

**Poverty amid plenty:**  
**Structural violence and local governance in Western Congo**

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### **Abstract**

The protracted conflict in the Democratic Republic of the Congo (DRC) has drawn sharp criticism regarding the model of liberal peacebuilding employed in the country. Critics emphasise the importance of local ownership of peacebuilding mechanisms at sub-national as well as national levels. This raises questions in relation to the popular legitimacy and efficacy of local mechanisms.

Drawing on field research conducted in the relatively affluent province of Bas-Congo in Western Congo, this article highlights a lack of popular legitimacy for provincial level political authority within the province stemming from an acute marginalisation of the population from local structures of power and wealth. The article also demonstrates the inefficacy of more local, village and neighbourhood-based political structures which, aimed at conflict mitigation rather than transformation, ignore the structural roots of local conflicts and do little to counteract the growing social distrust, conflict and disintegration within local communities.

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## **Introduction**

The protracted conflict in the Eastern region of the Democratic Republic of the Congo (DRC) has drawn much academic attention. While many contributions have focussed on the dynamics of the conflict itself (Reed 1998; Clark 2001; International Crisis Group 2003; Tull 2003; Beswick 2009; UN 2010), others point to the failure of the liberal peacebuilding model aimed at bringing an end to conflict within the East as well as across the country more broadly (Engelbert and Tull 2008; Eriksen 2009; Autesserre 2010; Marriage 2011; Prunier 2011; Trefon 2011; Larmer et al 2013). A considerable number of flaws with the peacebuilding approach employed have been identified. These include its elite level focus which, some argue, has strengthened the power of rebels and combatants and increased the vulnerability and insecurity of the population (Engelbert and Tull 2008; Eriksen 2009; Marriage 2011); its Western institutional bias (Engelbert and Tull 2008); its assumption of common rather than competing interests (Marriage 2011); and although, at \$8.7 billion, the most expensive UN peacekeeping operation to date, its resource deficiencies (Engelbert and Tull 2008; Eriksen 2009; Trefon 2013). Many commentators criticise peacekeepers' failures to address the local drivers and structural causes of conflict (Kisangani 2006, 2010; Engelbert and Tull 2008; Autesserre 2010; Trefon 2011; Larmer et al 2013). Kisangani (2010) argues that popular sentiments of social and economic exclusion across the country amplify local grievances while Marriage (2011, 1905) argues that international interventions have increased the insecurity of the population as *'patterns of extraction that were established through violence are perpetuated within a political economy that has received international endorsement'*.

A common theme running through many of these contributions is the importance of local ownership, autonomy and control of peacebuilding initiatives and processes at national and sub-national levels. While this echoes a popular theme within the broader literature also (see, for example, Donais 2009, 2012), what this means in practice (ownership of what exactly and by who?) remains complex. A number of commentators (Marysse 2005; Liègeois 2009; Barrios and Ahamed 2010; Ngoma-Binda et al 2010; Tull 2010 and Wedi-Djamba 2012) and an increasing number of international donors disenchanted with the neo-patrimonial, predatory politics of the central regime (2013, ints.) identify a role for decentralised political institutions in this regard. Given reported correlations between decentralisation and increased local conflict and tension however (Lake and Rothchild 2005; Siegle and O'Mahoney 2008), a concomitant shift to local level political structures and processes raises new sets of questions in relation to the popular legitimacy and efficacy of these local mechanisms – an area which, as Putzel et al (2008) have noted, there is currently little knowledge. Specific questions include the following: What are the roles and functions of local institutions? How, if at all, do local individuals and communities interact with these? How, if at all, do these institutions respond to the needs and priorities of their communities? Overall, how responsive and legitimate are local institutions and authorities?

These questions form the basis for this article which draws from relevant policy and field research on local governance in Bas-Congo province in Western DRC. Bas-Congo makes for an interesting case study because, as well as being relatively understudied, as the second wealthiest province in the country, it is ideal for examining the local impact of the elite level spoils politics identified in the literature. While not the site of large-scale conflict and violence, Bas-Congo is home to the Bundu Dia Kongo (BDK) – a politico-religious

movement which, exploiting local tensions and perceptions of marginalisation and exploitation, led a series of popular protests against the state in the late 2000s (see Tull 2010). Given what we now know about the roots of large-scale conflicts lying in such local tensions and frustrations (see Galtung 1969; World Bank 2011), Bas-Congo is an ideal case for examining such micro-level dynamics as potential precursors to more widespread conflict and unrest. Field research was conducted in 2013 across 12 diverse sites (selected to reflect variety across urban and rural settings, socio-economic contexts and levels of low-lying conflict), each located within a 30 kilometre radius of Matadi and Tshela towns. Semi-structured interviews with 103 randomly selected residents<sup>1</sup> (51 female; 52 male), 24 focus groups (FGs - 12 female, 12 male, each with between 8-12 participants), and nine semi-structured interviews with local authorities were conducted in total within the province. In addition, semi-structured interviews were conducted in 2013 and 2014 with national and provincial ministry officials, national and provincial non-governmental organisation (NGO) representatives, and international donor representatives. Focus group and interview transcripts were coded following the fieldwork and the data was processed through SPSS to allow for some descriptive statistical analysis. Three findings are presented and discussed within this article. First, while there is very little support for the Kinshasa regime in the traditional oppositional province of Bas-Congo, the provincial government also enjoys a very low level of popular legitimacy. This, it is argued, is due to the acute marginalisation of the population from local structures of power and wealth as provincial authorities, embedded in Kinshasa-based networks, facilitate the extraction of resources and rents out of the province rather than serving and servicing their own constituents. Second, more local village and neighbourhood-based political structures, which are largely unchanged since those of the Mobutu era, also appear to have low levels of legitimacy. Communities and individuals often opt to resolve communal problems and conflicts between themselves where at all possible

rather than resorting to local political authorities which, aimed at conflict mitigation rather than transformation, ignore the structural roots and drivers of local conflict. And third, the consequences of this continued political and economic marginalisation of the local population is a growing social distrust, conflict and disintegration within local communities. As wealth and poverty sit side by side in an uneasy and frequently inflammatory co-existence, and with no effective political channels for escalating popular anger and frustration, the propensity for more widespread violence is increasing. Given the proven links between exclusion and popular mobilisation (Galtung 1969; Baaz and Stern 2008; Kisangani 2010; World Bank 2011), the findings highlight the need for more responsive and inclusive local institutions aimed at the transformation rather than the management of structural violence and the conflict this engenders. The article is structured as follows.

