

THE STATE AND CONFLICT IN THE DEMOCRATIC REPUBLIC OF THE CONGO

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This paper will unpack the nature of the state in the Democratic Republic of the Congo (D.R.C.) and explore the links between conflict and the state. The aim of this paper is to ultimately provide an answer to the question: 'Is there a link between the nature of the state in the D.R.C. and the conflict in this country?' and 'If so, what is the link?' The theoretical tenets of the argument will be encapsulated in a discussion that will juxtapose 'strong states' with African states. The nature of the state in the D.R.C., as an African state, will subsequently be explored. Lastly, links will be established between the nature of the state and conflict with particular reference to the situation in the D.R.C.

Towards a definition of the state: the foundational features

The state as a concept and an everyday reality conjures up vastly different images and experiences for different people. Despite these diverging conceptions of the state, it is possible to extrapolate a core of characteristics usually included in definitions of the state. This section will provide an overview of these salient features of the state. The state features enjoying attention in this section, can be viewed as the basal requirements for a political entity to be considered a state.

The transfer of political legitimacy from monarchs to the populace is frequently considered to be the event, which marks the transition to statehood (Jackson and Rosberg, 1984: 177). Migdal and Skinner (in Jackson 2002: 38) argue that states exist in the form of a 'hegemonic idea'; sanctioned by the population to the extent that they "consider the state as natural as the landscape around them; they cannot imagine their lives without it". This points to the perception of the state as a subjectively experienced reality, which permeates every aspect of people's daily

lives. There are also analysts who don't look much further than the units identified on a political map for the basis of a definition of the state resulting in a more objective and in a sense, a 'distanced' conception of the state. These descriptions of the state only scratch the surface of a much more convoluted concept.

The two perspectives on the state mentioned above link to the juridical conception of the state as well as an approach that draws attention to the empirical attributes of the state (Jackson & Rosberg, 1982: 3). A juridical definition of the state provides a more legal and international perspective of the state focusing on the state's position in the international arena – implying that states possess sole jurisdiction over their internal affairs not to be impinged upon by external role players. Empirical criteria for statehood points towards the domestic dimension of the state and focuses on state-society relations. Issues such as the government monopoly on force, the presence of a definite population, territory and boundaries therefore play a role in terms of an empirical definition of the state.

Northledge (in Halliday 1994: 78) focuses on the juridical requirements of statehood when he defines the state as "...a territorial association of people recognized for purposes of law and diplomacy as a legally equal member of the system of states. It is in reality a means of organizing people for the purpose of their participation in the international system." The idea of a 'demarcated territory' and 'permanent population' are two of the most reoccurring characteristics highlighted in definitions of the state (See Northledge in Halliday, 1994: 78; Ojo, Orwa & Utete, 1985: 28; Ranney, 1987: 35-36). Danziger (1998: 106) concurs with Northledge, Ojo and Ranney when describing the state as "a territorially bound sovereign entity". Bull (in Halliday 1994) describes the state as a 'political community' whereas Waltz (in Halliday 1994) views the state as in practice coextensive with the nation – hence the reference to 'nation-state'. Ojo (in Ojo, Orwa & Utete 1985: 28) and Ranney (1987: 35-36) also highlight this aspect of statehood by respectively including the existence of a political culture and a sense of national identity in their list of salient features of the state.

Table 1 provides a summary of the salient features of the state, both juridical and empirical, which have been discussed above.

Table 1: Juridical and Empirical Requirements of Statehood

Juridical Features	Empirical Features
<ul style="list-style-type: none"> • Recognition as a Legally Equal Member of the International Community of States 	<ul style="list-style-type: none"> • Designated Territory • A Permanent Population • A Recognizable Government • Some Form of Socio-political Cohesion • Legitimate Authority sanctioned by the Population of the State • Formal Independence or Sovereignty

Sources: Brownlie (in Jackson & Rosberg, 1982: 3)

A working definition of the state for the purposes of this paper is: A geographically bounded and specified, sovereign territory inhabited by a permanent population tied together by some form of socio-political cohesion and governed by a legitimate authority sanctioned by the population of the state. The state should also be recognized as a legally equal and independent member of the international community of states.

The 'strong state': translating capacity into performance

The purpose of this section is to take the definition a step further by establishing a link between capacity and performance. In addition, this section will point out certain criteria that can be utilized to rank states on a scale based on performance with collapsed states ranking the lowest and strong states the highest.

