

CONGO FEVER: CHALLENGES TO SOVEREIGNTY IN THE DEMOCRATIC REPUBLIC
OF THE CONGO

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ABSTRACT OF THE THESIS

Congo Fever: Challenges to Sovereignty in the Democratic Republic of the Congo

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The development of a truly globalized world system has meant that understanding the complex political structures of disparate countries worldwide has become increasingly important. The security concerns of countries now have global relevance and global impact, making their study all the more important. This hyper-globalized system has brought with it, as a result, shifting conceptions of sovereignty, legitimacy and the role of transnational institutions, where the question of the role of the international community becomes all the more important. How will it approach, for example, notions of aid, military intervention and economic development in countries with troubled histories? Should it? To what degree does international problem solving become a breach of sovereignty?

The Democratic Republic of the Congo is one such country, with brutal colonization, repressive authoritarian military rule and corrupt democratic governance all elements of its controversial past. The goal of this thesis is to evaluate the Congo's role in the globalized world, particularly in light of the far-from-optimistic outlook emerging from the data and from the established voices in the field of International Affairs, who begin to question the Democratic Republic of the Congo's very existence as

a country and sovereign state. By analyzing the Congo's history and its current state of affairs, this study will first seek to clarify the convoluted legacy of its past, understanding in what way the Congo, as a sovereign state, in being questioned and challenged, and what lessons one can glean from the its evolution as a failed state.

My findings show that the Congo is, in a word, a unique historical and political construct, formed by colonial interests and cold war politics and held together by the sheer force of will of the international community. One could even claim that the Congo can be defined as “a state that never was”, existing in the collective psyche of aid workers, foreign dignitaries and mapmakers. While I see many of the points of such a view, I challenge it, claiming that while the Congo suffers from a great deal of endemic issues, the reality of the Congo is quite different: governmental control is poor-but-within-parameters in the western areas of the country and utterly non-existent in the east. The Congo, as a failed state, is not a single immutable object, but rather a massive collective that requires a more nuanced interpretation than simply labeling it a non-existent state, or a failed state. Given the uniqueness of the situation, I am led to the conclusion that the Eastern Congo has become what I define as a “Non-Governed Region”, a region falling under the purview of the national sovereignty of a nation that is incapable of providing basic services and security to its citizens, which must then be provided by the international community in the form of development assistance and peacekeeping. In order to maximize effectiveness in state-building, peacekeeping and basic development, a new conception of the country is required under this framework. This thesis will provide both a definition and complex understanding of what is meant by

this new term, and, in a comprehensive study of the Congo's history and its political concerns, attempt to contextualize and ground this new idea.

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Introduction: A Taxonomy of Conflict

In order to understand the nature of conflict in Congo, it is imperative to understand the nature of the country itself. Not merely its history, but its ethnic makeup, its geographic traits, its taxonomy and its ecology. To truly comprehend the characteristics of a state which has been in conflict, to varying degrees, for three-quarters of a century if not more, one must comprehend the key features that define it and make it unique. The Democratic Republic of Congo is, first and foremost, an immensely large state: currently the largest in Sub-Saharan Africa and the Eleventh largest country in the world. The distance from Kinshasa, the capital, on the Western side of the Country to Goma, on the Eastern border, is comparable to the distance between Gibraltar and Copenhagen. It also borders nine states, which include South Sudan, Uganda, Rwanda, Burundi, Tanzania, Zambia, Angola, the Republic of Congo and the Central African Republic. The most defining geographic feature of the Congo, however, is most assuredly the Congo River, which spans the entire country via its hundreds of tributaries, and is the main waterway for many of the state's communities and cities. The Eastern and Southern regions are fairly mountainous and resource-rich, with mining and resource extraction being the primary revenue streams for those regions, whereas the West and North are largely flat and agricultural. In terms of political structure, the Democratic Republic of Congo has a total of ten provinces in addition to the capital, which forms the eleventh province. These provinces are structured in an ethno-tribal democratic system, in which tribal structures are considered part of the federal system of governance.

The fracturing of the Congo in 1960 was perhaps the first indication of the idea this paper will seek to advance, namely an in-depth analysis of the purported fictitiousness of Congolese nationhood and Congolese statehood. Given its pre-colonial history and fractured ethnic and social order, this initial division would give credence to the notion that the Congo, as a country existed primarily in the consciousness and in the interests of its German and Belgian colonizers, who reaped enormous benefits from the assimilation of the assorted natural resources located within the Congo under a single colonial authority. In this sense, understanding the Congo as a colonial creation as opposed to an organically created nation state becomes crucial to understanding the political fundamentals of a nation whose primary nation-building efforts came at the hands of Belgian colonizers and Mobutuist governors. What perhaps needs to be understood most about the Congo is that distances are significant in the heart of Africa: the Congo is the 11th largest country in the world, and the largest in Sub-Saharan Africa. It is approximately the size of Western Europe and a vast bulk of it is covered by intractable jungle and bush. With very little infrastructure and means of communication between even short distances, it becomes very difficult to identify the Congo as any form of unitary system at all.

Chapter 1: A “Brief” History of the Congo

Part I: Congo to the West

The Democratic Republic of Congo has seen human development occur within its borders since the evolution of mankind. Archeological evidence points to *homo sapiens* hunting fish along the region’s many waterways dating back to 90,000 B.C.E (Yellen 1998). Like much of Africa, its population was subject to the movement of tribes and peoples from the entire continent, mostly involving Bantu peoples from the North, but also the East and West. Amongst this Bantu migration, two tribes, the Hutu and the Tutsi would settle the Great Lakes region, which includes much of Eastern Congo (Luis, et al. 2004). Bantu migrations would finally end in the 10th Century, which allowed for the creation of early settlements and societies in the region, such as the Upemba. At the time of Western contact with the region, three main powers existed, the Kingdoms of Kongo, Luba, and Lunda, the former on the coastline (spanning into modern day Angola) and the latter two amongst the highlands of Central and South-Eastern Congo. Earliest contact between the Congolese powers and Europe occurred in 1482 when the Portuguese and the Kingdom of Kongo came into contact due to Portuguese maritime exploration. The Catholic Church and its missionaries would enter the region a mere eight years later.

The Kingdom of the Kongo’s exposure was the fruit of the efforts of Portuguese Colonists led by explorer Diogo Cão, who in 1482 erected a *Padrão*, a stone pillar marking Portuguese Sovereignty over the region, near the mouth of the river Congo. Contact with the Kingdom of Kongo came soon after, and was,

in many ways surprisingly fruitful and mutually beneficial at first. The Kingdom of Kongo, by the accounts of both Cão and of the catholic missionaries who followed him, was one of the first kingdoms to willingly accept conversion to Christianity, with King Nkuwu Nzinga being baptized and renamed Joao I in 1491, after having travelled to Portugal with Cão.¹ (Oliver and Atmore 2001) Joao I, however, never truly embraced the Christian faith, seeing it more as the cost of doing business with the Portuguese: he was unwilling to compromise the culture and traditions of his Kingdom, leaving his ostensible conversion to be in name only. He would die in 1506 of unknown causes. His son, Alfonso I, born Mvemba, would take power immediately after, in part thanks to the political maneuverings of his mother and the Portuguese. (Hochschild 1998) Alfonso I would quickly become a modernizer and an innovator, pushing for European-style reforms and methods of governance, while still maintaining the character of his Kingdom. This would cause a civil war between Alfonso I and his brother Mpanzu, who had the backing of the traditionalists and conservatives. The eventual victory of Alfonso I at the battle of Mpanza-Kongo, the capital, represented, by and large, the last true obstacle to exposure of the Kingdom of Kongo to European influences. (Scholefield 1975)

¹ It could be argued that the reasons for such a conversion were more political than religious: Diogo Cão arrived during a time of hostilities against Joao I, and his men (few as they were) would not help unless Joao I agreed to convert to Christianity. Where Joao I's conversion appears to have been done more for political aims, however, the conversion of his son, Alfonso I, appears to have been truly motivated by his spirituality. (Scholefield 1975) (Hochschild 1998)

In the centuries to follow, Kongo's relationship with Portugal would slowly atrophy in spite of the continued persistence of Congolese rulers to seek amicable relationships with the both the Portuguese crown and the Catholic Church in the Vatican. The transition from the 15th to the 16th century, in fact, introduced a new dynamic to the Euro-African relations: the Transatlantic Slave Trade. While the collection of African slaves was condoned by both Joao I and Alfonso I, such collection was "minor"², or rather, not relevant enough to truly significantly affect relations between Portugal and Kongo. The escalation of the slave trade can be attributed to at least two factors, in addition to the changing sensibilities in Portugal towards the Kongo: The formation of a colony on the island of São Tomé³, only 600 miles off the coast of Kongo, which dealt primarily in the slave trade, and the formation of the colony in Brazil, which increased the demand for slaves exponentially. (Oliver and Atmore 2001) (Scholefield 1975) The 16th century would prove to be transitional for the Kingdom of the Kongo, as its relationship changed from a partner and vassal to Portugal, both in its expansion into Sub-Saharan Africa and in providing the Iberian nation a source of

² Minor should be understood here as not undertaken to the scale of the Transatlantic Slave Trade. Minor refers to the quantity of individuals taken, not the practice of capturing slaves, which remained relatively unchanged.

³ The island of São Tomé had been discovered in 1490 by Portugal as well, and had been first used as a penal colony, much in the fashion Australia would later become for Great Britain. However, due to the island's strategic position and a climate that allowed for the growth of Sugar Cane, Portugal vassalized the colony, leading it to become both a destination for slaves, and staging area from which slaves would be sent to the New World.

prestige as a result of its promulgation of Christianity to Kongo⁴, to a source of primary resources to be extracted by force by puppet kings. In this sense, the Columbian Exchange and Portuguese expansion into the new world can be considered to be root causes of transitioning attitudes towards Kongo in Portugal: with the demand for slaves skyrocketing as a result of colonization in Brazil, there were not only economic factors in such a transition, but also social ones within wider Europe (not only Portugal), in which xenophobic attitudes and overtly racist and intolerant (if not, in some cases, genocidal) policies became the norm.⁵ It should be noted that, in spite of this, while Alfonso I lived, no open confrontation between Kongo and Portugal ever emerged, perhaps as a sign of the respect both the Portuguese crown and his own subjects had for him, and yet, as historians Oliver and Atmore have noted, “thirteen years after his death, in 1556, there was a war on the frontier [...], in which Kongo forces suffered severe defeat. It was not

⁴ Expansion of the Christian faith into the Kingdom of Kongo in particular brought the Portuguese crown much political clout with the Vatican and larger Christendom. Over time, however, the promulgation of faith into Kongo would distance itself from the political relationship between Portugal and Kongo, with missionaries and Jesuits to the region forming an almost new understanding of Roman Catholic orthodoxy, syncretic and adapted to the series of animist beliefs which had existed prior to the conversion of Joao I and Alfonso I. (Thornton 1984) In particular, it could be argued that the cutting of religious and normative ties between Kongo and Portugal due to this shift in religious attitudes within Kongo hastened and accelerated the atrophying of the partnership between the two countries, such as there was.

⁵ One should not forget that, in the years leading up to the colonization of the Kongo, Isabella I of Spain undertook one of the largest ethnic and religious cleansings of the time in the shape of the Spanish Inquisition, and, more pressingly, in 1536, King Joao III undertook a similar policy within Portugal, commonly referred to as the Portuguese Inquisition. While not directly related to the relations between Kongo and Portugal, it is indicative of shifting attitudes amongst political elites and policymakers of the time.

the end of the Portuguese alliance with Kongo, but certainly it marked the moment when the civilizing mission of Portugal was overtaken by the economic interest of the Atlantic slave trade, now centered on the growing sugar plantations of Brazil.” (Oliver and Atmore 2001)

While the first European contact with the Congolese was between the Portuguese and the Kingdom of Kongo, the shape of Congolese history would largely come as a result of colonization efforts from inland, rather than the coastal regions of Kongo. This is not to say the experience of the Kingdom of Kongo with Portugal and the decadence of the relationship between the two kingdoms is irrelevant to the Congolese experience, but rather that geographically speaking, the roots of the modern Congolese state would come from subsequent exploration and colonization of the internal regions of the country, whereas, while the Kingdom of Kongo would face civil war and decadence, it would also remain largely independent (although affiliated with Portugal) until the early 20th century. Further colonization efforts after the failed Portuguese experiment, in fact, only truly began in earnest in the 1870s when British explorer Henry Morton Stanley explored the region for the English crown. Whilst the British Empire did not seem to notice Stanley’s exploits (or perhaps noticed but were not sufficiently enticed, more preoccupied with the administration of its colony in India and expanding its influence in Egypt and South Africa), King Leopold II of Belgium saw in the Congo a wealth of raw untapped resources yet unseen by his European neighbors. Under the guise of philanthropic endeavors and a civilizing mission, Leopold turned the Congo into his own personal possession, retaining ownership of the

Congo much like John D. Rockefeller owned Standard Oil (Stengers 1957). He would famously proclaim in a speech to the Royal Geographical Society in 1876: “To open to civilization the only part of our globe which it has not penetrated, to pierce the darkness which hangs over entire peoples is, I dare say, a crusade worthy of this century of progress.” (Hochschild 1998). This and other remarks were met with the approval of European powers who saw Belgium as a competitor to their own colonial endeavors, and yet too small and non-influential to truly pose a threat to their interests. Whilst this rapid colonization and transformation of the region into what became the Congo Free State is commonly associated with the phenomenon of “colonialism”, the Congo Free State under Leopold was never a colony in the official and legal sense of the word, rather it was legally his personal possession, with which he could do as he pleased. In fact, the Congo Free State never came under the purview of the Belgian government until 1908 when it officially became a colonized territory of the Belgian Crown, nor were the Congolese considered members of the Belgian colonial endeavor, not gaining even the most basic of rights until 1908.

The Congo Free State is renowned for its brutality and the slavery of the Congolese to the whims of the market forces of a new industrialized Europe. With large endowments of crucial resources such as copper and rubber trees as well precious gems and metals, the sole purpose of the Congolese endeavor was to generate profit for King Leopold. Moreover, the Congo Free State holds the distinction of being (in spite of its name) not Congolese, not Free, and not a State. Leopold’s impact on Congolese history was a lasting one, leaving behind a legacy

of slavery, mutilation and extreme repression. The versatility and ready availability of crucial resources meant that the ultimate goal of this new region was the extraction of any and all resources destined for sale in flourishing European markets. In order to maintain high levels of productivity, Leopold instituted a series of quotas and punishments, which included rape, mutilation, torture and death. In order to maintain a strong presence and enforce the levels of production, Leopold created the *Force Publique* (or FP), a paramilitary organization formed of former and disgraced Belgian officers as well as kidnapped Congolese clansmen trained since childhood in violence and slaughter. The parallel between the Congolese members of the Force Publique and modern-day child soldiers is apparent. The singular role of the FP was to create a system of institutionalized ultra-violence geared towards production and profiteering. An interesting aspect of the FP is that, in spite of their role as enforcers, they themselves were not exempt from the profit-oriented role of the institutions in the Congo Free State: in order to prevent the ‘misuse’ of munitions (for hunting or sport), FP enforcers were forced to present to their superiors a hand per every bullet spent in order to demonstrate their use in killing rebellious workers or recalcitrant tribes, moreover, considering the position of FP enforcers as *de facto* slaves as well, the Belgians would make promises of shortened service periods and increased bonuses. The practice of hand collection became colloquially known amongst enforcers as “harvesting”, parodying the harvesting of rubber by their fellow Congolese (Forbath 1977). The role of the FP in the Genocide which occurred in the Congo is therefore crucial in understanding how and why the

conflict evolved in the manner that it did: the legacy of brutality the Belgians left plays a key role in how and why Congolese policy engages with European powers.

Whilst the world of the late 19th century was no stranger to colonialism or colonial violence, the scale of the atrocities was such that not even Leopold's earliest backers could support such an endeavor. International outcry was vocal and fierce, with influential critics such as Mark Twain and Sir Arthur Conan Doyle. The latter's political engagement with the Congo in particular exposed the crimes of the Belgians in the region, claiming that:

There are many of us in England who consider the crime which has been wrought in the Congo lands by King Leopold of Belgium and his followers to be the greatest which has ever been known in human annals. [...] Never before has there been such a mixture of wholesale expropriation and wholesale massacre all done under an odious guise of philanthropy and with the lowest commercial motives as a reason. [...] Belgium has not run the colony. It has simply sacked it, forcing the inhabitants without pay to ship everything of value to Antwerp. (Doyle 1909)

What began as public outcry became larger and larger political pressure on the Belgian Government to intervene, pushed forward by a burgeoning mass media at the turn of the century. Vignettes, poems and op-eds emerged in major newspapers in London, Paris and across the Atlantic in the United States. In the western world, a world well used to the horrors of colonial repression, Leopold's Congo represented a step too far, perhaps the beginning of a new awareness of global humanism. In 1908, the Belgian Parliament voted to formally annex the Congo from Leopold's personal country, transforming it into a formal colony of

Belgium. Leopold would die a year later, in December of 1909. Congo's history would see its most drastic political shift in over a hundred years, the first of many to follow. (Hochschild 1998)

Part II: Apartheid before Apartheid

The political earthquake that was the transformation of the Congo Free State into the Belgian Congo was a social and political one rather than an economic one. Congo's fortune in foreign markets was and remained with its sizable endowments of minerals and rubber crucial to industry at the turn of the century, moreover the region already maintained a series of institutions and order of doing things which it had received under Leopold. As colonial historian Robert Anstey has argued, "Belgium inherited not only a colony, but a colony possessed of a certain structure. The elements of that structure were a sparse population and battered customary society; a vast territory which not been properly administered; a system of direct economic exploitation, or an unfettered variant of the concessionaire system, and, as a consequence at a further remove, abuse and atrocity." (Anstey 1966) Significant changes were made to the social institutions of the country, with, for example, the abolition of traditional (genocidal) notions of how the *Force Publique* should be operating, with particular focus on their practice of "harvesting", turning it into a more traditional paramilitary organization, similar to the carabineers the Belgians were used to. This reform is crucial: the propaganda war waged by a concerted global effort of intellectuals,

first amongst which being British journalist E.D. Morel⁶, whose work in exposing the atrocities of the Congo Free State put the Belgian government in the difficult position of having to both reform and reshape the institutional structures of the country. Part of this is also related to the overall death toll and population decline caused by the FP: It is hard to place a precise number, with Morel himself placing the number at X million, although the methods by which he came by this number is unclear. More modern estimates instead place the overall population decline prior to the death of King Leopold at 15% (Hochschild 1998). Such figures, however, remain purely speculative.

