NEW FORMS OF LIVE FROM THE DEBRIS OF THE CONGOLESE STATE

(Patience Kabamba)

Abstract

Theoretically, the study challenges the assumption that a failed state is equivalent to a failed society. Within the context of an absent or failed state, we assume (from Locke, Hobbes, etc.) that selfishness will reign; thus, a failed state affects, in adverse ways, the lives of all who believe in its aegis, and its weakness insures suffering among all except those who manage to find ways to circumvent the system. These circumventions are understood not only as forms of corruption, but as criminal acts from which only few will benefit. All other will suffer. Inseparably linked to this socio-political model of the state is the economy. A strong state survives because it can regulate production and trade and profit (through taxation, etc.), and, thus, sustain itself (and the society as a whole). The informal economy is particularly irksome, because it works outside state (and taxation) structures. Thus, when a state is politically and economically unstable, weak, or absent, all will suffer.

In the Nande territory of Beni-Lubero where this study took place, the state is most certainly weak (or even absent). Nande have, however, thrived within this context; to call their actions ‘corrupt’ is to subscribe to a one-dimensional view of what is, in fact, a very complex picture with a complicated history. It is a paradoxical situation because of the assumption outlined above. The Nande traders are rich, but the entire area prospers; they do amass fortune, but they feed these back into the community, such that it is among the few regions with a thriving economy, decent schools, and health care. They do not rely on the nation’s ports but, rather, have strong ties that take them regularly to the Middle East and East Asia.

INTRODUCTION

In The Mission Song (2007), John Le Carré writes: “If one were patrolling the globe in search of great problems to address, the DRC – known for a period (1971-1997) as Zaire and sometimes as Congo-Kinshasa – would be the logical first stop.” At the beginning of the novel, Maxie, a protagonist of Le Carré’s book, declares:
Congo’s been bleeding to death for five centuries. Fucked by the Arab slaves, fucked by their fellow Africans, fucked by the United Nations, the CIA, the Christians, the Belgians, the French, the Brits, the Rwandans, diamond companies, the mineral companies, half the world’s carpetbaggers, their own government in Kinshasa, and any minute now they are going to be fucked by the oil companies. Times they had a break, and we’re the boys to give it to’em.

(Maxie 2007:137)

Maxie’s pungent summary of the country does not even mention the fact that between 1998 and 2003, the Congo was the battlefield for what is sometimes called “Africa’s World War One,” a conflict that pulled in many neighboring armies and left an estimated four million dead. After an excruciating colonial period under the Belgians, the Congo, a nation nearly the size of Western Europe, has suffered from the severe decline of its social and economic infrastructure. Since achieving independence in 1960, major public systems - health, education, transportation, and commerce - have deteriorated on a scale that defies most comprehension. Even statistics cannot express it. This post-colonial decline resulted in the outbreak of civil war. A multitude of armed groups, both Congolese and foreign, answerable to no law, prey on the civilian population and on one another.

Given this vast canvas, Le Carré wisely limits himself, in The Mission Song, to one small but particularly salient area of the Congo, the Kivus, and only to a few contending groups. North Kivu and South Kivu have been, to be sure, at the heart of some of the worst violence in the country. The two provinces sit on the western shores of Lake Kivu, one of the most beautiful of the African Great Lakes, and both border Rwanda. In the aftermath of civil wars in Burundi and Rwanda, refugees, genocidaires, and their pursuers flooded the region. The catastrophic war in the Congo that started in 1998 started in the Kivus. Many international corporations and
governments, and all the Congo’s eastern neighbors, remain deeply interested in the mineral wealth and tangled politics of the Kivus. Rwanda’s influence is particularly strong in the vacuum created by the hapless Congolese government, whose capital, Kinshasa, is, after all, a thousand miles of roadless bush away.

**DRC DESTROYED BY THE CIVIL WAR**

The war in the Democratic Republic of the Congo has had devastating effect on the population. From a humanitarian point of view, the Congolese conflict has caused levels of suffering unparalleled in any recent war: as of 2006, out of a population of 58 million Congolese, as many as four million had died, seven million suffered from malnutrition, three million were HIV positive, at least 40,000 had been victims of sexual violence, 2.4 million were internally displaced, 880,000 had become refugees, and three million children were orphans.