The state and society are mutual symbionts as far as their political, economic and social relationships are concerned. The state has the capacity to enforce laws and has a public responsibility to make and administer collective laws in the interest of the public or the common good (Lawson, 1997: 35-36; Sabine, 1961:405 and Adar, 1999: 77). The state's power and authority is sanctioned by its citizens with the expectation of the provision of certain political, economic and social goods. In return for the sanctioned authority and derived revenue (i.e. taxes) "strong states offer high levels of security from political and criminal violence, ensure political freedom and civil liberties, and create environments conducive to the growth of economic opportunity" (Rotberg, 2002: 2). 'Good governance' has also become one

of the central requirements set for modern states to qualify as 'strong states' and includes the provision of national and individual security, public order, logistical and communications infrastructure, education, medical and social services, water, energy and environmental protection. The extent to which states succeed in providing the political, economic and social goods required of strong states can be measured by means of standard indicators such as per capita GDP, the United Nations' Human Development Index, Transparency International's Corruption Perception Index as well as Freedom House's Freedom in the World Report (Rotberg, 2002). Levels of socio-political cohesion can also be viewed as an indication of a state's location on the spectrum of statehood. There is a direct correlation between socio-political cohesion and consolidated, participatory democracies, strong national identities as well as productive and highly developed economies (Jackson, 2002: 38).

In short, there are certain basic features that a political entity has to adhere to in order to be labeled a state. These basic features are outlined in the previous section and constitute the foundation of the state as well as pointing to the state's capacity. This section mentioned a number of indices of state performance, which is the translation of state capacity within the framework of the state into actions and results. The indicators can be employed to plot states on a spectrum ranging from collapsed states to strong states.

The African state: 'deviating' states?

"In many African countries the city limits mark the effective borders of the state. Outside the city official life evaporates: within is the favored area, the place where all the money goes, the place where the entire educated community insists on living. It is the one lump of earth out of the whole inheritance which the fragile governments can make more than a pretence of governing" (Marnham in Cornwell, 1999: 69). This narration of the African state correlates with the common perception of the African state. This is not true for all African states but is indeed an accurate portrayal of the sphere of effective governance in quite a number of African states. This section will pay attention to the unique 'deviations' from the strong state within the African context. But first, the historical context and the manner in which this context gave rise to the particular configuration of African states, will be discussed.

African states rooted in a historical context

The tendency to generalize about the African state stems from the significance of the common characteristics of the state in Africa. African states all share a post-colonial status (Doornbos, 1990: 180). Stemming from this shared post-colonial history is the 'artificial nature' of Africa's state borders and the notion that statehood was imposed on African societies (Schoeman, 1999: 166). A pattern of

centralization and consolidation of power by new ruling classes is also characteristic of African states. Lastly, African states are tormented by a pervasive external context and continuous dependency (Doornbos, 1990: 180). In an economic sense this characteristic can be linked to the fact that Africa is the least developed continent in the world and suffers from the highest levels of human insecurity, deprivation and poverty (Schoeman, 1999: 166). The aforementioned characteristics have each had a significant influence on the specific patterns of state formation evident in Africa (Doornbos, 1990: 180) and have guided the extent and manner to which African states have 'deviated' from the definition of the state posited in an earlier section.

Prior to European conquest and occupation, Africa comprised of what Ohaegbulam (1995: 144) describes as "a mosaic of lineage and clan groups, city-states, kingdoms, empires, and acephalous states whose boundaries were not clearly defined or fixed". Lonsdale (in Cornwell, 1999: 62) comments on the essence of pre-colonial forms of governance in Africa by stating that "...most Africans did not actually live in states until colonial rule fastened Leviathan's yoke upon them." Leviathan's yoke was secured on Africa during the brief historical space of eighty years marking the period of effective colonial rule in Africa. During this period, existing African societies and cultures were divided into approximately fifty political units with clearly defined boundaries. "Traditional political and social structures, incorporating a moral universe often based on the assumption of the existence of kin and blood relationships with other members of the immediate community and its polity, were either overlaid or replaced by a new abstract colonial state whose extensive rights were founded on an impersonal doctrine of sovereignty quite alien to most African cultures" (Cornwell, 1999: 62). In this sense, the current state system in Africa can be seen as a foreign import, which had been grafted onto existing political and social systems (Bayart, 1993: 8). In Cornwell's (1999: 62) words, "...the modern state structure in Africa often forms little more than a thin carapace over the living social organism the vital activity often takes place in the largely hidden realms of the informal economy and its companion polity. It is here that most of Africa's population struggle to make sense of and to survive in a world in which crisis has become a state of being".

The boundaries defining the current political landscape in Africa is the result of borders drawn according to the preferences and whims of the former colonial powers (Cornwall, 1999: 62) and aimed at the creation of manageable political units (Adar, 1999: 77). Consequently, the borders of African states often disregard ethnic cohesiveness, economic potential and the distribution of natural resources (Thomsom, 2000: 12-13 and Ohaegbulam, 1995: 144). African states generally experience a priori problematic relationship with regards to territorial jurisdiction

and have a relatively undifferentiated yet ethnically heterogeneous social infrastructure (Doornbos, 1990: 180).