The first true demographic and ethnographic studies of the Congo, in fact, were only truly done officially by the Belgian government between 1907 and 1914 (Couttenier 2005) (Van Reybrouck 2014), and even then, it is difficult to gauge both the veracity and the objectivity of these studies: Firstly, the concept of ethnographic studies was something inherently new in the Congolese studies, influenced more by the positivist and racist trends of European academic thought than any particular objective analysis of ethnicity. Ethnic boundaries were drawn almost arbitrarily, basing itself more on notions of tribalism, and imprinting upon them a Eurocentric understanding of ethnic divisions. (Van Reybrouck 2014) In spite of this, the Belgian Government took great pains to paint their studies as purely academic and not imprinted with any racist tendencies. As Maarten Couttenier reports, for example,

⁶ Morel would be nominated for the Nobel Peace Prize as a result of his efforts in 1924.

[The Belgians] brought a clear distinction between ethnography and physical anthropology, where the latter was defined as the study of physical varieties using craniometry, anthropometry and anatomy. Ethnography, on the other hand, was defined more broadly as the observation and description of social phenomena among 'primitive' peoples in various states of civilization through linguistics, archeology, statistics, theology, history and art history. (Couttenier 2005)

These justifications were of course fruitless: While Belgian ethnography gave us many of ethnicities present within the Congo, it also created the longer-term ethnic divisions that continue to plague the country. Van Reybrouck cites, perhaps as the best example of this, the telling of an older gentleman from Lubumbashi, who claimed “In the olden days we didn’t look at other people and say: ‘That one there is from Kasai, that one is a Lamba, a Bemba or a Luba.’ No. We were together. [...] There was no difference. No one talked about the differences.”⁷ (Van Reybrouck 2014)

The transformation of the Belgian Congo was, in spite of this gradual reform movement, not by any means a transition from a genocidal colonial dystopia to utopian vision of the white man’s burden. Many Belgian policies, as mentioned above, remained misguided and rooted in European preconceptions of how colonies should be managed. Thus social conditions in the Congo remained poor for natives, with high levels of political and economic disenfranchisement. Segregation following the model of the United States was heavily enforced, with

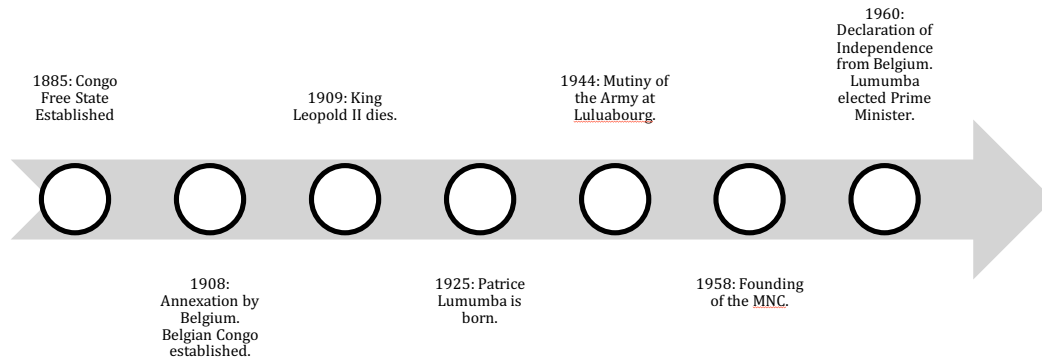
⁷ See: Kalundi Mango, interviewed by Johannes Fabian, Lubumbashi, June 1986, <http://www2.fmg.uva.nl/lpca/aps/vol4/vocabulairekalundicomments.html>.

major trade areas and city centers declared for the use of Whites only, curfews enforced upon the native population, the barring of native blacks from high ranking political and social offices. Moreover, the Belgians attempted a form of racially oriented pseudoscientific social experimentation, giving blacks who were considered “worthy” the status of *evolués* or “evolved ones” (in reference to the scientific racist notions of evolution. See Houston Chamberlain’s work on racism and society) and granting them political privileges and heightened status amongst their fellows, essentially creating the middle strata of society between the white colonial masters and the black labor force. These artificially created distinctions of class persist to this day, in a very distinct economic divide between rich and poor in modern-day Kinshasa, as seen in two distinct regions of the city, *la Ville* and *Victoire* (Sundaram 2014). While artificial class notions exist to varying degrees in all post-colonial societies, what made the Congo inherently different is that a racial element was introduced into the stratification of society. Much in the fashion of racialized class experimentation in Rwanda and Burundi (Forster and Hitchcock 2000) (Fujii 2009), the *evolués* had no distinct difference from their non- *evolués* counterparts much like the dominant Tutsi in Rwanda had little to no difference from the Hutu laborers they controlled.

These notions of societal stratification and racial segregation antecede what was perhaps the most obvious form of segregation and inequality in Africa, Apartheid, by nearly half a century. The effects of this uniquely Congolese version of Apartheid are one of the many reasons for Congo’s current political instability, and yet, on the other hand, it also accelerated its process of

decolonization. Where Leopold's Congo Free State was particularly effective at subduing the local population through its policy of brutality, and was brought down by shifting public opinion abroad, the Congo as a colony had the opposite effect. The changes brought about by the Belgians were hailed as steps in the right direction, normalizing the Congo as a colony with the elimination of most state-sponsored genocidal practices (Lemkin, Belgian Congo) and the applications of radical new racial science in societal construction. The creation of a new class of educated *evolués*, europeanized and gentrified, given arbitrary political, social and economic privilege, was in many ways similar to what was done in Rwanda by both the Germans (and the Belgians later) in fostering an artificial class division between Hutu and Tutsi. Not only would this prove to create long lasting tensions within Congolese society (which persist), but also created an entire class of educated, economically powerful and influential individuals who would be at the forefront of the decolonization effort of the Congo. Individuals such as Patrice Lumumba, the figurehead of the Congolese decolonization effort were Belgian-educated individuals.

Lumumba's role in decolonization is central: educated by a mixture of religious schools and government-sponsored programs, Lumumba embodied the new social policy of Belgian supremacy, becoming not only a symbol of Congolese national resistance but also a symbol of what it meant to be an *evolué* in Belgian Congo. Well educated, working as a low-level government functionary in the Post Office, he was a break away from traditional Congolese resistance, coming from the bottom, from those working the rubber trees and doing hard



manual labor, as well as a break away from changes made from the top, the upper classes of Belgian colonists who had vested economic interests in administering and maintaining the colony. Lumumba's resistance came from the *middle*, using the new class of *evolués* to push forward new ideologies. This bourgeois revolution led by Lumumba's new party, the *Mouvement National Congolais* (MNC) was not necessarily a violent upheaval of societal order (that would come later), however independence was won through a series of petitions and non-violent resistance to the colonial order⁸, placing Lumumba's leftist nationalist anti-colonial agenda in the interests of both oppressed workers, middle-class

⁸ The first upheavals against Belgian Rule came, ironically, from within the FP itself, in the form of mutinies by African soldiers against their European commandants. The foremost and most prominent of these mutinies was the mutiny of the Luluabourg (now Kananga), in which the overwhelmingly Congolese soldiers rebelled against the pressing demands made upon them and cited a desire for independence. The predominantly white city of Luluabourg was sacked and the soldiers simply dispersed, returning their home villages. Only 2 were ever found and arrested. (Chomé 1960) (Mwamba Mputu 2011)

evolués and elite collaborators hoping to maintain the social structure of the Congo intact whilst eliminating Belgian influence. On January 27, 1960 during a conference held in Brussels (which Lumumba attended) Belgium declared Congolese independence. While there is ample evidence pointing to Lumumba's role as a figurehead in unifying Congolese anti-Belgian sentiment into a trans-class movement, the reality is that pressures were mounting both in the Congo, in order to obtain independence, and in Belgium, in order to leave behind its bloody colonial past. This is not to say that Lumumba's role was uninfluential in the grand scheme of Congo's decolonization, but rather that Lumumba's movement was a product of larger societal forces, and the colonial endeavor which began in Brussels under King Leopold ended in Brussels under Lumumba.

Part III: Congo's Ides of March

The new nation of the Republic of Congo which emerged from the Brussels Convention of 1960 was in many ways profoundly different from the colony it replaced and in others profoundly the same. Elections were held in May of the same year, which Lumumba's party easily won, making him first Prime Minister of the Congo and another leading figure in Congolese independence, Joseph Kasa-Vubu was elected President. Lumumba's vision of pan-africanism and post-apartheid reconstruction was both a marked departure from colonial policy, and in the Cold War environment of the 1960s, such was tantamount to an act of aggression.

Perhaps the first issue on the agenda of Lumumba's government was post-racial reconstruction of the national institutions. Government bodies such as the

Force Publique were still largely governed by white Belgians commanding African soldiers, who used their position to perpetuate the racial standards that had existed pre-decolonization. The commandants of the military police were not merely colonialists, but also Belgians who had until very recently used their authority in the apartheid-esque repression of the African population (Van Reybrouck 2014). 6 days after the formation of their new government, the Congolese military (almost exclusively African) mutinied against their white officers and other native Belgians in the region. Historian Louis-François Vanderstraeten elucidates the motivations for such a mutiny, in particular:

A fraction of the [Force Publique] committed a grave crime, and the question remains as to why. Some refer to the discontent amongst the Bangala and Baluba [Tribes from Eastern and Southern Congo] soldiers, due to the removal from power of officers of their race. Others emphasize the deception of the Officers in relation to the broken electoral promises [towards them]. Others, finally, mainly in Brussels, blame the personality and actions of General Janssens [Notoriously harsh and firmly against Africanization of the armed forces]. Nobody, except for the Whites of Congo and the Times of London, blames the political framework left behind by the Belgians in the last 18 months of their rule. Nobody invokes the lack of Africanization of the FP anymore. Only a small piece of information, lost amongst the texts of a reportage, highlights how an MNC [Lumumba's Party] deputy said, during the seizure of parliament by the soldiers: "It's the fault of the Belgians [The Officers] who didn't want to Africanize the framework of the Force Publique sooner." (Vanderstraeten 1993)

This event is profoundly different from the mutinies of the FP that had preceded it; where the mutinies of the 1940s represented a rebellion against what it saw as colonial oppression, the motives for the mutiny of 1960 appear to be profoundly different. In this case, the anger of the soldiers (from the accounts of historians) appears to be less focused, and more representative of violent

dissatisfaction towards the unchanging nature of the military. The common themes were no longer “rebellion” but “betrayal”. In addition to weakening the new Lumumba government, this event also profoundly soured the relations between the Congo and Belgium. Originally, the decolonization process was steeped in mutual benefit, where Belgium disassociated itself with the costs, both political and pecuniary, of maintaining a colony, and the Congo was able to declare independence, with the understanding that the white Belgians still living there would be treated equitably. As per the new constitution, these Belgians were, in fact, Congolese citizens, afforded the same rights as their African counterparts. The mutiny represented a profound change from this into a hostile and volatile relation between the two nations, as Belgium intervened militarily in order to protect its interests and what it continued to perceive as its citizens. The removal of white officers from the army⁹, as well as a military reform transforming the *Force Publique* into the National Army of the Congo (FARDC, *Forces Armées de la République Démocratique du Congo*) meant that the new army of the fledgling nation was in essence rudderless, ungoverned and ungovernable. Pair this with a history of violent conduct under Belgian rule, and the FARDC became quite quickly a volatile and anarchic organization, and as a result, with any direct control over the outlying provinces of the country, the Congo quickly began to fragment, as tribes and isolated territories became more

⁹ Due to the colonial control of the Army, the White Officers were, on average, more experienced, more capable and better trained. Their removal stymied the FP’s effectiveness.

and more detached from the new government. This crisis of the armed forces became vital as the launchpad of the career of a young secretary of Lumumba's cabinet with some experience in the Army: Joseph Mobutu.

Backed by Western interests, many other Congolese politicians (namely those who lost the elections to Lumumba's immense popularity) pushed their own independence movements in the provinces amassed into Congo by the Portuguese before and the Belgians after. Resource rich areas such as the Southern province of Katanga, and later the eastern provinces all declared independence from Kinshasa (then Leopoldville), citing a need for their ethnic identities to be recognized as independent states (Nzongola-Ntalaja 2002). By mid-July, Mobutu was appointed as Chief of the Armed forces as he was the only man in Lumumba's government with any military experience. Given the size of the army (25,000 men for a country over 900,000 square miles large), the Republic of Congo desperately needed external intervention in order to quell the foreign-backed rebellions in Katanga, Kasai, and the Eastern Provinces. After being rebuffed by Belgium and the United States for help (who formally cited the mutiny of the army as their reason for not intervening), Lumumba approached the Soviet Union, which promptly provided him with the assistance he required. Such an act in the 1960s was seen both by members of Lumumba's own government, as well as the United States as a bold move towards Communism. While the sentiment of Lumumba's action was more in the vein of seeking help where available, this political action, paired with Lumumba's openly leftist (for the time) views quickly led him to be labeled a socialist himself. The President of the

Congo, Kasa-Vubu, ordered Mobutu to arrest Lumumba and remove him from office, which Mobutu promptly did, then installed himself as Prime Minister in a coup backed by the CIA on September 14. Lumumba had been in office less than four months. Unable to maintain unity and torn three ways by its own internal independence movements, the Soviet Union and the United States, the Congo *de-facto* fractured into three main areas, each controlled by different regional powers: the Western half and the capital by the United States and Mobutu's government, the Eastern half by the Soviet Union and their affiliated independence groups, and the Southern regions of Katanga and Kasai by Lumumbist forces and their own regional independence group.

This period of time between the mutiny of the army and the eventual seizure of power by Joseph Mobutu in 1965 is often referred to the Congo Crisis, and is used frequently as an example of the maladies associated with both decolonization and with Cold War power politics. This name, however, is perhaps misleading in regards to its reach and scope. Firstly, the Congo Crisis was not an exclusively Congolese problem: the effects of the unraveling of Congo's new society and internal order as envisioned by the Lumumbists were not internally contained within the geographic unit that is the Democratic Republic of Congo. The Congo Crisis called into question traditional notions of sovereignty and, in particular, forced the international community into an active role in global politics, as opposed to the passive understanding of states roles in Human Security which preceded it. Unlike the Korean War, which saw the first usage of international forces in a globalized intervention (whether or not there was genuine

international sentiment here is a question for another discussion), the Congo Crisis saw the first usage of a *peacekeeping* mission (in the modern sense of the term) in Africa with the establishment of ONUC (MacQueen 2002). In fact, the history of UN Peacekeeping in Africa is intrinsically connected with the history of the Congo, and levels of support for action almost directly mirror the political and social landscape of the country, with the advocacy for the modality of intervention largely dependent on one's affiliation with the Great Powers. Secondly, the Congo Crisis was not necessarily a "crisis" in the traditional sense of the term: where crises are isolated and sporadic incidents of tension, violence or scarcity, self-contained within their own narrative, the Congo Crisis reflected more of the natural outcome of a century of brutal colonial practices, political and social repression, and perhaps a deeper-rooted issue of a lack of a political and ethnic unity in the country.

By 1961, Lumumba had been assassinated by Mobutuist forces in Katanga and Western powers had installed (what they saw as) a favorable force in the capital in the form of Mobutu. While many note the first of many coups in the Congo to be inherently the fault of Mobutu and, to a lesser extent, Kasa-Vubu, the role of the Western intervention should not be diminished. Lumumba's vision for the Congo was in many ways antithetical to the values being promoted by the West. African historian Georges Nzongola-Ntalaja notes, for example, how "the Belgians [feared] Lumumba's commitment to genuine independence and radical social change. [...] After the assassination of Lumumba and the elimination of the Lumumbists from the [capital], Belgium and the Western Alliance determined

they could do profitable business in the Congo with the anti-communist and pro-Western moderates they helped put in power.” (Nzongola-Ntalaja 2002) This period of Congolese history should be understood therefore not only as crisis within Congo but rather a global struggle for ideals and goals that went far beyond the notion of Congolese sovereignty. In fact, as was typical of Cold War internal conflicts in the ‘60s, the struggle for the Congo was also indicative a wider fault-line in the bipolar global system. The lack of a nuanced approach to post-colonial Congo meant that foreign relations towards Mobutu were less forward-looking or interested in democratic and peaceful outcomes for the Congo, rather both the U.S.S.R and the U.S followed an “if x, then y” approach to the Congolese question: If they are not anti-communist/anti-capitalist, they must be the enemy. This style of policymaking in the Congo resulted in further fragmentation of an already fragmented political system which pitted the interests and goals of much larger entities against each other by proxy within the fragile state.