The following section examines the apparent paradox between wealth and poverty within Bas-Congo province and draws from interviews and FGs to highlight communities' principle priorities. Section three again draws from both interviews and FGs, as well as from an analysis of both the relevant decentralisation laws and Bas-Congo's provincial development plan, to explore the reasons for this paradox. Section four turns to more local levels of governance – both formal and informal – within the province and examines the efficacy of these in resolving local problems and conflicts as identified by communities themselves. The article concludes by highlighting the failure of elite liberal peacebuilding approaches for the population of Bas-Congo and argues that, as long as decentralisation continues to serve as an institutionalisation of spoils politics rather than the downwardly accountable, participative process envisaged by its proponents, the lack of political outlets for the structural violence

thus engendered leaves no option but for more large-scale conflict in a region largely ignored by donors and the international development community.

### **Bas-Congo: The paradox of poverty amid plenty**

Situated to the West of Kinshasa on the Atlantic Ocean, Bas-Congo is the smallest province in the country although, within the new 26 provincial configuration, it is the largest mono-ethnic one<sup>2</sup>. With a population of approximately 4.5 million, Bas-Congo is endowed with vast mineral resources (diamonds, gold, bauxite, phosphate, rock salt, oil shale, manganese, marble, alluvium). It is also the country's only oil-producing area, producing three billion barrels per annum with an estimated one billion barrels of reserves. According to the International Crisis Group (2012), Bas-Congo is financially more important to the country than Katanga due to its high level of oil production, although disputes are ongoing over offshore exploitation blocks between Kinshasa and Luanda (Trefon 2013, 148). Oil generated more than \$320 million in tax revenue for the country in 2010, the most recent year for which figures are available (EITI 2012, 32). Bas-Congo is also the site of the vast Inga hydroelectric dam which has been billed as having the power to electrify the entire continent<sup>3</sup>. There is a railway line between Matadi and Kinshasa and the country's only ports, Matadi, Boma and Banana, through which nearly all manufactured goods reach Kinshasa, are located in the Province (ADB 2009). These economic assets combine to make Bas-Congo the second largest contributor to the national budget (Liégeois 2009, 11),

These assets notwithstanding, poverty is widespread and growing across the province with a poverty rate close to 70% reported in 2009 (ADB 2009). While unemployment is estimated

at just 1.4 per cent, 76 per cent of Bas-Congolese work in subsistence agriculture, with just 14 per cent reported to be in informal, non-agricultural activity (PNUD 2009, 5). Moreover, surveys indicate that poverty is very significant in all categories of households with 79 per cent of households where the main earner is working in the private sector in poverty; 72 per cent of households where the main earner is in the public sector; and 71 per cent where the main earner is in subsistence agriculture (PNUD 2009, 6). Education is characterised by low primary and secondary enrolment rates and infrastructure in a very advanced state of dilapidation and disrepair. Despite the existence of a wide river network, the Bas-Congolese face continuous difficulties accessing clean drinking water, especially in rural areas but also in urban areas where water and electricity provision are also sporadic and unreliable. Despite these difficulties, there is little donor interest or involvement in the province due to its perceived affluence (state officials, NGO representatives and donors 2013 and 2014, interviews).

Seeking to explore perceived differences between standards of living a generation ago (under Mobutu's decentralisation model) and today, residents were asked to compare living conditions and to explain where, if at all, significant changes have taken place. The vast majority (95%) of residents interviewed report that living conditions have deteriorated significantly over just one generation. Three key issues are highlighted – economic insecurity, food insecurity and personal insecurity – notably for young women and girls. The most pressing issue is the rapidly escalating cost of living combined with little or no remunerated job opportunities which leaves many families struggling to meet the basic necessities. The logging companies which provided much employment and prosperity during the colonial era gradually fell into decline, ultimately closing down following Mobutu's nationalisation programme in 1973, and leaving many families struggling to eke out a living



in agriculture. Public sector salaries are low and unreliable – for example a primary school teacher earns approximately US\$50 per month, yet even this is sporadic and unreliable. Routine expenses are considerably higher. For example in Matadi, the provincial capital, rent for a regular family house with intermittent and unreliable services (water and electricity) is \$30 per month. Meanwhile, it costs \$75 a month for just the basic foodstuffs to feed an average six-member family (\$40 for a 50 kilogram bag of maize meal and \$35 for a similar weight of Fufu meal). On top of that, with teachers' salaries often unpaid for months on end, all schools require 'fees', reported to vary between \$20 to \$40 per trimester. Basic healthcare services, although available, prove unaffordable to many (2013, interviews).

The second major issue reported by residents interviewed is food insecurity. This is caused by high land rents (approx. \$20-25 per annum for an average 0.25 hectare plot) and falling land fertility due to both overproduction and increasingly erratic weather patterns linked to climate change. Almost all individuals interviewed (95%) across the 12 sample sites grow food – some at subsistence level and some to sell also. This is predominantly women's work and with plots generally located about five kilometres from main settlements to avoid theft, much time and energy is spent travelling to and fro on foot, toting heavy baskets of produce and tools. There is no agricultural advisory service, there are no oxen or tractors and no specialist inputs are available. Residents report extremely poor harvests (approximately 50 per cent germination rates), in part due to poor soil fertility, and in part to escalating climatic perturbations as the effects of climate change are increasingly felt. Consequently, food shortages are common. Indeed, a recent study (Savy Sunda et al 2011, 36) shows that hunger is widespread in the province with 60 per cent of households surviving on two meals a day and a further nine per cent on just one meal a day. These problems are exacerbated by the

reduced availability of land in recent years with significant tracts currently being appropriated by unspecified ‘commercial interests’ reputedly linked to the ruling Kinshasa regime (NGO representatives 2014, interviews)<sup>4</sup>.

