

**Rebuilding Failed States:
A Case Study of the DRC**

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Abbreviations

AFDL	Alliance of Democratic Forces for the Liberation of Congo-Zaire
CNDP	National Congress for the Defense of the People
DRC	The Democratic Republic of the Congo
EC	European Commission
EU	European Union
FSI	Failed States Index
HDI	Human Development Index
IDP	Internally Displaced Persons
IMF	International Monetary Fund
LRA	Lord's Resistance Army
M23	March 23 Movement
MLC	Liberation of the Congo
MONUC	UN Organization Mission in DRC
MONUSCO	The United Nations Organization Stabilization Mission in the Democratic Republic of the Congo
NGO	Non-Governmental Organization
UN	The United Nations
UNDP	The United Nations Development Programme
UNHCR	United Nations High Commissioner for Refugees

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Abstract

The purpose of this research is to determine how the Democratic Republic of the Congo (DRC) can be transformed from a failed state into a healthy one in order to improve the human condition of its population. The research will use *Foreign Policy's* Failed State Index (FSI) and The Woodrow Wilson Center's analysis of the FSI as a springboard for the research. First, by accepting the FSI's assessment that the DRC has been in the top five worst scoring states in the world on the index since it began in 2005, thus making it a clear-cut case of failed statehood. Second, by accepting the Wilson Center's analysis that the top three most highly correlated indicators of whether a state scores badly on the FSI are: its security apparatus; its factionalized elite; and its refugee and internally displaced persons (IDP). I have chosen to add the indicator of external intervention to my analysis because I believe that when discussing the DRC's ailments and potential solutions for them, this factor must be addressed in order to achieve success. Therefore, through an exploration of these four elements I hope to uncover meaningful policy recommendations to improve the state system and in turn improve human development in the DRC.

Introduction

The Democratic Republic of the Congo (DRC) has been ravaged by almost two decades of war. What began as a civil war in 1996 would expand into a full-fledged regional war involving all nine of the DRC's neighboring states. The human toll of this long conflict has been grave as over five million people have died from causes of war.¹ Furthermore, there are some 150,000 refugees and 2.5 million internally displaced persons (IDPs) living in the DRC.² The human condition for the majority of these displaced populations and for native Congolese is dismal, as a consequence of the lack of basic security and economic opportunities available to them. For those living in conflict zones the occurrence of mass rape, needless killings and arrests, and the enlistment of child soldiers have all been commonplace.³ Because of rampant corruption and ongoing war the country's economy has suffered from long-term decline despite the DRC's endowment of a wellspring of natural resources such as diamonds, gold, copper, and coltan. The situation has decayed to such a point that the DRC is considered a failed state; it cannot provide for its citizens the most basic security and rights expected of a sovereign state. For instance, the state has been unable to ensure security from external and domestic threats, demonstrated in its inability to contain the conflict that has been ongoing since 1996. In addition, where a state is expected to develop economically and socially for the betterment of its citizenry, all three of the regimes since independence in

¹ Theodore Trefon, *Congo Masquerade: The Political Culture of Aid Inefficiency and Reform Failure*, (New York: Zed Books, 2011), 59, Kindle Edition.

² CIA, "Democratic Republic of the Congo," The World Factbook, <https://www.cia.gov/library/publications/the-world-factbook/geos/cg.html>. Accessed on March 19, 2013.

³ Ted Dag, "The Democratic Republic of Congo: Background and Current Developments," *Congressional Research Service*, April 29, 2011; 11.

the 1960s have used the state for personal gains and for the enrichment of personal support networks rather than for enriching the country as a whole.

The facts that are presented by various studies suggest that the DRC state system and society are in shambles. The Failed States Index (FSI) has been publishing its studies since 2005 and the DRC has been in the top seven worst scoring states since its inception. In fact, since 2007 the DRC has been steadily declining on the index and in 2012 it scored the second worst out of the 177 countries that were included in the study.⁴ Another study published by the United Nations Development Program (UNDP), the Human Development Index (HDI), ranked the DRC and Niger as the two countries with the lowest development status in the world in its most recent 2012 publication. The HDI highlights the fact that the DRC's population has a life expectancy of 48.7 years as compared to the US, which has a life expectancy of 78.7 years. The DRC health expenditures are 3.4% of GDP while the US spends 9.5% of its GDP on health expenditures. In the DRC, out of 1,000 live births 170 infants will die while in the US only eight will. In the DRC, children will have 8.5 years of schooling on average, whereas in the US they will have 16.8 years, almost double the amount in the DRC. In the DRC, the GNI per capita (PPP) is \$319 while in the US it is \$43,480, which is 136 times more than the average person will make in the DRC.⁵ Some other alarming data are

⁴ In 2006 the DRC was the second worst scoring country on the index; in 2007 the DRC was seventh; in 2008 the DRC was sixth; in 2009 the DRC was fifth; in 2010 it was fifth again; in 2011 it was fourth; and on the most recent FSI publication in 2012 the DRC was the second worst scoring state in the study. "Failed State Index," *Foreign Policy*, http://www.foreignpolicy.com/failed_states_index_2012_interactive. Accessed February 4, 2013.

⁵ For a deeper look at DRC data see the UNDP, "Congo (DRC) Country Profile: Human Development Indicators," *International Human Development Indicators*, <http://hdrstats.undp.org/en/countries/profiles/COD.html>, accessed on March 19, 2013. For data on the US see, UNDP, "United States, Country Profile: Human Development Indicators," *International Human Development Indicators*, <http://hdrstats.undp.org/en/countries/profiles/USA.html>. Accessed on March 19, 2013. See the full HDI rankings, UNDP, "Human Development Index (HDI)- 2012 Rankings," *Human*

that 71% (2006 est.) of the population lives below the line of poverty and the country is highly indebted with \$7.6 billion (2012) in external debt, which is about one quarter of its total GDP.⁶ What we have are social, political and health data points that taken in sum illustrate that the human condition in the DRC is highly deficient for the average Congolese. This is because the DRC state system is failing to provide its population with the most basic amenities that sovereign states are expected to provide.

I will begin the following research with a discussion of the term ‘failed state’ and of the FSI in the section, “Defining the Term ‘Failed State’,” in order to inform the discussion of the DRC’s current condition of failed statehood and to justify the choice of using the FSI as a springboard for my analysis. In the following section, “Historical Background on the DRC,” I will give contextual and historical information about how the DRC reached such a low level of development standards, such high levels of corruption and incompetency and how it came to be characterized by chaos especially in the Eastern DRC provinces of North and South Kivu. I will explain my methodology in the section, “The Most Important Indicators of the Failed States Index.” This is the point at which I introduce my justification for choosing the four indicators (external intervention, security apparatus, factionalized elite, and refugees and IDPs) for the analysis of my research. In the proceeding four sections of my research, I delve into the four indicators as they apply to the DRC today. In the section “External Intervention,” I look at the three main forces of external influence in the DRC. In the section, “Security Apparatus,” I explore the failures and challenges of the DRC Security forces. Next, in the section, “Factionalized

Development Reports,
http://hdr.undp.org/en/statistics/?utm_source=mandiner&utm_medium=link&utm_campaign=mandiner_201301. Accessed on March 19, 2013.

⁶ CIA.

Elite,” I look at how politics in the DRC are ethnically based; how they suppress political opposition and therefore lack political figures; and I look at the 2006 and 2011 elections to demonstrate that all of these themes of DRC politics are still present in politics today. The last indicator of analysis is presented in the section, “Refugees and Internally Displaced Persons.” This is where a discussion of the facts and challenges of displaced persons is iterated. Finally, after researching these four indicators as they pertain to the DRC, I make policy recommendations for how I believe the DRC could build up its state and raise the level of development for its citizens.

Defining the Term ‘Failed State’

Before proceeding into a discussion of what elements led to the erosion of the DRC state, it will elucidate the discussion to define the term ‘failed state’. The term was said to have first appeared in 1992 when used to describe a class of emerging troubled states such as Somalia, Sudan, Yugoslavia, and Cambodia to name a few. Gerald B. Helman and Steven R. Ratner declared: “A disturbing new phenomenon is emerging: the failed nation-state, utterly incapable of sustaining itself as a member of the international community. Civil strife, government breakdown, and economic privation,” characterize these states.⁷ These states are problematic because they are often embroiled in conflict that can destabilize regions with refugee flows, weapons dissemination, political instability, and human rights violations of grave proportions. The failed state can essentially spread to others states and therefore, Helman and Ratner argue interventions by the United Nations (UN) are necessary to help the civilians that suffer human rights abuses and to stop the instability from spreading abroad.⁸

⁷ Gerald B. Helman and Steven R. Ratner, “Saving Failed States,” *Foreign Policy*, 89, (1992); p. 3.

⁸ Ibid.

It is understood that these failed states have begun to emerge as a result of the end of the Cold War with the break up of the former Soviet Union as well as the withdrawal of the US and the USSR from their former spheres of influence. At the end of WWII, there was a wave of independence from former colonial powers resulting in the birth of many new nation-states, especially in Africa and Asia. These new and fragile states were often propped up with foreign aid and support from the two world superpowers. When this support was withdrawn and when there were no longer two powers balancing against each other keeping major conflict at bay, instability ensued in the world's young states. In many of these states, dictators were supported by the US or the USSR and after the Cold War ended, rebel groups met these dictators with resistance. "The resulting civil strife [was] disrupting essential governmental services, destroying good supplies and distribution networks, and bringing economies to a virtual standstill; corrupt and criminal public officials only exacerbate the human misery."⁹

The literature recognizes the need to study failed states because of the human development problems that accompany failed states and because of the potential they have to spread to other states. Furthermore, there is an identification of a hole in the literature regarding the international legal definition of failed states. Daniel Thürer describes his understanding of the concept of failed states and how it is lacking:

States in which institutions and law and order have totally or partially collapsed under the pressure and amidst the confusion of erupting violence, yet which subsist as a ghostly presence on the world map, are

⁹ Helman and Ratner, 5.

now commonly referred to as “failed states” or “Etats sans gouvernement”.

However, neither expression is sufficiently precise.¹⁰

He posits that there are three elements that make up a failed state if one is to use a legal and political approach to define it. First, there is a territorial element to failed states in that it is an “internal” problem whereby the government essentially “implodes”. Second, there is a political element in which the institutions that uphold law and order collapse. Finally, there is a functional element where there are no institutional bodies left that can represent the state internationally and diplomatically or if there are, they are merely a front, “typically acting as “statesman by day and bandit by night.””¹¹ Moreover, Thürer highlights that if the international community chooses to address the “contagion” aspect of failed states, it comes up against a legal contradiction in international law. This is, the contradiction between intervention on behalf of humanity and the sacred state right to sovereignty in international law.¹² However, Helman and Ratner suggested that the international system has been evolving to accommodate humanitarian intervention in the sovereign state framework. Thürer suggests that the UN has been evolving and augmenting in correspondence with this adjustment of priorities in the international system. In other words, as the world has begun to promote human rights as equal if not superior to sovereignty, the UN has been growing to adapt and cope with this change in order to address these growing concerns that accompany failed states.

The concept of the failed state would lead *Foreign Policy* and the Fund for Peace to begin annual reporting in the FSI, which in essence would popularize the concept of

¹⁰ Daniel Thürer, “The “Failed State” and International Law,” *International Review of the Red Cross*, No. 836, (1999), 2. <http://www.icrc.org/eng/resources/documents/misc/57jq6u.htm>. Accessed on March 16, 2013.

¹¹ Thürer, 2-3.