The war itself was complex, and in many ways it festered, becoming a stalemate for long periods of time. The Congo Crisis was, in this sense, the Cold War in microcosm: Two main blocs were formed, with the western half holding government in Kinshasa under Mobutu’s sway and American influence, and the eastern half holding government in Kisangani and was sponsored heavily by the USSR. Katanga and South Kasai remained unaffiliated and independent, and yet were minor players in the overall conflict. ONUC’s involvement as peacekeepers within the conflict remained controversial: firstly, the United Nations (and ONUC

by proxy) severely condemned the Katangan independence movements. It considered such secessions to be illegal and in particular, as per the text of the resolution, “deploring all armed action in opposition to the authority of the Government of the Republic of the Congo,”¹⁰ specifically secessionist activities and armed action now being carried on by the provincial administration of Katanga [...] and *completely rejecting* the claim that Katanga is a ‘sovereign independent nation’” (United Nations 1961) It should be also noted that while the USSR voted for the resolution deploring the Katangan independence movement, it abstained from voting for resolution 161, in which the Security Council condemned the violence more generally. (United Nations 1961) The rebellion in Katanga was suppressed by Mobutu with ONUC support by 1962, and, in a rare move of conciliation, Mobutu sought to make peace with the dissident Lumumbists, creating a new constitution at Luluabourg, ironically where the first mutiny of the FP occurred. Surprisingly, as a result of the peace talks, Mobutu stepped down from his office, although Kasa-Vubu remained president, with Tshombe, the former leader of the state of Katanga being nominated as Prime Minister. (Gleijeses 1994) (Nzongola-Ntalaja 2002) (Van Reybrouck 2014) The peace talks seemed promising (although, they worryingly placed a great deal of power in Presidency), and for a time, real optimism seemed warranted.

This, as many things in the Congo, would not last. Soon after the reconciliation government was formed, new Maoist-inspired rebellions began to

¹⁰ To be understood as the Western-supported Mobutuist regime, not the Soviet-sponsored government in Kisangani.

develop in the East, again sponsored by the USSR and Cuba. This rebellion, known colloquially as the “Simba” Rebellion¹¹ due to the rebels’ tendency to label themselves as “Simbas” (the Swahili word for Lion), mirrored, from its inception to its eventual downfall, the traditional model of the Congolese rebel group. First and foremost, its leaders had overtly political and populist goals, railing against what it saw as a kleptocratic administration and a puppet to western interests. (Van Reybrouck 2014) Secondly, the rebels themselves acted erratically and irrationally, defying logic and military tactics in spite of their orders. Two factors contributed to this: the overall young age of the combatants (many of whom were Child Soldiers) and their liberal usage of Khat, a plant native to the area whose leaves released amphetamines when chewed. (Guevara 2001) Finally their eventual defeat by government forces with foreign aid led to a series of complex outcomes for the region and a renewed focus on transitional justice. Perhaps the most lasting legacy of the Simbas was personified in the character of Laurent Kabila, who would play an increasingly important role in the years that followed.

While the Congo Crisis has no precisely identifiable beginning (although it is the opinion of the author that the mutiny of the Army is a fairly unequivocal catalyst for the conflict), it has a definitive end. By March of 1965, the fighting

¹¹ The Simba Rebellion remains prominent in popular memory due to the role Ernesto “Che” Guevara played in it as a military advisor, bringing with him 100 military advisors. Guevara would refer to this campaign as one of his biggest failures, causing in him a great bitterness and disillusionment. In his words: “During the final hours of my stay in Congo I felt alone, more alone than I had ever felt before, neither in Cuba nor in any other place where my wanderings around the world had taken me.” (Guevara 2001) (Van Reybrouck 2014)

was all but over and elections were scheduled again. Tshombe ran for re-election for the first time since the ratification of the Luluabourg constitution, which he won with enough votes to make the election results unconfutable. In spite of this, a large part of Tshombe's political party (the *Convention Nationale Congolaise*, or CONACO) abandoned Tshombe to realign themselves in a new political movement. It is unclear whether or not Mobutu had any role in this, yet many of these defectors found positions in the Government soon after. Kasa-Vubu used this as a pretense to block Tshombe's election (in spite of their collaboration in the original peace talks, the two men remained political adversaries) and promote the nomination of a candidate allied with him politically. Tshombe's government refused this nomination and an impasse was created. In this stalemate, Mobutu saw opportunity and, in much the same way as he eliminated Lumumba, he led a second military coup against Kasa-Vubu and his original supporters. Kasa-Vubu was deposed from office in November of 1965, less than six months after the election, and placed under house arrest. That same year, Mobutu declared himself head of state in a system of government totally controlled by his persona, backed mainly by his Western allies. Thus the Congo Crisis was ended, with the state's democratic experiment dead after only five years.

Part IV: Making Mobutu

Mobutu's indelible legacy on the country is almost as lasting as King Leopold's, and Congo's current struggles are as much a testament to its Colonial legacy as it is to a history of bad governance and kleptocracy. By 1967, a single party system had been put in place with Mobutu's party, the *Mouvement*

Populaire de la Revolution (MPR), being the only party allowed in the country according to the new, amended, constitution. By 1970, the country had been renamed to “Zaire”¹² in an attempt to remove all vestiges of colonial legacy from the country in a program referred to as *authenticité* or Authenticity. Much has been written regarding Mobutu’s mode of governance and his dictatorial methods, in many ways mirroring his European counterpart (and personal friend), Nicolae Ceaușescu, dictator of Romania between 1967 and 1989 (Van Reybrouck 2014), and yet what was, and is, crucial about Mobutu’s legacy is not so much that it is defined by political repression, economic waste and kleptocratic governance, but rather that in the over 30 years he was in power, he created in the country a Mobutuist Culture, based upon theft, farce and craftiness. He would often proclaim to his citizens statements such as “*debrouillez-vous!*” (“Improvise”) by which he condoned corruption and crime as a means of getting by, and, perhaps even more explicitly, in saying “Do not steal too much at a time. [...] *Yibana mayele*—Steal cleverly, little by little.” (Sundaram 2014) The tragedy of such actions is that in addition to the lasting economic legacy which impoverished the country even further, to the point that “Congolese wages were lower than at independence thirty years earlier,” (Stearns 2011) Mobutu’s true legacy lies in this pervasive culture of corruption.

¹² An important note here is that the word Zaire is, ironically, not originally an African word. It comes from the Portuguese mispronunciation of the Kingdom of Kongo’s name for the River Congo *nzadi*. (Forbath 1977)

Congolese culture was radically changed by Mobutuist policies, and yet at the same time, the Congo under Mobutu experienced its first attempt at true Nation-building. At the root of its current problems is a legacy of bad governance, but also of poor civic sense, detachment from the government, and inherent corruption. As a Nation, understood as the symbolic and cultural attachment that Congolese citizens should have both to each other and to their state, the Democratic Republic of Congo appears to be extraordinarily influenced by the legacy Mobutu left behind. By instilling an anarchic, no-rules system, it is perhaps arguable that the nation itself was stifled and eliminated, with no true connection between individuals living within the geographical confines of the state, nations have instead formed along ethnic and geographic divides. In this sense, Congo was, and is, a story of bad governance. Journalist Jason Stearns notes how “A central reason [...] for the lack of visionary leadership in the Congo is because its political system rewards ruthless behavior and marginalizes scrupulous leaders. It privileges loyalty over competence, wealth and power over moral character.” (Stearns 2011)

What should be understood about Mobutu’s regime is not that the country was somehow “tamed” by Mobutu’s dictatorial policies. Quite the opposite, opposition, sometimes violent in nature, existed within the Mobutuist framework, however the same policies which engendered dissent amongst the populace and politicians in Kinshasa was the same that removed them from office. Mobutu’s ideology in fact made no pretenses towards the use of torture, which was seen as acceptable and just in combating the perceived enemies of the regime. Dissenting

politicians would often be tortured in the most brutal manner, with cases of limb amputation and genital mutilation being prominent (Wrong 2002). Mobutu's own paranoia became prominent here, torturing many who disagreed with him over trivialities, but were his staunchest allies. The case of Jean Nguza Karl-i-Bond is perhaps most exemplary of this: Mobutu's philosophy of keeping his enemies close meant that many of his perceived enemies actually received promotions after being captured and tortured, including Karl-i-Bond, whose only crime was, by the understanding of historians Young and Turner, "to have been designated as a likely successor to Mobutu by the Western press during the 1977 Shaba crisis." (Young and Turner 1985) As such, many high-ranking politicians under Mobutu's rule were not only dissenters towards the regime, but torture victims. Karl-i-Bond himself claims how the dual nature of being a torture victim and a prominent politician under Mobutu instilled a sense of meritocratic belonging. He writes "It was Mobutu who named me Ambassador at Geneva, Minister of Foreign Affairs, Political Director of the Party. [...] Nobody imposed these decisions upon him. He, therefore, chose the person whom he judged could render the best service in a specific domain of national life. The fact that this person had spent six years at his side, in filling ever more important positions of confidence, demonstrates that he merited this confidence." (Karl-i-Bond 1982) Whether or not these words, published in 1982, were designed to curry favor with the regime is unclear, however, when taken at face value, they indicate a stark contrast of political culture in the Congo.

Part V: The West to the Congo

By 1990 and the end of the Cold War, Mobutu lost key western support which had given him free reign in his country. The dynamics of the conflict between the U.S. and the now former U.S.S.R had shifted dramatically meaning that western support for Mobutu was not only no longer required, it became politically expedient to remove him from office. This form of foreign policy is not new in Cold War politics. In referring to Nicaraguan dictator Anastasio Somoza, Franklin Delano Roosevelt is reported to have colorfully declared, “Somoza may be a son of a bitch, but he’s *our* son of a bitch.” (Dunbar-Ortiz 2005) This form of policy, of implicit (and at times, explicit) sanction of the actions of authoritarian and/or ineffectual governments in exchange for allegiance, economic benefit and a rejection of the U.S.S.R. The Congo was no exception to this policy.

The ousting of Mobutu in the 1990s and the institution of Laurent Kabila as his successor was perhaps the single most defining moment of modern Congo, and perhaps of the whole region. Often times referred to as the “Great War of Africa”, the rebellion that ousted Mobutu saw the intervention of at least 7 countries (to varying degrees), Rwanda and Uganda being the foremost sponsors of the Anti-Mobutuist movement, and yet the intervention of Congo’s neighbors should not be understood through the lens of a genuine desire to help and aid their Congolese compatriots. Foreign aid, in particular from Rwanda, came “many strings attached.” Mobutu’s alliances throughout the Cold War were sustained by the system of bipolarity that valued stability and allegiance over democratization

and liberalization, however this did not mean that over the course of his regime he had made no enemies. The transition into unipolarity meant that the alliances of convenience that had sustained Mobutu for thirty years atrophied as they were no longer integral to maintaining system stability, whereas the enmities remained unchanged.

The key element that defined Congolese history in the 1990s (and to an extent, current geopolitical issues in Congo today) is the relation between Congo and Rwanda. As briefly touched upon before, Rwanda's role in precipitating the dismantling of the Mobutuist regime should not be discounted: relations between Mobutu and the Hutu-controlled government in Rwanda were warm, with excellent relations between President Habyarimana (who was buried in Congo after the airplane crash which caused his death and precipitated the Rwandan Genocide) and Mobutu himself.¹³ (Melvern 2006) These relations would reverse themselves as a result of the Genocide. The abolition of the majority-Hutu government in the aftermath of Paul Kagame's invasion of Rwanda led to a vast number of Hutu militiamen and perpetrators of the Genocide crossing the border into Congo in 1994 (Prunier 2009) where Mobutu provided significant aid and

¹³ Habyarimana and Mobutu had always had warm relations. This is perhaps due to the fact that both came to power in similar ways: Habyarimana led a coup d'état against President Kayibanda in 1975. Kayibanda at the time was the leader of the PARMEHUTU party, a Hutu Power group with expressly anti-Tutsi sentiment. (Gourevitch 1998) Habyarimana initially portrayed himself as a moderate and pushed forward a conciliatory agenda, however once in power he was able to play the Hutu and the Tutsi against each other, tapping into deep-seated hatreds between the two, much like Mobutu had been able to do a decade before. (Stearns 2011) It has been reported that "Mobutu spent that night in tears, mourning [...] a personal friend, fearful for the future." (Wrong 2002)

other benefits to the refugees, by harboring them in large refugee camps both in the Eastern cities of Bukavu and Goma (Stearns 2011). Enmity between Kagame and Mobutu in this regard would resonate as a result of this sheltering of what the new Tutsi government saw as war criminals. Tensions between Rwanda and Congo would grow exponentially in the period immediately subsequent to the Hutu exodus, with reports of frequent massacres of Hutu refugees committed by vengeful Rwandan forces emerging out of the testimony of the many peacekeepers who managed the camps. These tensions would come to a head by September of 1996 when a Rwandan-led coalition of African states invaded (then) Zaïre.

The multiplicity of reasons for which the coalition invaded Congo lends to the complexity of Congolese history in this period. Each member of the coalition had a different reason for wanting Mobutu out of power or for wanting an armed presence within the Congo. Rwanda and Kagame's motivations, for example, were inherently punitive: this was a invasion designed to punish Mobutu for harboring what he saw as criminals and, by Prunier's understanding, to counter "the military threat posed by the new Rwandese regime by the remnants of the former regime who were rearming under the cover of the refugee camps." (Prunier 2009) While this may normatively explain Kagame's relation with Mobutu between 1994 and 1996, it does not explain the actions of the other actors

involved: Uganda¹⁴, Angola¹⁵, and, to a lesser extent, Burundi¹⁶ and Zimbabwe.¹⁷

The actions undertaken lean more towards the idea that this expedition was solely punitive in nature, with the express purpose of seizing upon Mobutu's weakness and settling grievances. The Rwandan-led expedition in many ways was more a symptom of a transitional period in Sub-Saharan African politics than any form of direct territorial expansion: in spite of invasion en-masse, the borders of the Congo, fragile as they may have been, remained unchanged. Territory did not change hands, nor did the members of the coalition obtain any significant territorial or political expansion into Congolese lands. This invasion should be seen as a struggle to remove one of the last vestiges of Cold-War politics from the continent. Mobutu's role in the larger geopolitical system of Sub-Saharan politics

¹⁴ Uganda and its president, Yoweri Museveni, intervened by virtue of its close ties with Rwanda. It is in fact reported that Uganda helped plan, organize and executed the invasion of the Congo hand-in-hand with Kagame's forces. (Dunn 2004)(Clark 2004)

¹⁵ Angola's role in the war appears to be inexorably linked with its internal conflict with the National Union for the Total Independence of Angola (UNITA), led by Jonas Savimbi. Mobutu had been a key supporter of Savimbi and had on several occasions provided UNITA refuge within the Congo's borders. Angola's alliance with Kabila seems to have been one of convenience, as it permitted the Angolans to pursue UNITA within the Congo and punish Mobutu for his interference. They held no warm relations with Kabila, however, even welcoming his assassination in 2001. (Turner 2004)

¹⁶ Burundi's motivations appear to mirror Rwanda's: Burundi's Hutu president, Cyprien Ntaryamira, perished in the same plane crash that killed Habyarimana. His successor, Sylvestre Ntibantunganya, was deposed in July of 1996 by Pierre Buyoya, a Tutsi, in a Coup d'Etat. Three months later, Burundi invaded the Congo. (Watt 2008)

¹⁷ Robert Mugabe's (the President of Zimbabwe) motivations appear to be less noble": Several prominent Zimbabwean businessmen and entrepreneurs had already established contracts with Kabila for food and armaments, as well as mining contracts in Katanga once the war ended. (Prunier 2009)

was not obsolete, therefore his removal made a good deal of political sense.

(Villafaña 2009)

By May 17, 1997, less than six months after the invasion had begun, Mobutu had been removed from power and replaced with the Rwandan sponsored Laurent Kabila, who had fought both against the Belgians during the Congo Crisis of 1960 and against Mobutu's American-sponsored coup between 1965 and 1968. He had close ties with Rwanda, having established his base of operations in South Kivu, across the border from Rwanda. Kabila, in fact, had a very strong working relationship with Paul Kagame, who both sponsored his ascent to power and provided him with access to resources and other military personnel in order to promote the removal of Mobutu. Kagame's motivations at this point were unclear: in part, it could be postulated that the invasion was purely punitive. Mobutu had clear ties to both President Habyarimana, the spiritual figurehead of the Hutu Power movement, and to the Hutu paramilitaries operating in Eastern Congo, and yet this motivation alone does not explain Kagame's behavior in seeking to appoint a valid successor. Mobutu's removal was not sufficient, Kagame sought to create key allies in the region. Other scholars (Kinzer 2009) (Sundaram 2006) have also pointed to a vested economic interest Rwanda had in expanding its resource extraction capability in the Congo, however while this is more well-documented in recent studies of the phenomenon, data from the 1997 is inconclusive on this matter.