The third most pressing issue raised is the escalation of personal insecurity, notably gender-based violence and rape. Gender-based violence in the DRC is pervasive and takes many forms. While the under-reporting of such incidents makes data on this extremely inaccurate, one report claims that 35% of women and children have suffered sexual violence; 43% emotional violence and 57% physical violence (UNDP, 2011, 28). While gender-based violence is especially associated with the war (see, for example, Meger 2010), it is not just a war phenomenon and is not just concentrated in the East (Baaz and Stern 2011). Popular understanding of what constitutes ‘rape’ in the Bas-Congolese context, coupled with strategies for addressing this belie the subordinate role of women in society. Rape is understood to mean as sexual relations with a female minor (under 18 years) and appears to only present a problem when pregnancy ensues. 45 per cent of interviewees overall described incidents of rape in their communities and noted that it is very much on the increase. This is ascribed to poverty and hunger (of young women and girls), together with a breakdown in public morality.

Thus, despite its considerable wealth and resources, life for many within Bas-Congo appears to have become increasingly difficult. These findings present something of a paradox. How can a province with such a wealth of resources fail to provide for its inhabitants? This is the subject of the following section.

## **Explaining the paradox: Accumulation through statebuilding at provincial level**

As we have seen above, one of the principle critiques of the liberal peacebuilding model employed in the DRC as elsewhere is its implicit endorsement of an ongoing predatory politics of extraction. New institutions are formed, political leaders turned rebels become political leaders again, yet nothing fundamentally changes. While regional stability might be assured, for a time at least, the result for the general population is ongoing and even increased economic, social and personal insecurity. As this section demonstrates, with decentralisation viewed primarily as a territorial division of the spoils within the DRC, this is as true for provincial as for national levels.

Along with national power-sharing arrangements, constitutional reform, elections, and DDR programmes, decentralisation constitutes one of the main components of the standard liberal peacebuilding toolkit. Aimed at re-distributing power and resources, and with an emphasis on downwardly accountable, participative local institutions, proponents argue that it offers a pathway toward enhanced political legitimacy and greater political and social stability (Crook 2003; Smoke 2003; Devas and Delay 2006; Brinkerhoff 2011). However, in the DRC, decentralisation is modelled on both the South African model and the territorial process of 1982 (Vice-Minister of the Interior 2013 interview; international donors 2013 interviews), a model characterised by Ngoma-Binda et al (2010, 201) as ‘...*an authoritarian decentralisation, a parody of decentralisation, a decentralisation of façade*’. Mirroring other peacebuilding initiatives, the aim is a division of power and resources among the political elite rather than society at large. This is evidenced in the relevant law setting out the structures and functions of decentralised structures (RDC 2008) where the emphasis is on

upward rather than downward accountability and where, unlike analogous laws elsewhere, no provision made for public participation in local planning or policy. It is also evident in the accompanying decentralisation policy (RDC 2009) which, despite its principled commitment to *'democratic practices in the management of local and provincial affairs'* and its *'promotion of a culture of citizen participation'* (see Objectives 3 and 10 respectively, RDC 2009, 30-31), sets out a very limited and apolitical approach to such participation (see Gaynor 2013, 23-29 for more detail on the legal and policy framework). In fact, few are under any illusion as to what the real purpose of both the original programme and current (contested) moves to divide the country into 26 provinces.

*Decentralisation here, back in Sun City<sup>5</sup>, the people who were there wanted it for themselves, not for the population... Each one said 'Right, I will be Governor down there and I will profit. We will divide the country into 26 Provinces and everyone will get a piece'.<sup>6</sup>*

Bas-Congo, with its vast natural resource potential, has proven particularly attractive to political elites in this regard. This is manifest in ongoing political struggles between central and provincial elites over control and access to these resources. On the one hand, central authorities in Kinshasa are said to maintain control over the distribution of power and wealth in the province through a system of patronage networks (2013 and 2014 NGO and donor interviews). As Mayamba (2012, 44) notes, *'In the Bas-Congo, the authorities [in Kinshasa] collude with business interests in a web of nepotistic networks that control of vast swathe of the province's resources.'* This is greatly facilitated by the fact that many of the key provincial positions such as the heads of army, police, customs and the land ministry are occupied by authorities from Kinshasa (2013, 2014 NGO representative interviews; see also Mouflet 2009 and Tull 2010 on this). On the other hand, Bas-Congolese provincial authorities are at the forefront of the so-called 'retrocession' debate – calling for the retention of 40 per cent of provincial resources within the province as set out in Constitutional Article

175. More recently, following significant obstacles and delays, the Bas-Congolese succeeded in gaining control of the Governorship as locally elected Jacques Mbadu ousted Kinshasa's favourite Déo Nkusu who, Vice-Governor since 2003 and Acting-Governor following the election of the sitting Governor to national parliament, rejected the outcome of provincial elections<sup>7</sup>. Notwithstanding this victory, the new Governor is now reported to also be in Kinshasa's pocket (2014 NGO representative interviews).

In Bas-Congo, the Governor governs over 10 ministers and an elected Provincial Assembly of 29 deputies who, in theory, serve a five year term. Elections were last held in 2006 and are now overdue. Following much debate and pressure, recently (February 12<sup>th</sup>, 2015) the National Electoral Commission published a calendar of elections which indicates that local elections will take now place on October 25<sup>th</sup>, 2015 (CENI 2015). In theory, the role of the Assembly is to approve the provincial budget and control the executive. However, it suffers a number of shortcomings in this regard. It is highly stratified and dominated by powerful and experienced senior members. Newer members rarely, if ever, speak and members are reported to be more concerned with supplementing their income and profiting personally from their position and status (2013 donor and NGO representative ints.). There is no administrative support to the Provincial Assembly as the national Ministry responsible – the Ministry of Public Services is in complete disarray having had six different Ministers over the last five years (2013, int. Ex-state official). These issues notwithstanding, agreement was reached in July 2012 to devolve four key Ministries (health, education, agriculture and rural development, and the environment) to provincial level. Technical support (in public expenditure management) is being provided through a World Bank and UNDP sponsored programme<sup>8</sup> and, amid considerable confusion over the division of roles and responsibilities

(and hence resources) between provincial and more local levels, this devolution is due to be rolled out in February 2014 (2013, 2014 interviews).