¹² Thürer, 4.

the failed state. However, the FSI has come under a lot of criticism, as has the general concept of state failure. Lionel Beehner and Joseph Young argue that one of the flaws of the FSI is the idea that a state is either failed or not and they argue that the FSI should be renamed the “state capabilities continuum” to signify the complexity, fluidity and the grey area that exists when judging the condition of a state. They argue, as do William Easterly and Laura Freschi, that the FSI has a western bias and is politicized. In other words, there are some states that are deemed failed that seem to be included because of their status as a “rogue state,” (in that they threaten western ideals), rather than the fact that their state institutions are legitimately failing. Beehner and Young list Uzbekistan and Iran as two examples of countries that are not in danger of failing but that it fits the western agenda to add them to the list because of their controversial regimes. Further, they question the fact that no western states are near the top of the list, claiming that surely Greece should be listed as a state that is endangered of failing.¹³

Easterly and Freschi bring forth further criticisms of the concept of the failed state when they argue that the term is ill defined. They argue that there is not one agreed upon definition and that failed statehood gets applied too loosely to signify too many different scenarios. They also argue that the concept leads to “confused policy making” and “overly ambitious nation-building” usually with the hope of combatting terrorism, though it has not been thoroughly proved that failed statehood leads to terrorism. In addition, they observe that the concept of failed statehood has not lead to any economic explorations in academia. Finally, they suggest that because failed statehood is comprised

¹³ Lionel Beehner and Joseph Young, “The Failure of the Failed States Index,” *World Policy Blog*, July 17, 2012, <http://www.icrc.org/eng/resources/documents/misc/57jq6u.htm>. Accessed on March 19, 2013.

of many subjective variables it is difficult to ascertain if a state's institutions are truly failed.¹⁴

I would argue that since the concept of failed statehood is fairly new in the international relations arena, it needs to be refined but that we should not throw the baby out with the bath water. Beehner and Young suggest that the FSI index needs to be reformed but that there is potential beneficial use for it in state building. Conversely, Easterly and Freschi are far more critical of the concept and believe that it does not have a place in academic research. Yes, perhaps international actors have used it for political ends but other research could use it in genuine pursuit of solutions for failed states. I do not believe that there could possibly be a one-size-fits-all solution. However, case-by-case, an analysis could be undertaken to seek out solutions for individual states that suffer from a broken government, which abandons its population to the brutality of instability without sufficient public goods and services to cope with the instability. Additionally, while it is loosely defined, overtime with further research it could become more clear and useful in scholarly work.

As mentioned, the concept of failed statehood is poorly defined. Therefore, it will be useful for the purposes of this research to settle on one definition. I have chosen the following concise definition because of its inclusion of a territorial aspect, a social aspect and an institutional aspect:

Euphemistically called failing, fragile, weak, quasi, or crisis states, these are states whose governments are believed to have weakened to such an extent that they are unable to provide basic public goods like territorial

¹⁴ William Easterly and Laura Freschi, "The Top 5 Reasons Why "Failed State" is a Failed Concept," *Aid Watch*, January 13, 2010, <http://aidwatchers.com/2010/01/top-5-reasons-why-%E2%80%9Cfailed-state%E2%80%9D-is-a-failed-concept/>. Accessed on March 19, 2013.

control, education and healthcare, and legitimate institutions to their people.¹⁵

When considering the array of development data on the DRC that was previously mentioned the evidence bears out that government institutions are failing the people who have little educational, economic and health opportunities. Further, considering that internal conflict has become a fact of life in the DRC, especially in the eastern part of the country, the security apparatus is clearly failing having lost territorial control in 1996 and never having gained it back. Theodore Trefon describes the failings of the DRC state succinctly when he posits: “State crisis in Congo is characterized by loss of legitimacy, abdication from the development agenda, incapacity to maintain the monopoly of coercion, shortcomings in the management of political and technical priorities and the inability to mobilize, generate or manage internal and external financial resources.”¹⁶

Historical Background on the DRC¹⁷

The questions of why the DRC has existed as a failed state for so many years and of how it has reached such an unacceptable level of human development are fairly complex. However, arguably the most important factors for the DRC’s decline include its Belgian colonial heritage which morphed into neocolonial influence; the wellspring of natural resources available that have led the country into the “resource curse”¹⁸ and have

¹⁵ Sonali Huria, “Failing and Failed States: The Global Discourse,” *Institute of Peace and Conflict Studies, New Delhi* Issue Brief, No. 75, July 2008. http://www.ipcs.org/pdf_file/issue/555787518IPCS-IssueBrief-No75.pdf. Accessed on March 19, 2013.

¹⁶ Theodore Trefon, 88-89.

¹⁷ The material in this section first appeared in Priscilla DeGregory, “The Democratic Republic of the Congo: Devolution to Failed Statehood,” UMass Boston International Relations Master’s Program, *Building Democracy in Africa* with Professor Darren Kew, April 26, 2012.

¹⁸ The resource curse refers to a litany of economic and social problems that can occur when a country is endowed with an abundance of a valuable natural resource, such as oil or diamonds. Some of the various processes that can occur include a reliance on that one natural resource in supporting the economy which comes at the price of other sectors stagnating or declining. This can result in the country becoming reliant

equally fueled conflict; the corruption of neo-patrimonial rule that has characterized all three regimes since independence from Belgium in 1960; ethnic tensions; regional factors, namely the spillover of the Rwandan genocide that sparked a civil and regional war; and two decades of war that have damaged infrastructure and the economy.

Arguably, neocolonialism is a direct result of colonialism and the economic and political ties that were established all over the African continent. Colonialism was an overt manifestation of exploitation and external imposition. In the Congo, the Belgians built up state bureaucracy but without incorporating or educating the Congolese people to fill government positions. So when the Belgians formally pulled out upon independence, only thirty Congolese held college degrees and not a single Congolese person held one of the 5,900 high-ranking functionary positions that existed upon independence.¹⁹ Further, because of the neopatrimonial style of governing in the country people were promoted in exchange for support rather than according to merit and expertise. This meant that the country was at a huge disadvantage in terms of its institutional strength since there was very little expertise available.

As African countries began gaining their independence many of the former colonial powers managed to maintain influence over and economic ties with their former colonies. This could be thought of as neocolonialism, which is a more subversive and informal form of control. There has been a long history of neocolonialism in the DRC

on imports for most other commodities, which can drive the whole economy into decline. Further, when a country is endowed with, say oil, and it does not have a good governance system in place corruption often flourishes. The government in power can use the rents from the profits from oil sales to enrich itself and may no longer be reliant on taxes. This means that it no longer has a feedback system with its polity that would normally expect accountability from the government in exchange for their paying into the state in the form of taxation. See Paul Collier, "Chapter 3: The Natural Resource Trap," *The Bottom Billion: Why the Poorest Countries Are Failing and What Can Be Done About It*, (New York: Oxford University Press, 2007), 38- 50. Kindle Edition.

¹⁹ Didier Gondola, *History of Congo*, CA, USA: ABC-Clio (2002), 116.

that originates in the birth of an independent Congo in the 1960s when Western powers, namely the US and Belgium, actively brought down Prime Minister Patrice Lumumba effectively ending the Congo's first attempt at democracy. They further aided in instating President Mobutu Sese Seko, (who was in power from November 24, 1965 until May 17, 1997), into office who would become an oppressive authoritarian leader; would eventually embezzle \$5 billion from the state; and would stay in power for 32 years stifling any seeds of democracy and allowing for little civil society development.²⁰ This Western support was quite constant until the 1990s as Cold War politics were being played out on the African continent and the West wanted to shore up its support. In addition, the West supported the Congo since its natural resources offered vast economic opportunity. When the Cold War was coming to an end and as the International Monetary Fund (IMF) began to see its investments disappear, the support that Mobutu had relied on was withdrawn. Therefore, the Western powers essentially funded Mobutu's corruption network, which came at the expense of little investment in the state system. Had the IMF not bankrolled his corrupt endeavors perhaps Mobutu would have been forced to invest more in the state's institutions. Mobutu's two successors Laurent-Désiré Kabila and his son Joseph Kabila have had difficulty escaping this type of rule. Though citizens were happy to have a replacement for President Mobutu, President Laurent-Désiré Kabila would prove to be quite similar in his style of rule.

The DRC is blessed and cursed with an abundance of natural resources such as diamonds, gold, tin, coltan (an essential mineral used in cell phones), copper, cobalt and zinc.²¹ Its endowment with resources is a curse for several reasons. For one, resources

²⁰ Didier Gondola, 116.

²¹ CIA.

were often the reason that colonialism was established in the first place. In the case of the Congo, Belgium was attracted to the vast extractive potential that the DRC offered in terms of natural resources. Thus, its natural resources are partially responsible for one of the most damaging phenomena in its history. On an economic note, when a country specializes in the export of certain raw goods this can prohibit other more advanced industries from springing up. It can then lead to the stagnation of the other existing export sectors of the country. This results in stunted growth and underdevelopment, which rings true in the DRC whose industries are, for the most part, still limited to the export of raw goods. A political aspect of the resource curse is evident in the fact that President Mobutu was able to line his own pockets and maintain his patron-client network with little need to extract taxes from the polity because of the revenues from these resources. Without taxation the government no longer owes its citizenry the basic duties that taxpayers expect in exchange for their contributions, such as healthcare and education. Moreover, William Reno highlights that, “[t]he country's abundant mineral resources attracted shady foreign firms willing to deal directly with predatory officials.”²²

These natural resources can also fuel and perpetuate conflict. An “...unequivocal connection between the continuation of the war and the plundering of DRC resources...” has been found by the UN Panel on the Illegal Exploitation of Natural Resources in the DRC.²³ This is true because militia can appropriate the resources and use them to further their cause. Also, when those resources are concentrated in a particular area this can

²² William Reno, “From State Collapse to ‘Absolutism’, to State Failure,” *Third World Quarterly* 27, no. 1 (2006): 49.

²³ As quoted in Marta Iñiguez de Heredia, The Space for Congolese Self-determination between Absences and Presences of the African Union and the United Nations.” *African Journal of Political Science and International Relations* 3, no. 1 (Jan., 2009); 8.

encourage the lucky inhabitants of that territory to attempt to secede from the country,²⁴ which was certainly the case upon independence when a war started after Katanga (the province with the largest concentration of natural resources) attempted to secede from the Congo.²⁵ Currently, in the provinces of North and South Kivu, minerals play a role in the conflict because security forces have seized mines and used the profits to sustain their cause. In addition, Angola and the current Congolese administration's cabinet have squabbled over diamond and petroleum access in the west near the coast resulting in the mutual expulsion of refugees from the opposing country.²⁶ It is clear that resources in the DRC have been a root cause of conflict both in their ability to fund violent causes and also in the competition they breed. In addition, the DRC's reliance on mineral resources has also been to the detriment of its economy due to lack of industrial and economic diversification and also due to the corruption it fosters. The resource trap does not in and of itself lead to failed statehood. However, as the state had already collapsed in the 1990s, natural resources that perpetuate constant civil unrest certainly have contributed to the inability of the DRC to rebuild and become a healthy state once again.

Neopatrimonialism is the concept used to refer to the phenomenon when a 'big man' or a head of state has total power over his government which he maintains through a patron-client network, whereby the patron gives money or government positions to his clients in exchange for loyalty allowing the patron to maintain his power. The network is sustained outside of legal pathways and usually expands outwards making it

²⁴ Paul Collier, "The Market for Civil War," *Foreign Policy* (May- June, 2003): 41-42.

²⁵ Thomas Turner, 1.

²⁶ Thomas Turner.

unsustainable and expensive.²⁷ William Reno elaborates on how this type of rule was at the heart of President Mobutu's strategy allowing him to maintain power for over three decades. Yet, sustaining a large and ever-expanding patron-client network is quite expensive and was funded through both large foreign aid assistance from the IMF and through the natural resources at the state's disposal. Having a steady source of external income Mobutu no longer needed to invest in the DRC's bureaucracy, which was an advantage since these institutions could act as a means for rebellion or even secession. Moreover, his access to many of the state's resources also meant he could abandon investing in social institutions such as healthcare, education and infrastructure. For example, "Mobutu's decision to allocate 2.1 percent of state spending to health and education in 1990, compared with 17.5 percent in 1972, reflected a rational choice from the perspective of a weak-state ruler."²⁸ Then, in 1992, when the IMF stopped its aid flows to Mobutu because of the enormous debt he owed the organization, what little funding that went toward social institutions and state infrastructure was reallocated toward Mobutu's patron-client network.²⁹ The results of this are cogently stated by Reno in the following excerpt:

Most Zairians faced the harsh consequences of an economy that had shrunk 40 percent between 1988 and 1995 and of inflation that had risen to 23,000 percent in 1995. Twenty-five years after independence, only 15 percent of the roads inherited from Belgian colonial rule remained passable. Guidebooks for foreign travelers reserved lurid language for

²⁷ Michael Bratton and Nicolas Van de Walle, "Neopatrimonial Regimes and Political Transitions in Africa," *World Politics*, 46, no. 4 (July 1994): 453-489.

