization that prevail on the ground.

⁸¹ Stephen Jackson, *op.cit.*

⁸² This parallels Reno's argument that warlords avoid building institutions that could take on autonomous interests. See Reno 1998:147. See also Reno. 2001. "How Sovereignty Matters: International Markets and the Political Economy of Local Politics in Weak States." In Callaghy, Kassimir and Latham (eds.). *Intervention and Transnationalism in Africa: Global-Local Networks of Power*. Cambridge: Cambridge University Press, 197-215.

While the economic interests of the Zimbabwean regime in intervening in the DRC are now well known,⁸³ lesser known until the recent publication of the *Final Report of the UN Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth of the Democratic Republic of Congo*, were the advantages that the Congolese government and elites derived from it, aside from the defense of the country's territorial integrity. The economic activities of Zimbabwe and the Zimbabwean armed forces in Congo are generally run as joint ventures with Congolese government elites. The Zimbabweans benefit from the legal status of their official state partners, while the Congolese convert their official functions into rental havens. Both groups benefit therefore from the maintenance of the state, and Zimbabwe, particularly, does not have any incentive to promote the rise or regional identities in support of its economic network in southern Congo. On the contrary, it finds more merit in dealing with a sovereign state.

With great irony and a profound understanding of the benefits of sovereignty, the company set up by the Zimbabwean armed forces to represent its commercial operations in Congo is called Operation Sovereign Legitimacy (OSLEG). Since 1998, it has entered into several joint ventures with another paragon of state deception, Comiex-Congo, a firm partly owned by the family of Joseph Kabila and set up by his father. Together OSLEG and COMIEX have created a Congolese subsidiary named COSLEG. COSLEG, in turn, is behind SOCEBO, the biggest ever logging operation in the history of Congo, which was granted an 85m-acre concession by the Congolese government in August 2001.⁸⁴ In other words, Zimbabwe's military intervention in defense of the the Congolese state has generated opportunities for Congolese and Zimbabwean elites to convert state control and state assets into private profiteering opportunities.⁸⁵ It is the very weakness of the state that made it vulnerable to foreign aggression by Rwanda and Uganda and justified Zimbabwean intervention. It is its very sovereignty that allows for this conversion of defense policy into private profit.

The Congolese are not helpless exploited victims in this arrangement. Zimbabwe extracts in fact a very little price from them for its intervention. The Congolese political elite could not indeed set up investment operations of a sufficient scale on their own to exploit many of the natural resources of Katanga or Kasai. Their joint ventures with Zimbabwe allow them to privately realize gains from their legal control of state assets that they could not otherwise exploit. Hence, OSLEG's operations also benefit COMIEX. This is not only true in the case of SOCEBO's timber business, but also applies to Sengamines, another joint venture between OSLEG and COMIEX. In 2000, Sengamines was awarded Miba's alluvial deposits of diamonds at Senga-Senga and its kimberlite mine at Tshibwe, in a government-mandated transfer from Miba.⁸⁶

More often than not, Congolese elites have the upper hand in these business deals, and extract immediate resources from the Zimbabweans. The agreement with Zimbabwe's Rautenbach for example, was that "Gécamines' core mineral assets [were] assigned to Rautenbach's Ridgepointe [company], *in which Congolese officials have an equity stake*" (emphasis mine).⁸⁷ It was apparently because the Congolese government was not getting as much as it hoped from its deal with Zimbabwe that

⁸³ Michael Nest. "Ambitions, Profits and Loss: Zimbabwean Economic Involvement in the Democratic Republic of Congo." *African Affairs*, 2001, 100.

⁸⁴ See Global Witness, *op.cit.*

⁸⁵ See also *Final Report of the UN Panel of Experts...*

⁸⁶ *Africa Research Bulletin (Economic Series)*, Sep-Oct 2001, 14928.

⁸⁷ *Africa Research Bulletin (economic Series)*, Dec 1999-Jan 2000, 14192.

Billy Rautenbach got sacked from running Gécamines in November 1999 after having been appointed in November 1998. For sure, the appointment of Rautenbach was supposed to benefit Zimbabwe, both directly and through the percentage of the government share that was earmarked for reimbursement of military spending and loans by Zimbabwe. But there still remained a substantial part of revenues that was supposed to accrue to the Congolese government. According to *Africa Research Bulletin*, Rautenbach was let go because Congolese “ministers criticize[d] Rautenbach’s management of state-owned Gécamines for not generating enough revenue for the government.”