Thus, technical supports notwithstanding, elite control and manipulation of the Assembly leaves it largely unaccountable and responsive to the public and, therefore, ineffective in addressing structural deficits and inequalities across the province. The public has not heard from or seen Provincial Deputies since the election campaign (tellingly termed ‘propaganda’ in Bas-Congo) and an overwhelming sense of frustration with and lack of faith in current institutions is palpable as residents describe how their authorities care only for their own interests and are neither willing nor capable of bringing the much needed employment and factories back to the province.

*It's a problem of Directors [those that govern], in the level of the Provincial Government. The money comes but it never comes to the base. The Directors of this country work for their families only... Before they were honest, now they lie, they are selfish.*

(Participant FG women, Mayunda)

*The money that they [Provincial Deputies] get in the Province office over there, it's to send their children to school and to live well... All the money they get, it's for their own lives, to go to Europe etc. They don't care a bit about us.*

(Participant, FG women, Ntomba3)

The lack of provincial authorities' responsiveness to local needs is further evidenced by a comparison of provincial priorities as reflected in the Provincial Action Plan (PAP) (GP, 2011) and those of residents where a clear mismatch in priorities is apparent. As outlined in the previous section, the three areas of economic, food and personal insecurity constitute the principle priorities of local communities. An analysis of the PAP however reveals relatively

low levels of support in these areas, yet high levels of investment in the systems and structures of rent extraction - governance structures themselves and mining. These priorities are echoed in interviews with both the Provincial Minister of the Interior and Cabinet Directors in the Governance office who also stress the importance of roads for transportation of resources (2013, interviews).

The PAP is a comprehensive plan setting out all the programmes the provincial government envisages for the province over the 5 year time frame 2011-2016. Given the lack of transparency around Assembly debates and decision-making, together with the lack of documentation in this respect, it is the sole document which provides some indication of provincial government policy. Comprising four pillars, it includes figures on overall budgets, budgets secured and funding sources (state, province or other funders). While the overall budgets for different programmes do not necessarily give an indication of priority (as certain activities simply cost more than others), the percentage of provincial spending for secured budgets potentially does<sup>9</sup>. Specifically, a 100 per cent spend is taken here to indicate a high priority while a 0 per cent spend is taken to indicate a low or non-existent priority. Although, as the PAP contains no narrative section and it is unclear what exact actions are intended by the different headings, most headings are sufficiently self-explanatory to give a good indication of provincial government priorities.

Of the four pillars set out in the PAP, '*Good governance and peace promotion*' has secured the most funding (80 per cent of its overall budget). Within this, the highest provincial spend (100 per cent funding from the province) is on '*improvements in administrative governance*'

while there is a 0 per cent spend on '*local development promotion*' and '*justice and security*'. The second pillar, '*Economic diversification, growth acceleration and jobs promotion*' – one of clear relevance to communities – has secured just 37 per cent of its overall budget. The provincial government is focusing its resources in two areas – '*systems management*' and '*improving mining revenues*'. While the latter area may provide some local jobs, given the extractive patterns seen elsewhere in the country, it is unlikely to bring any significant benefits to local communities. Contrarily, the two areas attracting no provincial support are the '*development of provincial industries*' and the '*development of local tourism*' – both of which have significantly more capacity to generate local employment – a core priority for local communities. The third pillar, '*Improvements in access to social services and human capacity building*', has secured 43 per cent of its overall budget, with provincial resources focused in the somewhat arbitrary areas of '*sport and leisure activities*', the '*valorisation of provincial cultural patrimony*' and '*the improvement of rural habitat*'. Meanwhile, social welfare programmes including '*social protection for widows and orphans*', '*protection for children and vulnerable groups*' and '*assessment of HIV impact*' are receiving no provincial funding. Finally, the fourth pillar, '*Protection of the environment and fight against climate change*' – again, a clear priority for communities facing falling and failing harvests, has secured just one per cent of its overall budget, and all provincial resources are focused on adaptation rather than mitigation strategies, together with risk management in the event of environmental disasters. Taken together, the findings from the PAP analysis appear to reinforce the perceptions of FG participants and individual interviewees – that provincial authorities appear more focused on personal enrichment and resource extraction than on the needs and exigencies of their constituents.



Overall, the analysis presented in this section reveals a mismatch between the priorities of provincial authorities and those of local communities. This indicates a low level of responsiveness and effectiveness of provincial structures *vis à vis* community needs. This, combined with the predominantly negative public perceptions of their motivations, points to low levels of public legitimacy of these provincial level structures and agents. In the following section we turn to an examination of the effectiveness of more local governance structures in this regard.

### **Beyond the province: The efficacy of more localised governance structures**

While planned local elections have yet to take place<sup>10</sup>, local governance structures comprising a mix of appointed, informally elected and traditional authorities and closely resembling those of the Mobutu era are in place at a range of local levels. At what is known as the ETD (Decentralised Territorial Entities) level, authorities include town mayors and *bourgmestres* as well as sector chiefs in rural areas. Of all levels of local governance, these authorities are the least familiar local communities however (just 23 per cent of interviewees – 11 per cent urban, 29 per cent rural – professed to some idea of their role). Among the 23 per cent of interviewees with some idea of their role, they are viewed as remote administrators reporting to provincial level authorities and imposing fines and penalties on populations on their behalf. Despite their relative remoteness however, a number of donors (including the CTB, DfID, the UNDP and USAID) supporting efforts in other provinces are now focusing their support at this level in the belief that these authorities can more effectively manage local conflicts and development (2013 interviews).

At more local (sub-ETD) levels again, a bewildering complex web of local structures and leaders – both formal and informal – operate. Some of these are appointed by ETD authorities (neighbourhood chiefs, locality chiefs, agglomeration chiefs and avenue chiefs) and some constitute traditional positions of power (village chiefs, land chiefs, group chiefs) which remain within particular clans passing from uncle to nephew. Some are paid positions and some are not (generally those at the most local levels). In addition to these authorities who, traditional or not, sit within the formal political structure which has been in place since Mobutu’s time (indeed, a number of local authorities interviewed have held their offices since this time), other local leaders identified are religious leaders, teachers and, to a lesser extent, NGO representatives<sup>11</sup>.