In addition to this humanitarian disaster, coercive power was completely fragmented in the DRC during the war. The state monopoly over violence and other means of coercion declined as warlords and even state representatives maintained private armies and militias. There was a shift from conventional state-dominated control over territory to a privatized exercise of power at the local level, particularly in the war-ridden zones of the country that were fragmented by rival strongmen. More than nine national armies got involved in what Madeleine Albright, the former US Secretary of State, called the first African World War. From 1998 the country’s territory was controlled by three main rebel groups, a dozen Congolese militias, rebel groups from Uganda, Burundi and Sudan, the Interhamwe, Rwandan militia responsible for the 1994 genocide in Rwanda, and the Democratic Forces for the Liberation of Rwanda (FDLR).
However, despite the high overall level of violence, there are stark differences between various local communities in the DRC. Some groups continue to suffer, but others, especially the Nande in northeastern Congo, manage not only to insulate themselves from violence nearby, but also to prosper in their transnational economic enterprises.

**Nande Exceptionality**

Located in the territory of Lubero in North Kivu Province, Butembo, a city of 600,000 inhabitants, is 135 km from the Ugandan border (Kasindi), 600 km from Ugandan capital, Kampala, 350 km from Goma the administrative center of North Kivu province, 900 km from Kisangani the capital city of the Oriental Province, and 2,000 km from Kinshasa the capital of the DRC. (Figure I.1). The population of Butembo is 90% Nande. Today, Butembo is like a warehouse for merchandise coming from as far as Dubai, Taipei, Hong Kong, Djakarta, Gouazoug (China), etc.

I arrived in Butembo, in August 2005. There was a “strange” atmosphere of peace and security on the Lubero-Beni axis, in which Butembo is centrally located. To the north of this axis is the Ituri Region with its well-documented troubles and massacres. To the south are the remaining territories of the North Kivu province, including Masisi, Walikali and Rutsuru. These three territories are home to many armed groups. Dissident General Nkundabatware is based in Masisi with 2,000 armed militia men; Rutsuru is dominated by the presence of the Forces Démocratiques pour la Libération du Rwanda (FDLR), and Walikali is still marred by ethnic tensions between Hunde and residents of Rwandan origin. At the geographic center of the troubled North Kivu region and neighboring Ituri, Butembo was truly a safe haven.
The impression of generalized security was reinforced by the apparent security of commodity trading. Butembo is a veritable warehouse where hundreds of tons of merchandise are stored. From interviews and observations, I concluded that through persistent enterprise and occasional communications with other (non-Nande) traders, the Nande were able to maintain great trade relationship which benefit them on the long run. Regardless of peace or war, Nande traders have the financial capital and trust to borrow containers of goods from traders in Dubai, Hong Kong or Taipei, sell them in the region, and return the initial investment as hard currency to the owners.7

Today, each of the Nande traders is responsible for 50 kilometers of road to mend. A tollgate is generally organized and the money collected is used to repair and mend the road. When there is a part of the road which is not mended the traders will not hesitate to question their colleague in charge of this road. There is a sort of internal control and accountability. Nande region is the only one in the country which has good road networks, except in Katanga which is the center of mineral exploitation.

In the 1990s, because of the poor conditions of roads, Nande traders started renting Russian-made Antonov planes from the Ukrainian company Urga to fly merchandise to various places where they could sell them. Most of these planes have Ukrainian crews. The rent is paid monthly through international transfers. In 2005, Butembo had five airlines in operation: Air Graben, Cetraca Air Service (CAS), Air Boyoma, Uhuru Airlines, Butembo Airlines. Cargos would take off from Beni airport. Merchandise bought in Butembo was transported in trucks to Beni, and from Beni the cargos were flown to Kisangani, Bunia, Isiro, Goma, and other destinations. The average total freight leaving Beni every month ranged from 150 to 400 tons. The issues of air and land transportation are now being resolved through telecommunication networks.
Nande traders are able to create an extensive transnational environment of trust and partnership partly because of their homogeneous ethnicity and kinship. The homogeneity of the population and especially the trading community is striking in Butembo. Out of hundreds of small and big businessmen, I knew of only one who was not a Nande. This homogeneity has helped to insulate the entire Nande group from the civil war in the surrounding country. Life in the Nande region continue despite the chaos around.