While the rules of the post-cold-war era in Africa have facilitated the violation of boundaries, a once sacro-sanct principle of inter-state relations in Africa, they have not promoted a redefinition of nation-states. The cases of Ugandan, Rwandan and Zimbabwean interventions in Congo demonstrate indeed the extent to which the violation of the state’s territorial integrity combines with the preservation of its sovereign shell to generate unusually profitable conditions for both invading and invaded political elites.

After the UN system, aid donors, foreign investors and regional powers, the existence of a Congolese diaspora could also constitute a potentially important factor in affecting the formation, spread and consolidation of sub-national identities and self-determination movements in Congo, not least because diasporae often serve as both cultural and financial vectors for local identities. This is not the case in Congo, however. According to Michael Schatzberg, writing in 1990, Congolese “external opposition is insignificant [...] Living for the most part in Brussels and Paris, broad coalitions of exiles spend as much time squabbling with each other as they do opposing Mobutu.”⁸⁸ The same is very much true today vis-à-vis the Kabila regime. Although the Congolese diaspora in Belgium and France has a relatively high cultural profile, it is neither politically unified, nor does it represent one region or ethnic group more than another. For a while, under Mobutu, the Kasai regions were probably more represented in the diaspora, but their nationalist profile (due to the penetration of Kasaian educated elites in most other regions, a consequence of colonial policy) restrained them from articulating self-determination agendas. The neo-patrimonial logic of rule also made many of them await their turn to integrate or re-integrate the state system. For those who remained on the outside during the entire Mobutu years, the arrival of Kabila’s regime in 1997 represented a new opportunity to join the state. Much of the AFDL leadership and subsequent Kabila governments were indeed composed of Congolese from abroad. The Congolese diaspora has also been formally represented in the Inter-Congolese Dialogue that has been going on (and off) since 1999. In short, the devotion to the Congolese state applies to the diaspora as much as to those who have remained in Congo. This is considerably different from cases like Sri Lanka or Somalia where ethnically homogeneous diasporae have maintained the spirit of regional self-determination movements alive and financed their war efforts.⁸⁹ The Congolese diaspora also differs from these two other cases by its origins, for it is not the result of people seeking refuge from conflict or group persecution. Rather it consists of political opponents, young future elites educated in Western universities and awaiting propitious conditions for their return, or traders. The former two have a vested interest in maintaining the state. As for the latter, Janet McGaffey and Rémy Bazenguissa-Ganga have suggested, in their study of these international trader

⁸⁸ Michael Schatzberg. *Mobutu or Chaos? The United States and Zaire, 1960-1990*. Lanham, Md: University Press of America, 1991, p.54.

⁸⁹ See the chapters by Venugopal on Sri Lanka and Reno on Somalia in this volume.

communities, that these people have created ‘a world of their own in which they reject both legal economic activity and the value system of society in which they carry out their extra-legal activities.’⁹⁰ Yet, these traders directly benefit from the weak state too, as it allows them to bypass controls and regulations. Their resistance to the state, if any, is therefore essentially passive and does not constitute the foundation of an alternative identity. Nor do remittances from Congolese abroad seem to support the political mobilization of any specific group in Congo. According to a study by Claude Sumata, remittances from Congolese abroad have in fact alleviated poverty in Congo and facilitated local entrepreneurial activity, by and large contribution to a reduction in economic grievances against the state and providing the latter with an additional safety valve.⁹¹

The only significant potential diasporic opposition, organized along ethnic lines and displaying historical grievances vis-à-vis the state, is the Katanga *Tigres* and the related structures of political authority among the Lunda of Angola, Zambia and Katanga. The *Tigres* of the *Front National de Libération du Congo* (FNLC) are the descendants to the Katanga *Gendarmes*, the troops that fought for the secession of the province from 1960 to 1963. After their defeat by UN forces in 1963, the Katanga *Gendarmes*, mainly composed of ethnic Lundas, fled to the Lunda provinces of Angola. Many came back to serve in the national army of Congo in 1964-65, when Moïse Tshombé was prime minister, but his waning political fortunes later led to their repression and they again sought the path of exile. When Angola became independent in 1975, they began serving as a paramilitary force for the ruling MPLA and contributed to repelling the Zairean-FNLA invasion of July 1975. The MPLA used them thereafter to protect its borders from UNITA incursions, to guard diamond mines, and in special operations such as the war in Congo Brazzaville in 1997, maintaining them as a quasi mercenary force, a sort of *Légion étrangère* out of special extra-budgetary accounts. They contributed to the AFDL war in 1996 but were apparently disenchanted by the nature of their integration in the Congolese army and Rwandan control over the armed forces, and made once again the trek back to Angola. They are currently estimated to number between 5,000 and 7,000.⁹²