It is unclear how or why, however by July of 1998, a significant schism had occurred between Kagame and Kabila, with each accusing the other of

predation and undermining security. The internal reasons for such a schism are unclear. It is generally theorized that Kabila had broken deals made with his primary sponsors, Uganda and Rwanda, and had struck his own path. In particular, it is implied that Kabila had refused to provide Kagame with the political and economic concessions that he had agreed to prior to the war.¹⁸ (Van Reybrouck 2014) (Clark 2004) Kabila would go on to fire his Rwandan chief of staff, James Kabarebe, again for reasons unknown, and Kabarebe would go on to mount another Rwandan invasion of the country. The reason for this violent clash between the two former allies is yet uncertain: Prunier explains how, for example, the clash between Kabila and Kabarebe was a personal one rather than a political one, a clash of personalities. It is also postulated that, according to the statements given by some of Kabila's former personal guards and staff at the time, Kabarebe had attempted to assassinate Kabila. In one such incident, for example:

“The colonel [...] asked Kabarebe to leave his sidearm at the guard's desk before entering the president's office, which he did. But the colonel had a doubt at the last minute and asked Kabarebe to let himself be frisked. ‘Commander James’ reluctantly agreed and was found to carry a small .32 caliber pistol in his boot. The colonel confiscated it, fuming. Kabarebe grinned and said he had to be careful about his security. As he was about to step into Kabila's office, the colonel shouted at him to take off his beret, saying that out of respect he had to appear bare-headed in front of the president. Kabarebe refused and a scuffle ensued. In the scuffle the beret was torn off his head – and a very small .22 caliber automatic fell to the floor.” (Prunier 2009)

¹⁸ Van Reybrouck appears to be of the opinion that this due to the resentment felt by the general populace towards Rwandans and what they saw as foreign interference. (Van Reybrouck 2014) This is an opinion Prunier does not share, pointing more towards Kabila's erratic and often quixotic personality, two traits that grew more with every day he maintained power. (Prunier 2009)

It is unclear whether or not Kagame actively sponsored Kabarebe's assassination attempts, however it appears to be likely. While there is no concrete evidence to show this was a plan that had been pre-established by the two, there is a great deal of circumstantial and tangential factors that raise suspicion. Firstly, Kabarebe was not only merely Rwandan, but prior to his role in the new Congolese government, he had been a prominent officer in Kagame's army, having served with Kagame during the war that would end the Rwandan Genocide. (Van Reybrouck 2014) (Melvern 2006) Secondly Kabarebe, before becoming Kabila's chief of staff, had been the chief of the Congo's new army, primarily in charge of the recruitment of troops for the Congo's new military forces. This is important, because, between 1997 and 1998, Kabarebe had only gathered soldiers who were either fiercely loyal to him and to him alone, or had stronger ties with Rwanda than they did with the Congo, then placed them all in battalions in and around Kinshasa, surreptitiously. (Stearns 2011) Moreover, once Kabarebe had been dismissed from his post, a coup and second civil war ensued almost instantly, which Kagame actively sponsored, providing military support and manpower to Kabarebe's primarily Rwandan army.

Where the first war was relatively quick (although by no means was it painless), the second war took on the aspects of a traditional quagmire, with historians and political scientists likening it to Africa's Vietnam. (Clark 2004) So much so, in fact, that it is difficult to argue whether or not the second war truly ended. Some would argue that Kabila, in fact, won the second war as well against, fighting against the very men who sponsored him. Proponents of this point to the

Lusaka Ceasefire Agreement of July 23rd, 1999, in which the combatants agreed to cease fighting for an indefinite period of time, with the status quo unchanged. A win for Kabila, considering the war began with what was essentially a surprise coup on the capital by Kabarebe's Rwandan-sponsored forces. The reality of the war, however, defies such simplicity. Firstly, Kabila was only able to retain power in part thanks to key alliances formed with minor members of his former coalition, namely Angola and Namibia on his southern borders, which provided him some political leeway with both Rwanda and Uganda. In practice, this translated into forming the same political agreement he had made with Rwanda and Uganda, although with other actors. Thanks in part to these alliances, Kabila kept Kagame's incursions out of both the south and western areas of the Congo, which contained key regions both in the production of food and contained many of the major cities of Kabila's new country, including Kinshasa and Lubumbashi. Secondly, it is unclear whether Peace was obtained at Lusaka: while it is true that all foreign forces, allied and non, agreed to withdraw from the country, this did not stop Rwanda and Uganda from sponsoring rebel groups *within* the Congo in the years that followed. The only real effect of Lusaka was that it removed the explicitly inter-state dimension of the conflict. This is crucial to understanding the conflicts that have followed: Wars in the Congo would no longer be fought between traditional national armies, but between Government-sponsored rebel organizations and militias.

From a Political perspective, in the years following the ceasefire, scholars have criticized Kabila's approach to reconstruction. An openly declared Marxist,¹⁹ Kabila's policies began to mirror those undertaken by his predecessor, with claims of personality cults, self-aggrandizement and embezzlement of funds destined for reconstruction after the war. (Edgerton 2002) In stylizing himself after Mobutu, Kabila in a way was eroding the last pillar of support he had created for himself amongst the Congolese public, having lost his two most important allies in the prior civil war and having alienated foreign powers by pursuing collectivist policies contrary to the politics of the new global system. By eroding popular support, both amongst the general populace and amongst individuals within his government, Kabila had set himself up for failure. On January 16, 2001, a member of Kabila's cadre of bodyguards, Rashidi Muzele, succeeded where Kabarere was unsuccessful and assassinated Kabila by gunshot. At this point, there were still no formal democratic channels within the Congo, and no methods through which a successor could be named by the general populace, therefore Kabila's successor came through the appointment of his son, Joseph Kabila, who at the time was only 30, and the first president in the world to have been born after 1970. Jason Stearns explains the rationale for this decision as a desire for the administration and the political class which had risen with Kabila to

¹⁹ Kabila had been a major leader in the previously mentioned Simba Rebellion, and, with help from China, had later attempted to form a Marxist state within the Congo, in South Kivu. He was unsuccessful, although through his party, the People's Revolutionary Party, Kabila had been able to form ties with both Kagame and Museveni, who would then become the leaders of Rwanda and Uganda respectively.

use the young president as a figurehead in order for them to act unchallenged. (Stearns 2011) By and large this has not been the case, as the younger Kabila has proven himself to be in the very least capable in his role as president.

The appointment of Joseph Kabila, the son, had profound implications in the relations between the Congo and both Rwanda and Uganda. It seemed obvious that the new Kabila, western educated, soft-spoken and immeasurably more level-headed than his father, would not stubbornly oppose peace, nor fight a proxy war with the Rwandans (at least at first). The War finally ended officially with the Sun City Agreements, in South Africa, which reiterated the terms of the Lusaka Ceasefire on a permanent basis. Like Lusaka, however, violence in the Congo did not and has not ended after Sun City: two groups either refused to sign the agreements or pointedly ignored, namely a portion of the Rally for Congolese Democracy (RCD), a rebel group-turned-political party in the aftermath of Sun City, which called itself the RCD-Goma, and Democratic Forces for the Liberation of Rwanda (FDLR), a Hutu power group. (BBC News 2014) Both organizations would continue to operate in Eastern Congo, fighting Kabila's new Government, Rwanda, Uganda and even each other. This continued violence had a lasting effect first and foremost on the UN Peacekeeping operations of the time: in early 2000, the UN Division of Peacekeeping Operations (DPKO) had been deployed to arbitrate the Second Congo War under the MONUC mandate (Autesserre 2010) and lead the country towards the peace process which culminated in Sun City. The immediate aftermath of the peace agreement, however, forced MONUC to stay (MacQueen 2002): The retreat of Rwandan and

Ugandan forces meant that a combination of rebel groups, both new and old, began to emerge again in Eastern Congo and created a security issue in the region. Almost immediately after the peace talks, as violence began to escalate once more, the UN Security Council passed Resolution 1493, which increased MONUC's manpower and expanded its mandate, and simultaneously the European Union launched Operation Artemis, a brief humanitarian intervention using coalition forces from the Union.

This is, and remains the status quo today: there have been allegations the Kabila and Kagame continue to fight their proxy war, although unlike the Second Congo War, such ties remain uncertain. MONUC would eventually expand to the point that its mandate would need to be redefined, becoming MONUSCO (United Nations Security Council 2012), but by and large the situation has evolved into this stalemate between actors and rebels, in which no one organization appears to have the upper hand. New groups have emerged and fallen in the years since: Laurent Nkunda and the CNDP as well as Joseph Kony and the Lord's Resistance Army both gained international attention in the years following the Sun City Peace Agreement. Moreover, MONUSCO has taken direct action in the country and has eliminated, along with coalition forces, a rebel group known as the M23 in February of 2013, which, like Operation Artemis, was the first of its kind. This reinforces the notion the Congo defines the global understanding of Peacekeeping. (Orogun 2002) Where MacQueen looks more to the history of Peacekeeping as being linked to Congolese history (MacQueen 2002), what recent events teach us is that the very definition of Peacekeeping is being defined

by events in the Congo, and that Human Security arguments in the state (Finnemore 2004) continue to shape how the UN perceives of itself in conflict. (Autesserre 2010) (Baaz and Verweijen 2013) (The Ford Institute for Human Security 2009)

Chapter 2: A Nation for Whom?

Part I: The Ethno-National Question

In this Chapter, having discussed in depth and intricacies of Congolese history in Chapter 1, I will seek to analyze the uniqueness of the Congolese state and understand what lessons we can garner from it. The convoluted origins of the Congolese state require an analysis of it, not so much of its functions, but rather of whether or not Congolese society and the state that has formed passes traditional (and non-traditional) understandings of sovereignty and statehood. Generally speaking, as mentioned previously: the first pieces of evidence regarding the lack of a true Congolese state come from its history. Pre-Colonial Congo was hardly unitary: While the mythos surrounding pre-colonial Congo is mainly affiliated with the Kingdom of Kongo, this kingdom firstly was barely more than a loose collection of tribes uniting under a single banner, and secondly very little of its original territory was actually within the DRC's current borders, with a majority of its territory in what is now Angola rather than Congo.²⁰ Outside of Kongo, with the exception of the far-removed kingdoms of Luba and Lunda²¹, unaffiliated Bantu tribes mainly inhabited the rest of the Congo, with no semblance, at least to the Missionaries who traveled the region at the time, of

²⁰ The only region of the current Democratic Republic of the Congo that had once belonged to the Kingdom of Kongo is the Bas-Congo province. Bas-Congo, incidentally, is linguistically and culturally distinct from the other provinces of the country, where Kikongo is primarily spoken, as opposed to the traditional Lingala or Swahili.

²¹ The Kingdoms of Luba and Lunda spanned the modern-day Katanga province, in particular the Upemba depression.

organized trans-tribal governmental structures. (Saccardo 1982) When considering this fact with both the geographic size of the Congo and the arbitrariness of its borders, our understanding of the Congo's ethnic and national breakdown changes. In fact, when considering the colonizing opus as a whole, this sort of territorial border practice was hardly limited to the Congo, and was most assuredly not unique in this scenario. Detractors may point to, for example, Ghana and its significant ethno-religious cleavage between the north and south, and yet Ghanaian sovereignty and nationhood are not called into question quite like in Congo. While it is most certainly true that most post-colonial borders share this trait with Congo, what they do not share is its immense size. What this translates to is an exponentially larger amount of ethnic cleavages vis-à-vis other states within the Sub-Saharan African ethnic framework. An example of this can be seen in the role of the Tutsi in Eastern Congo (a vast majority), who are seen by a bulk of the Western Congolese as foreign, different, and culturally closer to Rwanda than to the values represented in the Capital. This is not due to perceived racial divisions, but to genuine and vast geographic divides, where the Tutsi of eastern Congo are culturally and geographically closer to the countries on the Eastern border than they are to a capital miles away, divided by acres of dense jungle.

Another historical factor to consider is that of the brutality of the Congolese system as a detractor to the formation of national unity. Where other colonial countries suffered immensely under the yoke of their colonizers, in no other location was colonization as inherently destructive as it was in the Congo

Free State. Not only did it destroy whatever semblance of native culture and pre-modern statehood, but it also pitted the inhabitants of the region against each other, fomenting ethnic divides. These ethnic divisions are still relevant in the wake of the Congo Wars. The Congo Wars themselves were in many ways fought upon ethnic lines, pitting entire ethnic groups against each other in widespread cases of violence and cleansing. The culmination of this has translated into a notion of nationhood and of citizenship that is inherently ostracizing. In their study on reconstruction in the Congo, for example, Weiss and Carayannis noted:

The data [shows] that the identification of the Congolese with the Congo nation and state over the last 40 years has become stronger. [...] It also suggests that while Congolese identity has become stronger, it has also become exclusionary with regard to one particular ethnic group, the Rwandaphone peoples. Although these groups constitute a small minority in the Congo, their exclusion from the Congolese nation is significant for any future state-building efforts-not only because they have been an important group historically and politically, but also because that exclusion is tied to two external actors, Rwanda and Burundi, and their actions in the region. (Weiss and Carayannis 2004)

In this sense, Congolese nationhood becomes less of a system of shared values and common identity, and more of defining who isn't Congolese, who is foreign and does not belong. Language plays a large role, perhaps a legacy of the Rwandan invasion during the first Congo War of 1996, when the Laurent Kabila's Rwandan army swept into Kinshasa from the east. Very few of them, Kabila included, spoke Lingala, the language of the capital (Stearns 2011) (Sundaram 2014). This only added to the "foreignness" of the invaders, seen as different in any way possible. These tensions still remain. Weiss and Carayannis cite a poll claiming that "83 percent [of Congolese in major cities] said the Tutsi were not

Congolese and 82 percent said the Hutu were not. [...] In a poll taken in Kinshasa four months into the second war, an overwhelming majority said they were not Congolese – only 4 percent said they should be granted citizenship, even as a solution to the war.” (Weiss and Carayannis 2004) (Turner 2007) All of this, however, goes against the constitution of the Congo, drafted in 1960 under Lumumba’s government which stipulated that all individuals, regardless of ethnic and racial background, living in the Congo at the time of independence were to be considered citizens. While it is most definitely accurate to consider the Congo Wars and the fallout from the Rwandan Genocide to be significant factors in this exclusionary nationalism, it is my opinion that these events were merely catalysts of a process of ethnic divisions dating back to Belgian colonial policy. In this sense, the tensions provoked by what was perceived as a Rwandan Tutsi invasion, weren’t *a priori* phenomena, rather they were manifestations of prior tensions dating back to Colonial policy towards ethnic groups in the region. In this sense, the colonial legacy of the Congo is one of the greatest impediments to the State and Nation building of the country. Similar phenomena also occurred in neighboring Rwanda to genocidal outcomes, in a country many times smaller than its larger neighbor.

Part II: The Environmental-Resource Question

Environmental Security in Eastern Congo isn’t a concept often connected with State sovereignty. While most assuredly, the illegal mining of conflict minerals (diamonds, gold, and coltan being the most widely recognized ones) fuel the conflict in the region by providing the various sub-national actors sources of

income to finance their operations, the (relatively) new concept of “Environmental Sovereignty” is not a measure of State sovereignty traditionally used, with more inherently “political” measures being preferred. That being said, much of the new discourse surrounding this idea has been thus far explored mostly in the context of the WTO and environmental regulations. Most notably, the current legal definition of the concept has been drafted by Bradley J. Condon at the International Center for Trade and Sustainable Development (ICTSD), who claims that: “[Environmental] state sovereignty gives countries jurisdiction to regulate the acts of persons inside their territory and the acts of their citizens. It gives countries the right to exploit their own resources as they wish, along with the responsibility to ensure that activities inside their borders do not cause damage to the environment outside their borders.” (Condon 2006) This two-part definition of Environmental sovereignty simultaneously provides both a contextual argument for what the metric of Environmental sovereignty implies while making clear the responsibilities upon the states such a definition requires. In spite of the comprehensive nature of the Condon’s definition, however, I refine such an understanding to include the understanding that not only does the State have the right to freely use or delegate usage of resource exploitation, it also has the responsibility to make the laws surrounding the extraction of natural resources public and punish those individuals who break such laws. A nation is therefore considered sovereign of its territory if it uses or has control over who uses the natural resources found within its confines. This is a concept first created in the post-colonial world, in which colonial contracts had to be reconciled with the new

sovereign states being created. In 1962 (two years after Congolese independence), the UN General Assembly established “Permanent sovereignty over natural resources” (PSNR), establishing the right of sovereignty over national resources in the newly formed countries (General Assembly of the United Nations 1962). Such a right, in Communist systems of government, implies direct control; in Capitalist democracies this implies delegation of control to the market, with varying levels of regulation. Sovereignty fails, by such a conception, if a Government loses control of its resource endowment, either directly or indirectly through loss of delegation authority. Such an understanding is similar to the notion embraced by the UN Security Council during the Kivu Conflict in Eastern Congo. Resolution 1291 of the Council, for example, “[reaffirms] the sovereignty of the Democratic Republic of the Congo over its natural resources, and [notes] with concern reports of the illegal exploitation of the country's assets and the potential consequences of these actions on security conditions and the continuation of hostilities.” (UN Security Council Resolution 1291 2000) (Nest 2011) This appears to coincide with traditional notions of Environmental Sovereignty understood as control of resources and, vice versa, the loss of control of natural resource extraction as the atrophy of state sovereignty.