²⁸ William Reno, "Sovereignty and the Fragmentation of the Democratic Republic of Congo," *Warlord Politics and African States*, Boulder, CO: Lynne Rienner Publishers, 1998, 152.

²⁹ William Reno, 153.

Kinshasa, warning that rampant daytime banditry and rogue police exceeded the fabled dangers of Lagos. Infrastructure collapse provided publishers abroad with tales of arduous travel up the Zaire River. Authors evoked Joseph Conrad's description of the gigantic, anonymous forests and the lassitude from which state structures were absent.³⁰

Accordingly, the neopatrimonial style of Mobutu's regime led to an extreme deterioration of the DRC's institutions and began a two-decade long struggle to rebuild the state. Mobutu institutionalized this style of state management from which it would be difficult for the subsequent leaders, Laurent-Désiré Kabila and Joseph Kabila, to break away. This process of hollowing out state infrastructure and state institutions has led to great instability and vulnerability, which has resulted in conflict that has further reinforced instability making it nearly impossible to reestablish a healthy state.

Ethnic conflict is another factor in the DRC's inability to piece itself back together as a functioning state. It could be argued that the ethnic factor has its roots in colonialism, which arbitrarily broke up the African continent into nation-states often grouping together many varying 'nations' (or ethnic groups) and additionally, scattering ethnic groups among several different states. This lack of consideration for how best to group ethnicities politically would play a partial role in explaining the root cause of ethnic conflict. However, in more recent history, ethnic conflict has evolved and taken on new meaning. Séverine Autesserre highlights that "both Congolese and foreign politicians have long manipulated local leaders and fragmented militias to enrich themselves, advance their careers, or rally support for their cause" and these local leaders and militia often had ethnic agendas. Further, Mobutu "favored promoting ethnic

³⁰ William Reno, 154.

minorities because they could help him govern without threatening his regime.”³¹ And as the state began to fail and Mobutu’s regime was coming to an end he began resorting to divide-and-rule tactics specifically targeting ethnic divides. Additionally, the clients of his network needed a new tool for security since they could no longer rely on the crumbling neopatrimonial network.³²

Ethnicity also played a role in starting the Congo civil war that would evolve into a nine state regional war, a conflict that still lingers on today in the eastern Congo. Ethnicity was not the only factor at play in catalyzing the second phase of the Congo conflict from 1998-2003 but it certainly played a primary role. For instance, a major factor in why the civil war of 1996-1997 started was due to the spillover of the Rwandan genocide of 1994.³³ The genocide was a conflict between Hutus and Tutsis and culminated in the mass killing of the minority Tutsis. Hutu rebel groups fled to the Eastern Congo and were able to regroup in refugee camps with the support of Mobutu who was a friend of the former Hutu president of Rwanda Habyarimana, one of the orchestrators of the genocide.³⁴ The new Tutsi Rwandan government under President Paul Kagame was outraged by Mobutu’s support of these former ‘génocidaires’ and feared that they were regrouping to attack Rwanda, so under the guise of a Congolese led rebellion, Rwanda and Uganda attacked the Congo and took out Mobutu replacing him with Laurent-Désiré Kabila.³⁵ In this case, ethnicity played such a large role that it catalyzed a civil war that evolved into a regional war. Though it formally ended in April

³¹ Séverine Autesserre, 98.

³² William Reno, “From State Collapse to ‘Absolutism, to State Failure,” 51-52.

³³ Didier Gondola, 169.

³⁴ Jason Stearns, *Dancing in the Glory of Monsters: The Collapse of the Congo and the Great War of Africa*, (New York: Public Affairs, 2011), 14. Kindle Edition.

³⁵ Stearns, 43.

of 2002 with the Sun City Agreement, the war still lingers in the Eastern DRC in North and South Kivu. Almost two decades of constant civil war are very poor conditions for an ailing state to attempt to grow strong again institutionally. Conflict has eroded infrastructure and society making any efforts at state building nearly impossible.³⁶

The Most Important Indicators in the Failed States Index

Now that some historical factors have been explored to demonstrate the reasons why the DRC has declined into failed statehood, we can determine what factors are important in helping to build up the Congolese state so that it can offer its citizens a much healthier, richer and more stable quality of life. The FSI is comprised of twelve indicators which include: demographic pressures; refugees and IDPs; uneven economic development; group grievance; human flight and brain drain; poverty and economic decline; state legitimacy; public services; human rights and rule of law; security apparatus; factionalized elites; and external intervention. In an ideal world with unlimited resources and funding, addressing all of these factors at once would seem the most effective in helping to develop or rebuild a state that is ailing in all twelve of these categories. However, failed states have limited resources to begin with and external aid is finite as well. Thus, it is essential to determine which factors should be addressed and how, when constructing policy recommendations for a given state. A study was conducted by the Environmental Change and Security Program (ECSP), (a subdivision of the Woodrow Wilson Center), that found that for the top 30 worst scoring states on the FSI, the indicators that most highly correlated with an overall poor score on the index

³⁶ This concludes the portion of the paper that first appeared in Priscilla DeGregory, "The Democratic Republic of the Congo: Devolution to Failed Statehood."

were: security apparatus; factionalized elite; and refugees and IDPs.³⁷ Considering that the DRC has consistently been among the top 30 worst scoring states on the FSI, it seems reasonable to assume that these three factors are highly correlated with the DRC's state failure. Therefore, in the following analysis I will consider these three factors as they stand in the DRC today in order to uncover policy recommendations for how the DRC can improve to raise the human condition of its population. Additionally, I have also chosen to include the indicator of external intervention because I believe that this factor has played a large role in determining how the DRC's state institutions have ended up in such shambles. The DRC will not be able to improve without managing external intervention and all other efforts of improving the security apparatus, factionalized elite, and refugee and IDP problems will be in vane if external intervention is not also addressed. External intervention by western powers has been a consistent theme in the DRC's history and persists to this day—starting with colonialism and in its current form of humanitarian intervention. Further evidence of external intervention is obvious, as the nine bordering states meddled in the DRC's affairs overthrowing President Mobutu and having started two devastating wars in the country. Finally, external intervention by civil society and private enterprise has played a large role in the DRC as well. NGOs have been involved in development and stemming the refugee crisis (for better or for worse) and private enterprises have had their paws in the DRC's abundance of natural resources since privatization of its resources in the 1990s.

³⁷ ECSP, "What Are the Most Important Factors in the Failed States Index?" *New Security Beat* of the Woodrow Wilson International Center for Scholars, June 29, 2012. <http://www.newsecuritybeat.org/2012/06/what-are-the-most-important-factors-in-the-failed-states-index/#.UUKZohk1b2c>. Accessed February 25, 2013.

External Intervention

External intervention in the DRC has taken many different forms over the years such as Belgian colonial rule, neocolonialism, invasive military intervention by multiple surrounding countries, the UN's peacekeeping presence with its MONUSCO mission (The United Nations Organization Stabilization Mission in the Democratic Republic of the Congo), and the work and presence of many NGOs. All of these forms of interference in the DRC have largely had negative consequences even when intentions were good, if for no other reason than that the DRC has not learned to be self-sustaining and functional on its own. At present, the most prominent forms of external intervention are the MONUSCO mission, foreign aid given bilaterally and multilaterally, the meddling and involvement of Rwanda and Uganda in the DRC, and the presence of NGOs. Certainly, the UN's MONUSCO mission and NGO efforts for development have been conducted with benevolent intentions. However, an argument can be made that until the DRC begins to take the fate of its state into its own hands, true change will never come about. Conversely, the degree of external intervention that has been able to occur in the DRC is a testament to the fact that the DRC is a failed state. If it had stronger institutions it would not need the array of NGOs that are present to provide basic goods like healthcare, it would not need peacekeeping troops to fill the role of the lacking security forces, it would not need billions of dollars in foreign assistance, and it would not have allowed invasions by its neighbors.

Peacekeeping Forces in the DRC

The UN's peacekeeping mission in the Congo is the largest one in the world, costing \$1.5 billion a year,³⁸ which amounts to one sixth of the total UN peacekeeping budget.³⁹ At its peak of military personnel saturation in 2010, there were over 20,000 peacekeeping troops in the country.⁴⁰ However, questions have been raised regarding the effectiveness of this massive peacekeeping undertaking. With a force some 5,500 strong, the UN began its peacekeeping efforts in the Congo in 1999 under the mission UN Organization Mission in DRC (MONUC) whose mandate was to enforce the cease-fire that resulted from the Lusaka Peace Accord, to ensure that human rights were being respected and to support humanitarian work. In 2004, this mission evolved to include the protection of civilians in the Eastern DRC, the removal and collection of arms, the disarming of foreign militants and their repatriation.⁴¹ In 2010, the mission had swelled to the size of 20,573 personnel at which point the Kabila administration asked that by 2011 the UN withdraw all of its troops. In 2010, in response to this request the UN changed the mission name from MONUC to the UN Organization Stabilization Mission in the DRC (MONUSCO) and began by withdrawing 2,000 peacekeepers.⁴² However, the mission has not continued to downsize. On the contrary, most recently in March 2013, the UN has decided to once again expand its mission. In November 2012, a rebel group called M23 captured the city of Goma in the Eastern Congo and this resulted in the displacement of over 800,000 people. Unrest has continued into the present in North Kivu as the M23

³⁸ Georges Nzongola-Ntalaja, "Only the Congolese People Can Save Democratic Republic of the Congo," *The Guardian*, November 28, 2012. <http://www.guardian.co.uk/global-development/poverty-matters/2012/nov/28/congolese-people-democratic-republic-congo>. Accessed on April 1, 2013.

³⁹ Trefon, 67.

⁴⁰ Ted Dag, 10.

⁴¹ Ted Dag, 9-10.

⁴² Ted Dag, 2.

group runs rampant seizing mines and menacing the Congolese people. As a result, the UN has opted to start a new mission that would shift from the mandate of peacekeeping to one of neutralization of the rebel groups that are active and wreaking havoc in the Eastern Congo. Though the Kabila regime originally asked for MONUSCO troop withdrawal they welcome this new expansion of MONUSCO, with the hope that it will bring stability to the region.⁴³

Criticisms of the UN's efforts in the DRC are abundant ranging from the claim that its efforts have been too weak and ineffective, to the argument that various UN troops have themselves been responsible for crimes in the DRC. Peter Eichstaedt concisely stated: "The UN troops should...get serious by either enforcing peace or pulling out."⁴⁴ Considering that the mission has been in place in one form or another for 14 years, and also considering the sheer amount of money that has gone into the project, one would hope that things in the DRC would stabilize and improve. Instead of improvement, conflict has persisted in the eastern Congo. An example of this alleged incompetency by the UN was apparent with the M23 militant group's capture of the city of Goma in November 2012. Despite the presence of 1,500 UN troops in the city of Goma and 6,700 troops in North Kivu in close proximity to the city, MONUSCU troops essentially stepped aside and allowed M23 to take the city "without firing a shot."⁴⁵ One might think that if the UN's current strategy has been so terribly ineffective until this point, it might be time to change. "[N]owhere else in the world has the United Nations

⁴³ "DR Congo Hails UN Attack Force," *BBC News Africa*, March 29, 2013.

<http://www.bbc.co.uk/news/world-africa-21976255>. Accessed on April 1, 2013.

⁴⁴ Peter Eichstaedt, "Capturing Congo: Gold, Guns and Strife," *Foreign Affairs*, December 6, 2012. <http://www.foreignaffairs.com/articles/138494/peter-eichstaedt/capturing-congo>. Accessed on April 1, 2013.

⁴⁵ Barbara Plett, "UN Under Fire Over Fall of Goma in DR Congo," *BBC News*, November 21, 2012. <http://www.bbc.co.uk/news/world-africa-20422340>. Accessed on April 1, 2013.

invested so much and accomplished so little.”⁴⁶ There does seem to be an indication of a shift in strategy in the most recent UN proposals for MONUSCO expansion but it remains to be seen if this will materialize in real improvement or if conflict will continue on the same course. Georges Nzongola-Ntalaja suggests that the UN missions will never succeed and that “[t]he salvation of Congo lies in the hands of her own sons and daughters.”⁴⁷ In other words, the UN should pull out and leave the Congo to work out its problems independently.