Because of Angola’s support for the current Congolese regime and the end of its own civil war in 2002, the question of the status of the *Tigres* has taken on a new salience recently. Both government have been discussing a possible reintegration of the *Tigres* into Congo’s army. Symptomatically of the Congolese political system, the *Tigres*’ own political agenda no longer involves a particular political project besides rejoining the fold of the state on acceptable terms, despite their numerous years in exile and their nature as an armed Lunda diaspora. Angola has apparently put pressure on the Congolese authorities for granting them land and decent pay (they reportedly make \$200 a month in Angola, which compares with about \$10 a month for Congolese troops). But they appear to have no other political ambitions and to no longer conceive of their self-determination away from the state. In fact, their main political leaders, including Nathan Mbumba who was in charge of their invasions of Shaba in 1977 and 1978, and their current secretary-general Henri Muka Tshung, live

⁹⁰ Janet McGaffey and Rémy Bazenguissa-Ganga. *Congo-Paris*. Bloomington: Indiana University Press, 199_, p.10.

⁹¹ Claude Sumata. “Migradollars and Poverty Alleviation Strategy issues in Congo (DRC),” *Review of African Political Economy*. Special Issue: Democratic Republic of Congo, September 2002, forthcoming.

⁹² Most of the information on the *Tigres* is from two interviews, one with a visiting Western scholar in Katanga, the other with a Western diplomat in Kinshasa, both of which took place in April 2002.

in Kinshasa. They are trying to parlay their military leverage into access to the state, irrespective of their past issues of cultural specificity. The collaboration of the Lunda emperor, the Mwaant Yaav, with the past and present regimes (both of which have repressed Lunda political aspirations), currently as a member of parliament, follows the same logic of exchanging local power (based on tradition rather than force in this case) for access to a parcel of state resources. It is the only reasonable option available to these political actors, if they wish to maximize power and resources, as a result of the development of the centralized state as the most profitable avenue to resources.

This also explains why the reinsertion of the *Tigres* is such a crucial question for the government at this stage as they could revert to violence to negotiate a better deal for themselves if current talks fail. They are rumored indeed to have been approached by Katebe Katoto, a Katangan businessman of mixed Congolese and Greek descent, who has declared his ambitions for the presidency, but who will most likely find his mixed racial background to be an obstacle to his political aspirations, making him likely to seek an alliance with the *Tigres* to pursue his goal militarily. At any rate, the contemporary behavior of groups that should be most associated with the separatist idea illustrates the rationality of the nationalist preference for power and resource maximizers.

The findings from this section suggest that global cultural and economic influences have failed to affect the benefits of sovereignty and the subsequent nationalist calculus of Congolese elites. The global norm that whatever political authority inherits the postcolonial African state is automatically imbued with international sovereignty, whereas secessionist governments are not, remains the most important cultural flow in shaping the contours of struggles of self-determination in Congo. Hence, the paradox that a state as culturally heterogeneous, resource-rich, and grossly malevolent as Congo does not generate credible self-determination movements but produces instead an apparently irrational nationalist fervor. As the previous evidence suggests, the irony of Congolese nationalism and of its anti-partition discourse is that they set the stage and provide the mechanism for the private dismemberment of Congo's assets. Congo is maintained so that it can be emptied of its substance. But then, how does Congo's cultural diversity express itself? Where do sub-national identities find cultural and political outlets?

5. Why Ethnic Salience Does not Translate in Ethnic Self-Determination

Strategies of state-as-resource, whether instrumental or intrinsic, and their attendant nationalist expressions, preclude the voicing of local cultural identities, which are then left to find outlets in demands for federalism and in "tribal" clientelism, differentiation and polarization. The popular "flow and closure" argument, according to which the uncertainties of globalized flows lead to the reinforcement of local identities as closure mechanisms, does not quite apply in Congo.⁹³ On the contrary, it is the incentive for the maintenance of the Congolese state, rather than its dilution through global informal markets, that leads to the perpetuation and magnification of parochial identities. Nationalism dialectically generates ethnicity.

For the Congolese, the demand for federalism is an expression of identity differences that remains within the realm of the politically feasible, as opposed to separatism. It represents an attempt to reconcile the existence of Congo with

⁹³ Although De Boek identifies such an effect among the diamond-trading Lunda astride Congo and Angola, in Birgit Meyer and Peter Geschiere (eds.). 1999. *Globalization and Identity: Dialectics of Flow and Closure*. Oxford: Blackwell Publishers.

aspirations for emancipation from its domination. As such, federalism is usually popular with public opinion and with opposition politicians (who perceive it as an opportunity to play a local power card without threatening the overall system and losing the benefits associated with sovereignty). Indeed, every time the Congolese have an opportunity to express themselves in relatively non-threatening environments, they voice their desire for federalism. This was the case at the *Table-Ronde* in Brussels in 1960, though colonial influence managed to maintain a dose of unitarism in the system. The Antananarivo Conference of March 1961 resulted in a proposal for a loose confederation in which each province was largely autonomous but under one foreign policy. It happened again in 1964 with the never-implemented Luluabourg Constitution, which created 22 quasi-federated provinces. The 1992 Sovereign National Conference also overwhelmingly approved federalism for Congo.

