

**The Evolution of a Fragmented State:
The Case of the Democratic Republic of Congo**

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Introduction

“Zaire: Is there a state?” ... “the collapse of Zaire” ... “the fiction of the state” ... “the shattered illusion” ... “the unending crisis.” By the end of the twentieth century scholars concluded that the Zairian (Democratic Republic of Congo; DRC) state no longer existed. To be sure, state security agents had occasionally demonstrated their existence by shooting-up university campuses or by rioting and looting, Air Zaire limped to international destinations, the DRC had ambassadors in all the world capitals, as well as a seat at the United Nations and its own languid diplomatic neighborhood on a bend of the Congo River, and colorful lines demarcated an awfully big space on the map. However, to all intents and purposes the state seemed to have collapsed.

Armed with this knowledge, I went to the DRC to do research for my dissertation (*The Evolution of a Fragmented State: The Case of the Democratic Republic of Congo*). I was especially interested in what was evolving in place of the state (as political scientists knew it), given that a new set of rulers was ensconced in Kinshasa. This working paper draws from my dissertation-in-progress, and is composed of drafts of the greater part of the Introduction and Chapter Three.

On traveling to my research site in 1998, the city of Lubumbashi in the southern DRC, it was to my great surprise that I encountered four state agencies (efficiently processing arrivals) at the border with Zambia, followed by five

roadblocks on the road into town (each manned by three state agencies; no bribes requested), a quiet going-about-its-business city patrolled by polite members of the services, and, finally, in the city center a smartly uniformed traffic officer atop a barrel mechanically gesticulating to steady stream of cars, commuter buses, and international trucks, and a large pole supporting a fluttering blue and yellow Congolese flag. Something was wrong with my expectations: the state was everywhere.

Several decades earlier, in the middle of the twentieth century, the state in its colonial incarnation had also been ‘everywhere.’ Belgians constructed a colonial state apparatus over all the indigenous polities that lay in their path, rendering Congolese one of the most meticulously administered and coerced colonial populations in Africa. Yet the DRC state is noted for its evolution since independence into a fragmented state characterized by ineffectiveness, mismanagement of resources, abdication from the provision of public goods, and retreat into archipelago of ‘enclaves’ where it still maintained authority and could extract revenue. Events of the 1990s immeasurably added to the limited capacity and uncertainty surrounding the state, including the Rwandan genocide and civil war in 1994 that sparked a flood of refugees and genocidal armed combatants (*genocidaires*) into the eastern DRC, the military overthrow of the Mobutu regime¹

¹ Joseph Desiré Mobutu was President from 1965-1997. In 1971 he renamed himself Mobutu Sese Seko as part of his ‘authenticity’ or indigenization program.

and Laurent Kabila's rise to power in May 1997, and, from August 1998, civil and international conflict that drew in half a dozen neighboring countries and resulted in the DRC being split into state- and rebel-held zones.

Despite state incapacity and war, life in the late 1990s was neither chaotic nor violent for all Congolese. Far from the capital Kinshasa, in the provinces where the full drama of state evolution toward fragmentation was being played out, some enclaves hosted an intense state presence that brought order and peace, while between enclaves conflict threatened and the state was thin on the ground. Social actors, rather than being intimidated by the state's concentrated and militarized presence within enclaves, formed dynamic communicative links to state actors. Enclave economies, which were dominated by mining, were buffeted by mismanagement and war, but still attracted entrepreneurs and offered profitable opportunities. Finally, despite great uncertainty, life for many people continued to follow the rhythms of family, work, school and church.

Why did a state that once extracted resources and implemented programs throughout its territory evolve into a fragmented archipelago-like state? Why did enclaves dominated by mining host a more intense state presence compared to other enclaves? What were the limits of the state within these enclaves, and which relations between state and social actors determined those limits?

First, however, what do I refer to when writing of ‘the state’? I mean what is described elsewhere as ‘the Westphalian state,’² the ‘modern state,’ and ‘sovereign territorial state.’³ I take from Weber his sociological definition that the state is a “human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory,” where “the dominated must obey the authority claimed by the powers that be” (Brown 2000: 147). The definition is useful because it addresses the conceptual basis of the state’s authority (its legitimacy and the recognition of its power by the populace and other polities), the tool used to obtain acquiescence (physical force), and the tool used to order society and obtain revenue (a modern – centralized, specialized and institutionally distinct - bureaucracy that incorporates civilian and military spheres of society). The latter two tools enabled states to perform the functions we have come to identify as being their prerogative (erroneously, as I argue in the DRC case): provision of welfare (public goods), guaranteeing contracts and property, and protecting the rights of citizens through enforcing laws.

² From the Treaty of Westphalia in 1648 when several European polities agreed to respect each other’s sovereignty and boundaries.

³ The modern state is one of many kinds of polities that existed historically (some of which endure in the twenty-first century) including empires, kingdoms, principalities, chieftainships, city-states, city-leagues, the Catholic Church, colonies, dependent territories, and less-than-states: polities with limited sovereignty and/or international recognition and/or a monopoly on physical force (such as Puerto Rico, the Cook Islands, Niue, Taiwan, and Palestine).

This definition is problematic when applied to actual states. From the sixteenth century onwards there were competing centers of authority (Tilly 1975), other legitimate purveyors of violence (such as the Catholic Church, royal households and mercantile trading companies) (Thomson 1994), and states often lacked full coercive control over their territory (Herbst 2000). The definition is also conceptually fraught, as where the ‘state’ starts and ‘society’ ends is problematic due to the boundary between the two being “elusive, porous, and mobile” (Mitchell 1991). Finally, the definition relies on elements endogenous to the state when exogenous elements were instrumental in the creation of most states (especially colonization for both former colonies and European states which evolved in tandem with the violent territorial expansion of colonial chartered companies). Despite these problems, the institutions of the state are often identifiably distinct, as is their coercive power (Skocpol 1979; Evans 1985). Of course, states are not free to do whatever they want (Waltz 1979; Shafer 1994). They are embedded in societies and have competing and overlapping interests with social actors (Marx and Engels 1939; Migdal 1994) and other states (Waltz 1979).