The Catholic University of Butembo, with its three schools of Law, Civil Engineering, and Medicine, has continued to function since its establishment ten years ago by the Roman Catholic bishop of Butembo, Monsignor Kataliko. In spite of civil war, people in Butembo built a new airport ten miles south of Beni, as well as a hydroelectric dam to electrify their region. Perhaps the reason for this development is that Nande traders participate extensively in the “illegal” gold trade in South East Asia and the Persian Gulf, in addition to trading coffee, beans, and potatoes throughout the region. They make use of ethnic ties, investing their wealth in productive enterprise and in commerce. Nande traders furnish a particularly striking instance, therefore, of successful social organization outside the state and of the role of transnational networks in this process.

To sum up, in the past ten years endemic conflict has given rise to the collapse of public authority and the brutal disintegration of the formal state in the Democratic Republic of the Congo (DRC). The facts about this are well known – four million dead, entire zones of the country controlled by foreign armies, the withdrawal of the state from effective presence in multiple regions. In the midst of this chaos, however, certain ethnic groups have been able to take advantage of the absence of state in order to prosper and institute new forms of order and development. The question then arises: what happens when, in the absence of effective state
souverainty and national government and in the presence of numerous armed contenders for power, traders manage to build and protect a self-sustaining, prosperous transnational economic enterprise in eastern Congo?

This study grew out of a desire to move beyond emergency responses given to African situations and to engage into a long durée reflection on African post-colonial institutions. In the midst of a pervasive “Afro pessimism,” I wanted to see what in Africa was “working well” and why it was working. Then, I decided to give a deeper look and a devoted attention to the reputation of one group of traders in the North Kivu Province of DRC – the Nande – who were prosperous in the region for more than three decades despite incremental changes within the country and suffering brought on by wars, economic and political conflict. The intellectual hegemony of the discourses on “state failure” and “state collapse” did not make it easy to focus on the non-failed part of the “failed state,” which is the capacity of African societies to think their futures in new contexts.

However, the flexibility of human social relations reveals the limitations of inflexible institutions. Out of the debris of the state, new forms of life emerged, and I wanted to be a “griot” of them.

My project seeks to understand how, in the absence of effective state sovereignty and in the presence of numerous armed contenders for power, Nande traders have managed to build and protect self-sustaining, prosperous, transnational economic enterprises in eastern Congo. The object of the study is the historically specific social arrangement that Nande traders have produced and organized around the reconfiguration and mobilization of kinship as well as ethnic ideologies and practices of “Nandeness” – an ensemble of social relations in which human productive powers and creative capacities are paramount. The study will address the commercial
enterprises of the Nande trust networks and the subsequent transnational community they have produced.

**Fragmented DRC**

The DRC situation is one with no single center, but of interlocking and competing, multiple, fragile, and contested centers of military might, welfare provision, ethno-religious and local loyalties that claim sovereignty over people. This is set against a particular fiction of the state, which claims effective legal sovereignty and a monopoly over violence and reacts in the name of national and popular will. Indeed, as Hansen and Stepputat (2006) put it, a key feature of the colonial world was that different, often conflicting, registers of sovereignty coexisted and overlapped. In many postcolonial societies sovereign power has remained historically fragmented and distributed among informal, but effective networks of local authority.

**Beyond the “failed state”, chaos or prosperity?**

Within the context of an absent or “failed state,” we have been led to assume (from Locke, Hobbes, Rousseau, et al.) that selfishness will reign; thus, a “failed state” adversely affects the lives of all who continue to believe in its aegis, and its weakness ensures suffering among anyone who does not manage to circumvent the system. These circumventions are understood not only as corruption but as criminal acts from which only a few will benefit. Within this socio-economic model, a strong state survives because it can regulate production and trade, and, consequently profit (through taxation, etc.), thus sustaining itself and the society as a whole. Thus, when a state is politically and economically unstable, weak, or absent, it is commonly supposed that all will suffer. The “informal economy” is particularly irksome because its works
outside state (and taxation) structures. As a symptom of the state’s “weakness,” therefore, a thriving informal economy is equated with the poor health of the society at large. Within the territories of Beni and Lubero, the state is most certainly weak (even absent). The Nande, however, have thrived in this context. To call their actions ‘corrupt’ is to apply a one-dimensional view of what is, in fact, a very complex picture with a complicated history. It is a paradoxical situation because the Nande traders are rich, yet the entire area prospers; they amass fortunes, and they feed them back into the community, such that this is among the few regions with a flourishing economy, decent schools, and health care. They do not rely on the nation’s ports but, rather, have strong ties that take them regularly to the Middle East and East Asia.