Yet, once in power, politicians typically repress such aspirations in order to avoid any dilution of their authority and the rise of independent sources of institutional power, and instead impose unitary structures, usually with the support of western donors. As a Katangan informant put it, “*Quand on va manger à Kinshasa, c’est fini.*”⁹⁴ Lumumba in 1960, Mobutu in 1965, and Kabila in 1997 all proceeded from the same logic of power and tried to put an end to democratic expressions of cultural differences in Congo. Popular attitudes adjust to these realities of power. Whereas pro-federalist attitudes are the default among the Congolese, these preferences are usually toned down when central authority is effective or at least able to marginalize any federalist discourse. Since the beginning of the latest war, in 1998, successive Congolese governments have also successfully associated demands for federalism with separatist agendas, with the consequence that outspoken federalists---as the RCD-Goma and its feared “provincial assemblies”---are now labeled anti-Congo. As a consequence, pro-federalist sentiments in Kinshasa’s public opinion polls have fallen from 41% in May 1998, to 33% in December 2000, and 23% in January 2002.⁹⁵ The politically acceptable discourse now, even among opponents and members of civil society, calls for federalism *after* the hypothetical transition from the current regime to a reunified Congo with a democratically elected government, or for a “unitary but strongly decentralized system,” as the expression goes.

The elusiveness of the federal option has stifled the expression of local identities and relegated them to parallel social networks which the nationalist discourse stigmatizes as “tribalistic” and which, while serving the interests of their members, fail to translate their aspirations into a self-determination project, converting them instead into parochial strategies of access to state power and resources. Such strategies imply either a dynamic process of identity differentiation as justification for claims to participate in the system, or a process of polarization of local groups as they compete for state-controlled resources. Paradoxically, then, the very centralization of the nationalist state triggers local dynamics of ethnic differentiation and polarization that lead to ever narrower definitions of identity.

The Chokwe of Katanga illustrate the logic of ethnic differentiation. The Chokwe, who originate in Angola, spread through the south-western region of Katanga in the 18th century and eventually became geographically and culturally close

⁹⁴ “When you go eat in Kinshasa, it’s over.” Anonymous interview (02/9), Lubumbashi, April 2002.

⁹⁵ BERC reports, May 1998, December 2000 and January 2002. Note, however, that federalist sentiments remain stronger outside Kinshasa and amounted to 73% in Mbuji-Mayi and 53% in Lubumbashi in May 1998, despite Kabila being Katangan. There are no more recent data outside of Kinshasa, however.

to the Lunda with whom they have considerable spatial overlap and similar interests.⁹⁶ Yet, while some Chokwe participated with the Lunda in CONAKAT in the 1960s, most of them chose to stay away from the Lunda-dominated party and instead marked their difference by joining the nationalist Balubakat-dominated *Cartel Katangais* as part of ATCAR, the *Alliance des Tshokwé du Congo, Angola et Rhodésie*. Although both the Lunda and the Chokwe are now politically marginalized and suffer from the hegemony of the Balubakat in Katanga, the Chokwe have continued their policy of self-dissociation from the Lunda while the latter, who benefit from greater recognition and whose emperor is a member of parliament, claim to have traditional authority over the Chokwe.⁹⁷ It makes sense for the Lunda, who have some limited access to power, to claim representation of the Chokwe so as to increase their demographic weight and consequent demands on state resources. For Chokwe elites, on the other hand, it equally makes sense to reinforce their groups' cultural difference so as to seize control of their own representation and bypass the local mediation of the Lunda in their access to state resources.