Another major critique of the UN mission in the DRC is that it effectively shifts responsibility away from the state. As has been mentioned, one of the basic public goods expected of healthy states is the assurance of territorial integrity and security. As the UN has had such a large mission in the DRC for so long, the UN’s work there has become a crutch for the DRC state. It has not been forced to improve its security apparatus because the UN has been in the country for longer than the current President has been in office and the UN has been providing for the Congolese this public good that the DRC has been unable or unwilling to provide. Theodore Trefon cogently summarizes this phenomenon of the parallel security apparatus: “This mandate is tantamount to authorizing the UN to play a strategic role in the reconstruction and reform process. It also supports the argument that the Congo is in a position of neo-trusteeship because the mandate shifts sovereignty responsibilities away from the government to an international body.”⁴⁸ By the same token, Trefon highlights the conundrum that the UN would face upon the time when it does decide to withdraw from the Congo:

⁴⁶ Trefon, 66-67.

⁴⁷ Georges Nzongola-Ntalaja.

⁴⁸ Trefon, 67.

Designing a meaningful exit strategy is not going to be easy because MONUSCO is confronted by a difficult paradox. If it stays, it will continue to artificially replace the state in the crucial security sector; if it leaves, a security vacuum could result with the likelihood of increased armed conflict. This raises another difficult question: is Congo a post-conflict country or a pre-conflict one?⁴⁹

Another criticism put forth regarding UN peacekeeping efforts in the Congo is that the troops themselves have been known to have committed crimes. These include sexual abuse of children, involvement in the smuggling of minerals and natural resources, involvement in the arms trade industry and fleeing militant groups and sharing intelligence with them.⁵⁰ Clearly, these are scathing claims against a mission whose mandate is to prohibit these very same types of crimes from occurring. Further, sharing intelligence with the rebel groups you are attempting to contain seems corrupt and incompetent.

For all of the faults that the MONUSCO has to its name, there have been some victories and the difficulties that it operates under should be mentioned as well. It aided greatly in implementing the Lusaka Peace Accord and “facilitating the Sun City national dialogue.” It greatly assisted in the first elections in 2006 by providing funding and logistical support to ensure the election’s success. It continues to help implement humanitarian aid efforts and monitors the state of human rights abuses in the country. Militarily, it has helped to enforce peace agreements between the Congolese and foreign governments and has assisted in negotiating local truces. It has worked to break up

⁴⁹ Trefon, 71.

⁵⁰ Trefon, 66-67.

various rebel groups and helped to unarm and repatriate foreign militants. Further, it has helped to keep together the vast and fragmented country through enhancement of transportation networks.⁵¹

There are some contextual factors that make it difficult for MONUSCO to succeed in its peacekeeping mandate. For instance, in the Eastern Congo, “troops are spread thinly over a vast and difficult terrain.”⁵² Furthermore, MONUSCO’s mission has augmented to such a degree that it is essentially performing many of the functions that the DRC should be performing for itself. It has set up a parallel security sector, it has filled the role of implementing and monitoring elections, it coordinates humanitarian aid efforts of development, it acts as a diplomatic actor through brokering peace agreements, and it works to improve state infrastructure. Given the scope of its activities it is understandable why the UN has not been able to fully succeed in all of its efforts. At the end of the day the only body that has the power to truly fill all of these roles is the Congolese government itself. This is the most problematic aspect of MONUSCO in the Congo in my opinion. Not that it has not fully succeeded in its mandate but rather, that its mandate is so large that it lets the Congolese government off the hook in providing the basic public goods expected of any sovereign state. Therefore, the MONUSCO mission highlights that the DRC is truly a failed state. This has meant that the duties expected of a state are falling to the only other viable actor that can help save the Congolese people from their failing government.

⁵¹ Trefon, 69.

⁵² Plett.

Interfering Neighbors:

Rwanda and Uganda's Continued Presence in the DRC since 1995

The occurrence of Rwandan and Ugandan interference in the DRC began in 1996, with the First Congo war. The two governments, with the help of other regional governments and under the guise of a homegrown Congolese rebellion, replaced 32-year incumbent President Mobutu with Present Laurent-Désiré Kabila. This involvement in the DRC became institutionalized as the years went on and though the Rwandan government, under President Paul Kagame, denies meddling in Congolese affairs, it is widely believed that Rwanda has supported various rebel groups that are operating in the Kivu provinces.

All of the regional neighbors that have become involved in the DRC have done so for various political and economic reasons and often the economic reasons (gaining access to the Congo's natural resources) have been cloaked under moral and political rationales, such as helping to liberate the Congolese people. It is understood that the Rwandan government has been the ringleader of this regional interference in the DRC.⁵³ Rwandan motivation for overthrowing President Mobutu and instating President Kabila has its roots in the legacy of the Rwandan genocide. As discussed previously, after the genocide of 1994, Hutus who were the perpetrators of the genocide took refuge and regrouped in the eastern DRC. This angered the newly seated Tutsi government under President Paul Kagame, who felt that Mobutu was aiding the enemy. Moreover, Kagame feared that the Hutus based in the DRC would retaliate and therefore, he preemptively attacked the DRC starting a war and replacing Mobutu in a coup. Motivations for why Rwanda has allegedly continued to help aid rebels in the Kivu provinces have likely

⁵³ Stearns, 119.

shifted to economic ones whereby it now has an economic stake in maintaining a presence because of Congolese resources.⁵⁴ Conversely, Uganda's involvement from the outset was economically motivated.⁵⁵ These two countries spearheaded the cause to invade and were able to gain support from many neighboring countries.

The war that started in Zaire in September 1996 was not, above all, a civil war. It was a regional conflict, pitting a new generation of young, visionary African leaders against Mobutu Sese Seko, the continent's dinosaur. Never had so many African countries united militarily behind one cause, leading some to dub the war Africa's World War.⁵⁶

Through this alliance, Zimbabwe contributed weapons and funding; Angola and Eritrea sent military troops; and Ethiopia and Tanzania sent military advisors.⁵⁷ Jason Stearns highlights that a problem with this was that the fate of the Congo in those years was decided without Congolese consultation and consent. These countries did not have enough knowledge about the domestic situation and the potential repercussions of their actions. The end result was that all of these countries gained interests in the DRC, which would make it difficult to end their interference.⁵⁸ Additionally, President Kabila was chosen to head the Congolese rebellion purely because he was most senior among those planning it and this resulted in him becoming an "accidental" leader. This same leader that the Rwandans handpicked to lead their rebellion would ironically become their enemy in the following war and remain so until his assassination in 2001.⁵⁹

⁵⁴ Trefon, 13.

⁵⁵ Stearns, 52.

⁵⁶ Stearns, 54.

⁵⁷ Stearns.

⁵⁸ Stearns.

⁵⁹ Stearns, 90.

Many various rebels groups were formed or backed by Uganda and Rwanda. This would be consequential in the DRC because today the Eastern Congo is plagued with constant unrest among the rebel groups that all vie for power and resources in the Kivus. The rebel group that led the Congolese rebellion was the Alliance of Democratic Forces for the Liberation of Congo-Zaire (AFDL) under Kabila, and this was completely manufactured by the Rwandans.⁶⁰ Jean-Pierre Bemba led a later rebellion during the Second Congo war called the Movement Liberation of the Congo (MLC) and President Yoweri Museveni of Uganda decided to support this rebel group in order to help the Ugandan/Rwandan cause in the Second Congo war. “There has rarely been a successful experiment in building an insurgency from the ground up without outside help. Almost every single Congolese rebel group was helped on its way by an outside patron: Rwanda, Uganda, DR Congo, Angola, and Zimbabwe.”⁶¹ By the time the transitional government was instated in 2002 under Joseph Kabila (the former President’s son), there were over a dozen Rwandan, Uganda, and Congolese “rebel proxies or allies battling each other.”⁶² This pattern that began in 1996 still rings true today. Though Rwanda and Uganda deny such claims, it is widely understood that the countries support the current M23 rebellion in North Kivu. They do so through providing weapons,⁶³ and “tactical advice and apparent troop reinforcement.”⁶⁴ Furthermore, Georges Nzongola-Ntalaja takes this argument further when he claims that “M23, the 23 March movement, is the fourth incarnation of Paul Kagame’s proxy group for Rwanda’s territorial expansion and looting

⁶⁰ Stearns, 87.

⁶¹ Stearns, 232.

⁶² Stearns, 251.

⁶³ “DR Congo: UN to Sanction M23 Rebels,” *BBC News*, October 19, 2012. <http://www.bbc.co.uk/news/world-africa-20013725>. Accessed on April 1, 2013.

⁶⁴ Plett.

the natural resources of the Democratic Republic of the Congo.”⁶⁵ He continues by arguing that as long as the Congolese state is too weak to defend itself, Kagame and Museveni will continue “their attempts to control and loot North and South Kivu (for Rwanda) and the Ituri District of the Eastern Province (for Uganda).”⁶⁶

What were the gains for Rwanda and Uganda’s involvement in the DRC? Jason Stearns elaborates on the subject of the direct gains that these two countries reaped during the years of the war:

Between 1997 and 1999, official Ugandan exports of diamonds grew tenfold, from \$198,000 to \$1.8 million. Rwanda’s official exports leaped from \$16,000 to \$1.7 million between 1998 and 2000, even though neither country has diamonds of its own. The real value of exports is likely to have been much higher, as the gems were easy to smuggle in pockets and suitcases. One of the thirty-four diamond shop owners in Kisangani reported that over six months in 1998 alone, he paid \$124,000 to various Ugandan commanders, and industry insiders suggested that both countries together bought up to \$20 million in uncut stones a month.⁶⁷

The Rwandans ran various mineral trades such as diamonds, gold, tin and coltan, directly out of the Congo. For instance, as coltan prices soured in 2000 it is estimated that Rwanda made \$150 million from coltan sales and \$250 million from all mineral sales.⁶⁸ Clearly, whatever political and security reasons that were used as justifications for the war quickly turned to economic ones, since the rewards were so vast. This left a lasting

⁶⁵ Nzongola-Ntalaja.

⁶⁶ Nzongola-Ntalaja.

⁶⁷ Stearns, 241.

⁶⁸ Stearns, 300.

negative impression on the DRC that lost territorial integrity as Rwanda and Uganda have expanded into the country. This means that the DRC is not benefitting to the full degree that it should be in terms of the sales and benefits that it could be experiencing from its abundance of natural resources. Instead, its neighbors are siphoning off some of these profits and resources. But even more damaging is the fact that many rebel groups have formed and are a menace to the civilians of the eastern Congo. Today there are more than 24 rebel groups and these groups are fluid, often breaking off and forming new ones. They fight over territory, mines, and the rights to illegal taxation networks.⁶⁹ This proliferation of militants is why the DRC is still experiencing lingering conflict almost two decades after the start of the first Congo war. Again, this highlights the degree that the Congolese state is failing. Rwandan and Uganda see that the Congo is weak and cannot defend itself against their invasion and so they capitalize on this fact and persist in their interference. Finally, the Congo has lost territorial integrity and cannot provide safety for those who are ravaged by the militancy in eastern Congo.