Notions of Environmental Sovereignty applied to the Congo take on complex and nuanced dimensions, primarily because the Congo appears to both have control over its resources, and it doesn't at the same time. Congo's control over its resources is intrinsically connected with its relationship with foreign investors (as will be explored further in the next chapter). Investors seeking to

invest capital in the Congo do not do so for the stability of its markets, nor do they engage in venture capitalism. By and large, investment in the Congo takes on the form of resource extraction, namely mining and logging. It is self-apparent that such investments are condoned by Kinshasa. Kabila's relations with China, for example, are dependent on such resource extraction. While many would point to the corruption of a great many individuals in the government as evidence to a lack of environmental sovereignty in this regard, the validity of such claims in considerations of sovereignty is unimportant. Regardless of how such investment occurs, it is self-evident that the Congo condones such investments as a source of income, and as a driver for growth. More importantly, such a condoning of resource extraction implies the Kinshasa's ability to delegate to individuals or businesses. In such an understanding, the Congo's claim to Environmental Sovereignty becomes stronger and clearer: by virtue of being a state with sovereignty, it is able to use its authority to delegate extraction to foreign entities. Contrary to the populist claims of the rebel groups that emerge within its borders (BBC News 2014), Environmental Sovereignty puts no restrictions on Kinshasa to delegate or to extract for the "public good." (O. R. Young 2009)

Where Congo's claim to Environmental Sovereignty becomes less clear is in, as briefly mentioned above, the control of resource extraction, which is lost to both the predation of foreign armies and the systemic control of resources by rebel militias. Kinshasa is able to delegate effectively, but it does not have the ability to restrict access or to enforce the legislation surrounding the extraction of

natural resources.²² While the predation of Gold, Diamonds and Timber for use in the production of Charcoal (BBC News 2014) is notable and an economic and environmental catastrophe for the Congo, the most emblematic and symbolic resource of the mineral struggle is Coltan. Used mostly in the production of capacitors for high tech products such as mobile telephony and other computer products, Coltan would be, under normal circumstances, a great boon for the Congolese economy, given ostensibly the presence of 80% of the world's Coltan in the so-called *Ceinture de Coltan* or "Coltan Belt" (Ministere des Ressources Naturelles 1982), which expands from the Eastern-most provinces of Nord and Sud Kivu well into Orientale and Central Congo. According to this theory, an Environmental Sovereign would be, if not maximizing their utility and profit on such an endowment, then at the minimum controlling who has access to such regions and their usage of the Coltan mines. What is instead occurring are two concurrent phenomena: firstly, the usage of the mines by external state actors, mainly Uganda, Rwanda and Burundi. In the case of Rwanda, for example, the resource endowment of Coltan and the level of mining operations do not account for the amount of Coltan being exported, with some estimates placing up to 50% of said Coltan being illegally smuggled from the Congo. (Nest 2011) (Eichstaedt 2011) (Garrett and Mitchell 2009) While there are inherent concerns here with border security (which will be addressed in another section of the thesis), in terms

²² A clear example of this would be the use of Child Labor in mines, used for extraction of rare earths and precious metals. While the use of child laborers is strictly illegal, the law is rarely if at all enforced. (Poulsen 2010) (Poulsen 2012)

of environmental sovereignty, this concept of a nation profiting from another nation's resources without consent appears to be antithetical to such a notion. As such, in their predation of Congo's resources, Rwanda is de-facto eliminating the Congo's claim to sovereignty.

Secondly, by the same logic, Congo's vast mineral wealth is also subject to the predation of sub-state actors. NYU Political Scientist Michael Nest notes in fact how there are indeed "four ways [Coltan mining is linked to conflict in the DRC], each of which is used by armed groups as a strategy to obtain profits from coltan production and trade. The profit strategies are theft, control of production at mine sites, taxation/extortion, and trade." (Nest 2011) Nest's argument doubly reflects the lack of Congolese sovereignty in its eastern provinces: not only does the central government not control the resources and resource extraction in the East, but also environmental sovereignty is attributable more to the rebel groups than to Kinshasa, given that they not only control both extraction and access in the mines, but also delegate, tax, and enforce their own rules surrounding the extraction of natural resources. By this logic and by the previously conceptualized idea of environmental sovereignty, Congo's sovereignty in relation to rebel resource extraction is doubly negated both by rebel extraction of natural resources, in this case coltan, in which the rebel groups exert direct control over the environment, and by rebel profiting from mineral extraction through taxation, legislation and delegation of resource extraction, thus indirectly controlling the resource endowment and its surroundings. Nest documents several cases of this phenomenon occurring between 2000 and 2008, with the rebel groups creating

everything from tax and tithe systems to fully-fledged mining corporations in the region, corporations with legal status abroad and with economic ties to the region in which they operate. (International Alert 2010) In one such case, Nest describes entire economic systems being created by the rebel groups as a means of profit, entering the international trade system legitimately. The case he describes in particular is that of the RCD-Goma, a primarily Rwandan funded group operating in the early years of the new millennium. In his words:

“Needing money to run its administration and to fund its army, and conscious of the very high prices being received by coltan, in November 2000 RCD-Goma imposed a monopoly on the export of coltan. The monopoly was organized by the newly created Société Minière des Grands Lacs (SOMIGL), which was designed to function like a state-owned corporation. SOMIGL was jointly owned by RCD-Goma and three private companies registered in the DRC, one owned by a Belgian, one by a Rwandan and one by a South African.” (Nest 2011)

Cases such as these only reinforce this notion of state distance, given that new improvisational economies (Mantz 2008) have sprung up in the vacuum left in Kinshasa’s absence.

Part III: The Developmental-Economic Question

Jeffrey Mantz’s notion of improvisational economies leads into the third critique of Congolese sovereignty: Economic Sovereignty. Mantz, in fact, refers to the situation developing in eastern Congo as a “War Economy” in spite of the fact that the Congo is not, officially at least, at war. (Jackson 2002) (Cross 2005) (Mantz 2008) The formation of new economies, estranged from the formal statewide economy, means that not only does data from the region become unreliable and incomplete, it also requires newer discussions of Sovereignty on

the topic. Unlike traditional Westphalian sovereignty or newer realist understandings of sovereignty, such a concept goes beyond traditional notions of power and influence and looks at both the economic relations a state has with its neighbors and the control a state chooses to exert on its internal economy, via the collection of taxes and the use of regulation. Moreover, such a discussion becomes inherently connected with arguments regarding development aid, due to its crucial role in the economies of developing nations. Economic sovereignty is an inherently new concept: prior to the advent of globalization and the advent of globalized trade, the idea of a state's sovereignty over its internal economic affairs was a concept intrinsically linked with the traditional understandings of sovereignty: states had the authority to control their internal markets as they saw fit. During the Cold War, for example, states ostensibly had control over who had access to their markets. In the eastern bloc and Soviet-affiliated states, this meant total government control. Their right to do so was guaranteed by virtue of their sovereignty. Such ideologies, however, no longer exist, or rather, are not as clear-cut: international capital flows and neo-liberal concepts of international markets push states to open up their internal markets to investment and trade. As such, economic sovereignty is a concept that exists in a newer, globalized trade system which indicates the right of states to control who has access to their markets and how.

What this means is that national sovereignty is understood, therefore, to be a function of economic sovereignty, as opposed to the opposite, where a state's sovereignty is inherently linked with the economic activities going on within its

borders. (Subedi 2006) A state's right to pursue economic liberalism or autarky is protected by such notions of sovereignty. Conversely, a state that is unable to control or regulate its trade policy and who has access to their markets should not be considered a sovereign state, and, perhaps more clearly, a state that is unable or incapable of engaging in the conventional economic activities and responsibilities of States should not be considered sovereign, namely the regulations mentioned above in addition to taxation and regulation of its internal economy. (Krasner 1999) (Quiggin 2001) (Okogbule 2008) In terms of what this means for the Congo, the understanding of economic sovereignty takes on three characteristics: firstly, one must consider sovereignty in terms of ability to control access to internal markets, in this case Kinshasa's control over its markets. Secondly, one must consider the role development aid has within the state and whether or not this aid is substituting government functions or atrophying its control. Finally, one must look at traditional government functions and the state's ability to tax and regulate its internal economy and financial markets.

Regarding the first understanding, we must first look at *who* is investing in the Congo, *how* they access those markets, and *why* the relevant actors behave in such a manner (assuming a rational model of behavior). By understanding the investment model of the Congo and of greater Sub-Saharan Africa, one can understand the way Congo's markets work and who controls them. In this case, one cannot discuss private investment in the Congo without discussing the role played by China. Private investment from China is crucial to the Congo's economy: not only is China a key player in terms of imports and exports to the

Congo,²³ it is by and large the most prominent single investor in the Congolese economy. While the World Bank and the International Monetary Fund both contribute to the Congolese economy, the role China plays is cannot be understated: While the overall figures of Foreign Direct Investment (FDI) show us that an overall 2 billion flowed into the Congo from OECD countries in 2013, 2.5 billion came from China alone. (UNCTAD 2013) While this argument is not representative of a uniquely Congolese phenomenon (Similar arguments could be made, and have been made, about a great many states in Sub-Saharan Africa), what makes the argument unique is its relation to the economic questions that arise from private investment entering the country. Chinese investment comes “many strings attached”, and where OECD aid and investment tends to push developing countries towards certain neo-liberal principles and human rights goals, Chinese investment has less “noble” goals, seeking instead more direct returns-on-investment in terms of political capital in Kinshasa. (Rotberg 2008) (Rupp 2008) The investments China makes in particular are targeted at determined sectors of resource extraction (Rotberg 2008) for which it demands government support in that endeavor.²⁴ Public investment becomes skewed: investments in infrastructure are thus subject to the economic interests of foreign investors. Roads and transportation are all constructed in order to facilitate access

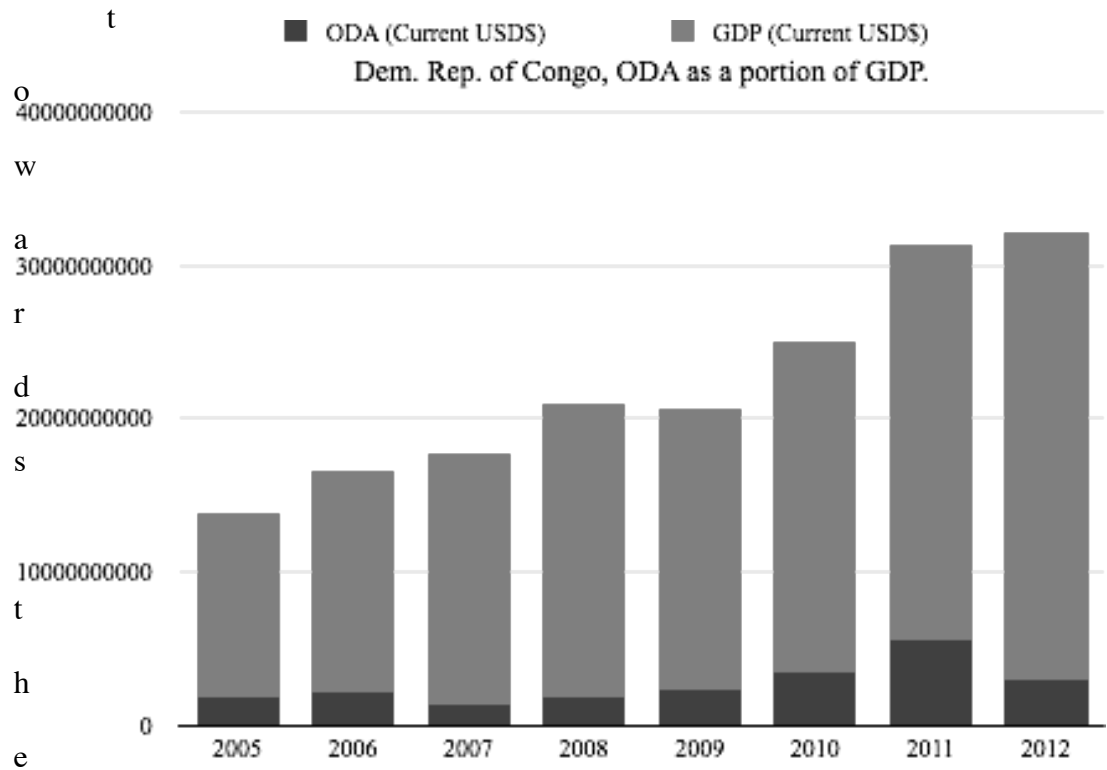
²³ As of 2012, 15.3 of all of the Congo’s imports came from China, the largest non-African importer. (Central Intelligence Agency 2015)

²⁴ In reality, this has been part of China’s success in the subcontinent: providing non-conditional aid, aid without the conditionality of social reform, liberalization and democratization. This does *not* mean, however, that Chinese investment is by any means free. (Jansson, Burke and Jiang 2009)

to mines, forests designated for logging and other raw materials (Sundaram 2014). This translates into an erosion of a state's economic sovereignty: if economic sovereignty is understood to be a state's ability to control who has access to its markets and how, then the Chinese model of aid-as-investment in fact erodes this ability, because, China is able to maintain a preferential model of investment in the region and has, in essence, transformed the Congo into a Client State, in which both public and private investment are used in the pursuit of Chinese interests, not necessarily Congo's, a small player in the larger Chinese manufacturing process.

The second consideration regarding Economic Sovereignty is the role of Development Aid, a key element to the formation of post-colonial economies in transition. ODA (or Official Development Assistance) provides developing economies with the capital that is required (at least on paper) to build infrastructure, institutions and other governmental functions. Unlike FDI, ODA does not come directly from private actors,²⁵ rather it comes either directly from Governments and Inter-Governmental institutions, or from private sources operating through governmental frameworks. This is a crucial aspect to what shapes the infrastructure and institution development of post-colonial economies. The challenge to legitimacy, and therefore sovereign power, is the notion of developmental corruption, namely that the top-down approach taken by traditional ODA challenges the very nature of economic sovereignty, due to the role corruption plays in recipient states. If a State's economic habits are skewed, either

²⁵ Although in the case of China, this distinction is blurry at best.



Data collected from the World Bank

economic interests of another state or towards the whims of private citizens, such a state is not considered sovereign over its economy. This notion implicitly appears to fit with current notions of sovereignty: kleptocracies, colonies, and client states all fail this test of sovereignty simply because they are structurally unable to fulfill this task: kleptocracies exist to provide wealth to individuals and elites, colonies exist to enrich colonial powers, and client states exist to support their benefactors. None of these systems pass the test of economic sovereignty. In terms of what this means for ODA, it would appear that ODA, if anything, represents the antithesis of a lack of economic sovereignty: ODA represents monies designed to help states transition out of poverty through economic development. States can use the money received from ODA to invest and improve

their own economy. In theory this is an aspect that should be strengthening the sovereignty of states that receive it.

In practice, however, this proves not to be the case: Aid appears to be having quite the opposite effect, increasing levels of corruption (Alesina and Weder 2002) and actually *reducing* levels of public investment in the economy (Svensson 2000) (Svensson 2003). This form of argument is at the crux of current critiques (Moyo 2010) of the current aid model: if development assistance is in fact *reducing* spending whilst increasing the amount of funds available for public expenditures, it follows that those funds are being used for private interests. If, *ceteris paribus*, the amount that is being added to the overall economy of the state is not only increasing the overall supply of investible funds for public expenditures, but also reducing the overall amount spent, that would imply that those funds are being spent elsewhere. In practice what this subversion of public expenditure implies is that the ODA increases levels of corruption (Alesina and Weder 2002), and that the relation between the two is proportional. What follows is that states which receive aid in this manner cannot be in themselves sovereign.

Finally, the third consideration to be had in regards to economic sovereignty is perhaps the most basic: the power of taxation and of regulation of markets. This is an aspect touched upon briefly in discussions of environmental sovereignty: the internal market for raw materials is and remains mostly unregulated and out of Kinshasa's control. (Mantz 2008) However, the discussion to be had over economic sovereignty is whether or not the collection of taxes and

the regulation of the market, on paper and in practice, are widespread and comprehensive. First and foremost, tax collection in the Congo is and remains poor: in 2015, the World Bank group ranked the Congo 168 out of 187 countries in terms of ease of paying taxes by foreign companies (World Bank Group 2015), companies that due to their multinational nature must act legally and not engage in black market activities. Moreover, for companies to pay taxes legally (not including bribes) a grand total of 50 payments must be made, with approximately 40 business days for a medium-size business to complete the steps to file taxes. (World Bank Group 2015) This data would appear not to disprove the notion of economic sovereignty: while it may be difficult, it is not impossible for a company to file taxes. This consideration, however, does not take into consideration the widespread nature of the Congo's informal economy, which is currently estimated to be approximately 80% of the overall Congolese economy. (African Bulletin 2010) Where the formal economy, represented by transnational and legal companies is contributing to complex and inefficient system of taxation, the vast majority of individuals in the country simply avoid such difficulties altogether, operating in the vastly more efficient informal economy. When considering this in the overall discussion of economic sovereignty, the fact that four out of five in the Congolese economy do not pay taxes is simply another manner in which economic sovereignty does not appear to apply.