Leaders and authorities at the most local, sub-ETD level, living within their communities, are well known to all. Their roles are twofold – communal problem-solving (on issues such as water provision, electricity provision for urban dwellers, roadworks following heavy rains etc), and local conflict resolution (2013, ints., FGs). They thus fulfil a potentially invaluable role in mitigating the consequences and addressing some of the underlying causes of economic and social exclusion. Yet, as the findings below demonstrate, their effectiveness in these areas is somewhat limited in a number of respects. In relation to problems with communal services, less than a third of interviewees (10 per cent urban, 41 per cent rural) claim that they approach their local leaders when there is a problem. Twenty-eight per cent (39 per cent urban, 21 per cent rural) abandon the service altogether. A number of abandoned water pumps were observed over the course of fieldwork and all interviewees in urban areas enjoy sporadic electricity supply with a number having gone without electricity for between three and six months despite receiving monthly bills for the service. Eleven per cent of interviewees (same urban and rural) have attempted to resolve problems themselves in

collaboration with their neighbours. This often involves seeking financial contributions from each household for the costs of parts for water pumps, electric cables, transformers etc.

However, as one FG participant outlines below, increasingly it has come to involve more confrontational methods also.

*The problem is there is just one [electricity] line... and we are all on this one line. We send it [electricity] to neighbouring countries, but here it is blocked. And so now we are back to candles. We have gone many times to the SNEL<sup>12</sup> office but it never works. So what we do now, each time one of these [SNEL officials] comes with a bill, we have started to hit them. We have understood that complaints will get us nowhere. So when these people come we beat them up... That's our solution*

(Participant 1 from Avenue A, FG men, Soyo)

More broadly, asked about their own personal engagement with local authorities, it is striking how many people have never consulted with them on any issue. Overall, just 18 per cent (with slightly more men than women and no significant urban/rural differences) of all interviewees have ever consulted a local leader. Delving into the reasons for this reluctance to involve local leaders despite a high level of awareness of their role, interviews and FG discussions revealed that this is because a) the costs prove prohibitive ('voluntary' contributions run from the cost of a case of *Primus* beer (approximately \$15) upward depending on the issue and how many leaders become involved); and b), in relation to their role in local conflict resolution, a reticence to publicise issues which may be contained among the parties involved<sup>13</sup>. Of those that have consulted (or been summoned by) local authorities, cases have involved disputes with neighbours – usually over children's misdemeanours; husbands/wives sleeping with others; cases of domestic violence; theft; and land disputes. The costs incurred in these cases, all of which involved local, sub-ETD authorities, ranged from US\$ 50 to US\$ 200. While certainly off-putting, these costs are

significantly lower than those enforced by authorities at higher levels (the police and court system are particularly onerous) where costs escalate rapidly and justice is clearly the preserve of the powerful and wealthy. Of note however, in relation to locally treated issues, while these cases are regarded as ‘resolved’ in the sense that local chiefs have made their rulings, the underlying conflicts remain or, in some cases, have clearly intensified (ints. 2013). In the range of cases detailed by interview and focus group participants, relations remain strained and the respective parties continue to avoid each other.

As the findings set out in this section have shown, there is little public knowledge of the role or function of ETD level administrators. Meanwhile, the most local (sub-ETD) level authorities, while well known, nonetheless prove relatively ineffective in assisting local communities to deal with the hardships and difficulties encountered daily. And in contrast to accounts of daily life in the East of the country<sup>14</sup>, there is scant evidence in Bas-Congo of parallel forms of governance or coping strategies within the challenging socio-political climate. While efforts are made by local communities to address deficiencies and failures on service delivery, the problems often persist or re-surface. Moreover, while local authority interventions in local conflicts may appear to resolve these with fines imposed upon one or more parties, underlying tensions and animosities remain long after the supposed ‘resolution’. In effect, local authorities are reproducing and perpetuating the economic and political exclusion of communities from elite networks of power and influence by somewhat ineffectively trying to manage rather than transform the social fallout of this exclusion. The social consequences of this are examined in more detail in the following section.

## **The consequences of exclusion: Structural violence and social breakdown**

Both the relative ineffectiveness of local governance and the ongoing political, economic and social exclusion of both local leaders and communities result in three main social consequences. The first is the escalation of jealousy and hatred within and between families. FG participants from two different sites outline the issue.

*The problem is poverty. If everyone works, no one can be jealous of the other. When there is a lack of jobs - me, I get up in the morning. I am at home and there is nothing [no food] in the house. The other, he gets up also. Perhaps he eats some bread. I sit there and watch him. And he, he looks up and says, "me, i'm eating eh?". And this can cause hatred.*

(Participant FG men, Tshela Centre)

*If you have work, you won't have hatred against the neighbours. You will have everything you need for life, for the house.*

(Participant FG men, Mayunda)

In the absence of other outlets, the escalating levels of material deprivation are causing residents to turn on each other. The social and psychological implications for the Bas-Congolese constitutes one of the principle and most damaging symptoms of structural violence whereby institutionalised inequalities, including unequal access to employment, services and to basic rights, may result in psychological and emotional damage (Galtung 1969). With distrust and animosity growing within communities, explanations for day to day difficulties are increasingly sought in the spiritual realm where, residents report, the incidences of good fortune being sourced or stolen are on the increase (2013, interviews FGs). An intervention from a female focus group participant from a site in Matadi town, speaking of changes which have taken place over time, illustrates this trend.

*There are those who seem to be generous. They give you money. But in the spiritual realm, they recuperate this. He comes and gives you presents. But at the spiritual level he takes this back. It's perhaps your luck. When he comes he takes your luck. He becomes more and more rich because he has taken all your luck.*

(Participant FG women, Belvedere)

A FG participant from Mayunda expresses the phenomenon succinctly when she confidently states that ‘*To do well today, you need to be an occultist.*’, thereby profiting at another’s expense.