The current socio-political organization of the Chokwe in Katanga reflects this strategy of ethnic differentiation as a clientelistic organizational principle for access to networks of power and resources. Like many other Congolese groups, the Chokwe are organized in a mutual welfare society, the *Mutuelle Culturelle Kulivwa*. This association is not to be confused with a traditional organization, and Chokwe chiefs are not represented in its structures. Rather, it is a cultural association of modern elites, a lobbying organization for the betterment of mostly urbanized and educated individuals sharing Chokwe cultural identity. Its leadership is composed of a lecturer at the University of Lubumbashi, two managers at Gécamines, a lawyer and former minister of Mines under Mobutu currently setting up a new political party, a retired civil servant, the former director of Katanga's central prison under Moïse Tshombe, and a former secretary of the Ministry of Interior under Mobutu.⁹⁸ In other words, these are either former political elites, sidelined by current power configurations, or economic elites suffering from the marginalization of Katanga's main parastatals. Either way, they are relative outcasts of the system, suffering from a loss of political access. The *Mutuelle* is their organizational response to this loss, and it is based on ethnic solidarity and on the reinforcement of the projection of their cultural identity, mostly in the form of differentiation from the Lunda. This organization is essentially clientelistic as the *Mutuelle* structures its members' access to state resource as a group. It negotiates and lobbies for their participation in the system, but does not challenge it. As its leadership affirms,

given the weakness of the state, people fall back on tribal associations. The *Mutuelle* brings us all together now in mutual solidarity [*entraide*], cultural preservation, and defense of our interests. The *Mutuelle* is a member of the *Fondation Katangaise*, a grouping of *mutuelles* from the province. The *Fondation* is a reconciliation institution, which helps mediate between different associations [...] It also intervenes for pressuring authorities into appointing our members.⁹⁹

⁹⁶ James S. Olson. *The Peoples of Africa: An Ethnohistorical Dictionnary*. Westport, Ct: Greenwood Press, 1996; Jean-Félix Kakwata Mwalukesu. *Histoire du peuple tshokwe*. Lubumbashi, May 1999. Unpublished Manuscript.

⁹⁷ Interview with Mwaant Yaav, Lubumbashi, April 2002 (verify).

⁹⁸ Chokwe *Mutuelle*. Group interview in Lubumbashi. April 2002.

⁹⁹ Chokwe *Mutuelle*. Group interview in Lubumbashi. April 2002.

Mediation is necessary among the *Mutuelles* to the extent that they compete for the same state-sponsored resources, chiefly among which is public employment. This competition leads to increased cultural differentiation among these groups and undermines national and provincial identities. As part of this strategy of cultural differentiation, *Kulivwa* has sponsored the writing of a book on the history of the Chokwe people and is planning a Chokwe museum.¹⁰⁰ The book and the museum project are part of an effort of cultural preservation, a reinvention and imagination of Chokwe identity in today's Congo.

Yet, *Kulivwa* does not stand in opposition to the state as an organization of alternative action. It does not promote the political expression of Chokwe identity as a matter of cultural self-determination. On the contrary, its members all individually operate in the margins of state power. Rather than affirming their existence as a group vis-à-vis the state, as would a self-determination movement, they do so vis-à-vis other local groups in order to single out the merits of their claims to association with the state. For the Chokwe, the main competitor are the Lunda, which are often believed to be an umbrella group exerting authority over them. The writing of its history by the Chokwe is an exercise in denying this assimilation. "The way history was written before is like a type of repression," complain the members of *Kulivwa*. "Our history is always drowned in that of the Lunda."¹⁰¹ The book stresses that the Chokwe are not under the authority of the Lunda's Mwaant Yav and recounts how, in 1885, they even captured the Mwaant Yav's capital city. It also offers a chronology of the Chokwe chiefs and attempts to belittle the reach of Lunda authority by arguing that Angola's Lunda are in fact a different group (another instance of self-differentiation as the Chokwe themselves originated in Angola).

This pattern of cultural self-affirmation aimed at other groups rather than at the state simultaneously reinforces the continued existence of the weak state and promotes parochial polarization. Tribalism and the state are thus reproduced at the same time. The Chokwe are but one example of this phenomenon. Across Congo, *mutuelles* are the expressions of the clientelistic dimension of *tribalisme*, its institutionalized façade, as they offer their support to politicians in exchange for the redistribution of state resources to their members. According to Maurice Etukomalu, chair of the Topoke's *Isonga-Songa Mutuelle* in *Orientale* Province, "Any politician who wants a solid foundation has to go through us." Just as *Kulivwa* is complacent vis-à-vis the state, *Isonga-Songa* does not challenge the rule of the RCD-Goma in Kisangani. On the contrary, they see the rebels as their pathway to the spoils of power and simply ask to be taken into account: "We are a force capable of giving a foundation to the RCD."¹⁰²

In other instances, however, ethnic identities lead to more violent polarization. This is usually the case when scarcities are more pronounced, as in the Kivu regions where demographic pressures were compounded by refugee flows from Rwanda in the 1990s. Rapid population growth led to difficult issues of land allocation, particularly critical in this agricultural region. The identity problem in Eastern Congo has already been well researched.¹⁰³ The questions to be addressed here are the

¹⁰⁰ Kakwata Mwalukesa. *Op. cit.*

¹⁰¹ Chokwe *Mutuelle*. Group interview in Lubumbashi. April 2002.