Part IV: The Political Legitimacy Question

In addition to the ethno-historical issues emerging from Congo's colonial past, there is significant evidence indicating a lack of concrete state-building in

the Congo, and thus giving Congolese citizens little to no incentives or desire to identify with Kinshasa's government. This can be attributed first of all political divisions that fracture the country. Evidence of this can be seen in the years leading up to Mobutu's seizure of power. While it can be argued that the internal divisions within Congo were created and fostered by Cold War powers and other significant actors²⁶, these external actors fomented pre-existing political divides in the Congo. External intervention in the Congo therefore becomes a catalyst for political conflict, but not necessarily its creator. Political divisions in the Congo have existed, as mentioned above, since before its creation, with a variety of peoples who retain themselves to be ethnically and politically different from each other. The 1960 fracturing of the Congo is equally an example of Political division as it is of Ethnic division, highlighting the true divisions of the Congo.

In spite of these divisions, however, the true Political question of the Congo has to do with the functioning of the country itself, as well as the peculiar mannerisms of the Political class. While the divisions are important and the tensions remain as part of the discourse of various rebel groups which spring up in the Congo, the government of Kinshasa in its functioning has done little to merit the loyalty of the citizens of the state. State-building in the Congo has been far from successful, with a variety of sub-state actors operating far more successfully in local politics than Kinshasa. The political clout of Kabila's government does

²⁶ A good example of this can be seen in the intervention of Belgian mining interests in the Katangan independence movements since 1960. Katanga has particularly large pockets of mineral wealth, making mining contracts in the region highly advantageous on the Global Market.

not extend very far past the outskirts of the capital, where instead the majority of the territory is either governed poorly (if at all) or under the sway of other groups. Herbst and Mills are the first to truly pioneer this school of thought regarding the Congo, pushing for a new approach to the question of Congolese sovereignty and diplomatic ties towards the country. In their words, “Congo has none of the things that make a nation-state: interconnectedness, a government that is able to exert authority consistently in territory beyond the capital, a shared culture that promotes national unity, or a common language. Instead, Congo has become a collection of peoples, groups, interests, and pillagers who coexist at best.” (Herbst and Mills 2009) The political disunity of the Congo can be attributed to a variety of factors, one of which, as examined above, is the role of the highly divergent ethnic identities, however this is merely one narrative.

Another fundamental issue with the political landscape in the Congo is the link between the political arena and rebel activity. Congolese politics, both regional and national, have been inherently linked with the rise and fall of rebel forces, with many political actors being former rebel leaders, militiamen and jungle warlords. Setting aside the questions of legitimacy arising from the presence of war criminals in Congolese politics, rebel activity becomes almost a political tool in elections. Anjan Sundaram recounts, for example, how Presidential candidate and Warlord of the *Mouvement pour la Liberation du Congo* (MLC) Jean-Pierre Bemba would threaten to return to the bush and continue rebel activity if not elected to office. Sundaram recounts: “Bemba was saying that he would prolong the war. ‘If I don’t win the elections I will return to

the bush!’ he yelled, his eyes filled with rage. ‘We will make a new army.’”

(Sundaram 2014) The Bemba case is, however, one of many, and appears to belong to a political mythos of the Congo regarding rebel leaders. If before, this thesis imputed Mobutu with the creation of a “culture of corruption” within the country, in which personal interests and personal survival trumped the health of the political system as a whole²⁷, it is also true that the current political framework in the Congo is imbued with a culture of violence. Consider: every elected leader of the Congo since decolonization, elected or no, has taken part in rebellious and violent activity, from Patrice Lumumba to Joseph Kabila’s own father and predecessor, Laurent Kabila; Every President and Prime Minister of the Congo since the dissolution of Belgian Congo in 1960 has been, at some point, a rebel fighter.

The Bemba case is also significant in the realm of human rights and international law. While Rebel Populism appears to be an accepted form of politics in the Congo, it should be noted that the rebel activity of the Congo is inherently destructive in nature, and this is reflected in the example of Bemba, who in many ways represents the typical Congolese politician both in his attitude and in his posturing. He represents a form of militancy in the Politics of the Congo, a legacy of Mobutu style politics, however due to rebel activity, also a legacy of violence and of human rights abuses. Militant, violent and bloody pasts

²⁷ Jean-François Bayart refers to this form of politics using a traditional Nigerian expression: “Politics of the Belly”, in referring to a style of politics in which self-interest and illogical “gut” feelings took precedence over more logical and systems-oriented political maneuvering. (Bayart 1999) (Bayart 2009)

are common in Congolese politics, which undermines the legitimacy of the governments in question. Bemba's example is salient yet again: the former vice-president of the Congo is under trial for human rights abuses and war crimes with the International Criminal Courts. These are crimes he committed before taking office, while leader of the MLC, however, as seen earlier, his actions as leader of MLC were what Bemba campaigned upon, both as a means of enforcing popular support and a tool to coerce elections in his favor. Bemba is, however, one of many, and the political class of the Congo remains inexorably linked with the violations of human rights that accompany them to power.

In terms of legitimacy, an argument must be made for the legitimacy of the state itself, understood as a provider of resources, services and security for the population of the country. Understanding the Congolese state as incapable of providing for the basic needs of the Congolese, either due to unwillingness or incapacity, inherently undermines both its legitimacy and the state-building efforts of Kabila's government. In terms of the functions of the state, the legitimacy of the Congolese state becomes related to what is understood as the role of the state. If the state cannot fulfill the duties its role in society expects of it, it follows that its legitimacy suffers. Defining the role of the state in the Congo becomes inherently subjective, depending on the political perspective of the reader, which may vary from an extremely minimalist view of the state to a largely expansive one. In general however, the most basic function of a state is understood to be that of security. The notion of the state as a provider of security to its citizens above all else is perhaps the oldest understanding of the social

contract, emerging out of the English Civil War with Thomas Hobbes's *Leviathan*. In this way, the social contract is to be understood as designed to pull humankind out of what Hobbes refers to as the "State of Nature", the lawless anarchy created in the vacuum left by statelessness. The idea set forth by Hobbes is perhaps more refined by Max Weber's interpretation of the concept, as a "Monopoly of Violence" (Weber 1918) (Stearns 2011). Weber's idea makes fewer pretenses to an understanding of the human condition²⁸, and yet interprets the defining characteristic of the state as being the sole entity able to engage in, condone, and punish the act of violence. It follows logically that a state that is unable to do this, in which vast swaths of its population's lives are "solitary, poor, nasty, brutish, and short" (Hobbes 1651) is no state at all, because it is unable to fulfill its most basic of functions.

This notion of statehood implies that not only is providing the security the primary goal of a state, but also that a state that does not do so effectively ceases to be legitimate. Considering the security situation in Eastern Congo, the dubious pasts of many in Congolese politics and the often misused political authority in the use of violence against Congo's citizenry, the claim that the government in Kinshasa is any more legitimate than any of the disparate local governance structures, rebel groups or even the various foreign forces in the country is debatable, thus returning to the original point of Herbst and Mills' argument, that

²⁸ Hobbes' viewpoint should also be understood as colored by the experience of the English Civil War, in which *de facto* anarchy reigned for long periods of time. Weber's approach appears to be a more empirical understanding of a similar concept.

“there is no sovereign power at all outside the urban areas, leaving two-thirds of the country's estimated 75 million people beyond the purview of a central government.” (Herbst and Mills 2013)

Another concept to explore politically is the notion of borders and boundaries. Hobbes's view of the state may be a simplistic notion of sovereignty and state functions, however there may be a more minimal notion of what a state should do. Many would argue, in fact, that the Congo is not by any means unique in its inability to provide credible security structures and institutions for its citizens. If the Congo is not a state, by this logic neither is the Central African Republic, given its intense internal struggles, or South Sudan, for similar reasons. Going to more traditional notions of statehood and sovereignty, I argue that states become states when other states recognize them to be as such, and more importantly, other states recognize the borders and confines of their territory. Kosovo, for example, in spite of wide recognition in the international community, is not considered a state because Serbia does not recognize it as such, and ignores its borders. Congo's borders are ignored in much the same way: both the Rwandan and Ugandan state have, to varying degrees, ignored the integrity of the Congolese state by merely ignoring the border. Particularly Rwanda, in its zealotry in pursuing the FDLR (a concept to be explored further later in the thesis), has entered Congolese territory without Kinshasa's consent. Setting aside notions of security, of legitimacy and of institutions, the most minimal notion of what a state should be is exactly this: other states must recognize where their territory ends and their neighbors' begins, however repeatedly other states

(Rwanda being the main culprit) have failed to do so in the Congo. (Nest 2011)
(Garrett and Mitchell 2009)

Part V: The Security Question

In regards to the question of security, several argumentations concerning the safety and structural integrity of the nation must be made in order to gauge effectiveness. Unlike the political violence of government functionaries and elected officials, the security question regards violence made by actors *external* to the established order of the country, namely the disparate rebel groups, and their relation to the actors around them. This becomes crucially important due to the negative impacts foreign violence has not only on the livelihood and wellbeing of the Congolese citizenry but also on the credibility the state has in relation to the protection of its citizens and national confines,

While the *mythos* of rebel activity is a prominent theme in Congolese history, as explored above, Congolese rebel activity, in the modern sense of the word, primarily refers to rebel groups emerging in Eastern Congo after 1994. This is the key date in the development of militant groups in that it represents the end of the Rwandan Genocide with most of the *Interahamwe* Hutu forces being pushed over the border into the Nord and Sud Kivu provinces of Eastern Congo by Paul Kagame's RPF (Melvern 2006) (Power 2013). While this played into the succession struggles of the final years of Mobutu's power and the post-Mobutuist years, understanding the complicated relationship between the Congo, the rebels and governments to the east is crucial to understanding the complex security situation in Eastern Congo. While there is a plethora of ever-shifting and

changing rebel groups, this section of the paper will focus on five major rebel groups, regardless of current political violence, due to their historicity, influence of the central governments (both in their motives and their actions) and the response to them, being the FDLR, the Mai-Mai, the MLC, the CNDP and the M23. Most assuredly there are many more groups operating in and around the region, as well as other rebel groups operating in other parts of the Congo, such as the Lord's Resistance Army led by Joseph Kony²⁹, however they do not show expose any evidence to Kinshasa's inability to govern other than the fact that they exist.

The history of the FDLR is perhaps the most symbolic of the struggle in Eastern Congo. Born in the aftermath of the Rwandan genocide, the FDLR is primarily Hutu group, and carries on (for the most part) the agenda of the *interahamwe* forces of the genocide. Its continued presence in the region presents a concern on all three levels analyzed, due to its historical legacy, prolonged violence and instigation of ethnic tensions, and it has lasting effects on the intranational, international, and extranational levels. It is unclear how many members of the FDLR actually exist, in part because their numbers appear to be constantly fluctuating. Some sense of membership can perhaps be seen in repatriation statistics: by March of 2009, MONUC had repatriated exactly 18243

²⁹ While media attention on the LRA intensified after the viral cybercampaign “#KONY2012”, it is difficult to find any evidence that shows that the LRA was ever a major force in Congolese politics, and while its human rights abuses are widespread and self-evident, there is no indication that they pose or have ever posed a systemic threat to the Congo itself.

individuals from the Congo into Rwanda, and yet, in spite of this, the FDLR persists (although it would appear with much less manpower). (Romkema 2009)

Looking at the FDLR's presence as a threat on all three levels of analysis, one notes not only a heightened threat to people and property in the areas in which it operates but also a fulcrum upon which several different phenomena hinge upon.

The first level of analysis, an intranational analysis, looks at how the presence of *genocidaires* on Congolese soil affects political and ethnic relations within the confines of the Congo itself. By and large, while Eastern Congo was not by any means a peaceful and prosperous region in 1994, true violence in the region is arguably a result of a fallout of the Rwandan Genocide paired with the power vacuum left (and still present) in the region after the fall of Mobutu. As explored earlier, the history of the FDLR is inherently linked with that of the Rwandan Genocide. Not only does the FDLR see itself as the successor to the ultranationalism of the Hutu Power movements of the 1990s, it also developed as a direct consequence of the genocide as it formed embryonically amongst the first Hutu refugee camps in Bukavu (Stearns 2011), where former *interahamwe* soldiers fused with local Hutu militias and other refugees to form a large, well organized paramilitary organization. In their promotion of Hutu Power, countless Tutsi and non-affiliated Hutu have been murdered, raped, mutilated, tortured and forced to flee their homes. In spite of this, Kabila's relationship with the FDLR has mainly been dependent on power politics with Rwanda. The FDLR has for many years benefited from the support of Kinshasa in fighting a proxy war against both Rwanda and Rwandan-backed rebels. While Kinshasa cannot directly

influence the politics in Eastern Congo, it can provide financing and other indirect channels of support to the FDLR in order to protect the integrity of its borders.

This is a reflection both on the political question of Congolese state integrity and on the legitimacy of the governance structures of Kinshasa: Government support of such an organization renders it complicit in the war crimes of the FDLR, but it also shapes its policies towards its eastern provinces, in North and South Kivu especially.

The second level of analysis is that of the international level, namely how the security situation in Eastern Congo affects relations between Kinshasa and other states, namely its neighbors to the east. As mentioned before, Kabila's backing of the FDLR as a means to secure Congo's borders is most assuredly a blow to the legitimacy of the state, but it also impairs relations with Congo's neighbors. Conflicts such as the Kivu Conflict, ostensibly fought in a post-Great War of Africa context, were in fact conflicts between Congo and Rwanda over the Great Lakes region. In fact, I would argue that the key to the relations between the two countries is in fact their relation to the FDLR. For example, during the first Congo War, Rwanda began its invasion under the stated objective (whether or not there were other pressing economic and political concerns on Kagame's agenda is a topic for another thesis) of finding and destroying FDLR forces in Eastern Congo. The secondary objective of ousting Mobutu in favor of Laurent Kabila

came much later, when the RPF and RCD-Goma had already made its way well into Orientale province³⁰. [Citation needed]

In the power politics between Rwanda and Congo, therefore, the presence of the FDLR is a continued part of the discourse between the two countries, and where Congo supports the FDLR less out of ideological continuity and more out of a desire to keep Rwanda out of its sovereign territory, Rwanda sees this as a direct endorsement of Hutu Power and as such supports all the other rebel groups in the area, as it did (for example) with the CNDP of Laurent Nkunda, a primarily Banyamulenge (with some Tutsi) group with the expressed goal of protecting Eastern Congo from Hutu Aggression. (Metzgar, et al. 2009) Where this affects Congolese statehood is the idea that the country must rely on a paramilitary organization with no legitimate authority or credibility, both internally and internationally, to protect its borders from Rwandan aggression, who in turn sees its aggression as not only justified, but also just in pursuing the perpetrators of Genocide, even 20 years later. Rwanda has no intention of allowing these men to return, particularly their leadership structures, and as such will perpetuate a cycle of violence. Therein lies, by this analysis, the greatest failure of the Congolese state in governing its eastern provinces: the inability to act in such a manner as to prevent violence. This is by no means an easy task, however Rwanda is perhaps

³⁰ Laurent Kabila is said to have given a speech at Kisangani (the Capital of Orientale province), asking the locals whether he should continue his advance past Kisangani and towards the capital in order to oust Mobutu. The crowd is said to have strongly agreed with this notion, pushing the Rwandan army west and towards the capital. Whether this story is true or not is highly debatable, and the evidence for it is highly anecdotal.

correct in its approach (albeit overzealous in many regards) to the FDLR. The Congo cannot hope to normalize relations with its eastern neighbors if it continues to use a Hutu Power group instead of the FARDC.