The artificiality of Africa's imposed boundaries is an aspect, which has enjoyed extensive attention in both popular and academic writing. The argument that the imposed boundaries have given rise to certain problems does indeed carry some weight. Cornwell, however, makes an extremely important point by highlighting the fact that the current "brittle and essentially fragile nature" of African states stems from what was not imposed on Africa rather than what was. To clarify, the colonial state was not a replica of the metropolitan power. Colonial powers imposed largely novel patterns of territoriality and sovereignty but omitted to transfer certain important aspects of contemporary European state theory to Africa. Doctrines concerned with the limitations of power were for instance not transferred and Cornwell argues that this can serve as an explanation of post-colonial moves to authoritarian rule in independent Africa. The same applies to the idea of nationhood, as complementary to the state. As far as the economy is concerned, Africa inherited from the colonial period a tradition of state intervention in almost every sector of the economy. This interventionism, however, eventually outran the state's administrative capacity. This resulted in the deterioration of judicial and regulatory functions, which has a negative snowball effect on the provision of public services (Cornwell, 1999: 68; Baker, 1999).

Another legacy of colonial rule, which is now manifesting itself in terms of the emerging configurations of social life in African states, is the practice of pouring resources into administrative arrangements and organizations of selected strongmen. The consequence of this is that after independence social control remained entrenched in social organizations other than the state. Not surprisingly, the control of the state in Africa has been fiercely contested (Migdal, 1988: 130, 137), feeding into a political culture of revolution. Since 1960, African rulers have faced about a 60 percent chance of ending their term with violent death, exile or imprisonment. Nine African states among which the D.R.C. faced major armed struggles to replace incumbent regimes in 2001 (Sollenberg et al., 2000: 52-55).

It is clear that the state did not naturally evolve in Africa; rather it was forcefully grafted on top of existing forms of political organization within Africa. Certain central aspects of colonial state theory were also omitted in applying the state idea to Africa. The result has been an uneasy fit of statehood with its characteristics within the African context as well as unwanted spin-offs resulting from the particular political culture cultivated under colonial rule. These consequences have played a role in the African state's deviation from the 'strong state' ideal. In an attempt to prevent the fuelling of Afro-pessimism and the

continent-wide over-generalizations that mar so many analyses of Africa, it is vital to stress the success of certain African states. One can, however, not deny the existence of a distressingly large number of African states, which remain vulnerable to collapse or have indeed collapsed (Clapham, 2001). What we witness in Africa today are different forms of statehood, most of which if measured against the criteria for statehood provided by western countries, would not qualify as 'strong states'. When examining these state 'deviations' an idiosyncratic mix of post-colonial legacy and pre-colonial forms of political organization and ideas about governance, is revealed.

Concepts used to describe the African state

This section will focus on some of the most frequently employed terms, which have been accorded to the African state in an attempt to capture the unique nature of states in Africa. The discussion does not represent an exhaustive list of all the terms, which have been used to describe African states. The terms selected are considered to cover the most prominent features of African states and are therefore considered sufficient for the purpose of this paper.

The shadow state

The archetypical shadow state is a form of personal rule constructed behind the façade of the formal- and institutional structures of the state (i.e. laws and government institutions). A shadow state 'feeds' on the ruler's ability to manipulate external actors' access to markets in such a way that it enhances their power. Corruption is therefore woven into the fibre of shadow states. In its most extreme form the shadow state fails to provide citizens with basic protection from disorder. This is a deliberate act to undermine citizens' ability to obtain means of achieving their own goals, which might enable them to use these means to organize opposition to the rulers (Reno, 2000). In short, the shadow state operates alongside existing government bureaucracies but advances the interests of the rulers and often deliberately withholds basic rights from their citizens (Funke & Solomon, 2003).

From functioning state system to collapsed state: a spiral of potential collapse

An intense form of paralysis of the 'strong state' has recently been witnessed in the form of state collapse. In such instances the halt and virtual disappearance of a formerly functioning state system occurs.

The spiral of deterioration

Zartman (in Woodward, 1996: 144) highlights the fact that in reality state collapse is not a sudden event but rather “a long term degenerative disease”. State collapse can thus be viewed as a downward spiral inaugurated by a complex and conflict-ridden process of deterioration, decline and erosion of state functions. “Actual collapse is likely to constitute the final moment of such processes, and to occur when a certain point of no return has been passed.” The subsequent sections will focus on one of the intermediate stages between strong state and complete state collapse, namely the failed state.

Failed state

State failure refers to instances where “less than complete collapse” occurs (Doombos, 2001: 5). Failed states are characterized by many of the same characteristics as collapsed states but just in a ‘milder’ form. Rotberg (2002: 132) identifies a number of characteristics of failed states (See Box 1).

Box 1: Characteristics of failed states

- Rise of criminal and political violence
- A loss of control over borders
- Rising ethnic-, religious-, linguistic- and cultural hostilities
- Civil war
- The use of terror against own citizens
- Weak institutions
- A deteriorated or insufficient infrastructure
- An inability to collect taxes without undue coercion
- A collapsed health system
- Rising levels of infant mortality and declining life expectancy
- The end of regular schooling opportunities
- Declining levels of GDP per capita (especially inflation)
- A widespread preference for non-national currencies
- Basic food shortages – leading to starvation
- Leaders destroy the economic and political fabric of the country
- Questionable legitimacy

Source: Rotberg 2002: 132

A government functioning in a situation characterized by the abovementioned characteristics frequently faces rising attacks on its fundamental legitimacy. All the symptoms of the failed state are causally connected. Rulers increasingly work exclusively for their own benefit as the state's capacity gradually weakens. Key interest group's loyalty to the state attenuate as people feel increasingly disenfranchised and marginalized. The result is that, as Rotberg (2002) puts it, "the social contract that binds citizens and central structures is forfeit". Citizens therefore seek alternative forms of identity and transfer their allegiances to communal warlords, ethnic leaders etc., which fuels domestic anarchy (Rotberg, 2002).