Like other states, the DRC state was also not a unitary institution and needed to be conceptually ‘disaggregated’ such that the various institutions that comprised it were understood as distinct political actors. These actors were its various agencies and institutions, including administrative offices (such as the Presidency and different provincial governors’ offices), ministries (such as foreign affairs, planning,

finance and transport), coercive agencies (such as police, intelligence agencies, military, and military courts), financial institutions (such as the central bank), and service agencies (such as for electricity and water, and building roads). Although state-owned corporations or *parastatals* (such as Gécamines and Miba) are technically part of the state, their managerial independence even following nationalization led me to treat them as non-state actors.

In Africa, it is clear that states evolved out of colonial occupation and inherited the functions, institutions and capabilities of the colonial administration. Africanists have long criticized literature on state formation that presumes – in keeping with the European experience of wars and centralization of institutions – that state evolution results from a logic that is both internal to the state and focused on revenue production (Levi 1988; Tilly and Blockmans 1994). However, African states' different 'path' of state formation does not explain either their fragmentation or declining capacity. Some analysts identify a pattern of privatizing state functions by officials who treat the state's goods and services as their industry as the cause of fragmentation and weak capacity, but they cannot account for causal processes on the ground or variations in patterns of fragmentation (Reno 1998; Chabal and Daloz 1999). Conflict is pinpointed as a key cause and consequence of state decline, as major participants may prefer continued conflict due to the profits available during periods of war (Kaldor 1999; Berdal & Malone 2000), but the relationship between

war, economic decline and evolution of the state remains unclear. The patterns of reconfiguration that occurred in the DRC in the late 1990s suggested that while colonial institutions' illegitimacy contributed to the weakness of the state in the independent era, the 'engines' driving the evolution of the state had less to do with legacies of colonial state formation, than with precisely the factors that dominated state formation in Europe: revenue and conflict.

I argue that state actors' search for revenue has been an on-going factor in shaping the capacity, limits and spatial arrangement of the DRC state since the colonial period, and the principle process driving state evolution from the Mobutu period through to the Kabila era. The DRC state, therefore, was not a new kind of polity or entity. Rather, its formation was driven by the same processes that shaped other states, and its spatial manifestation as an archipelago of enclaves is a reflection of this. Further, I argue that DRC state's search for revenue has focused on the minerals sector, specifically copper. The result was state dependence on copper revenues, and minerals dominance of the political economy that was shaped by the peculiar requirements of copper mining. Such a nuanced approach to commodity production and state formation is absent from general theories of revenue-driven state formation.

The DRC mining industry resisted any restructuring that would transfer revenue for investment purposes to other sectors. Following independence this pattern of mining actors' dominance of state economic policy, coupled with

mismanagement and lower commodity prices, led to uncertainty and the demise of other economic sectors. The greater certainty and efficiency with which the state could extract revenue from mining compared to other sectors, led state actors to go ‘where the money was’ and focus capacity on mining enclaves. However, despite state actors’ interest in these enclaves the dominant actor was not the state, but the large mining corporations that extracted the minerals. Even when nationalized into their ‘parastatal’ form in the years following independence in 1960, mining companies continued to behave like corporations, and had greater capacity and performed a more state-like role within enclaves than the state. Mining corporations were the single largest source of public goods, maintained extensive independent relations with international banks and foreign governments, and had tremendous property and financial resources, as well as thousands of skilled personnel. The fact that the largest property holders in mining enclaves were large corporations (and not, for example, the state, individuals or smaller businesses), and that these corporations were the most important source of revenue for the state, enabled them to shape state policy, as well as the behavior of individual state agents.

In the 1990s the DRC copper industry collapsed due to a mine cave-in and a shortage of investment capital caused by theft of company profits and political uncertainty. Gécamines (the copper mining parastatal) could no longer provide significant revenues to the state. In contrast, during the same period diamond production expanded, fuelled not by Miba (the diamond parastatal), but by a hundred

thousand, exceedingly difficult to tax, ‘artisanal’ miners.⁴ Arriving in Kinshasa (having thrown out the Mobutu regime) and taking control of the state apparatus in May 1997, Laurent Kabila’s *Alliance of Democratic Forces for the Liberation of Congo* (AFDL) was confronted by this dilemma. Its revenue crisis was made infinitely worse by its costly war campaign following the renewal of conflict in August 1998. However, the revenue imperative remained paramount (especially for urgent short-term purposes), and in a historic shift state actors turned their attention away from mining and aggressively sought to tax individuals and businesses. Cognizant of their sudden importance, social actors worked to shape the state in pursuit of their own interests.

The minerals story does not end there. The very conditions created by the conflict made primary commodity extraction the most favorable economic activity for virtually all actors involved in the conflict (compared, for example, to heavy industry, manufacturing, or large-scale commercial agriculture); further, not just any primary commodity, but those that required little investment and were cheap and easy to extract, transport, and tax, and whose illegal or undesirable provenance was easy to disguise. In state zones this meant diamonds (and in rebel zones coffee, gold

⁴ Artisanal mining refers to labor-intensive extraction carried out by individuals using basic implements, such as buckets, picks and shovels, as well as water to wash away the mud and reveal the diamonds.

and columbite-tantalum⁵). Seeking revenue, the Kabila government worked to reconfigure its relations with social actors in order to better collect tax, and simultaneously developed the diamond sector – and was eventually joined in the latter endeavor by domestic and international commercial actors, as well as foreign state actors.

My doctoral field research captured this moment of state reorientation and reconfiguration of state-society relations. For 13 weeks in 1998 and over 1999/2000 I interviewed state officials, entrepreneurs, and representatives from mining companies and community organizations in one enclave: the ‘Copperbelt,’ centered on the city of Lubumbashi, in Katanga province. I also collected ethnographic data in Zimbabwe (which became first militarily, then commercially involved in the DRC civil conflict) from a similar set of subjects.

My dissertation analyzes the evolution of the DRC state by tracing the development of the mining sector, as well as the emergence of new actors and the way these and established state and social actors reconfigured state-society relations. Further, I analyze the conditions of conflict under which state, social and external actors employed different strategies to realize their interests, especially to obtain revenue. I focus on state-society relations during the 1997-2001 Kabila era, in and

⁵ ‘Coltan,’ as columbite-tantalum is called, is a vital ingredient in the electronic circuit boards in mobile phones, jet engines, air bags, night-vision goggles, fiber optics and computer chips (including computer games, lap-tops, pagers and palm pilots), and some of the richest deposits in the world are found in eastern DRC.

around the Lubumbashi mining enclave. It is here, at the provincial level, that the state's uneven efforts to extract revenue and administer people were easiest to observe, where the trade along new networks was most transparent, and where the interests and strategies of social groups attempting to reconfigure the state were clearest.