The third and final level of analysis is the extranational level, looking at how the security situation in Eastern DRC has affected the international institutions, NGOs and other transnational efforts on the ground. Primarily speaking, this implies the relation between groups such as the FDLR and the MONUSCO forces currently active in the region. Séverine Autesserre, in her analyses of peacekeeping structures in the Congo, recounts a telling anecdote in regards to the relationship between militias, citizenry and MONUSCO:

In May 2004, large-scale fighting broke out in the eastern city of Bukavu. When rebel troops took over the city, they went on a looting, raping, and killing spree. In a well-populated neighborhood located not far from a United Nations (UN) peacekeeping base, a boy and his mother watched several soldiers enter their neighbor's house. From what they could see and hear, they understood that their neighbor was about to be raped. The boy ran to look for help at the UN peacekeeping base, but when he arrived at the checkpoint of the base, the Uruguayan soldier on duty spoke neither Swahili nor French. The boy tried to explain several times what was happening, but he could not make himself understood. Finally, the soldier broke into a large smile, made a sign to say he had comprehended and went inside the camp. He came back a few minutes later with a pack of cookies, which he handed to the boy. (Autesserre 2010)

While Autesserre sees this (perhaps correctly) as a “top down” issue of ingrained perceptions of the avenues through which the conflict in the region was channeled, what is perhaps most telling about this story is the lack of national institutions, namely that in an emergency the Congolese citizenry do not seek out the aid of the FARDC, or the aid of an opposing militia, rather they seek out the

only authority with any legitimacy in the area, MONUSCO. Autesserre, rightly so, in her book analyses the failure of viewing the conflict and a local, sub-micro level, instead of focusing on the larger political implications of intervention. The common thread amongst peacekeeping missions is the idea that Peacekeeping and Peacebuilding are not achieved through population defense and population control, a rhetoric which has persisted since the failure of UNAMIR in the 1994 Rwandan Genocide. Autesserre is of the opinion that only intervention in small scale violence will allow for conflict to be stopped and for the international system of peacekeeping to gain some credibility in this regard, however this is, in my opinion, a breach of sovereignty. Intervention in local, regionalized conflicts is and has been traditionally the domain of national governments. Policework is, by and large, a state-run enterprise³¹. The fact that in the case illustrated above, the boy had to run to MONUSCO instead of the forces of his own government are more a reflection on Congo's state of affairs than of DPKO's. Not only is MONUSCO, therefore, considered to be the primary provider of security even above other regional actors, but also such scenarios illustrate how national peacekeeping forces, namely the army and the police, are visibly absent. Therefore the question: is sovereignty breached if there is no sovereign power in the region?

³¹ There are exceptions to this, EUROPOL being a salient example.

Chapter 3: Regional Non-Governance

Part I: A Note on Statehood

Having noted which conceptions of sovereignty do not apply in the Congo case, the purpose of the following portion is to establish which models do apply, and which new conceptions can be built upon. In order to do so, some general considerations on premises and methodology must be made. Firstly: definitions of what statehood must be made in order to contextualize the Congo's role as a sovereign. Generally speaking, statehood in this thesis is understood to be a social contract made between the institutions and the governed in which the collectivity of the general public agrees to cooperate through government institutions in order to promote their interests, be it security, economic development or social reform. The measures of sovereignty applied before therefore are all reflections of the contractual nature of what states are understood to have. Issues of control over natural resources or the legitimacy of the political class all relate to the social contract: sovereignty within the contract should be understood as the both the rights and the duties which apply to the state, just as the laws it promulgates apply to its citizens. States that do not fulfill their duties are thus categorized as breaking their respective social contracts with their citizens, and are thus failed or fragile states. This seems to inherently be accurate: failed states often lack the basic government structures to provide the most basic of needs for their citizens, as is their responsibility as states. Academics classify these states as failed or fragile indiscriminately, painting a wide brush over these states equally: in a bulk of the literature, failed states share a commonality of traits (Acemoglu and

Robinson 2012) (Chomsky 2006) (Massoud 2013) (Rotberg 2004) which allow them to be categorized similarly. These academic observations explain how there is a yearly index in which all states are ranked according to their “Failed State-ness.”

What these observations fail to analyze are the channels through which states fail: they presume that states fail for by and large for the same reasons and fail homogenously throughout their territory. This is simply inaccurate. Indeed, it would be more accurate to say that there are as many kinds of failed states as there are failed states. To categorize Mexico as a fragile state using the same metrics as Liberia, Somalia or the Congo itself ignores the wide variety of factors that contribute to their political situation. To classify them on the same scale without understanding the reasons for their predicament is a flawed analysis. This is not to say that the metrics such classifications are incorrect, but rather, that the false equivalency created presumes that failed states have similar symptoms and create similar outcomes. What this portion of the thesis will attempt to do, therefore, is to consider a new theoretical model capable of taking into account aspects such as the heterogeneity of failed states and apply such a model to explain the Congo case, using the knowledge gained both regarding its history and its sovereignty.

Part II: Core and Periphery

One aspect to be explored is the dichotomy between Core regions and Peripheral regions within failed states. Such differences have featured prominently within discussions of international politics, where relations between

states have been categorized as “Core” and “Periphery” (Wallerstein 1972) (Wallerstein 2005), and yet that same metric of analysis is not applied to studies of failed states. Generally speaking, however, Wallersteinian conceptions of the economic system remain applicable: “Core areas [are] the location of a complex variety of economic activities – mass-market activities [...]. The peripheral areas [are] monocultural, with the cash crops being produced [...] by coerced labor. [...] In the core states there evolved relatively strong state systems. [...] By contrast, the critical feature of the periphery was the *absence* of the strong state.” (Wallerstein 1972) By Wallerstein’s analysis, Core regions have projection power, the ability to project system-wide rules upon peripheral regions, and while this conception was applied primarily to the client state and colonial relations of the pre-industrial age, variations of this model can be applied to the internal dynamics of states, in which (with very exceptions) central governments project system-wide rules (in this case laws, norms and regulations) upon peripheral regions. Much like the international system has core regions in which a bulk of the economic activity occurs, similarly states maintain core regions in and around the economic, administrative and political centers of the state, as geographic units. By the same argument, states also retain large areas of periphery in the outlying regions of their states: regions dominated by resource extraction, low-level agriculture and distant central governments vis-à-vis local power structures.

Core regions comprise the key and central areas of a state. Much like in Wallerstein’s international system, Core regions maintain significant economic power over the global system, on the national level economic power is maintained

through different channels. Conceptions of Economic Sovereignty, for example, imply that a state must have control over its capital markets and its financial institutions or must at least be capable of some measure of regulation. In order for this to be the case, there must be political institutions and financial centers present within the country, physical locations in which these transactions occur and in which economic policy is shaped. Similarly, conceptions of Security imply that a state maintain adequate military and police structures, requiring therefore physical locations in which personnel is trained. All conceptions of sovereignty require some measures of state apparatuses to be present, physical locations in which bureaucracies, epistemic communities and other policymakers meet and gather. All these are functional to Core regions. At the national level, therefore, a Core region should be defined as a region that is indispensable to the adequate functioning of the state, that contains crucial economic value, or that is geographically significant. A state's capital is the epitome of a core region: without control of the capital, a state ceases to exist entirely and new states take its place.

Peripheral regions on the other hand have very different roles: much like the name would entail, Wallerstein sees these regions as distant, both economically and geographically from global trade and the global capitalist system: they participate, but are not indispensable to the functioning of the system and usually have far inferior value and influence over the system than the core regions. Such analyses are integral to the application of Wallersteinian theory on the national level; peripheral regions of a state follow the same logic as their

international counterparts. They are part of the state, and that state manages their affairs, however they are not integral to the functioning of the state: they contain no significant government institutions, nor do they produce high value manufactured goods. They participate in the economic system of the state, producing raw materials or agricultural goods as well as acting as consumers in them of themselves, however their loss would not compromise the manner in which the state operates. Translating this theory to a political geography of the Congo appears to take a very significant dissonance between Core and Periphery. Congo's Core, the area in and around the capital in Kinshasa, has shown itself to be more or less stable, with the risk of invasion, rebel activity and other security risks being greatly reduced. Vice-versa, the further one moves away from the Western Core regions, the higher that risk will become.

Part III: Defining Regional Non-Governance

This dissonance between core and periphery becomes crucial when considering their respective roles in failed and fragile states. In states operating at a high level of stability, the distinction between core and periphery becomes less obvious: a perfectly capable state would be able to control core and periphery in equal measure. Peripheral regions within states on the low end of the Failed States index are controlled effectively by their central governments because the capacity of states at that level is sufficient to govern the territory effectively. State capacity becomes crucial in governance of territory: peripheries can only be governed effectively if the state has the capacity to do so. If it lacks that capacity, it follows

that it cannot enforce the social contract. This initial understanding of lack of capacity can be expressed in the following formula:

$$S - D = G$$

In which S represents State Capacity, understood as the ability of states to enforce the social contract and to act within the impositions placed upon them both by the law, by their respective constitutions and by the constraints on sovereignty. S is representative of the State's ability to act according to its mandate and therefore is always a positive factor: A state with $-S$ would not be a state at all, having negative state capacity, a political impossibility, even in the most politically divided country. A wide variety of considerations enter into discussions of state capacity, each of which varies according to the state in question: each state will have different considerations that affect their state capacity largely dependent on characteristics unique to that state. D, on the other hand, indicates destabilization, the collectivity of negative externalities and detractive characteristics of states that hinder the application of State capacity to G, State Governance. G is therefore calculated as the Capacity of the State minus Destabilizing forces, the actual amount a state governs and its capability to "project" power.

In a perfect scenario, G would be infinite, and a State would have infinite ability to govern, due to its S being infinite, thus being able to overcome all possible D. Vice versa, a situation in which $D = \infty$ would represent the opposite situation, in which regardless of a State's capacity to govern, its ability to project power will always be negated. For the sake of the providing context, consider two

hypothetical states A and B. A is a highly industrialized core nation in Europe whereas B is a developing nation in Sub-Saharan Africa. Several factors are used to calculate A's S: GDP per capita, low Gini Coefficient, high levels of Education and Democracy, all of which contribute to create a very high level of State Capacity, conversely A's D is particularly low due to its relatively small size, peaceful neighbors and strong alliances. As such, A's G is very high net positive and is considered a very stable state, able to effectively govern both its core and its periphery. The case of B is quite different: B as a developing nation has a very low A due to very low levels of education, a history of political repression and instability, and volatile neighbors with demonstrated ability and willingness to invade at any time. Moreover, B's D is particularly high: crippling levels of poverty, low economic activity, ethnic tensions, corruption, and illegal weapon smuggling all feature prominently within its borders, which are in turn quite large due to B's size. Considering B's S and B's D in tandem leads to the conclusion that B has very low levels of G, if not *negative* G due to B's D being larger than its S.

Negative levels of Governance in cases such as that illustrated above lead to States being unable to control territory effectively, and is the common trait of failed states, of which the Congo is a prime example. In such scenarios, in fact, according to the logic of the Core-Periphery dichotomy illustrated earlier, when a state must strategically govern its territory as best it can, Core regions will be given preference due to their importance to the functioning of the state. A state can function without governing its peripheries; it cannot function without

governing its core regions. This retrenchment of state capabilities is merely a logical consequence of the model, and the implications of retrenchment on those peripheries that no longer benefit from the social contract is significant. In Chapter Two of this thesis, Congolese sovereignty was challenged from a variety of perspectives. Consider, for example, the discussion of Environmental Sovereignty: A state is to be considered sovereign over its territory if it can control access to its natural resources. The Congo has this control in its Core territories, but, as seen before, it does not in its peripheries. In such scenarios, these peripheries remain without a sovereign, in de facto anarchy, and yet are formally under the purview of states. It is in cases such as these that one can speak of “Non-Governed Regions.”

Part IV: Failing the States

The presence of Non-Governed Regions in failed and fragile states is crucial to a re-conception of these states. It helps understand the hyperlocalized nature of certain conflicts and why they are so endemic to failed states. Regional Non-Governance in this sense becomes inexorably linked with all the traits tendentially associated with failed states in them of themselves: political violence, corruption, lack of infrastructure, all these traits are the symptoms of the retrenchment of central governments into their cores. To consider these symptoms of failed states is to miss the nuance of regional non-governance and leads to heavy-handed policy outcomes. New approaches are therefore required to provide better solutions in light of this fact.

First and foremost, there is an inherent legalistic issue to be surmounted with Regional Non-Governance, namely that if the state is non-governing, does sovereignty apply? Formally, the answer to that question would be yes: If one were to take Congo as the example, in spite of Congo's political turmoil and significant systemic issues it faces as seen in Chapters 1 and 2, its borders have not changed. Its Eastern provinces are not states in them of themselves, nor are they formally anarchic. They participate (albeit very minimally) in Congo's elections, they have local governance structures in place, and economies have formed there. It would be incorrect to consider these regions to have regressed into some modern form of the State of Nature. In this sense, sovereignty does still apply. However, as seen in Chapter 2, there are many ways in which sovereignty *doesn't* apply and those ways are significant and need to be addressed. Non-Governed Regions created in this fashion are therefore in a legalistic grey area, being both part of a sovereign state and non. This dichotomy would need to be solved before conceiving of any form of solution.

There are at least two solutions that could exist within the framework of the model, each of which involves intervention by the international community. The first deals with the formulation of the model itself: in order to reduce incidences of Regional Non-Governance, A country's State Governance, G , must be increased. This is a more traditional understanding of how failed states are combated and improved upon. In order to increase G , in fact, either a state's Σ must be increased through targeted development (although as seen before, this may not be as effective as hoped), through training programs for police, military

and other institutions (something single states have done through various shared military programs), and through the strengthening of state capabilities via the UN. Moreover, steps have been taken to reduce a state's level of destabilization, Δ , through systems of alliances, poverty reduction and peacekeeping operations. This is how traditional approaches to the issue of Regional Non-Governance have been undertaken in the post Cold War era, and in by certain aspects this makes sense within the model, however this approach is by and large a long term solution, applying macro-level solutions to micro-level issues.

The second solution is more non-conventional, and yet is reflective of many of the desires and critiques academics have leveled towards the current model of peacekeeping (Autesserre 2010) (Brock, et al. 2012) (Englebert and Tull 2008) (The Ford Institute for Human Security 2009) (Trefon 2004) in that the current model of peacekeeping does not do enough for enough people on the ground and that is currently merely a form of "damage control" (Weinstein and Vaishnav 2006) (Hironaka 2005) designed to keep conflicts from spilling over and becoming problems for the international community at large but preventing substantive change in the Non-Governed Regions in which Interventions and Peacekeeping missions operate. Within the framework of the model, therefore, proposed solutions seek to address the sovereignty aspect of the model, focusing on enforcing the social contract where the state cannot. The main barrier to this form of solution is, of course, sovereignty. Formally at least, the state still has control over a Non-Governed Region. To intervene in such areas requires one of three things: (1) To invade, as an act of war, and redraw borders where

appropriate. Such a solution would require authorization of the Security Council and would fly against the traditional humanitarian character of peacekeeping intervention (Finnemore 2004). (2) To respect sovereignty, no matter how atrophied it has become, and work through the central government. This mirrors in many ways the first solution and falls into many of the same pitfalls. Or (3) To consider the situation in Eastern Congo and many other Non-Governed Regions around the world as they are: Non-Governed, with no sovereign. There is no need to work within the confines of the central government simply because sovereignty does not apply. Such a solution is not only preferable and more efficient, it also follows the natural progression of intervention that is already in place.

Conclusion

This Thesis has attempted to both put forward and provide context for a new way of thinking regarding failed states and the approach we have to them. The Congo is the greatest example, in the author's opinion, of state failure and inability to govern on a mass scale. Both due to its size and due to its history, the issues that face failed and fragile states become amplified, becoming both more widespread and more endemic. The concept of Regional Non-Governance is therefore crucial to our understanding of failed and fragile states and how they develop: Understanding how government authority retreats due to the combination of negative externalities and bad governance structures within the Congo, allows us, as both observers and academics, to provide macro-level solutions. In this sense, The Congo requires these new conceptions simply because it doesn't fit neatly into the pre-conceived notions of how states fail, but rather defies simplicity requiring us to constantly redefine how peacekeeping, development and security should operate in the region. Traditional sovereignty need not apply here if its application is and remains problematic both historically and geopolitically. What this means is that such conceptions force academics to rethink stances on how the international community should approach human security issues in the country. Its history and politics are unique, and such considerations are crucial when one analyzes it. Raphael Lemkin once wrote: "New Conceptions require New Terms." (Lemkin 2013) By this he meant the shifting ideology the world had towards mass atrocity in the aftermath of the Holocaust required new terms to be invented to define and classify these new

attitudes. Similarly, this thesis has attempted to engage in a very similar exercise: If “New Conceptions require New Terms”, then “New Phenomena require New Conceptions.” The Congolese phenomenon is already affecting conceptions of peacekeeping. The international community is taking a more active role in its interventions, and this evolution of thought can be seen quite clearly. In 1994, The UN mission of UNAMIR watched the Genocide in Rwanda and did nothing. Less than twenty years later, MONUSCO, the UN mission in the Congo, engaged in its first military operation in the region, destroying the M23. The Conception the international community has towards Non-Governed Regions has changed; there has been an evolution in ideology that pushes for activist intervention in these conflict areas. And “New Conceptions require New Terms.”

In spite of all these negative attributes, I remain optimistic. Shifts in policy are providing very real change in the Congo, and technology is allowing more individuals to rise out of poverty at the grassroots level. These signs are encouraging, and yet there is more to be done. A country fraught with endemic corruption, cursed with a resource endowment it could not take advantage of, bad governance structures and economic planning, with a history of bad colonial relations with Western powers and with internal ethnic and power struggles threatening to rip it apart, bringing upon it the thinly veiled criticisms of several prominent academics. This country is not the Congo; this country was China in the early 1990s, with several prominent academics, Paul Krugman amongst them, (Krugman 1994) remaining skeptical about its potential for growth. Since then, China has grown exponentially, becoming a key player within Congolese politics,

and creating a manufacturing economy like no other. New solutions for the Congo make me optimistic of such outcomes: as more problems within its borders are solved and the power and agency of its central government increases, the Congo could very well see a similar economic boom to the one seen in China two decades ago. New solutions could mean the rise of the first African superpower.