Collapsed state

A truly collapsed state can be classified as the "shell of a polity" (Rotberg, 2002). In this sense, a collapsed state constitutes the complete antithesis of a strong state (Doornbos, 2001: 4). Baker and Ausink (1996: 22) define a collapsed state as a state lacking the characteristics central to any functional state. Simply put, a collapsed state refers to a situation in which the structure, authority (legitimate power), law and political order of the state have disintegrated and where the institutions of the state can no longer exercise authority over its political and economic territory (Zartman, 1995: 1, 5 & 9; Adar, 1999: 79). What is the difference between a failed or collapsed state and a very badly managed one? Zartman (1995) draws the line between collapse and poor governance by stating that state collapse involves "bring[ing] down with it the power that it has concentrated in its hands" resulting in the creation of a 'power vacuum'.

The state in the D.R.C.

There are a number of foundational characteristics of states, which can be divided into juridical and empirical features. The extent to which these features are evident is indicative of the nature of the form of political organization. In accordance with the social contract between the state and society, the state has to provide the society with certain political, economic and social goods in return for the sanctioning of state power and revenue in the form of taxes. The state's performance in terms of the provision of these political goods can be measured by means of statistical information included in indexes such as those compiled by the United Nations Development Fund, Transparency International and Freedom House. This section will unpack the nature and performance of the state in the D.R.C. on the basis of the dimensions mentioned above.

Foundational state features

Juridical state characteristics

Recognition as a Legally Equal Member of the International Community of States

The D.R.C. continues to enjoy recognition as a member of the international community and is a member of a long list of international and regional organizations.

Box 2: Organizations of which the D.R.C. is a member

Agency for the French-Speaking Community (ACCT)
African, Caribbean and Pacific Group of States (ACP)
African Development Bank (AfDB)
Economic Community of Central African States (CEEAC)
Economic Community of the Great Lakes Countries (CEPGL)
Economic Commission for Africa (ECA)
Food and Agriculture Organization (FAO)
Group of 19 (G-19)
Group of 24 (G-24)
Group of 77 (G-77)
International Atomic Energy Agency (IAEA)
International Bank for Reconstruction and Development (World Bank) (IBRD)
International Civil Aviation Organization (ICAO)
International Criminal Court (ICt)
International Confederation of Free Trade Unions (ICFTU)
International Red Cross and Red Crescent Movement (ICRM)
International Development Association (IDA)
International Fund for Agricultural Development (IFAD)
International Finance Corporation (IFC)
International Federation of Red Cross and Red Crescent Societies (IFRCS)
International Hydrographic Organization (IHO)

International Labor Organization (ILO)
International Monetary Fund (IMF)
International Maritime Organization (IMO)
International Criminal Police Organization (Interpol)
International Olympic Committee (IOC)
International Organization for Migration (IOM)
International Telecommunication Union (ITU)
Nonaligned Movement (NAM)
Organization of African Unity (OAU)
Organization for the Prohibition of Chemical Weapons (OPCW) – signatory
Permanent Court of Arbitration (PCA)
Southern African Development Community (SADC)
United Nations (UN)
United Nations Conference on Trade and Development (UNCTAD)
United Nations Educational, Scientific, and Cultural Organization (UNESCO)
United Nations High Commissioner for Refugees (UNHCR)
United Nations Industrial Development Organization (UNIDO)
Universal Postal Union (UPU)
World Confederation of Labor (WCL)
World Federation of Trade Unions (WFTU)
World Health Organization (WHO)
World Intellectual Property Organization (WIPO)
World Meteorological Organization (WMO)
World Tourism Organization (WToO)
World Trade Organization (WTO)

Source: Central Intelligence Agency, 2003b

Empirical state characteristics

Territory defined by Undisputed Borders

By virtue of the fact that the D.R.C. government's authority does not extend much further than the capital of Kinshasa, the porousness of this vast country's borders is almost expected. The D.R.C.'s borders with Burundi, Rwanda and Uganda are especially permeable and have an immense impact on the political stability and economic viability of the D.R.C. Some analysts even argue that it is inevitable due to the size of the country, which makes it 'ungovernable' by a single government (Orogun, 2002). Such notions in a sense serve to justify foreign invasion of D.R.C. territory.

A permanent population

The D.R.C. is composed of a "large, heterogeneous and fluid" population of roughly 45 million people (Mathee, 1999: 89). The D.R.C. has been facing major refugee problems since the 1994 Rwandan genocide. The ease with which the D.R.C.'s borders can be crossed permits the almost completely uncontrolled movement of people across the borders resulting in what can be described as a fluid as opposed to definite population.