However, beginning in the mid- to late 1990s, after the fall of the Mobutu dictator, the Nande ‘model’ became significantly altered by the sobering realities of deep complicity with militia violence and the warfare that raged in its immediate periphery. The Nande form of social organization - market relations maintained through ethnic hierarchy and network clientelism – has, in effect, become its own neoliberal version of the older Mobutu clientelist predatory state. This transformation becomes especially clear once we recognize the deep complicity of the most powerful Nande traders with, and even responsibility for, the predation of the militias operating at their near periphery.

A variation of the Hobbesian scenario of statelessness as a condition of ‘war of all against all’ might be the “communitarian” situation in which “ethnic” communities are characterized as permanently at odds with each other. Under conditions in which conflict between “ethnic” communities is devastating to the larger population, even a weak state might be seen as a means
to secure some semblance of peace and stave off the prospect of all-out civil war. However, if there is indeed a normative liberalism that pervades these dominant discourses about the ostensible virtues of the state, one must carefully avoid falling into the trap of positing a simplified communitarian argument. Mobutu’s predatory cleptocratic state exploited communitarian identities in ways that served to aggrandize the dictator himself and his clique. This study does not suggest that Nande communitarianism is an alternative to the incapacities of the postcolonial state to secure peace and deliver on the promises of liberalism. On the contrary, the research has critically suggested that a new neoliberal utopian vision in which the supposedly self-governing and market-driven Nande networks – engaged in their own egoistic pursuits and enacting their own forms of governance without the presence of an arbiter state – presents itself only falsely as a panacea. It would be misleading to hold up the Nande model as a cheerful neoliberal one, or one in which a kind of inverted Hobbesian quasi-“state of nature” prevails through communitarian egoism, orchestrated by an invisible hand, through purportedly self-governing network forms of organization, pursuing its own interests and magically producing the greatest good for the greatest number.

In a global order in which civil war disrupts capital accumulation-as-usual, and therefore must ultimately be contained - even if it may have provided some extraordinary occasions in the short-term for what Harvey calls “accumulation by dispossession” – a more pragmatic neoliberalism is being imposed on the peoples of the DRC to ensure the survival of the very large, already-existing, postcolonial regional (“national”) state against the prospect of disintegration and dissolution. In this context, the Nande present themselves as the paragons of peaceful capitalist development while also reinforcing and abetting the conflict they would seem to deplore. As the
experience of the Kivus makes clear, local war is bad for business (local or global) except to the extent that it can be profitably managed. In this respect, my book has implications for the Great Lakes regional political economy, encompassing the DRC’s eastern neighbors: Burundi, Rwanda, and Uganda, and for the study of international political economy more generally. At the heart of this inquiry into the political economy of civil war, however, is a transnational production of “local” community and “ethnic” solidarity in the debris of the postcolonial state. The historical specificities of the North Kivu region and the socio-political particularities of the Nande transnational formation illuminate something crucial and potentially decisive for the DRC as a whole, and perhaps also for the relation of sub-Saharan Africa to the global regime of capital accumulation. A purely economic view might consider the Congo and most of Africa as essentially rental or extractive states, in terms of an overall marginalization of economies based on raw materials (timber, rubber, extracted minerals and metals, etc.) and consequent economic collapse. Indeed, the Congolese economy is no longer based primarily on raw materials, a sector that has regressed enormously in quantity and productivity. Surplus generated for profit and state revenue has been largely absorbed within an overwhelmingly informal economy. The economic standpoint only sees what is recordable and quantifiable, and it tends to overlook the “informal” or the relational. Considering contemporary transnational trade in Africa narrowly in terms of “cultural” legacies of long-distance trade is as one-sided as the above purely economic view because the trans-border trade is part of accumulative activities. A theory of the interdependence and mutual constitution of contemporary transnational networks and local community formation in Africa is necessary, and the project requires us to address and account for the historical specificity and the particularities of the social organization and content of the present socio-political and historical moment. By exploring the historically specific material and
practical preconditions of an “ethnicity”-based framework, such as the Nande traders deploy and extend, this paper refocuses discussions of future African state formation onto what may be appropriately characterized as the postcolonial 'afterlife' of ethnic differences.ix