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Conclusion

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Appendix – Maps and Graphs



Map 1: The Democratic Republic of the Congo and the River Congo

Source: Wikimedia Commons



Map 2: The Provinces of the Congo Dem. Rep.

Source: www.dmaps.com



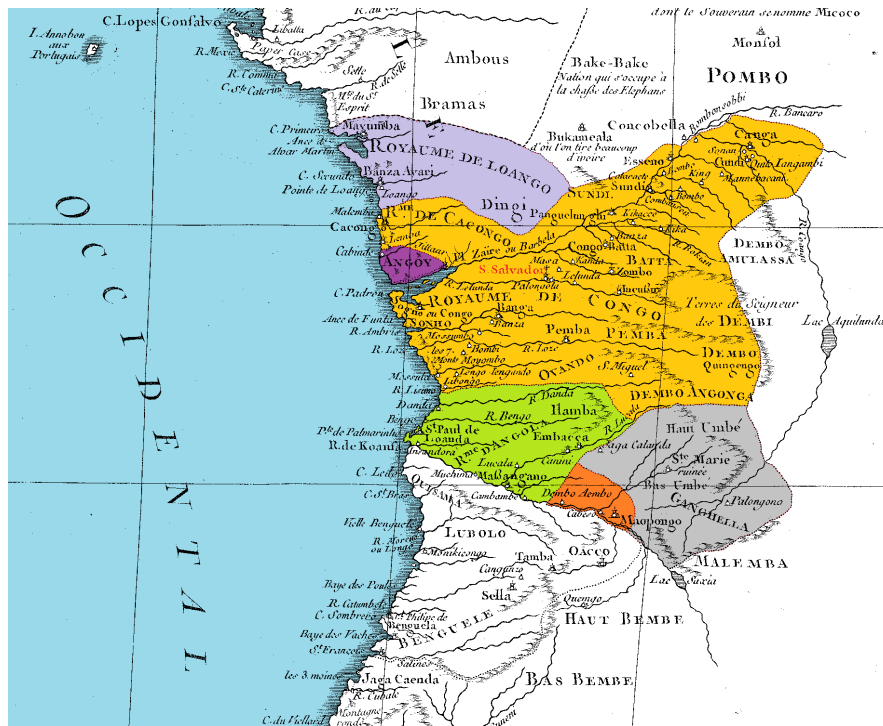
Map 3: The Congo and its Neighbors

Source: www.yourchildlearns.com



Map 4: The Kingdom of Kongo in the 16th Century

Source: Northwestern University Library, Government and Geographic Information and Data Services, 16th-20th Century Maps of Africa. Cartographer: Mercator, Gerhard.



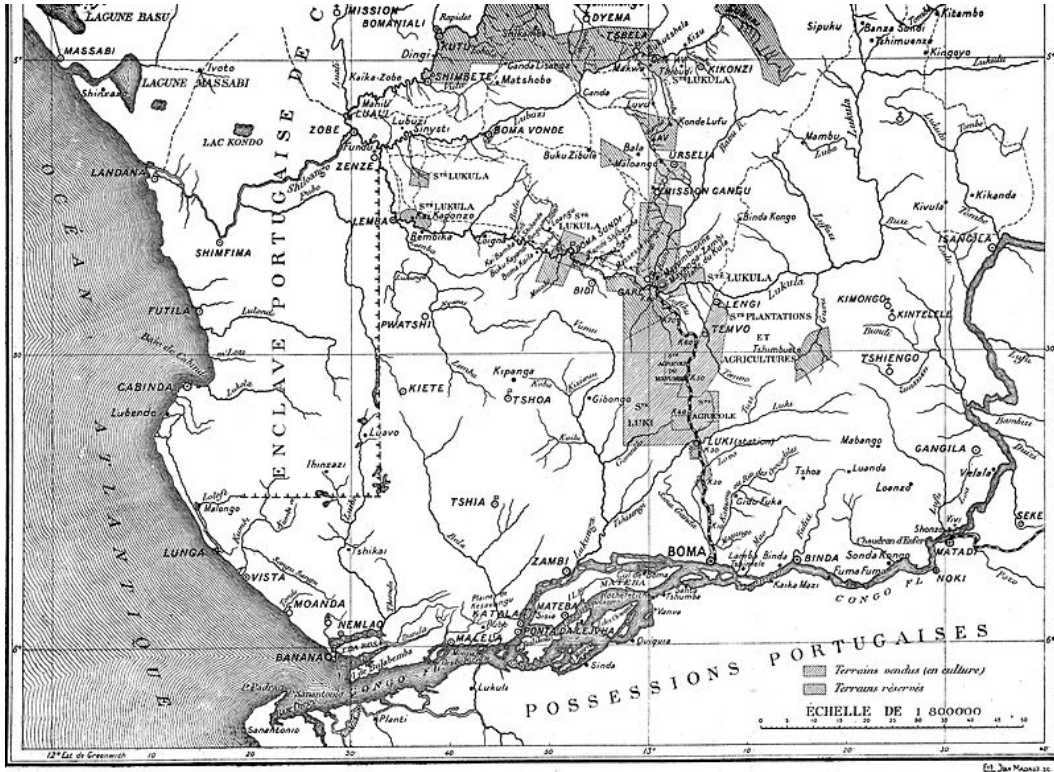
Map 5: The Kingdom of Kongo in the 18th Century

Source: Wikimedia Commons. Colorized map segment of Robert Bonne's "Map of West Africa", dated 1770.



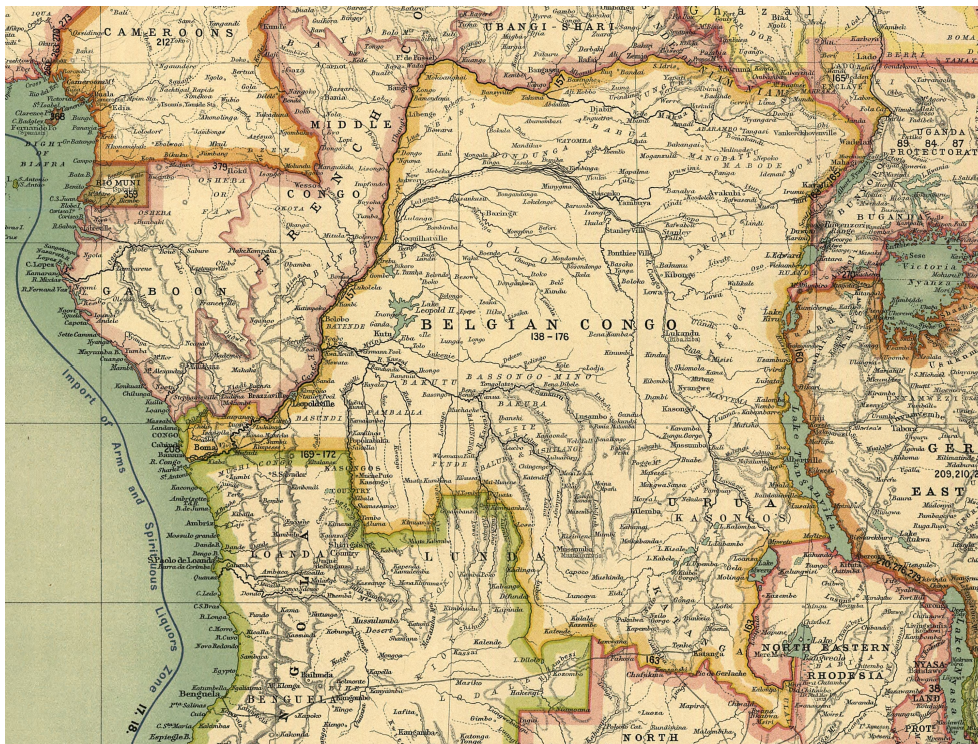
Map 6: The Congo Free State

Source: National Archives of Belgium, Archives Jules van den Heuvel, no. 93



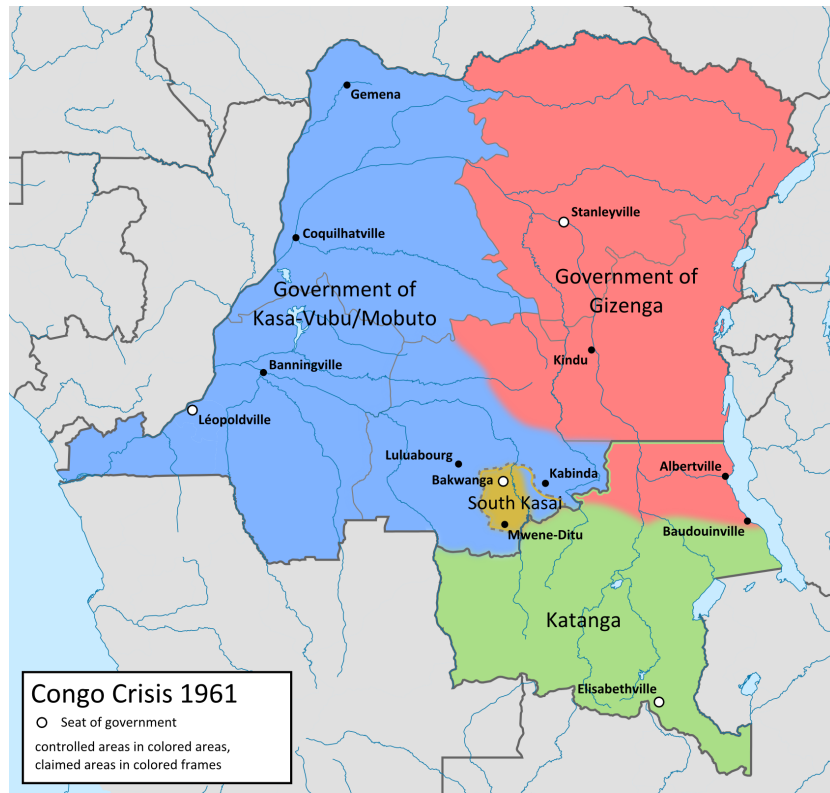
Map 7: Bas-Congo, the Mouth of the River Congo and Portuguese Angola

Source: Wikimedia Commons. Published by Touring Club de Belgique between 1908 and 1912.



Map 8: Belgian Congo

Source: Wikimedia Commons



Map 9: The Congo Crisis, 1961

Source: Wikimedia Commons



Map 10: Map of Zaïre

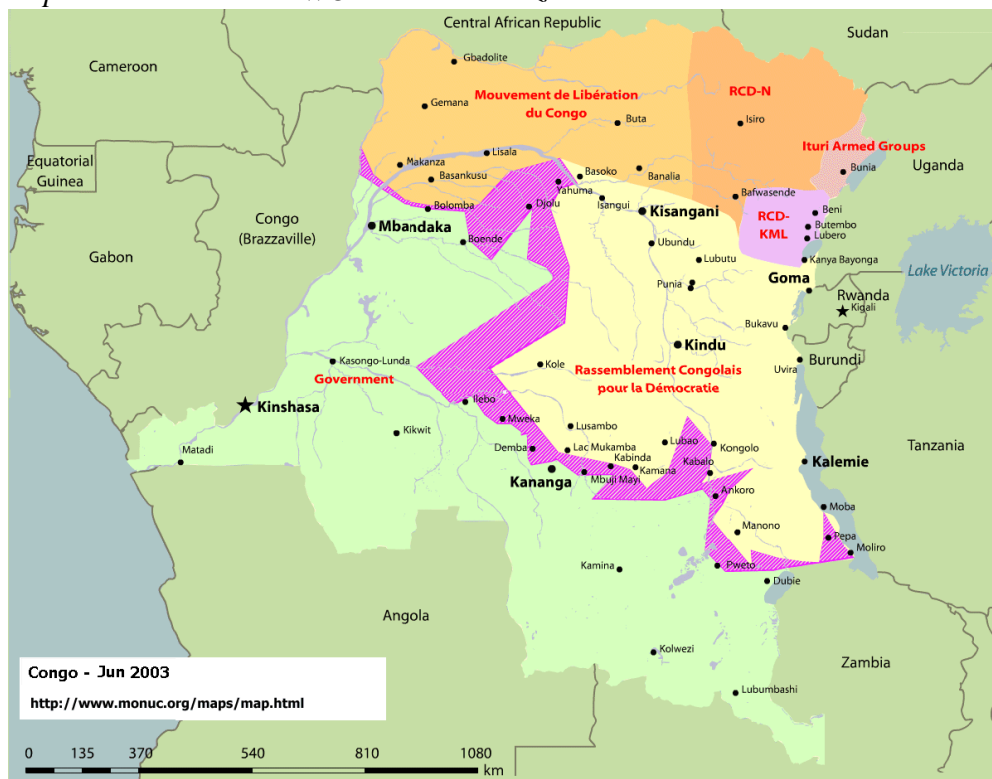
Source: "News Briefs." CNN. January 1, 1996.

<http://www.cgi.cnn.com/WORLD/Newsbriefs/9601/01-01>.



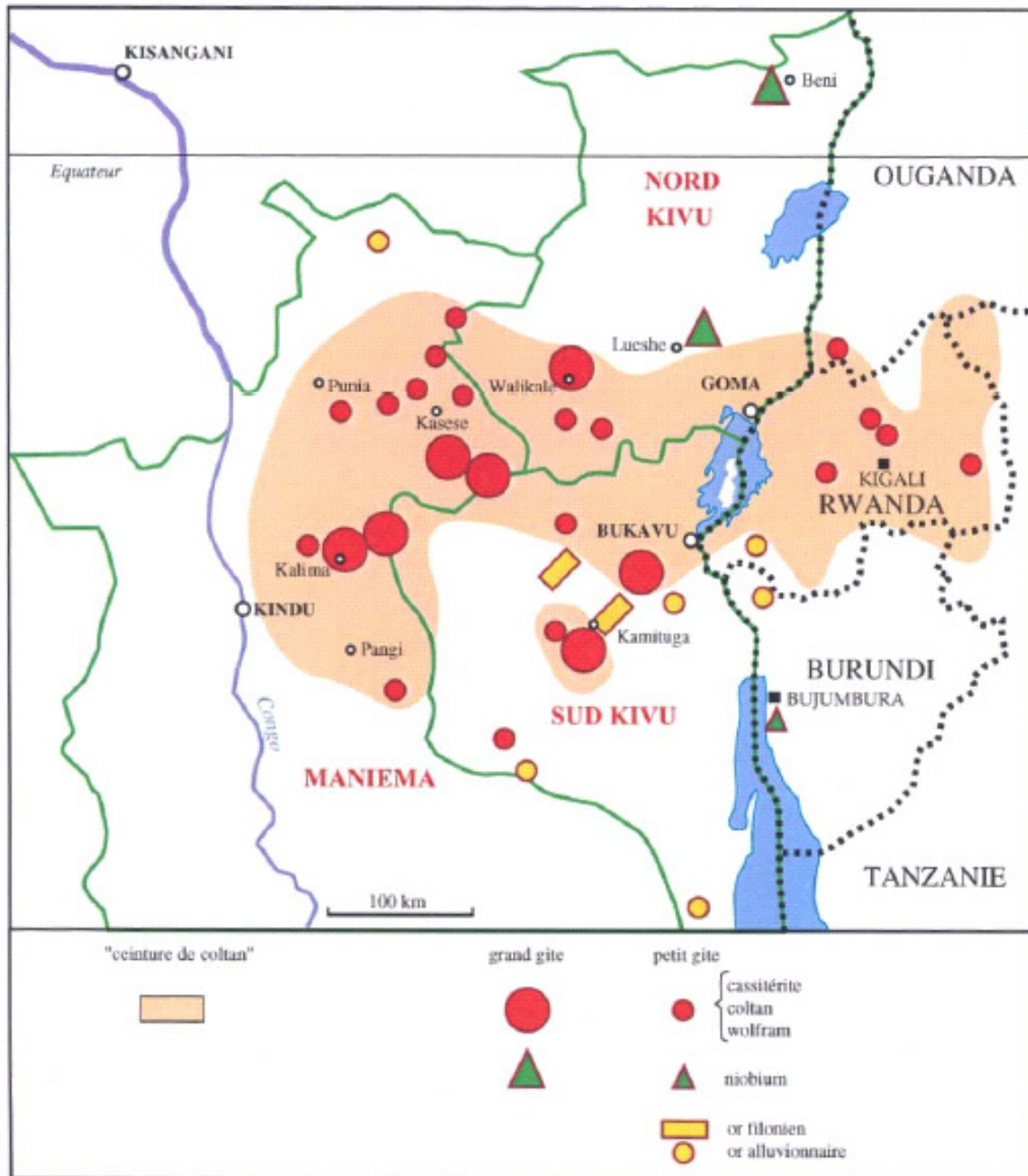
Map 11: Map of the Rebel Advance – 1997

Source: "Zaire's Mobutu Returns Home, Plans to Meet Rebel Leader." CNN. May 10, 1997. <http://edition.cnn.com/WORLD/9705/10/zaire.crisis/index.html>.



Map 12: Political Map of the Congo -2003

Source: MONUC



Source : "Carte des Gîtes Minéraux du Rwanda" B.R.G.M.

Map 12: Map of Coltan Distribution in Congo and Rwanda

Source: Baudin, P. 1982. Carte des gîtes minéraux de Rwanda.: Département des arts graphiques du B.R.G.M.