Some form of Socio-political cohesion

Due to the heterogeneity of the D.R.C.'s population as well as the political reality, alternative forms of identity have become more prominent in the D.R.C.; undermining the role of national identity. These alternative forms of identity have further exacerbated conflict in this country since they have generally taken a virulent ethno-centric nationalist form. Consider here the Banyamulenge question or the rival ethnic conflict between Hema and Lendu in eastern D.R.C.

Recognizable government with legitimate authority sanctioned by the population of the state

The people of the D.R.C. have never been granted the opportunity to choose or change their government through democratic and peaceful means (Karatnycky ed., 1999: 144). Mobutu Sese Seko was a pro-Western pond in the wider political game of the Cold War and did not draw upon an internal support base. Laurent Desire Kabila, his successor, gained power by revolutionary means with the backing of neighboring countries. Shortly after taking power Laurent Kabila shunned his foreign backers and appointed Katangans in prominent political positions. At that stage Laurent Kabila thus drew his support from a narrow base of backers who shared his Katangan ethnicity (Karatnycky & Freedom House Survey Team eds.,

2001: 152) and his government did not enjoy popular legitimacy. The current president of the D.R.C., Joseph Kabila, was appointed by the administration shortly after his father's assassination despite the fact that most Congolese people were unfamiliar with him (Encarta, 2003). Joseph Kabila leads the current interim government, which although more representative, is not popularly sanctioned either. In short, the D.R.C. has a history of authority not sanctioned by the population of the state. The planned democratic elections in 2005, however, provide the prospect of future legitimate authority sanctioned by the population of the state.

The state in the D.R.C. has always existed alongside other forms of authority and its reach has been limited for the most part. In 1993, Cohen (in Weiss, 1993: 157) stated that: "To say that Zaire has a government today would be a gross exaggeration". Shaw (forthcoming) describes Mobutu's Zaire by 1995 as "barely a state at all". Nzungola-Ntalaja's (1998: 16) account is in line with the aforementioned descriptions: "a hollow shelled kleptocracy dedicated to the enrichment of Mobutu and the coterie surrounding him". Mathee (1999: 89-90) points out that the actual political authority of Mobutu's regime did not extend far beyond the capital city. After the overthrow of Mobutu's regime the limited scope of authority of the D.R.C. government ensued. Laurent Kabila inherited what can be described as less of a state than a fiefdom. Mobutu had replaced normal state functions with patronage and exercised power by means of a combination of "a web of informal political networks", personal control over the economy and repression. According to a 1992 World Bank estimation, 64.7% of Zaire's budget was reserved for Mobutu to spend at his discretion (Shearer, 1999: 92). In 1999, Mathee (1999: 89-90) referred to the political system of the D.R.C. as "functional constructs and personal networks" imbedded within inherited colonial state structures functioning alongside local power structures, which have their origin in the colonial or even pre-colonial era. Robinson (2000) described the division of political authority to be shared by warring parties as opposed to being centralized within a government. The division of power and authority was also not static but marred by constant shifts in allegiance. In December 2002 the first all-inclusive agreement aimed at establishing a government of national unity was signed by the Goma faction of the Congolese Rally for Democracy (RCD), the Ugandan-backed Movement for the Liberation of Congo (MLC), various militia leaders, representatives of civil society as well as unarmed political opposition parties. Under the agreement, Joseph Kabila will remain in power for two years after the agreement upon which time elections will be held (Karatnycky, Piano & Puddington eds., 2003: 156). A more recent description of the state of governance in the D.R.C. is provided by Masland (2003) who notes that the president of the D.R.C. "leads a shaky interim government". In its post-

colonial history there has always been some form of government in the D.R.C. but it has not always been 'recognizable' in terms of its authority and influence.

Formal independence or sovereignty

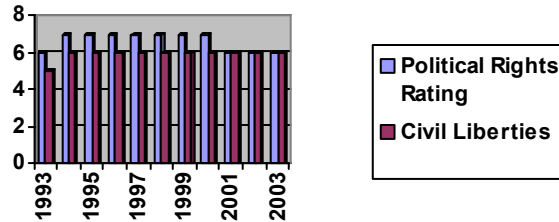
The D.R.C. gained formal independence from Belgium in 1960 but has been subjected to cross-border raids and the interference of neighboring states in its domestic affairs since 1994. The signing of a peace agreement in July 2002 between the D.R.C. and Rwanda, its primary adversary, increased hopes for the securing of this country's sovereignty. In accordance with the agreement, Rwanda will withdraw its troops from D.R.C. territory. Uganda, Zimbabwe, Angola and Namibia also agreed to withdraw their troops (Karatnycky, Piano & Puddington eds., 2003: 155; Shah, 2003). In May 2003 the last Ugandan troops left eastern D.R.C. as reports emerged of bloody clashes between rival militias in the Bunia area (BBC News, 2003).