I also analyze the diamond-mining enclave in East Kasai province as a secondary case. In the 1990s East Kasai was highly independent from central authority: there was a regional development plan, a new university that attracted corporate sponsorship and, in a spectacular example of economic autonomy, it maintained its own currency. Further, extensive artisanal diamond mining and trading by individuals, and their ability to obtain foreign currency through diamond buyers, created a set of actors missing from Katanga province which remained dominated by large-scale industrial mining. East Kasai was an essential source of revenue for the state, but new constellations of state and social actors emerged. Due to insufficient data (restrictions on travel to the region prevented any substantial ethnographic research) it is not possible to develop East Kasai as a full comparative case. Nevertheless, the scholarly material and reports that are available contain sufficient information for a limited comparison that will assist in illuminating the evolution of the state at the provincial level.

The DRC State in Comparative Historical Perspective

In a world once thought to be firmly forming around modern states, in Africa many states had an uncertain existence. They were recognized by the international community of states but lacked domestic capacity and legitimacy, and were unable to realize their interests vis-à-vis commercial actors or institutions such as the World Bank and International Monetary Fund (IMF). In the middle of Africa was the exemplar (according to academia and the media) of state weakness, poverty, war and violence: the DRC. Like all states, the DRC state was shaped by a mix of political and economic processes, but which of these processes did it have in common with other states and what other states, if any, evolved in a similar direction? Most scholars make the processes of colonization, export-led minerals development and patrimonial rule central to their analysis of the DRC state, but how compelling are these analyses and to what extent do they have a more general application to other states?

This working paper analyzes theories of state formation and their usefulness in light of the evolution of the DRC state into its archipelago form. I begin by analyzing arguments regarding the rise of states in Europe, and contrasting them to theories of state evolution in Africa. I then focus on the persistence of the DRC state's capacity and presence in mining enclaves and how this was linked to the minerals sector. I will argue that the engines driving the evolution of the DRC state in the 1990s have less to do with the legacies of colonial state formation than with

precisely the elements and processes that characterized state formation in seventeenth century Europe.

The Rise and Spread of Modern States

The rise of the modern state as the dominant form of polity in the world by the end of the twentieth century can be traced to processes that commenced in western Europe from the sixteenth and eighteenth centuries. War is pinpointed as the key element, the argument being that wars were larger in scale and cost due to technological changes, resulting in governing authorities creating professional militaries and centralizing and expanding institutions in order to raise the revenue required for war-making. Thus war led to the transformation of governing institutions, the expansion and clearer delineation of territory, and the absorption, subordination or defeat of overlapping authorities (Tilly 1975). An alternative school of thought agrees that institutional centralization was a principle element in the development of modern state, but argues this was caused by closer relations between governing authorities and social groups that enabled greater economies of scale in the production of revenue and provision of protection compared to other kinds of polities. Commercial actors (important sources of revenue) abandoned competing forms of polities for the lower taxes and public goods offered by such early states (Spruyt 1994). Finally, the increasing prevalence of states may also have resulted from political elites in other kinds of polities being so impressed with the efficiency of modern states' institutions and militaries, that they mimicked these

institutions. The result was the transformation of more polities into the state form (Waltz 1979; Spruyt 1994).

At all stages of their evolution in Europe, modern states exhibited great internal variation. Tilly and Blockmans (1994) argue that institutional variation was largely due to the presence and density of cities within a given territory, and the consequent relations between urban commercial classes and governing authorities. Cities were sources of capital for army and state-building, and urbanization fostered the establishment of city-states even as modern states were developing. However, once the cost of war and long distance maritime commerce increased, the larger territories and populations of states allowed their governing and commercial classes to organize more men and revenue for commercial and military ventures, leading to the demise of city-states. Putnam (1993) argues that regional variations in institutional shape and performance (in this case Italy) are caused by differences in levels of social capital, which was generated to varying degrees by the presence or absence, prior to the creation of a modern state, of local institutions that facilitated cooperation and trust. Other accounts of variation focus on non-European states as well. Levi (1988) argues that institutional differences among states are the consequence of rulers' varying ability to extract revenue, an ability that is contingent upon their relations with different social actors. Rulers' desire to extract maximum revenue drives state policy, particularly in regard to the location of coercive forces, the creation of revenue extraction institutions, and the limits of institutions. Karl

(1997) argues that the source of revenue (in this case oil) shapes the pattern of development of state institutions and, further, that these patterns create incentives that influence the organization of political and economic life and shape government preferences with respect to public policies.

These explanations assume that state evolution results from a logic that is both internal to the state and focused on revenue production. (Putnam does not assume this, but his analysis suffers from another problem in that he does not establish the causal links between social actors and the state that determine variation in state capacity). However, most states were clearly not the products of an indigenous logic (or copied from neighboring polities), but were exogenously created as a result of colonization. Further, Tilly, Tilly and Blockmans, Spruyt and Waltz overlook the role of colonization in the transformation of *European* states, even though the characteristics of modern states (such as the institutional centralization, bureaucracy- and military-building, administrative economies of scale, revenue production, and even Weber's "human community") were all partial products of empire. The focus on revenue is appropriate, but a more nuanced approach is required. States do not simply 'extract' revenue; they do so as the result of complex relations that enable taxation to occur. For example, there is no analysis of the interwoven familial, ethnic and, mostly importantly, business relations between political and commercial actors that facilitated either taxation or provision of public goods. These analyses also overlook the role of markets (and market creation) for

labor, capital and commodities that determined which economic sectors get developed and produced profits (and therefore allowed for taxation).

State formation in Africa

Africanists have undertaken great efforts to document how state formation in Africa is different to canonical accounts of state formation in Europe. The basic claim is that the African states and state-society relations cannot be understood or analyzed using theories developed from the European experience given that the path of state formation was so different: boundaries imposed, institutions a legacy of colonial authorities, state functions shaped and determined by the colonial state, and state sovereignty guaranteed by international agreements, rather than state capacity. Variations within Africa are largely explained as the products of different national colonial legacies – British, French, Portuguese, or Belgian. Both state formation and variation were attributed to exogenous variables, rather than endogenous processes.

