

IS THIS UNCIVIL D.R.CONGO THIRD REPUBLIC A STATE? WHOM DOES IT SERVE?

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1. In its most recent report, ICG (International Crisis Group) has deplored the repressive tendencies accompanying the dawn of the DRC Third Republic. Protests are handled repressively, acts of insecurity, throughout the country, seem to be mostly originating from elements of the FARDC (Forces armées de la République Démocratique du Congo). One must also speak of the government incapacity to uproot armed insecurity in the Kivus and northern part of Orientale Province. In Kinshasa itself an average of five people are killed daily by people in military uniforms. In parts of the city, one is at a high risk of getting robbed of one's property (especially mobile phones) by armed people if one goes out past 8:00 pm. Security and administrative harassment of citizens (through traffic policing, fiscal tax demanding, demolition of houses supposedly built anarchically—even when official title papers exist, etc.) seems to be increasing. Ordinary citizens now experience daily the fact that their principal enemy is the 'State'.
2. Since the National Sovereign Conference (NSC), the diagnosis of the anti-civilian people character of the repressive apparatuses of the post-colonial state has been done. The decolonization of the colonial *Force Publique* (the colonial army), changing its army of occupation character and its anti-civilian population 'mentality', has not been accomplished. Its colonialist features seemed, instead, to have been worsened by the dictatorial Presidency of Mobutu and the 'regionalist' tendencies of rebellions. The *Force Publique*, ultimately, became a dictator's militia. Today, rebel militias are having a hard time transforming themselves into a real pro-people national army. The desire to have a so-called Republican army is always being expressed in many fora. It has not gotten solid political support—despite the "correcting strings attached" by the country's partners, to the foreign military assistance. Is it accidental that 'advanced democracies', such as that of the USA, are now relying on armies of volunteers? Does it not thus put private personal interest and desire for upward social mobility ahead of social solidarity with every citizen, especially with the poorest? Clientele militias are not far from that.
3. The fact that "political police" services—the so-called security services (ANR, etc.)—have been shaped by dictatorship requirements and rivalry between transitional ruling groups, means they tend to function as structures favouring one person or an oligarchic group. Agents of those services are more concerned with finding out possible enemies of the 'leader' or the ruling oligarchic group among the people rather than with the security of the whole country and its entire people. People are kept under constant surveillance, harassment and sometime subjected to arbitrary arrest. One needs to experience this to be most aware of it. I learned a lot when I was arrested by the military intelligence and spent months in an underground jail (1981-1982). Recently, I had to rescue my nephew, who got detained in solitary confinement at Kin Maziere. Rumours spread that he was likely to replace the incumbent minister of health—he was then the Kinshasa medical inspector. The minister made cooked up

allegations of embezzlement of funds from one of the programs run by the inspector. This program was closely supervised by a UN agency. The minister's figures created by his office did not tally with the real ones by the agency. Still, the inspector was put in solitary confinement before even the judicial enquiry was ordered. I had to see the Attorney General and the Minister of Justice. At some point, the Attorney asked my nephew to write an apology letter to the minister who accused him of arrogance! He luckily refused. I used this information effectively and got him released. Those who have nobody to intervene on their behalf are kept in confinement to satisfy the ego of some authority. Street children in Kinshasa, suspected of supporting J.P. Bemba, were recently rounded up, without any due process, and taken to Katanga.