Western Intervention

The West has been involved in the Congo for well over one hundred years. This began when Belgian King Leopold II used the Congo as his personal estate. This was an infamous situation in which he exploited the Congo for his personal gain and was known for his brutality toward native Congolese, whom he forced into labor for his personal enrichment. Western society began to catch wind of King Leopold II's project in the Congo resulting in the Belgian parliament forcing him to hand over Congo Free State (as

⁶⁹ Mark Doyle, "DR Congo's Rebel Kaleidoscope," *BBC News*. December 4, 2012. <http://www.bbc.co.uk/news/world-africa-20586792>. Accessed on April 1, 2013.

it was so called under his ownership), to become a Belgian colony in 1908.⁷⁰ Formal Belgian colonization may not have been quite as horrific as rule under King Leopold II but the Belgian's were known for a particularly harmful form of colonization whereby, they built up bureaucracy without integrating native Congolese into the high-level functionary positions. The result of this was that when the Congo gained its freedom in 1960 and the Belgian's pulled out the majority of their personnel, there was very little expertise available to fill state positions. A famous example of this was the fact that President Mobutu was merely an army typist and journalist before he got pulled into politics and eventually was made President.⁷¹

As colonialism formally ended in 1960, a new type of Western influence was occurring. The West gave huge sums of loans to Mobutu as a Cold War strategy to ensure that he would not fall under the Soviet influence. These loans propped up Mobutu's corrupt regime for roughly twenty years. When the Cold War ended and the West's support dried up, the Congolese economy went into a recession. This made the Congo very vulnerable to the successive wars that would play out on Congo soil for just under 20 years.

The most recent manifestation of Western intervention in the Congo has been in the form of state building,⁷² as well as in the form of access to Congolese natural resources. The criticism with this manifestation of Western intervention is that "European strategies emphasize the gap between donor priorities and those of beneficiaries and the perverse effects that aid has by institutionalizing corruption and buttressing

⁷⁰ For a full account of the atrocities that occurred in the Congo under King Leopold II see Adam Hochschild, *King Leopold's Ghost: A Story of Greed, Terror, and Heroism in Colonial Africa*, (Boston: Houghton Mifflin Company, 1998).

⁷¹ Stearns, 7.

⁷² Trefon, 67.

incumbents.”⁷³ This highlights two important aspects: the first is that donors in the West may not always understand the situation on the ground and may end up doing more harm than good with initiatives that do not demonstrate knowledge of Congolese politics and culture. The second point that it brings forth, is that often aid to the Congo seems to end up propping up corrupt regimes rather than improving the state for the general population. Furthermore, as previously mentioned, one of the dangers of excessive foreign intervention (even aid given with the best of intentions) is that the international community begins to act as a substitute for the state. This means that the state can become reliant on foreign aid and does not learn to evolve with the country’s needs.⁷⁴

An example of the West’s interference in the affairs of the Congo having adverse affects is clear in the US’s attempt to curb consumption of conflict minerals. The conflict mineral legislation that was passed under President Obama in July 2010 has been criticized for being a “halfhearted” measure that has merely “exacerbated” the conflict.⁷⁵ There was a ban on conflict minerals put into place with the hope that if the mines went out of business they would no longer provide funding for militia groups. In other words, the hope was that if you stopped the sale of these minerals, conflict would cease. However, Peter Eichstaedt explains that instead of stopping conflict it made people who depended on these minerals for their livelihood more desperate and therefore more violent.⁷⁶ Furthermore, because these minerals became illegal this resulted in the formation of a black-market for these formerly legal minerals. Eichstaedt states, “[f]inding and enforcing a workable, lawful, and equitable way to share production and

⁷³ Trefon, 5-6.

⁷⁴ Trefon, 22.

⁷⁵ Eichstaedt.

⁷⁶ Eichstaedt.

profits is thus the first step on the path to a peaceful future.”⁷⁷ If the West had had more knowledge about the contextual situation regarding these conflict minerals perhaps they would have legislated differently.

Foreign aid in the Congo has come most prominently from the US, the European Union (EU), the World Bank, the International Monetary Fund and the United Kingdom (UK). Over the years Mobutu and Joseph Kabila⁷⁸ became accustomed to this almost ever-present flow of aid that has acted as a disincentive for both regimes to build strong state institutions and to allow democracy to blossom. In fact, creating a strong army or bureaucracy is perceived as dangerous for Mobutu and Kabila, because it “could then become a breeding ground for political opposition.”⁷⁹ Kabila has made some improvements since the Mobutu regime with a privatized economy and a better taxation system, but at the same time he has not allowed the rule of law to take root in any meaningful way. Jason Stearns elaborates on this phenomenon:

This state of affairs should force foreign donors to think more carefully about contributing billions of dollars to development in the Congo without pondering the long-term repercussions... The donors... usually insist that this money is politically neutral, that it does not directly benefit the political elite. This is true, as most of the money is for schools, roads, health care, and water projects. But all development is deeply political. By taking over the financing of most public services, donors take pressure off

⁷⁷ Eichstaedt.

⁷⁸ President Laurent-Désiré Kabila was largely exempt from this constant flow of aid from the West, because of the war that was occurring on Congo soil while he was in office and the West’s desire not to fund a regime that was seen as allowing war crimes to occur on its watch. Further, at the time it was unclear if Kabila had a hand in these war crimes. Though, arguably, there are still war crimes occurring on Congolese soil under the watch of Joseph Kabila, there is not outright war. Rather, there is rebel fighting in the Eastern Congo. See Stearns, 173.

⁷⁹ Stearns, 331.

the Congolese government to respond to the needs of its citizens.

Ultimately, the rule of law will be created not through a capacity-building project in the ministry of finance but through a power struggle between the government, local elites, and business circles. Donors need to figure out how to most responsibly insert themselves in this dynamic and not just pave roads, build hospitals, and reform fiscal systems.⁸⁰

Foreign aid has been flowing into the Congo since the 1960s. Over the years the Congo state and the development situation have only declined. The Congolese economy has been struggling for years and the country has enormous external debt to the tune of \$7.6 billion (2012).⁸¹ Knowing that the Congo has incurred this amount of debt, we should ask the question whether the situation in the Congo has greatly improved? I believe this is an unequivocal no. Therefore, the West needs to drastically rethink the way that it chooses to intervene.

The problem of Western intervention in the form of aid is not simply about propping up corrupt regimes it is also about the fact that this neo-trusteeship process is becoming institutionalized in the DRC and this shifts responsibility away from the Congolese government in state building and maintaining basic goods for the people. This neo-trusteeship process began as early as in 1991 when the Congolese government requested that the European Commission (EC) become the country's National Authorizing Officer. In this role, the EC would implement government projects and would manage finances out of Brussels. Under President Joseph Kabila, in 2001, this role was renewed and the EC maintained its position as the National Authorizing Officer in

⁸⁰ Stearns, 332.

⁸¹ CIA.

order to aid in the implementation of the 8th European Development Fund. Again in 2006, we see the international community playing an abnormally large role in the Congo as they funded the elections costing \$500 million. These elections were set up as a result of the Sun City Dialogue peace agreement of 2002 that put into place a transitional government.⁸² One of the understandings was that the transitional government would hold Presidential elections, and this was under pressure from the West, which funded and monitored these elections. In the case of these Western imposed elections, they were ineffective as most of the elected officials returned to the deeply ingrained way of conducting politics through corruption and clientelism.⁸³ Theodore Trefon adds to this point when he states: “Congo’s Western backers, particularly in the period when they were heavily involved in legitimizing Joseph Kabila, miscalculated his potential to sidetrack the democratic agenda that he was supposed to implement.”⁸⁴

There has also been a major undertaking by the World Bank, the EC, Germany, China and Kuwait to improve the dilapidated transportation network that exists in the Congo.⁸⁵ This is problematic because this is a duty that the Congolese government should be fulfilling for its people. The transportation network that was originally put into place in the Congo was one of the contributions of Belgian involvement in the Congo before independence. However, when the Belgians pulled out, the government was unable to maintain this transportation network. There is a danger that history will repeat itself in this way. The Congo is so vast,⁸⁶ the terrain is so difficult and when compounded with

⁸² Trefon, 23-24.

⁸³ Pierre Englebert as referenced in Trefon, 26.

⁸⁴ Trefon, 124.

⁸⁵ Trefon, 55.

⁸⁶ The Congo is the second largest country in Africa by area and the eleventh largest in the world.

“Democratic Republic of the Congo,” *Wikipedia*,

http://en.wikipedia.org/wiki/Democratic_Republic_of_the_Congo. Accessed on May 15, 2013.

the fact that the state is so weak,⁸⁷ it seems likely that the state could fall into the same trap of not being able to maintain improvements that have been made by external backers. Theodore summarizes the conundrum that faces the Congo and frustrated foreign donors:

International partners design, fund and carry out programmes whose evaluations reveal a startling degree of inefficiency. The gap between strategies and impacts remains wide. Congo's partners are powerless to induce the real change that is needed to improve the well-being of the population. They have also proved powerless to impose new visions of governance upon a reluctant political establishment. Partners have demonstrated their capacity to promote new discourses about good governance but not to implement the policies themselves.⁸⁸

Clearly, recent Western intervention in the Congo, has been well intentioned. However, despite these intentions the consequences of Western involvement have been vast. Western intervention often demonstrates a lack of knowledge about what would be beneficial for the Congolese people. Ultimately, the Congolese people hold the key to their success. True and lasting reforms must result from a negotiation between society and government.⁸⁹

Security Apparatus

The DRC's security apparatus leaves much to be desired. The scale of death that has occurred on DRC soil since the first Congo war began in 1996, (five million having died from causes of war), indicates that the security forces are extremely incompetent.

⁸⁷ Trefon, 49.

⁸⁸ Trefon, 122-123.

⁸⁹ Stearns, 331.

Not only do the DRC security forces fail to protect from outside threats and internal conflict, so too are they often a menace toward the population with widespread accounts of rape, looting and violence toward civilians. Additionally, the security apparatus was unable to prevent a coup d'état and an assassination, which all occurred within a five-year time period. Finally, there have been two wars and constant small-scale unrest in the Eastern Congo since 1996. Relentless arms proliferation has turned many civilians into militants. Rebel activity is a fact of life in the Kivu provinces of the Congo, where competing groups fight over the control of mines or control of taxation networks. The inexcusable failings of the DRC's security apparatus has meant that civilians are left to fend for themselves and in many cases they have not succeeded. This speaks to the territorial and institutional elements that are referenced in Huria's definition of a failed state. The DRC has been completely unable to provide the basic public goods of territorial integrity and security because of its lacking security apparatus.

Failures of the Congolese Security Apparatus

The history of the decay of the Congolese security apparatus began during Mobutu's rule whereby he hollowed out the state's various institutions as a strategy to prevent opposition from forming. Having risen to power through a military coup, he knew the reality of how fragile his position was. Therefore, he "cannibalized his own military out of fear of an overthrow."⁹⁰ Moreover, he promoted people into the military according to loyalty rather than merit, which downgraded the efficacy and expertise of the military.⁹¹ This trend continued through the proceeding two regimes. Today the Congolese army is still notorious as "an unruly mix of otherwise unemployable men

⁹⁰ Stearns, 109.

⁹¹ Stearns, 116.

anxious to get their hands on guns...” Further, it was described as “...a military that is little more than a collection of armed thugs.”⁹² The Congolese security apparatus at all levels engages in racketeering, violence, rape and they use their weapons to appropriate mines.⁹³

This decay of the security apparatus under Mobutu was so severe that by the 1980s the majority of the 70,000 soldiers in the army would rarely receive pay and would resort to looting, illegal taxation and bribes to make ends meet. By 1994, only two years before the Congolese uprising, the army was completely bankrupt and generals were known to sell army equipment on the black market to compensate themselves. Ironically, the weapons and army equipment were used against the Congolese when the Rwandans invaded the Congo two years later.⁹⁴

The fact that the Congolese uprising was able to occur and so easily overthrow Mobutu replacing him with President Kabila is a testament to the failings of the security apparatus. The conflict of the past twenty years in the DRC could be thought of as a three-part war. The first part began with the civil war of 1996 that ended with the coup in 1997 and after the extreme decay of the army that peaked only two years prior, it only followed why the Congo fell so quickly. Conflict was renewed in the regional war of 1997 and continued even after the assassination of President Laurent-Désiré Kabila in 2001. From 1998 until 2004 it is estimated that 3.8 million people died from causes of war. Many died from treatable diseases and many more died from malnutrition, not from famine but because of the military looting crops.⁹⁵ During this time, though it was

⁹² Eichstaedt.

⁹³ Trefon, 64.

⁹⁴ Stearns, 116-117.