State performance

State performance will be measured in terms of the state's ability to provide the political, economic and social goods outlined in the section dealing with the 'strong state'.

Political freedom and civil liberties

The D.R.C.'s recent political history has been marked by serious human rights abuses – every Freedom in the World Report published by Freedom House between 1998 and 2003 mention reported violations including extra-judicial execution, torture, rape, beating, and arbitrary detention. Ethnically based killings by both government and rebel forces have also been reported (Karatnycky, 1999: 144; 2000: 141; 2001: 153; Karatnycky & Piano; 2002: 176; Karatnycky, Piano & Puddington, 2003: 157). In addition, freedom of expression and freedom of assembly are sharply limited by decree (Karatnycky & Piano, 2002: 177). Graph 1 depicts the D.R.C.'s ratings on political rights and civil liberties and indicates a slight improvement after 2001. This improvement falls together with Joseph Kabila's taking over of power. The improvement is primarily the result of peace talks and it should be noted that there has not been a significant change in the level of abuse of political rights and civil liberties at the grassroots level.

*Freedom house ratings***Graph 1:** Freedom House Ratings

Source: Karatnycky, 1999: 144, 2000: 141, 2001: 153; Karatnycky & Piano, 2002: 176; Karatnycky, Piano & Puddington, 2003: 157

Provision of economic opportunities

Inflation has soared under Laurent Kabila's rule, forcing him to rely on revenue obtained from the dilapidated state-run diamond mine in Mbuji-Mayi. Other diamonds areas in the D.R.C. were under rebel control. Indicative of the government's desperation to obtain hard currency to help fund the war, the government prohibited the possession of foreign currency towards the end of 1999. The government required that all foreign currency be deposited in Congolese banks. As a virtue of the lack of faith in the country's banking system, this move had the opposite than desired effect by further restricting the economy because it became extremely difficult to import and export goods (Karatnycky ed., 2000: 143). Valuable mineral resources have continued to lure international companies into deals with rebels. Revenues of these deals have been transferred into personal bank accounts and used to acquire arms to sustain the war effort (Kabemba, 2001: 227). The illicit importation of goods and a growing underground economy has an adverse effect on the development of the private sector in the D.R.C. Corrupt officials at borders or posts aid both illegal imports and the expansion of the informal economy. The D.R.C. has taken measures to increase the number of customs officers and police at important ports such as the river port of Beach Ngobila – the main transit point for goods from the Republic of Congo (Kabemba, 2001: 234). In lieu of the country's vast natural resources, the majority of the population in the D.R.C. lives marginal lives as subsistence farmers. The World Bank and International Monetary

Fund (IMF) have pledged more than \$1.7 billion in assistance in reaction to measures taken by the D.R.C. government as well as agreements reached with these institutions. Economic reforms are under way and according to the 2002 statistics, the D.R.C. experienced a real GDP growth rate of 3.5% - higher than that of Canada and South Africa for the same period. Inflation has also dropped dramatically (Karatnycky, Piano & Puddington, 2003: 157; Central Intelligence Agency, 2003a).

The link between an abundance of natural resources and conflict is fuelled by the weakness of public institutions. This phenomenon is clearly evident in the D.R.C. where various military and ethnic factions vie for control over the country's plentiful supplies of diamonds, gold, timber and coltan. The revenues derived from the exploitation of natural resources are channeled into the pockets of commanders or used to fund the war effort (Kabemba, 2001: 234). This also links to the undermining of government power through the strengthening of rebel groups and the expansion of rebel-held territory.

Good governance

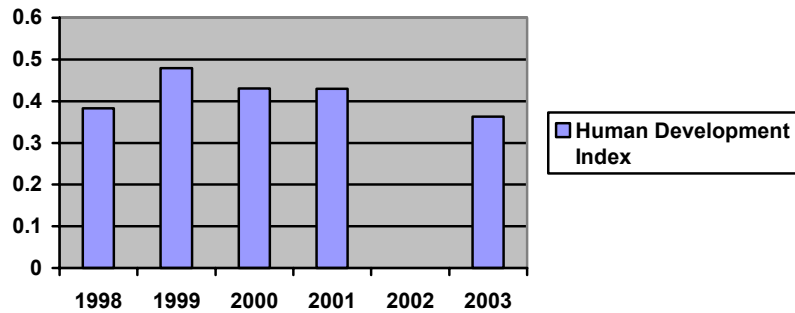
"Zaire's president Mobutu has manipulated and co-opted illicit trade to finance his power, intervened in ethnic battles to promote allies, and claimed a growing share of French foreign aid amidst nearly total bureaucratic collapse to build new ties to subjects and external actors" (Reno, 1997: 494). During the four decades in which Mobutu ruled Zaire, very little money was devoted to the upliftment and development of the Congolese people, the building of infrastructures, or even the provision of more than rudimentary security. "Mobutu's government only performed for Mobutu, not for Zaire/D.R.C." (Rotberg, 2002: 94) The government's provision of basic political and social goods is severely impaired and as early as 1993 *Le Monde Diplomatique* (in Weiss, 1993: 157) described the situation in then Zaire as follows: "The infrastructure, roads, means of communication have disappeared, the universities are closed, the hospitals have become mortuaries, the campaigns to fight the great epidemics are suspended and one no longer measures the ravages of AIDS". The current situation for the most part still resembles the situation sketched in 1993. Chronic political instability has bred corruption in the D.R.C., resulting in the continued appropriation of resources needed to combat poverty. The D.R.C. has made anti-corruption policy declarations in response to international pressure and internal criticism (Kabemba, 2001: 227).