It is clear that in Africa states evolved out of colonial occupation and inherited the functions, institutions and capabilities of the colonial administration (Young 1994; Clapham 1996; Firmin-Sellers 2000), as well as political and economic relations, and a location in the global economy, that constrained them (Gran 1979; Nzongola-Ntalaja 1986). Unlike Europe where settled communities eventually experienced continuous and direct penetration by a single state authority (Bendix 1968: 71-72), African colonial states had much lower population densities giving people the option of physically relocating away from authorities if they

disliked their rule, making it difficult for states to control populations (Widner 1995).

These factors remained salient in the independent era. The general lack of cities and concentrations of capital, as well as the dominance of foreign investment capital and poll taxes for administrative revenue, meant that authorities did not need to strike bargains with urban elites over the creation of institutions to extract revenue and provide public goods. As a result of a new dispensation in international relations, originally promulgated as part of the League of Nations mandate after World War I and effectively implemented following World War II, state survival became linked to international law. Thus weak states' survival was assured despite their lack of capacity (Jackson and Rosberg 1986; Clapham 1996). Further, both in the colonial and independent era there were few inter-state wars compared to Europe, removing war as a reason for authorities to build capacity and strong institutions (Herbst 1990).⁶

These scholars circle around the issue of revenue. For example, Young (1994) argues that policing, taxation and labor-organizing were the three primary functions of colonial states, but does not conceptualize them in terms of the state's search for revenue. Yet, the central reason colonial states sought economic development was to generate taxable profits for the administration of the colony. It was to this end that Africans were violently recruited and forced to work in mines

⁶ The CFS was a notable exception. The regime's quest for profit and African opposition to that, resulted in the creation of a powerful militarized bureaucracy.

and plantations, and to this end that police administrations were created to recruit and control labor. Nevertheless, the combination of these theories offers a compelling broad account of state formation during the colonial era and the legacy of this era on independent African states.

Accounts of state formation specifically focusing on the DRC during the colonial era are also broadly compelling. From 1885 to approximately 1915, extraction of ivory and rubber dominated the location and creation of what became the institutions of the state, especially the Force Publique. Creating an indentured labor force was an element of this trade, but it was extraction itself that was the reason for CFS presence in any particular part of the territory (Hochschild 1998). In a pattern also observed in Latin America (Smith 1990; Van Oss 1986), the Catholic Church helped consolidate and extend the CFS's presence (Young 1965). Catholic missionaries, and to a lesser extent Protestants, established posts beyond the CFS network of garrisons (which they used to move about the Congo). From about 1910 to 1930 labor recruitment (especially for mines in Katanga) and poll taxes became the main reason for state penetration into territory and creation of state administrative capacity, including the recruitment of customary chiefs as state agents (Fetter 1976; Higginson 1989). When labor recruitment stabilized in the 1930s, colonial authorities' main concern was to create the conditions for the continued profitable European exploitation of resources and labor (Young 1965; Young and Turner 1985). The Belgian colonial state therefore carried out the taxing, policing,

and labor-organizing functions of other colonial states, although it was not until around 1910 that these processes occurred simultaneously in all locales. It was distinct from other colonies in the degree of institutional integration, the intensity of European rule, and the state's ability to exert capacity throughout the territory.

Like general theories of state formation in Africa, these analyses of the DRC also lack a coherent tracing of the role of revenue in the creation, expansion and development of state capacity. They also offer no synthetic analysis of how regional variations in state formation were the product of varying opportunities for state actors to extract revenue. More significantly, these analyses fail to emphasize the single distinctive feature of the Belgian colonial state: the most 'state-like' actors (in terms of public goods provision, control of assets, bureaucracies, and skilled personal) were non-state actors such as large mining companies and the Catholic Church (albeit they were often regionally focused). Young (1965) and Young and Turner (1985) explicitly recognize these institutions, but not their state-like role.

The capacity of the Belgian colonial state remained little changed until independence on June 30, 1960. From that date until November 25, 1964 when Mobutu launched his coup d'état, the colonial state underwent a progressive collapse – although institutions such as large mining companies and churches remained intact and continued to perform their statist functions. The processes that had shaped colonial state and state-society relations during the colonial era broke down, as did central state authority (Zolberg 1966). The state's territorial control and monopoly

on physical violence fragmented as secessionist movements occurred in the Kasai, Kivu and Katanga regions, and United Nations troops occupied Katanga. The legitimacy of the state was threatened by the continued presence of a white (colonial) superior officer cadre, the Belgian government's unilateral decision to return troops to protect Belgians and their property, and the murder of the democratically elected head of the legislature, Patrice Lumumba.

Young (1994b) characterizes the state during this period as a "latent version" of the same integral state project pursued during the colonial era: "a design of perfected hegemony, whereby the state seeks to achieve unrestricted domination over civil society" (249). However, unlike the colonial era when the state was defined by capacity, the Lumumbist version of the integral state (which persisted through various governments until Mobutu) was "implicit in the nationalist vision of the forces of Lumumbism" (250). Lumumba sought to elevate national interests (defined, pursued and protected by the state) over the 'divisive' interests of ethnicity, religion or class. In this sense, Lumumba's nationalist vision was similar to that of other post-independence leaders, such as Nkrumah in Ghana or Nyerere in Tanzania, who saw the expansion of state authority and central rule under the rubric of nationalism as a means of achieving national unity and patterns of economic development that benefited and were controlled by Africans, not Europeans.

The failure of Lumumba's nationalist integral state project, personified by Lumumba's murder, was rooted in its perceived threat to the interests of western

governments and corporations. Corporations (especially Belgian banks and mining corporations which had a large stake in the DRC⁷) viewed the anti-colonial and populist sentiments in Lumumba's rhetoric as evidence of his intention to nationalize the economy – fears that were rooted in their desire to maintain control over the DRC's resources. Western governments (especially the US government) were sympathetic to and influenced by these desires, and considered them as evidence of a pending DRC alignment with the socialist bloc that would extend Soviet and communist influence into Africa and jeopardize their own influence.

The Katanga crisis from 1960 to 1963 was a direct product of this desire to retain control over resources. Secession was the result of collusion between UMHK/Gécamines, the Belgian government and the Katangan-based political party of Moïse Tshombe, which received financial and military support from the UMHK and the Belgian government. (Fortunately for Tshombe, this corresponded with his and other provincial political figures' political and economic aspirations). These facts are broadly accepted,⁸ but their importance for the evolution of the state (for example, non-state actors ability to limit the state by virtue of their own capacity and international relations), are not.