⁹⁵ Stearns, 249.

claimed that the army was 100,000 strong, more likely it was comprised of 50,000 and the desertion rate was at 60%.⁹⁶ President Laurent-Désiré Kabila did not have enough money to fund his war against Rwanda and Uganda, (the very countries that helped bring him to power in the Congo in 1997). He relied on regional support and expropriated one third of the profits made from Gécamines mining business to fund the war. In 2000, 70% of all state expenditures were being used for security purposes amounting to \$130 million in that one year.⁹⁷ The final phase of conflict in the DRC is still in motion today and mostly consists of unrest in the eastern Congo among rebel groups, peacekeeping troops and the Congolese and Rwandan military.⁹⁸

President Kabila inherited a highly deficient security apparatus and has done little to improve it. Though he did succeed in reunifying the country and reaching a peace agreement in 2002. This third phase of war was not outright war against the Rwandans and Ugandans. However, after the ceasefire President Kabila would continue to supply weapons to the Mai Mai rebel group so that they could maintain the insurgency against Rwanda. The Rwandan government would retaliate forcefully and this would have the effect of making the Rwandans appear to be the instigators and antagonist in the eyes of the international community, while Kabila's hands appeared clean.⁹⁹ Yet, he too had inherited a very weak security apparatus. He only had a force of 150,000 of which many were former rebel fighters that were combined under one national military umbrella. Illiteracy was very common among officers and many never received any formal military

⁹⁶ Stearns, 271.

⁹⁷ Stearns, 294.

⁹⁸ Stearns.

⁹⁹ Stearns, 313.

training.¹⁰⁰ Though it was a conscious choice on Kabila's part to leave the army weak for fear of being overthrown. He managed the army informally and based the real power in his Presidential Guard that is about 10,000 strong and has much better training than the rest of the military.¹⁰¹ Thus, the primary failing of the Congolese security apparatus is that it has allowed conflict to persist for so long with such devastating consequences. The principal task of any security apparatus is to maintain territorial integrity and to protect civilians from conflict. The Congo state is clearly failing on this count.

Not only has the security apparatus completely failed from shielding the people from external threats it is a menace to the very people it is charged with protecting. Looting, violence, rape, and illegal taxation of the civilian population by Congolese security forces has been an unfortunate and persistent reality in the DRC that continues today. "The president's Republican Guard (Garde républicaine), the National Intelligence Agency (Agence nationale de renseignement – ANR), the Rapid Intervention Police Force (Police d'intervention rapide – PIR) and the Migration Office (Direction générale des migrations – DGM), which controls who goes where in and outside the country, all terrorize the Congolese people."¹⁰² For instance, it is estimated that 60% of all children under the age of five that died during the peak war years died from malnutrition. This was because soldiers would consume civilians' crops not because of infertile land.¹⁰³ Additionally, rape is a horrific tactic of war in the Congo that the security forces have taken part in alongside rebel groups. The UN reported that since 1998 some 200,000

¹⁰⁰ Stearns, 324.

¹⁰¹ Stearns, 324.

¹⁰² Trefon, 116.

¹⁰³ Stearns, 249.

women had been raped¹⁰⁴ and in 2009 alone, 8,000 were raped, earning the DRC the shameful title of “the rape capital of the world.”¹⁰⁵ It is unclear how many of these rapes were committed by Congolese forces. However, the UN recently cited that the DRC government suspended 12 high-ranking officers because of reports of mass rape. Specifically, in November of 2012, there was evidence “of at least 126 rapes carried out in Minova by soldiers who were fleeing a rebel offensive.”¹⁰⁶ The UN is threatening to stop cooperation with the two brigades in question if the problem is not dealt with in court. Further, activists have been arrested and detained under terrible conditions, without legal council and human rights monitors have had a difficult time protecting the individuals and investigating these incidents.¹⁰⁷ Even worse, there are cases of humanitarian workers and journalists being assassinated by the vicious security forces.¹⁰⁸ The effects of all of this violence are devastating. Trefon argues that Congolese officials prefer chaos and insecurity due to the fact that these are easier conditions under which to exploit resources and instate illegal taxation networks.¹⁰⁹ It is evident that the security apparatus in the DRC is predatory as the security forces harass the civilian population.

Challenges Facing the Security Apparatus

The challenges facing the Congolese security apparatus are plentiful. The forces are weak and terribly trained and are no match for the “well-disciplined militias,”¹¹⁰ that abound in the Eastern Congo. From 2003 until 2008 “the Tutsi strongman and [National Congress for the Defense of the People] CNDP founder Laurent Nkunda pushed the

¹⁰⁴ Stearns, 263.

¹⁰⁵ Trefon, 64.

¹⁰⁶ “DR Congo Officers ‘Suspended’ in Mass Rape Inquiry,” *BBC News*, April 12, 2013. <http://www.bbc.co.uk/news/world-africa-22121722>. Accessed on April 17, 2013.

¹⁰⁷ Trefon, 116.

¹⁰⁸ Trefon, 116.

¹⁰⁹ Trefon, 64.

¹¹⁰ Nzongola-Ntalaja.

Congolese army around at will and won control of many of the region's key mines, funneling untold millions of dollars' worth of minerals into Rwanda."¹¹¹ The state is so weak and corrupt that the security forces are often paid terribly, if at all. This is frequently the justification and cause for why the security forces are so predatory toward civilians, "which is a legacy of the Mobutu dictatorship."¹¹² Another challenge is that there has been a reform strategy in place, called Brassage, that works to integrate various Congolese rebel groups into the army but "this was a daunting challenge because political and military factions were unwilling to relinquish control over their militias."¹¹³ The M23 rebellion of 2012 is a clear example of the failure of this strategy. The M23 group was a Tutsi unit and former rebel group that was integrated into the Congolese military and they mutinied because of Kabila's perceived "non-respect" of the March 23, 2009 peace agreement with the CNDP rebel group.¹¹⁴ M23 is the cause of major upheaval in the Eastern Congo at present and it could be argued that they emerged from the failure of the Brassage strategy. Another major obstacle for the security forces in the Congo is that the territory that they are charged with securing is so vast and is often the difficult terrain of mountains and jungle. Further, the Kivus, where most of the turmoil in the Congo is occurring at present, are located 932 miles from the capital of Kinshasa, where the military is based and operates from. This distance compounded with an ailing transportation system and a weak and underfunded security apparatus, makes it a great challenge to wrangle the rebel groups that operate in the Kivus.¹¹⁵

¹¹¹ Nzongola-Ntalaja.

¹¹² Trefon, 62.

¹¹³ Trefon, 61.

¹¹⁴ Nzongola-Ntalaja.

¹¹⁵ Doyle.

Most recently, on February 24, 2013 a peace agreement was signed in Addis Ababa between eleven different African countries to stop the fighting in the Congo. However, a major challenge for ensuring that the cease-fire is respected is the fact that rebel groups were not included in this peace deal. Kabila acknowledged that the agreement was “a diplomatic measure” and that talks with rebels would continue. Kagame said that the “deal should not be taken as an end in itself.”¹¹⁶ One may wonder how a peace deal can succeed in ending conflict if the primary actors of the conflict were not included in the peace process. Further, it seems that Kagame and Kabila themselves are acknowledging the weakness of this deal by implying that there is a lot more work to be done before peace will truly be achieved.

Clearly, reaching adequate security will not be realistic until the security forces are reformed. Therefore, the Addis Ababa peace deal will hold little traction under the current state of the Congolese security apparatus. The Congolese population is the one that bears the brunt of this failure of the state to ensure territorial security and the safety of its population. “Mass violence does not just affect the families of the dead. It tears at the fabric of society and lodges in the minds of the witnesses and perpetrators alike.”¹¹⁷ The DRC has been entrenched in war for so long that it has fallen into a vicious cycle of violence. And this violence has left a negative imprint on its society. The degree of violence and chaos that exists speaks to the severity of state failure of the DRC.

¹¹⁶ Aaron Maasho, “African Leaders Sign Deal Aimed at Peace in Eastern Congo,” *Reuters*, February 24, 2013. <http://www.reuters.com/article/2013/02/24/us-congo-democratic-un-idUSBRE91N03H20130224>. Accessed April 1, 2013.

¹¹⁷ Stearns, 261.

Factionalized Elite

The DRC has a dysfunctional elite class, in that its politics are highly flawed. This has been evident since independence from Belgium in 1960, as the oppression of political opposition has been a constant theme, even with the current regime that has allowed for elections but not a substantial growth of democracy. All three of the leaders since independence have been so scared of political opposition that they have gone to great lengths to suppress it. Politics in the Congo are often ethnically driven which makes the elite highly factionalized. For instance, in a country with over 200 different ethnic groups¹¹⁸ one can imagine how factionalized ethnic based politics would become. In addition, there are over 80 political parties in the Congolese parliament.¹¹⁹ Political competition is fierce to the point of coup d'états and assassinations. Under these conditions it may be understandable why political opposition is so feared and stifled. Additionally, the leaders of some of the various rebel groups in the Congo are often promoted to government positions. This means that some people who may be guilty of war crimes are the very people that are in high government positions. Clearly, due to the weakness of political institutions such as parliament, the judicial branch and local level politics, politics are very dysfunctional in the DRC. The elite are not harnessed by strong institutions and thus run rampant with corruption.

A History of Ethnic Based Politics and Political Oppression

Ethnic based politics breed fragmentation because instead of politicians uniting under political platforms and causes they are forming based on ethnic lines and this is

¹¹⁸ CIA.

¹¹⁹ Raphaël Jaegar, "Country Profile: The Democratic Republic of the Congo," *Fund for Peace*, July 2012, <http://www.fundforpeace.org/global/states/ccppr12cd-countryprofile-drcongo-08c.pdf>. Accessed on March 13, 2013, 5.

usually accompanied by narrow agendas that only benefit the region from which the ethnic group originates. The seeds for ethnic based politics were sown during the colonial period when political parties were based in ethnicities and when colonizers would use divide and rule tactics, dividing along ethnic lines.¹²⁰ This pattern of ethnic based politics is a common thread through all three regimes since independence. “Just as Mobutu relied on key allies from his own region and ethnic group, Laurent-Désiré Kabila relied on a cadre of Katangese political cronies. Many of Joseph Kabila’s key advisers, supporters and party apparatchiks also hail from Katanga.”¹²¹ For instance, under Mobutu the top ranking military personnel were promoted mostly from his home province of Equateur and one third were from his ethnic group Ngbandi. In addition, 90% of his political staff was from Equateur and the staff was notorious for feuding.¹²² Jason Stearns elucidates the discussion of ethnic politics in the DRC:

If the fiercest ideology or ethics that can be found in the country is ethnic, that is because no other institution has been strong enough for the people to rally around. Unfortunately, ethnic mobilization is usually exclusive in nature and does not form an equitable or truly democratic basis for the distribution of state resources; also, given the manipulation of customary chiefs, even this vessel has been corrupted. It will take generations to rebuild institutions or social organizations that can challenge the current predatory state without resorting to ethnicity.¹²³

¹²⁰ Trefon, 110.

¹²¹ Trefon, 115.

¹²² Trefon, 115.

¹²³ Stearns, 215-216.

This highlights that this way of conducting politics is highly institutionalized and that democratic reform strategies will need to take ethnicity into consideration. It also points out that it is a way of doing politics that is inherently fragmenting. Therefore, it follows that a necessary aspect of surviving in this type of political climate would be oppressing the opposition that results from ethnic politics. Uniting under common causes and political agendas become less important, while loyalty and your origins are elevated.

Ethnic based politics have been compounded with heavy-handed oppression of political opposition and again this has been a common theme through all three regimes since independence. A wave of democratization swept through Africa in the early 1990s and great pressure was applied to those regimes that had not already begun this process. Therefore, Mobutu held elections in the 1990s. However, he did not truly liberalize and democratize and would be taken out of power just a few years later.¹²⁴ In fact, during his whole career he stifled all political opposition. During Mobutu's 32-years as president it was commonplace for political opponents and human rights activists to disappear, to be assassinated, detained, beaten or deported.¹²⁵

Like his predecessor, Laurent-Désiré Kabila was not democratically elected but rather he was hoisted to power by external powers. When he came into office he had a difficult time achieving political cohesion partially because the uprising succeeded so quickly and he was not sufficiently prepared to come to power. Further, since the rebellion that brought Kabila to power was foreign imposed and not a homegrown uprising, this meant there was less unity and rallying behind his cause within the weak

¹²⁴ Stearns, 63.