4. Recently, a great number of people have been released from the famous Makala jail. Most of them were being kept there illegally. Some should have been legally held only for 48 hours, but were kept there for months. Members of the Bundu dia Kongo, in 2003, were illegally kept there for a full year. The crucial independence of the judiciary could be reinforced by also getting the security forces to function normally as part of a true Republic.
5. The abuse of power is closely related to the nature of state structures. Very little theoretical discussion is, however, done on the nature of the DRC so-called state structures and institutions. In rural areas, people think that the state disappeared ("bwabedi leta ko, nga bwabu.."—literally, when there was a state things were organized..). This is what makes them think of the colonial situation as having been a better situation. One peasant was heard to have asked, 'when will this independence end?' The rampant systemic corruption has affected people's capacity to see beyond individual wishes. The state is ultimately looked at by pointing at the ethnic, clientele or oligarchic membership of those occupying the institutions.
6. The needed intellectuality, dealing with what to do to transform the colonial/dictatorial/ethnically discriminatory state structures and forms of consciousness, is not done. What would be the best structures of state, favouring the fulfilment of the needs of the large masses of people? How do we understand the concrete history of state apparatuses (public administration, civil servants' capacities and ways of developing these, armed forces—discipline, esprit de corps, profiles of courage, exemplary services to the people, ways of rewarding their altruistic actions—related forms of consciousness, political and professional ethics, forms of confidentiality, forms of workmanship, rules and regulations, forms of promotion and demotion, etc.) How do we grasp the successive prescriptions to the state apparatuses (colonial, UN, dictatorial, democratic, transitional, etc.) and the forms of fidelity to the consequences of those prescriptions? The failure to have raised and confronted those questions and many more has made the post-colonial functioning as a colonial Trojan horse the new occupants find difficult to wield. Descendants of colonialists, as it were, become necessary advisers to help the new rulers feel comfortable in their new clothes.
7. Advanced countries recognize that, even for the decent running of the state, the best resource is human intellect. States give themselves think tanks, research/study/investigation structures to help them continuously produce necessary new ideas to cope with changing environments. Almost nothing serious is signed

without it having been thoroughly studied by one or more think tanks. The machinery of state itself must, from time to time, be put under scrutiny and renewed. Our so-called state institutions are allergic and opposed to human creative intellect. Even simple reading of materials outside of what the daily routine tasks demand of the civil servant, for example, is hardly encouraged or seen done. To the extent that 60 million human intellects are not seen as the best resource the country has, the state is organized as a machine for accumulated waste. It is madness that this is called ‘program of development’. People in government laugh at my constant suggestion of the need for creating a think tank to intellectually equip the government. The best copy of the so-called democratic institutions by a country that despises human intellect won’t produce effective democracy at all. Is it not sheer stupidity for a state to get people who have not seen the text of the draft constitution to vote in the referendum? Literacy is the life blood of a decent state. A state that organizes university education producing graduates who cannot read nor write is a machinery of wastage. This explains also the absence of real libraries countrywide; their demand seems to be nonexistent or minimal. Papers of used books, on sale and bought—often stolen—are used to wrap peanuts, etc. for sale. A friend of mine had to buy 500FC worth of peanuts to get the “confidential papers” used to wrap them.

8. It is sad to note that city people (in contrast to rural people) still behave as if they had faith in a state that hardly exists. They certainly believe that the state will come some day to collect the garbage. What would happen if people gave up that faith and started to organize themselves as if a separate coercive state were unnecessary? Societies without states existed and they were not worse than the DRC.
9. Let me end here with a song that reveals the understanding of the colonial state by the followers of Simon Kimbangu:

Mpila kiadi kiakala ku Madimba (What a sorrow that was felt in Madimba);
 Bantu bandombe bu bakangama (When the Black people were arrested);
 Bantu bandombe bu balomba Dibundu (When they demanded for their Church);
 Bantu bandombe bu basambila (When they prayed);
 Ref. Mpasi zazingi tumweni mu nsi yayi kua Falama (We suffered a lot in this
 country at the hands of the Flemish);
 Ntumua zazingi zafwila mu boloko dia Falama (Many disciples died
 in the Flemish jail);
 Tuka kina ye buabu tueti vova (Since then until now we speak);
 Tuka kina ye buabu tueti vova zindiamu zau ka tuzeyi ko (Since then until now
 we speak, we do not know their tombs.) .

We hear and read all kinds of statistics about the DRC, but the ones which really provide the vital signs of the political health of its people, of democracy, are very rarely, if ever, heard of. For example: Has the colonial state referred to in the above song ever been abolished?

In the massacre in Bas Congo, 122 people were said to have died by state bullets. An important number of the members of the BDK are said to still be missing after they have been taken to be interrogated. How many have so far disappeared in the jails of the Third Republic? How many street children (Chege) have disappeared simply because their

visibility stood out like a daily accusation of the inhumanity of the state toward its most vulnerable citizens. The eyes of these vulnerable people, day and night, see; their ears stay open...

Maboke no.2.

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