⁷ U.S. economic interest was just that, interest, and was focused more on European allies' continued access to DRC commodities (on which they heavily depended). U.S. investments were small and inconsequential, and the DRC was a minor source of minerals for American companies (Gibbs 1991).

⁸ See Gérard-Libois 1966; Willame 1972; Weissman 1974; Young and Turner 1985; Gibbs 1991; de Witte 2001.

Lumumba's goal of a unified state was eventually realized, but ironically, this was the result of further intervention by the U.S. and Belgium. In 1963 one of the United States' stated key objectives for the DRC was the "establishment of a unified, independent state and development of institutions capable of maintaining political stability and initiating a program of economic and social development" (Schatzberg 1991: 5). Such a state was considered the best bulwark against communist influence, which was presumed to thrive amidst conflict and tension. To this end, the CIA provided money and munitions to Mobutu⁹ to ensure the FAC's cohesion. Once the Katanga secession was over, the CIA then organized military transports and bombing raids to support the FAC against other rebellions. Finally, in November 1964 U.S. aircraft dropped Belgian parachutists on Lumumbist rebels holding Kisangani, bringing to an end that secession. Later that month, with the full support of the CIA and U.S. government, Mobutu launched his coup. This pattern of U.S. military support in order to preserve the unity of the DRC state reoccurred during subsequent secessions in Katanga in 1977 and 1978 (Schatzberg 1991).

The Mobutu Era

Compared to the colonial era, a greater variety of explanations have been formulated to explain state formation in the independent era. Given the endurance of Mobutu's rule (32 years), as well as the state's evolution in this era towards its

⁹ Mobutu had also been on the pay roll of the Belgian military intelligence since the start of his army career (Braeckman 1992: 36).

fragmented form, his regime's role in shaping the independent state has been of paramount analytical interest. Territorial policing was barely required as sovereignty was guaranteed through the international state system,¹⁰ as well as by western governments' military support. Personal taxes were supposed to be collected, but much of the population neglected to pay them and the steady stream of revenue from large corporations obviated their necessity. Labor markets were entrenched as a result of the capitalist relations imposed during the colonial period, and independent states throughout Africa no longer performed a labor-organizing role – although the Mobutu regime's threat of violence ensured labor's obeisance in the DRC case.

Following his coup d'état Mobutu banned political party activity and built and centralized his and the state's authority. In November 1965 legislative authority was invested in the Presidency reducing parliament to a rubber-stamp body, until it was dissolved in March 1967, and key political opponents were “coopted, neutralized, or jailed” (Young and Turner 1985: 58). The number of provinces was reduced from 21 to 12 in April 1966 and further reduced to 8 in December, and provincial governors were made functionaries of the central state, undermining the provincial basis of their legitimacy and power. In June 1967 a new constitution was

¹⁰ Colonial boundaries were decided at the famous Berlin conference of 1885 when the continent was ‘carved up’ by Britain, France, Belgium, Germany, Portugal and Spain. In practice these boundaries were often fluid until a European presence was established on the ground (Fetter 1976). The principle of inviolable borders was maintained in the independent era, and was one of the most prominent clauses of the Organisation of African Unity charter.

introduced (and passed in a referendum¹¹) that entrenched presidential power and abolished provincial assemblies (Young and Turner 1985: 54-55). Over 1966 and 1967 the government conducted successful military campaigns against secessionist forces in eastern DRC, as well as a resurgent secession in Katanga. In the early 1970s Mobutu sought to marginalize hereditary chiefs and eliminate customary courts¹² to prevent potential challenges to his rule. This effort, however, was not very successful due to the extent of opposition by customary authorities, as well as their enduring power (W. MacGaffey 1982; Young and Turner 1985; Kazadi: Nov 1999).¹³ The net result of these reforms was centralized control over state institutions and a renewed monopoly on physical force over most DRC territory.¹⁴

The key instrument in Mobutu's quest to nullify political opposition and centralize decision-making was his *Mouvement Populaire de la Révolution* (MPR). Created in 1967 and presented to the public at the same time as the new constitution,

¹¹ The referendum was passed with a questionable, given its size, 97.8 percent majority (Willame 1972: 145). Substantial regional variation was officially recorded, however. The yes vote was 60 percent in Matadi, 51 percent in Songololo, 99 percent in Katanga, and in Kinshasa there was "so much negative sentiment...that the balloting had to be called off, though official figures reported an 81 percent majority for approval" (Young and Turner 1985: 59).

¹² These courts played an important role. For example, in Kinshasa in the early 1970s an estimated 360,000 cases were handled outside the state judicial system (Young and Turner 1985: 236).

¹³ Simultaneously Mobutu himself adopted the accoutrements of customary authority, including adopting the leopard as his 'totem,' wearing his infamous leopard skin hat, and carrying a swagger stick. No doubt he did this because he was not descended from a chiefly lineage, and wanted to bolster his authority.

the MPR was declared the sole legitimate political organization with Mobutu at its head. As political parties were (technically) banned, the MPR was described as a “nationalist movement aimed at affirming ‘the uniqueness of the Congolese personality,’ and ‘mobilizing the popular masses for their education, information, and edification”” (Willame 1972: 132). As such, there was no room for rival political organizations. In March 1970 the MPR became the supreme political institution of the country, and virtually all independent social organizations were abolished or made part of the MPR (such as political parties, unions, youth groups, and women’s organizations; churches were an exception).

The major claim made about Mobutu’s regime is that it was characterized by patrimonial rule based on the person of Mobutu (and not, for example, a one-party state system or a military oligarchy) (Eisenstadt 1972; Jackson and Rosberg 1982; Callaghy 1984; Young and Turner 1985). In such a system, the “chief executive maintains authority through personal patronage, rather than through ideology or law...(and) relationships of loyalty and dependence pervade a formal political and administrative system” (Bratton and van de Walle 1994: 458). In this sense, the DRC was similar to other African states, as well as Haiti, Indonesia, and the Philippines (Bratton and van de Walle 1994). Willame (1972) argues that decentralized patrimonial rule was a feature of the DRC during the First Republic,

¹⁴ One of the few opposition redoubts was a small area in south-eastern DRC controlled by Laurent Kabila’s forces.

but was gradually replaced once Mobutu took power by a more centralized “Caesarist” bureaucracy, that was economically and technically rationalized (129-158). Callaghy (1984) convincingly demonstrates, however, that patrimonialism did not end with Mobutu’s reconstruction of the bureaucracy.