¹²⁵ Stearns, 167.

and fractured government.¹²⁶ The country did not support Kabila's rise to power. He was seen as an outsider and the fact that he did not speak French fluently, the native language of Kinshasa, only reinforced this notion.¹²⁷ Polls in 1997 showed that former Prime Minister Etienne Tshisekedi was preferred as President by 62% of the Congolese electorate while only 14% preferred Kabila.¹²⁸ Unlike Kabila, local level officials were voted in through elections, but Kabila soon halted this process as he realized many of the newly elected local level officials were Tshisekedi supporters.¹²⁹ Under these conditions, Kabila was terrified of being ousted and so he did not liberalize the Congolese political system, claiming that he needed to gain control of the country that had just experienced a civil war. This strategy became more aggressive, whereby, anyone that spoke out for democratization was arrested, beaten and deported echoing Mobutu style political suppression.¹³⁰ Only months after he came to power there was already talk of a coup because he had alienated so many people including former allies, such as Kagame and Museveni.¹³¹ Upon his assassination on January 16, 2001 he was the only thing keeping the rivalries at bay and they would now all claw for power.¹³² The identity of Kabila's killer is still unknown and the prevalence of enemies that he had makes it difficult to ascertain.¹³³ Joseph Kabila, Laurent-Désiré Kabila's son, was chosen as the next President of the DRC making him the third successive leader to come into power non-democratically since independence.

¹²⁶ Stearns, 169-170.

¹²⁷ Stearns, 165.

¹²⁸ Stearns, 171.

¹²⁹ Stearns, 172.

¹³⁰ Stearns, 167.

¹³¹ Stearns, 177.

¹³² Stearns, 269.

¹³³ Stearns, 277.

On the surface, his public relations and diplomatic strategies were quite different from his father's. However, at base, Kabila too had an agenda of centralization, oppression of opposition and would continue the pattern of conducting corrupt ethnic based politics. When he first came into office under the transitional government in 2001, Kabila fired his father's cabinet and put into place younger officials who were more international in that were trained abroad and understood the need to appear less corrupt in the eyes of the West.¹³⁴ Those who would assume positions in the vice presidency and parliament were from former rebel groups meaning that those in power were suspected of committing war crimes and human rights abuses.¹³⁵ At this time, there were essentially seven different parties sharing power in the upper levels of government.¹³⁶ Kabila's style of ruling was to concentrate power in a tight group of personal advisors. This was the hub of government decision-making. The most prominent of this group was Katumba Mwanke who was from Kabila's home province of Katanga. In addition, most of his other advisors are from Katanga region as well, furthering the trend of ethnic based politics.¹³⁷ Though the Congolese government has a parliamentary legislature Kabila would by and large by-pass parliament and divert to his inner circle.¹³⁸ Considering the fact that the parliament is a loud voice of opposition, he has no real incentive to change this strategy.¹³⁹ He got away with this because the institutions that he inherited were so weak and fragmented that there was no method in place to check his behavior of concentrating power in the presidential seat.¹⁴⁰ He was savvy in reinforcing this

¹³⁴ Stearns, 313.

¹³⁵ Stearns, 317.

¹³⁶ Stearns, 321.

¹³⁷ Trefon, 32.

¹³⁸ Trefon, 28.

¹³⁹ Trefon, 115.

¹⁴⁰ Stearns, 317.

fragmentation in his style of coalition building. “He established a coalition of disparate regional and ethnic-based groupings, the Alliance for the Presidential Majority (AMP). Clever strategic partnerships were secured with Nzanga Mobutu, the former president’s son, Antoine Gizenga, who headed the Unified Lumumbist Party (PALU), and Kyungu wa Kumwanza of the National Union of Federalists of Congo (UNAFEC).”¹⁴¹

Kabila is also more subversive and subtle than Mobutu and his father were, in the way that he limits political antagonism. We see examples of Kabila attempting to stay on the West’s good side while still accomplishing his own agenda. For instance, there was a push to clean out corruption encouraged by the West. Kabila began to remove various people from government accusing them of corrupt practices. Theodore Trefon argues “it was a convenient pretext to eliminate opponents and replace them with members from the presidential fold – and grandstanding for both internal and outside consumption.”¹⁴² Though on the surface Kabila represented a break from his father and Mobutu’s style of politics, in that he fostered peace, and was seemingly more cooperative with the international community allowing for elections, in reality it would be business as usual in the Congo during his incumbency.

The 2006 and 2011 Elections and Kabila’s Successive Victories

President Kabila has run in two elections since coming into power, the 2006 and 2011 elections. However, many questions have been raised about the legitimacy of these elections. Some of Kabila’s methods of winning have included signing large mining contracts and using the money to help buy support and fraudulent voting tactics. For example, before the 2006 elections Kabila sloppily signed some “bad” contracts with

¹⁴¹ Trefon, 25.

¹⁴² Trefon, 126.

people that would end up being major donors to his campaign. It is such a large country and bribes are often the main way to gain support, so it can be quite expensive.¹⁴³ This is true to Kabila's preferred method for conducting politics through informal routes. By using personal networks as opposed to formalized ones, he links everyone directly to himself. Not being bound to formal methods of conducting politics that are meant to keep corruption at bay, Kabila than has much more leeway to lead as he sees fit.¹⁴⁴ Therefore, in 2006, he won the election through a combination of corrupt election techniques and a degree of genuine support, since he was accredited with bringing about peace with the 2002 peace agreement.¹⁴⁵ Since he has been in office, Kabila has worked to centralize his power. He altered the Congolese constitution, in time for the 2011 elections, to eliminate the second round of voting in elections.¹⁴⁶ This would improve his chances of winning, since in the first round the winner would only need 30% of the vote. As long as Kabila could successfully divide the opposition, he would have good chance at winning.¹⁴⁷ Some of the election fraud that occurred in 2011 included: ballot stuffing, people mysteriously no longer being registered, disappeared ballots, and bribery. During these elections there were also cases of clampdown on opposition. For instance, Jason Stearns notes that, "opposition supporters [had] been rounded up, and there [were] many cases of arbitrary killings and torture, often by the presidential guard."¹⁴⁸ The Carter Center, the EU, and the many of the Congolese people all perceive these elections as fraudulent. After the elections both Kabila and Etienne Tshisekedi proclaimed themselves president, though

¹⁴³ Stearns, 319.

¹⁴⁴ Stearns, 321.

¹⁴⁵ Stearns, 321.

¹⁴⁶ Trefon, 28.

¹⁴⁷ Stearns, 2.

¹⁴⁸ Stearns, 2.

Kabila remained the incumbent in the end.¹⁴⁹ Stearns notes that despite this clear acknowledgment that the elections of 2011 were illegitimate, there was hardly any mobilization to speak out against the election.¹⁵⁰

The DRC's Lack of Political Figures

Considering that there has been a pattern of eliminating political antagonism for over half a century, one can understand why there is a lack of political figures in the DRC.¹⁵¹ This is problematic for any attempts at reforming politically. To date, externally imposed reforms have been largely unsuccessful, but with few promising charismatic political activists it would be difficult to get a movement off of the ground. As Jason Stearns was researching on the Congo, he discovered that there is a “lack of visionary, civic-minded leadership.”¹⁵² Political discourse is not totally absent in the DRC but it is weak at best. “While civil society is timidly making its voice heard in terms of social and political mobilization, weaknesses persist. Its leaders, who are often intimidated, bullied and manipulated by the ruling political class, tend to lack experience and professionalism.”¹⁵³ Constitutionally, freedom of speech and expression are allowed. However, in practice, this is limited to debate and access to information that is non-damaging for the political elite.¹⁵⁴ Conversely, as opposition is discouraged, corruption is actually rewarded which also helps to maintain the status quo and to essentially corrupt potential revolutionaries. Stearns elaborates:

¹⁴⁹ Stearns, 2.

¹⁵⁰ Stearns, 2.

¹⁵¹ Trefon, 32.

¹⁵² Stearns, 328.

¹⁵³ Trefon, 118.

¹⁵⁴ Trefon, 128.

A central reason, therefore, 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. Well-intentioned (albeit misguided) leaders...are spun to the outside of this centrifuge, while the more guileful ones stay at the center. Spend some time in the Grand Hotel in Kinshasa, where politicians mingle and deals are struck, and you will realize that the welfare of the Congolese people is absent from their conversations, while court intrigues and battles for power are a matter of obsession.¹⁵⁵

In other words, the system that is in place is very difficult terrain for even the most altruistic and revolutionary figures. Politicians are forced into step either through intimidation or through seduction. Those who do not accept this fact of Congolese politics do not survive. The sad fact, as Stearns highlights, is that this whole system has complete disregard for what is the best for the average Congolese person. Finally, Trefon cogently summarizes the problem with the political elite in the Congo:

The political class itself, despite its efforts to consolidate and reproduce its own supremacy, is also powerless and vulnerable. The quasi-democratic gains achieved through elections accrued to a small faction of political actors at the national and provincial levels. Elected officials share, dispute and manipulate democratic dividends with little consideration for the needs of ordinary people, who are kept outside the political arena. The government has not achieved workable political compromises with the

¹⁵⁵ Stearns, 331.

parliamentary opposition; it has been unable to garner the respect and credibility of its international partners; it has been powerless to respond to the expectations of its constituency, particularly in the fundamental areas of security and economic development.¹⁵⁶

The flaws of the political system in the DRC are a complete failure to the Congolese people. They have no political figures or movements to inspire and mobilize them to bring about reform. Those in government operate to benefit themselves and reproduce the status quo, rather than to benefit its citizens and provide for them the goods expected of a state. This is a fundamental function of any political system and it is an indicator that the DRC's political elite is failing its people by completely ignoring their needs. Those lucky constituents that are from the province or ethnic group of the incumbent might have a chance of benefiting from government but this will only last as long as the incumbent is in office.

Refugees and IDPs

A horrible consequence of almost twenty years of war is vast numbers of displaced people, some are refugees from surrounding countries and some have been displaced within the DRC. This vast number of displaced persons has resulted from a failing state. The state is not strong enough to defend against internal and external threats that have menaced civilians and forced them from their homes. Further, refugee and IDP populations have been persistent in the DRC because the state does not have the will or the resources to relocate or resettle those in the camps. Finally, it becomes clear that often the problem of displaced people falls to the NGOs and international community, rather than the state, with the United Nations High Commissioner for Refugees (UNHCR) being

¹⁵⁶ Trefon, 123.

the most prominent actor to address this issue. This illustrates again that the state is so weak that it diverts to the international community and civil society groups to fill the role that is meant for the state.

Currently there are roughly 150,000 refugees from Angola, Burundi and Rwanda in the Congo. There are another 2.5 million IDPs in the DRC¹⁵⁷ 767,000 of which reside in the Kivus alone.¹⁵⁸ Moreover, there are a total of 400,000 Congolese refugees who live outside of the DRC.¹⁵⁹ The most recent wave of disruption caused by last year's M23 rebellion displaced half a million people.¹⁶⁰ In addition, 70,000 of the total Congolese refugees living outside of the DRC became refugees in the past year and are residing in Uganda and Rwanda.¹⁶¹ Needless to say, the lives of the majority of these displaced persons are tumultuous and difficult. Displaced people must face leaving their homes with no notice, against their will, and they often cannot take their belongings with them. If they make it to IDP or refugee camps, they likely live in close quarters with subpar shelter, nutrition and health. They live in constant uncertainty with little stability. In some cases, these refugees and IDPs may never return home due to the fact that at times rebels will destroy their houses and towns once they have been pushed out.

Though living in an IDP or refugee camp would be undesirable it is often a more appealing option than living on the road. However, there are significant roadblocks to running these camps. The UNHCR reports that there are significant challenges reaching IDP and Refugee populations because many parts of the DRC are so unstable and rebel

¹⁵⁷ CIA.

¹⁵⁸ Doyle.

¹⁵⁹ "2013 UNHCR Country Operations Profile- Democratic Republic of the Congo," *UNHCR*, <http://www.unhcr.org/pages/49e45c366.html>. Accessed on April 1, 2013.