Second, and related to this escalation of jealousy and hatred, is the growth in local conflicts and tensions. The principle source of conflict identified by research participants (46 per cent of all interviewees – 75 per cent urban, 30 per cent rural) is jealousy leading to ‘*calumnous*’ allegations<sup>15</sup>, with these often linked to allegations of witchcraft and occultist interference.

As the figures cited show, this is particularly prevalent in urban areas. The next major source of conflict (cited by 17 per cent of interviewees) is land, with frequent conflicts over ownership and ancestral rights. This, predictably, is more prevalent in rural than urban sites (24 percent versus three per cent respectively). One NGO offering legal services reports that 60 per cent of cases in the local courts are land-related (2013, interview) with these cases ending up in court when one of the parties possesses sufficient means to purchase justice.

The high propensity for antagonism and conflict over relatively minor matters is possibly best illustrated by the fact that many people (13 per cent of interviewees overall with no significant difference between urban and rural sites) cite young childrens’ minor misdemeanours (incurred through play) as another common source of conflict. And as many of the detailed cases outlined over the course of the research attest, a relatively minor incident can end up incurring significant financial and social costs to all parties if it ends up being dealt with by formal local authorities. Another source of conflict is ‘*polygamy*’ – in this instance referring to when a spouse sleeps with someone else’s spouse. This, interviewees claim, is symptomatic of acute poverty (women sleep with other men for money and/or food;

men of means accumulate mistresses); domestic conflict and violence; rivalries between women; and a general social breakdown in norms and morality.

This leads on to the third issue which is the perceived breakdown in social norms around sexual violence and rape. As noted previously, gender-based violence in the DRC is pervasive and takes many forms. This is linked by many to the breakdown in family structures and norms coupled with the power and wealth of political status and prestige. As one focus group participant explains:

*There was more morality before. Papa worked and was paid. And so the children obeyed their Mother and Papa. Today their Papa has no work, the children do not obey. Because their Papa is not working and the parents are not in a position to look after their children. And the government, because of these events, makes our children their 'girlfriends' [petites chéries] and it's a disaster. All these fat Papas, these fat Monsieurs...*

(Participant FG women, Soyo)

The culpability of the political elite for this state of affairs is clearly articulated in the following angry response in relation to this issue...

*The children are chased from school [because they do not have their 'fee']. When they are chased like that they are on the street. They meet with a man who has some money. There, there will be a rape. Now all this falls on the head of the parents, 'she was raped, she was raped'. But it's the state that is responsible. If there are rapes, it is the state that is responsible for that. So the state needs to take now all the mechanisms necessary so that children are not chased from school because of 5,000 francs for a library...*

(Participant FG men, Tshela)

While some commentators (for example, Trefon 2013) rightly highlight the importance of individual and community agency and coping strategies in the face of acute political and economic marginalisation, the findings presented here highlight the relative paucity and ineffectiveness of these within the Bas-Congolese context. It would appear that the potent combination of acute social breakdown and distrust in the context of entrenched traditional

structures have undermined any popular capacity and will for parallel strategies. Within Bas-Congo, even church leaders and the small number of NGOs that exist work out of the service provision model highlighted more broadly in the Congolese context by Bilak (2009) with, as in virtually all aspects of social life, patron-client relations determining the targeting and provision of services and supports. The overall picture that emerges therefore is one of acute social disintegration with communities turning inward among themselves in the absence of political channels through which they may express their frustration and anger. While the BDK – a politico-religious movement which led popular protests against the central state in the late 2000s (see Tull 2010) once provided an outlet for such anger, its activism has declined in recent years as a number of its leaders are reported to have been incorporated into the provincial administration (2013, interviews with the Provincial Minister of the Interior and three Cabinet Directors) while others have been arrested or have become increasingly marginalised<sup>16</sup>.

### **Conclusion: From conflict containment to transformation**

The findings from this case study on local governance in Bas-Congo province serve to reinforce the arguments of others (for example Englebert and Tull 2008; Marriage 2011; Prunier 2011) that peacebuilding in the DRC is largely focused on regional and not local security concerns and therefore continues to ignore and, by omission, exacerbate conditions of structural violence on the ground. As we have seen in Bas-Congo, provincial authorities remain remote and unresponsive to the priorities of their constituents. Predatory politics continues as usual, with the battle for the spoils simply now transferred from national to provincial levels. At more local (ETD) levels, officials remain equally remote from the population, while more immediate (sub-ETD) leaders and chiefs, although well-known, are



infrequently consulted by residents. When these leaders are consulted, this is to address local conflicts. Yet, while these conflicts are addressed through the imposition of fines and penalties on one or both parties, they are not necessarily resolved and, in some cases, they are exacerbated resulting in increased tensions and animosities between respective parties.

This indicates that the most local, sub-ETD governance structures are serving as systems of conflict management and control rather than attempting to address the underlying structural causes of these local conflicts. Put simply, their role is conflict containment rather than transformation. With linkages upward to ETD levels restricted to reporting alone (a purely administrative role), there is no accountable follow-up on reported incidents and no way of ensuring that their root causes are addressed. Meanwhile, the processes and mechanisms of structural, psychological, and physical violence continue – most notably for victims of sexual violence and for the poor who cannot afford to buy justice. This leads to rising levels of frustration and anger with communities, in the absence of appropriate political channels, turning on themselves in frustration.

Looking to the future, there are three principal conclusions which can be drawn from these findings. These relate to the respective issues of state legitimacy, structural violence, and what local ownership means in this context. In relation to the first issue, public trust in and legitimacy of the state is low to non-existent. This is not just at national level, but also at provincial and more local levels. And this is not just an issue of party or factional politics. It is one of wider legitimacy and widespread distrust and dissatisfaction with the motivations and actions of the political elite. In the relative absence of any notion or structures of downward accountability or responsiveness to local concerns and constituents, political leadership at all levels remains associated with personal wealth consolidation. In this

context, it appears highly unlikely that the 40 per cent '*retrocession*' revenue inscribed in Constitutional Article 175 and advocated by a number of commentators and NGOs will prove of any benefit to local communities. Moreover, for international donor agencies who, within the popular liberal tradition, place much of their faith in local elections as a means towards increasingly local political accountability, the record in this regard to date at national and provincial levels provides little substance to such faith. In the current climate there is no reason to believe that the considerable pre-election manipulation and election day irregularities of 2011 (see Carter Center 2011) will not be replicated at local levels as local powerbrokers vie for their respective share of the pie. The propensity for local elections to increase local level tensions and conflicts should also be noted.