¹⁰² Interview with Maurice Etukomalu, Chair of *Isonga-Songa Mutuelle*, Kisangani, November 2001.

¹⁰³ On the identity question in Eastern Congo (which is linked to the Great Lakes conflicts), see, among others, Mahmood Mamdani. 2001. *When Victims Become Killers*. Princeton, NJ: Princeton University Press; René Lemarchand. "Patterns of State Collapse and Reconstruction in Central Africa: Reflections on the Crisis in the Great Lakes Region," *Afrika Spectrum*. 1997, 32(2), 173-193; Jean-

relationship between the reproduction of the national state and ethnic violence in the Kivus and the degree to which this ethnic violence can be associated with attempts at political self-determination.

Although identity relations in Eastern Congo are very complex and cannot be collapsed into a single explanatory framework, political violence in the Kivus is at least partly about access to state power, and less about cultural self-determination than may appear at first. The Congolese Tutsi known as the Banyamulenge are fighting for their reinsertion into the Congolese political system, from which they were originally outcast under the Mobutu regime. While the Congolese authorities' attitude towards the Banyamulenge derive in large part from regional politics, and particularly from Congo's relations with Rwanda and Uganda, the Banyamulenge's own agenda remains overwhelmingly domestic and parallels but does not equate the struggle of the Rwandan Tutsi against the remnants of the Hutu-based Habyarimana regime. Transnational linkages and cultural similarities do not translate into irredentism or other forms of attempts at self-determination for the Congolese Tutsi. Rather, the appeal of the state remains the prevalent motivation, focusing their struggle on the question of citizenship and linking local violence with moments of power redistribution in Kinshasa.

There are essentially two types of Banyarwanda in the Kivus. One group is constituted of the descendants of individuals---both Hutus and Tutsis---who migrated and settled there before or during Belgian colonization. A second group is composed mostly of the Tutsi (and their children) who escaped the Hutu revolution in Rwanda in 1959. A 1972 law conferred Congolese citizenship to Banyarwanda who had been in Congo since 1950, leaving the second group as foreigners. In 1981, however, a new law stripped all Banyarwanda of their citizenship, apparently as a consequence of the declining influence of the Banyamulenge in the Mobutu administration.¹⁰⁴ This law was confirmed in the early 1990s by the transition parliament appointed by the National Sovereign Conference. The situation at the beginning of the 1990s was thus characterized by a fragilization of the status of the Banyarwanda in Eastern Congo, a demotion among Congolese society characterized by their exclusion from the state system. Earlier in the decade, many among the last wave of Tutsi immigrants had returned to Rwanda or Uganda to join the Rwandan Patriotic Front in its civil war against the Habyarimana regime, somehow solving their own citizenship problem. The long-term Banyarwanda of the Kivus, however, were left vulnerable as outsiders to the Congolese political system.

With the approaching possibility of elections---and, hence, of redistribution of access to state power---, ethnic-based mobilization increased in the Kivus in the early 1990s, mainly along the axis of "autochthonous" populations (such as the Hunde, Nande, Nyanga) against Banyarwanda "outsiders." Violence flared up in the Walikale and Masisi regions of North Kivu in 1992 and 1993 and partly represented an attempt by these "autochthonous" groups to further marginalize the Banyarwanda (already deprived of access to the state by their loss of citizenship) and eliminate them as a

Claude Willame. 1997. *Banyarwanda et Banyamulenge: Violences ethniques et gestion de l'identitaire au Kivu*. Paris: L'Harmattan; Ruddy Doom and Jan Gorus (eds). *Politics of Identity and Economic Conflict in the Great Lakes Region*. Brussels: VUB University Presses, 2000; and B. Mararo. 1997. "Land, Power and Ethnic conflict in Masisi, 1940s-1994." *International Journal of African Historical Studies*. 30:503-537.

¹⁰⁴ Banyarwanda refers to people of Rwandan descent. Banyamulenge is a subset of the Banyarwanda from the earlier waves of immigration, and who settled in the South Kivu region of Mulenge. The Banyamulenge are composed mostly of Tutsi.

contender for land resources. “Heavily armed ex-soldiers” were reported to organize “tribal groups” which moved “from village to village, killing and looting” the Banyarwanda. The relative prosperity of the land-owning Banyarwanda and their outnumbering of autochthonous populations in parts of North Kivu (Masisi and Rutshuru) lied behind the violence, which was made possible---if not encouraged---by the decay of the state security apparatus at the time.¹⁰⁵