Patrimonial relations became the dominant force shaping the state in the 1970s and 1980s. The state still had revenue requirements, but the minerals sector was a reliable (if fluctuating, due to commodity price shifts) source and foreign aid and loans compensated for budget deficits. The timing of the MPR’s creation and its eventual status as the sole legitimate political organization, suggests that one of the reasons Mobutu created it was a means of rewarding loyal followers with newly created MPR positions, in addition to its primary function as the premier organ through which he exerted his authority. The MPR gave him opportunities to undermine the authority of less loyal officials in other institutions, as well as place MPR members into the bureaucracy: “All revenue, all nominations, all promotions ultimately depend on presidential good will. No fortune, no enterprises, no position (was) sheltered from a decision by Mobutu” (Rymenam 1977: 9). Withholding salaries was an additional method to ensure senior civil servant loyalty because it made them dependent on his patronage (although there is no direct evidence proving that this was why salaries were not paid). Mid-ranked and junior bureaucrats, also unpaid, became dependent on their seniors for a share of patronage rewards. Mobutu and other officials used state funds, as well as rent collection from private

businesses, to fund patron-client networks – all linked to Mobutu. State capacity suffered from lower revenues as a result of the decline in copper prices, but the entrenchment of patrimonial rule meant that bureaucrats had few incentives to implement programs unless they were specifically valued by Mobutu, and thus held the promise of personal rewards.

Callaghy's (1984) analysis of patrimonialism goes a step further. He claims that the DRC was at an early stage of state formation similar to seventeenth century France and authoritarian states in Latin America, and that this accounts for the rise of patrimonial rule, which he argues is an inevitable stage in state formation. His work benefits from its timing, as he was able to analyze the 1970s when the true nature and full extent of the Mobutu's personalistic and patrimonial rule became clear. Callaghy argues that in the DRC, as in other African countries, patrimonialism was a response by ruling groups to competing internal and external sources of authority. The patron-client relations that characterized these regimes were easily extended from, or grafted onto, the pre-modern forms of patrimonialism that already existed. Patrimonialism was the best tool available to ruling groups to centralize and unify control over resources, and, most importantly, to extended state authority in their struggle for supremacy with social actors.

Callaghy compellingly states that “the processes of state formation are the crucial aspects of politics in African countries,” and usefully emphasizes the role of endogenous forces in the shaping the independent state. His comparison based on

regime type (authoritarianism) with Latin America is also useful, and his description of the state as a “lame leviathan” (410) as a result of the only half-successful domestic struggle by Mobutu against competing traditional authority is convincing. However, his argument that regime type was the key variable in shaping the state is unconvincing because he does not demonstrate, or link to the other processes he mentions, *how* it did this, nor does he tell us much about state actors’ interests (see pp. 169-194). Further, he does not account for variations in state capacity and state-society relations, and lacks any substantial discussion of the interests of mining institutions (or other non-state actors). Finally, many elements of African societies were transformed by processes of colonization (such as capitalism, ethnic classifications, and the imposition of a civil administration with customary chiefs as the end agent) that were part of modernity¹⁵ (Mitchell 1988). Hence his comparison to seventeenth century France *based on regime* is unconvincing, as is his claim that Congolese society was pre-modern.

Analyses of patrimonialism also do not consider that state ownership of enterprises such as Miba and Gécamines did not bring to an end their state-like role in regard to local communities, nor their considerable managerial and social autonomy. The main effect of state ownership was to increase formal rents (through taxes) to the state, as well as informal rents (through ad hoc demands) to senior

¹⁵ Metropolitan European societies were similarly and mutually transformed by the same processes of colonization

officials, especially Mobutu. Therefore, arguments that nationalization was designed to extent patrimonial relations into the economy are overstated.

Despite some scholars' focus on Mobutu's creation of a bureaucracy that worked on the basis of patron-client relations, and other scholars' arguments that corruption became both wide-spread (indeed, a necessity for most civil servants) and contributed to economic malaise, the relationship between bureaucracy-building and rents and its importance to state formation is rarely analyzed.¹⁶ The economic sector that generated the bulk of rents is not identified, as though the source of rents is inconsequential to the shape of the state. Bureaucracy-building and efforts to focus its capacity, is both a key element of state-building and a key method of collecting rents. To be sure, many rents collected by state agents ended up in their own hands, but even if state agents had their private interests at heart it made more sense for them to focus their efforts and the bureaucracy's capacity in areas where there were profitable businesses and opportunities to tax commerce, such as ports-of-entry. By the late 1980s mining zones hosted the few profit-generating industries left in the DRC, and by the 1990s the possibility for easy rent collection narrowed further to ports-of-entry, commercial hubs (see Table 4.1) and the Kasai diamond region.

Mobutu's regime made links with the other major patrimonial-style networks in the DRC – churches – in order to conserve state revenue and increase its own

capacity. The ability and willingness of churches to provide welfare and public goods enabled this to occur. As also occurred in Rwanda and Burundi,¹⁷ the DRC state found that church involvement in “education, health care, and other programs conserved state funds, while the churches found that involvement in these activities allowed them to increase their ability to attract new members...States rewarded the most cooperative churches with privileged access to the population and actively hindered the operations of uncooperative churches” (Longman 1998: 55). State and church elites mutually benefited from this arrangement. Rather than competing, “the patrimonial networks in the churches and the state have generally been linked. This has been facilitated by the close personal ties between leaders of church and state. Because of the church policy of appeasing the state, church leaders have typically been selected from the same region or ethnic group as the head of state” (56).