The second important conclusion drawn, in particular from the local level findings from Bas-Congo, is that the conditions for structural violence are currently in place and escalating. It is a source of significant anger and frustration that a province with such wealth (three billion barrels of oil sold per annum; the country's only ports through which all manufactured goods pass; vast mineral and forest resources; potentially the largest hydro-electric dam in the world) provides such dismal opportunities and life chances for its population. A channel is needed for this anger. While, as noted previously, the BDK provided a channel for public anger in the late 2000s, its activities have waned significantly in recent years. In the absence of effective political structures through which this anger and frustration can be channelled, it is manifesting in an atmosphere of jealousy and animosity with citizens turning on each other in anger. And, as Galtung (1969) and his followers have outlined, structural violence is closely linked to physical violence and local grievances can readily spill over into more widespread conflict, thereby igniting and fuelling both local and national instability.

The third conclusion relates to what local ownership might mean within this context. Can decentralised political structures currently in place help mitigate the conditions of structural and physical violence and assist in building state legitimacy and trust? In their current form, this appears unlikely. Why? First, conceived principally as a power-sharing mechanism for factional elites, the current decentralisation legislation and framework, as well as its practice on the ground, make no real provision for local accountability or participation – key pre-requisites for local ownership. In both formal and informal (sub-ETD level) structures and mechanisms, access is differential and based on wealth, status, connections and, depending on the issue, gender. Second, all of the formal structures (including ETD level) remain at a remove and isolated from ordinary people. Their role has not changed since Mobutu's time and they retain a purely administrative role, reporting upward through the hierarchy and holding no accountability to their communities. Might this change with the long promised local elections? Not without a radical change in political culture including concrete mechanisms and spaces where constituents can hold representatives to account on a regular basis. This means thinking beyond elections to more regularised fora of debate and exchange. Third, leaders and authorities at sub-ETD level remain focused on conflict containment not transformation. Therefore, as noted above, the conditions for structural violence remain and, in some cases, as conditions continue to deteriorate, are escalating.

An important question is whether this phenomenon remains unique to Bas-Congo or whether it is replicated across other provinces also. Unfortunately, the lack of detailed empirical studies across other provinces (with the exception of the Eastern and North-Eastern provinces where the focus is more on large-scale rather than low-lying conflict) makes it difficult to make a definitive assessment in this regard. What can be said is that the continued lack of downward accountability or upward citizen participation which characterises decentralisation

models elsewhere (e.g. neighbouring Burundi and Rwanda – see Gaynor 2014a; 2014b – and in South Africa where the current Congolese model was conceived – see Heller 2001; 2009) pose significant challenges to decentralisation’s potential for the inter-related issues of local development and conflict mitigation. The lessons from decentralisation experiments elsewhere indicate that, for decentralisation to yield substantive, transformative outcomes, lower class demands need to be organised through a combination of new, left-of-centre political configurations borne of popular struggles such as in South Africa, Kerala in India and Brazil (see Heller 2001; 2009) and a rich and dense tapestry of local, grassroots-based civic associations (see Gaynor 2014a). In the continued absence of these in Bas-Congo, the future looks somewhat bleak.

Clearly the challenges to building and supporting responsive, effective local governance mechanisms are significant. But so too are the dangers in not doing so. As all in the Great Lakes region know, history has proven that it is a grave mistake to ignore local frustrations and tensions. These can build and manifest into major violence and conflict destabilising entire regions and peoples. Greater attention by all, including the international donor community, to the more transformative potential of local governance mechanisms and practices might well be one step towards attaining greater stability and development within the region.

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## NOTES

<sup>1</sup> Interviewees were randomly selected on transect walks across the sites as the third adult man/woman encountered.

<sup>2</sup> Unlike elsewhere, the existing territorial boundaries of the province have been retained within the (contested) new territorial reconfiguration.

<sup>3</sup> See <http://biofreshblog.com/2011/11/23/dr-congo-and-south-africa-sign-pact-to-implement-40000-mw-grand-inga-dam/>; see also Showers (2009).

<sup>4</sup> This phenomenon consists of traces of land in the tens of thousands of hectares being appropriated from local residents, fenced off and protected by armed security. Although provincial authorities report that the land is being used for crops and livestock production, residents are sceptical. The frequency of helicopter and airplane traffic onto these sites together with the frequency of President Kabila's visits to the province are leading to growing unease and tension locally as residents fear similar consequences to the land and resource disputes in Eastern DRC.

<sup>5</sup> Sun City, in South Africa, is where peace negotiations were brokered in 2002.

<sup>6</sup> Interview officials within the National Assembly, January 18<sup>th</sup>.

<sup>7</sup> See <http://radiokapi.net/actualite/2012/10/31/ffrttyyyjjkkllmmmm/> for more background on this.

<sup>8</sup> COREF – Comité d'Orientation de la Reforme des Finances Publiques

<sup>9</sup> Although this may also be influenced by the willingness of other sources (state and external funders) to contribute also. However, a fuller analysis of the data (conducted by the author but not included here due to space constraints) reveals that the Province has committed to full (100 per cent) funding of some programmes yet no (0 per cent) funding of others which have attracted no funds from elsewhere either, thereby indicating that some priorities are identified independent of other funders at provincial level.

<sup>10</sup> While the national Vice Minister of the Interior (in charge of Decentralisation) claimed that these would take place in 2013 (2013 int.), more sceptical commentators (2013 ints.) have been proven correct and local (sub-provincial) elections are still pending.

<sup>11</sup> As noted previously, there is little international donor intervention in Bas-Congo. Consequently, local NGO presence is similarly somewhat scarce. NGOs which do operate in the province follow the broader trend outlined by Bilak (2009) of service provision rather than more political interventions aimed at addressing the broader structural causes of poverty and marginalisation (2013, int. César Ngimbi, CRONG - Coordination Regionale des ONGs de Développement).