The influx of Hutu refugees from Rwanda in 1994 transformed the dyadic “autochthonous”-Banyarwanda conflict into a triadic relationship in which Hutu refugees coalesced with local Hutu populations against both autochthonous and Tutsi. It also dragged the Tutsi-dominated Rwandan government into Kivu politics and created a *de facto* alliance between this government and the Congolese Tutsi against the Hutu refugee populations. Yet, the decision by the Banyamulenge to resort to arms in 1996 was directed first and foremost against the attempts by local Congolese, not Hutu refugees, to dispossess them.¹⁰⁶ Right before the 1996 war began, the then deputy-governor of South Kivu had asked all Banyamulenge to leave the country “within six days of be attacked and killed.”¹⁰⁷ One would be mistaken, therefore, to equate the intentions of the Congolese Tutsi with those of the Rwandan regime, although both found merits in resorting to violence in the Kivu provinces at around the same time in 1996. Yet, what the Banyamulenge wanted was to re-establish by force their local economic rights, and to install a government in Kinshasa that would solve their citizenship problem. Irredentism with Rwanda or the creation of a “Tutsiland” in the Kivus, while ubiquitous scarecrows in Kivu’s political discourse, were not on the agenda of the Congolese Banyarwanda.

Kabila, a Mulubakat, wrestled the leadership of the AFDL from the Banyamulenge and failed to grant them their citizenship demands. In July 1998, eager to boost his fledgling political support at home, he ordered the withdrawal from the country of the Rwandan and Ugandan forces which had helped him seize power and set up a military alliance with Rwandan Hutu militiamen and former armed forces. This once again created a congruence of interests between the Congolese Tutsi and the Kigali regime against the government in Kinshasa and led to the second Congolese war that began in August 1998 and is still unfolding. As before, however, the Banyarwanda, acting through the RCD-Goma, embarked in the war in order to resist persecution, rejoin the fold of the state and improve their local status. They have since pursued their reinsertion by first trying to seize military control of Kinshasa and, when this failed, by entering in political negotiations with the government, under the Lusaka Agreement framework. To improve their local conditions, they have used a mix of domination of local autochthonous populations and re-appropriation of land assets, together with a policy of “reconciliation” and “dialogue” among the different communities of Kivu, whose implicit purpose is the recognition of the Congolese Tutsi as a *bona fide* local community. The organization of an “Inter-Kivutien dialogue” and the takeover of the so-called *Barza* intercommunity councils by the RCD have followed this logic.¹⁰⁸

Both strategies have, however, failed to yield significant successes so far. The Inter-Congolese Dialogue has so far left the RCD-Goma out of the government spoils. Meanwhile, the continuation of violence in the Kivus, principally by the Mai Mai

¹⁰⁵ See Economist Intelligence Unit. *Op. cit.*, 3rd quarter 1993, 28; and 4th quarter 1993, 26.

¹⁰⁶ Rwandan Hutu refugees and Kivu “autochthonous” groups had, however, established some form of anti-Banyamulenge alliance based on their common hatred of that group.

¹⁰⁷ Denis Tull. 2001. “The Dynamics ...”, 6.

¹⁰⁸ Interview with A. Bivigeti, head of Kivu’s *Commission de Pacification*, Goma, November 2001.

who, by and large, represent anti-Tutsi autochthonous groups, betrays the enduring lack of integration and acceptance of the Banyarwanda among other Congolese in the Kivus. The insurgency against the RCD of a dissident Banyamulenge group in South Kivu since March 2002, under the leadership of a former RPF and RCD officer, Commandant Masunzu, reveals the extent of the RCD's political failure on both fronts. The Masunzu rebellion illustrates the eagerness of some local Banyamulenge to dissociate themselves from the RCD-Goma, following its failure to reach power and its deep unpopularity in the Kivus. Ironically, the RCD movement, whose aim was to force the reintegration of Banyamulenge in the Congolese political system, has become a liability to the Banyamulenge. The alliance of the RCD with Rwanda, its forcible implementation of pro-Tutsi policies in the East and its failure to quash local violence and to seize power in Kinshasa have further increased identity polarization in the region and made the Banyamulenge more vulnerable to violence by other groups than at any other time. The vagaries of the RCD-Goma illustrate how, even in the intense, painfully loaded context of identity conflicts in Eastern Congo, the patrimonial logic of state access remains a crucial determinant of political behavior, which contributes to steering the Banyamulenge away from separatist and irredentist agendas. The dispossession by the Congolese state of their status as participants in its system, a blatant case of "horizontal inequality," has not resulted in a will to escape the system but rather in repeated desperate attempts to rejoin it.¹⁰⁹ "Transnational spaces" with Rwanda and the overflow of the latter's ethnic conflict into Congo have created a temporary congruence of objectives but not a common identity between Rwandan and Congolese Tutsis. For sure, political dynamics in Rwanda have changed political dynamics in Kivu, particularly as they have led to the polarization of Hutu and Tutsi communities among the Banyarwanda. Yet, they have led to an increasingly narrow definition of political identities, and an increasingly complex pattern of political violence in the region, rather than to the transnational aggregation of identities in a challenge to the established order.