¹⁶⁰ "DR Congo: UN to Sanction M23 Rebels."

¹⁶¹ "2013 UNHCR Country Operations Profile- Democratic Republic of the Congo."

groups can hinder UNHCR from operating in certain areas. For example, with the M23 rebellion the UNHCR was forced to pull out of some camps because of instability in the Eastern DRC. As a result, UNHCR reports that 47,500 displaced persons that the UNHCR had been providing services for are no longer being aided. Another obstacle that the UNHCR faces in aiding these displaced populations is that the infrastructural, administrative, and legal structures in the DRC is so frail in some areas that the UNHCR cannot operate.

The DRC's first major refugee crisis occurred in 1994 after the Rwandan genocide occurred. After the Tutsis defeated the Hutus, (the ethnic group that had massacred 800,000 Tutsis and moderate Hutus), and gained the majority in Rwandan government, these Hutus and former génocidaires fled to the eastern Congo. From 1994 until 1996 the eastern Congo would house some two million refugees that would end up being one of the worst refugee crises ever. Some of the refugee camps in the Congo would grow to 400,000 making them the largest in the world and making them bigger than any city in the eastern Congo. The pace with which these camps were formed and with which refugees flowed in made it difficult to meet the health and hygiene standards needed to keep disease and viruses from spreading.¹⁶² In Goma refugee camps, conditions were so bad that a cholera outbreak killed 50,000 refugees.¹⁶³ The international community mobilized roughly \$2 billion to help stem the crisis but many would perish despite these efforts to help.¹⁶⁴ As of 2011, there were still 61,000 Rwandan refugees in

¹⁶² Martina P. Callaghan and Bruce Immerman, "PHS Mission to Goma, Zaire." *Public Health Reports* 110, no. 1 (1995): 95.

¹⁶³ Sara Davies, "Cross Border Migration," *Global Politics of Health*, (MA: Polity Press, 2010), 92.

¹⁶⁴ Stearns, 33.

the DRC,¹⁶⁵ most likely the remaining populations from the Rwandan war. Additionally, as previously mentioned, the spillover effects of the Rwandan genocide are widely attributed as a major catalyzing factor in the consecutive Congo wars that still linger on today. Clearly, IDP and refugee populations can be very disruptive politically and societally and if compounded with a weak or failed state the effects can be devastating as was the case with the Rwandan refugee crisis of 1994.

With an already tenuous displaced persons situation in the DRC, the M23 rebellion has exacerbated the situation further. The fighting in Goma, “is displacing the displaced again, stretching the coping abilities of an already exhausted community.”¹⁶⁶ Displaced populations are particularly vulnerable to such horrors as child conscription, rape and violence. The UNHCR notes that while refugees and IDPs are often victims of rape and sexual abuse, in the unstable settings that they live in the perpetrators are seldom prosecuted.¹⁶⁷ In addition, child abduction and conscription is a great menace to these populations. For example, “since 2008 the LRA [Lord’s Resistance Army]¹⁶⁸ has been abducting children in North-Eastern DRC to use them as soldiers, porters, sex slaves and cooks. Girls represent almost 50% of children abducted by LRA in DRC in 2009.”¹⁶⁹ Displaced persons are already vulnerable populations but clearly children and female children specifically are doubly vulnerable. The DRC government is failing these

¹⁶⁵ CIA.

¹⁶⁶ Sebastian Albuja as qtd. in Norwegian Refugee Council, “As Goma Falls to Rebels, Displaced Young Girls and Boys Face Increased Risk of Rape and Recruitment,” *ReliefWeb*, <http://reliefweb.int/report/democratic-republic-congo/goma-falls-rebels-displaced-young-girls-and-boys-face-increased>. Accessed April 1, 2013.

¹⁶⁷ “2013 UNHCR Country Operations Profile- Democratic Republic of the Congo.”

¹⁶⁸ The LRA is a Ugandan rebel group led by the infamous Joseph Kony. The International Criminal Court has issued an arrest warrant for Kony because of his most notorious alleged war crimes of child conscription and mass murder. See the ICC and Human Rights Watch websites for more information. <http://www.icc-cpi.int/EN/Menu/ICC/Situations%20and%20Cases/Situations/Situation%20ICC%200204/Pages/situation%20index.aspx>. And <http://www.hrw.org/topic/international-justice/joseph-kony-lra>.

¹⁶⁹ Norwegian Refugee Council.

vulnerable populations who live uncertain lives away from their original homes. It is the Congolese state's responsibility to protect these populations from the horrors that await them as conflict continues in the Eastern Congo. The fact that refugees and IDPs has been such a persistent problem since 1994 speaks to the failings of the Congolese state system.

Policy Recommendations

I will begin by giving recommendations that I believe will alleviate some of the challenges that have arisen from excessive external intervention. The key to success in the DRC will start with empowering the Congolese state to take action to improve its own state system. Though external help has been essential in stemming crisis in the short-term it has created parallel institutions whereby the international community has fulfilled certain functions meant for the state for so long that it has permanently shifted responsibility from the state to the international community. This is not doing the DRC any favors as it tries to become a healthy state again, since being a healthy state entails fulfilling certain basic duties for the welfare of its citizenry. I think it would be unrealistic and harmful for the UN to pull out of the Congo too quickly and altogether. Therefore, I believe that external intervention should be reoriented and improved upon in such a way as to empower the DRC. The new mandate of MONUSCO has evolved to include neutralizing the forces in Eastern Congo, and I believe this will be beneficial for the DRC. However, the UN troops and commanders should work in concert with the DRC military to implement their mandate. I believe this new task is essential because the DRC needs a jumpstart in gaining control in the Eastern Congo. This menace in the East is adding to the cycle of violence and prohibiting development. Once control has been reached in the East, MONUSCO should immediately begin to scale back in terms of

project agenda and personnel. Any other Western intervention should only be put into place if it enables the Congo to help itself. For instance, all future projects should attempt to use the greatest number of Congolese people rather than bringing in outside personnel. Furthermore, NGO, UN and other outside funded projects should use Congolese expertise and attempt to gain an understanding of the cultural, political, ethnic and societal factors before it decides to proceed with work.

Additionally, the international community should forgive the onerous debt burden that the DRC has taken on over the years. How can the DRC's economy thrive and flourish if it is constantly using a large portion of its GDP to pay off its debt? Going forward the only aid given to the Congo should be in the form of grants in order to avoid falling into a cycle of debt repayment that stifles growth.

In regards to combatting intervention by Congolese neighbors, I agree with Georges Nzongola-Ntalaja's suggestion that the UN should begin to impose sanctions on Uganda and Rwanda so that they feel pressure to stop their negative intervention in the DRC. Since the DRC does not currently have the capacity to stop the Ugandan and Rwandan economic and military interference in its territory, the UN should help on its behalf until the state is strong enough to do this task on its own. The UN sanctions should be contingent on these countries halting their aid to rebel groups in the Eastern Congo and upon the countries pulling out of the Congo's mineral trade, (the Congo's resources should benefit the Congolese state and aid in rebuilding, not help the Ugandan and Rwandan governments).¹⁷⁰

Long lasting peace will never be achieved if the security apparatus is not reformed. The first step to reforming this institution should include cleaning house. The

¹⁷⁰ Nzongola-Ntalaja.

DRC will not benefit from bringing together former militants, each with their own agendas under one national military umbrella. The M23 rebellion gives evidence that the method of brassage is a failure. Instead, these former militants, some of whom have committed war crimes, should be brought to justice. The justification of allowing for this kind of impunity, whereby alleged war criminals are rewarded with military positions, has been one of attempting to unify and create peace. The end result, however, is not peace. Rather, impunity runs rampant and conflict continues. The International Criminal Court (ICC) has played a role in an attempt to prosecute war criminals in the DRC. The Court has opened cases for six individuals, and out of these one has been found guilty, one awaits a verdict, two have been acquitted and two remain at large.¹⁷¹ This is a good start but there is still much work to be done in combatting impunity. Therefore, as Jason Stearns suggests there should be a truth and reconciliation commission in the DRC as there was in Rwanda and several other post conflict countries.¹⁷² This may help to heal this society that has been traumatized by decades of conflict. Further, Mark Doyle suggests that the army should be rebuilt from the ground up, including complete retraining as they successfully did in Sierra Leone.¹⁷³ The international community could help by donating funds to the security apparatus so that its security forces actually receive pay and therefore would not be pushed to looting and raping the Congolese civilian population. The use of external aid for this purpose is an example of using external intervention in such a way as to empower the Congo to rebuild its security apparatus.

¹⁷¹ See the ICC website for full details of its case in the DRC. "Situation in the Democratic Republic of the Congo," *International Criminal Court*. http://www.icc-cpi.int/EN_Menus/ICC/Situations%20and%20Cases/Situations/Situation%20ICC%200104/Pages/situation%20index.aspx. Accessed on May 2, 2013.

¹⁷² Stearns, 333.

¹⁷³ Doyle.

The factionalized elite has produced dysfunctional politics in the DRC. Political reforms will not be successful if externally imposed, as the elections of 2006 and 2011 illustrated. Political institutions must be reformed by the Congolese people through a genuine 'Congolese spring' if you will. Therefore, investment in the educational system of the DRC will be the only way to reform the DRC's factionalized elite. How will the Congo gain these much-needed political figures if not through an adequate educational system that fosters the growth of aspiring political activists? This will also aid in general with the need for Congolese expertise to solve Congolese problems because there will be more experts available and perhaps more ideas and projects that arise from Congolese academics and think tanks. I believe the international community should give aid to communities to this end as a way of helping the Congo to rebuild its educational institutions. I would contend that the money should go directly to individual communities rather than directly to the state to deter corrupt leaders from siphoning off the aid for their own benefit.

Finally, the Congo needs to get serious regarding the question of refugees and IDPs. These populations live unstable lives and this instability make them vulnerable to being pulled into the cycle of violence. The Congo will need to work with the surrounding countries to achieve this goal since this will require the cooperation of the native countries' governments. It will be mutually beneficial for all of the regional countries to gain stability by solving each of their refugee problems. With the help of international funding, the Congo needs to begin integration programs for those who cannot return home and this should be accompanied by repatriation for those who want to return home and can do so safely. Integration should include granting citizenship to those

who cannot return home and aiding them in finding permanent housing and professions. For repatriation programs, the DRC should work with the governments of origin to ensure that the return of its citizens is a safe and smooth experience. Furthermore, the whole process could be brokered through the African Union in order to utilize African knowhow and to further enforce the theme of ‘African solutions for African problems’. For IDPs, the DRC should install programs that could help return people to their homes, rebuild their homes and their lives, and resettle those whose hometowns are too unstable or destroyed. These should be homes that are viable for the long term. If these populations find permanent housing and jobs this will also have the added benefit of boosting the economy.

Ultimately, the Congo will need continued help from the international community but it should be shifted from a process of the international community determining what is best for the Congo to one of the Congo determining this. The Congo should request aid for projects that it believes will benefit its society and state institutions. Further, if external intervention is needed in the rebuilding process perhaps the Congo should defer to the African Union rather than the UN, in order to reinforce the theme of empowering Africans to help themselves.

Conclusion

Through this research of the Congo’s history and through an exploration of the four examined factors of external intervention, security apparatus, factionalized elite and refugees and IDPs, it has become clear that the state is failing to provide the basic public goods of safety, territorial integrity, political freedoms, and economic, health and educational opportunities to its people. Instead, these goods have either been completely

absent or have been provided through external sources such as the UN or NGOs. When considering that external intervention has been a constant factor in the DRC as it has steadily declined into failed statehood, it makes one consider if this external intervention has really been beneficial. The Congolese people need to find a solution to their problems themselves and any external intervention should only enable the Congo to find these solutions not impose their own ideas of how to solve the Congo's problems. The Congo is the only actor that can successfully reform its security apparatus, its factionalized elite and its refugee and IDP crisis. As of yet, the Congo has not been forced to take matters into its own hands regarding these three factors because the international community has filled this position in an ad hoc fashion. The country won its independence from Belgium in 1960, yet it still seems to be a slave to external actors. It is time for the Democratic Republic of the Congo to truly become independent and to find its own path to salvation.

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