Mobutu’s regime also facilitated the formation of a powerful indigenous business elite that was very much linked to political circles. These elites’ appropriation of economic surplus is viewed in some quarters as evidence of bourgeois domination of the state (Nzongola-Ntalaja 1983; Fatton 1992). The state’s sporadic cooperation with some multinational companies is seen as further evidence of collusion between the domestic bourgeoisie and international actors designed to

¹⁶ Schatzberg (1980) does link bureaucracy, rent-seeking and state officials’ efforts to focus their personal and state capacity, in his analysis of how “bureaucracy, business and beer” shaped politics and class at the local level in Equateur Province.

use the DRC state as a tool for capitalist accumulation (Nzongola-Ntalaja 1986; Depelchin 1992). These arguments draw upon theories of economic development, initially formulated by Frank (1967) to analyze economic patterns and enduring poverty in Latin America, and later adapted by other scholars to understand Africa (Gran 1979; Amin 1982). According to this school of thought, the capitalist practices used by a core group of states representing business interests in North America and Western Europe, enabled them to dominate, impoverish and under-develop third world states (including following independence). In the DRC case, domestic accumulation and development for ‘the people’ was constrained because the most productive assets (natural resources) were controlled by foreigners who extracted them for markets in the North and repatriated profits. Further, Frank’s (1967) conception of capitalist actors intervening and undermining state authorities to secure their interests was born out in the failure of the Lumumbist state.

However, neither the civil service (from which the political elite was derived) nor the political elite in Kinshasa shared the interests of entrepreneurs (who dodged state agents in their attempts to sell or make goods and services). Further, neither of two groups identified with each other as members of the same class. Class identity was contingent on relations with central officials and access to local resources, and while local officials recognized that they constituted a local elite, they considered

¹⁷ Following their seizure from Germany in 1914, both also became Belgian colonies.

themselves victims of central officials and did not see themselves as a national bourgeoisie (Schatzberg 1980). Callaghy (1984) convincingly rejects the whole notion of the DRC elite constituting a bourgeoisie, arguing that it was nonproductive in nature and consumed resources rather than investing them for profit. In addition, Mobutu's nationalization of foreign capitalists' assets suggests that the state was not merely an instrument for business interests, and certainly not for Belgian capital. As Callaghy (1983) argues, the political elite used "their control of the state apparatus to sabotage change while manipulating the external actors' partially competing interests and fears," and they did this to "fend off effective" cooperation between them (196).

State Formation and Natural Resources

Scholars using class-based analyses of the DRC's domestic and international economic relations usefully focus on how actors that exploit natural resources shape the capacity of the state. However, unlike these scholars (who argue that the class that controls rents dominates the state), other scholars argue that rents from natural resources allow the state that collects those rents *not* to be dominated by social actors. This theory of the 'rentier state' was developed by scholars researching the endurance of independent, non-democratic, oil-based regimes in the Middle East. They sought to understand the state's resistance to social pressure (or pressure 'from below'), and pinpointed the ease with which oil rents could be extracted as the key variable in shaping the state and its relations with society (Mahdavy 1970; Skocpol 1985; Beblawi and Luciani 1987). These scholars argue that the ability to tap rents

from natural resource extraction industries enables states to achieve autonomy from society. To ensure their own legitimacy and society's acquiescence to their rule, rentier states distribute welfare to society. Crystal (1990) subscribes to the basic thrust of this theory, but demonstrates in the cases of Kuwait and Qatar that state and society are not separate. Davis (1991) and Matsunaga (2000) argue that states' fiscal autonomy and distribution of welfare do not eradicate social pressure for reform.

Despite the DRC state taking on the appearance of a rentier state in the early Mobutu era, including the endurance of a regime resistant to reform and the importance of mineral rents, there were significant differences. First, the DRC state's dependence on resource rents never approached that of major oil producing states, which also had much smaller populations and a very different colonial experience). Second, although the state delivered some welfare in the 1960s and 1970s in the form of pay rises and funding for schools and health centers, one of its classic features was its neglect of welfare – and one reason for this was the substantial provision of public goods by non-state actors (unheard of in rentier states). Nevertheless, the Mobutu regime's imperviousness to real reform (reforms were implemented many times, only to be manipulated or undermined later) was linked to its ability to extract low-cost rents from a small number of sources.

When state actors did try to restructure the economy, such as occurred during the late 1960s and 1970s, they were opposed by state agents who benefited from a minerals-dominated pattern of development due to their formal and informal links to

the sector, and were forced to compromise with powerful non-state actors. As in Iran, Nigeria, Venezuela and Algeria where natural resource extraction (in this case oil) shaped the pattern of development of state institutions (Karl 1997), in the DRC the patterns of minerals development created incentives that influenced the organization of political and economic life and shaped government preferences with respect to public policies. The result was a policy regime favorable to natural resources and a state unable to lessen its resource dependence.

This also occurred in the artisanal and illegal diamond trades. By the 1990s many state officials were involved in diamond smuggling (and other precious metals such as gold), as were the powerful *diamantaires* who controlled artisanal production and trade (AC 1996b; Reno 1997c; Clark 1998; LeClercq 1999). These actors were unwilling and unable to redirect mineral profits to welfare or other areas of the economy. Evidence for this is that in the early to mid-1990s the most powerful state agents – labeled “warlords” by some scholars (Reno 1998) – focused the coercive force and extractive capacity at their disposal on mining areas.

In the 1990s it was once again the case that resource extraction was at the heart of processes shaping state capacity, institutional location, and relations with society. Gécamines and Miba were the state’s two most important extractive instruments (Clark 1998: 116). This situation disproportionately benefited Mobutu’s clique, a small business elite and some foreign firms – the secret to their control

lying in “the fact that those who do benefit reap such incredible rewards that they are determined to keep the extractive state in place at any cost” (Clark 1998: 122).

The continuing viability of the state enabled state officials and entrepreneurs to extract mineral rents and other revenue. As state agents profited from being part of a state, they maintained international relations with other states, the trappings of a legal system, and basic state symbols and functions. Mineral rents were a key incentive in this, because belonging to a state and investing in a state was a prerequisite for state officials and private entrepreneurs hoping to float ventures on foreign stock exchanges to raise capital, obtain investment insurance, or satisfy share-holders that their capital was secure.¹⁸ The state itself also had value as a commodity. Officials extracted rent from the state by ‘privatizing’ its goods and services: forms, stamps, passports, visas, signatures, as well as health, education, transport, infrastructure and courts systems all became commodities to be bought and sold.¹⁹ As early as 1977 Mobutu himself described the state as “one vast

¹⁸ This was often stated explicitly. For example, in 1997 the California-based oil company, UNOCAL, formed a consortium with the Government of Turkmenistan and six other international companies to build a pipeline from oil and gas fields in Turkmenistan through Afghanistan to the Pakistani coast. UNOCAL held negotiations with the Taliban, then the ruling authority in Afghanistan, over the pipeline’s construction, but informed the Taliban that the project could not move forward until the Taliban stabilized their country and obtained political recognition from the United States and the international community (LA Weekly 2001). The problem was that World Bank loans were needed to construct the pipeline, and the World Bank would not provide the money unless it was dealing with a state controlled by a recognized government.