The weakening of the Congolese state in the 1990s and the continued denial of the federalist option by the Congolese ruling elites created the conditions for a rise in both the clientelistic and violent expressions of ethnic competition. Despite the weakness of the state, however, ethnic politics in Congo has remained a struggle for access to the resources of power. Identity has been instrumental in fighting for state resources, but has rarely conferred the fundamental motivation for political emancipation from the state.

6. Is Congo Different?

The logic of the sovereign state as private resource triggers paradoxical outcomes in Congo. In light of its institutional weakness and its social heterogeneity, Congo would have been expected to fall apart in the era of globalized economic and cultural flows. Congo betrays expectations that link the rise of local identity politics to globalization, as a parochial reaction to global standardization, an expression of the need for local closure in the face of globalized flows.¹¹⁰ What Congo suggests, instead, is that there are alternative coalitions of global forces and domestic factors which promote national identities and repress local ones.

¹⁰⁹ See the chapter by Frances Stewart for a discussion of horizontal inequality and its expected effects on violent self-determination attempts.

¹¹⁰ Meyer and Geschiere. *Op. cit.*

How different is Congo, then, and can anything be learned from it with comparative relevance? While possibly more extreme in its deviances, Congo is not as different from other African states as it may seem. Young and Beissinger have highlighted that, compared to those of post-Soviet Eurasia, for example, African conflicts are generally much more about control of the state than about territorial control. They muse for the whole continent when they notice that “Particularly striking in the large zones of disorder in contemporary Africa is the relative absence of ethnic self-determination.”¹¹¹ There are two *prima facie* explanations for this. First, as suggested by Beissinger and Young, few African states are based on ethno-national project, deriving instead their national identity from territorially defined states. As a result, the status of minority is rarely lived as one of domination at the hands of someone else’s state. Rather, the state is neutrally defined as postcolonial territory and is up for grabs by any group capable of doing so. Second, the sheer poverty of Africa makes state sovereignty one of the prime resources everywhere, and dwarfs the relative returns of alternatives to the state. This is not necessarily true in more industrial countries where competing sources of revenues exist for the leaders of potential self-determination movements, which may affect their cost-benefit analysis of rebellion.

Furthermore, among the few actual contemporary cases of self-proclaimed self-determination movements, several belong to the realm of posturing more than to that of actual challenge of the state. Barotseland secessionists in Zambia, or Casamance separatists in Senegal no longer truly harbor ambitions of breaking away from the state but maintain this discourse as part of their strategies of renegotiating their allegiance to the state or as the justifying discourse of mostly criminal--and no longer political-- activities.

Most cases of political violence in Africa are therefore by and large consistent with the Congolese story. Neither the Liberian nor the Sierra Leonean wars, for example, resulted in self-determination movements, pitting instead factions for control of the state.

The only clear-cut cases of self-determination in Sub-Saharan Africa are a handful: Eritrea, Somaliland, Southern Sudan. They suggest that challenges to the postcolonial African social contract may take place either when there is a historical claim for separate colonial existence (as in Eritrea or Somaliland),¹¹² where there are reinforcing cleavages that magnify grievances and truly create a sense of minority at risk (as is the case in Southern Sudan where race, religion and resource distribution overlap), or where culturally specific diasporas reproduce and crystallize sub-national identities and provide the means for their local political expression (as is the case with Somaliland, or Sri Lanka outside of Africa). In other circumstances, the Congolese model, for all its paradoxical idiosyncracies, may well provide the blueprint of the stifling of self-determination in Africa.

¹¹¹ Mark Beissinger and Crawford Young. “The Effective State in Postcolonial Africa and Post-Soviet Eurasia: Hopeless Chimera or Possible Dream?” in Beissinger and Young (eds.). *Beyond State Crisis: Postcolonial Africa and Post-Soviet Eurasia in Comparative perspective*. Washington, DC: Woodrow Wilson Center Press, 2002, 479.

¹¹² This will affect not so much the intensity of the local grievances but the likelihood of success, since the case of past sovereignty can be made, and will lower therefore the threshold of violent political action, *ceteris paribus*. The colonial distinctiveness argument has also been used, but without success, by Casamance rebels and by Katanga secessionists.