Human development index¹

¹ The statistics for 2002 are not available.

The Human Development Index assigns values to countries taking into consideration life expectancy at birth, adult literacy rate, combined primary, secondary and tertiary gross enrolment ratios and per capita GDP. The higher value on this index is the better the country's performance.

Graph 2: Human Development Index Values

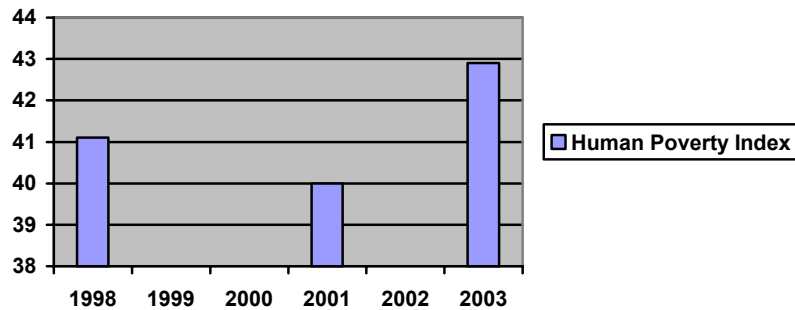


Source: United Nations, 1998, 1999, 2000, 2001, 2002, 2003

Human and poverty income index²

The Human and Poverty Income Index takes into consideration factors such as the probability at birth of not surviving to the age of 40, adult literacy rate, the percentage of the population without sustainable access to an improved water sources, children under weight for age and the percentage of the population under the income poverty line. A lower value on this index translates into better state performance.

² The statistics for 1999, 2000 and 2002 are not available.

Graph 3: Human and Poverty Income Index Values

Source: United Nations, 1998, 1999, 2000, 2001, 2002, 2003

There has been degradation in both the Human Development Index and the Human and Poverty Index from the last value.

Concluding remarks

Judging from the discussion of the nature and performance of the D.R.C. state, it is apparent that this state definitely does not qualify as a strong state especially if its track record for political freedom and civil liberty as well as its provision of political and social goods are taken into consideration. Despite being seriously impaired in certain realms of statehood, this state has not reached the point of complete collapse and can thus not be classified as a 'collapsed state'. When revisiting the features of the 'failed state', which enjoyed attention earlier in this paper, a stark resemblance between the model 'failed state' and the D.R.C. is apparent. The D.R.C. complies with the majority of the features of the 'failed state' but has over time also displayed elements of other forms of 'deviating' states. William Reno (in Smillie, 2002: 55) fleshes out what he refers to as the "predator state". Reno argues that distinct elements of the "predator state" can be identified in Mobutu's Zaire since Mobutu "gutted the formal state, emasculating its institutions and replacing them with personal control mechanisms". This process of state predation is also encapsulated in the concept "shadow state". It should also be noted that certain of measures taken by Joseph Kabila, if they permeate the entire state structure, might contribute to an upward trend towards a 'strong state'.

The link between the state and conflict

The historical context in which the African state has evolved has resulted in specific characteristics, which have the potential to fuel conflict. The link between the artificial nature of Africa's borders and the conflict has often been hinted at. The link is made on the basis of the premise that these imposed borders, which disregard ethnic group and natural resource distribution, will inevitably lead to internal ethnic conflict, territorial disputes accompanied by separatist groups and disputes over natural resources. It has also been pointed out that a number of central aspects of state theory were omitted in the process of imposing statehood onto Africa. One of these omissions were 'the limitation of state power', which has fed into the emergence of authoritarian rule in many African states after independence. Authoritarian rule is inherently linked to conflict due to the high possibility of a political backlash against dictatorship. This omission coupled with the colonial practice of empowering strongmen, which led to the undermining of state authority, has resulted in a combination extremely conducive to revolution. The colonial power's failure to instill a sense of nationhood in their 'artificial' states has exacerbated the results of the imposition of arbitrary borders – internal division, the existence of alternative identities, which can potentially form the basis for alternative loyalties and political mobilization.