Conclusion

The present study has mobilized ethnography to illuminate what is remarkable, innovative, resilient, and creative about Nande transnational networks and their transnational production of “local” community, without relinquishing its critical vantage. It also exposes how this particular formulation of transnationalism and “ethnic” insularity colludes with an internecine (even genocidal) violence in the very near periphery of its seemingly remote “ethnic” homeland in the distant borderland of a “collapsed” state. This means that horrendous civil wars of the sort that has racked the DRC may be opportunities for the cynical restructuring of global capital accumulation in places where what matters to global capital is effective access to valuable resources and what is utterly expendable is the life and limb of the human beings who inhabit that particular corner of the planet.

Finally, this study has shown that in a chaotic situation or in a situation of protracted and proliferating fragmented violence, it is always possible to construct a sense of political and economic order, relying on agencies of governance other than the state. Indeed, new kinds of regulations and governance practices, which have emerged from the retreat of state power, are shaping the ongoing postcolonial state formation. In the case of Butembo, the administration of security in the absence of the DRC state has been overseen by the militias who act as junior partners to the traders. This is a microcosm of what happens on the global scale when capitalism goes hand in hand with various forms of military might. At the local level, the military side may
be called May May, as in the Kivu, or may be called “Blackwater military contractors,” as elsewhere, but at the global level, this relation of coercive violence is figured as “politics”, and “the state” is its normative form.

Notes

i In “Congo’s conflict: Heart of Darkness”, in Beliefnet, June 2, 2005, Sarah Coleman notes that the number of death in the Congo conflict amounts to a death toll higher than the combination of the estimated deaths of the conflict in Darfur as June 2005 (400,000), the 2004 tsunami (169,752), the Rwandan genocide (937,000), added to all American deaths in every war fought since 1776 (1,540,665). The figure of 4 million is provided by International Rescue Committee (IRC) in its annual report 2006. See www.theIRC.org For IRC, only ten percent of the deaths were directly caused by bullets. The rest was indirectly related to war and was the effects of infectious disease and malnutrition. Many NGOs contested IRC figures as exaggerated and point to important methodological problems in the IRC study. Doctors Without Borders, for example, put the death toll of the Congolese conflict between one and two million (Autesserre, S. unpublished doctoral thesis, on “local violence, international indifference, 2006). On the uncertainty surrounding the IRC’s statistics, see “The True Cause of Death in the Congo”, Strategy Page, January 12, 2006 (http://www.strategypage.com)

ii Rwanda, Uganda, Burundi were backing the rebels and Zimbabwe, Angola, Namibia, Eritrea, Chad and Sudan assisted the DRC government. See Michael Nest, 2006; Thomas Callaghy, 1998; David Shearer, 1999, Economist Intelligence Unit, DRC country Report, November 1998.

iii The main rebel groups are: Congolese Rally for Democracy (Rassemblement Congolais pour la Democratie, RCD-Goma), Congolese Movement of Liberation (Mouvement Congolais de
Liberation, MLC), Congolese Rally for Democracy-Kisangani/Movement of Liberation (Rassemblement Congolais pour la Democratie-Kisangani/Movement de Liberation, RCD-K/ML. The relations within rebel groups, and between them and their foreign backers, were fractious. In 1999, disagreement between the Ugandan People Defense Force (UPDF) and Rwandan Patriotic Army (RPA) over who should lead the RCD resulted in the group splitting into two factions: RCD-Goma and RCD-K/ML. The three broad zones of military influence in territory occupied by antigovernment forces are: MLC/Uganda zone in north and northeast DRC, a RCD-K/ML/Uganda zone in northeast and RCD-Goma/Rwanda zone in central-eastern DRC.