<sup>12</sup> Société Nationale d'Electricité / National Electricity company

<sup>13</sup> If issues are brought to local authorities, a public resolution procedure ensues whereby all parties to the dispute/issue have a right to present their side within a public forum.

<sup>14</sup> See, in particular, the 2013 special issue of *Review of African Political Economy* – 40(135).

<sup>15</sup> 'Calumny' is the deliberate maligning of somebody's character by spreading damaging stories/lies/rumours about them. It is reported to be particularly prevalent among women.

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<sup>16</sup> See 'Arrestation de vingt membres de « Bundu dia Mayala »', February 15<sup>th</sup>, 2013, [http://www.acpcongo.com/index.php?option=com\\_content&view=article&id=6459:arrestation-de-vingt-membres-de-l-bundu-dia-mayala-r&catid=35:nation&Itemid=56](http://www.acpcongo.com/index.php?option=com_content&view=article&id=6459:arrestation-de-vingt-membres-de-l-bundu-dia-mayala-r&catid=35:nation&Itemid=56); see also 'RDC : Ne Muanda Nsemi se rapproche de Tshisekedi', <http://afrikarabia2.blogs.courrierinternational.com/archive/2010/12/16/rdc-ne-muanda-nsemi-se-rapproche-de-tshisekedi.html>, December 16<sup>th</sup>, 2010.

## *Interviews*

### KINSHASA

#### *Government officials*

National Vice Minister of Interior, Decentralisation and Customary Affairs, 19.1.2013.  
National Coordinator of CTAD (Cellule Technique Appui à la Décentralisation, 15.1.2013.  
Senior official from Gender Ministry, 15.1.2013.  
Technical advisors in the National Assembly, 18.1.2013.  
MP in national government, 7.1.2014.

#### *Donor representatives*

EU, 15.1.2013.  
World Bank, 16.1.2013.  
UNDP, 18.1.2013.  
DfID, 14.1.2013.  
ODI, 14.1.2013.  
USAID/DAI, 15.1.2013.  
Coopération Belge, 17.1.2013.

#### *Representatives of civil society organisations*

CEJP (Commission Episcopale pour la Justice et Paix), 14.1.2013  
CONAFED (Comité Nationale des Femme et du Développement), 16.1.2013  
Trócaire, 17.1.2013.  
Christian Aid, 14.1.2013 and 7.1.2014.  
International Rescue Committee, 15.1.2013.

### BAS CONGO

#### *Government officials*

Provincial Minister of the Interior, Territorial Administration and Customary Affairs, Matadi, 21.1.2013.

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Provincial Cabinet Directors, Matadi, 21.1.2013.

*Civil society activists*

Coordinator CRONG (Coordination Regionale des ONGs de Developpement), 22.1.2013.

Director CEJP Matadi, 29.1.2013 and 8.1.2014.

Governance programme officer CEJP Matadi, 20.1.2013 and 9.1.2014

Director Inter-Action Tshela, 6.2.2013 and 9.1.2014.

Governance programme officer Inter-Action Tshela 31.1.2013 and 10.1.2014.

*Local authorities*

Sector and Group Chiefs - Nsanga village, Lufu sector, Seke Banza territory, 23.1.2013

Agglomeration Chief, KuaKua village, Lufu sector, Seke Banza territory, 24.1.2013

Village chief, Kirizou Nhanda 3 village, Lufu sector, Seke Banza territory, 25.1.2013

Quartier Chief, Soyo quartier, Matadi commune, Matadi town, 29.1.2013

Locality Chief, Ntombo3 village, Lubuzi sector, Tshela territory, 31.1.2013

Group Chief, Mayunda village, Mbanga sector, Tshela territory, 5.2.2013.

*Residents – Focus groups*

Belvedere quartier, Nzanza commune, Matadi town, 21.1.2013 & 22.1.2013

Nsanga village, Lufu sector, Seke Banza territory, 23.1.2013 & 24.1.2013

Kionzo village, Lufu sector, Seke Banza territory, 18.2.2013 & 19.2.2013

Lukimba village, Lufu sector, Seke Banza territory 21.2.2013 & 22.2.2013

KuaKua village, Lufu sector, Seke Banza territory, 24.1.2013 & 25.1.2013

Soyo quartier, Matadi commune, Matadi town, 28.1.2013

Kirizou Nhanda 3 village, Lufu sector, Seke Banza territory, 25.1.2013

Ntombo3 village, Lubuzi sector, Tshela town, 31.1.2013 & 1.2.2013

Tshela centre, Tshela commune, Tshela town, 1.2.2013 & 2.2.2013

Mayunda village, Mbanga sector, Tshela territory, 4.2.2013 & 5.2.2013

Loango Kumbi village, Loango sector, Tshela territory, 12.2.2013 & 13.2.2013

Kasadi village, Bula Naku sector, Tshela territory, 14.2.2013 & 15.2.2013

Kithadi village, Lubuzi sector, Tshela territory, 16.2.2013

*Residents – individual interviews*

Belvedere quartier, Nzanza commune, Matadi town, 21.1.2013 & 22.1.2013

Nsanga village, Lufu sector, Seke Banza territory, 23.1.2013 & 24.1.2013

Kionzo village, Lufu sector, Seke Banza territory, 18.2.2013 & 19.2.2013

Lukimba village, Lufu sector, Seke Banza territory 21.2.2013 & 22.2.2013

KuaKua village, Lufu sector, Seke Banza territory, 24.1.2013 & 25.1.2013

Kirizou Nhanda 3 village, Lufu sector, Seke Banza territory, 25.1.2013

Soyo quartier, Matadi commune, Matadi town, 29.1.2013

Ntombo3 village, Lubuzi sector, Tshela town, 31.1.2013

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Tshela centre, Tshela commune, Tshela town, 2.2.2013 & 6.2.2013  
Mayunda village, Mbanga sector, Tshela territory, 4.2.2013 & 5.2.2013  
Loango Kumbi village, Loango sector, Tshela territory, 12.2.2013 & 13.2.2013  
Kasadi village, Bula Naku sector, Tshela territory, 14.2.2013 & 15.2.2013  
Kithadi village, Lubuzi sector, Tshela territory, 15.2.2013