¹⁹ Reno 1995, 1997c, 1997b, 1997a.

marketplace’ whose authority was monetized by an ‘invisible tax’ levied by the state’s agents on all its daily transactions” (Young and Turner 1985: 43).

Fragmented, Failed and Archipelago States

In the 1990s scholars identified a new type of state: “fragmented,” “failed” or “archipelago” states, such as DRC, Sierra Leone, Liberia, Angola, Somalia and Afghanistan (Mozambique and Cambodia were ‘recovering’ failed states).²⁰ These states appeared to have collapsed as they were no longer financially and military supported by Cold War patrons (revealing an innate dependence on external support), as well as their increasing difficulty in extracting revenue from economies that had been declining since the 1980s (what has been termed Africa’s ‘lost decade’). In addition to weak capacity, these states featured “loss of control over and fragmentation of the instruments of physical coercion” that resulted in a “failure to sustain physical control over the territory and to command popular allegiance, (and) reduce(d) the ability to collect taxes and greatly weaken(ed) the revenue base of the state” (Kaldor 1999: 52).

The growing importance of the informal economy in such states, coupled with declining opportunities for accumulation for state officials, gave rise to a related trend of “shadow states” (Reno 1995, 2000). Shadow states were the product of “personal rule, usually constructed behind the façade of de jure state sovereignty,” which allowed rulers to legally and illegally extract resources (2000: 45). Reno

(2000) argues that in fragmented states, the impoverishment of the population and decline caused by (state and shadow state) elites' neglect of economic sectors they did not dominate, is a deliberate strategy on the part of shadow authorities, as such conditions make the population dependent on patron-client ties. In order to deepen clients' dependence, these authorities deliberately choose *not* provide public goods, as well as sabotage community self-help efforts to provide those goods. However, *private* goods are provided to clients (especially security), and authorities work hard (often using violence) to prevent free-riding on these goods by others as free-riding undermines the key to their control (the selective provision of patronage) (47-54).

These analyses, which draw on the DRC case as major evidence for their theories of why fragmentation occurs, are wrong-headed. Kaldor (1999) assumes that failed states once collected taxes, and that these taxes were significant enough for the state to care about them, yet since the 1930s income taxes collected by the DRC state were vastly overshadowed by mineral revenue. Further, her emphasis on the fragmentation of instruments of coercion belies the fact that most state actors in Africa did not have, and did not need, such instruments, except in areas that had specific strategic or political value (such as the capital city). In regard to Reno, in many areas of the DRC, but especially mining enclaves, most public goods were provided by non-state actors. Therefore, the state had little welfare to withdraw, and any withdrawal would have been inconsequential to most populations. Second,

²⁰ See Callaghy 1998; Reno 1995, 2000b; Kaldor 1999; Chabal and Daloz 1999.

enterprises (which were the major property owners, not individuals) *were* able to insist on protection of their property when confronted with shadow state authorities. For example, in the 1980s (the decade when shadow state relations began to form) the state “took steps to make sure that...vital (mining) concerns could import needed capital equipment...even when such equipment was difficult to get for other purposes” (Clark 1998: 116). Reno, Kaldor and other scholars whose analyses of weak states refer to the DRC, are so engrossed in analyzing conflict and informal elites and markets that they neglect the reconfiguration of the state-building project and state-society relations that unfolded on the ground in different parts of the DRC.

The DRC state evolved into its archipelago shape because Congolese state actors shared the interests and strategies of state actors in other countries: they focused their extractive and coercive capacity on territory where they could most efficiently extract revenue. In the DRC case this meant mining enclaves (and, to a lesser extent, ports of entry and transport hubs). Further, despite the fragmentation of the state, very solid institutions survived. In mining enclaves, non-state actors had always overshadowed the capacity of state actors and were always the most important institutions for local communities (elsewhere in the country, the Catholic Church played this role). Historically, this allowed state actors to make a low priority of their own legitimacy, public goods provision and social bargains designed to extract revenue. Therefore, even within the archipelago state, the actors with the greatest capacity were non-state actors.

DRC state actors' search for revenue was not a phenomenon of the 1990s. Revenue extraction has driven state formation since the rise of modern states in the seventeenth century. In the DRC case, since the colonial era relations between state and mining actors have been key to the state's ability to extract capacity. To be sure, during Mobutu's rule some of the key processes that shaped the colonial state gave way to new processes (for example, welfare for urban constituents, patrimonial bureaucracy building, indigenization of the economy, and legal protection for boundaries and independence) that shaped the state in different ways. However, since at least the 1970s state authorities were motivated by revenue collection imperatives, such that they failed to direct (and at times, lacked) sufficient funds to maintain an institutional presence across the DRC. Rather than being result of the disorder or chaos (Chabal and Daloz 1999) or the collapse of coercive control (Kaldor 1999), fragmentation was at least partly due to careful calculations in a process of strategic engagement by state and social actors. This suggests that there was a continuing contestation over power and resources by actors with discrete preferences and strategies, whose interactions in many instances followed identifiable patterns.

Conclusion

Analyses of the origins of African states and their endurance despite weak capacity convincingly argue that the processes driving the formation of African states during the colonial and early independent era were different to state formation

in Europe. However, the rise of the archipelago state in the DRC demonstrates that its evolution has less to do with legacies of colonial state formation than with the factors of state formation that occurred in Europe: revenue and war (once conflict was renewed in 1998). The persistence of these processes suggests that there is a universality to their importance in shaping states, even if they are not the most salient process at any one time.

Scholars whose analyses of weak states refer to the DRC are so engrossed in analyzing conflict and informal elites and markets that they neglect the changes in state actors' state-building project, as well as the actual state-society relations that shaped the state's capacity on the ground. The importance of the DRC case lies not in its ability to support or contradict specific theories (for they can co-exist with exceptions), but in its frequent role as the *exemplar* collapsed/failed/shadow state upon which theories of state collapse and relationship between violence, state authorities and private actors, are developed and elaborated. Given this, accurate analysis of the DRC is essential.

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