From 1998, the eastern provinces swarmed with countless local militias operating on an ethnic basis: the Mai Mai, the Ngilima (Nande), the Kasingien (Kasinga), and the Katuko (Tembo). The term Mai Mai became a generic term to refer to militias linked to “native Authority”. Other Congolese militias involved in the exercise of coercion in their areas of control, especially in the Ituri province, are: l’Armee de Liberation du Congo (ALC), L’armee du Peuple Congolais (APC), les Forces Armees du Peuple Congolais (FAPC), le Front pour la Liberation du Congo (FLC), le Front pour l’Integration et la Paix en Ituri (FIPI)le Front Populaire pour la Democratie au Congo (FPDC), le Front des Nationalistes Integrationnistes (FNI), le Partie de l’Unite pour la Sauvegarde de l’Integrite du Congo (PUSIC), l’Union des Patriotes Congolais (UPC), Tout pour la Paix et le Development (TPD), a militia group turned into an NGO and controlled by Serufuli, the governor of North Kivu, Militia of general dissident Nkudabatware, Militia of Commandant Gedeon, le Mouvement de Resistance Congolaise (MRC) of Peter Karim. Rebels from other countries had their bases in the DRC: the Ugandan Lord’s Resistance Army (LRA), the Allied Democratic Forces national Army for the liberation of Uganda (ADF/NALU), les Forces pour la Defence de la democracy-Coalition Nationale pour la Defense de la Democratie (FDD-CNDD)
an Burundian rebel coalition, the Force Nationale pour la Liberation du Burundi (FNL), the Interhamwe militias accused by the Rwandan government of perpetrating the 1994 Rwandan genocide, and finally, the Forces Democratiques pour la Liberation du Rwanda (FDLR). This movement is illusive and disavows affiliation to any of the armed groups, as well as innocence or guilt in the 1994 genocide. See Michael Nest, The Democratic Republic of Congo, : economic dimensions of war and peace, International Peace academy occasional paper series, 2006; David Shearer, “Africa’s Great war,1999, Clark, Expending Ugandan intervention in Congo, 2001; International Crisis Groups reports on the DRC from 1998 onward.

iv The Nande are mainly agriculturalists and pastoralists, but since the 1980s and 1990s, they have been extremely dynamic in transnational trade. In 2005, more than 80% of the active population in Butembo was self-employed. The majority are agriculturalists and traders. The latter could be small scale traders or transnational businessmen. Transborder trading became very important in the 1990s (Macgaffey, 1996; Mirembe 2004) and was most often family enterprises based on networks of social relations that channel local and long distance flows of information. According to field observation, when one assimilates friendship to familial relations, one observes that 80% of employees belong to the same extended family as their employer; 70% of employees are hired on an oral contract while 30% have a written agreement, 60 % of employees are male and 40% female, 52% are single. The average wage is $20 per month while an average family of three spends $50 a month. The hours of work are not fixed. There is lots of overtime due to the ambulatory character trade activities have taken due to insecurity in the surrounding areas.

vi FDLR is a political organization representing Rwandan Hutu refugees in eastern Congo. It was created in 2000 in opposition to the Kagame regime and included many Rwandan refugees who had been present on Congolese territory since 1994. Propaganda of the current Rwandan government wants people to believe that FDLR is formed by “ex-FAR/Interahamwes” suggesting that it is a criminal group of “genocidaires” (Auteserre, 2006) Actually, FDLR is an inclusive term regardless of affiliation to any armed groups, innocent as well as guilty of the 1994 genocide.

vii From interview with Ndivito, the president of FEC/Butembo (Federation des Entrepreneurs du Congo).

viii *Griot* is a French word to designate the person who announced the King’s message to the subjects in African traditional Kingdoms.

ix In the midst of an abundant anti-ethnic literature in African studies, there may be a renewed usefulness and necessity in theorizing the salience and continuing production of 'ethnic' differences; particularly, we must do so in a manner that problematizes and challenges the notion that ethnicity was merely a devious and divisive invention of colonialism that must simply be overcome. Of course, as Mahmood Mamdani notes, ethnicity was “re-invented” under colonial regimes. Therefore, since capitalism has not transformed life as quickly or completely as “modernization” advocates thought it might, and as Mobutu’s long reign in the Congo twisted ethnicity to his own needs, capitalism prevails with a long, long afterlife. More importantly, it is important to comprehend and theorize how ethnicity is being re-invented, yet again.
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