In a nutshell, the purpose of the state is the political organization of the population of a territorially defined area. The state distances its population from rudimentary principles of survival based on 'every man for himself' and 'survival of the fittest'. The type of conflict witnessed in the Great Lakes region exposes individuals to these brutal aspects of life again and even integrates it as an aspect of everyday life. The basic hypothesis would thus be that the absence of the state will fuel conflict and in a sense, that is what this argument is getting at. It is, however, not as simple as merely equating the absence of a 'strong state' to the outbreak and continuation of conflict and the presence of a 'strong state' as the panacea against conflict. Many states which adhere to the majority of 'strong state' characteristics are also tormented by conflict. This section will thus rather aim to reveal the manner in which the absence of the characteristics of a 'strong state' feeds into vulnerability and conditions conducive to conflict. This argument does not aim to imply that deviations from the 'western' form of state necessarily breeds conflict but rather that the absence of a form of political organization with the interests of the population at heart is more likely to spark violence and conflict.

During Mobutu's reign the neo-patrimonial state became unable to fulfill the basic state function of guaranteeing security especially for the groups in the eastern region of the D.R.C. This partially spurred groups in this area to join the rebellion

(Matthee, 1999: 98). In short, the social contract between the state and the population was finally forfeited and individuals found themselves in search of new forms of security. In this sense the failing of the state had a bearing on the trajectory of the internal dimension of the conflict in the D.R.C. When broadening the focus to include the regional dimension of the conflict the links between state collapse and conflict also become apparent. The combination of the D.R.C.'s vast natural wealth and the fact that the state was in shambles constituted a lethal combo (Hochschild, 2003: 5). The absence of the state in the D.R.C. effectively transformed this country into an open treasure chest ready for the taking. With the natural riches of the D.R.C. serving as a lure for actors to become involved the conflict and others jolted by the security dilemma in the region, the D.R.C. serves as support for Rotberg's (2002) hypothesis that state failure usually precedes the outbreak of war.

Failed or collapsed states are incapable of projecting power and asserting authority within the confines of their own borders, which leaves their territories "governmentally empty" and vulnerable to invasion by other countries or resistance from within. In the words of Stephen Walt, (in Rotberg, 2002) failed or collapsed states become "breeding grounds of instability, mass migration and murder". There exists an indirect relation between state power and legitimacy as well as the potential for violent conflict. In the stage of state failure preceding complete state collapse people are increasingly forced to count on their own efforts for security and survival (Nzongola-Ntalaja, 1998: 10). With complete state collapse, the last pillar of statehood crumbles as state legitimacy completely disintegrates. In the face of the absence of state legitimacy, democratic channels to address grievances and national identity, alternative forms of identification such as ethnicity become more prominent. Within a context where small arms are relatively easily attainable and the spoils of taking control into own hands are increasingly attractive, the potential for violent conflict increases as state legitimacy decreases.

Conclusion

The state, adhering to the characteristics as unpacked in the section dealing with the state as a concept, remains somewhat outside the bounds of the Africa context. Indeed the African state reveals itself in unique forms and terms such as the shadow state; the failed state and the collapsed state have been coined to capture the essence of African 'brands' of statehood. The extent to which the state in Africa differs from the idealized form of state espoused by western thinkers has often been attributed to the 'artificial' nature of the state in Africa. It has been argued that the breakdown of the state should to a larger extent be attributed to human agency rather than the forceful imposition of the state idea on top of existing forms of governance in Africa. The clarification of the state as a concept and the examination of the state

within the African context have served as the theoretical foundation for the classification of the D.R.C. state as a failed state, which periodically displayed distinct features of a 'predator state' and a 'shadow state'.

Lastly, links between conflict and the state could be established. It has been argued that the slow deterioration of the state facilitated a situation in the D.R.C., both internal and external, in which individuals increasingly looked toward sources of security other than the state. This impelled a situation in which rebel groups could ignite rebellions. Within the regional realm the weakening of the state manifested in a lack of governance and porous borders. This coupled with the wealth of D.R.C.'s abundance of natural resources, the free flow of natural resources and a quest for alternative forms of identification has given rise to a situation providing ample incentive, whether strategic or economically driven, for actors to become involved in mutual spill-over conflicts between the D.R.C. and neighboring countries.

According to Nzongola-Ntalaja (1998: 17), the existence of a strong state in the D.R.C. is imperative for the maintenance of peace and the prevention of further violence in the Great Lakes region. The existence of a strong state would serve to shelter the D.R.C. from external vulnerability and ameliorate a situation conducive to internal violence and revolt. This would suggest that South Africa's (and other external actors) involvement in the D.R.C. to achieve sustainable peace might be misdirected by merely focusing on the transitional government or the holding of elections. This constitutes focusing on building a superstructure where the infrastructure is non-existent. To put it another way, it may be a focus on symptoms as opposed to dealing with root causes. From this perspective perhaps we need to think at rebuilding the very edifice of a new Congolese state. According to Foltz (1995) this would entail at least fundamental elements:

- A central political authority democratically constituted;
- Control over national boundaries to prevent the penetration of external forces;
- Control over national territory (implying an end to all militias and rebel formations);
- Capacity to extract resources from the domestic and international environment sufficient for the state to function; and
- Control over the actions of its state agents.

By its nature state building is a tall order and one, which can only be accomplished over a longer time period. But unless this is done, conflict will continue to be the bane of the ordinary Congolese.

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